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Published in:
Ecology and Society

DOI:
[10.5751/ES-10461-230427](https://doi.org/10.5751/ES-10461-230427)

[Link to publication](#)

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Citation for published version (APA):
Menon, A., Sowman, M., & Bavinck, M. (2018). Rethinking Capitalist Transformation of Fisheries in South Africa and India. *Ecology and Society*, 23(4), [27]. <https://doi.org/10.5751/ES-10461-230427>

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Research, part of a Special Feature on [Transforming Conflicts over Natural Resources in the Global South for Social-Ecological Resilience](#)

Rethinking capitalist transformation of fisheries in South Africa and India

*Ajit Menon*¹, *Merle Sowman*² and *Maarten Bavinck*^{3,4}

ABSTRACT. The industrialization of fisheries and the growth of a capitalist sector within fisheries have received considerable scholarly attention. For the most part, scholars have emphasized how capitalism has led to privatization of the commons, forced small-scale resource users into wage labor, and marginalized the sector. This analysis does not, however, explain the continued presence of such a vibrant and important small-scale sector in fisheries throughout the world. Drawing on the notion of Foucauldian governmentality, other scholars have argued that the small-scale sector or what they term the “need economy” is a product of primitive accumulation. The state must, in conditions of democracy, address the welfare needs of all those who have been dispossessed in order to govern. We engage with this theorization in the context of fisheries and argue that seeing small-scale fisheries only as a product of primitive accumulation and Foucauldian governmentality ignores the moral economies of these fisheries. By analyzing capitalist transformation of fisheries in two “democratic” countries, South Africa and India, we highlight how small-scale fishers resist increasing marginalization and how governments have afforded a measure of protection to this sector, and confirm the importance of their moral economies to sustainable and equitable fisheries in the future.

Key Words: *capitalist transformation; fisheries; India; moral economies; South Africa*

INTRODUCTION

In different parts of the globe at different points in time, state policy has promoted the industrialization of fisheries (Smith 2000, Bavinck 2011) and its incorporation into international markets (Taylor et al. 2007). The economic wealth that the oceans increasingly have come to represent (Eide et al. 2011, World Bank 2017) has induced a “blue revolution” in the sector (Bailey 1988).

Keeping these developments in mind, political ecologists have debated the extent that such transformations of the fisheries sector constitute capitalist transformation, given the socioeconomic inequities (Smith 1990, Eide et al. 2011, Fabinyi et al. 2015), socio-cultural disruptions (Kurien 2003, Davis and Ruddle 2012), and ecological devastation (FAO 2005, 2016) that capitalism can produce (Harvey 2004). Broadly speaking, this literature can be divided into two: (1) literature that problematizes to what extent modern industrialized fisheries are capitalist in nature (van Ginkel 2015, Høst 2016), and (2) literature that examines the impact of growing industrialized fishing fleets on “small-scale” fisheries (Stobutzki et al. 2006, Bavinck et al. 2014, Pinkerton 2017).

We conceptualize the capitalist transformation of fisheries and the continued presence and nature of small-scale fisheries in two countries, South Africa and India. We characterize small-scale fisheries as a complex, dynamic, and evolving sector focused primarily on subsistence and income-generating activities that employs mostly labor-intensive harvesting, processing, and distribution technologies (FAO 2005). Both Sanyal (2007) and Chatterjee (2004, 2008, 2011), in their recent work, drawing on Foucault’s idea of governmentality, try to explain the existence of what they call the “need economy” (informal sector small-scale economies). What they argue is that while primitive accumulation creates a wasteland, it does not completely result in capital superseding precapital. Precapital is reproduced in the form of the need economy (Sanyal 2007:39). In postcolonial democracies, states cannot simply dispossess populations; rather, they

reconstitute them as part of the need economy and cater to their well-being. This need economy is the internal other of capital, although it is very much entangled in the logic of the capitalist market.

Applying Sanyal and Chatterjee’s conceptualization to fisheries, we highlight that while small-scale fisheries have often been marginalized by processes of capitalist transformation, and indeed become entwined in market dynamics, they still constitute a distinct, vibrant sector that can contribute to the economic and social welfare of coastal populations in sustainable ways. We thus take issue with recent scholarship that has either made the case that state-led industrialization has resulted, despite resistance from small-scale fishers, in the enclosure of the commons and the complete marginalization of the noncapitalist sector (Mansfield 2004, McCall-Howard 2012) or sees the continued existence of the need-based economy as only a product of capitalist transformation and the workings of development discourse (Sanyal 2007). We suggest a much more complex, indeterminate, and context-specific relationship between industrialized and small-scale fishery systems, recognizing processes of enclosure that often result in small-scale fishers becoming wage labor on industrialized boats and in factories, but also highlighting small-scale fisher resistance and their ongoing contribution to coastal economies and social well-being (Kurien 2003, Pinkerton 2015, Bresnihan 2016). In other words, there continues to be a precapitalist logic to the small-scale fisheries that is worth unpacking.

Emphasizing the persistence of small-scale fishers’ moral economies is important for policy purposes and management decisions. The FAO’s Code of Conduct for Responsible Fisheries (1995) and the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries (2014) not only highlight the importance of small-scale fisheries to employment across the value chain (harvest and postharvest) but also to poverty alleviation, food nutrition, and ecological sustainability. Our critique of Sanyal’s

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and Chatterjee's conceptualizations of capitalist transformation is also, therefore, forward looking and aimed at capturing actual small-scale fisher practice and its policy relevance.

South Africa and India offer an interesting comparison. Although both countries are "democracies," relatively similar in terms of strategies of economic growth and welfare provision, and firmly entrenched in the global capitalist economy, the industrialization of fisheries in South Africa and India took place in very different circumstances—the former in the context of colonialism and apartheid, and the latter in a postindependence drive to improve fisher welfare, increase food security, and promote exports (Crosoer et al. 2006, Bavinck et al. 2014). Moreover, whereas India's small-scale fisheries sector encompasses millions of people, South Africa's is relatively small, estimated to be less than a 100,000, including those involved in preharvest and postharvest activities. Ecologically, the two fisheries are also very different; South Africa is a highly productive, largely eastern-boundary upwelling system, whereas India's fishery is characterized by high levels of diversity, typical of a tropical system. Partly due to the social-ecological differences, fisheries management approaches too have been different—India employs temporal and spatial zonation as key management tools to address issues of conflict and overexploitation, and South Africa has a state-controlled individual quota system for the major commercial fisheries.

Because this paper is part of a special issue on conflict and cooperation (Fisher et al. 2018), it is important that we highlight how both are relevant to our analysis. First, fisher resistance to capitalist transformation, often with the support of NGOs, is a story of conflict between different fishery sectors with regard to access rights and government support. Conflict is therefore central to our analysis of capitalist transformation and its outcomes. But as stated at the outset, we are also interested in addressing how fisheries can be more equitable in terms of access to fishery resources and concerns of distributive justice, as well as sustainable. We examine to what extent small-scale fishers are able to persist in a state-supported industrialized fishery system that gives them limited protection, and their contribution to local livelihoods, local economies, and social development.

This article is divided into six sections. Following this introduction, we review existing political ecology literature on fisheries. In Section 3, we tell the story of the state's efforts in both South Africa and India to industrialize fisheries and examine fisher resistance to this process. Section 4 attempts to problematize small-scale fisheries given this transformation, and conceptualizes why the small-scale persists and cannot be simply understood as part of the becoming of capital. In Section 5, we focus on the moral economies of small-scale fisheries and their contribution to socioeconomic, cultural, and ecological well-being. The conclusion summarizes the major findings and alludes to the challenges ahead.

THE POLITICAL ECOLOGY OF FISHERIES

A growing political ecology literature has debated the capitalist transformation of global fisheries, with specific attention paid to the enclosure of the commons (privatization) (Mansfield 2004), and processes of accumulation and emergence of wage labor (McCall Howard 2012). This literature, for the most part, has highlighted the growing reach of capitalist fisheries (Platteau 1989), accumulation within these fisheries (though often in

circuitous ways) (Crosoer et al. 2006, Menon et al. 2016), and the proletarianization of small-scale fishers in the process (Vercrujssse 1984). Scholars have also paid attention to the neoliberalization of fisheries policy in the form of individual transferable quotas (Crosoer et al. 2006, Isaacs 2011, Høst 2015) and Marine Stewardship Council certification (Pérez-Ramiraz et al. 2012, Agnew et al. 2014). Underlying this literature is the contention that productive assets are increasingly being concentrated with a relatively small group of capitalist fishers, in the process destroying the prevailing moral economies of small-scale fishers.

Such literature exists for the South African and Indian cases too. Crosoer et al. (2006) highlight how British capital funded the deep-sea trawling and crayfish industries in the early 20th century in South Africa. As the industry developed along the Cape Coast, small-scale fishers were increasingly restricted from access to traditional fishing grounds and forced into wage labor in the fishing industry. This situation persisted until the 1990s, when the new democratic government sought to establish the state's control over fisheries and widen access to previously disadvantaged groups.

Newman (1981), in one of the earliest studies on trawling in India, highlights how capitalists not only invested in trawling in the 1970s and early 1980s, depending increasingly on wage labor, but also set up canneries and export companies. Social scientists have extensively studied the "blue revolution" that was thus triggered in marine fisheries (Kurien 1978, 1985, Ram 1991, Bavinck 2001, Subramanian 2009, Sundar 2010). Not all of these studies explicitly adopted a political ecology framework, though they do unravel the power dynamics of the blue revolution.

When the small-scale is addressed within wider narratives of capitalist development, it is largely in terms of how it has been increasingly marginalized. In the South African postapartheid case, for example, Sowman (2006) and Isaacs (2006, 2011) illustrate that while some small-scale fishers obtained rights in the postapartheid fisheries transformation, thousands of traditional small-scale fishers were left out of the process. In the Indian case, Platteau (1984) highlights that as the trawling sector in India grew, many small-scale fishers were unable to sustain their livelihoods, and hence became wage labor on trawl boats. Sundar (2010) argues that small-scale fisher resistance fizzled out as small-scale fishers increasingly aspired to be part of the industrialized sector. Menon et al. (2016) make a similar point, suggesting that many small-scale fishers upgraded to trawling in the Palk Bay region of Tamil Nadu. Having said that, scholars such as Kurien (2000, 2003) and Pinkerton (2015) focus much more on small-scale fishers and how they continue to operate and thrive in certain contexts, making a valuable contribution to local economies and improving social well-being.

We argue that there is a need to broaden political ecology narratives in relation to understanding the continued existence of small-scale fisheries. We try to do so by engaging with the work of Kalyan Sanyal and Partha Chatterjee. Sanyal (2007) and Chatterjee's (2004, 2008, 2011) conceptual objective is to explain the continued presence of what might be called the small-scale, noncapitalist economy (agrarian economy). While unlike the dominant narrative of capitalist transformation where the noncapitalist economy makes way for the capitalist one through processes of primitive accumulation, they suggest that the

precapitalist economy is reproduced in the wasteland of primitive accumulation because of postcolonial compulsions of electoral democracy and the need to deliver development. In other words, those who are not absorbed into the capitalist economy during processes of primitive accumulation are reconstituted as part of the need economy. In our case, small-scale fishers who are not wage laborers in capitalist enterprises but who were dispossessed are reconstituted within the need economy. The state transfers surplus to this need economy so as to ensure that their welfare needs are taken care of and that the capitalist economy retains its hegemony. The need economy is very much entangled in the wider market economy that capitalism has produced.

The other important point made by both Sanyal (2007) and Chatterjee (2004, 2008, 2011) is that processes of governmentality or the manner in which the state seeks to govern its population and shape its conduct through positive means (provision of welfare) takes place in the domain of political society, not civil society. Whereas civil society relates to the state through the domain of law and legally enforceable rights, political society is able to lobby only for certain benefits or handouts from the government as members of political society are not deemed to be lawful citizens with the same citizenship rights of those within civil society.

We take exception to Sanyal and Chatterjee's work on both fronts. First, we argue that while the state seeks to governmentalize small-scale fishers in the process of capitalist becoming, this is an incomplete explanation of the diversity and complex nature of the small-scale fisheries sector. Small-scale fishers are not necessarily the products of development as a result of primitive accumulation in a postcolonial context. While some small-scale fishers upgrade into more industrialized forms of fisheries and others become wage labor in industrialized boats and related shore-based enterprises, many small-scale fishers continue to be part of a small-scale fisher economy with its own moral economy, logic, and systems of governance. Second, as Aparna Sundar (2010:30) argues, small-scale fisher resistance actually takes place in the domain of what she calls vernacular civil society or civil society shaped by its own political-economy conditions and not that of Western modernity. We too try to highlight how fisher resistance through fisher organizations and supportive NGOs is aimed at legal protection for small-scale fishers. We focus more directly on the moral economies of small-scale fishers by building on a significant moral economy of fisheries literature that already exists (McCay and Acheson 1988, Ruddle 1998, Kurien 2003, Pinkerton 2015). In doing so, we hope to illustrate that what Sanyal calls the need economy has its own moral economy logic that offers a way forward toward a more just and sustainable fisheries.

INDUSTRIALIZATION OF FISHERIES AND FISHER RESISTANCE

Well before the industrialization of fisheries in South Africa and South Asia, fisheries provided a source of livelihood for coastal communities in both these regions (Sunde et al. 2013, Reeves et al. 2014). Historically, small-scale fishers used mainly passive fishing gear. This refers to fishing equipment that is largely stationary and "waits" for fish to entangle or hook themselves, in contrast to active equipment that searches out fish. While relatively little is known about fishing activities of indigenous

inhabitants prior to industrialization in South Africa, archival records suggest that there was a diversity of activity along the 3000-km coastline that included boat-based fisheries on the west coast (van Sittert 1992) to shore-based and line-based fisheries on the east coast (Sunde et al. 2013). During the 1800s, following the abolition of slavery, many freed slaves and their families settled along the Cape coast. This, together with the rising demand for fish from the colonial government, led to the emergence of a number of fishing settlements along this coast (van Sittert 1992). Many fishers on the east coast were nomadic pastoralists and herders who also engaged in shore-based harvesting of shellfish and certain line fish species (Hammond-Tooke 1974 in Sunde 2014). Along this eastern seaboard, several hundred kilometers away from the seat of colonial power, fishers continued to access marine resources under African customary law (Sunde 2014).

In India too there was a diversity of small-scale fishing across the different coastal states. The government official, Francis Day (1873), provides a comprehensive overview of the state of marine fisheries in the subcontinent in the second half of the 19th century, noting a large variety of gear types and fishing practices, as well as fishing castes. He divides marine fishers into three categories—those plying the deep sea, the inshore waters, and the estuaries (Day 1873:3)—and supposes that the elaborate social organization found among fishers of all regions "is the remains of some ancient system" (Day 1873:15). Hornell (1927), writing more specifically about the fisheries of Madras State, confirms the variety of fishing techniques and practices along the coast "that have evolved in response to varying local conditions, and the classes of fish that predominate" (Hornell 1927:60). V. Vivekanandan (*personal communication*) argues that fishing technology, which developed over the course of many centuries, has mirrored the ecological nature of coastal regions. He divides the coast of the Indian mainland (7500 km) into four historical techno-ecological zones: (1) the northwestern region, with a wide continental shelf and large carvel vessels; (2) the southwestern region (Ratnagiri-Quilon), with a narrow continental shelf and large pelagic fisheries with dugout or plank-built sewn boats; (3) the so-called *kattumaram* belt, running from southern Kerala up to Odisha (Puri) on the surf-beaten west coast; and (4) the northeastern, deltaic region in which marine fisheries, making use of small, carvel boats, developed only since the mid-20th century. Marine fishing in all these regions was vessel- but also shore-based. Fishers employed a variety of gears that targeted specific niches in their rich, tropical marine ecologies.

By the early 1990s, marine fisheries had undergone a major transformation. British capital financed the industrialization of the South African fisheries in the first few decades of the 20th century (Crosoer et al. 2006). From the mid-1930s, however, the national government gained a measure of control over the rapidly expanding commercial fishing sector (van Sittert et al. 2006). The state introduced various legislative mechanisms, as well as the individual quota system, which further entrenched white monopoly over valuable marine resources and concentrated resources in the hands of a few large white-owned companies. (The terms "white" and "black" refer to the racial classification of peoples in South Africa under apartheid, and the latter more specifically refers to those ethnic groups identified by apartheid policy as "Indian," "African," or "colored.") This accumulation of capital by a few companies was further facilitated by the shift

to export production after 1945 (Crosoer et al. 2006). During the postwar expansion period, there was an increase in international interest in the fisheries sector while competition with foreign vessels, especially for hake resources, escalated. It was only with the proclamation of the Exclusive Economic Zone in 1977 that South Africa was able to restrict foreign vessels from fishing in its waters. This situation has been largely successfully maintained until the present.

The advent of democracy in South Africa in 1994 resulted in the new African National Congress (ANC)-led government's decision to reintegrate with the global capitalist economy and adopt neoliberal economic policies despite a socioeconomic policy that embraced socialist elements (ANC 1994) and promised to address the shortfall in social services, deep poverty, and issues of social injustice. Postapartheid's embrace of neoliberalism led to an industry-labor alliance where crews and fishworkers supported big industry opposition to state interference in the redistribution of resources to traditional fishers (Nielsen and Hara 2006), and favored instead Black Economic Empowerment processes to meet transformation targets. Small-scale fishers were not well organized and represented in meetings, and industry and wage laborers dominated the processes. These deliberations culminated in a fisheries policy (DEAT 2006) and the promulgation of the Marine Living Resources Act (MLRA) in 1998.

In order to meet the transformation requirements of the MLRA, industry recruited politically connected black individuals to serve on the boards of fishing companies and entered into various partnership arrangements and joint venture agreements with black business people, many of whom were highly politically connected to the new ANC government (Crosoer et al. 2006, Ponte and van Sittert 2006). In addition, more than 3000 new entrants were allocated fishing rights in the medium- and long-term rights allocation processes in 2001–2002 and 2005–2006, respectively, and were allocated quotas in several of the quota-based fisheries, including hake long line, abalone, west coast rock lobster, and squid, and many individuals obtained commercial line fish rights (Isaacs 2006, 2011). However, despite the widening of access to marine resources, all aspects of the fishery value-chain remained in the hands of big business due to their access to capital, established processing facilities, and strong links to international and local markets. Small-scale fishers who had traditionally harvested resources from the shore or from small boats were not catered to in this new dispensation.

In India, the blue revolution commenced after Independence in 1947. Unlike the case of South Africa, where the industrialization of fisheries was aimed at strengthening the control of the state over the seas and ultimately the hand of white capitalist fishers, in independent India, where multiparty democracy prevailed, at least one stated purpose was “development” of small-scale fishers; i.e., upgrading them from small-scale to industrial fishing (Bavinck and Johnson 2008:585). The state, through its policies in the 1950s and beyond, targeted the rapid expansion of trawling throughout India, employing naval architects and master fishermen from the FAO (Bavinck 2001:59-60). At the state level, fisheries departments made efforts to build boatyards and harbors, and invest in postharvest technologies. Development

also meant making a contribution to reducing the trade deficit; hence, from the 1960s onward, exports became a major focus (Kurien 1978). The Marine Products Export Development Authority (MPEDA), established in 1972, aimed at facilitating exports by building seafood processing units with freezing facilities that could bolster the production of value-added products (Bavinck 2001:56–57). As Menon et al. (2016:397) have highlighted, citing MPEDA data, exports increased more than 5000% in quantity between 1961 and 2012.

The industrialization of fisheries did not, however, go unopposed in South Africa and India. In South Africa, resistance first occurred outside the gamut of democracy. As the political struggle against apartheid reached its peak in the 1980s and early 1990s, small-scale fishers increasingly engaged in “illegal” fishing activities. In certain sectors, such as the abalone fishery, “protest fishing” became common place as a means of challenging the lack of access to resources (Hauck 2008). Meanwhile, the ANC promised “upliftment of the impoverished coastal communities through improved access to marine resources” (ANC 1994:104), transformation of the industry, and redistribution. There were great expectations that the ANC would deliver on its promises. However, despite objectives in the MLRA requiring redress, socioeconomic development, redistribution while simultaneously maintaining stability in the industry, the new government failed to deliver on its promises to traditional small-scale fishers since it recognized only subsistence fishers who could use resources for their own consumption (Isaacs 2006, Sowman 2006). While opportunities for new entrants to gain access to certain marine resources were provided through medium (2001–2002) and long-term rights allocation processes (2005–2006), the complex administrative procedures and restrictive criteria meant that most bona fide small-scale fishers were unable to access this opportunity (Isaacs 2006, Sowman 2006). Furthermore, the lack of legitimacy of the state system and failure of the state to recognize and respect local customary systems meant that conflicts (which were largely between fishers and the state) became increasingly acute during the 1990s and 2000s. The state continued to support big industry and push ahead with expansion of its conservation program, neglecting to address the rights of traditional fishers.

Failure to formally recognize small-scale fishers and adequately cater to them resulted in mass action (Sunde 2003, Isaacs 2006), increased disregard of formal rules and regulations (Hauck and Kroese 2006, Hauck 2008), and finally, legal action by a group of fishers against the Department of Environmental Affairs and Tourism Minister (George K and Others v. The Minister of Environmental Affairs and Tourism 2004) (Sowman et al. 2014a, b). Mobilization of the fishers was supported by Masifundise, an NGO, and its community-based network, Coastal Links. Both entities focused on empowering coastal fishers to claim their rights to marine resources, and received support from the Legal Resources Centre, a public interest NGO (Sowman et al. 2014a, b). A key argument underlying this case was that government's failure to allocate rights to this group of fishers had violated their fundamental constitutional rights, resulting in significant socioeconomic hardship. Their fight was essentially about formal recognition, restoration of access rights, and reincorporation into the fishery sector.

Small-scale fishers in many parts of India also agitated against the expansion of trawling. Newman (1981) documents the emergence in 1974–75 of the Goenchea Ramponkarancha Ekyott (GRE), an organization of Catholic and Hindu small-scale fishers in Goa. Led by fishers, teachers, and students, among others, the GRE's main demand was an exclusive zone for small-scale fishers. Kurien and Achari (1994) highlight how small-scale fishers resisted trawling in the early 1980s in Kerala (a state located in southwestern India) and demanded state regulation of destructive fishing techniques by trawlers. Sinha (2012:379–380) points out the contribution made by the Church, trade unions, and fishworkers movement, also in Kerala, in opposing first trawling and later deep sea fishing by international vessels. Karnad (2017) discusses the role of customary fisher associations in opposing trawling and industrial purse seining in Maharashtra (western India). Similar analyses exist for Tamil Nadu (Bavinck 2001, Menon et al. 2016) and Gujarat (Johnson 2001) as well. What all these studies point out is the multifaceted character of small-scale fisher resistance to the industrialization of fisheries. While such resistance has often taken place either locally or at the level of the individual coastal states, the National Fishworkers Federation (NFF), which was established in 1977, provided a platform for nation-wide political agitation (Dietrich and Nayak 2006). Besides the protest against trawling, NFF played a key role in agitations against the issuing of deep-sea fishing licenses (1996) and a new coastal management policy (1991 to present), both of which were felt to harm small-scale fishers in particular.

While resistance to an expanding industry and the impacts associated with this expansion was a key focus of concern in both countries, in the case of South Africa, restoration of rights of access to the marine commons was the first priority. Small-scale fishers demanded access to traditional fishing grounds but also an equitable share of the total allowable catch and effort-controlled fisheries in the nearshore zone. In India, small-scale fishers fought primarily for the protection of their rights over inshore fishing grounds and resources vis-à-vis new industrial entrants.

OUTCOMES OF SMALL-SCALE FISHER RESISTANCE

While the focus of political ecology studies has largely been on the expansion of capitalist fisheries, there are studies that have highlighted the perseverance of noncapitalist, small-scale fisheries too. Platteau's (1989) study is one of the most detailed of these; it highlights not only the continued existence of small-scale fisheries but also their adaptation and vibrancy. It is important to point out that in terms of numbers of fishers, the small-scale sector continues to be dominant in both South Africa and India. Of the almost one million active marine fishers of India, inhabiting 3288 settlements along the coast, CMFRI (2010) calculates that 91% belong to "traditional fishermen families." The report also suggests that the marine fishing fleet of India consists of 121,931 motorized or nonmotorized vessels (as compared with 72,559 mechanized vessels, of which trawlers constitute approximately half)—a segment that would probably more or less coincide with the definition of small-scale fisheries and equals 63% of all seagoing fishing craft. While industrial (or mechanized) fisheries are concentrated in a limited number of harbor locations, small-scale fisheries are spread out along the seaboard of all coastal states. In South Africa, there are approximately 315 fishing communities located along the coast,

and estimates of numbers of fishers engaged in the small-scale fisheries sector range from 30,000 (DAFF 2012) to 50,000–75,000 if one includes the many thousands of fishers who harvest marine resources in rural contexts, often as part of a suite of livelihood activities, and considers the many fishworkers that are engaged in preharvest and postharvest activities.

What is clear, therefore, is that in both South Africa and India, industrialization did not completely subsume the small-scale sector. In South Africa, despite the industrialization of fisheries and restrictions placed on small-scale fishers from harvesting traditionally harvested resources, fishing continued informally in many of the west coast fishing villages as well as in the former homeland areas; that is, areas along the east coast of the country to which Africans were given obligatory citizenship under apartheid. Moreover, while state laws also applied along the east coast, in practice they were not strictly enforced (Sunde 2014). Thus, small-scale fishers continued to operate, albeit illegally, in many parts of the country. In India, while state efforts focused on the introduction of small trawlers and other so-called mechanized, harbor-based vessels, the small-scale sector also was included in the modernization effort. Fisheries departments thus promoted the large-scale replacement of fishing gears made of natural fibers with synthetic ones (1960s onward) and the motorization of small-scale fishing craft (1980s onward), thereby increasing the catching capacity of the small-scale fishing sector too (Bavinck 2001:65-67). Thus, in India, the state issued the small-scale fisheries a measure of encouragement and support.

Legally, small-scale fishers in both South Africa and India have also made strides. A ruling by the Equality Court in South Africa in May 2007 required the Minister responsible for fisheries to develop a policy that would address the needs of this hitherto excluded group and immediately provide "interim relief" through access to marine resources until such time as the policy was finalized (Sowman et al. 2014a, b). Following the Equality Court Ruling in 2007, a National Summit involving fishers from across South Africa was held to discuss concerns regarding the management of the sector. An outcome of this meeting was the appointment of a National Task Team and Technical Task Team that included representatives from government and fisher communities, researchers, NGOs, and community-based organizations to develop a small-scale fisheries policy that would address the rights and socioeconomic needs of this group of fishers and ensure equitable access to resources. While the process of formulating the draft policy has been lengthy and difficult due to the very different perspectives of the many stakeholders involved, and to a change in fisheries management authority, the principles, objectives, and management approaches suggest a fundamental paradigm shift in fisheries governance in South Africa (DAFF 2012).

In India in the 1980s, following the promulgation of a "model act" by the central government, in all coastal states, marine fishing regulation acts demarcated separate inshore fishing zones for small-scale fishers. However, these regulations are generally very poorly implemented (Paruppurathu and Ramachandran 2017:79), with a consequence that trawl fishers frequently encroach on inshore waters. On both the east coast and west coast of India, there is also a temporal fishing ban imposed on only trawl fishers, which in principle, is meant to ensure not only

rejuvenation of fish stocks but also protection of small-scale fishers from overfishing by trawlers (Novak Colwell et al. 2017). In the Palk Bay, the waterbody separating India and Sri Lanka, given the relatively small area in which both small-scale fishers and trawl fishers harvest fish, political protests by small-scale fishers have resulted in a unique three–four day rule. This rule allows trawl fishers to fish only three days of the week, whereas small-scale fishers can fish on the other four days (Bavinck 2003). However, legal protection has not been implemented very robustly in India except for when there are regional agreements of the Palk Bay type. Neither have they translated into the allocation of rights in South Africa. This notwithstanding, they nonetheless do provide a legal framework to which the small-scale sector can and does refer. Increasingly in both countries, small-scale fishers are drawing on international instruments (e.g., FAO Code of Conduct 1995) and various guidelines (e.g., Voluntary Guidelines for Securing Small-scale Fisheries in the Context of Food Security and Poverty Eradication [FAO 2014]) to assert their rights and get recognition of their contribution to local livelihoods, economies, and social well-being.

To characterize small-scale fisheries as part of what Sanyal (2007) calls the need economy would be oversimplifying it. What we have tried to demonstrate is that small-scale fisher resistance has resulted at least partially in significant legal gains that have offered protection for small-scale fishers and constituted the small-scale sector as a relatively vibrant one, not simply a by-product of primitive accumulation. In the South African case, the law reform process has made provision for allocating rights to small-scale fishers and granting them preferential access to resources where they reside adjacent to the sea (DAFF 2012). Whereas in the Indian case, law has given small-scale fishers spatial and temporal protection in terms of fishing zones and a closed season for trawling. This does not mean that small-scale fishers do not take up wage labor in the industrial sector, that some of them have not upgraded themselves to medium-scale fishing enterprises and even joined the industrial sector, and that the small-scale fisher economy itself has not been entangled in the global fisheries market place. However, as we detail in the next section, there remains a small-scale fisheries sector in both countries that continues to have its own moral economy—a moral economy that assumes even more importance given overfishing and the disruption of local communities in many parts of the globe.

LOOKING TO THE FUTURE: SMALL-SCALE FISHERIES' MORAL ECONOMIES

Small-scale fisheries are frequently—explicitly or implicitly—equated with “moral economy” (McCay and Acheson 1988, Cordell 1989, McGoodwin 1991, Cadigan 1999, St. Martin 2007, Jentoft and Chuenpagdee 2015, Pinkerton 2015). Debates on moral economy originate in the field of peasant studies, which claim that peasant modes of production represent a distinct “type” (Bernstein 2015), different from capitalist enterprise. Thus, following Scott (1976:3), moral economies are defined in terms of notions and practices of economic justice, and “willingness to conserve” (van West 1989 in Cadigan 1999).

In a thoughtful reflection on categories and values of small-scale fisheries, Johnson (2006:754) points out that “the values of social and ecological sustainability should best be seen not as intrinsic to small-scale fisheries but as principles that they are unlikely to

meet perfectly.” This observation is most certainly valid; however, a wealth of evidence for the weight of moral precepts in small-scale fisheries does now exist (Jentoft and Chuenpagdee 2015). As Pinkerton (2015:410) argues, small-scale fisher moral economies are important because they potentially promote social, economic, and ecological welfare. This, she argues, is critical in a context where neoliberal policies, in the halibut and salmon fisheries of British Columbia, Canada, have a detrimental impact on distributive concerns, in particular. Pinkerton’s argument is that small-scale fisher moral economies are much more “fair and just ways to promote well-being.” She goes on to highlight three elements that are critical to these moral economies: (1) fairness in fishing opportunity, (2) fairness in allocation of catch, and (3) fairness in price competition. These principles provide a normative or ethical foundation for a more inclusive fisheries than do individual transferable quota-based fisheries that emphasize efficiency at the expense of other normative values.

In relation to small-scale fishing communities in the Asia-Pacific region, Kurien (2003:6) remarks how these communities are “repositories of traditional knowledge, skills and co-operative fishing techniques that exhibit a highly nuanced ecological sophistication.” In this work, he references several scholars who argue how these traditional/customary systems of natural resource governance not only ensured that benefits from resources were used within the communities (for food and livelihoods prior to selling surplus outside the community), but that these systems also contributed to conservation of resources (Kurien 2003:7)

Moral economies assume different forms in different small-scale fisher contexts. In South Africa, research on fishing practices and the cultural and social dimensions of fishing in coastal communities highlight the existence of unwritten rules regarding fishing behavior and the importance of sharing the catch with family and more vulnerable groups in the community (van Sittert 2003, Sunde and Isaacs 2008, Sowman et al. 2011, Williams 2013, Sowman and Sunde 2018). Furthermore, there is increasing research that demonstrates the existence of customary systems of marine resource use and governance, often embedded within a broader system of customary governance (Sunde 2013, 2014, Sunde et al. 2013, Mbatha 2018). These customary systems determine the rights to access, use, and manage resources, and are often at odds with state-imposed rules. Such systems are underpinned by principles and norms that guide access, use, and management, including, for example, norms related to when to fish particular species and size of fish caught, and norms about sharing the catch with those who are in need or too old to fish (Sunde et al. 2011, Sunde 2013, 2014, Williams 2013, Mbatha 2018). As fishers become more aware of their constitutional rights, they are increasingly making reference to their customary and cultural rights to gain access to traditional fishing grounds that have been restricted (see Sunde 2013, 2014, Gongqose & others v. Minister of Agriculture, Forestry & Fisheries 2018, Mbatha 2018, Sowman and Sunde 2018).

Bavinck (2001:112–140) details this moral economy in the context of south Indian small-scale fisheries in the state of Tamil Nadu, alluding to fishing rules enforced by hamlet panchayats (village council) that govern fishing. Among the rules he highlights are territorial rights to the commons, rules of technical innovation, and rules of sharing. Collectively, these rules are meant to address

equity between and within fishing villages, but also the concerns for the sustainability of fish stocks in the future. Bavinck and Karunaharan (2006) have distinguished three understandings of harm that have historically inspired fisher rule-making on technological innovation, including harm to the fish stock. Various authors (Kurien 2000, Lobe and Berkes 2004, Paul 2005) have highlighted the role of the *kadakkodi* fisher courts in Kerala, which work along identical lines. Karnad (2017) demonstrates the similar role of rural fisher institutions in Maharashtra in the “commoning” of marine resources and the formulation of rules for the use thereof.

Having said that, these moral economies are frequently also pointed out as under threat (Davis and Ruddle 2012). Ethnographies of small-scale fisheries in India demonstrate that accumulation by some at the perceived expense of “the community” poses a risk to moral economies (Kurien and Vijayan 1995, Bavinck 2001, Sundar 2010, Karnad 2017). Similarly, in South Africa, there is some evidence of small-scale fishers who have gained individual access to high-value species such as west coast rock lobster, disregarding resource rules and benefit-sharing community norms (Wentink et al. 2017). A further issue of concern in both countries is the failure to recognize and protect the rights and requirements of woman fishers in the small-scale sector, many of whom are engaged in the preharvest and postharvest activities (Ram 1991, Hapke 1996, Kumar 2010, Sunde 2010, Groenmeyer 2011). Thus, while it is important to keep in mind the existence of what J.K. Gibson-Graham (2008) called “diverse” economies (other than capitalist) that continue to exist amidst the growing reach of capitalist fisheries, it is equally important to problematize the functioning of these economies.

Over time, the contribution of the small-scale fisheries sector to total fisheries production has declined, at least in a relative sense, across the globe (Pauly and Zeller 2016). Furthermore, concerns regarding the status of marine resources due to unsustainable fishing practices and illegal, unreported, and unregulated fishing have intensified (Agnew et al. 2009, FAO 2016). It is in this regard that international efforts to protect small-scale fisheries and their moral economies are of relevance. Wider principles of social justice have been incorporated into the FAO’s Code of Conduct for Responsible Fisheries (1995), and more recently into the Voluntary Guidelines on the Responsible Governance of Tenure (2012) and the Voluntary Guidelines for Securing Sustainable Small-scale Fisheries (2014). The latter document derives motivation from the fact that “Small-scale and artisanal fisheries, encompassing all activities along the value chain—pre-harvest, harvest and post-harvest—undertaken by men and women, play an important role in food security and nutrition, poverty eradication, equitable development and sustainable resource utilization” (FAO 2014:ix).

Whether governmental efforts to protect small-scale fisheries at a national or international level are worthwhile, or amount to “massaging the misery” (Davis and Ruddle 2012:244), is a matter of scholastic debate. Arguing that “the state is no benevolent patron of the public interest and democratic representation,” Davis and Ruddle (2012:244) display little faith in state-sponsored governance programs. But this is perhaps also because these authors view the state as a single-minded backer of capitalist/neoliberal interests. Our analysis is based more on an engagement

with Sanyal (2007) and Chatterjee (2004, 2008, 2011), who draw significantly on Foucault. Sanyal and Chatterjee at least recognize the existence of a need economy, albeit not as an alternative to capitalist becoming. We suggest that what they call need economies are moral economies that have certain principles of fairness and sustainability embedded in them, which should be supported/nurtured by the state in preference to the dominant focus on supporting an expanding industrial sector.

CONCLUSIONS

We have attempted to understand the capitalist transformation of marine fisheries as it has occurred in the past century in two pivotal countries, one each in Asia and Africa: India and South Africa. We have focused primarily on the position of small-scale fisheries, as they have resisted capitalist transformation but also been absorbed partly and adapted to the rise of capitalist enterprise. The main argument we have made is that these fisheries have not disappeared but are still occupying an important position in their respective socioeconomic landscapes.

We have questioned the continuation of small-scale fisheries in the light of predominant political ecological theory, which surmises their ready incorporation into the capitalist economy, taking note of the following three issues. First, small-scale resistance has been part of a wider effort by small-scale fishers to claim fishing rights on the basis of historical antecedence as well as citizenship. These acts of resistance have resulted in a measure of legal protection and support for small-scale fisheries. Second, we argued that although the state in both countries gave precedence to the development of large-scale, capitalist fisheries, it did not ignore the small-scale fisheries altogether, although in South Africa, recognition of this sector only occurred well into the new democracy. Finally, we pointed out that small-scale fisheries are often associated with moral economies that have relevance not only to the past and present, but to the future too.

While making a general argument for the perseverance and value of small-scale fisheries, we have also noted important differences between India and South Africa. While small-scale fishers in India are large in number, often in possession of strong and vibrant community institutions, in South Africa they are less numerous and have a more compelling history of marginalization. Generally, therefore, the resistance shown by Indian fishers to capitalist transformation has been more pronounced. While South African small-scale fishers have made important strides, especially since the conclusion of the apartheid regime, their fishing rights, although legally recognized, still need to be granted and are thus more tenuous than is the case in India. This is also a reflection of respective embeddings of small-scale fisheries in political society. While fishers in India are long recognized as citizens, and possess exceptionally strong civil society support organizations, small-scale fishers in South Africa have only recently been recognized as a legitimate group of fishers requiring government support.

Our analysis of small-scale fisheries in South Africa and India highlights the persistence of small-scale fisheries and the critical role they play in the local economies and cultural lives of coastal communities outside a formal industrial state-supported sector. It also demonstrates the state’s attempt to manage the small-scale fisheries through its governmentalizing efforts to reduce and avoid conflict. The unraveling of this sector in these two countries

suggests further research in other contexts is required in order to enhance understanding of the complexity of these moral economies and their relationship with the industrial sector. It also suggests that government needs to take more seriously the various international instruments and guidelines such as the FAO Code of Conduct (1996), the Tenure Guidelines (FAO 2012), and Voluntary Guidelines for Securing Small-scale Fisheries (FAO 2014) for protecting, supporting, and developing small-scale fisheries. Based on these case studies, and reflecting on the work of other scholars who have highlighted the value and contribution of the small-scale fisheries sector, we suggest that greater attention be given to understanding the role that this sector can make in achieving more sustainable and equitable use and development of marine resources. We suggest, moreover, that while capitalism no doubt has had an impact on the small-scale sector, it is still worthwhile to study the small-scale sector as an alternative moral economy. Of course, the wider debates about capitalism must be kept in mind, as well as concerns about possible inequities within the small scale.

Responses to this article can be read online at:
<http://www.ecologyandsociety.org/issues/responses.php/10461>

Acknowledgments:

We would like to thank the three anonymous referees for their extremely insightful and helpful comments that resulted in a significantly revised version. The first author thanks M. Vijayabaskar for his useful inputs during the writing of the paper. The paper is the product of research undertaken as part of the REINCORPFISH project that was funded by the Netherlands Organisation for Scientific Research (de Nederlandse Organisatie voor Wetenschappelijk Onderzoek; NWO) under project number W076830200 (see <http://www.reincorpfish.info/>). Many of the insights generated are the collective outcome of deliberations of all involved in the research.

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