Creating space for fishermen’s livelihoods: Anlo-Ewe beach seine fishermen’s negotiations for livelihood space within multiple governance structures in Ghana

Kraan, M.L.

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The institutions of local fisheries management

Introduction

Beach seine fishing in Ghana is a regulated activity. These rules are largely set by the fishermen themselves and for a large part deal with the fact that fishing companies seldom operate alone in a certain territory. This regulating of the activity I call fisheries management, and is defined as: *all kinds of activities people purposely undertake to regulate fisheries on a collective level (by making rules or developing norms based on existing – or new – values)*. Management covers all activities people undertake to structure the usage of the resource, whereby they not only address the organisational aspect of the activity related to access, interaction, extraction and marketing but also (in doing so) create or base themselves on new institutions (see Chapter 6). In this chapter we take a closer look at the institutions of fisheries management at local level, focusing on what the Anlo-Ewe beach seine fishermen undertake collectively and also on the regulating activities undertaken by the government in relation to the artisanal fisheries sector at beach level. By doing so we differentiate ourselves from many livelihood studies that ‘refrain from analysing societal processes at the collective level’ (Brons et al. 2007: 10).

Both the fishermen and the government base themselves on certain norms and values which can be traced back to what Kooiman et al. have called principles. Core principles feed, bind and evaluate the governing exercise (of which management is part) (Kooiman & Bavinck 2005: 20). Rationality, responsiveness and performance are examples of such core principles. The value of the work of Kooiman et al. is that they analytically separate the three orders of governance, and describe each order in detail. The difficulty, however, is that although they distinguish between different levels – local, national and international – when discussing the institutions of governance, they speak of ‘governers’ or ‘decision makers’ as if it is a group you can see, gather and get together when discussing the meta-principles of fisheries governance. This chapter shows how complex...
fisheries institutions already are at local level—namely the beach in Ghana—with a focus on one fishing technique: beach seine fishing. Managing actors are not a homogeneous group and also base their institutions on different normative orders that play a role at the same time. As a result, the underlying principles differ. By their analytical simplification one might be led to believe that principles have a one-on-one impact on management: ‘A rational approach to fisheries governance would insist that the order of attention should be as follows: 1) values, 2) concerns, 3) principles, 4) goals and 5) means’ (Kooiman & Jentoft 2005: 298). However, this research shows us that there is no such thing as one rationality, since even rationality is plural. To make things even more complicated, all this is indeed reasoned without considering the negotiation interface, as discussed in the next chapter. We begin this chapter by discussing the concept of fisheries management in relation to collective action.

**Fisheries management**

Fishermen have developed many institutions to regulate and organise their fishing business. Institutions are values converted into written or unwritten rules applicable to certain situations with the idea being to achieve certain goals. In this chapter I use the word ‘rules’ but it should be kept in mind that I then refer (following Kooiman & Bavinck 2005: 15-17) to both written and unwritten rules and norms and also to rights and procedures, while also including the principles or values on which these are based. I assume that fishermen regulate their fishing activities if there is a reason to do so. From a functionalistic point of view, rules are set to solve a certain problem. Such rules are not set just like that, out of the blue. For instance, in Ghana there is a rule that fish carriers and fish mongers are not allowed to meet a canoe at sea on its way to the shore in an attempt to transact business (Keta District Bylaws 5: i). This rule is intended to prevent conflicts between fishermen and fish dealers, or amongst fish dealers. However, rules can also result from a certain understanding of the world. For instance, the non-fishing days along the Ghanaian coast have been set based on the idea that that day is the sacred day of the sea god (Sarfo-Mensah & Oduro 2007: 7). Thus all the rules that fishermen have set have a certain logic and are based on their world view or are the result of the wish to solve certain problems. This is also true for fisheries management regulations of the government.

One could argue that an overall goal of fisheries management is to make sure that the fishermen are and continue to be capable of catching fish in order to make a living. In order to do that the sector needs rules and regulations, since just letting everyone carry on causes problems such as conflicts between fishermen, stock depletion or poverty. The idea is also that for management measures to be effective it is crucial to have compliance and/or control. Compliance with the law has long been understood using rational models which assume that fishermen calculate the costs and benefits of their actions (such as reward and punishment). More recently normative models provided input for the debate by arguing that fishermen are also influenced by norms, morality and legitimacy. Hauck asserts that understanding compliance ‘requires a critical analysis of how law has evolved, and the power dynamics that have shaped it’ and ‘law itself needs to be questioned, including how it is defined and by whom’ (Hauck 2008: 636). Compliance can only be expected if fishermen understand a rule so managers need to have contact with and knowledge of the fishermen. Managing fisheries is therefore much more about managing people than it is about managing fish (stocks).
Most scholarly work on fisheries management deals with the state as managing actor, and most is primarily associated with, or even directed to, managing fish stocks. See for instance Charles (2001), who in his chapter on fisheries management explains that there are three components of fisheries management of which the first is ‘determining the level of fishing effort and/or catch’ (p. 85). This reveals a management understanding that is primarily directed at a higher level (state or international) management and that reasons out of the large percentage of commercial fish stocks that are overexploited with the threat of being driven to extinction. This is reflected in the proposed measures such as maximum sustainable yield (MSY) which is based on ecosystem modelling (instead of the former biological modelling for single species). The notion of management reflects an open access/common pool thinking that is nicely formulated in the following quote:

‘Unless an external agent intervenes and regulates access to and exploitation of common resources, the contradiction between commonly owned resources and privately owned means of production will lead to intensified exploitation beyond nature’s carrying capacity. The ultimate result is a tragedy characterised by serious reductions in the resource base (including both biomass and biodiversity) and the depletion of potential economic profits that could have been generated.’ (Jul-Larsen et al. 2003: 2)

In the event of overexploitation, therefore, the state is expected to act. This paradigme halieutique (Chauveau et al. 2000) obscures the fact that fisheries management is about much more than fish, and also that fishermen themselves are largely active in managing activities sometimes jointly with government.

Management protagonists assume that fisheries (as in fish stocks) can be managed. Jul-Larsen et al. give three examples as to why this may be too simplistic. First there is the idea (based on equilibrium thinking) that human activity is the main cause of resource decline and that, therefore, the resource will be restored by managing human activity – a vision that has been questioned in New Ecology thinking (see for instance for West Africa: Fairhead & Leach 1995, Leach & Fairhead 2000). The second example is that resource management policy solely states what is needed whereas it often reflects political choices. Lastly they show that the opposition (in the sub-Saharan context) between traditional institutions and modern institutions is too simplistic; ‘local institutions, crucial in the regulation of people’s access to vital resources, often reflect a number of different meanings, are unclear and sometimes even lack coherence’ (Jul-Larsen et al. 2003: 3-6).

Their critique points to the complexity of fisheries, making management a complex activity. The interactive governance approach as described in Chapter 6, provides a useful avenue for dealing with this social and natural complexity.

**Collective action**

Collective action has been used in many studies to refer to situations in which resource users organise themselves as a group in order to achieve a common goal. Collective action, and the institutions and power relations involved, is often ignored in many household biased livelihood studies (Brons et al. 2007; a notable exception is Hordijk 2000). Brons et al. explain this by the conceptual focus on measurable assets in livelihood studies, which has led to a methodological bias of measuring practices such as income generation, wealth accumulation, migration and social security from the level of the household (Brons et al. 2007: 9).

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2 See Chapter 3 for an explanation.
Collective action in natural resource management has often been applauded (Berkes 1989, Ostrom 1990) although there has often been strong criticism of Hardin’s assumption (see Chapter 1) that a lot of common pool resources were left open and were unregulated. Common property resources have often been managed (hence becoming common property) collectively on the basis of commonly accepted rules (including norms) in order to guarantee the basic needs of people in uncertain times (Van Est 1999: 205 referring to Berkes 1989).

The question one would want to ask with regard to collective action is: who is involved in the collective? These groups can differ depending on for instance age, gender, ethnicity, religion, roles or with fishermen on gear users. As we saw in Chapter 6, discussions on heterogeneity are actually quite important as they give us insight into which collectives within a community unite before taking action (see also Van Est 1999). Platteau & Strzalecki (2004) analysed a case in Senegal where fishermen collectively organised themselves in an output-limiting scheme for purse seines and handline fishermen to address the problem of excessively low fish prices given to their fish by the middlemen, forcing them to pay more for the scarce fish. They wanted to break the market power of the local fish merchants (Platteau & Strzalecki 2004: 419). This was also seen as a good opportunity to heal some of the wounds that existed between two groups within the fishing community given that the bottom set-net operators were mainly migrant fishermen and indigenous fishermen used handlines and purse seines. The conflict came about when the indigenous fishermen accused the migrant fishermen of having contributed greatly to the decline in their catches, while also being responsible for gear destruction whereby their active gear frequently got stuck in the passive gear of the fisher migrants. The conflict escalated and even led to loss of life. The community tried to solve the issue and created a commission with responsibilities relating to monitoring and conflict resolution mechanisms (Platteau & Strzalecki 2004: 420-422). The article focuses on the fact that the two fisher groups (migrants and indigenous) had divergent expectations as to what the result would be of this collective action. The action was directed at creating output-limiting schemes of both purse seine and handline fishermen, targeting the traders. The migrant purse seine and line fishermen (that is other fishermen than the passive gear migrant fishermen from the previous conflict) were much less optimistic about the success of the action than the indigenous fishermen. The authors conclude (after having discussed a series of hypotheses) that the migrant fishermen’s suspicious attitude was due to the memory of painful inter-community tensions with regard to which they too felt they were the victims (Platteau & Strzalecki 2004: 442). On the outside, therefore, one sees collective action of fishermen against middlemen. However, if one differentiates, one sees different groups with different expectations and different power. This is a crucial thing to keep in mind. In the next section we assess the local management activities of the Anlo-Ewe beach seine fishermen and the government of Ghana.

Local fisheries management

Beach seine fisheries in Ghana are managed at different levels with different institutions being involved. Beach seine fishing management relates to the activity (Chapters 3 and 4), takes place within certain governance structures (Chapter 6), has certain goals, is based on certain world views (knowledge and understanding of how the world works) and deals with different ‘elements’ of the fishing activity (as described in Chapter 4).
Migration (Chapter 5) also has implications for management and the other way around. At the end of this chapter we assess this relationship.

As we saw in Chapter 4, beach seine fishing involves a cycle of activities in time and place. The company needs to cross the surf, set the net and then haul in the net from the beach. When all that is done, the crew sells the catch to the women and goes home (after maintenance of the net) with their share. Four critical elements of the fishing activity can be distinguished that in most cases bring about management: access to the beach and fishing grounds (resource), interaction between fishermen, extraction of the resource and access to the market. These elements are shown in Figure 7.1 below. The government undertakes a number of activities to regulate certain issues of the artisanal fishing sector. These activities also relate to the access, interaction and extraction elements.

*Figure 7.1* Four critical elements of the fishing activity relevant for management

![Diagram of fishing activity elements](image)

These are: 1. access to the fishing grounds, 2. social interaction, 3. extraction and 4. access to the market. The two blue circles represent Anlo-Ewe beach seine companies, the green circle another gear user. Source: author.

**Access**

In order to be able to fish, fishermen need equipment (canoe, net, outboard motor) and access to the beach from which they can go to the fishing grounds. Access to the beach and fishing grounds is mediated by the chief fisherman’s institution in Ghana. Access to equipment means having access to credit which is often arranged between fishermen and women, because credit opportunities for fishermen via official organisations are almost non-existent.
Access to the beach and the fishing grounds

In Ghana all fishermen are allowed by national law to fish all along the coast (de jure), although access at local level is mediated by the chief fishermen. Consequently the chief fisherman in Woe is in charge of granting access to Woe’s fishing grounds. All new fishing companies and migrants from outside need to ask his permission to fish in Woe. This permission – if the request is performed properly – is always granted (I never heard of cases of refusal). In migration situations, new migrants need not only to request permission from the chief fisherman, but first and foremost from the town chief. In Half Assini there was no chief fisherman at village level because the Nzema are not really active fishers. However, the Fanti and Ewe migrant fishing communities have their own chief fishermen. When I asked the chief fisherman of the Fanti fishing community in Half Assini why he never refused access to new applicants, he responded: ‘The work is a lucky work. If you come and if you are lucky (...) we all profit from the luck of others. The sea is a gift of nature; we have no control over it’ (interview 81). Other fishermen, when asked about this, explained that Ghanaian fishermen are free to fish everywhere. Asking permission seems to be more a social rule given that new fishermen need a place to build their huts, need to be accepted by the fishing community and need to have access to the market.

The assistant director of the Fisheries Department in Accra argued that chief fishermen do not manage access to the fishing grounds:

DY: ‘If you are coming in, you only need to go and tell him ‘Please we are coming to put our boat on this land, if it is a bottle of Schnapps and 50,000 that you need, here it is; tomorrow we are going to sea’. And that is it.’
MK: ‘And they never say: “no we are full?”’
DY: ‘No.’
MK: ‘Ok, what you are saying actually is that they are not managing it, the access, they yah..., they are there.’
DY: ‘They are not managing access – no.’
MK: ‘Because what I understand is that people – for instance when they migrate to another place – have to do that, right? They have to go to the chief fisherman and pay...’
DY: ‘If you migrate into this area, and I am the chief fisherman here, you need to come and tell me, you need somewhere to sleep, you need water, you need to have a woman to help you around, and maybe buy your fish. You come and tell me, I arrange that, I take care of your safety and give you somewhere to sleep and look after you.’
MK: ‘So as a chief fisherman one is more a facilitator and not so much a manager?’
DY: ‘Hmmm, they are not managers, no. We want to use the CBFM system to make them managers, but now with their traditional rules, they are not managers, they are facilitators, they keep law and order and things like that.’ (interview 78, 14-10-2005)

Even though permission is never refused and the role of the chief fishermen as access managers is not acknowledged by all, the rule as such is adhered to by the fishermen. In any event, chief fishermen are aware who is fishing from their beaches. A study of fisheries conflicts in developing countries suggested that Ghana’s ‘informal institutional framework’ manages access to the fishery in an effective way and thereby prevents access conflicts as seen in other countries. ‘No such arrangement exists in either Bangladesh or TCI [Turks and Caicos Islands in the Carribean]. Most Bangladeshi villages have no real power over how access to resources is regulated and therefore many are denied access to open access water bodies by powerful political elites who have illegally ‘captured’ these benefits (Bennett et al. 2001: 369)."
• Access to credit

‘Financial institutions have lost all confidence in the fisheries sector, and loans are hard to come by’ (NCU Ghana 2001: 21). This was certainly confirmed during my study. Yet, net owners need a substantial amount of money to run their businesses (see Chapter 4). Women play an important role in providing this credit and this leads to a win-win situation since the women thereby secure access to fish and consolidate their source of fish supply (Tetteh 2007: 38). Quite a lot of studies have been conducted on the role of women in Ghanaian fisheries (Odotei 1991, Overå 1992, 1993, Christensen 1977, Ver- cruijsse 1983) and these works show that the really successful women managed to combine sources from their families (or had at least ‘somebody to turn to’) together with entrepreneurial skills and that they dared to take risks (Overå 1993: 127-29). In addition, the arrival of the outboard motor led to a huge number of investments with high returns in a business in which a lot of women were able to participate (Odotei 2002a: 66). One of the women I spoke to in Akosua Village explained to me that she borrowed money herself in order to be able to lend it to the fishermen for them to invest in nets, motors or to buy fuel: ‘When the season starts, you get the money. Then you give out money and keep records. If I didn’t lend money to fishermen, I wouldn’t have to borrow it myself’ (interview 57, 30-6-2004). She showed us the records she kept.

Below is an example of her day to day recording (Table 7.1). In that example we see how she records the fish received with its value, subtracts the money for fuel she had lent them and records what she pays to them with the date. In this case she has a little debt with these fishermen. From her records, a list on paper stating the fishing company and their debt to her, we saw that other fishing groups instead had outstanding loans with her totalling 34.5 million cedis (3,136 euros).

<table>
<thead>
<tr>
<th>Table 7.1 Day to day accounting of a processor in Akosua Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 cases at 50,000</td>
</tr>
<tr>
<td>15 cases at 50,000</td>
</tr>
<tr>
<td>31 cases at 35,000</td>
</tr>
<tr>
<td>63 cases at 35,000</td>
</tr>
<tr>
<td>126 cases at 40,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td><strong>Fuel</strong></td>
</tr>
<tr>
<td>6/2/2002 gave money</td>
</tr>
<tr>
<td><strong>Balance</strong></td>
</tr>
</tbody>
</table>

The processor keeping this loan book, lends money (in cedis) to an Effutu fishing company, having them paying back with fish.

• Access to fishing inputs

Fishermen need to buy fishing materials such as nets and outboard motors to be able to fish. These inputs are often subsidised by the government. Although the government or other organisations such as banks do not provide loans to fishermen to acquire fishing equipment, the government does provide a variety of subsidies on inputs which can be seen as another form of access. Fishermen make use of these subsidised inputs, such as motors, netting and premix fuel. The government at the national level sets the rules and makes the inputs available through their decentralised organisations at the local level.
The subsidised premix fuel, first introduced in 1992, is for sale at special filling stations and the nets in special shops. A pre-mix committee was set up by the ministry in 1996 to see to the distribution of the subsidised pre-mix fuel. The aim of the subsidy was to alleviate the operational costs of fishermen using outboard motors (DoF 2003: 61). However, committee members have been accused of corruption, leading to less availability of fuel for fishermen (Bannerman 1998 – section 4.10). Newspaper articles in Ghanaian newspapers repeatedly reported premix scandals, such as in October 2005 and November 2006 when premix was sold as fuel to motorists all over the country as again narrated in 2008 (Ghanaian Chronicle 27-1-2008).

The outboard motors are distributed through the District Fisheries Departments. In August 2004 for instance the Keta District office of the MOFA had 20 outboard motors for sale at a reduced price. Normally they would cost 28 million cedis (2,545 euros), but the government offered them for 23 million (2,090 euros) each (interview 62, 17-8-2004). The district office would inform the chief fishermen and they would send word to the net owners. The net owners interested in buying one needed to pay for the motor in a bank account and with the receipt they could collect the motor in Accra. One of the net owners explained to us that these offers were not good enough and he would need to pay for the motor at once and could not apply for a loan (with the Districts Assembly). Loans were only granted to groups and not to individuals. The net owner questioned the sense of forming a group. He already had to take care of a group, all in all he had 95 people to take care of – as his crew members. The fisheries department explained that in the past fishermen had been unreliable in paying back their loans; ‘they didn’t pay back, so credit agencies are now reluctant. (…) Outright payment is demanded because in the past they would take it and go on migration to Abidjan, making it difficult for us to get our money back’ (Interview 62, 17-8-2004). In some cases the subsidised motors are not sold to the fishermen involved in such projects, but sold to traders or fishermen who want to make a profit and resell the subsidised motors for a higher price (interview 16, 28-1-2004).

**Internal social interaction**

All beach seine fishing companies have set up rules and regulations to structure the internal social interaction between crew and net owner and amongst the crew. As we saw in Chapter 3, the net owner also needs to gain access to people with one way being to offer an advance payment. When a man starts working for a fishing company he will be given an advance payment of for instance 400,000 cedis (40 euros). He can use that money to buy some necessary items, pay off some debts or pay some bills for the household. Upon receiving this money he will sign a contract with the net owner for whom he will start working. These contracts formalise the working relationship between net owner and crew and state that the crew member will work for the net owner for a fixed period of time (9 months – a fishing season – up to 5 years), that the crew member has received an advance payment and that the crew member will ‘abide by the rules and regulations governing his fishing industry’ (see Figure 7.2, which shows the copy of a contract below of Akpalu Fishing Company in Woe from 2004). Breaking the contract will give the net owner the option of undertaking legal action. The contract is laid down in English, an indication that it is subject to the formal court system. A contract is read

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3 The premix fuel was withdrawn and later reintroduced (DoF 2003: 61).
Figure 7.2  Copy of a fishing contract in Woe

This is to certify that I hereby acknowledge
in the Kate District of the Volta Region of Ghana have on this
day of

Two thousand and four (2004) received an amount

Of three hundred thousand cedis (G300,000.00) from FELIX ETU

AKPALU being the netowner of AKPALU FISHING COMPANY presently

Based at Woe in the District, Region and Country aforesaid being

Fishing Loan Advance given me with the promise to remain and

fish with the said fishing company effective from 1st. day of July

2004 up to the 1st. day of may, 2005 that is a period of ten

(10) months.

It is hereby further agreed that if fail and or desert from

fishing with the company aforesaid before the expiration of the

ten (10) months period mentioned supra that is on or before 1st.
day of May, 2005 the said FELIX ETU AKPALU being the netowner
of the aforesaid fishing company deserves the right to take legal

action against me and my guarantor for recovery of twice the

loan advance given me to wit six hundred thousand cedis (G600,000.00)
together with any other ancillary reliefs found due.

Dated at Woe this 1st. day of June, 2004.

After the foregoing had been read over
interpreted and explained to the within-

named in the Ewe language

by (when he )

seemed perfectly well to understand same

before signing or making his mark hereeto:-)

[Signature]

NAME

ADDRESS

OCCUPATION

GUARANTOR

[Signature]

NAME

ADDRESS

OCCUPATION

GUARANTOR

(emphasis added)

and translated for the fisherman in Ewe before he signs it (this is also stated in the contract).

If a crew member is new to a net owner he will not give the advance at once, but

based on a couple of steps in order to allow a check on how they behave and to build up

trust (interview with a former netowner from Akosua Village, notebook 14). As a crew
member you need to adhere to certain rules and regulations. These often include the following:

**Box 7.1 Rules in fishing companies from the research locations**

1. You have to come to work every day and you have to be on time. If you cannot come to work for one reason or another, you will need to have permission in advance. If you are sick, you need to report that to the company as soon as possible. If you don’t come to work you will be marked (by the clerk) and will not share in the catch. If you are sick or if you are late you will be marked half.

2. You don’t engage in any act (like fighting, stealing, insults, getting drunk) that will bring the company’s name into disrepute. Failure to observe this rule will result in a fine is imposed on you in the form of a drink or money which is deducted at the end of the fishing season period.

3. With the exception of the crew member assigned to see to the sharing of the fish, no one has the right to take any fish away.

4. You should not dodge doing the work, you should help bringing the canoe to sea, mend the net, paddle the boat, drag the net, carry the net, pack the boat etcetera. Also at night and also in bad weather. Failure to do so will result in a fine.

Source: author.

The company’s clerk normally keeps track of attendance and a fine registry. Together with the loan book this will determine the level of a fisherman’s salary at the end of the contract period. Box 7.2 shows a page out of such a fine book.

**Box 7.2 Kofi’s fine record**

<table>
<thead>
<tr>
<th>Date</th>
<th>Reason</th>
<th>Fine (Cedis)</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-1-1996</td>
<td>Went to weave coconut mat while others worked</td>
<td>10,000</td>
</tr>
<tr>
<td>18-2-1996</td>
<td>Did not wake up for work, 3 bottles</td>
<td>6,000</td>
</tr>
<tr>
<td>22-2-1996</td>
<td>Refused to carry ganovi from Monyanu</td>
<td>4,000</td>
</tr>
<tr>
<td>3-3-1996</td>
<td>Did not pull under rope</td>
<td>5,000</td>
</tr>
<tr>
<td>17-3-1996</td>
<td>Left work place intoxicated whilst others worked</td>
<td>7,000</td>
</tr>
<tr>
<td>5-7-1996</td>
<td>Leaving to work for Amegadsie for the whole day</td>
<td></td>
</tr>
<tr>
<td></td>
<td>while we were also working, 2 bottles</td>
<td>4,000</td>
</tr>
<tr>
<td>6-8-1996</td>
<td>Stole fish</td>
<td>4,000</td>
</tr>
<tr>
<td>7-8-1996</td>
<td>Stole fish</td>
<td>5,000</td>
</tr>
<tr>
<td>13-10-1996</td>
<td>Refused to go to work</td>
<td>10,000</td>
</tr>
<tr>
<td>11-12-1996</td>
<td>Wanted to fight Kwaku by all means, 1 bottle</td>
<td>5,000</td>
</tr>
</tbody>
</table>

Source: author.

The consequences of breaking the rules and regulations in the company are often financial. Either the crew members do not earn their daily share (if they fail to do their job) or they are fined. Crew are always fined in front of the other crew members. A young

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4 See Chapter 2. I was only able to look into these (older) fine books, because I knew this former net owner better.

5 Copy of one of the pages of the fine book of a former net owner from Akosua Village. The name of the crew member has been altered. The fine book was so useful to me because it was kept in English, a rarity. This former acting net owner was educated as teacher.

6 Type of net.
bozu from Akosua Village: ‘When you break a rule, we all get assembled, the net owner reminds us all. You are fined in front of all of us, so all know the rules’ (interview 39, 1-6-2004). Fights between crew members (of one company) are often solved within the company. The bottles (of Schnapps) that are added to the fine are to be shared by the crew members.

I analysed all fines given to crew members of a company in Akosua Village over two years (1995-1997), and came up with four categories of behaviour for which crew were penalised: refusing work, doing the work in a wrong way, misbehaviour and destruction. In some cases a certain worker broke more than one rule, for example someone was penalised for tearing a piece of net whilst stealing fish and I categorised that as misbehaviour (stealing) and destruction (tearing net). There was one case in which three workers were fined 25,000 cedis and two bottles of Schnapps each in 1996 for: ‘Instead of going straight to the sack in the small canoe, they stopped in the 1½ inch net and were picking herrings. By so doing we lost about 1½ segment of 1 inch net’ (notes of caretaker in fine registry). Their behaviour would fit into all categories: refusing work (disobeying orders), doing it wrong (not understanding that speed was needed) and misbehaviour (stealing fish), all of which lead to destruction.

Most of the crew (23 in this fine book) were fined in the category of refusing work (98 times), this can be for not coming to work at all, being late, doing other work, walking away half way or not following specific orders (such as carry the net or push the boat). The clerk keeps track of which crew members come late and also when they come by counting the number of ropes that have been pulled ashore (e.g.: late, five ropes). The next category is misbehaviour (69 times), which contains being drunk during work, insulting co-workers or the leaders, fighting or stealing. The third category is ‘doing it wrong’ (thirteen times) which was for instance for untying a rope from a coconut tree when they should not have, not pulling the under rope, or not removing the net from the sea when the current had changed. In some cases (five times) these actions had lead to destruction of the net owner’s property (see example above). Ten workers had been fined extra for general bad behaviour; notorious late comers for instance.

Net owners are also held to certain rules and commitments. First of all, they have to pay an advance, at the beginning of the contract period. Secondly, they have to provide daily ‘chop’ money for the crew members. Apart from that the fishermen earn their share whilst fishing, they are paid in fish (for the house) and share in the catch, the amount of which is registered to be paid at the end of the contract period. Thirdly, net owners have to pay the medical costs for sick crew members and have to lend them money when they need it (free of interest). This money will in the end be deducted from their share. When companies go out on migration the net owner is also committed to provide housing for the crew.

- Loans
Company members are able to borrow money from their net owner. All small and big loans are written down in the company’s loan book by clerk or net owner. The amounts borrowed differ (varying from a thousand cedis to over a million). From the same company as above in Akosua Village I obtained the loan records from 1995-1997. In most cases money was borrowed for healthcare purposes (of themselves or their family), but also for food, clothes, housing, travel expenses, funerals and for fines. The average
amount borrowed in those years was 78,752 cedis (45 US$ at that time\(^7\)). The highest loan was about 200,000 cedis (114 US$) and the lowest 7,000 cedis (4 US$).

### Box 7.3  Two examples of loan records of fishermen in Akosua Village

#### Example 1

<table>
<thead>
<tr>
<th>Date</th>
<th>Particulars</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>26-10-1994</td>
<td></td>
<td>5,000</td>
</tr>
<tr>
<td>15-2-1995</td>
<td>Hospital</td>
<td>2,500</td>
</tr>
<tr>
<td>22-2-1995</td>
<td>to home</td>
<td>6,000</td>
</tr>
<tr>
<td>14-5-1995</td>
<td>to Akosomboto</td>
<td>2,000</td>
</tr>
<tr>
<td>16-5-1995</td>
<td>wife's child to hospital</td>
<td>2,500</td>
</tr>
<tr>
<td>29-6-1995</td>
<td>dizziness hospital</td>
<td>2,500</td>
</tr>
<tr>
<td>22-9-1995</td>
<td>Loan</td>
<td>2,000</td>
</tr>
<tr>
<td>23-10-1995</td>
<td>to Half Assini</td>
<td>10,000</td>
</tr>
<tr>
<td>9-2-1996</td>
<td>wife hospital</td>
<td>3,000</td>
</tr>
<tr>
<td>22-6-1996</td>
<td>to wife at Half Assini birth</td>
<td>45,000</td>
</tr>
<tr>
<td>16-11-1996</td>
<td>police bail</td>
<td>5,000</td>
</tr>
<tr>
<td>1-2-1997</td>
<td>wife abortion</td>
<td>30,000</td>
</tr>
<tr>
<td>11-3-1997</td>
<td>police case (Soldier)</td>
<td>7,000</td>
</tr>
<tr>
<td>21-4-1997</td>
<td>police case (Jacobs stolen money)</td>
<td>18,000</td>
</tr>
</tbody>
</table>

#### Example 2

<table>
<thead>
<tr>
<th>Date</th>
<th>Particulars</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>25-3-1995</td>
<td>Light</td>
<td>3,500</td>
</tr>
<tr>
<td>11-4-1995</td>
<td>Child hospital</td>
<td>5,000</td>
</tr>
<tr>
<td>14-6-1995</td>
<td>wife sick</td>
<td>2,500</td>
</tr>
<tr>
<td>19-8-1995</td>
<td>to grandmother</td>
<td>4,000</td>
</tr>
<tr>
<td>21-8-1995</td>
<td>Adre's net theft, part payment</td>
<td>27,000</td>
</tr>
<tr>
<td>18-9-1995</td>
<td>child caught in lagoon</td>
<td>5,000</td>
</tr>
<tr>
<td>9-7-1996</td>
<td>second hand clothes</td>
<td>4,000</td>
</tr>
<tr>
<td>7-9-1996</td>
<td>child to hospital</td>
<td>7,000</td>
</tr>
<tr>
<td>16-1-1997</td>
<td></td>
<td>6,000</td>
</tr>
<tr>
<td>27-2-1997</td>
<td>Loan</td>
<td>8,000</td>
</tr>
<tr>
<td>3-3-1997</td>
<td>wife police case</td>
<td>25,000</td>
</tr>
<tr>
<td>1-5-1997</td>
<td>Food</td>
<td>2,000</td>
</tr>
<tr>
<td></td>
<td>transport from home with wife and children and money given for petty things</td>
<td>22,000</td>
</tr>
<tr>
<td></td>
<td>Loan</td>
<td>4,000</td>
</tr>
</tbody>
</table>

Source: author.

In the two examples (Box 7.3) we can see the variety of needs for which crew take a loan with their net owner, and also distributed over time. The first fisherman for instance needed to borrow money five times in two and a half years for medical treatment. It appears that he lives separated from his wife, who lives in Half Assini. She has children, probably from another relationship (wife’s child to hospital – 16-5-1995) yet they also have a child together (22-6-1996), half a year later she is pregnant again which

\(^7\) Between 1995 and 1997 1 dollar was worth 1050-2250 cedis and I calculated on the basis of 1750. It is not easy to convert this back to euros as the euro did not exist at that time yet.
they decide to abort (1-2-1997 wife abortion). In the end of 1996, and at the beginning of 1997, the fisherman is involved in three police cases. The lists reflect the hardship fishermen can face, for example being caught thieving, engaging in illegal fishing (in the lagoon), illness, needing to borrow money to buy food.

**External social interaction between beach seine companies**

There are also rules regulating the interaction between beach seine fishing companies and their crews. Whenever there is a conflict between companies, they have to report that to the elders (mostly net owners) or directly to the chief fisherman so he can settle the case, in order for peace to be restored. This is the main task of the chief fishermen in Ghana and they are renowned for it (Bennett *et al.* 2001). The chief fisherman has the mandate to solve these conflicts, only in cases of criminal offence (harming a person or damaging equipment), the police need to be involved as well. The police sends the cases to court or refers them back to the chief fishermen.8

On 20 November 2005 I joined one of the fishing companies in Akosua Village at sea to set the net. It was a calm morning and we were able to pass the surf smoothly. The canoe was propelled by man power and the men were singing rhythmically whilst paddling. Once the net was set and we returned to the shore the singing reached even higher levels and one could hear the joy of the crew that the net was set and that they could paddle more easily with the waves pushing the canoe to the beach. My research assistant Anthony had not joined the canoe but instead walked with some of the crew on the beach to the place where the canoe and second rope would land. When they arrived at the place where the crew were going to start pulling in the net they met some crew members of another company who already had started pulling. From Anthony’s notes we can read what happened:

‘Just as we got to them, one of their men rushed on to us to attack one of the three men I walked with and shouted: “Say! You think I am afraid of you!” So they started to fight. All of a sudden the boy attacking us rushed to his boat and picked a knife! His crew members rushed on to him to prevent him from getting to his enemy. Then I saw the canoe with Loes ashoring. The boy in my company rushed to that boat. I thought he would join the boat and sail to sea so that the one with the knife could not get him. To my surprise he also went for his paddle and came back threatening the other guy to break his head. Ah! It was horrible. Members of ‘our company’ also came and held him. I was happy both teams were able to calm their members.’

These two fishermen, who belonged to different crews, started fighting about an issue that was unrelated to fishing. Anthony later sorted out what had caused them to fight and found out that it was about a girl and that this was the reason they started insulting each other. Apparently, later that day, the two boys started fighting again and the man from the other company ended up wounding a bystander who interfered. Both the fishermen and the girl over whom they fought were newcomers to the village. The village elders discussed the matter with the attacker’s mother and decided that he had to leave the village because they feared one of them would die if nothing was done, and that is how it was solved. In this case the police had not been involved, most probably because the father of the fisherman who was summoned to leave was a police officer.

Most conflicts between beach seine companies in Ghana have to do with how the nets are set. As the chief fisherman of Woe explained: ‘Most of the cases are when at night nets are cast and then others also cast their net in such a way that they hinder the first ones. They get annoyed and come to complain’ (interview 32, 6-5-2004). Conflicts

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8 See section 7.3: Interaction between fishermen and external social interaction between BSC.
can arise in two ways as portrayed in the Figure 7.3. In the first sketch company B hinders A by catching the fish out of the net of A. In the second, company B entangles the net of A with theirs as the net is dragged ashore.

Figure 7.3 Two examples of how beach seine fishing nets can get in each others way

The bylaws, a combination of state and local rules, also address this issue:

If one fishing group encounters a shoal of fish and cast their net, and a second group casts their net behind the first one, the second group shall give one-third of their catch to the first group. Failure to do so will attract a fine up to one hundred thousand cedis. (Keta District CBFMC By-Laws 2000, section 2, article 3)

And:

It is an offence for any group of fishermen to cast their net over a net already cast by another group of fishermen. Offenders shall be fined forty thousand cedis. (Keta District CBFMC By-Laws 2000, section 2, article 8)

In most cases, the chief fisherman is the most appropriate person to deal with these issues. In cases of criminal offence (harming a person or damaging equipment) the police has to be involved. One of the CID (Criminal Investigation Department) police officers of Keta District gave an overview of all fisheries related cases reported to the police in the last five years (see Table 7.2). It also shows the number of court cases that resulted from it. In total eighty cases had been reported at the Keta police office.
Table 7.2 Fishing related cases reported at Keta police station

<table>
<thead>
<tr>
<th>Year</th>
<th>N° of cases</th>
<th>Settled at home</th>
<th>Sent to court</th>
<th>Settled out of court</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>15</td>
<td>10</td>
<td>5</td>
<td>10</td>
<td>10 out of the 15 cases involved assault as a result of a misunderstanding. 5 were for causing damage to a net.</td>
</tr>
<tr>
<td>2000</td>
<td>19</td>
<td>17</td>
<td>0</td>
<td>2</td>
<td>2 pending or still under investigation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>14 out of the 19 cases involved assault due to a misunderstanding. 5 were for causing damage.</td>
</tr>
<tr>
<td>2001</td>
<td>9</td>
<td>9</td>
<td>-</td>
<td>-</td>
<td>7 out of the 9 cases were due to a misunderstanding. 2 for causing damage.</td>
</tr>
<tr>
<td>2002</td>
<td>11</td>
<td>9</td>
<td>0</td>
<td>0</td>
<td>3 out of the 11 cases were related to causing damage and 9 were related to assault due to a misunderstanding.</td>
</tr>
<tr>
<td>2003</td>
<td>16</td>
<td>6</td>
<td>4</td>
<td>4</td>
<td>6 were still under investigation</td>
</tr>
<tr>
<td>2004</td>
<td>10</td>
<td>8</td>
<td>2</td>
<td>2</td>
<td>5 out of the 10 cases were related to causing damage. 5 were for assault.</td>
</tr>
<tr>
<td>TOTAL</td>
<td>80</td>
<td>59</td>
<td>11</td>
<td>8</td>
<td></td>
</tr>
</tbody>
</table>

Figure 7.4 Confiscated net in the courtroom in Keta district

The majority of these cases were settled at home, which means that they were referred back to the chief fishermen. Less than 15 percent of the reported cases were sent to court. Most cases were heard at the local trial court in Keta⁹ (Gorecki 2004: 12). Unlike the traditional courts, government courts are very formal, with strict procedures. A major difference between traditional courts and government courts is that in the latter you can be detained (in custody and jail). The Court registrar has a key role, handling all

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⁹ In addition there are the Appellate court and the Supreme court.
the court files and documents. Although attorneys can be used, most people cannot afford to do so and process their own cases (Ibid.: 13). The judge has to make the notes of the court case, which is very time consuming and, as a result, there is a huge backlog of cases (Ibid.: 14).

The majority of the cases were related to assault caused by a misunderstanding. Conflicts arising from the problematic casting of nets often led to a conflict, which sometimes resulted in assault or damage. In 2004 two of these cases came to court, with the first relating to damage and the second to assault. The net owner (28 years old) of one fishing company made the following statement to the police:

‘Yesterday whilst my fishing company cast the net at Tegbi-Kpota sea waters, Eklu Katakui Fishing company also came and cast theirs to entangle that of ours. When I warned him to stop, he paid deaf ears to me. I was called to the house to solve some problem. Whilst there a messenger came, that he had cut our dragging rope to the net. I rushed to the scene only to see him with a knife about to dive into the sea. I also dived after him, trying to prevent him from cutting it the second time, but he did not yearned to my words and then cut it the second time. I became provoked, hence I came ashore and retaliated. (…) As a result of his act, one of the ropes he cut got missing at sea.’

Apart from cutting the ropes of the net he also attacks people of his company. Besides having to remain in custody for several days, he was ordered in court to pay a fine of 500,000 cedis to the net owner. In another case the following statement was made:

‘I fish with Congotor’s fishing company at Tettekope. My fishing company cast its net at Tegbi-Hekpa beach. Whilst casting our net, another fishing company by the name of Kudzovio also came and cast their net behind us. While they were pulling their net, they pulled it over ours in the sea. On seeing that their net was on top of ours, I dived into the sea with the view to assisting them lift their net over ours. When I came to the surface of the sea one Besah Abusah of the latter fishing company hit me with a canoe paddle on my head thrice. The third hit caused my head extensive harm. I managed to get into his canoe on the high sea and collected the paddle from him. I then reported the case to police. At the police station I was asked to attend hospital, which I did.’

This case was settled amicably and all medical expenses were paid.

One of the major complaints fishermen have is that the government courts take such a long time to resolve an issue. In a case document that was given to me by the court registar it took almost a year before the case was closed. It dealt with a case against four net owners of fishing companies, having fished on a non-fishing day in Tegbi (Keta District) (coming from a neighbouring town, Dzelukope, with a different non-fishing day). In the end the case was concluded with: ‘The Court has no criminal jurisdiction in customary offences. Consequently the accused persons are discharged’ (court document).

Conflict arbitration
As already mentioned, a lot of cases are dealt with by the chief fisherman. If a conflict cannot be settled immediately with some elders at the beach, it is brought before the chief fisherman. If there is a case, it will be heard by him and the elders (net owners) of the community. In Half Assini we were able to listen in to traditional arbitration between two beach seine fishing companies.11

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10 ‘Misunderstanding’ in these police records refers to the conflicts fishermen have whilst setting their nets.

11 We were allowed to film the case which gave us the opportunity to literally transcribe what was said by everyone. The translation was done in the Netherlands by Godwin Dotsey Akaba, an Anlo-Ewe linguist and anthropologist.
• Traditional arbitration in Half Assini

The case was that Company A accused a member of Company B, who was also a traditional priest, to have taken a piece of their net when he visited their compound. The reason that he had come to them was that he had been sent by his net owner to bring a bundle of thread and some money for them to buy drinks and food. His net owner did so because the two companies had had a typical beach seine fishing conflict12 some days ago, which had left company A with damage. He was able to pick a piece of net because they had to mend and redo their net extensively after the confrontation at sea. The reasoning behind the accusation was that the members of Company A feared that the man, being a priest, would cast a spell on their net which would mean that they would not catch any more fish. The accused admitted that he picked a piece of net, but denied that he took it from them and was angry about the back lying accusation.

The case was heard in Half Assini proper in the shade of a big tree on a large field separating the Anlo-Ewe migrant fisher settlement from the rest of town. The companies involved came from other small settlements along the coast towards Ivory Coast and fell under the custody of the Anlo-Ewe chief fisherman in Half Assini. Benches and chairs had been set out for the two parties, the elders hearing the case and the public. A special role was played by the linguist. He directed all communications between the parties and elders, kept order, collected money and arranged things. All in all the case took three hours, during which both parties were given a lot of time to explain their side of the story. Whilst they told their story, no interruptions were allowed:

Linguist: ‘Ok, in this arbitration court, when your opponent is talking whether it is true or false you are expected to remain silent till he is done. But when you open your mouth to interrupt him whilst he is talking, you are fined 100,000 cedis (9 euro) with two bottles of drink which will be taken from you before the court can proceed. Without that, the case is closed. Is that clear to both sides, is that clear to both sides?’

The elders and linguist were able to ask questions for clarification purposes before, during and after they make their statement. When the first party had finished narrating the case, the second party was allowed to ask questions. Based on the story of the complainant the accused was questioned. The elders’ questioning can be quite insistent and this can result in heated debates. Witnesses and people involved (the net owners, bozu) belonging to both sides were also heard. Amongst the witnesses were two police officers who were involved in the case. At the end of the case the elders retreated and came back with a decision. The parties both had to pay for the case to be taken in. The main goal of the arbitration was to bring peace. As one of the police officers stated: ‘But it seems there is no peace that is why the case has reached this place’. The way this arbitration was held resembled the procedure of the Chief’s court (Abotchie 2002: 51-54, Gorecki 2004).13

The interesting thing about this case is that it focuses on an accusation of possible use of voodoo. The man who picked the net was a priest and that had made the crew members of the other net afraid. As one of the elders hearing the case stated, ‘Tell him that the children [crew members] became scared he could do something with the net simply because he is a priest’. The accused claimed that he was surprised that he had been summoned as he thought the case had already been settled by an elder when the

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12 See the previous section.
13 See also Van Rouveroy van Nieuwaal & Van Rouveroy van Nieuwaal 1975 for a discussion of a court case in North Togo (Sansanné-Mango), which similarly has been filmed and analysed. The procedure of the court is remarkably identical.
incident had occurred. Yet the complainant argued that at that time the accused had denied picking the net, so rumours had remained. Therefore they had brought the case before the net owners for them to deal with it (at a higher level). Much of the case deals with trying to understand why the accused picked the net. Although he soon admitted having picked up a piece of net from the ground, he failed to explain why. According to him, no harm could be done since he had fished in this company before:

‘Excuse me to say that I did not have any bad motive for picking such a net. I took it and put it back. Excuse me to say that, the net is mine, that particular net is mine. It was the net I have being using when I first came to this town and later went on.’

Yet the simple fact that he was a priest makes it a highly suspicious action, as one of the elders (of his own company) put it: ‘Excuse me to say that you may not hold a gun but as far as you are known to be a hunter you are already feared’. Even more so since he, as the complainants claim, tried to hide the piece in his trousers when discovered, as the bozu of Company A explained:

‘He was standing like this facing the east while he put his hand in the pocket. In returning his hand, he folded his hand and trying to put it in his pant (underwear) near his private parts. He was wearing black trousers and I walked towards him and shook the trouser for him. Then the net fell and I took it.’

Another interesting side to the story is that the accused and this bozu are related. The bozu called him uncle (on his mother’s side). The elders spent quite a lot of time trying to understand why they were having this family fight in the open. One of the elders asked the accused whether they had other issues between them. They said that this was not the case. The bozu later explained why this court case was important to him:

‘I am asking this [bringing this case] because the whole village talks about how I and my brother [the accused] have conspired, in order to stop that issue and if there is something to tell the company then I can tell them.’

The priest is heavily critiqued and was corrected by the chair repeatedly for his bad manners in court (he raised his voice often, spoke aggressively, refused to answer questions or to repeat answers he had given earlier, ignored the linguist from time to time). It made him look bad as one of the police officers stated: ‘I have observed that whenever he is asked a question, I do not know if that is his behaviour or he has already harboured anger [literary in Ewe: there is some anger in his stomach]’. The accused explains himself as follows:

‘As for me I speak with the intonation of “Eso language” [coded language of priests and people belonging to shrines] and I am not provoking anyone. You can only speak with the tone you have and I am not saying anything bad. That’s all my case. Whether I did it or not is with the almighty god in heaven.’

As the net owner is responsible for his crew members, it was the net owner of the accused company who had to apologise to the complainant. He also had to pay the fees that were eventually decided on.

The accused cannot really be freed from the image of bad intentions, only by time going by and nothing bad happening to the complainant’s company. As the elder stated at the end of the court case, ‘so he must be praying always for God’s grace over the net he approached before he was noted as such, to be able to catch fish any time they use it to fish then there will be no problem’. The suspicion will always stay with him. The accused was warned by the elders in no uncertain terms:

‘He is not supposed to touch anything. Moreover, he refused to accept his guilt over and over, as he was questioned. Except for today he said he has done it. That should be his first and last from today,'
onwards. If it is something he has been doing or he is about to start today or in these days he must stop, so that his good name will be in the entire town. There is one thing about us, when we hear such a story about you continuously, we will go to the chief to banish you [they will ring a bell and send you out of the town, as an outcast]. You will be sacked from the town because no one came here for his name to be mentioned and all sort of things be said about him. That is it, so he has to know how to go about it.

This case illustrates the ways in which Ghanaian fishermen can solve their conflicts. In the first instance they try to solve it ‘at the beach’. An attempt was made to solve this particular conflict by an elder living close by. According to the accused it was then over with, but the complainant took it to this (higher) arbitration level because he felt that it was not over yet, since the accused had not admitted during the first arbitration procedure that he had taken a piece of net. He also felt that he was also suspected because he was related to the priest. He wanted to get the issue out into the open so that the whole community could hear.

Secondly, the police were involved. As the policeman explained:

‘And what they [the complainants] said was that: ‘this man [the accused] was sent to help mend our net which they [company B] have damaged, and he came to cut the net. (...) If he really did cut the net, then it will be a police case because that amounts to ‘causing damage to someone’s property.’

The policeman explained that once it was clear that he had not cut the net, but had picked a loose lying piece, the case was closed in that sense. The policeman also explained that it is crucial to know what the intention of the accused was to pick the piece of net, since he is a priest and since people are convinced that he therefore has certain powers.

‘But if they themselves say that he is a very fearsome person to them and they are convinced that he can do something with the net, or tie the net that they cannot catch fish, then they can take him to wherever they... (...) if he has a bad intention then we cannot settle it here.’

His reference to ‘not being able to settle it here’ is a hint to another avenue of dealing with these kinds of conflicts. The net owner of company A all of a sudden told the court that he had also started this other path:

‘I did send this case to somewhere. When I last travelled home, I sent the matter to Aklikor [a special place where people are summoned to the thunder god, this a place feared by everyone]. And they redirected me, said that we need to talk over the matter and if he refuses then I can bring him. So when he refuses or does not want peace to prevail, then he can say it. I brought the case to you to arbitrate and when he accepts his guilt, then that ends it. I am saying that if he agrees that peace should come he must say it; that he wants peace. On the other hand, if he wants to rebel then that is it.’

The crowd became unruly when the net owner revealed this. The chair asked for order and questioned the net owner as to whether he had not heard the explanations of the accused party. When the net owner admitted that he had heard them, the chair also questioned the Company A bozu whether he accepted the outcomes of this arbitration: ‘pass it to [the bozu] would you not accept what the big men and fishermen tell them?’ The bozu said he would accept it. The chair then said: ‘it’s finished, pass it to them [addressing the linguist] that that’s where we have reached’. He consequently tried to immediately brush away the idea to go to Aklikor, and wants to show that it is possible and should be done so, to settle the case here and now amicably. Later in the final conclusions the chair came returned to the subject and said:

‘He [the net owner] went to that place out of anger. He should know that where he is, this is the middle of the house and from here we go to the house. He should have brought the case here [to the middle of the house] when it was not resolved in the first attempt and when it did not work out then he
may take further steps. How it came from his own mouth that he was at chief Kli and they asked him to return with the case and come if its not settled. He has bypassed the palm branch to cut the palm fruit [broken the protocol] that shouldn’t be the case. Pass it to the bozu to give it to the net owner.’

Magic (charms, sorcery, juju) is used among the Anlo-Ewe. We can understand magic as follows: it consists of a variety of ritual methods whereby events can automatically be influenced by supernatural means’ (Lessa & Vogt 1958: 245 quoted in Abotchie 2002: 69). As the Anlo-Ewe perceive the environment to be imbued with social and religious meaning (see Chapters 3 and 8), it is also perceived manipulable through religion and ritual (Akyeampong 2001: 104). The fear that the priest would use the piece of net is based on the belief in magic. The net owner of company A wanted to solve the problem by going to Klikor. The latter is an example of divination: ‘the act of seeking to know hidden things and the future by magical means’ (Abotchie 2002: 70). There are a couple of ways to do so, including hexing [ame dede tro me]: ‘Hexing is employed in three instances in traditional southern Ewe society: a) invoking the supernatural forces to pass judgement on unknown offenders, b) invoking their wrath against wrongdoers or c) placing an evil ‘spell’ or ‘curse’ upon an object of value to protect it against trespassers’ (Ibid.: 79). In many local bylaws in Ghana there are rules taken up about ritual and wrath of the Gods,

Any person or a group of persons who curse by the gods or invokes the wrath of gods in one way or the other on another person or a group of persons shall be liable to an offence punishable to a fine of fifty thousand to two hundred thousand cedis (4.5-18 euro) in addition to two crates of schnapps, one gallon of akpeteshie, two sheep and one goat (Keta district CBFMC By-Laws, Section 2, article vi).

Going through the literal text of the court case reveals a wealth of information. The elders make use of proverbs and expressions, for instance:

‘It takes only one goat to spoil the town [literally in Ewe: passage between the buildings] and they will say it is the town’ or the disgrace of a crocodile is equally the disgrace of an alligator. And: There is no need carrying an axe in your hand when your case is right.’

They use a lot of proverbs especially in their closing statements. These proverbs and expressions are comparable to ‘the law’ used in formal court and it has also been called proverb law (Abotchie 2002: 52). They also make use of rhetorical questions as an examining technique, whereby the one questioned really has to give the answer whereby they make their point with a sense of theatre:

Elder: Ask him whether he is blind.
Linguist: Have you heard? Are you blind?
Accused: I am not blind.
Elder: So if a net is damaged and cut in pieces, can’t you just see with your eye?
Linguist: You heard it?
Accused: Yes.

The same elder later comes back to this point:

Elder: Linguist let him hear, as I have said earlier that even the smallest child can be able to identify a damaged net and know that that is Kodzo’s damaged net and that is Kobla’s net; this is how it is damaged. He is not supposed to pick any piece to try to find out whether it is the damaged net. That is why I was asking if he is blind.

There are some humoristic sections as well, for instance when the Bozu of Company A is asked to show the piece of net that brought the case, since he had told that he had kept it.
Chairman: He should bring it for us to see.
[The bozu got up and brought the net to the linguist who critically observed it and passed it on to the elders]

Chairman: This thing has brought all this case?

Linguist: Yes [and laughs].

Chairman: It’s not even long enough to be used as belt.

An Elder: Yes, I was thinking it would at least be that big to be used to bath.

Chairman: It is not long enough to fit the waste, to be used as belt. 14

[Everyone expresses their surprise at the size of the piece of net; speaking softly to each other]

Bozu (A): Can’t a small poison kill?
[and after a while]
Please give it back to me when you finish watching it.
Please give it to me.

A woman: Give it to the owner.

External social interaction between all fishing groups

Ghana’s continental shelf is quite narrow and covers an area of about 24,300 square km. The fact that 8,000 canoes operate in this area using six main types of gear (ali, poli/watsa, drifting gill net, set net, hook and line and beach seine) 15 and that most of them (except the drifting gill net) operate in the inshore waters five to thirty metres depth zones (0.5-15 nautical miles far) means conflicts are inevitable. However, most conflicts involve fishers using the same fishing gear (Bannerman 1998, Bennett et al. 2001: 371). I can confirm this for the beach seine companies in the research companies. This is because beach seine fishermen are active in territories where others do not operate (see Chapter 5). Although the fishermen partly target the same resources (see Chapter 1) they have not as yet become involved in conflicts with each other about those declining resources. Ghanaian artisanal fishermen look more to the (semi-)industrial fishermen in that respect (see the section on extraction).

In Figure 7.5 we can see how intensive bottom trawling is done off the coast of Keta District. State legislation bans semi-industrial and inshore vessels from fishing in waters less than thirty metres deep since those are reserved for the artisanal fleet (Bennett et al. 2001: 370).

Most non-beach seine fishermen (who use agli nets, kuekpa and set nets) 16 venture further out in sea. The problem lies with the (semi-)industrial boats that come within the thirty metre deep line or come into collision with artisanal fishermen further out. (Semi-)industrial vessels fishing for bait come close by and often destroy the fishing gear of the artisanal fishermen active there. These problems between artisanal fishermen and (semi-)industrial boats cannot be solved by the fishermen themselves. They need to deal with these problems via government organisations because the (semi-)industrial boats fall directly under the GoG.

The chair of the town council of Woe at the time of my first fieldwork period, Mr Setsesofia, was the owner of a couple of kuekpa companies. Kuekpa fishermen work with set nets to (mainly) catch lobsters. Mr Setsesofia told me that there were quite a few problems with trawlers coming too close to the coast to catch bait. In doing so they quite frequently destroyed the fishing gear of the Woe fishermen. These encounters

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14 As we explained in Chapter 3, old pieces of net can be and are used for many things, such as for washing.
15 See Appendix 1 for an explanation of the different types of gear.
16 See Appendix 1 for an explanation of the different gear types.
between (semi-)industrial and artisanal fishers are problematic for the artisanal fishermen, because they feel they are unable to do anything to stop it. Officially they can report these encounters to the arbitration committee in Tema, but in practice they often do not know which boat caused the destruction. Even if they witness the boat doing harm and they manage to read and remember the registration number of the vessel, they feel that reporting these cases does not make any difference. The director of agriculture of the Keta District said the following about this problem:

‘They are coming from Tema, they come to the inshore area for bait. Whenever it happens we take a report and take it to the arbitration committee in Accra. But it drags on (takes long). The boat owners are powerful. I have written strong letters about it. The MSC Unit is supposed to patrol the artisanal fisheries area. But here we are far away from Accra. Resources is the problem. The Navy and the Fisheries Department don’t have enough resources. They use navy vessels. But the cost per trip is high! The Air force also takes part and they patrol and inform the Navy. Now they are installing some devices to report positions. Satellite to station. Then we will always have the position of the trawlers. You must have that. But it is sad, I feel for them.’ (interview 62, 17-8-2004)

The presiding member of the District’s Assembly in Keta also referred to the problem:

‘We also have a problem with foreign interference. They are here to fish for tuna, they come closer to the coast to catch Keta Schoolboys as bait. We see a lot of them here. They are causing problems,  

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17 The bottom trawling is done by the (semi-)industrial fishermen.
18 Keta Schoolboys is the local name for anchovy. The name was explained to me by saying that also the anchovy, just like Keta schoolboys, never come alone. Another name used for anchovy is bobby.
During my fieldwork I heard more stories about this problem. On 12 August 2004, my research assistant Patience and I entered a household when carrying out our household survey in Woe. We met a man sitting in the compound mending a net. He told us how he and his partner – who owns the boat – and other fishermen (twelve in total) had set their nets for various fish, including lobster. A ‘white man’s ship’ – the KLM 10 Takoradi, operating from Tema – ran over their nets. They were fishing here [near the shore] rather than in deep water where they should have been! He told us how they had managed to board the boat to demand the return of their nets and fish. The eight men they encountered had knives and threatened to drown them. They reported the case on fifteen May in Tema and also to the DA. Someone joined them to the fishing cooperation in Tema. But they could not act for them and there were no logistics to follow up. So there the man was, joining some old nets together. New nets would cost a million cedis (91 euros). However buying them is no easy task since there are no credit facilities and he does not have any savings. He told us how he suspected the whites of having bribed the person who negotiated for them. He complained about how the fishermen in the Central Region at least get some assistance. The fishermen in the Volta Region have been very neglected. He did not have a lot to eat now, there is no assistance and these days they do not even catch enough to eat (fieldnotes 12-8-2004). Another man we met mending a net at home told us that the net was not his. He owned Kuekpa and Sovi nets but a Japanese boat swept them away. He was not compensated for it and had not managed to buy new nets since then (fieldnotes 26-8-2004).

The majority of cases of conflict between artisanal fishermen and (semi-)industrial fishermen (including tuna operators fishing near the shore for bait) is collision and consequently gear destruction: 75-82 percent of the reported conflicts in the period 1993-1996 in Greater Accra Region (Bannerman 1998). Only a small number of these cases get resolved (11-31 percent) (Ibid.). One of the possible reasons for this is that (semi-) industrial fisheries are managed at national level, whereas artisanal fisheries are managed at district level. Moreover, ‘the arbitration committees that handle conflicts between the artisanal and (semi-)industrial vessels do not have any legal backing and therefore the law courts are the final point of conflict resolution. This creates a lot of delays and frustration’ (Bannerman 1998).

Ghana’s waters are not controlled satisfactorily. With the Fisheries Sub-Sector Capacity Building Project of 1995, the Ghanaian government aimed to improve this by setting up an MCS unit: ‘Uncontrolled fishing by the large distant water freezer factory trawlers in the shallow waters of the continental shelf is contributing significantly to the over-exploitation of the demersal stocks remaining in this area. (...) Many of the vessels in this fleet are using towed gear in waters of less than 30 metres depth using illegal nets extensively’. The solution was regarded as being the creation of a monitoring control and surveillance (MCS) unit: ‘In offshore areas, the primary MCS’ function would be deterring, and where necessary, apprehending foreign vessels found to be fishing illegally’ (World Bank 1995, Annex 3: 5-6). This led to the collaboration of DoF with the navy and their organising a joint patrol programme. This started well ‘untill eventually the navy began to carry out its own patrols and submit bills for the patrols for payment

19 See also Bennett et al. 2001: 370: ‘lack of enforcement was frequently mentioned by fishermen and acknowledged by fisheries officers in 62 artisanal fishing villages surveyed in their research.’
As a result it became too expensive for the DoF to bear, and joint patrol ship days were reduced' (World Bank 2003: 8-9).

**Extraction**

The third critical element of fishing for which rules have been developed is that of extraction, or more precisely of ensuring a good catch. This is closely related to the second category of the interaction between fishers. Conflicts between fishermen are often about the direct competition for a catch that others (using the same gear) also want. However, what is meant here are the rules, regulations and actions taken by managers to make sure that the fishermen get a good catch when they go fishing. There are two main ways of ensuring that this is the case, each of which is based on a different perspective or world view. The first comes from the Anlo-Ewe traditional religious world view and can be found among the traditional managers in the Anlo-Ewe villages, such as the chief fishermen and many net owners and priests and it is an approach generally shared by the other ethnic fishing groups in Ghana. The second is based on a scientific world view with biological knowledge. This is the central perspective of the managers of the Ghanaian fisheries department.

- **Local religious knowledge of the sea**

  The management perspective on extraction as it is held by many Anlo-Ewe is based on religious knowledge of the traditional religion of the Anlo. As we saw in Chapter 3, most of the fishermen are adherents of the traditional religion, although a lot of Christian fishermen also relate to certain ideas about the sea gods, and the balancing of nature, religion and the social order (see also Christensen 1977). It is important to understand that the traditional religion is inclusive and is not something that is only ‘done’ on ‘Sunday’. Rather, it is a frame of mind, a world view (Sarfo-Mensah & Oduro 2007). The gods and spirits are ever present. The environment and life breaths religion. Everything in life is seen in this perspective and, consequently, a fisherman’s catch as well. A good catch is up to the gods. They give it to you. It is therefore crucial to maintain your relationship with the gods. The community as a whole needs to be in harmony with itself and its environment. Rituals are held to maintain the relationship, such as the annual fishing ritual that was earlier mentioned, done by the Yewe cult. Any disharmony will effect the relationship with the gods and consequently also the fishermen’s catches or the farmers’ harvests. Anlo-Ewe fishermen have many rules to maintain a good relationship with the (sea)gods, like the following three rules I heard of during fieldwork, where showing respect to the gods is central:

1. **During the catch you are not allowed to whistle.** It is the gods who do the fishing for you, if you whistle you annoy the gods, in the sense that you don’t show them respect.
2. **Once the beach seine is cast, you are not allowed to fetch seawater from within the net.** If you do that, they will stop you, because spiritually you will be taking the fish away.
3. **You cannot join a canoe if you have slept with a woman without bathing first to be ritually clean.**

The matter of purity is important. A young fisherman in Akosua Village told me the following when I asked him about his opinion as to why the catches are so low: ‘When I came here the catch was plenty, even if I didn’t know how it worked. Now I know and see it is spoiled. Why? The customs, we don’t perform them anymore. Some men don’t

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20 Parts of this section appeared in a paper I wrote for the MARE conference (Kraan 2007).

21 The potent force of dirt has been widely discussed in Anthropology, notably by Douglas (1966-2002). See also Sarfo-Mensah & Oduro (2007) for more examples in Ghana.
have their own room, and then have sex on the beach. It is not kept healthy’ (interview 39, 1-6-2004).

Whatever one catches is up to the grace of the gods. In order to influence their grace, the Anlo-Ewe hold an annual ritual which involves offering a ram or cow to the sea gods. The town chief of Woe said the following about this ritual:

‘Catches have been going down. The Fisheries Department has been telling us that it is due to the decline of the fish stocks, but the people have the idea that if they don’t get a good catch, they believe that somebody somewhere would have done something to provoke the gods. That is the belief of the people. So they then need to pacify the gods, in order to ensure for a good catch again. In fact every year they have a certain ritual which is to pacify the gods. The local chief priest performs certain rituals in relation to the fishing. They have a special day fixed in which they perform certain rituals and then at night they take a life cow, tie it up, put it in a boat and send it to the high seas. At the beach drumming and certain rituals are taking place. Some also go on the boat. One of the high priests too will offer to the gods. The cow then is dumped into the sea alive. Thereafter they always have a good catch. The god of the sea, when it is pacified, it can bring a lot of fortune.’ (interview 93, 5-11-2005)

This ritual is still performed by the Yewe according to the town chief of Dzelukope: ‘It is the priestess of the Yewe god who performs it’ (fieldwork notes 1-9-2004). The ritual is strongly connected to the community and all net owners contribute (financially) just as all will profit from the expected bumper catch. The non-performance of the ritual (in Woe for instance it has not been performed for over 6 years now) is also due to community-related reasons. According to Woe fishermen it has not taken place because of conflict within the community. This is a bad state of affairs and the gods disapprove of this disharmony and therefore catches are decreasing in size. The chiefancy conflict of the paramount stool of Anlo has been mentioned in Woe as a reason for angry gods and low catches. Since the last paramount chief of Anlo died, about 7 years ago, there has been an ongoing conflict between the two chief-providing clans about who should be the new chief.

Apparently there is a division between sea gods and priests serving them, communal gods and gods you relate to as an individual. Net owners of fishing companies in Anlo contribute to community rituals and also have their own shrines at their compounds where they make offerings to their own gods. Such a shrine is a place to make offerings often marked by some netting and sticks, with some empty bottles and other attributes around it. One of the net owners in Akosua Village said the following about why the jaw of a shark is placed at his shrine:

‘It is a dangerous thing I took with my net. So I put it here. I don’t want bad spirits to attack me, so. I don’t want to catch this thing again. That is why I locked it here. It is locked, because I placed it here. I have performed some rituals and pray that it shouldn’t come again. It is a bad spirit that wanted to enter in my life. I went to a sooth sayer, the diviner. He said bad would come in my life. Spirits can come and jump to attack you. There are bad spirits in the sea.’ (fieldwork notes 2005)

As we saw in Chapter 3, canoes are not just canoes but are living objects that need to be made and maintained in a certain way, need to be fed and have a name. The taboos that have to be observed differ per canoe. Many canoes are also having little amulets hanging in front.

The belief is part of the world view of many Ghanaian fishermen and is important to understand. The connection between nature, the spiritual world and community is obvious in many African communities: ‘the environment is invested with social meaning and rendered manipulable through religion and ritual’ (Akyeampong 2001: 107). As Akyeampong explained: ‘For the Anlo, the sea is a natural and supernatural realm popu-
lated by fish and deities. The sea yields its largesse when a proper and harmonious relationship is struck with it’ (Akyeampong 2001: 19). Catching sharks in your net is a signal from the gods that something bad is going to happen to you. The catching of mammals, such as dolphins, should also be avoided. If they die in your net they would need to be buried like a human being and many rituals would be performed (interview 39, 1-6-2004). I have seen a few of these dolphin graves on the beach at the research locations.

\[\text{Figure 7.6 Some charms in front of a canoe nearby}\]
\[\text{Akosua Village}\]

Declining catches, and also sea erosion (see Chapter 8), are signs from the gods of cosmological and social imbalance. Catches that you make as a fishermen are achieved by the grace of the sea gods. Fishermen often make a connection between declining catches and this ritual not being performed, due to disharmony in the community.

On 14 August 2004 the following article appeared in one of Ghana’s newspapers:

\[\text{Priestess bans fishing at Keta:}\]
\[\text{‘When this year’s fishing season started yielding a good catch, the people of Keta were confident that their socio-economic situation will improve. However two days into the season, a fetish priestess ordered fishermen to stop their fishing activities since the bumper catch in previous days were mermaids (sea gods) and had threatened with death and afflictions anyone who would dare flout the order. Currently dozens of boat owners in the area, out of fear from their lives, are obeying the order to the detriment of their livelihood and their dependants.’ (The Mirror, 14-8-2004)}\]
According to the newspaper article the events were as follows. A priestess went to the house of the chief of Dzelukope, a suburb of Keta, to inform him of the wrath that would be unleashed on the town if fishing activities were not halted immediately. According to the article she had said that ‘the impending visitation of the anger of the sea gods stemmed from the bumper fishing of ‘Keta schoolboys’ the previous days which were the children of the sea gods’. After that she went to the houses of four other boat owners. She requested that a ritual be performed at Asigame to appease the angry gods. The article further describes how the fishermen were not fishing; ‘most of the boats were ashore’, and how the fishermen were discussing the issue, claiming that the ban needed to be reversed as soon as possible. However, due to a chieftaincy dispute, the chiefs could not meet to take action to enable fishing to resume. The story was that the daughter of the priestess had left town to ‘avoid the humiliation and ridicule’ and that the District Chief Executive was investigating the issue.

When asked about this, two weeks after the article had appeared in the newspaper, the town chief of Dzelukope claimed that he was not in the house when the priestess visited. His wife was there and took the message. The priestess told the wife that she had come to tell the town chief that they should not go fishing in the night as the Hogbeto shrine said the fish they are catching in the night are his children. That they have come to do something along the coast, so there should not be any fishing in the night. After she had delivered the message, the priestess asked his wife for a bottle of schnapps, and left for the chief fisherman. Then she went to the sea shore to inform four net owners.

Both the town chief and the chief fisherman claim that they had no faith in the whole thing. First of all the woman was no priestess but an adherent to the shrine. Secondly the coastal town was not ‘under’ the Hogbeto shrine. The town chief: ‘We have our gods, our individual gods, our gods for this community. And with the help of the Yewe god we sacrifice when the need arises for us to do the customary rites for the gods and after that we have our bumper fishing’. Thirdly if a priest would have come, then the priest, the chief and chief fisherman would have needed to go and consult an oracle by definition, after which the outcome would have been discussed by the town elders.

According to the town chief and chief fisherman it was not true that the fishermen had not gone out for fishing. The chief fisherman: ‘They were fishing, and they are still fishing, up till today’. The chief fisherman blames the reporter of the article: ‘He is an incompetent news reporter, he should have come to us, to seek our advice’. The town chief: ‘The Mirror-man came to me on a Wednesday, (…) as I said we don’t fish on Wednesday’. No wonder – he said – that the reporter referred to a deserted beach and was able to print a picture in the newspaper of empty boats lying idle.

The adherents of the shrine in Atiavi, of which the woman priestess claimed to come from, denied knowing this woman. They said that they had heard about the article. They were treating it as a rumour at the moment, since they had never heard of the woman and she was not a priestess to this shrine. In addition the assistant priest said:

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23 Asigame is in Togo.
25 The priest of the shrine had travelled to Abidjan (Ivory Coast) to perform rituals so he was not available for an interview. The assistant priest was available.
‘we don’t control those at the seaside, we don’t have control over fish. We are not specifically connected to the sea gods. Individual fishermen do come to ask for help, and if it is successful they come to give fish.’ (fieldwork notes 25-8-2004)

Consequently both the leaders of Dzelukope, the town chief and the chief fisherman as well as the assistant priest of the shrine in Atiavi said that the story as it had appeared in the newspaper was not true. However the fact that a priest or priestess can ask for a ban on fisheries was not denied, and there are occasions on which priests successfully order a ban on fishing. As Chief Dzelu explained: ‘When we are to perform our traditional rites to the gods, the gods will give us days not to fish’ (fieldwork notes 1-9-2004). Such a ban lasts for between a couple of days and up to two weeks, until the gods have accepted the sacrifice. Consequently priests and gods indirectly influence the fishing activity.

The article stated that the daughter of the ‘priestess’ left town to ‘avoid the humiliation and ridicule’. This might be explained by the fact that not all people believe such events. Not all are believers of the traditional religion. According to the chair of the town council in Woe, about thirty percent of the people are Christians (interview 68, 1-9-2004). This religious heterogeneity can cause confusion and conflict in communities. The chair of the town council in Woe explained that, in the past, Yewe priests and adherents received a lot of respect when they came to the beach. It was believed that they were responsible for good catches, since they performed the required ritual. Whenever they would come to the beach, they would get fish. Although this still happens (I witnessed it in 2005 on Tegbi beach26) it does not happen all the time anymore. Some fishermen still perform the ritual, others do not and some even show disrespect or ridicule. Because of this, the priests have started to ask money for performing the ritual. Those sums have become high, and the amount of believers has declined, leading to more conflict about the performance of the ritual. The chair of the town council, a net owner himself and a Christian, said the following on the declining catches due to non-performance of the ritual:

‘I don’t believe [that]. It is [because of] over-overexploitation! Because I mentioned earlier that when we were very young we had only three fishing companies along down here (…) but now we have 23 companies. And even we have a certain net now, they cast it in the night. Formerly it wasn’t there, then the poli and watsa nets, formerly it wasn’t there. Then the trawling boats, these big time trawling boats, they weren’t here.’ (interview 68, 1-9-2004)

Discussions with fishermen about declining catches generate a mixed picture of the gods punishing, too many people fishing, the industrial sector getting the blame and fish being present but also having fled due to the noise of the motors in the sea. Having a good idea of these perceptions is crucial in order to implement fisheries management measures because the solution to a problem (declining catches) depends on what people believe is the cause of a problem.

- Scientific biological knowledge of fishing stocks

The government’s management perspective is based on biological knowledge and focuses on the idea that fish stocks can be overexploited, or rather that many stocks are already overexploited, that it consequently is useful to monitor catches in order to assess the stocks. Preventing overexploitation then leads to regulations about the gear, (mesh size, restrictions and bans), to catch quotas, to seasonal bans and to zonation measures.

26 Tegbi is close to Woe, on the east side, in Keta District, in the Volta Region.
Limiting the number of fishermen (limiting access) could be a next step, yet such a step can only be taken once the government has a good idea of the current situation. One way of getting a better grip on the current situation is to register the canoes and the government intends to start doing just that (interview 78, 14-10-2005).

The district level branch of the fisheries department is most active as regards this aspect of management. Catches are monitored, gears are monitored and laws have been made about what can and cannot be used, certain fishing zones have been designated for certain gears and the latest discussion is focusing on seasonal restrictions.

The catches in Woe have been monitored by Mr Dawu every day since 1975. He visits the beach and registers the companies’ catches (by sampling), as well as the kind of fish they catch, the amount and the price they sell it for. According to Mr Dawu, all catches have been declining since 1975. He reported this to the district office of the fisheries department in Keta where all the data from the district is gathered and sent to Accra. The water temperature and the salinity of the water are also measured on a daily basis. Mr Dawu said the following about some of the changes:

‘The fishermen have to go further out, in the past the fish was closer, but now if you use six or seven ropes you will not catch anything. Also the sea is coming close, it is now too shallow and too warm. Buildings have been taken away, they are in the sea now. We have asked Accra to take them away, but they haven’t come yet.’

One of the main issues in the Volta Region is the discussion on mesh size. The smallest size allowed is 1 inch, but many dragnets are 3/8 inch (interview 65, 16-7-2004). This is because the target species of the Anlo-Ewe fishermen is the anchovy. This species can only be caught with a mesh size smaller than 1 inch. By using such a small mesh size, not only the Bobby is caught but also the juveniles of other species. This is even more problematic in this area since it is an important spawning area, nearby the Volta estuary and Keta lagoon. Even though mesh size laws exist, in the Volta Region they are not strictly controlled because the managers feel that they are unable to do so (see also Chapter 6). It is too sensitive an issue since too many people depend on this type of fishing, and on this type of fish, and it is so key that it is said to have become part of their culture:

‘It is the humanitarian aspect, you see, they have no alternative. For the dragnet, it has been done for ages! It is difficult to enforce! You see, here they believe in dragnet, it is their culture. The Volta Region alone takes about 50 percent or more of all dragnets in Ghana!’ (interview 65, 16-7-2004)

Another problem is that the net owners are powerful people in society. The director of the Keta Districts Office Agriculture said: ‘We should mobilise the net owners. They are powerful. Mighty houses of the net owners’ (interview 62, 17-8-2005). The fisheries officer: ‘If you do something, they even threaten your life! Yes! They will say that you don’t want them to eat! They threaten, it is not easy!’ (interview 65, 16-7-2004). The presiding member of the DA and the fisheries officer are looking for a solution in the form of some kind of seasonal ban. Anchovy are seasonal and the main period is from July to October. The idea would be that the beach seine companies would then be allowed to fish with the smaller mesh size to catch the Anchovy. When the season is over they would need to transfer to the larger sized net. If this is feasible, is questionable. One problem would be convincing the fishermen that Anchovy have a main season, since the fish are caught throughout the whole year. They would also have to be convinced to have two nets, with different mesh sizes. This point would be especially difficult since beach seine nets are so large and expensive.
A lot of biological knowledge on fisheries is dominated by western studies, and very little is known about ‘the fish fauna of Ghanaian near shore waters, and little understanding of environmental influences on the near shore fish community’ (Nunoo et al. 2006: 689). A study performed in Ghana confirmed that near shore regions (in this case also near a lagoon) are important nurseries for fish and macrocrustaceans (Ibid.: 694). Scientists in general agree that the beach seine is a destructive gear because it is perceived to contribute to the reduction of the spawning potential of small pelagic stocks. In Ghana beach seine fishing is quite important. It accounts for twelve percent of the artisanal catches (Ibid.) worth of 28 percent of the total value (see Chapter 1). However, the study by Nunoo et al. found that more than ninety percent of the species found in the catches (after monitoring over two years of 94 hauls) were juveniles of commercially important species and this concurs with studies performed in other regions of the world (Ibid.: 695). ‘Over 90 percent of the fish examined were small, ranging from between one and ten centimetres’ (Ibid.: 694). The Ghanaian government has considered the idea of an outright ban of the beach seine: ‘this fishing method is perceived to be destroying fish spawning grounds of most. In Ghana, the outright ban of this destructive fishing method has been recommended as a management measure. Biologically this would ensure recovery of fish stocks and possibly maintain ecosystem integrity’ (Yeboah 2002: 20). This is something that has been suggested or recommended by others as well (JITAP 2002). An outright ban would obviously have detrimental social effects (in Ghana especially for the Anlo-Ewe fishermen) and would also be less effective if the neighboring countries would not join in such a ban (Gbaguidi 2003: 34). Nunoo et al. do not find that the most practical solution: ‘Among the management strategies of beach seining under construction by West African governments, i.e. seasonal closures, mesh-size restrictions, use of square-mesh nets and outright banning of beach seining, seasonal closure appears to be the most practical for the nearshore waters of Sakumono’ (Nunoo et al. 2006: 695). Their suggestion is a seasonal ban from May to July when catches are low anyway.

Another promising avenue is Ghana’s participation in the Sustainable Fisheries Livelihood Programme of the FAO, which carried out a pilot study on the usage of a beach seine with a larger mesh size (twenty instead of ten millimetre mesh bag) making it more selective in 2002 in Benin; linked to a broader study on beach seines in a couple of coastal communities in Ghana, Togo and Benin. The outcomes of the pilot were promising in the sense that the seines caught fewer juveniles and even appeared to be more rewarding because of the higher prices for larger fish.

‘The activities of the two gears were monitored over a period of sixteen months (June 2002 to September 2003). The fish landed by the new and old seines on the same days of the week were fixed at 39,062 kg being a turnover of 6,046,700 FCFA, and 33,568 kg fetching 5,769,700 FCFA respectively. The average monthly income for the first gear is 377,900 FCFA, and for the second, 360,600 FCFA. However, the new seine leads to some shortfalls between August and December when the juveniles of some species (especially sardinella, anchovies and shrimps) are caught en masse.’ (SFLP Bulletin 2003: 32-33)

However, there was also the unforeseen effect of raising the fishing effort because the new net was easier to haul in because it contains fewer juveniles meaning that fishermen would be more likely to fish with it a second time. The fishermen were quite interested in the new net and liked the results, but suggested that it would be better to use both

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27 Ten percent of the catch was examined (Nunoo et al. 2006: 690).

28 One euro was 550 FCFA in 2003.
nets: the small mesh size net in the anchovy high season (about two months) and the new net the rest of the year. The only remaining problem would then be the cost of the second net (Gbaguidi 2003: 35).

Access to the market
Once they have accessed the fishing grounds and have managed to fish a good catch fishermen also need to have access to the market. This is the moment – after the fishing activity – when the women start to play a role.\(^{29}\) In Ghana the trade and processing of fish is for a large part in the hands of women and they link, as it were, the fishermen to the consumers (Tetteh 2007). ‘Success in the fish trade has earned the women a prestigious status in the society and their financial success affords some of them the ability to own and control fishing equipment’ (\textit{ibid.}). It is important to make a difference between the type of saleswomen. There are wholesalers (buying large quantities and transporting these to larger markets further away) and retailers (buying smaller quantities to sell directly to consumers or at more nearby markets) (Odotei 1991). The wholesalers usually deal with the canoe owners directly or own canoes themselves. The retailers usually buy on credit from the wholesalers and make payment after the goods are sold (Odotei 1991). Women act as creditors (financing fishing equipment) and as financiers (financing fishing trips) – in both ways women secure their access to fish and consolidate their source of fish supply (Tetteh 2007: 38). Women also show that they are continuing to act in response to new chances and opportunities, for example by buying by-catch from trawlers (Overå 2005).

However, Anlo-Ewe women differ from this general picture of Ghanaian women since the Anlo-Ewe are part of a patrilineal society whereas the other coastal groups are matrilineally\(^{30}\) organised. Overå studied the role of women in the fishing industry in Moree in the Central Region, in Kpone in the Greater Accra Region and in Dzelukope in the Volta Region (Overå 1998). She found that the few Anlo women, from Dzelukope, who owned fishing equipment either lived outside their hometown, were on migration, or owned other companies than beach seine companies (such as agli or watsa) and had mostly delegated the operation of their companies to a male relative (a son) (Overå 1998: 253). Overå explains the difference between the Anlo women and the Ga or Fanti women by pointing out that in Anlo-Ewe communities \textit{yevudor} ownership is ‘very much connected with masculinity, male authority and succession of both material and symbolic capital within the patrilineage’ (Overå 1998: 253). Fanti women also have their own leader, the \textit{konkohene} (queen of fish traders), as the female equivalent of the male chief fisherman (\textit{apofohene}) (Overå 1998: 95). The Ewe do not have such role for the women processors, and make use of the chief fisherman in relevant cases (such as conflict arbitration). Only in Half Assini, I met a woman who was called ‘Queen mother’ in the Anlo-Ewe migrant fishermen settlement. She was the sister of the chief fisherman of the Anlo-Ewe migrant fishermen.

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\(^{29}\) I met only one woman, in Woe, who had fished. She was the daughter of a net owner and learnt swimming and fishing (including casting the net, mending, and paddling) as a small girl. She did not fish and swim anymore when she grew older. She was however still mending nets.

\(^{30}\) With the exception of Effutu society which is organised by duo-descent, the women inherit and belong to the maternal side and the men inherit and belong to the paternal side.
When dealing with Anlo fish traders in Dzelukope, Overâ found that they concentrate their activities at local markets in Keta, Denu, Akatsi, Dabala, Anloga and Agbosome between which market days rotate every four days. However, they also go to Denu, Akatsi, Agbosome, Aflao and Lomé (in Togo). Some travel to Accra and Kumasi themselves but most of them sell through wholesalers coming from Accra, Kumasi and towns even further up north (see Figure 7.8). Conversations held with women during my research confirm this image that most would process fish and sell it at nearby markets (Anloga, Keta, Anyanui, Dabala and Aflao). However, in some cases – high value species – they would go to Accra themselves with the fresh fish to get a better price (interview 5, 13-1-2004). Fish can be smoked, sun dried, salted and dried, fermented or fried. Processing the fish gives the women the opportunity to preserve the fish and to keep it at home (for three up to nine months) until the prices at the market have improved. However, it also costs them more inputs in terms of salt or fire wood (interview 8, 14-1-2004). One of the women traders from Akosua Village explained to me: ‘Fish comes plenty in the season. In August we sell fish at 30,000/40,000 per basket whereas in January – February at 100,000 or 90,000 a basket. That time you get something on top’ (interview 57, 30-6-2004).

31 For a complete overview of main fish markets by region in Ghana see DoF 2003: 32.
The women in Akosua Village were not so active in large-scale processing operations. Most of the fish was sold to the Effutu from Winneba. There were two women in the village more seriously involved in the business. One of them tells us how she went herself (or her daughters) to the markets in Accra (Mamprobi) and Aflao or how wholesalers from Togo or Hohoe would come to the village and buy from her (interview 57, 30-6-3004). In Half Assini I observed some traders from Kumasi coming with vans to the beach to load fish for the market.

When the beach seine fishermen land their fish they sell the fish to the women to whom they (read the net owner) are indebted, to the women related to the company and to other buyers – and in that order. Often the wives of the fishermen buy the fish and re-trade it or process it before they bring it to the market. In many communities (see also Gbaguidi 2003, Overå 1998), including Woe, there are many women willing to buy, so they rotate in getting access to the fish that was caught. One of the women we met during the household survey explained to us that they have divided the women into groups and that each group can buy on a particular day of the week. She can buy fish every Monday (HH survey Woe additional notes 13-8-2004). Overå: ‘In one Dzelukope company the rotation goes all the way from the wives of the canoe owner and down to the last company member’s wife until it starts at the top again’ (Overå 1998: 245). Such a rotation system is particularly important during the lean season when the catches are limited. The extent to which women can buy fish in the main season depends on their financial strength (access to credit). Both women and fishermen complain about the
selling process. The women complain that the prices are too high, as explained by one of the elders of the fisheries committee in Woe:

‘Sometimes the women report to you that we come to the beach and they have been selling to them a bowl of fish for some 500,000 cedis [45 euros]. And, so we used to sit down with the fishermen and discuss with them that ‘oh these are your own people, these are your wives, so when you sell to them for this exorbitant price when they go to market and they don’t get anything you’ll stand to this’, yes.’ (interview 89, 1-11-2005)

On the other hand the men complain that the women, who often buy on credit, do not pay their debts (interview 45, 3-6-2004). This complaining of both men and women is reflected in other research: ‘The fishermen claim that the women traders do not offer a fair price for the catch, the women claim that the fishermen are unrealistic about what the catch is worth’ (Bennett et al. 2001: 371). Figure 7.10 shows a copy of a loan book that a net owner in Woe holds. In the margin the date is noted, then the amount of pans of fish that have been caught, at what price the pans were sold and then how much the women have bought. Only the names of the women buying but not paying are immediately written down. Their names were crossed out when they had come to pay.

What we have seen in the section above is that Anlo-Ewe beach seine fishermen have developed rules to manage their own fisheries. It has become clear that the Anlo-Ewe beach seine fishermen collective is not a homogeneous group of people. There are a number of sub-groups: there are certain leaders such as the chief fisherman and his elders, the net owners and the priests. It is also important to differentiate between net owners and crew members, fishermen and female processors and traders. All in all we have seen that the set rules are mainly directed to maintain peace and order on the beaches. The access to fishing is regulated by chief fishermen with the focus not so much on the resource but on the community. Interaction between fishermen is aimed at avoiding conflict and at solving any that occur quickly and smoothly. Conflicts between
men and women are also solved by pointing out that the men and women need each other. The rules related to extraction, based on religion, are also more community directed than resource directed – the non-occurrence of an important fishing ritual is explained as related to community conflict and that is seen as damaging to fish catches (via the disapproval of the gods).

The government of Ghana’s regulating activities directed to the artisanal sector – as discussed in the above section – are strongly related to modernisation of the sector on the one hand and to conserving fish stocks on the other. Subsidies are offered to encourage artisanal fishermen to upgrade their fishing equipment. However, most of the ministry’s activities and regulations are aimed at the (semi-)industrial sector. In the event of conflicts between the two subsectors the artisanal fishermen often find the law is on their side but, due to the power difference between the two parties, the artisanal fishermen often (need to) give up. The government proves to be inadequate in protecting the weaker (in terms of finances, alternatives, access to credit) artisanal parties, even though the right regulations are in place.

Management and migration

In this section I discuss possible implications of migration for management and vice versa. I discussed migration with many officials and the two quotes below express two important reasons why fishermen migration has not received a lot of attention from the Ghanaian government:
Fishermen migrate a lot. Is there some kind of policy on this, is any action taken at all?
Director (Keta): Fish migrate, like the horse mackerel. The fishermen know the fish, so they follow
them. Migration means that many move and come back. The fishermen are good biologists. They
know the movement of the fish and of the sea. When they migrate, they obey the rules there. French
countries are strict on their rules. The fishermen know that. There are not really any problems with it,
so why interfere? There are not many migrants coming to Ghana, rather Ghanaians go abroad. That is
a good thing for us, it reduces the pressure. You could say it is good for management, as it reduces our
pressure. (interview 62, with the Director of Agriculture from Keta District, 17-8-2004)

And:

MK: Can you explain that in more detail because it seems to be such an interesting phenomenon, and eh… why is not really studied?
Assistant Director (Accra): Ok, let me say that the other issue that I am aware of is that, for a long
time, the fisheries department itself had also concentrated on the resource, without concentrating on
the people. It has always been an important resource, so there are a lot of studies on stock assessment,
biology of fish, ... you know, a lot. The department did not concentrate too much on the people.
(interview 78, with the Assistant Director fisheries department Accra, 14-10-2005)

The question is then why attention should be paid to migration if it does not pose any
problems? On the contrary, it even has a positive effect as it reduces the number of
fishing activities in Ghanaian waters. Paying attention to this might bring up difficult
discussions in regional fora with neighbouring countries. Secondly, the government has
always been much more focused on the resource than on the fishermen.

This research confirms that the government in Ghana in general has had less at-
tention for the artisanal sector. The fishermen themselves have developed many more
management institutions than the government. As migration is such a characteristic
element of the artisanal fishing sector, we can expect the institutions that have devel-
oped to have been influenced by migration and perhaps also vice-versa. This might
mean that we can expect not to find a major difference between the institutions in the
different research locations. Migration has probably led to a spread of knowledge, as
fishermen took their institutions along with them and this resulted in more or less the
same institutions being present in a lot of fishing villages. The role of the chief fisher-
men has also been spread via migration. Whereas, in the past, they fulfilled a hereditary
role in Effutu and Fanti communities, chief fishermen are now also found amongst the
Ga, the Dangbe and the Ewe (Chapter 6).

Although access to the fishing grounds is open by Ghanaian law to all Ghanaians, in
Chapter 6 we saw how Anlo-Ewe fishermen on migration need to ask for permission to
settle from the local town chief and permission to fish from the local chief fishermen
and (or only in case of absence of a local chief fisherman) from the chief fisherman of
their own, existing community. As chief fishermen always grant permission, one might
wonder whether chief fishermen actually manage access to the fishing grounds. Asking
permission seems to be more of a social ritual yet it also serves as a way to prevent
access conflicts (as seen in other countries). Looked at it from another perspective, chief
fishermen do have accurate knowledge of the fishermen active on their beaches, this
while the Government of Ghana finds such information useful but difficult to obtain.

The assistant director of the Fisheries Department in Accra explained how the
government wishes to register artisanal fishermen as a first step towards limiting open
access. Limiting open access to the artisanal fisheries in Ghana is seen as a way of
controlling artisanal catches, as Ghanaian fish stocks are showing signs of depletion.
Elsewhere it has been suggested that migration hampers the registration of canoes and
fishermen since the mobile character of the sector makes it difficult to acquire a proper
overview. Canoes fish from village A and land fish in village B. As a consequence, it is difficult to decide where the canoe should be registered and which season is the best time to count canoes (Ferraris & Koranteng 1995).

Another aspect that should be taken into account when discussing migration and management is that the mobility of the Ghanaian artisanal sector is international. Consequently, if the Ghanaian government wishes to impose new mesh size regulations, fishermen can respond by leaving Ghana to fish in another country where they can continue using their gear, or they can buy the forbidden mesh size in another country and use it in Ghana. It would consequently be much better if Ghana was able to harmonise its fishing rules with its neighbouring countries. In terms of access to credit and inputs, research has already shown how better opportunities in neighbouring countries motivated Ghanaian fishermen to migrate there (see Chapter 5). Migrant fishermen therefore respond to structural differences related to management in their mobile strategy.

Based on our discussion of the management activities related to the element of social interaction, we can conclude that the fishing contract functions as a way for net owners to gain more control over their crew members. Companies on migration are, in particular, a financial risk for net owners. Crew members may run away with the advance payment. The contract gives the net owner a stronger case once the crew member has been found and has been taken to court. A net owner in Akosua Village told me how they sometimes spent quite a lot of money on finding runaway crew members. In Akosua Village a net owner also explained to me how one of the rules was that crew going to Winneba had to wear a shirt (instead of being bare-chested). As they stayed there as migrants, you had to behave properly. A misbehaving Anlo-Ewe in Winneba would reflect negatively on the whole village. As the net owner explained, ‘One rule is: don’t go to drink in another village, they may stab you, and then it becomes my case. If you do go there, do not drink and don’t offend anybody. They respect the rule’ (interview 51, 10-6-2004). The net owner, almost like a father, is responsible for the behaviour of his crew.

Avoiding getting into conflict with local fishermen is, as we have seen, not a major problem since the Anlo-Ewe beach seine fishermen do not use the same fishing space as the local fishermen (in Akosua Village the Effutu fishermen going far out and in Half Assini the other migrant Fanti fishermen also going far out). Conflicts occur much more amongst beach seine fishermen, including those on migration. In settling these conflicts the same rules are applicable as at home. Migrant fishermen bring along their rules and ways of solving these conflicts along whilst on migration and they have their own chief fisherman and elders.

Access to the market is of course also needed when on migration. Women often join the migrating companies and sometimes they are even part of the company. Only rarely are women not allowed to join or have restricted access to the fish caught by their men due to local women demanding the first right to the fish, as is the case in Benin (Odotei 2002b: 15). Overall, the women in Akosua Village did not play a major role and a lot of the fish were sold to Effutu and Fanti women. However, a few Anlo women did work on a broader scale and even had Effutu boats which brought fish to them directly on the beach (the landing of the canoes was always commented on by the Anlo-Ewe, the Effutu – who were used to Winneba harbour – were much less capable of landing their canoes on the beach then the Anlo). These women on migration traded their fish at local markets and the main national markets such as in Accra and Kumasi.
We can conclude that, with regard to the sea, it does not seem to matter a lot in terms of fisheries management whether fishermen fish near home or on migration. Yet, in Akosua Village I was able to research a conflict between the migrant Anlo-Ewe fishermen and the local leaders that focused on the use of the lagoon (see Chapter 8). The lagoon was located inland and was much less accessible than the sea. That case showed how fragile the relationship can be between migrant fishermen and their hosts. In the absence of crises, the living situation appears to be similar to that which exists between fishermen’s hometowns and their migration locations. However, a crisis may cause this situation to change (something we have seen in other countries already – see Chapter 5). In that respect, declining catches can become crises over time and one may wonder what effect that will have on the current calm situation of internal migration in Ghana.

Assessing the management objectives of the fishermen and of the government

Table 7.3 contains an overview of the regulating activities undertaken by fishermen themselves and by the government. From the table we can see that the fishermen have made regulations relating to all fishing activities, whereas the government has confined its activities to subsidies, rules relating to the interaction between artisanal fishing groups and (semi-)industrial fishermen, while the ideas on extraction relate to a biological scientific perspective.

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*Access FG = access fishing groups; Intern. = internal social interaction; Ext. BSC = external social interaction between beach seine companies; Ext. all = external with other fishing groups; gov. = government*

Like the other artisanal fishermen in Ghana, Anlo-Ewe beach seine fishermen have consequently made arrangements amongst themselves to regulate their fishing activities. We can deduce that the main objective of these regulations is to maintain order and peace on the beach in what is a highly mobile and heterogeneous social environment amongst themselves and vis-à-vis the gods. It is useful to remember that institutions are based on values and principles. Peace and order are thus valuable objectives which is reflected in the institutions of the Anlo-Ewe fishermen.

The fact that access is regulated by the chief fisherman ensures that newcomers do not just intrude but introduce themselves and are introduced to others by the chief fisherman. Access to credit and to the market is regulated by the social relations fishermen have with the women in their community. The interaction between and amongst fishermen is regulated by a whole set of rules, which are clear and known by all fishermen. The institution of the contract was set up to protect both net owner and crew member. Most of the conflicts occur between operators using the same gear and these
conflicts are dealt with by the chief fisherman. As such, artisanal fishing in Ghana is for a large part a self-regulated system in which the government does not play a major role. In the research locations I often asked fishermen whether they had ever dealt with officials of the fisheries department and in most cases the fishermen responded that they had never seen someone.

The introduction of new fishing materials, such as new nets and the outboard motor, led to contacts between government and fishers. The government introduced these measures as a way of modernising the sector and it has subsidised such capital intensive equipment since the start. Modernisation has for long been an important objective of the Ghanaian fisheries department.

The interactions with the modern fishing sector and the artisanal fishermen also fall under the government’s responsibility. The government has set rules for instance the non-fishing zone within 30 nautical miles for (semi-)industrial fishers, and is responsible for monitoring that such rules are obeyed. The functionality of their monitoring and conflict resolution management tasks is however very low. Lastly, it is clear that the government reasons from a different perspective than many artisanal fishermen. Although the biological perspective is known, understood or adhered to by some artisanal fishermen, this is certainly not the case for all of them. This may also be because most fishermen are too busy managing their livelihoods.

The CBFMCs that have been introduced by the government are an interesting case in point when it comes to analysing the interface between government and fishing communities. The committees were discussed in Chapter 6, but we need to review them again when assessing the regulating activities of the government and the fishermen. This will explain why these committees continue to fail.

An initial assessment of the literature on communities managing natural resources quickly leads us to an influential article written by Agrawal and Gibson in 1999. They propose that, for a couple of reasons, it is not right to talk of the community. ‘The community’ is often used by people who adhere to three assumptions about the community that are not in line with reality, namely that the community is a small spatial unit, has a homogeneous social structure and has common interests and shared norms. They propose instead a focus on institutions. I believe that their contribution is very valuable for the above definition has indeed been criticised directly or indirectly by a lot of researchers (see for an overview of fisheries: Allison & Ellis 2001). The authors suggest that an institutional approach would be more effective. Once again I agree and have done exactly that. However we should be careful whenever the outcomes of an institutional analysis lead to what has been called institutional crafting as the solution to NRM problems (see the critique offered by Cleaver as described in Chapter 6). To prove that this does not work, we can read the recommendations of Agrawal and Gibson on what a good local institution should be like. This only leads to the realisation that exactly the same arrangement existed in the case of the CBFMCs in Ghana, with representatives from the various groups in a community, being involved in solving local conflicts, and creating their own rules based on the existing local knowledge and enforce them (Agrawal & Gibson 1999: 638-639).

There are various reasons why this approach will not work. First of all it is assumed that the locally created institutions will empower ‘locals’ to take action in order to improve resource management outcomes (see Figure 7.11). However, based on an our assessment of the objectives of local institutions as held amongst the Anlo-Ewe, we should regard the diagram as shown in Figure 7.12 as being closer to Ghanaian reality.
This was endorsed by the assessment (Bamfo 2003) made in Ghana of the CBFMCs cited in Chapter 6. It also highlights the value of the livelihoods approach in fisheries management studies. If we recall Figure 3.1 in Chapter 3, which showed the livelihoods framework, we see that a livelihood has effect on both livelihood security and environmental sustainability. Finally, in practice we see that the ‘local’ rule-making procedure only functions if the local rules do not contest state rules and vice-versa. Bylaws will not be accepted by power holders at local level if the proposed rules impact negatively on their stakes (see the discussion in Chapter 6 on the bylaws).

Conclusions

In this chapter we presented the institutions of fisheries management in relation to Ghanaian beach seine fishery at local level. We defined institutions as the written and unwritten rules but also rights and procedures based on principles and values. We discussed the activities undertaken by Anlo-Ewe fishermen themselves and by the Ghanaian government in relation to beach seine fishing. By following a virtual boat in the sequence of the fishing activity we were able to distinguish the different elements in the fishing activity: 1. access to the fishing grounds, 2. social interaction between fishermen, 3. extraction and 4. access to the market. By doing so we acquired a clear understanding of how every step towards catching fish and making a living out of it is regulated. The managing activities carried out by the fishermen are embedded in social practice and religious world views and are mainly directed to maintain peace and order on the beaches. Peace and order can thereby be deducted as an important principle in beach seine fishing communities. In the next chapter we discuss in more detail how a
decline in traditional religion adherents and the change of social order in migration locations can impact negatively on the effectiveness of the rule-system related to beach seine fisheries. We also discuss the impact of power and leadership in more detail.

We saw in this chapter that Anlo-Ewe fisher communities are not homogeneous. We need to distinguish between a number of social categories: net owners and crew members, fishermen and female processors and traders as well as Christians and adherents of the traditional religion for instance. There are also certain leaders such as the chief fishermen and his elders, the net owners and the priests whom we need to take into account since such power holders can influence processes of rule making (as we saw in Chapter 6 on the bylaws). The fact that there are different groups makes it easy to understand how important this main task of the chief fisherman and his elders is as regards maintaining peace and order at the beach. This is, in itself, a considerable challenge given the many different groups, different leaders and different financial or livelihood related interests.

Our discussion of a traditional arbitration of a conflict between two fishing companies in Half Assini showed how such arbitration has a social function. It is an open hearing which everyone is allowed to attend. Both parties in the conflict are invited to tell their side of the story and are questioned by the elders of the community. The hearing itself is also regulated and a linguist is present who guides the whole process and repeats the rules guiding the hearing itself. The elders use proverbs and expressions (proverb law) in their verdict. They in fact use their knowledge of the ‘ways of doing things’ in their community to reach a verdict. Such arbitrations are in fact a way of re-explaining social rules to the community (via those gathered). We see the same idea in the fishing companies where fishermen who have broken a rule are punished in the presence of the whole group. In that way the whole group is again reminded of the rules and of the right way of doing things.

We also noted that the role of the government of Ghana in relation to regulating beach seine fisheries is ambivalent. A lot of the regulating tasks are left to the fishing communities themselves. Access is open to all Ghanaian nationals, no registration of canoes is currently taking place and, as a result, the government does not officially know, for instance, how many fishermen are active in the villages. The government provides inputs at cheaper rates than available on the market, such as subsidised premix fuel, nets and outboard motors. A couple of decades ago this served as a way of stimulating and modernising the sector. The government, via police and courts, is only involved in conflicts in the event of assault or damage. The involvement is not great since most of these cases are eventually settled by the chief fishermen. This chapter also showed that although the Ghanaian government has developed institutions to deal with some types of conflict between artisanal fishermen and (semi-)industrial fishermen, these do not function properly. The artisanal fishermen are the weaker party and often do not have enough knowledge, contacts or finances to profit from these institutions. The Ghanaian government is at the national level most involved in rules related to extraction. Their management perspective is based on biological knowledge and the ecosystem health principle applies at international level (Bavinck & Chuenpagdee 2005: 245). Catches are monitored and there are gear regulations (such as minimum mesh sizes) and fishing zones. However, it is not easy to ensure that the law is complied with. Two examples have been discussed, one is that (semi-)industrial vessels do not comply with the fishing zones and the second is that beach seine fishermen do not comply with the mesh size regulation. The government lacks the power and resources to make sure
that these rules are followed. This aspect of fisheries management shows that a discussion of principles on which certain rules are based is valuable, yet it is also important to understand why certain rules are or are not carried out. Power is an important factor in the effectiveness of fisheries management.

We have also come across some co-management initiatives such as the CBFMCs. By assessing these we see how the different world views of government and fishermen translate into the malfunctioning of these committees. Government is directed at conserving fish stocks and communities are directed at livelihood improvement. This brings about different expectations and outcomes.

Migration influences fisheries management and vice-versa. As migration is so much a feature of the Ghanaian fishing sector, and as the fishermen themselves are much more actively involved in regulating the artisanal sector, we can actually expect the influence of migration to be incorporated in its regulation. Migration has lead to a spread of knowledge, as fishermen took their institutions along and this resulted in more or less the same institutions being in place in lots of different fishing villages. Government officials explained why the government does not actively do anything about migration. According to them migration does not pose any problems and in fact, international migration even has positive effects as it reduces the amount of fishing in Ghanaian waters. Focusing on this may lead to regional discussions with neighbouring countries. This also highlights the issue that taking migration into account means that management should increasingly take place at regional level and should become part of international (West African) governance arrangements. Due to the migratory nature of the sector, regulations in one country will have an impact in other countries. Secondly, the government has always focused much more on the resource rather than on the fishermen. Despite the fact that migrants are incorporated, the relationship between migrant fishermen and their hosts is frequently fragile. Rules on how to behave are more important in the context of migration than in the home context since any misbehaviour on the part of the individual migrant fisherman rubs off on the whole community. The absence of crises means the fishing situation at beach level is often similar for fishermen at their hometown and in their migration location. However, this may change if a crisis occurs (something we have seen in other countries already – see Chapter 5). In that respect, declining catches may develop into crises over time.

The analytical division we have outlined between fisher institutions and state institutions works differently in practice. In practice there is interaction between the fishermen and the government in which all sorts of contacts occur. The cases presented in the next chapter help us understand how the interface between governance actors and fishermen works, and how Anlo-Ewe fishers negotiate their livelihood space.