# INCORPORATION AND OWNERSHIP: A CASE OF A BAJAU FISHING VILLAGE IN SABAH, MALAYSIA

J.R. Lette

## CONTENTS

1	INTRODUCTION	153		
2	GENERAL DESCRIPTION OF GAYANG	156		
3	THE SOCIAL ORGANIZATION OF FISHING	158		
3.1	The fishing trip	162		
3.2	The marketing trip	163		
4	THE RECENT SOCIO-ECONOMIC HISTORY OF GAYANG	164		
5	DISCUSSION	168		
REFEI	REFERENCES			

#### INTRODUCTION

12.

Munch (1977) 13. Stirrat (1974)

Several forms of ownership of fishing equipment among small scale fishermen are known. While discussing ownership, the rights and obligations that go hand in hand with a certain form of resource control will also be examined.

As the field work on which this report is based was being done several forms of ownership were found to exist side by side. Boats and outboard motors were always owned individually, as were several types of nets. The beach seine nets, of which there are two types, are partly individually owned and partly collectively owned, that is, a form of share ownership exists. This form of resource control has been developed rather recently.

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Individual ownership is reported by:
     Amasiri de Silva (1977)
                                     13.
                                          Fourmet (1976)
1.
    Blake (1977)
Brandt (1971)
                                     14.
                                          Fraser (1974)
2.
3.
                                          Landberg and Weaver (1974)
                                     15.
    Yap (1977)
                                          Norbeck (1954)
4.
                                     16.
                                          Norr. K.F. (1975)
5.
    Chang (1971)
                                     17.
6.
                                     18.
    Christensen (1977)
                                          Norr, K.L. and Norr, J.L.
7.
    Collier (1974)
                                          (1974)
8.
    Davenport (1960)
                                     19.
                                          Strandgaard (1974-1979)
                                          Sunyer (1976)
Vashar Sen (1976)
     Diamond (1969)
9.
                                     20.
    Emerson (1976)
                                     21.
10.
11.
     Epple (1977)
                                     22.
                                          Vercruijsse (1979)
12.
    Forman (1970)
                                     23.
                                          Yoshida (1974)
forms of collective ownership are reported by:
1.
    Alexander (1975)
2.
     Antilla (1974)
3.
    Barnes (1974)
4.
     Berkes (1977)
5.
     Byron (1974)
6.
     Comte (1979)
7.
     Hamlish (1978)
     Stirrat (1975),
8.
and individual and collective ownership existing side by side by:
ı.
     Alexander (1977)
2.
     Baks and Postel-Coster (1977)
3.
     Barnes (1976)
4.
     Breton (1977)
5.
     Burghoorn (
6.
    FAO (1977)
7.
    Firth (1966)
8.
    Foster (1979)
    Fraser (1960)
9.
     Fredericks and Kampe (1979)
10.
11.
    Middleton (1977)
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Galjaart (1975:34) remarked that incorporation into comprehensive political and economic systems is the most basic change that can befall a local community.

This article deals with the question of why share ownership arose and explores the nature of the relation, if any, between the changed form of resource control and incorporation.

Firstly the socio-economic situation of the village will be described briefly followed by a description of the social organization of fishing, focussing on beach seine net fishing. The question of share ownership and incorporation will be dealt with in the section on the recent history.

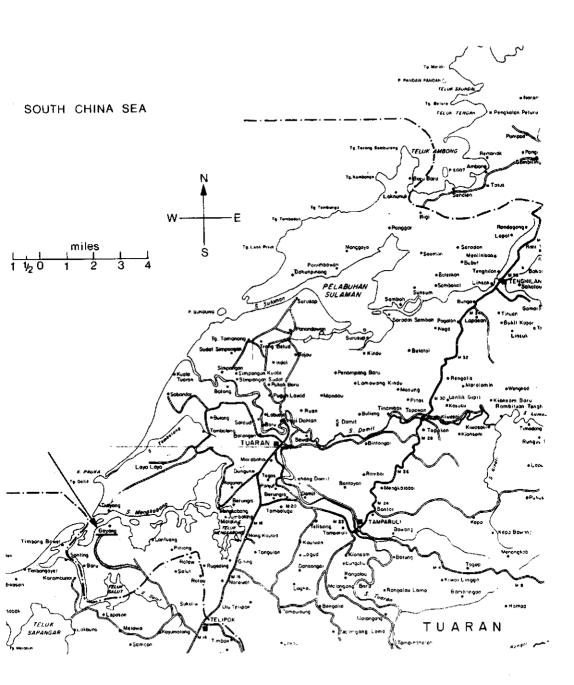


Figure 1: The location of kampong Gayang in the Tuaran district, Sabah.

### 2 GENERAL DESCRIPTION OF GAYANG

Politically, the northern part of Borneo is known as Sabah, a state in the Federation of Malaysia.

The field work was carried out in Gayang, a fishing village on the north-west coast of Sabah. Gayang is located at the entrance of a vast shallow bay. The shores of this bay consist of mangrove swamps. Behind the mangroves, the steep foothills of the Crocker range rise, dominated by Mount Kinabalu (13.455 feet)

The shores of the South China Sea consist of rocky capes and sandy beaches lined with casuarina trees.

There are three more fishing villages on the shores of this bay, these three villages can be reached by road. One of them Mengkabong, is of particular interest to the inhabitants of Gayang. From Mengkabong pick-up trucks maintain a transport service to Tuaran, the most important market town for the inhabitants of Gayang. While the field work was being done a road to Gayang was just being completed. Although it was possible to drive to Gayang using a lorry or a landrover this was not done. Firstly, because the road was long, steep and unpaved, requiring expensive vehicles. And secondly, because it did not shorten the journey to Tuaran. The market town Telipok, which lies at the other end of this new road is of minor commercial and administrative importance compared to Tuaran.

The inhabitants of the four villages are known as Bajaus. They should really be called Sama or Samal as this is how they call both themselves, and their language.

The word Bajau, however, is generally accepted among them.

Bajaus can be met on the shores of Sabah, the islands of the Sulu Sea, that belong to the Philippines, and around Sulawesi (Indonesia).

Some Bajaus live on boats on the Sulu Sea and posses neither land nor houses and have not yet become Muslim. The Bajaus on the north-west coast of Sabah are all Muslim and live in houses, and quite a few are full-time farmers, especially around Kota Belud. In Gayang, 412 people live in 72 households. Agriculture and fishing are by far the most important means of earning a living. Two teachers of the primary school get monthly salaries. There are three small shops, one of them is run by one of the teachers. Five women earn a little extra by processing coral, so that it can be used in chewing betel nut. This chalk is sold at the market in Tuaran. Fifteen men make boats for their own use and for sale. One inhabitant works as a bus-driver and is away from home and family in Gayang for periods of 10 to 14 days. Most households rely on farming and

fishing. Those who own productive resources, have land as well as fishing equipment. Those who have only their labour to offer work in fishing and farming. Wet paddy is by far the most important crop produced. Other crops like coconuts and cassava are cultivated in small quantities by a few households. Wet paddy is cultivated on 121 acres of land yielding one harvest a year. There are several forms of land tenure. Nobody owns more than 5 acres and 14 households do not cultivate any land. Rice is a subsistence crop and provides the staple food. Therefore, it is significant to examine the number of months a household can feed from its own harvest rather than to examine the distribution of the different rights to land.

Table 1. Level of self-sufficiency in rice in Gayang:

Months			ıs		nr. of households
0	<	X	<	2	18
2	<	X	<	4	4
4	<	X	<	6	7
6	<	X	<	8	6
8	<	X	<	10	11
10	<	X	<	12	21
12	<	x			<u>_5</u>
					72

Shortages are supplemented with imported rice, bought in Tuaran or in one of the small shops in Gayang.

The eighteen households that fall in the lowest category of self-sufficiency are the fourteen that do not cultivate rice, two that had their rice crops destroyed by buffaloes, and two that has just started rice cultivation and at the time of the inquiry had not yet had a harvest.

## 3 THE SOCIAL ORGANIZATION OF FISHING

The size of the fishing group is dependent on the type of net that is used. Boats and engines allow a crew of one to perhaps twenty. Nets, however, are more specific in their labour requirements. Each type of net requires a set of different operations that have to be carried out simultaneously thus necessitating a certain number of persons. The type and size of a net determine the smallest number of persons that are needed to work the net economically. Not all fishing gear is used for commercial fishing. The following description of the fishing gear used in Gayang is limited to those types that are used with the intention of producing a marketable quantity of fish, as opposed to the gear used to get a few fish for the evening meal.

The pukat is a gill net, it is hung vertically in the water, the top on the surface of the water. Fish are caught as they entangle themselves in the mesh. The length is expressed in sections, each section being 200 feet long. A pukat may vary between 9 and 18 sections, the average is 14 sections. There are 18 nets of this type. The pukat is operated by two men, the owner of the boat, engine and net, and his crew, preferably a son or a relative but not necessarily so.

The net is lowered before sunrise and is hauled in after sunrise. After arrival in Gayang the fish are separated from the net. The owner and crew take about 2 katies<sup>2</sup> each for home consumption and if the surplus is valuable enough to justify a marketing trip it is on sale at the market in Tuaran by 9 a.m.

After the petrol 3 has been paid for the money is divided as follows:

- 1 share for the owner of the boat
- 1 share for the owner of the engine
- 1 share for the owner of the net
- 1 share for each person

This means 80 per cent for the owner and 20 per cent for the crew. In order to get a full picture of the division of the results one has to realize that household consumption takes precedence over sale. Although the pukat is not as irregular and unpredictable in its results as other nets, the yield varies considerably from day to day and only about half the number of fishing trips are followed by a marketing trip. If marketing does not take place, the cost of petrol and oil is borne by the owner.

Measure of weight equalling 0.6 kilograms.

i.e. petrol and oil, as two stroke outboard motors are used.

The proceeds are divided per day, i.e. per trip.

Maintenance of the net is the common responsibility of crew and owner, the necessary materials (nylon monofilament, lead and plastic floats) being supplied by the owner. Maintenance of boat and engine is the sole responsibility of the owner, as they can be, and are, used for a variety of other purposes.

As a rule the pukat is used every day. Conditions preventing its use are the need to overhaul the boat or engine failure, but mostly bad weather, mainly in November, when little pukat fishing takes place.

The pukat group is a stable workgroup, owner and crew working together every day for months or even years. Still, as with all other nets the crew are paid their share of the proceeds per fishing trip.

The selambau is a square lift net, used several miles offshore. Selambau fishing shows many similarities to the pukat takur in Kelantan and Trengganu (Peninsular Malaysia) as described by Firth (Firth, 1966). The selambau is much smaller than the pukat takur, 50 x 50 feet, compared with the 150 x 150 feet of the pukat takur. There are five such in Gayang.

Four men are needed at the corners of the net plus one man who directs the operation.

The small size of the selambau allows this small crew to operate it and to use one boat only. One man hauls the net from the boat, the other three are seated in an inflated innertube of a lorry tyre. Apart from the small scale of operations, the work, its organization and the role of the expert is the same as that described by Firth. One major difference with the situation in Kelantan and Trengganu is that not only are the shelters for the fish private property, but so are the fishing grounds where they are left. This means that exclusive fishing rights exist for the use of the selambau, but only for those types of fish that are most profitably taken. Only two men own fishing rights for the selambau, and selambau fishing does not play an important role in the economy of Gayang. A few men from Gayang who like many of the inhabitants immigrated from Mengkabong, crew with owners from Mengkabong. Selambau fishing implies periods of waiting at sea for the fish to appear. These periods are made productive with hand line fishing. Each crew member providing his own lines and hooks. The catch is added to the catch of the trip and divided in the same way and under the same conditions as the catch of the pukat; boat, engine, net and fishing rights (if necessary) being owned individually by the same man.

A selambau fishing trip takes the whole morning and frequently the whole

day. Weather permitting, the boats go to sea every day, but January to May are the most profitable due to the presence of much sought after species of fish. An owner of a selambau who does not own fishing rights can only take the less desirable kinds of fish, and will use his selambau only a few times a year.

The ansau is a beach seine net, intended for anchovies and small shrimps. It is made of plastic mosquito wire. Lead at the bottom and plastic floats keep it vertically suspended in the water. It is operated from the beach in shallow water, so, generally, the bottom drags over the sand as it is hauled ashore. The length of an ansau in Gayang may vary around 400 feet. In the middle is a bag-like fold that will take the catch, the ends of each wing are attached to a long rope to haul in the net. There are ten such nets in Gayang, two of which are owned by a group of share owners. At least seven men are needed to work the net. The owner and organizer stays in the boat and directs the hauling with hand signals. Each wing is manned by three men who need all their strength to pull the net through the water. If a current is running, more than three men may be necessary. Ansau fishing, especially if anchovies are expected, is an active way of hunting a shoal of fish. Success is entirely dependent on the ability to locate the shoal and to encircle it with the ansau as fast as possible. The small shrimps are easier to locate and cannot escape so quickly, which abates some of the scramble.

Ansau fishing is always done in daylight; for shrimps just after sunrise and for anchovies at any time a day. The season for shrimps is from January to March. Gradually, more and more anchovies appear, until, in September it is not longer worthwhile to use the ansau.

Ansau fishing, dependent as it is on the presence of migratory fish, is irregular and even more unpredictable than the other methods of fishing. A boat returning on a quiet afternoon with a catch of an expensive kind of anchovy, may result in several boats leaving the village manned with crews assembled quickly for the occasion. The men interrupt the construction work on houses, boats, etc., the maintenance of their equipment or the rice harvest.

Shrimps and anchovies migrate along the coast from north to south. Information about the movements of fish from fishing villages north of Gayang is actively sought, especially at the market in Tuaran where fishermen from many fishing villages along the coast meet each other regularly. The division of the catch is different from all other nets in the respect that the crew are not paid in money but only get their share of the catch. The catch may be divided upon arrival or after it has been dried

for a day or two. This means that the petrol is paid for by the owner of the boat and engine.

Division is according to the following rule:

- 5 shares for the owner(s) of the ansau
- 1 share for the owner of the boat
- 1 share for the owner of the engine
- 1 share for everybody who took part
- 1 share to be divided among those who pull the ropes and haul the net (excluding the leader who directs the operation and stays in the boat).

The puguyut is a beach seine net similar to the ansau, having the same dimensions, and also requiring at least seven men. The major difference with the ansau is the size of the mesh, being 2 inches. The net is made of strong twisted nylon string. There are four such nets in Gayang, two of which are owned by a group of owners. To work the net, three men are left on shore and the boat motors to sea paying out the rope that is attached to one of the wings. When the end of the rope is reached the boat changes its course moving nearly parallel to the beach in a slight curve, paying out the net. When the second rope is reached, the course is changed again and the boat is steered towards the shore, paying out the second rope. Here three men get out and both ropes are hauled in. The two hauling parties walk slowly towards each other, meeting each other when the net surfaces. The leader of the operation remains in the boat by the middle of the net where he directs the hauling and movement of both groups with hand signals. The whole operation may take an hour or more. The net is rarely used in the dark. Because the puguyut can be used inshore (at low tide) it can be used all the year round. When the sea is too rough for the boats in Gayang, the puguyut is used in the bay. The proceeds are divided as follows:

- 4 shares for the owner(s) of the puguyut
- 1 share for the owner of the boat
- 1 share for the owner of the engine
- 1 share for everybody who took part
- 2 shares to be divided among those who pull the ropes and haul the net (excluding the leader).

The other conditions are the same as for the pukat and the selambau (payment in cash per trip priority of household consumption over marketing and in the case of no marketing the petrol is paid for by the owner of boat and engine, who acts as the leader of the trip).

The boats are built in Gayang. The timber and other necessary materials are bought in Tuaran. Engines are bought new in Tuaran or Kota Kinabalu, or second hand in Mengkabong. Nets are bought in Tuaran as are lead, floats and ropes. Generally, the owners pay their equipment in cash out of their savings. There are only two exceptions. One man got half the cost of his engine advanced from a fish dealer in Telipok. This loan is not paid back. Instead he sells all his catch to this dealer. The other exception is a man who operates a puguyut owned by a Bajau from a neighbouring village. The owners' shares of the proceeds are divided equally between the owner and the manager.

Borrowing of money does occur however, in case of death or prolonged illness; land is given as a security. The creditor cultivates the land and keeps the harvest. In this way no interest need be asked.

## 3.1 The fishing trip

The owner-operator makes sure that boat, engine and net are in working order and that fuel is available . He decides where and when to fish and tries to get a crew together, calling on each person individually. The trip with the pukat starts in the early morning when it is still dark. The evening before the trip, the net is put together from the individual sections and stowed neatly in the boat so that it can be paid out smoothly. All other nets are used in the daytime and the trips start with the stowing of the net.

During the journey, the owner will sit or stand in the bow and will use hand signals to instruct the operator of the engine which course to steer and how fast. Upon arrival the work is different for each type of net, but as a rule the owner decides the place where the net will be lowered and how it will be pulled in.

Ansau and puguyut are stowed neatly so that during the same trip they can be cast again without delay. Sometimes the waves make this impossible. The journey back to Gayang is similar to the journey to the fishing ground visited. Upon arrival, crew and owner take home sufficient fish for their domestic needs of the day. As soon as possible the surplus is sold at the market in Tuaran.

Fuel, i.e. petrol mixed with a certain proportion of oil that can be used in the two-stroke outboard engines, cannot be bought in Gayang. Kerosene/paraffin can be bought at one of the three shops. Considering the risky nature of fishing a supply for several trips is necessary. In exceptional cases a gallon is borrowed and paid back in kind the same day.

## 3.2 The marketing trip

The owner and his wife travel with their fishing boat to Mengkabong. There, a pick-up truck provides transport over the road to Tuaran. In Tuaran the wife of the owner sells the fish to the customer. After buying what they need, especially petrol and oil, they return to Gayang. In the evening, the owner will visit each crew member, hand him his share in cash and will probably ask him to come again.

The fishing trips are characterized by close and interested co-operation of all men concerned and by a sharp division between owner/organizer and planner on the one hand and crew on the other.

The fishing trips only take a couple of hours and payment is per trip. The composition of the crew is also fixed for the duration of one trip only. Even in cases where two or more men fish together for many months, daily agreements and payments are made. This being the case, it is not surprising to find men who fished with pukat in the early morning as crew or owner, to go out in the afternoon with ansau or puguyut when the roles may be the same or reversed.

For ansau and puguyut, share ownership does occur but the division of labour is exactly the same as with individual ownership. One man performs the role of the owner, the others of crew, but of course, the crew are not only paid their share as crewmen but their share as owners as well.

#### 4 THE RECENT SOCIO-ECONOMIC HISTORY OF GAYANG

This section is limited to the changes in the environment of the people in Gayang, that influenced the appearance of share ownership some ten years ago.

The history as presented here is reconstructed from interviews with older inhabitants, commenting on the changes they have seen, but most important on the changes they have experienced during their own lifetime. The exact date or even year of particular events was impossible to bring to light. What happened and to what effect is what I am concerned with here.

First of all the construction of paved roads should be mentioned. The roads made it much easier for the inhabitants of Gayang to reach Tuaran and Tamparuli. Before the road that connects Mengkabong with the road from Kota Kinabalu to Tuaran was constructed people used to walk the three miles from Mengkabong to Tuaran, carrying the fish they wanted to sell. As outboard motors were not used in those days, the distance between Gayang and Mengkabong had to be paddled. All this, after a probably rather tiring fishing trip, made it hard for the fishermen to make frequent visits to the market Marketing trips were usually made with an accumulated supply of dried fish that can be kept for a month or so and is much lighter to carry. Unfortunately, the price of dried fish is (and was), much lower than that of fresh fish. Only the landing of an exceptionally large quantity of the more expensive kinds of fish could tempt a fisherman to sell his catch fresh.

Not only has it become much easier for the fishermen to reach the market, the same applies to the people who live in the interior. They come to Tuaran selling agricultural surplus (fruit, vegetables, rice wine, honey, etc.) and they are the potential customers of the fishermen. The result has been an increased demand for fish. Fish is still frequently bartered for fruit or vegetables.

Of course, it is not so much the roads themselves that have improved communications as the pick-up trucks that maintain a transport service for both people and goods. The introduction and common use of outboard motors has not only facilitated the journey to Menkabong but has generally increased the radius of action of the fishermen and at the same time made the large crews, that were needed to paddle the boats superfluous. Now-adays, it is the net that determines the size of the crew and not the boat.

Boats themselves have also changed, not so much in dimensions and appearance as in the way they are made. Until the late fifties, boats were laboriously hewn from trunks taken from the jungle, and the sides raised with planks sawn by hand. The construction of such a boat would take over a year. Since the introduction of cheap sawn timber, the time needed for building a boat has been cut back to three weeks. Considering that a boat can be taken to sea for only five to six years, this makes a boat much cheaper nowadays. Whereas boats have become cheaper because the initial cost has come down, nets have become cheaper because the use of nylon has greatly lengthened the life of the nets. Before nylon was used, nets were made of natural fibres that the fishermen made themselves from vines collected in the jungle. The life of such a net was less than a year. The nylon beach seines used nowadays do not rot and are stored in specially constructed sheds were they are protected from the sun. When they get torn they are repaired and last many years, no nylon beach seine net has so far to be discarded. A nylon selambau does not run the risk of being torn. The pukat, made of monofilament nylon gets damaged by large fish, mainly sharks, that prey on the fish caught in the net. Repairing the net is a daily task of pukat fishermen. The life of a section of pukat is estimated at two to three years.

These developments partly explain the economic upsurge that has taken place but some are also part of this upsurge. The result has been a relatively high standard of living by south-east Asian standards. This relative prosperity is illustrated by the following phenomena. Although land is scarce and competed for, share croppers always pay the owner 20 per cent of the harvest, a low figure. The eighteen households that do not cultivate any land consist partly of households that do not have the labour to work the land (old couples, lonely widows, and widows with children) and partly of young couples that have recently set up their own household, and newly arrived immigrants. During the last twenty years a great deal of rice land around Gayang has been brought under cultivation and in about 1974 new rice land was occupied at about one hour's walking distance. It seems that all suitable land for wet rice in the vicinity is now occupied. The relative prosperity is further illustrated by the three shops.

One is kept by a school teacher, one by a blind man who also crews occasionally with a puguyat and one by an old couple who are wholly dependent on it.

The shops only sell a limited number of articles. Pressurized kerosine lamps are commonplace as are transistor radios and cassette recorders. Portable television sets powered by car batteries are present in seven households. These things are bought and paid for in cash out of savings, as is the case with fishing equipment.

The result of this economic upsurge is that whereas fifteen to twenty years ago fishing equipment and marketing facilities were the limiting factors in economic life, since the late sixties the availability of labour has been the restricting factor in production.

The labour shortage becomes clear if we calculate the number of men needed for all the nets and compare this figure with the available fishermen.

Table 2. Number of men needed to operate all nets simultaneously.

net	number	no. of men needed	<u>total</u>
puguyut	4	7	28
ansau	10	7	70
selambau	5	5	25
pukat	18	2	36
			+
		total	159 men

The number of men that go fishing (everybody who is fit enough to do so, even the blind men as we have seen) is 88. Even if we disregard the selambau for which there are no fishing rights, this still means that the ansau can only be used when other nets are not being used. If the ansau is used for anchovy fishing, it can be used in the afternoon and then the crew of the pukat are available, but this is still not enough. Besides, the small shrimps have to be caught immediately after dawn, which is the time the pukat is used. Puguyut and ansau alone demand 98 men. Ten more than are available. The labour shortage explains the popularity of the pukat that can be handled by two men only, the smallness of the selambau (compared to the pukat takur in peninsular Malaysia) and the relative smallness of the beach seines. Norr (1975, p. 359) describes beach seines in Tamilnadu as being similar in size to those used in Gayang operated by fifteen to thirty people. Forman (1970, p. 47) describes a beach seine in Brazil that is 600 metres long. He does not say how many people are needed to operate it, but it is certainly more than anybody in Gayang could assemble.

Labour shortage also explains why share ownership arose and why it was with the beach seine. Share ownership should not be regarded as a group of men lacking the capital necessary to purchase a net or the materials necessary to produce it, but rather as an entrepreneur who is short of labour and sells part of his capital to his crew in order to interest them not only in the results of the fishing trips in which they take part, but in the allover productivity of the net, thus increasing the frequency of fishing trips.

The puguyut does not as a rule produce the spectacular yields that are associated with the ansau and, therefore has to be and indeed can be used all the year round as often as possible. The need for a stable crew is higher with the puguyut than with the ansau and, consequently, the proportion of share-owned nets is higher with the puguyut (50 per cent) than with the ansau (20 per cent). The pattern of ownership has changed and the distribution of earnings has changed as a result, but not the division of labour.

The changed form of resource control can be seen as an adaptation to a changed environment. The changes in the environment that provoked share ownership are clearly part of a process of incorporation, which includes more than those mentioned in this article.

## 5 DISCUSSION

I have argued that share ownership should be seen as an adaptive strategy of beachseine net owners, who are faced with the necessity to find a crew and with an acute shortage of crew in the village. To choose this solution is by no means obvious, or the only one conceivable. Two other solutions were observed. During the field work I came across a family who did not live in Gayang permanently, but lived in another village. They had come to Gayang, a day's journey by lorry, to assist a net owner during the peak season of the ansau when small shrimps are caught. North of Gayang lies the small Bajau village Pankalan Peteru.

Pankalan Peturu is poorly connected with a market town. The economy of Pankalan Peteru is a subsistence economy to a much larger extent than that of Gayang. There are no beachseines, only one seagoing boat and no working outboard motors. To travel to Pankalan Peteru by boat takes the better part of a day. During the peak season of the ansau, one of the net owners of Gayang travelled to Pankalan Peteru with his son and an ansau and fished there with crew from Pankalan Peteru.

In both cases were crew and net owner distant relatives.

Besides these two observed cases it is conceivable that a net owner would employ crew on a monthly basis for a fixed salary, or would change the division of the catch in favor of the crew.

Share ownership of the nets is the only permanent solution for the crew problem that was observed.

It is difficult to ascertain whether or not share ownership is the most practical or economical solution. Share ownership of nets is a new thing, although share ownership of land has been common for a long time. Share ownership of land occurs when those who inherit a piece of land cannot agree on the division or find official registration of the division too cumbersome. They then farm the land as a group, or in case they cannot effectively co-operate, farm it in turns or find a share cropper and divide the owners' share

Share ownership of land and share ownership of nets result from different situations and fulfill different functions for the participants but the idea of share ownership was present, and could have been applied to fishing.

It seems that the creative solution that was required by the new economic conditions, was facilitated by the familiarity of a relationship or contract that could be introduced to fishing and adapted to meet these conditions.

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