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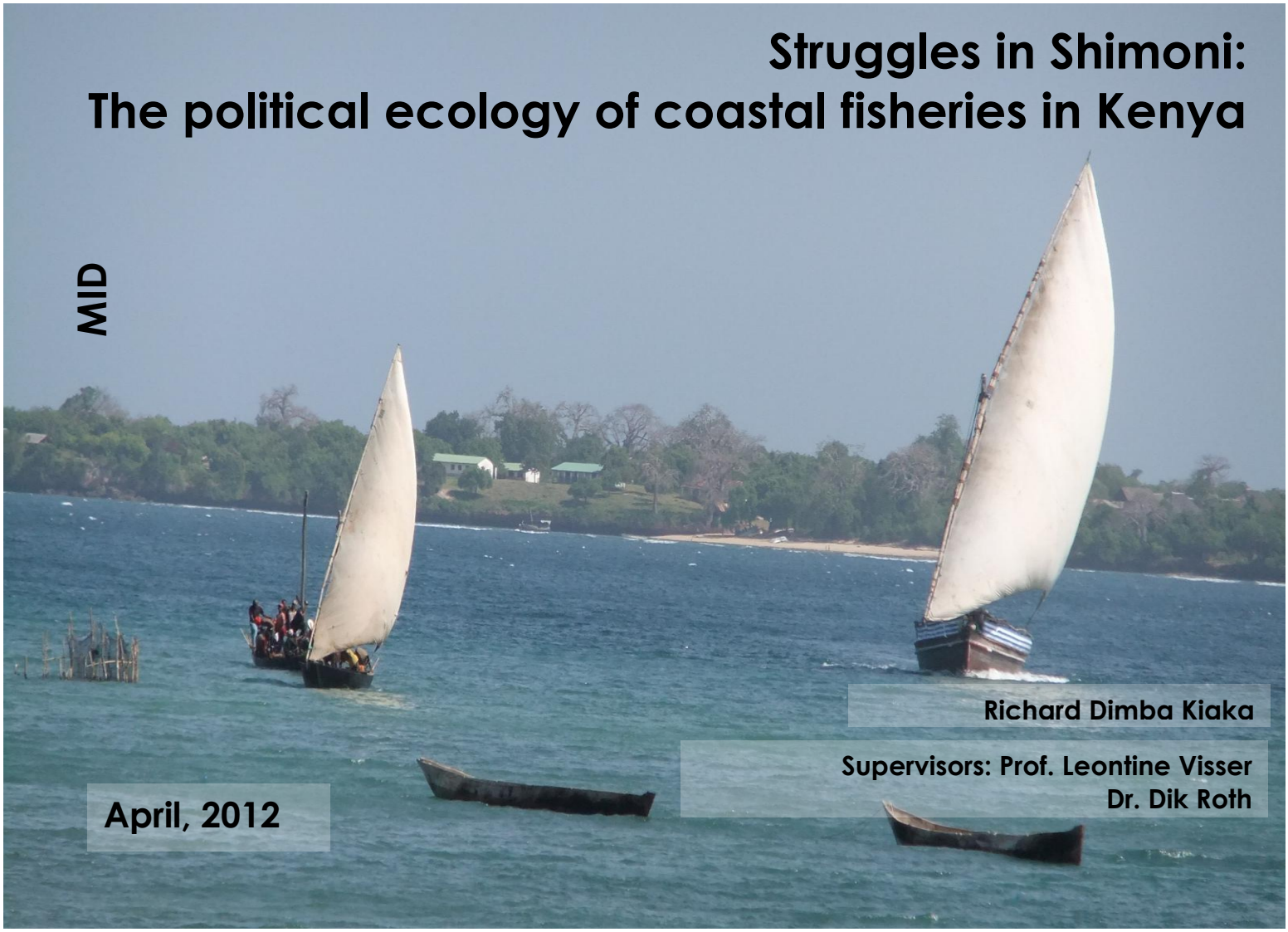
Struggles in Shimoni: The political ecology of coastal fisheries in Kenya



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Struggles in Shimoni: The political ecology of coastal fisheries in Kenya

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ABSTRACT

There exist constant resource-use struggles in the small-scale coastal fisheries of Kenya including Shimoni. Positivistic ecological and economic studies ignore the complex and multi-scalar socio-political nature of these struggles. Such studies inadequately reduce the cause of the struggles to competition for scarce fisheries, policy failure and stubbornness of artisanal fishers. This study, by following a political ecology approach, argues that struggles in small-scale coastal fisheries of Shimoni are influenced by unequal power relations that transform the existing socio-political relations of fisher groups. Additionally, the study argues that fluid identity politics can be used by small-scale artisanal fishers to challenge the unequal power relations. Particular focus is on ring net and spear gun fishing, Marine Protected Areas (MPAs) and Co-management – Beach Management Unit (BMU).

Key words: Resource-use struggles, political ecology, power relations, identity politics, small-scale coastal fisheries, Ring net, Spear gun, MPAs, Co-management, BMU, Kenya, Shimoni,

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LIST OF ACRONYMS

BMU - Beach Management Unit

CCA - Community Conserved Areas

CRDO - Coast Rural Development Organization

EAWS - East Africa Wildlife Society

FAO - United Nations Food and Agriculture Organization

GoK - Government of Kenya

KANU - Kenya African National Union

KMFRI - Kenya Marine and Fisheries Research Institute

Ksh. - Kenya Shillings

KWS - Kenya Wildlife Service

MPAs - Marine Protected Areas

NGOs - Non Governmental Organizations

WWF - World Wide Fund for Nature

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INTRODUCTION

I am drawn to this small but vital field of resource-use struggles in small-scale coastal fisheries out of my previous NGO work in coastal Kenya. During my work with small-scale coastal fishers in Kenya, I often witnessed struggles in form of violence in places such as Kipini and Malindi in the north coast and hostile talks during the many fishers' seminars and meetings that either I attended or organized or both. Large number of struggles were (and still are) related to fishers access to fishing grounds, use of 'destructive fishing gears' and Marine Protected Areas (MPAs). Recently, discomfort with the co-management arrangement through Beach Management Units (BMUs) has added to the list of contested 'things' in the coastal fisheries. During my involvement in the NGO work, it was common to hear coastal fishers being described by fellow NGO workers as stubborn and non-responsive to change. Not least, their fishing activities were and are continuously described by researchers and conservation NGOs as unsustainable, not only in so far as the integrity of the ecosystem is concerned but also to the extent that they support their economic wellbeing (Samoilys *et al.,* 2011). Nonetheless, radical attempts have been made by the Government of Kenya (GoK) in order to promote growth and influence change in the coastal fisheries including but not limited to introduction of semi-commercial ring nets with the aim of increasing the capacity of the artisanal fishers to venture in the fisheries beyond the reef flats. The hope has been and still is that artisanal fishers would find semi-commercial ring net fishing lucrative and abandon their artisanal gears which are deemed by researchers as harmful to the fish breeding grounds. Disappointingly, artisanal fishers are still here with us and a fierce struggle is evident between them and ring net fishers.

Since the 1970s, a preservationist ideology has invaded coastal fisheries not only in Kenya but also other areas of the world. The ideology maintains that the creation of marine protected areas (MPAs) is promising in so far as conserving the coastal ecosystems is concerned. More ambitious works (including Francis *et al.*, 2000 and Muthiga, 2009) have even shown how artisanal fishers could exploit the positive externalities of MPAs. Such works point towards the increased fish population in the MPAs which can be harvested by fishers in fishing grounds close-by or adjacent to MPAs. In Kenya, research has pointed towards the benefit of Watamu, Malindi, Mombasa and Kisite/Mpunguti marine protected areas (Muthiga, 2009). Even with such persuasions concerning the benefits of MPAs to artisanal fishers, fisher's resistance to the existence and expansion of MPAs shows no signs of ceasing. Most recently, East Africa Wildlife Society (EAWS), a conservation NGO, has proposed the MPA-related idea of Community Conserved Areas. This concept, though sounding friendlier and coated with words that camouflage the complexity of coastal fisheries (such as community), has generated as much struggles as its stencil –MPAs, especially in Shimoni.

Misreading coastal fishers to be one homogenous group that should share fisheries management responsibilities with the government in what is known to be, though unrealistically, a bottom-up approach Beach Management Unit (BMU) framework is another move that is opening another chapter of struggles. Having been tried in Lake Victoria, the BMU framework is now being promoted by the government and many conservation NGOs as a primary means of managing coastal fisheries. Like the radical steps that aimed at catapulting growth in Kenya's coastal fisheries and development of the artisanal fishers and MPAs that aimed at saving the coastal fisheries from degradation and increasing tourism, the BMU framework oversimplifies coastal fisheries by overlooking the inherent socio-political processes. Rather, its conception and practice is infested with illusions of power sharing and participatory decision making arrangements. Rather than sharing the unrealistically reified power, BMU is fast emerging as a platform where the government's Fisheries Department can easily exert its control on fishers activities and NGOs can reach to their target groups. However, the framework is facing either reluctance or resistance from fishers making it another battlefield in the coastal fisheries of Kenya.

In spite of these struggles, many ecological and economic studies in coastal fisheries of Kenya, by following positivistic paradigms, relate the struggles to competition about declining fisheries stocks. McClanahan, Obura and their colleagues have devoted their efforts in showing how the declines in the coastal fish populations lead to shrinking catches (McClanahan *et al.*, 2005;2008; Obura, 2001; Obura *et al.,* 2002). Studies such as Homer-Dixon (1999) observe that declining natural resources trigger competition, which may lead to segregation amongst resource users, hence causing conflicts. I agree that understanding the ecological processes of coastal fisheries and their economic impacts is important. However I reject the suggestion that ecological and economic analysis alone are adequate to tell us the situation of conflicts in coastal fisheries. Although the cause-effect relationship between fisheries decline and competition is stating the obvious, there is very little to learn from it about the processes and nature of the ensuing struggles. Unfortunately, many fisheries management instruments rely heavily on such positivistic studies even though they overlook the socio-political processes that fisheries struggles are embedded in. In order to effectively manage fisheries and adequately understand the inherent struggles we need to go beyond quantification of fisheries problems and understand the complex and multi-scalar socio-political context of the fisheries. It follows therefore, that we can no longer afford to take for granted the socio-political processes, or even treat as supplementary studies that dig deeper into these processes in small-scale coastal fisheries because they are as important as the ecological and economic aspects.

I find political ecology, though wider, a relevant field of engagement in order to understand the constant struggles in small-scale coastal fisheries of Shimoni. By applying the wider field of political

ecology, I acknowledge that these struggles are happening in a politicized environment where power is exercised in a unbalanced manner to transform the social relations of fisheries. Thus, in this thesis I argue that the struggles in the small-scale coastal fisheries of Shimoni cannot be simplified as scarcity-caused but are rather influenced by the transformation that occurs in the social relations to fisheries. My entry point is the way in which the social actors in the small-scale fisheries of Shimoni socially relate to the fisheries in terms of access, ownership and knowledge production. I argue that the multiplicity and complexity of these actors and their social actions such as ring net fishing, prohibition of spear gun fishing, marine protected areas and BMU produce power fields with unequal power relations. Because these power fields act to exercise control over the way in which actors relate with costal fisheries for livelihoods, this confluence produces a zone of constant contestation (Peluso and Watts, 2001). I use this to respond to the question: How are the struggles in the small-scale coastal fisheries of Shimoni influenced by unequal power relations regarding access, use and control of fisheries? In these unequal power relations, I contend with Bryant (1997) that the weak will always somehow challenge the 'powerful'. There is already a wide range of literature describing the 'weapons of the weak' that various resource users can employ to challenge unequal power relations surrounding the appropriation of the resources in question. In this study, I argue that identity politics can be added to the existing panoply of 'weapons of the weak' and 'hidden transcripts' (Scott, 1985;1990). The fluidity of identity politics helps in understanding socio-political processes as dynamic. This way, I view social identities not as fixed structures and completed projects but rather as a continuous process of making, unmaking and remaking of their social boundaries and meanings. Additionally, using social identities is devoid of the simplistic dichotomies created by political ecologists such as Bryant (1998;1997) who view resource use struggles in relation to distinct grassroots against encroaching hegemonies. Hence, the second question this study is: How do small-scale artisanal coastal fishers in Shimoni [re]create and use identity politics to challenge the unequal power relations that influence fisheries struggles?

In chapter one I give a description of recent developments in Kenya's coastal fisheries in relation to the existing struggles. I highlight the discouraging results of taking for granted, by both research and policy, the complexity and multiplicity of the social organisation around and about fisheries. I show this oversight in specific areas such as regulations on fishing gears, establishment of MPAs and co-management (BMUs). The main point in chapter one is that the socio-political aspects around struggles in Kenya's coastal fisheries are under-researched because their complex and multi-scalar nature cannot be studied using the dominant positivistic ecological and economic methods. Consequently, these struggles are myopically understood and intervention mechanisms tend to achieve disappointing outcomes. Chapter two of this study proposes a political ecology approach to help bring to focus the complex socio-political nature of the struggles in the coastal fisheries. I use

the concept of power relations and knowledge processes to argue that the struggles are embedded in the socio-political processes of coastal fisheries. I introduce identity politics as a 'weapon for the weak' or 'hidden transcript' (Scott, 1985;1990) [re]created and used by artisanal small-scale fishers. I furthermore discuss the methodology followed including selection of cases, research units, respondents and methods of data collection and analysis. Chapters three, four and five give the details from fieldwork concerning struggles around and about ring net fishing, spear gun fishing and management instruments (MPAs and BMU) respectively. In chapter 6, I discuss my findings using the intellectual traditions of political ecology. I do so by responding to the two questions set for this study. Finally I present my conclusions and recommendation for further research.

CHAPTER 1

1.0. RECENT DEVELOPMENTS IN KENYA'S SMALL-SCALE COASTAL FISHERIES

1.1. Characteristics of the small-scale coastal fisheries

1.1.1. Social organisation of the fishers

The developments in global fish production both from capture fisheries and aquaculture has well been documented by FAO for decades. While FAO (2002) reports that 15% of the total animal protein global consumption comes from fisheries, even higher proportions have been recorded in developing countries and coastal regions. It is not surprising that Hoorweg *et al.* (2009) report that more than 90% of the world fishers belongs to the small-scale sector. In Sub-Sahara Africa, small-scale fishers exploit the coastal fisheries and Kenya is no exception. Much of the documented uncertainties facing the small-scale fishers often include risks at sea, unequal power relations to middlemen and owners of the fishing vessels and underrepresentation in the national politics (Hoorweg *et al.*, 2009). Yet equally important are the least documented impacts of management strategies and regulations, not to mention competition from mushrooming middle-level commercial fishing.

Small-scale coastal fisheries in Kenya exhibit complex and dynamic characteristics. Fishers often enter into some kind of contracts to form fishing crew and also large groups to increase their catch, deal with safety and other risks at sea and to defend their interests in a wider spectrum of power forces in local fisheries. Their payments are hard to discern and can be in form of daily wages and fish catch which is distributed depending on labour effort and capital. Crew composition may consist of kinsmen, non-kinsmen and friends (Hoorweg *et al.,* 2009). Some fishers enter fishing at childhood by accompanying their parents and finally break to join other crews. Likewise, ownership of fishing vessels in the small-scale sector may follow different patterns. They can be owned individually, communally or by well-off individuals.

Coastal fishers of Kenya are differentiated based on fishing gears used and ethnicity and are thus affected in different ways by the changing fisheries (McClanahan, *et al*., 2008). Fishers are also differentiated in terms of skills and knowledge about the characteristics of fisheries. Indeed because of open access to fisheries, fishers are faced with competition not only in the markets but also in the fishing grounds. Hoorweg *et al.* (2009) notes that small-scale fishers address the competition in a number of ways including using their skills and their knowledge about the sea which they hardly share with their competitors.

1.1.2. The missing link in the fisheries struggles

Kenya's coastal ecosystems that small-scale fishers depend on for their livelihoods are widely described in many studies to be under threat. There are recorded declines in fish catch in the coastal fisheries despite the increased per capita effort at sea by the fishers (McClanahan *et at.*, 2008; McClanahan and Mwangi, 2004). Strategies that aim at the management of coastal fisheries have been proposed by the government and conservation NGOs with strong focus of controlling destructive fishers' activities. Disappointingly, the management strategies have failed in a number of ways, most notably to meet their objectives of improving the socio-economic conditions of small-scale coastal artisanal fishers. Cinner *et al*. (2010) attribute this state of affairs to the argument that the management schemes often override the existing complexity and multiplicity of the coastal fisheries, which also include social relations such as access, ownership and control. There are situations where the fishers themselves have rejected the management schemes, especially for the reasons that their interests are not addressed (Alidina, 2005). For example, the proposal to establish marine protected areas is often seen by fishers as a scheme that blocks their access to what they call their fishing grounds. In other cases fishers have smelled unfairness and lack of respect in the manner in which those management plans are either conceived or implemented, especially when adequate and transparent consultation is not done beforehand. Not least, small-scale artisanal fishers often view the introduction of middle-scale commercial fishing within the coastal fisheries to be enhancing unfair competition, not only at the fishing grounds but also at the market. It is unsurprising though unfortunate that most interventions only consider the in-depth studies into social-political settings of coastal fisheries as supplementary elements (Visser, 2004), perhaps because of their complexity and multiplicity. Yet the primary concern of the interventions is to change the flow of action within these social relations to coastal fisheries. Accordingly, it cannot be overemphasized that such interventions that seek to transform the social relations of the small-scale coastal fisheries have met constant resistance whether physically or symbolically. Cinner and colleagues have emphasized the need to understand the complex socio-economic conditions of the small-scale fishers in Kenya's coast before moving to adapt the management styles to their local context (Cinner *et al.,* 2010). Unfortunately and most likely because of their positivistic approach, their study has also omitted the socio-political processes that take place at the local beaches and fishing villages.

1.2. Experiences with coastal fisheries management instruments in Kenya

To date, there have been several attempts by the Kenya's government and conservation NGOs to manage the coastal fisheries. Three instruments are relevant for the purpose of this study namely: fisheries regulations, marine protected areas and co-management –BMUs.

1.2.1. Fisheries regulations and coastal fishing methods

The *Fisheries Act cap. 378* of the Laws of Kenya of 1989 (revised 1991) remains one of the legal instruments used by the government to govern coastal fisheries in Kenya. It contains prohibitions that regulate fishing in specific fishing grounds, use of specific fishing gears deemed destructive and licensing fishers to provide rights of access to fisheries. According to the *Act,* the Fisheries Department is the institution that is responsible for fisheries management and development in Kenya. By enforcing this law, the Fisheries Department has placed a restriction on some of the fishing gears it considers destructive to coastal fisheries, namely spear guns, beach seines and recently ring nets. Despite these restrictions, many studies, including but not limited to Alidina (2005) and this research (see chapter 4), have reported increased use of spear guns especially in the south coast. A spear gun is easy to make from locally available materials and the knowledge of making it is passed from older fishers to younger ones. Although Okeyo (2010) observes that many spear gun fishers do not use boats, this study (Chapter 4) finds more organized spear gun fishers forming crew groups and using the boats of their patrons right before the eyes of fisheries officers.

Although currently the use of beach seine is rare, personal observation shows that they are still in use in some areas such as Majoreni and Kibuyuni in Kenya's south coast. The use of beach seines has raised more debates than spear guns for reasons that could be linked to their magnitude of destruction to other local fishing gears (McClanahan and Mangi, 2001). In some areas in coastal Kenya, in the recent past, local fishers have engaged in violent struggles to contest their use as Gleasel (2000) observes. Despite these early warnings, Kenya's Fisheries Department did not put a ban on the use of the gear until 2001 (Signa *et al*., 2008, unpublished). Elsewhere, in Ghana, Kraan (2009) documents the conflicts around beach seines in its socio-political sense. The ring net is another fishing gear that has been targeted by the subsidiary legislation of the *Fisheries Act*. Like the beach seine, the ring net is a foreign gear that was introduced from Tanzania. The gear is deemed destructive when used in the coastal fisheries and is continuing to generate much contestation in the Kenya's coast including violent conflicts, name-calling and stereotyping (see chapter 3 of this study). The use of ring nets has persisted even after its ban had been placed by the Fisheries Department.

Studies such as Alidina (2005) blame the weaker capacities of the Fisheries Department for the lack of enforcement of these laws that prohibit destructive fishing gears. More detailed and gear specific studies like Signa *et al.*, (2008, unpublished) have revealed even more thought provoking and eye

opening challenges to such gear prohibitions. They point towards mixed perceptions that fishing communities themselves harbour concerning restrictions on the use of such gears. For example, they note that fishing communities often have feelings of losing livelihoods and forced poverty when the use of the gears is banned. They furthermore note that even though a number of NGOs in the coast including WWF, Pact-Kenya and Eco-Ethics International, have proposed initiatives like gear exchange projects, the results cannot be celebrated that much due to failure to understand socio-political processes of the fishers that influence their mixed perceptions. Gunawan and Visser (2012:5, forthcoming) furthermore, remind us that many projects targeting coastal fisheries development fail to meet their objectives because of 'lack of understanding of the coastal livelihoods and their institutional context'. It goes without saying that fisheries regulations are often met with reluctance from the fishers, which is a symptom of struggles. It therefore becomes not only interesting but also important to study the socio-political processes that embody these struggles in reference to the fisheries regulations.

1.2.2. Fishers' relations to marine protected areas (MPAs)

The use of marine protected areas as both a conservation and a management measure for coastal fisheries is not unique or new in Kenya. Marine parks started to be established in Kenya since the 1970s in areas such as Malindi, Watamu and Kisite with a recent one established in 1991 in Mombasa (Cinner *et al*., 2010). In Kenya, the management of the marine protected areas squarely remains with the Kenya Wildlife Service (KWS) as outlined in the *Wildlife (Conservation and Management) Act cap. 376* of the laws of Kenya amended in 1989. With this law, KWS restrict fishing activities in the protected areas, for example, prohibiting fishing activities in the marine parks and allowing only some activities in the marine reserves. The use of beach seines, spear guns and ring nets is highly prohibited in the protected areas. Apart from controlling fisheries extraction, the parks are also created to promote tourism industry in the coast. In fact , McClanahan and colleagues contend that MPAs are often created after intense pressure on the government by tourism oriented businesses (McClanahan *et al*., 2005). While tourism activities in MPAs have been vibrant, and their ecological benefits known (Francis *et al.*, 2002; Muthiga, 2009), MPAs have widely remained a contested issue among the coastal fishers. Above all, the objective of MPAs to improve the social well being of the coastal fishers still remains generally unmet. Cinner *et al.* (2010) attribute this state of affairs to failure of MPA planners and managers to understand the complex socio-economic conditions and relationships that characterize coastal fisheries.

There have been numerous conflicts over establishment of MPAs amongst different resource users including fishers, fish dealers, beach traders, tour operators and also hoteliers as noted by McClanahan *et al.* (2005). It cannot be overemphasized that these resource users have different

interests making them to have mixed perceptions of the MPAs. Failure to engage in genuine consultation prior to the establishment of the parks is overwhelmingly pointed out as the source of the conflicts and management problems of MPAs (McClanahan *et al.*, 2005; Okeyo, 2010). Following this argument, it can be construed that the establishment of MPAs creates a public division where local resource users lose or win depending on their livelihood interests. Overlooking such realities, by primarily depending on ecological and economic studies, make us lose sight of local politics concerning allocation of benefits and loss created by MPAs. For example, Alidina (2004) recalls how fishers in the Diani-Chale area on the south coast successfully resisted the establishment of an MPA in that area which has since created bitter suspicion between fishers and KWS even in other areas of the coast. Furthermore, Cinner *et al.* (2010:1) note that '[it] is becoming increasingly clear that managing fisheries is as much about understanding people as it is about understanding ecological processes'. This is also consistent with Gunawan and Visser (2012, forthcoming) in resonating the argument that the objectives of establishing MPAs should go beyond improving governance and biophysical factors to enhancing socio-economic well being of the local fishing communities which include their cultural and historical experiences, knowledge, values and belief systems.

1.2.3. Fisheries co-management and local struggles

Co-management is an institutional management approach that aims to involve the resource users, in this study fish workers, and those with direct interest in coastal fisheries in the management. As I pre-empted in the introduction, co-management is preoccupied with the illusions of power sharing between resource users and managers (Pomeroy and Rivera-Guieb, 2006). In a co-management framework fish workers are seen as both resource users and managers able to make access rules and enforce the rules for mutual benefit. The rhetoric of power sharing dissolves when, in practice, the access rules made by resource users are required to be consistent with already designed legal framework and elitist dogmas. Moreover, the participation utopia of co-management blossoms into a real buffoon when the BMU gets infested with influential individuals in the village as observed by this study (see chapter 5)

In Kenya, fisheries co-management was adopted to replace the decades long top-down approach to management . Although debates to adopt a co-management approach in Kenya's fisheries begun in the 1990s, it was not until after 2000 that a pilot implementation was embraced in Lake Victoria through the Beach Management Unit (BMU). BMUs were first developed and tested in the lake's fisheries to respond to the fisheries management challenges amongst Kenya, Uganda and Tanzania. Upon the perceived success of the pilot program, the BMU framework was entrenched into the fisheries laws of the Republic of Kenya in the 2007 through the legal notice No. 402 of the *Fisheries*

Act cap. 378 (GoK, 2007). Currently, BMU remains the primary framework through which the government manages Kenya's small-scale fisheries.

Since 2007, there has been an increased effort to popularize BMU in coastal fisheries in order to ensure partnerships between government, local fishing communities and other stakeholders. BMUs according to the regulations are given exclusive rights to manage fisheries resources at respective landing sites. They are expected to draw by-laws which are in tandem with the *Act* and use it to weed out illegal fishing, help with licensing of fishers, promote the development of fishers' wellbeing and reduce conflicts (Cinner *et al.,* 2009). Whether or not this has worked out could be early to predict, but the point of focus in this study is that the BMU framework has been widely contested in the Kenyan coast. Borrowing from the observations of Alidina (2005), most of the fishers are still suspicious of management processes, such as BMU, where KWS is considered a stakeholder. Additionally, co-management is packaged in a manner that envisions fishers making individual choices within the regulatory framework such that it sparks up a sense of belonging and consequent responsibility (Jentoft *et al.,* 1998). Nonetheless, individual choices are also embedded in social relations of the fishers such as culture and varied livelihoods interests. These are aspects of life that fishers value highly, that they may not exchange for routine management. In other areas, Lake Mweru-Luapula in Zambia for example, Wilson *et al.* (2003) document that co-management has provided opportunities for commercial fishers at the expense of artisanal fishers. Thus differentiated interests, historical experiences with regulatory regimes, and unequal power relations may lead to resistance, in form of 'weapons of the weak' including identity formation, from fishers something that co-management practitioners take for granted.

1.3. Research problem

If the small-scale fishers are to be understood as differentiated as they truly are, then analyzing the political struggles which are a manifestation of their varied interests becomes central. Many actors such as NGOs have programs promoting the sustainable management of Kenya's coastal fisheries using the pragmatic approaches such as the fishing gear exchange, marine protected areas and co-management. Although they have some socio-economic surveys to rely on, for example Wanyonyi *et al*. (2008, unpublished), they unfortunately draw inadequate conclusions that the struggles over coastal fisheries revolves around competition for dwindling or scarce fishing grounds. This myopic analysis, by presenting fisheries' scarcity as a precursor to struggles, overlook the understanding that the struggles are responses to the unequal power relations that characterize the social-political patterning around and about coastal fisheries (Peluso and Watts, 2001). Consequently, in this study, I respond to this analytic inadequacy posed by the cause-effect positivistic studies. In order to fill this gap, I engage political ecology to explain the process and nature of the struggles in coastal fisheries

of Shimoni. By taking a close analysis of the transformation of the social relations to fisheries, I hope to explain that existing struggles in coastal fisheries of Shimoni are embedded in the complex and multi-scalar socio-political processes of small-scale coastal fish workers. Hence fishers resist certain coastal fisheries regulations and management strategies, fisheries development schemes and conservation efforts because these processes seek to transform the history of fisheries as a way of life. Even more important, rather than dub their actions as non-cooperative, divisive, lacking skills, deviant and backward, this study helps to view those actions as tools for maneuvering their livelihood space. Additionally, such analysis brings to light how the so-called participatory intervention processes in the coastal fisheries play a role in enhancing these actions that they not only look down upon but also seek to fight.

Against the backdrop of the developments in Kenya's coastal fisheries described earlier, it is not surprising that coastal fishing communities have been treated as problematic, unresponsive to progress and used to poor conditions. No wonder Okeyo (2010, unpublished) highlights that one of the challenges facing artisanal fishers is unfriendly treatment by fisheries officers and conservation elites. Since the contestation amongst the differentiated fishers and between them and the legislative framework is livelihood based (Signa *et al.,* 2008; Glaesel, 2000), it is therefore useful to explore what tools these fishers use to defend their livelihoods. As earlier mentioned, political ecology studies like Bryant (1998;1997) tend to, though unrealistically, dichotomize the socio-political environment of resource use struggles. Their unfortunate dichotomization assumes an aggregated grassroots using 'weapons of the weak' to resist an engulfing hegemony. I am puzzled by the analytic shortsightedness that such unfair simplification of resource users obviously presents. By using identity politics as a tool for struggle, I hope to not only show how small-scale fishers in Shimoni [re]create and use social identities to challenge unequal power relations, locally defined injustices and defend their access to fisheries but also how such struggles extend beyond simple dichotomies.

CHAPTER 2

2.0. THEORETICAL APPROACH AND KEY CONCEPTS

2.1. Political ecology perspective

In this study, I apply political ecology to understand the longstanding struggles in coastal fisheries of Kenya, with specific reference to Shimoni. In doing so, I contend that coastal fisheries, as a natural resource, is an arena for socio-political conflicts and struggles in so far as claims of entitlements, ownership and control are concerned. Like Peluso and Watts (2001), my point of departure in understanding the struggles and conflicts in relation to coastal fisheries in Shimoni is not in the decline or scarcity of the reef fisheries, but in the social relations that relevant actors have with fisheries. By social relations I refer to the manner in which coastal fisheries are variedly appraised including regimes of appropriation, social organisation and disorganisation of ownership, entitlements and control (Peluso and Watts, 2001). I use the term 'actors' in this case to refer to the differentiated resource users (fish workers), government institutions (Fisheries Department, KMFRI and KWS), and conservation organisations who use individual agency, organisational strengths and knowledgeability to influence the social relations (Long, 2001). The continuous encounters that exist among changing regimes of appropriation and claims of access and ownership amidst diverse interests of actors result into a complex socio-political and economic collage depicted by struggles. Bryant and Bailey (1997) emphasize that it is when this web of socio-political and economic encounters (which are normally taken for granted) are understood that we can address environmental conflicts.

Coastal fisheries by and large still remain under the open access regimes of appropriation. However there are distinct ways in which resource-use access have developed in a historical perspective. Rights of access can be allocated in a state control manner and enshrined in what Scott (1990;1985) calls 'public transcripts'. By acknowledging access as a problematic term, I define it by expanding the definition given by Ribot and Peluso (2003:153) as 'the ability to benefit from things' and processes which in this study is fisheries. Under these 'public transcripts', the government may prescribe rules that control access to natural resources in a manner that puts at risk the livelihoods (including their cultural assets) of the resource users in totality or in part. On the other hand access, ownership and control of fisheries can also be organized through alternative forms such as socio-cultural regimes. In such regimes, for example, resource users may claim access and ownership by virtue of their historical linkages to the socio-cultural setting. This way, the access, ownership and control is governed by cultural beliefs which furthermore determine the expected way of doing things, in particular establishing rights of access and control, in specific places.

The transformation in these social relations of people to the natural resources influences peoples' livelihoods by affecting their access, ownership and control, eventually leading to struggles and conflicts. Thus, it is not always obvious that conflicts and struggles over these resources are rooted in the logic of scarcity of the resources. On the contrary I see resource-use conflicts as embedded in the social relations of production among the actors with regards to the resource in question- fisheries for this study. Accordingly, from a political ecology point of view, I contend with Peluso and Watts (2001) in arguing that conflicts and struggles over natural resources are seen to be derived in the way in which social actors like the state, resources users and NGOs attain access to and control over natural resources. They also see the environment (also including the social relations to the natural resources) as an arena where occurs constant contestation over claims and entitlements to natural resources, assets and recognition. This revolves around how the different actors organize and disorganize the appropriation of natural resources through the application of labour in a socio-historical perspective. The struggles and conflicts around and about the natural resources in question is not therefore a function of resource scarcity but rather of the transformations that occur in the social relations about the resource. Be that as it may, the socio-historical transformation of these resources may create opportunities for some actors' livelihoods while constraining those of the others (Bryant and Bailey, 1997). Such opportunities and constraints may be viewed in relation to the linkages of culture, power and access to sources of livelihoods (Peluso and Watts, 2001).

Conventional studies, as Bryant and Bailey (1997) and Hartmann (2001) criticize, focus on environmental conflicts and struggles as a product of scarcity and policy failures. They argue that to the extent that these conventional studies succeed or fail, they automatically but unrealistically reduce these conflicts and struggles to technical problems requiring technical solutions (Li, 2007). Although many studies have also looked at the struggles and conflicts as embedded in social – political and economic aura around the natural resources as remarked by Bryant (1997) and Peluso and Watts (2001), in political ecology the emphasis has been, for a long time, on terrestrial ecosystems. No wonder Visser (2004) observes that social science studies are characterized by a heavy bias towards land-based resources. Especially in Kenya's coastal fisheries, conflicts among fishers and between fishers and government institutions are still studied from the perspective of competition for depleted resources. Unsurprisingly, Bryant (1998) concludes that political ecology should widen its focus to study other environmental problems in addition to land-based ones.

In using the intellectual traditions of political ecology to understand the livelihood-based struggles in the coastal fisheries of Shimoni, I share the argument that these struggles are a manifestation of political processes (Bryant, 1997) regarding entitlements and control amidst differentiated actors (Peluso and Watts, 2001). Nevertheless, contrary to Bryant (1998;1997), I do not simplify the

conflicts to be only occurring between grassroots and hegemonic systems, rather, I magnify the social field to also focus on the struggles among the grassroots themselves. This study, in general, adds to an already existing body of political ecology literature that see natural resource use conflicts as a manifestation of socio-political processes that transform relations of resource users and the environment producing power inequalities.

2.1.1. Power and struggles over natural resources

In order to apply the concept of power relations in this study, I set off from the work of Eric Wolf ; *'Facing power: old insights, new questions'* (Wolf, 1990). I am particularly interested in Wolf's conceptualization of power and its operations in organising fields of action of social actors. I hope not to lose my intent of visualizing coastal fisheries in Shimoni as an arena of both physical and symbolic struggles as a result of the encounters of socio-political relations regarding the access and control of fisheries. Wolf conceptualizes power as organisational power and structural power. Although closely related, he sees organisational power in the manner in which some social actors can exercise control over the activities of other actors in the setting where their interaction take place. Wolf advances to explain that we can succeed to understand this type of power by exploring the tools that some actors can use to manipulate the activities of others in the settings that they construct their existence. Yet Wolf also sees power in its structural sense. By this he refers to the way in which some actors can control the very setting that others operate in. While borrowing from Foucault's governmentality, Wolf moves forward his explanation of power to cover the actions that control the factors of production such that it structures the 'fields of action' of existing social actors (1990: 587). This type of power leads to the definition of behavior and practices of social actors in terms of their possibilities and impossibilities or even legality and illegality as incorporated in legal instruments, customs and conventions (Ribot and Peluso, 2003). Additionally, especially in natural resource use, destruction and degradation of the resource in question by some actors can hinder others from benefiting from the resource.

Peluso and Watts (2001:28) present a schematic way to understand the nature and dynamics of environmental violence. In their schematic explanation, the field of social power is characterized by governmentality and social forces. They would therefore concur with Wolf (1990) that structural power influences production in the sense that it organises and disorganises social relations of production. Social relations of production are concerned with the way in which social actors attach claims of access, ownership and control of the resources (Peluso and Watts, 2001). Consequently, I use power in its structural sense to understand how its operations in Shimoni lead to organisation and disorganisation of the social relations around fisheries. In so doing, I for example ask myself:

How do practices such as establishing marine protected areas, commercial ring net fishing and notions of illegal fishing transform the access, ownership and control of coastal fisheries in Shimoni?

In this research I argue that power imbalances in relations to social organisation of coastal fisheries, that is, the organisation and disorganisation of the access, ownership and control of the fisheries, create contentions among actors involved in the fields of power. Like Wolf (1990), I think of organisation in this case as a process rather than a finished product. For example, I delve into how fisheries and wildlife laws create patterns within which fishers can or cannot access fisheries using some fishing methods and in specific areas such as the marine protected areas. Seen from this perspective, the exercise of power can be construed to be organising, or put in Nuijten's words 'ordering' (Nuijten, 2003) practices of fishers regarding the access, use and control of coastal fisheries. Hence following Wolf (1990), power in its relational form can be deciphered as an organising process that affects the way in which resources are allocated and controlled by affecting the social practices of people. This is consistent with Bryant (1997) in arguing that the exercise of power is seen in the way in which it organises and disorganises the manner in which people relate to the environment for their livelihoods. The plenitude of Byrant's explanation encompasses control of access to environmental resources through regulations or acts of monopoly, conservation practices and distribution of environmental problems, for example degradation of coastal fisheries by ring net fishing. To best explain what organising processes means in this study, I invoke the work of Long (2001), *'Development Sociology: actor perspectives'*. Long (2001:241) defines organising processes as 'a wide range of practices that involves cooperation and competition between individuals and groups in and across different social domains'. Yet as Nuijten (2003) observes, the exercise of power does not only organize practices as Wolf (1990) suggests, but it also organizes ideas which might be expressed though knowledge. Indeed knowledge and power are interwoven social processes as Long (2001) would argue. Although I agree with Nuijten (2003) that organising processes also include ideas which Peluso and Watts (2001) call a discursive field, I fear that her overemphasis on operation of power on ideas runs the risk of creating a disjuncture between ideas and practices. Every idea, as Wolf (1990) so eloquently remarks, is judged by its fruitfulness and is manifested in practices. Unfortunately, Nuijten (2003) apparently misses on the possible continuum between ideas and practices.

According to Wolf (1990), the exercise of power to organise the flow of action, also influenced by ideas, is never devoid of contention. Power imbalances in relation to natural resource use always create counteraction in order to defend livelihoods. Long (2001:241) defines livelihoods in terms of 'practices by which individuals and groups strive to make a living, meet their consumption necessities, cope with adversities and uncertainties, engage with new opportunities, protect existing

or pursue new lifestyles and cultural identifications and fulfill their social obligation'. I therefore see livelihoods to entail social organisation about the way in which individuals and groups appraise natural resources such as coastal fisheries. Organising these practices and their ideation through the exercise of power implies a challenge on livelihood interests of some individuals and groups. Yet Nuijten (2003) argues that in this process of organising or 'patterning', to use her word, the conscience of social actors is not impaired. In other words social actors are conscious that they are being structured by structures into structures (Giddens, 1987) that may work to their advantage or disadvantage. Those who face an advantage will exercise power in support while those who face a disadvantage will exercise power to transform the process in their favour.

The cooperation and competition of the fields of power over the social relations to production create a confluence embodied with struggles or conflicts. Indeed, Peluso and Watts (2001:29) rightly argue that the confluence between the expressions of social relations to production (political economy) and the social fields of power yields to both symbolic and physical contention. This is why political ecology views the environment –(fisheries in this study) as an arena where struggles and conflicts between actors are often the case (Peluso and Watts, 2001; Zimmerer and Basset, 2003). Long (2001:242) provides a very inclusive definition of an arena, which I adopt in this study, as 'spaces in which contests over issues, claims, resources, values, meanings and representations take place'. This definition in itself contains elements of the social relations of production which is an important aspect of livelihoods which the organising processes of power fields compete to pattern leading to struggles. Peluso and Watts (2001), identify that resultant struggles of such a confluence can be both physical and symbolic depending on the tools used. I am nonetheless interested in the symbolic struggles by taking the example of identity politics as tools of struggle in unbalanced power fields that organize or disorganize fishers social relations to coastal fisheries.

2.1.2. Power, knowledge and natural resource use struggles

As Long (2001) would argue, the working of power is interwoven with the knowledge processes. He uses this worldview to explain the knowledgeability and capability of social actors in the actor-oriented approach which is applicable in political ecology (Glaesel, 2000) including this study. In this study, I use the knowledge concept to show that in organising the social relations of production in the force fields, knowledge is used to inform decisions and actions of actors. As Long (2001:242) eloquently puts it, 'knowledge processes constitute the ways in which actors come to grips with the world around them cognitively, emotionally and organisationally'. He furthermore explains that actors may understand their surrounding through their own and others' experiences and that the authority and authenticity of knowledge thus varies. Not least, Long explains the inextricable entwinement of knowledge and power through a vivid description of knowledge encounters where

some actors struggle to enroll others in their understanding of the world around them. It is from this intellectual persuasion that I see knowledge processes to be influential in the working of power in that it is very instrumental in organising the direction of livelihood actions by variably informing the decisions that transform social relations of labour.

Bryant (1997) visualizes the exercise of power through discursive means. In so doing he explains that power may be seen not only in the control of the 'material' environment but also the non-material environment in form of ideas. It cannot be forgotten that Schmink and Wood assert that ideas have no innocence but 'either reinforce or challenge existing social and economic arrangements' (Schmink and Wood, in Bryant, 1997:12). Like power, knowledge is embedded in everyday practices and is relational (Long, 2001). Knowledge is built within socio-political processes taking place in the environment where people construct their livelihood spaces. Political ecologists like Bryant, have linked knowledge to the operation of power in what he calls the social construction of environmental problems (Bryant, 1998). To the extent that they succeed, they show that knowledge is engaged in the identifying, defining and prioritizing environmental problems and solutions. However, Long (2001) argues that knowledge varies according to the different ways in which social actors create meaning of the world around them. Yet knowledge influences the behaviour of actors by informing their practices including, not least, the social relations to production. Differentiated knowledge processes are thus often at struggle where some actors tend to influence the others' compliance or tolerance (Ibid:2001) with their worldview especially regarding use of natural resources depicting the working of power in the force fields. Moreover, Bryant (1998) argues that the production of knowledge and its consequent use to resolve problems of natural resource degradation is intrinsically linked to power relations. The concept of knowledge, its processes and representation become significant in this study especially in seeing, for example, how the preservationist knowledge prioritizes conservation that leads to MPAs and CCAs hence rendering fishing activities impossible and tourism possible. Fish in the MPAs and CCAs thus becomes good to watch but not good to eat which is contrary to the knowledge processes of artisanal fishers in which fish is central to their diet. How is the knowledge representation of *wapemba*[1] used by artisanal fishers to build alliance? How is the knowledge process about the spear gun fishers relevant in creating the 'poor' identity that they engage with in the field forces? My point here is; just as knowledge construction in Shimoni has produced discourses like coral reef conservation and resultant MPAs, co-management and BMU

[1] *Wapemba* – is a Swahili word with a literal meaning of 'people from Pemba'. Pemba is a small island in Tanzania which forms part of the semi-autonomous Zanzibar. Previously, the term was used by coastal fishers in Kenya to refer to foreign fishers from Tanzania (Glaesel, 2000 and chapter 3) Presently, *Wapemba*, is used by local fishers in Shimoni to refer to those fishers using fishing gears that they do not approve of, especially ring nets.

framework, and food security leading to ring net use, so have counterworks been produced in form of identities- *wapemba, wenyeji*[2]*, 'poor', 'BMU'* and the fluid 'us' and 'them'. The former knowledge construction is represented in a 'public transcript' (Bryant, 1998) while the latter is embedded in fishers' everyday practices and used as Scott's 'hidden transcripts' to challenge unequal power relations developing from the 'public transcripts' (Scott, 1990;1985).

2.1.3. Identity, power and natural resource use struggles

In reading many works of political ecologists, social identities are often unfortunately and unrealistically subsumed in generalized dichotomies of 'powerful actors' and 'powerless actors'. Works such as Glaesel (2000) argue in favour of the fact that in a politicized environment poor grassroots often bear the brunt of marginalization. Furthermore, Bryant (1997;1998) contends that access and control of natural resources is often characterized by constant contestation between formal rules and hidden understandings among the user groups. I agree that building identities around concepts like grassroots have succeeded to build 'the culture of resistance' that seek to respond to the unequal power relations in the access, use and control of natural resources (Elmhirst, 1999). However, I argue that by viewing identity using the lenses of grassroots struggles against a hegemonic control only, we run the analytic risk of losing the complexity and multiplicity of politicized environments (Bryant, 1997) and the different patterning of the social relations of production. Little-Siebold (2001) expresses that such dichotomies may suppress the visibility of aspects of identity including socio-economic status, economic activity, conceptualization of race, culture gender and generational difference. In view of the fact that grassroots actors are differentiated along some or all of these aspects, I argue that their creation of identities alongside these aspects can lead to: Firstly, unequal power relations amongst the grassroots actors themselves in such a way that their actions may variably affect the access of each other to natural resources about which they build their livelihoods. Secondly, these identities help them to address unequal power relations concerning access to resources between them and the political and economic elites. I ask myself for example how equating the *wapemba* identity to fishers using ring nets and the resultant stigma of the identity not only mobilizes local artisanal fishers against them as outsiders but also increases their unacceptability within the social sphere of Shimoni. Also, how is it that spear gun fishers viewed as socially inferior are able to purposely use the 'poor' identity to challenge a legal force, through a camouflaging process, that aims to eliminate their method of fishing.

Moreover, I distance myself from naïve conceptualization of social identities as completed projects which are fixed to places or groups of people. Conversely, I conceptualize social identities as being

[2] *Wenyeji*- is a Swahili word literally meaning 'people belonging to a place and way of life'. It is used in Shimoni to refer to local fishers and those using fishing gears accepted by local fishers (see Chapter 3)

fluid as the boundaries of the social processes that [re]produce them keep shifting (Little-Siebold, 2001 and Gupta and Ferguson, 1992). Identities are built around some commonly shared societal values or interests. It can also not be overemphasized that societies are constantly changing depending on new relations among the actors in it, their knowledge processes and the vicissitudes of natural resources. Identities are thus socially constructed labels based on some shared interests. In socio-political struggles identity creation constantly call for alliance formation leading to public division which are manifested in the concepts of social inclusion/exclusion.

2.1.4. Identity politics and social inclusion/exclusion

In the today's world, it is very difficult to talk of inclusion/exclusion without prefixing the word -social- to them. However, much debate occurs around social exclusion rather than inclusion. Social exclusion is a concept defined in different ways depending on the context and socio-political purposes (Silver, 1994). Furthermore, the concept is rather a contested and can be traced back to some Weberian and Durkheimian thinking. Burchardt *et al* (2002a), for example, recall Max Weber's argument that exclusion is a 'form of social closure' which depicts 'an attempt of one group to secure for itself a privileged position at the expense of some other groups through a process of subordination'. It is not surprising that Weber's conceptualization excludes the fact that groups of people may exclude themselves by choice, in which case I see his framing of exclusion around 'subordination' as theoretically skewed. Emile Durkheim, according to Tarket (2009:6) emphasized that 'exclusion threatens the society as a whole with the loss of collective action values and destruction of social fabrics – a deficiency in solidarity'. This implies that actors are re-grouped into social assemblages whose social boundaries are defined by the differentiated interests hence leading to insider-outsider politics.

In light of social identity creation in relation to natural resource use, it is relevant to visualize how access of social actors is either disenfranchised or enhanced through stigmatization or stereotypes. Identities may be made visible through stereotypes which bolster social boundaries resulting to 'otherness' of a society. Although the boundaries may be shifting depending on the changing interests of the actors, they succeed to lock some actors from exercise their access, use and control of natural resources and decision-making processes.

2.2. Objective of the study

The objective of this study is to investigate how unequal power relations in access, ownership and use of coastal fisheries Shimoni lead to constant struggles and how small-scale fishers use identity politics as tools of struggle. In so doing, this study shows that the ever present contestations among fishers and between them and government/environmental NGOs concerning access to fishing grounds and management are a manifestation of struggles over locally defined injustices and power

relations which revolve around notions of entitlements, ownership and control of fisheries –social relations of production (see Peluso and Watts, 2001). This study in wider perspective adds, on one part, to the existing body of literature in arguing that understanding the complex socio-political realities of coastal fisheries is as important as their biophysical factors. Thus it provides rich information that helps fisheries management practitioners in Shimoni in seeing how their intervention can shape and be shaped by these socio-political conditions that they most often take for granted. On the other hand and more specifically, this study adds to the long list of the 'weapons of the weak' (Scott, 1985) by arguing that fishers use politics of identity as weapons of struggle for their livelihoods. Two questions are consequently central to this study namely:

2.3. Research Questions

1. How are the existing struggles over small-scale costal fisheries of Shimoni influenced by unequal power relations in access, ownership and control of fisheries?

2. How do small-scale artisanal fishers in Shimoni [re]create and use identity politics to challenge these unequal power relations?

2.4. Study area

2.4.1. Justification of the study area

The selected area of this study is Shimoni village. However, by following the practices of fishers, the study expanded to cover the Shimoni Co-management Area as defined in the Shimoni BMU by-laws approved by the Director of Fisheries. A co-management area is the area under the jurisdiction of a BMU as implied in the BMU regulation (GoK, 2007). The Shimoni co-management area therefore includes fish landing sites such as Bati, Mwazaro, Kiwambali, Anzwani, Shimoni, Changai and Mkuyuni and their fishing grounds. Fieldwork was done in all the landing sites with emphasis on Shimoni fish landing site and in fishing grounds such as Nyuli and Mpunguti. The choice of this study area was influenced by three reasons namely: pragmatic reasons relating to relative ease of access and previous work; the proximity to Kisite/Mpunguti MPAs and its suitability to study resource use conflicts; and its popularity to fishers increases the potential for diversity of fishers.

2.4.2. Geographical description of Shimoni Village

Shimoni Village is located about 75 Km south of Mombasa city (see map in Annex 1). Administratively, Shimoni is located in the Pongwe/Kidimu location, Msambweni division in the county of Kwale. The human population of Shimoni village is estimated at 4,690 of which 2,077 are male and 1,982 are females (personal communications with the area chief and Shimoni BMU secretary). Majority of the residents of Shimoni belong to the Digo and the WaVumba (from Wasini)

and Shirazi/Kifundi (from Mkwiro) tribes (Emerton and Tassema, 2001 and personal communication). Shimoni is connected to the main road (Lungalunga road) from Mombasa to Kenya/Tanzania border by a 15Km dirt road (see annex 1). There are basic social amenities in Shimoni including one government dispensary, post office, police post, Shimoni primary and secondary schools, Matunda Bora Academy and a night club – *Wayside* . Bore holes remain the primary source of water for domestic use. The area has electricity supply from the main national grid. Being a tourist destination, there are a number of tourist hotels nearby. Shimoni also acts as a small port of entry into Kenya from Tanzania and therefore houses local customs and immigration offices. There is a navy base some 3Km from the Shimoni shopping center. Not least, Shimoni houses the Kwale county government's Fisheries Department offices and Kenya Wildlife Service (KWS) office for Kisite/Mpunguti MPA.

"Shimoni" is a Swahili word denoting "inside a hole". This meaning is derived from the presence of a series of caves located on its coast formed as a result of coastal coral reef erosion many years ago. Shimoni is home to a number of historical sites such as Shimoni slave caves, the former colonial residential house, the former colonial office, the former prison and cemetery, all of which have been turned to tourists attraction icons. The Indian ocean is a key source of livelihoods to the residents of Shimoni village. It provides rich fisheries for fish workers and their households and also touristic activities such as snorkeling, diving, and sport fishing, to mention but a few. There is a major fish market known as *soko la samaki* which is managed by the Shimoni Beach Management Unit (BMU). The *soko la samaki* is situated right in front of the harbour where fish is offloaded from the vessels. Nearby is the Shimoni shopping center where several residents have various business ventures ranging from restaurants, with fish being the main dish, to small-scale retailers. Shimoni is predominantly a Moslem village and thus a large mosque is located close to the shopping centre. There are churches used by few Christians who are mainly migrants from upcountry and coastal Mijikenda tribes.

2.4.3. Economic activities in Shimoni

Fishing is the main economic activity in Shimoni. Fishing is predominantly carried out at an artisanal scale using traditional fishing gears and vessels. The main traditional fishing gears used include hooks, hand lines, basket traps or *malema* (Fig. 3), fence trap or *uzio* (Fig. 5), spear gun or *mdeti* (Fig. 7) and gill net or *jarife* (Fig. 4). Commercial ring nets are also used in the area, despite the fact that the government has recently banned its use. The fishing vessels mostly used include dug-out canoes or *midau* (Annex 2a), sail boats or *ngalawa* (Annex 2b) and engine boats. According to the Fisheries Department's frame survey of 2008, there are at least 242 fishing vessels in Shimoni beach, out of which 98 are dugout canoes, 4 are engine boats and 140 are sail boats (Table 1). Fishing is mainly

done within the inshore areas, lagoons and reefs. The main fishing areas in Shimoni include, among others, Nyuli, Mpunguti, Mwamba Mkuu, and Ramabazo. The peak season for fishing known as *Kaskazi* (North East Monsoon) is between the months of August and March during when the sea is calm. In *Kusi* – South East Monsoon (April to August), the sea is very rough and fishing in Shimoni is at in lowest. By 2008, there were at least 939 fishers in Shimoni. This makes Shimoni the second largest fishing area in the entire south coast after Vanga (Table 1). However, out of the 939 fishers, less than half -361 fishers- are members of Shimoni BMU. Apart from fishing, tourism activities give some income to the residents of Shimoni. Tourists are mainly attracted to Kisite/Mpunguti MPA (Fig. 11), the slave caves and a few other historical sites mentioned already. Very few households undertake subsistence farming while other people are engaged in trade.

Tabel 1: Distribution of fishing vessels in Kwale district: Source Fisheries Department Frame Survey, 2008

Landing beach	*Dug-out canoe*	*Engine boat*	*Sail boat*	*Total vessels*	*No. of fishers*	*No. of landing beaches*
Vanga	16	16	49	80	1177	2
Majoreni	10	12	16	38	142	2
Shimoni	98	4	140	242	939	11
Msambweni	53	20	271	344	843	14
Diani	11	15	27	53	257	4
Total	**188**	**67**	**503**	**757**	**3358**	**33**

2.4.4. Historical background of Shimoni

There are many stories that are told behind the origin of Shimoni village. Fousi Kambombo and others document that one of the accounts of the history of Shimoni holds that it was first inhabited by "the Mijikendas from the hinterland followed by the Shirazis" from Persia (Kambombo *et al*., 2003:10). They further document that the area became prominent in the 16thcentury as an agricultural and fishing port. According to them, Shimoni, in the 16th century and before, attracted foreign traders from Europe and India to buy valued goods such as gold, cowry shells, ivory and slaves. Oral accounts explain that slave merchants would anchor their dhows in Wasini Island and then come to Shimoni to take the slave captives. However, the first inhabitants of Shimoni were led to this place while hiding from constant attacks by the Arabs- the Wasur (Lumumba in Kambombo *et al.,* 2003:10). As the forced migrants were escaping up north they established a hideout which they called *Kaoni* literally meaning "he is not seeing" (Ibid:2003). This is attributed to the fact that the Wasur could not see them possibly due to the caves where they could hide in. Though there is much

interaction between the different groups of people in Shimoni, there are two dominant tribes – the Digo and the Vumba/Fundi. The Digo are mainly from the hinterland while the Vumba/Fundi are mainly associated with Wasini island and the Shirazi of Mkwiro. It is not very easy to tell who belongs to which tribe or sub-tribe because of continuous interaction and intermarriage. Many people from Wasini and Mkwiro have small businesses and families in Shimoni. Additionally, the area has also attracted foreign fishers from Pemba since early 1960s. Oral accounts confirm that the people from Pemba came to Shimoni in large numbers when the Zanzibar's government was overthrown by the Tanzanian government at the time of independence (see case study 5).

2.5. Methodology

2.5.1. Study design

I adopted a case study design. The choice of the design is influenced by the focus on providing a thick description rather than generalization of the socio-political processes that influence the coastal fisheries struggles in Shimoni. The description of the three cases (see 2.5.2. below) is based on the contemporary situation in their real life context (Yin 1994; de Vaus 2001). Small-scale fishers were studied in different settings, including but not limited to their meeting places after work, eating places, training workshops, fish market and two fishing grounds (Nyuli and Mpunguti). This study has used a qualitative paradigm producing qualitative data (de Vaus 2001; Hammersley and Atkinson 2007; Green and Nicki 2009). However, descriptive quantitative data is used in areas such as fish catch to support the qualitative description.

2.5.2. Selection of cases

I selected the cases based on the existing struggles that I had experienced before. These included ring net fishing, spear gun fishing and fisheries management instruments namely; Kisite/Mpunguti MPAs and BMUs. The proposed CCA at Nyuli emerged to be relevant when I was undertaking fieldwork.

2.5.3. Research unit and selection of respondents

My research unit in this study are the functional groups that fish workers belong to, namely those that can be indentified on the basis of fishing methods or gears and fish dealing. To select fishers respondents according to their functional groups, this study with the help of the BMU chairman and secretary identified the different fishing methods/gears used in Shimoni. Fishers were first grouped into local and non-local, then as ring netters, spear gunners, gill netters, fish trap users, and hooks and lines users. Fish traders were classified as dealers and mongers (including *mama karangas*). To identify respondents from each functional group to be interviewed this study took two steps. First, the BMU secretary recommended fishers and fish dealers of interest. Second, the research followed a snow-balling process where fishers interviewed would recommend other fishers of interest. Where

fishers belonged to multiple groups, the study considered what functional group the fishers prioritized. To select the fish dealers and mongers, the study conveniently relied on the recommendation of the BMU secretary. Selecting key informants was purely done on a purposive basis. This study considered the fisheries assistant for Pongwe/Kidimu location, the fisheries officer for Msambweni division, fish statistics officer for KMFRI at Shimoni project coordinator for East Africa Wildlife Society (EAWS), officials of CORDIO-EA and Eco-Ethics International. Table 2 gives an outline of the selection criteria.

Tabel 2: Respondent selection criteria

Criteria	**No. interviews**	**Remark**
1. Fishers		
a. Fish traps (basket and fence traps)	15	Respondents shifted a lot fishing methods
b. Spear gun	5	
c. Hooks and Lines	5	
d. Ring net	2	
e. Gill net	2	
2. Foreign fishers		
f. From Tanzania	3	2 ring netter and gillnet
g. From Msambweni	5	Use spear gun
3. Fish traders		
a. Fish dealers	5	2 women and 3 men
b. Fish mongers	1	Woman
4. Key informants		
a. Fisheries assistant	1	Pongwe/Kidimu location
b. Fisheries officer	1	Msambweni division
c. KMFRI	1	Fish landing statistics collection
d. NGOs	3	EAWS, CORDIO-EA, Eco-Ethics
e. KWS	1	To get information about the MPAs

2.5.4. Data collection methods

Primary data were collected through guided oral interviews and Focused Group Discussion (FGDs) in order to generate in-depth information specific to Shimoni and phenomena of focus. 12 in-depth interviews lasting at least one hour were conducted with key informants, and each fishers from across the functional groups. Several short and *ad hoc* interviews were also conducted especially with fishers and fish dealers. 3 ethnographic interviews were conducted with one spear gun fisher and 2 basket trap fishers. This allowed several visits to them on different occasions. 3 FDGs were conducted for the entire fieldwork. Participant observation was key in getting the experience of some the topics that emerged in oral interviews. These were done in form of excursions to Mpunguti and Nuyli fishing grounds and Mwazaro where the ring net boats are anchored. Participation in meetings and workshops organized by EAWS also aided data collection. Documented information

from BMU office were reviewed including some minutes of their meetings, their BMU by-laws, draft management plan for Shimoni village, maps and list of BMU members. Raw data of fish catch from KMFRI officers at the fish landing sites were acquired and used to get information about fishing grounds, fish landings across gears and fishing grounds. Semi processed data on fish production since 2005 for Shimoni were accessed from fisheries office Shimoni. Also a frame survey for 2008, showing number of fishers and fishing vessels in Shimoni, was acquired from the fisheries office of Shimoni. I used triangulations across data collection methods and sources to validate information from the fishers and fish dealers.

2.5.5. Data recording and analysis

Raw data was recorded in a digital voice recorder. This data was later transcribed in English and Kiswahili. Where respondents did not permit the use of the voice recorder, sketch notes were taken and recorded as field notes. These field notes were immediately transcribed mostly in the evening after fieldwork. Pictures were taken wherever and whenever granted permission by the respondents. It is important to note that most of the respondents declined photography on their practices. Field data were analyzed through the thematic content analysis (Hammersley and Atkinson, 2007; Green and Thorogood, 2009). The themes represented the selected cases guided by research questions. The content of my field notes were sieved and given codes regarding their relationships to the cases, concepts, and research questions.

2.6. Ethical implications

Respondents consent was sought before interviews and use of the digital voice recording device. No covert recording was therefore attempted except during the field excursion on ring net fishing where the BMU secretary introduced me as his assistant. The confidentiality of the respondents especially fishers and fish dealers is important in this study. Therefore I have used synonyms instead of real names to hide the identities of respondents. Initially, most fishers identified me with the NGO –Eco-Ethics- that I worked for before and this posed risks to my fieldwork and genuine answers to my questions. However, by showing the proof that the study was purely academic and had nothing to do with Eco-Ethics, I mitigated such risks.

2.7. Time frame

The study was done in a total of six and half months including one month for proposal development , three months for fieldwork and two months for thesis writing. The detailed time plan for the study is shown in annex 4.

CHAPTER 3

3.0. FROM RING NET FISHERS TO *'WAPEMBA'* IDENTITY

In this chapter, I describe the processes that lead to the struggles between artisanal fishers and the semi-commercial ring net fishers. I show how the confluence between artisanal fishing and ring net fishing produces unequal power relations. I advance to describe how the creation of insider-outsider politics between artisanal fishers and ring net fishing in Shimoni lead to the social construction of *wenyeji* and *wapemba* identities. The chapter describes how these social identities are created and used by the local artisanal fishers in order to address unequal power relations, regarding access to fisheries, that exist between them and the ring net fishers. I narrow down to show how by building an alliance around *wenyeji* -'locals' identity, the local artisanal fishers are able to defend their livelihood spaces against the ring net fishers labeled *wapemba*- non-locals. I furthermore show how in the wake of the identity creation, the label *wapemba* is stigmatized and stereotyped with negative connotations that bolster its boundaries from the rather ex-cathedra *'wenyeji'* identity.

3.1. What is ring net and how does it look like?

The ring net is one of the most contested fishing gears amongst fishers specifically in Shimoni and coastal Kenya in general. This fishing gear is made up of long continuous stretches of nets joined together and measuring between 200 to 300m long. Its depth can reach up to about 30m. It is some kind of purse seine net used to encircle schools of fish and is suitable for use in the deeper waters beyond the reef flat normally between 2 to 4Km from the shoreline. The net is used with motorized boats that take, depending on the size, between 20- 40 fishing crew members together with oxygen cans for diving into the water to check if it touches or gets stuck in the coral rocks. The crew is led by a captain who is experienced in ring net fishing. The captain reserves some authority to make decisions concerning the operation of the crew including the division of labour and wages. The captain is often not younger than the crew and accorded some respect based on his skills at sea, authority to adjudicate crew claims and ability to talk to fisheries officials. In case of any encounter with the fisheries officials or the marine police, it is the captain who is responsible for negotiating their release. The ring net targets diverse species of Pelagic fishes (fish species that largely dwell near the surface of the sea water). It requires up to about 1.5 million Kenya Shillings (about 15,000 Euros) to set up its full operation.

The fishing method requires a lot of skills at sea. Fishers must have the knowledge of sighting a school of fish beforehand. This is normally done in two ways: one, the fishers, normally the more skilled captain and a few others, pay attention to large grouping of birds preying on fish in the sea. Whenever these birds are seen flocking a particular area of the vast sea, then there will be a high

likelihood of a school of fish in the area. The uncertainty can be eliminated by carefully looking at how the birds dive into and out of the water with fish on their beaks. The crew would therefore identify the direction to which the school of fish is moving by keenly observing the direction to which the birds are flying. The captain will swiftly direct the boat in an angle that makes it possible to encircle the fish. Second, fishers are also able to identify the fish in the water by diving into the water using oxygen cans. One needs to be skilled in diving to do this successfully. This practice is always done if they are not sure of the evidence given by flocks of birds flying a little higher in the sky. By swimming and utilizing their self-celebrated eyesight in the water, the fishers are able to see the direction of the school of fish and inform the captain appropriately for the casting of the net. In either cases, once the school of fish has been identified, the crew skillfully cast the net in a manner that they encircle the school of fish, purse the net to close the bottom and finally haul the fish into the boat (Okeyo, 2010).

Figure 1: Picture of ring net loaded in a boat. Source; Okeyo (2010)

3.2. Historical context of ring net fishing in Kenya's coastal fisheries

Ring nets have been in use in Kenya's coastal fisheries for about two decades. Oral narratives from fishers in Shimoni, fisheries officers and BMU officials show that the use of the gear entered Kenya through Vanga from Tanzania. Vanga is a fish landing site in the far south of Kenya bordering Tanzania. Brodaly speaking, the ring net is owned by Tanzanians although some Kenyans have also taken into the venture. According to a report compiled by a task force set up in January 2005 by the Ministry of Livestock and Fisheries Development (now Ministry of Fisheries Development), ring net

fishing was introduced in Kenya's coastal fisheries after being sanctioned by the government (Ring net taskforce, 2005, unpublished). The government was motivated by the capacity of ring nets to increase fish production which could contribute to increased food security and employment in coast region. Indeed, rural areas in the coast province are some of the poorest in Kenya (Hoorweg *et al.*, 2009). The 2005 ring net task force report further notes that another reason for introducing the use of the fishing gear was to provide an alternative for the local fishers to venture into the deeper waters beyond the reef flat. This would not only enable the fishers to exploit the underutilized fisheries in the deeper territorial waters but also reduce the deleterious pressure that artisanal fishers continue to exert on the reef fisheries. By 2005, there were a total of 14 ring net vessels operating in the entire coast from Vanga in the south to Ng'ombeni in the north (Ring net taskforce, 2005, unpublished).

The report acknowledges that the use of ring nets has resulted into many conflicts between and among different groups of local fishers whose livelihoods the intervention was supposed to improve. Two reasons are given behind this contestation – failure to consult the local stakeholders and failure to undertake an assessment of the potential ecological impacts of the gear and set in place monitoring schemes taking into account weaker capacity of the Fisheries Department.

3.3. Contesting ring net fishing in Shimoni

In Shimoni, there were at least 3 ring nets which had been actively operating before the government suspended its use early in 2011. Two of them are owned by Tanzanians and most of the crew are also from Tanzania. However, there are some crew members who are from the local fishing communities such as Mwazaro, Msambweni and others from Mijikenda tribes. The ring net boats are currently anchored in Mwazaro (Fig. 2) which is hidden from the main center of Shimoni beach.

Figure 2: Picture of a ring net boat at Mwazaro creek: Photo by R. Kiaka. November, 2011

The use of ring nets has faced a lot of opposition on the one hand and support on the other. Anti-ring net groups consist of small-scale fishers and conservation NGOs like EAWS who argue that ring nets are used in places with depths of less than 20m, thereby destroying coastal fisheries. Such fishing grounds include Nyuli, Waga, Mwamba Mkuu, Mpunguti and Wasini Chanel. These areas are the main fishing grounds of the small-scale fishers. Furthermore, complaints about the use of ring nets from these user groups have yielded many arguments. Small-scale artisanal fishers see themselves as victims of the destructive nature of the use of ring nets and what they call the 'greed' of the ring net owners. These small-scale fishers use fishing gears such as basket traps (*malema* Fig. 3), gillnets (*Jarife* Fig. 4), fence trap (*Uzio* Fig. 5), spear gun (*bunduki* or *mideti* Fig. 6), hooks and lines (*ndoana* and *mishipi*).

Figure 3: Picture of basket trap (malema): Photo by R. Kiaka, Shimoni, November, 2012

Figure 4: Picture of gillnet (Jarife): Photo by R. Kiaka, Shimoni, December, 2011

Figure 5: Picture of a fence trap in Shimoni. Photo by R. Kiaka, November, 2011

To the small-scale fishers, the use of ring nets in what they call their fishing grounds denies them their access to sufficient fish catch by destroying their fishing grounds. Artisanal fishers in Shimoni have various reasons for which they disallow ring net fishing in their fishing areas. First, ring net is occasionally and blatantly used within the fishing grounds that artisanal fishers in Shimoni perceive to belong to them. Ideally, the ring net is designed for use in the waters whose depth is not less than 20m and especially off the reef flat. The ring net also should target pelagic fish which is not the target for the fishers using basket traps. However, many artisanal fishers, especially those using the basket traps, argue that ring nets also collect some demersal fish species such as Rabbit fish (*Tafi*) which is often the main target for basket traps. Narratives from an interview held with one of the fishers using basket and fence traps at Anzwani landing site within Shimoni explains:

> *'You know these people from the BMU and fisheries* [department] *often think that we are stupid complainants. Look at my age, young man* [referring to interviewer while pointing at his grey hair]*, I am not interested in telling lies. We see these mabepari*[3] [referring to ring net fishers] *fishing in the areas where we fish. We see them in Nyuli, they fish in Mpunguti and Rambazo. They fish in our places which Allah Subhana wa ta'ala*[4] *gave us. We have been fishing in these areas since we were young. Now they want to take over because they have money to buy a ring net. Don't be cheated. If we are lying, then let the ring netters and the*

[3] *Mabepari* (plural) is a Swahili word that can literary translate to monopolists. The term is often used in a negative sense to denote oppression, unfairness and unwanted. The use of the term by the respondent implied that the ring net users would like to take over their fishing space and monopolize fishing in an unfair terms.

[4] *Allah Subhana wa ta'ala* – may Allah be glorified and exalted

officers explain to you why ring net also catch Changu[5], Tafi[6] and red snapper. These are reef fish, not fish of the deeper waters.' [Basket trap fisher in Anzwani, Shimoni: November 30, 2011]

These oral narratives are consistent with the findings of the task force established by the ministry in 2005. The tasks force's report notes that, although ring net target pelagic migratory fish species such as kawakawa, trevallies, queenfish, threadfins, pompanos, barracudas, kingfish, tunas, sardines and many others, studies in Gazi and Vanga revealed that they also target reef associated demersals. The report further notes that '[d]emersal reef species landed by ring nets include surgeonfish, snappers, rabbit fish, emperors, parrotfish and half beaks. These are the dominant species landed by other artisanal fishermen using traps, handlines, gillnets and spear guns' (Ring net taskforce, 2005, unpublished). To the local artisanal fishers, the use of ring nets in reef fisheries poses an unfair competition in the fishing grounds that they strongly believe belong to them. They lay their claim of ownership on these fisheries from three main perspectives; one, the fisheries is God-given to them to support their livelihoods, and whoever is hindering them from accessing it even by posing unfair competition is not acting in justice. Two, they have cultural ties with these fishing grounds since their ancestors fished the same waters. Furthermore, they have been fishing the same waters for many years since they were children. To them fishing is central to their livelihood and they strongly believe that whoever is denying their access to these fishing grounds is challenging their long history of existence as a people. Three, they attach territorial claims on these fishing grounds. They live by the fishing grounds and set and leave their fishing gears in these places and therefore it is unfair to them to be displaced from their fishing grounds by migrant fishers such as ring netters. The ring net fishers on the other hand do not entirely disagree with such claims. From their oral accounts, it was evident that ring nets are sometimes used in the reef fisheries for the reason that they notice a school of fish on their way to the offshore fishing grounds. Moreover, they admit that they may have demersal reef fish species in their landing as a by-catch and during *kusi*[7]. An interview with a ring net captain in Changai landing site explains;

'Yes we are supposed to fish in the deeper waters of 20m and more. But let me tell you. Every fisherman leaves his house because he is going to look for fish. Every fisher does that. We do that also. If we see some fish in the shallow waters on our way to our fishing grounds should

[5] *Changu*- Swahili name for Scavengers

[6] *Tafi* – Swahili name for rabbit fish

[7] *Kusi* – a season during which the strong South East Monsoon winds are blowing. During this season, normally between April and August, the sea is very rough and fishing is rarely done with small boats outside the reef flat for fear of safety of low catch.

we leave it because of the law? Should we? it is about struggling to provide for your family. In fact we use such fish for our food in the sea. Also when we catch Tafi and snapper it is not intended.' [ring net captain, Changai, December, 12]

The second reason why small-scale artisanal fishers resist ring net fishing is linked to the destructive nature of ring net especially when used in the reef fisheries. Ring nets, when used within the reef fisheries, destroy the fish habitats by breaking the corals and catching undersize fish which may be juveniles. This is also the concern of environmental groups such as East Africa Wildlife Society (EAWS). Most artisanal fishers consider this act unfair because the natural regeneration of their fisheries is compromised. Most of them remember with nostalgia how in the 1970s and the 1980s it was very easy for them to fish. The effort at sea was less while the catch was impressive and adequate for both domestic food supply and local market. They describe their current catch per effort as too low and less beneficial to them. Although they also admit that many ecological changes might have taken place within their fisheries, they overwhelmingly link the state of affairs to ring net fishing and beach seining. Since beach seining is presently a rare practice in Shimoni compared to ring net fishing, it is almost off their minds and missing in their everyday talk. In the 1990s, ring net was heavily used in Vanga and Gazi (Ring net taskforce, 2005, unpublished). However, the artisanal fishers in Shimoni especially the *malema* fishers claim that the ring netters having exhausted the Vanga fishing grounds, have lately moved to destroy their grounds in Shimoni. These claims were evident in one of the Focus Group Discussions held with artisanal fishers in Changai as below;

'Let me tell you officer [referring to interviewer] *and my fellow people. And I speak the truth before Allah subhana wa ta'ala. These ring netters from Vanga and Pemba have finished all the fish in their fishing grounds. I ask you people, why should these ring net users come all the way to here, passing through Vanga and using gasoline all the way to here? Why don't they fish from those other places? It is because they have exhausted all the fish there. Now they want to turn us to poor people by destroying our fishing grounds.'* [Basket trap fisher, Changai-Shimoni, December 5, 2011]

The task force on ring net fishing reports on some of the worrying aspects of ring net fishing, which increases the strength of the artisanal fishers' concerns. Of all the 14 ring nets which were observed by the task force, only two met the minimum requirement of mesh sizes of 2 inches. Additionally, during fieldwork in the Mwazaro area, I observed a ring net whose mesh size was less than 2 inches, although it was being repaired by the captain. Mwazaro is a constituent beach of Shimoni BMU. This indicated a higher likelihood of ring nets catching undersize fish. The task force report notes furthermore, '[t]here was also evidence at Vanga of a ring net constructed with mosquito netting' (Ring net taskforce, 2005:11, unpublished). These are the practices that artisanal fishers of Shimoni

understand as deliberate attempts to 'keep them poor' by the ring netters who they refer to as 'monopolists- *wabepari*'.

Indeed, the effects of ring net fishing on marine ecosystem generate more politics than can be seen in other issues. The contestation built around this phenomenon indicate how knowledge can be used in different ways to influence decisions. According to some research from KMFRI and Fisheries Department ring nets have no significant negative effects to the marine environment provided it is done outside the reef flat in water depths of not less than 20m (Munga *et al*., 2010). Oral accounts from fisheries officer in Shimoni also indicate that the ring net has the potential of increasing fish production and hence the income of the fishing communities. However, due to the inadequate capacity of the Fisheries Department to monitor the use of ring net, it was banned. A section of the small scale fishers, conservation groups such as EAWS insists that ring nets are destructive to the fish breeding grounds. Narratives from an elderly small scale artisanal fisher in his 50s additionally indicate the wealth of knowledge that they have to justify the destructive nature ring nets:

> *'I will give a story first. You see in the days such as in the 80s and 90s before the ring net was introduced, the fish traps were landing fish that could fill 3 lories here in Shimoni. There was a cold store here in Shimoni. There were tons of fish. You see in Nyuli there were fish like mkundaji[8], puju[9]. Write down because you don't know these fish species. There were so many that we could get up to 50-60kgs. But now we cannot even get one kilo since the ring nets were introduced. Even tafi[10] was in plenty and one fisherman could get up to 40kgs but now only 3kgs.'* [basket trap and long line fisher, Anzwani-Shimoni, January 6, 2011]

Thirdly, artisanal fishers in Shimoni accuse ring net fishers of what they call 'indecent behavior'. This is evident from the claim that ring net fishers destroy their fishing gears such as basket traps, set nets and long lines. Narratives from fishers using set nets, basket traps and long lines contend that they have had cases of destroyed gears by the ring netters especially when they are pursing. Oral accounts from one fisher using set gillnets explains:

> *'You know these boys* [referring to ring net fishers] *are very disrespectful. Sometimes we want to curse them but how can I say a curse on my child. You see my son* [referring to interviewer] *there is a time I went to check on my net at least expecting some fish in it. I was shocked to find it nowhere. Only some pieces attached to the buoyant. Those ill-behaved children*

[8] Mkundaji – Swahili name for goat fish

[9] Puju – Swahili name for Unicorn fish

[10] See footnote 4

> [referring to ring net fishers] *you call fishers destroyed it… I lost my catch, my food and money to buy sugar.'* [set gillnet fisher, Shimoni fish Banda, December 6, 2011]

There are records of cases of destroyed fishing gears such as gillnets and basket traps in the Shimoni BMU office. Such cases are difficult to arbiter as there can be no proof that the destruction was done by ring net crews. The small scale artisanal fishers however, often see malice with the BMU officials accusing them of taking bribes from the ring net users and failing to defend the fishers who form the BMU. Ring net fishers are also seen by some artisanal fishers of Shimoni as ill-behaved in the manner in which they use their money from the catch. It is said amongst a section of these artisanal fishers that when the young fishers in ring net vessels get their rather more money, they spend it on reckless life including luring wives of other men and young school girls to extramarital and premarital sexual affairs respectively. In such a society with deep-seated belief in Islamic faith, extramarital and premarital sex are highly condemned. There is indeed a well known pub cum night club in the furthest end as you enter Shimoni. It is known as *Wayside* and owned by an employee of Kenya Revenue Authority, Shimoni office. There are a number of non-moslems in Shimoni who were initially targeted by the club but during fieldwork, I visited the club several times in the night and the number of moslems known to me were more than the number of known non-moslems. This politicizes the use of religious teachings by small-scale artisanal fishers to further exclude ring fishers. In Islam, consumption of alcohol is prohibited. Not many fishers go to *Wayside*. This club becomes an important element of analysis because many artisanal fishers refer to it as the place for leisure activities for young ring net fishers. They recollect that during the time when the ring net is operating *Wayside* would be booming with business.

Counterstatements from some ring net fishers refute such claims vehemently. In their eyes, the artisanal fishers are creating a big issue without proper reason. They see themselves not being perceived and treated as fishers but as 'ring net fishers' which has the connotation of destruction and improper behavior. In an interview, one of the ring net captains in Mwazaro narrates:

> *'You know, there is a time I listened to BBC radio in Kiswahili. There was a program where a certain woman was giving her complaints about ring net fishing. She shocked me. She said that the ring net not only finishes fish in the sea but also that ring net users ask for sex from the women before they can be allowed to buy the fish. Although I have heard of such things from Kilifi[11], it cannot be true about ring net users. These are the things that when the fisheries* [department] *and other NGOs hear they fight ring net.'* [Ring net captain, Mwazaro, November, 2011]

[11] Kilifi – is one of the districts in coast province. It is located on the north coast.

Although a number of fishers and fish dealers contended with the practice of sexual misconduct, they maintain that it is not unique to ring net fishing. Rather, they blame such behaviors on evil spirits that accompany money going by religious teaching and superstition which characterize Shimoni.

Lately, ring netters have been accused of bribing the fisheries officials and the marine police. Indeed by law, ring net is an illegal fishing gear since 2001. According to the *Fisheries Act* Legal Gazette Notice No. 7565 Paragraph (g) of November 9, 2001 ring netting as a seining method, is prohibited in Kenya's waters. The Act defines seining as 'the use of a net to enclose an area of water and subsequently drawing the net ashore or to a vessel' (Ring net taskforce, 2005:19, unpublished). Analysis of the ring net task force in 2005 found no amendments on these sections of the law or any subsidiary legislation that might change the interpretation (Ring net taskforce, 2005). The implication of the regulation is well known to the local fishers. They have a copy of the regulation in the BMU office. In addition, a few of them have attended many seminars organized by environmental NGOs and Fisheries Department where they have been introduced to aspects of the *Act*. In fact, fishers talk quite authoritatively about the letter of the law when it comes to prohibitions on ring net and beach seining. They use these to question why and how Fisheries Department has been able to allow ring net fishing while it is explicitly prohibited by the law. Most of them draw to one conclusion – the use of bribes to maneuver the contours of law and power. Their concerns over the allegation of bribing is even enhanced given that two years after a ban on ring nets was imposed some ring netters continue to operate. During fieldwork, I saw two ring net boats in Mwazaro. One ring net was undergoing repair as if to prepare for fishing activities. The other one was sighted in the water as described in case study 1. According to the artisanal fishers in Shimoni, ring net fishing is a practice which is characterized by use of money to administer injustice to them while enriching ring net owners, some fisheries officials and BMU officials.

The forth reason why the use of ring net is contested by other fishers is because of the impacts on the market. Ring net in good times lands more fish than artisanal fishing gears and the fish price per kilo goes down. Shimoni is relatively a larger fish landing site with two main fish dealers connected to the external markets in Mombasa (Transafrica and Crustaceans Ltd.). There are two women dealers, a number of men dealers and several other small fish mongers known as *mama karangas*[12]. Most of these dealers and *mama karangas* have their own fishers who supply them with fish in a fisher-dealer relationship. This relationship is built on social capital where the dealer provides support such as unsecured credits, handouts and repair of gears and vessels. The fishers pay back by selling their catch to a particular fish dealer who provides them with such support. In very good times when a ring

[12] *Mama karangas* – literally means 'women who fry'. They are women who buy fish in small quantities from fishers or other dealers for resale. They get the name from the way they prepare the fish by deep frying.

net lands more fish, the captain can declare a given portion (locally known as *posho* or *kitoweo*) to be given for free to some members of the village, especially women. No wonder a good number of the non-fishers in Shimoni village are disappointed with the ban on ring net fishing. When the members of the village get fish for free, the artisanal fishers get unhappy because they lose market or their dealers lower the prices. To ring net fishers this is the main reason why the artisanal fishers complain and they refer to it as mere jealousy associated with competition. One ring net fisher in Mwazaro explained with lots of eloquence and pride:

> *'You know* [touching his moustache to show pride]*, we land more fish in the good times and we are able to supply fish to dealers and fish mongers adequately. During this time they lose their market and they cannot sell. The price also goes down…. But we also help by giving free fish to women so that they can also eat. This is pleasant to God Almighty. Also they don't like the progress of their own people.'* [ring net fisher, Mwazaro, November 28, 2011].

The last reason for contesting the use of ring nets concerns the origin of the use of the ring net itself. The ring net, as mentioned earlier, is widely believed to have originated from Tanzania especially from Pemba, Unguja and Mafia (the islands forming Zanzibar). Although there are some Kenyans working as crew in the ring nets, most members of the crew are from Tanzania. The majority of the local fishers have not mastered the fishing style which demands for some skills at sea. Local fishers consider the fishing grounds in Shimoni as theirs, and so the entry of foreigners who increase competition is not accepted comfortably. It is interesting to note that the majority of the natives of Shimoni consider themselves *Waswahili* and many of them are Moslems.

Similarly, people from Pemba and Zanzibar are *Waswahili* and Moslems. There could hardly be cultural differences between the *Waswahili* of Kenya and Tanzania. *Waswahili* in Shimoni see these fishing grounds in terms of their livelihood places. The issue gets more deep-rooted when the local fishers claim that they cannot fish so freely in the Tanzania's waters as the ring netters do in Kenya. Most Kenyan fishers complain that when fishers from Vanga cross the border to fish in Tanzania's waters, they are arrested for being in Tanzania illegally. Previously, most foreign fishers in the Kenya's coast were referred to as *wapemba.*

CASE STUDY 1

An encounter with ring net fishers on 28th November 2011 at Mwazaro and Bati landing grounds

On that Monday morning I visited Mzee Rishad's office and I walked in since he was not in office but the door was wide open. Mr Rishad Iki Hamisi is the secretary to the Shimoni BMU. Before I could feel comfortable on the seat, he dashed in, his face full of anxiety and mind appeared scattered. He summoned some lady into the office with an authoritarian voice. They talked in deep coastal Swahili accent and soon he released the lady promising to act on her case as soon as he would be back. He then turned to me with the same voice of authority and asked me how he could be of help to me. I explained that I wanted his help to identify more fishers to interview as we had agreed. He then received a call and talked to someone known as Toli- later I learned that Toli is the chairman of Mwazaro village whose fish workers belong to Shimoni BMU. Mzee Rishad proceeded to talk on phone in a voice of discomfort with Toli. He questioned why Toli allowed 'his people' to go fishing using ring net yet it is temporarily stopped by the ministry. They argued bitterly with Toli seeming remorseful. Rishad authoritatively concluded by saying in mixture of *Kifundi* and Swahili "I am going to arrest your people and take them to police and finally to court and I will not be scared of the consequence".

He then told me about his problem with ring netters and his personal problem. Then he asked me which fishers I wanted to interview that day. I said hurriedly, 'of course ring netters' and immediately he told me to follow him. We went to fisheries department office where he left a note saying he is going to investigate on a ring net issue in Mwazaro. We then jumped on a motorbike and departed for Mwazaro. On reaching Mwazaro, we found some fishers coming out of the sea. He immediately asked for their passport and fishing license. They exchanged words with one of the fishers aggravating his apparently harsh mood. I was scared of getting into the 'crossfire' of bitter words. He introduced me to a ring net captain who became one of my respondent and he proceeded to the sea to look out for other ring netters.

After about an hour and fifteen minutes, Mzee Rishad returned and asked whether or not I had completed my interview. We left immediately on foot to Bati landing ground also belonging to Shimoni BMU. From the sea I could see a group of about 30 bare-chest young men jumping from a boat and singing songs as if to enjoy their youth. I asked Rishad who they were and he coldly responded 'they are fishers, can't you see?'. Some remained in the boat and the rest came ashore. We met them and Rishad exchanged Islamic greetings with them, '*a salaam aleikum!*'. The fishers appeared in high spirits. Rishad then asked them if they had their passports authorized for movements in Kenya and they confidently responded, 'yes boss'. I kept asking myself how he concluded easily that they were foreigners. Later in an interview with them, I confirmed that they were indeed from Tanzania (Tanga and Pemba).

Rishad cleared his throat and remarked in a polite voice, "I agree that everyone including myself is seeking to earn a living in accordance with the order of Allah *subhana wa ta'ala*" He proceeded, "You know the gracious and most merciful Allah has allowed us to move everywhere we want in order earn a living, right? But let us not forget that there is also the law of the country established by the government. So it is the law of the country that denies us of this divine right and we must respect it. So my sons who I love so much, who shall take care of me in old age and who work so hard to feed their wives and children, I want to ask you to keep off going to the sea with your ring net. We are all moslems and we deserve to earn a living but now the government has said no. So please go home, eat and rest till when the government will say yes, which is coming soon. I will talk to your captain. So let me not see you again in the sea otherwise I will take you all to the police". I did not hear Rishad talk about what their BMU by laws say about ring net fishing. The crew left happily singing songs of *Maulidi* – Islamic songs of praise to Allah.

He then sent for the Captain who was still in the boat. Upon reaching, Rishad called for a prayer which was given by an old man who had joined together with the chairman of community policing for Bati and Mwazaro villages. He then introduced himself proudly, 'My name is Rishad Iki Hamisi. I was born in Bodo-Shirazi so I am a son of this soil. By the Grace of Allah *subhana wa ta'ala*, I am the secretary of Shimoni BMU'. He boasted further though more authoritatively, 'I have the power to arrest you and take you to court if you don't obey fisheries laws'. He introduced me as his officer which I was not comfortable with anyway. I accepted this because I wanted to do covert observation. He then asked if the captain and his people had authorized passports and got a positive response. They exchange bitter words with the captain who appeared calm but strong. The captain said that he was authorized by Toli to go to the sea because he could not reach the chairman and Fisheries Department. He however maintained that they were not going fishing. When asked whether or not he talked on phone to the owner of the ring net who is a Kenyan, he gave an emphatic 'yes' answer. Rishad immediately called the chairman of Shimoni BMU and to my surprise pleaded for mercy on their behalf saying that the fishers were not set for fishing but to give kind of a cultural sacrifice to *spirits of the sea*. He then warned them not to take the boat to the sea and that they should all report to BMUs office with their passports the following day and that the owner of the ring net will pay for the all the cost he had incurred. Indeed, I saw the ring net captain leaping into the BMU office with Rishad the following day in the morning.

3.4. When *'wapemba'* becomes an identity for ring net fishers in Shimoni

Migrant fishing is not a new phenomenon in Kenya's coastal waters. It is a longstanding traditional practice of local artisanal fishers to move from their homelands to other places in access of other productive fishing grounds for months. This process is known in the local language as *kwenda-ago (*see Fulanda *et al*., 2009*).* It is a process that helps fishers to deal with socio-economic challenges of their society such as reduced fish catch and the desire to save income for a purpose.

The term *wapemba* literally refers to people from Pemba. Historically, the *wapemba* started coming to Kenya in the colonial period when the Waswahili of the Kenyan coast had trade ties with Pemba. In these trade ties young men from Pemba were invited to provide discounted labour costs, especially in the fishing industry, although those using illegal gears were not encouraged to come but only tolerated (Glaesel, 2000). As Tanzania gained its independence in 1964 and subsequent overthrow of the Pemba –Zanzibar government, large numbers of *wapemba* moved to settle semi-permanently in Kenya's coastal areas (ibid:332 see also case study 5). Glaesel traces the genesis of the tensions between Kenyan coastal fishing communities and the *wapemba* to be related to this forced displacement. He notes that beginning the 1970s, Kenyans begun to accuse *wapemba* of destroying their fisheries by 'harvesting juveniles and destroying [fish] habitat' which threatens their livelihoods (Glaesel, 2000:332). In a focus group discussion that aimed at reconstructing the roots of *wapemba* some migrant fishers from Zanzibar, while accepting that majority of the fishers of the banned ring nets and beach seines were Tanzanians, they maintained that the issue was too over generalized due to jealousy. There accounts are consistent with Glaesel (2000) and Fulanda *et al.* (2009)*,* that *wapemba* consider themselves more skillful in fishing and land more fish than the less skillful locals (*wenyeji* in Swahili). Personal observations during fieldwork showed that most *wapemba* fishers used gillnets. Figure 8 shows that gillnets are the most productive gear in Shimoni indicating a possible higher fish landings by *wapemba.* Additionally, an oral interview with one of the leaders of the Shimoni BMU emphasized that *wapemba* land more fish than the *wenyeji*:

> *'They* [wapemba] *are also using the same gears in addition to ring net. But wenyeji operate in crews of 3 in smaller canoes with 4 basket traps while the wapemba operate a crews of 4 in a canoe with 20 traps. The migrants have also taken fishing as their business/employment while for the locals fishing seems like a hobby. This makes the migrants to land more fish than the locals.'* [A BMU leader, Shimoni shopping center, November 30, 2011]

However, the term *wapemba* has been linked, by local fishers, to the use of ring nets and beach seines, which are destructive fishing gears that they don't approve of. This connection between *wapemba* and the use of these destructive fishing gears is due to the fact that the use of the gears originated from Tanzania. In general fishers from Tanzania were initially referred to as *wapemba*.

This coincided with the fact that most fishers using ring nets are Tanzanians who are considered to be fishing unfairly from fishing grounds that local fisher consider theirs. Oral accounts from a spear gun fisher explains this point:

> *'Wapemba are not concerned at all with our welfare. They use ring nets and beach seines which catch immature fish and destroy fish breeding grounds. They have finished all the fish in their country.'* [Spear gun fisher, Shimoni Old-Jetty, December 10, 2011]

Glaesel (2000) and oral accounts confirm that increased use of seine nets including ring nets and beach seines led to the increased demand of labour. Thus young men from traditional non-fishing communities are recruited into these fishing fleets belonging to *wapemba,* which further enhances struggle over livelihood space and exercise of authority. Consequently, *wapemba* as a term has increasingly been stigmatized by the local artisanal fishers to create the meaning of any fisher using fishing gears that they don't want. To be a *mpemba* (singular*),* in the eyes of local artisanal fishers, means to be a ring net fisher, whether Tanzanian or Kenyan. It is thus not surprising to hear fishers referring to Kenyans working as crew in the ring net fleets as *wapemba* while the fishers from Pemba using gillnets and handlines are known either by their names or as 'guest fishers'. Oral accounts from interviews contend with Glaesel (2000) that *wapemba* has become a very negative social label in Shimoni and entire Kenya's coast. The story of Juma (name used to hide identity), in case study 2, gives a clear picture of the social image of the *wapemba*:

Case study 2

Juma's ordeal with wapemba identity

Narrations done at Abdul's restaurant- Shimoni, January 5, 2012)

Juma is a about 26 years old. He is married to his second wife and has 4 children. He was born in Lungalunga, Msambweni division not more than 50km from Shimoni. He is a confessing and practicing Muslim. Besides having madrasa education he went to school until class eight in Jommo Kenyatta primary school in Msambweni. Due to financial constraints he could not proceed to secondary school. Instead he joined his cousin in Likoni, Mombasa to help in a small grocery shop. After marrying his first wife Mwanahawa (name used to hide identity) who hails from Shimoni, he quit his job at the grocery shop to live with his wife in Shimoni and take to selling homemade juice.

In 2008, he heard about how young men from other areas were making good money in ring net fishing fleets. The stories told of fleets belonging to Tanzanians which were changing lives of young men although it was also scary to hear that they often sacrificed part of crew to evil spirits to help them catch more fish. Juma had never been a fisherman but he was easily convinced by his friends that the Tanzanians were training people in ring net fishing. Because he was tired of struggling with life, Juma moved to Vanga and was lucky to join one of the ring net fleets. He recalls with nostalgia how they would catch huge tonnage and make lots of money. He bought new clothes including a Savco jeans, Barcelona T-shirt and an Islamic robe. "I looked like an *al Hajj*", Juma boasts. After some months Juma came back to Shimoni and was surprised that his wife was living with her parents. He had brought her a small Motorola mobile phone as a gift. Mwanahwa's farther was a local fisherman in Shimoni using *malema*. Word had reached Shimoni village that their son-in-law had joined the group that is out to destroy the livelihoods of their people. When he attended one of the fisher folks' meetings he was denied the opportunity to talk being referred to as a spy of the *wapemba*. In addition it was rumored that he had come to look for someone to offer as a sacrifice including the wife. The wife soon asked for *talaka* (divorce) leaving Juma with no wife. He later married Mwanasiti (name used to hide identity). Juma is currently a crew in a Tanzanian gillnet fleet.

3.5. Social exclusion of the *'wapemba'* and inclusion of the *'wenyeji'*

Although local small-scale artisanal fishers belong to different functional groups regarding the methods of fishing, while facing the challenge of ring net, they coalesce round a socially constructed concept of *wenyeji*. *Wenyeji* is Swahili word that literally means 'belonging to a specific place and way of life'. This concept is constructed by the small scale artisanal fishers to show their sense of belonging to Shimoni and subsequent rights to access the fisheries resources in Shimoni. Any group that supports the plight of the *wenyeji* in defending their livelihoods are welcomed in their discursive realm. For example, fishers from Tanzania who use gears acceptable to local artisanal fishers are accepted in their social gathering and joint fishing activities even though they are regarded as guest fishers. They are hardly referred to as *wapemba* as would be in the past. On the other hand, the term *Wapemba* which once upon a time meant people from Pemba in specific and foreign fishers from Tanzania in general is now used to refer to those using destructive gears not acceptable to local artisanal fishers, especially ring nets and beach seines. One Kenyan ring net fisher observed angrily during interviews:

> *'Also, you know, ring net was introduced from Tanzania and originally was owned by people from Tanzania. But not now. We have locals owning ring net now. But they still spread rumors that wapemba are finishing fish in the sea..'* [ring net fisher, Mwazaro, November 28, 2011]

The *wenyeji-wapemba* relationship creates the insider-outsider politics in Shimoni and is continuously being embedded into their everyday practice as Juma's story reveals in case study 2. The insiders who are the *wenyeji* –fishers from Shimoni consider the fisheries resources in Shimoni to be belonging to them and thus they do have the responsibility of protecting it from outsiders who are the *wapemba*. This way the insiders create a social feeling that they belong to one social assemblage with one interest of protecting their livelihood from exploitation by the outsiders. Added to the fact that they are mostly small-scale compared to ring netters, they form an alliance that is able to challenge the use of ring nets in what they perceive as their territory. Interestingly, the *wenyeji –wapemba* identities are not built based on ethnic differences. There has been continuous interactions between *Wadigo, Wakifundi* and the *Wapemba* including through intermarriage, so that kinship is shared. Furthermore, apart from the fact that most of them are moslems, they also speak a common language –Swahili. However, it is the difference in the territorial livelihood spaces that is mobilized as value around which alliances are formed. To magnify the seriousness of their claim, artisanal fishers exploit the negative connotation that the ethnicity -*wapemba* -had in the past. Furthermore, any local fisher who joins ring net fishing with the intention of earning a living is viewed as an enemy of the prosperity of the local small scale fishers and stereotyped as *mpemba* (singular).

The stigma of the term *wapemba* has also infiltrated the local decision making forum in Shimoni. For example, regarding their participation in the BMU activities, *wapemba* rarely contribute to negotiations on key decisions. Oral accounts indicate how one of the *wapemba* was shut down during a discussion on the proposed enclosure on the basis that a *mpemba*- denoting a 'foreigner'- could not decide on local matters. On a separate meeting a young man who was once a crew member in a ring net fleet was booed by supporters of marine enclosures when he rose to oppose the plan. He was denied participation in the process because he was a *mpemba* – denoting one using destructive gears. He narrates with genuine concerns:

> *'As a mpemba you cannot do anything here freely. They will always sit while chewing miraa-kaht – and gossip about you even if they know you were born in Wasini, Shimoni or Chwaka. I am a Swahili but I was denied chance to talk because I was in the ring net crew. Here ring net fishing and mpemba are one thing, you know like you and your wife.'* [Ring net fisher, Changai-Shimoni, January 7, 2012]

However, narratives from some respondents especially BMU, government and NGO officials indicate that the term *wapemba* also denotes a positive identity. *Wapemba* land more fish than the local fishers, which is attributed to their good fishing skills and entrepreneurial spirit. They also own better resources like bigger sail boats, dress more smartly and rent better houses than the local fishers. This is something that even the *wapemba* –denoting fishers from Pemba –themselves are proud of and they use their *wapemba* identity to negotiate their existence. Because they land more fish and contribute significantly to fish production in Shimoni, they can easily reach to government officials and BMU officials to discuss their issues thereby disregarding BMU assemblies and village elders. Generally speaking, it is the need to defend livelihood space that makes local fishers to evoke solidarity and contest any action that supports ring net fishing in the Shimoni by labeling them *wapemba*. Consequently, the *wenyeji* and *wapemba* have emerged as powerful identities about which alliances are formed to create and defend livelihood spaces.

3.6. Conclusion

The struggles about ring net fishing in Shimoni results from the contribution of different actors namely: the government's Fisheries Department, fisheries researchers, conservation NGOs and the BMU, the ring net fishers and the small-scale artisanal fishers. All these actors exercise different degrees of power in order to influence the decisions concerning ring net fishing. Additionally, In order to reinforce their power to influence decisions and actions, they rely on diverse bodies of knowledge. The government's introduction of ring net fishing in Kenya's coastal fisheries was informed by a body of knowledge whose shopping list comprise of enhancement of food security, employment creation and reef fisheries conservation. The broader goal of the government pointed

towards promoting growth in the coastal fisheries by introducing commercial and semi-industrial fishing method (ring nets) to replace the subsistence artisanal fishing methods. The underlying assumption, though unrealistic, is that the artisanal fishers would see the commercial benefits of ring net fishing and abandon their artisanal fishing methods to provide labour in ring net fishing fleets. The unrealistic sense of this assumption is explicit in the manner in which it assumes the relationship that artisanal fishers have with the fisheries.

First, it overlooks the way in which artisanal fishers perceive the fishing grounds and beaches of Shimoni as places connected to their culture. The local (in its analytical sense) artisanal fishers in Shimoni, mostly the Waswahili (wadigo, wavumba and washirazi), view the fisheries of Shimoni to be belonging to them following their historical experiences. Their access to the fishing grounds is consequently linked to their claim of ownership which is inscribed in their culture and religious teachings. Territorial claim is also evident in the way the fishers leave their fishing gears such as *malema* and *uzio* in the fishing grounds for longer duration, also observed by Bavinck (2005) elsewhere. To allow the ring net fishers from Tanzania and Vanga to access and control the fishing grounds and market implies loss of ownership of their fisheries to foreigners. Second, the loss of control and ownership of the fisheries by the artisanal fishers is enhanced by the destructive nature of ring nets on both the reef fish habitats and the artisanal fishing gears (Ring net taskforce, 2005). The evidence provided in this chapter points towards the uncertainty of the production of the artisanal fisheries in operation of ring nets. This elicits the arguments of unequal distribution of the effects of fisheries degradation (Bryant, 1998;1997). While the ring net fishers have the technological and financial capacity to go beyond the reef fisheries, the artisanal fishers are limited to their fishing grounds. Evidence show that ring net fishing entered Kenya through Vanga and has moved northwards to Malindi, Ng'ombeni and Kipini (Ring net taskforce, 2005; Munga *et al.,* 2010). Although most conservation NGOs stress on the destruction of the reef fisheries rather than the effects on the artisanal fishers. Third, ring net introduces a different regime of exploitation where fishers are expected to reduce their subsistence fishing practices and join a commercial regime. The effects on the local market affects the fisher-dealer relationship existing in Shimoni. From the forgoing it is important to see the formation of the struggles about ring net fishing Shimoni as embedded in transformation of territorial claims, ownership and unequal distribution of effects of fisheries degradation (Peluso and Watts, 2001).

Territorial claims of the fisheries of Shimoni lead to the production of *Wapemba* and *Wenyeji* identities. The creation and use of these identities explain that the struggle over ring net fishing is linked to territorial control and clashing regimes of appropriation, rather fisheries scarcity. The coining of the *wenyeji* identity and the resultant alliance building around the identity show how local

artisanal fishers assert their cultural ownership claim on the fishing grounds and the local beaches. The use of the *wapemba* identity keeps shifting depending on the context of the defense of territorial claims. Its use previously aimed at excluding foreign fishers from Tanzania from access to fisheries. However, in its present form, the *wapemba* identity is used by the local artisanal fishers to defend their territorial claim of fisheries against ring net fishers. The social boundaries of both *wapemba* and *wenyeji* identities have been widened to include fishing methods used as can be seen in the example of the foreign gillnet fishers who are not referred to as *wapemba*.

CHAPTER 4

4.0. SPEAR GUN FISHERMEN AND THE 'POOR' IDENTITY

This chapter describes the identity politics that exist in the struggles that characterize spear gun fishing in Shimoni. I describe the process of labeling spear gun fishers 'poor' and how they are able to use the label to maneuver the contours of power that seek to eliminate their fishing practice. Rather than see the label -'poor'- as a vice that they should fight, this chapter shows how spear gun fishers in Shimoni use it as a tool to influence tolerance and sympathy to their advantage even though the use of the fishing gear is illegal.

4.1. Spear gun fishing – how is it done?

Spear gun (locally known as *mdeti* or *bunduki*) is a fishing gear that is locally made using a wooden or metal tube shaft with steel harpoon powered by rubber/liner tube strips (see figure 6 and 7). Fishers of spear gun swim in order to see the desired fish to strike. However, they have to use a sail or motorized boat to reach their fishing grounds. They mostly fish from shallow coral reefs and largely target coral demersal species. The fishing method is faced with uncertainties since the fisher has to sight the fish and then aim to shoot with the spear head. Additionally, these fishers are faced with conditions that threaten their safety at sea, especially in terms of strong undercurrents and during high tides when the sea is rough with poor visibility.

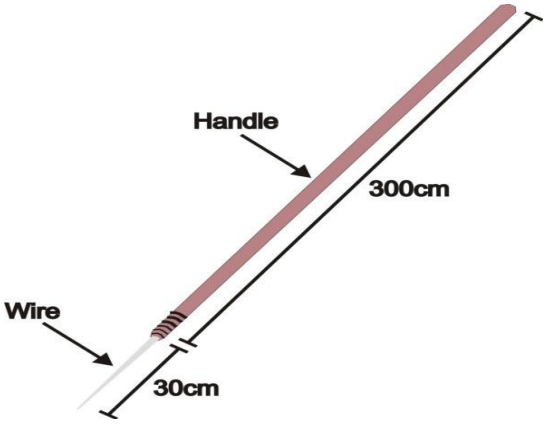

Figure 6: Drawing of a spear gun. Source Okeyo (2010)

Figure 7: Picture of Spear gun. Photo by C. Obota

In Shimoni, there are at least 20 spear gun fishers who mostly fish in Mpunguti. Mpunguti is a marine reserve where fishing activities are restricted to type of gear used. Mpunguti is adjacent to Kisite (see figure 11) which is a marine park where no fishing activity is allowed. Most of the spear gun users are young people between the ages of 20 and 35. They fish in groups of between 10 to 15 people. According to Legal Notice No. 7565 of 2001 of the Laws of the Republic of Kenya, using spear guns in Kenya's marine waters is prohibited under the *Fisheries Act. Cap. 378* (GoK, 1991 revised 2001). The same sentiments are echoed in the Shimoni BMU by-laws. The use of spear guns is also prohibited in marine protected areas in accordance with the *Wildlife (Conservation and Management) Act cap 376* of the laws of Kenya (GoK, 2009). Despite these prohibitions, the spear gun is openly used in Shimoni and is the third most productive fishing gear (see figure 8). Most of the spear gun fishers in Shimoni are Digos from Msambweni and some are of Giriama tribe. There is a longstanding stereotype for Giriamas in coast province that they are less educated. Giriamas in general are Christians and others practice their Africa traditional religious practices. It is not uncommon to find people in coastal Kenya, including those from upcountry, making fun of one another with the label 'Giriama' to mean 'uncivilized' (personal observation).

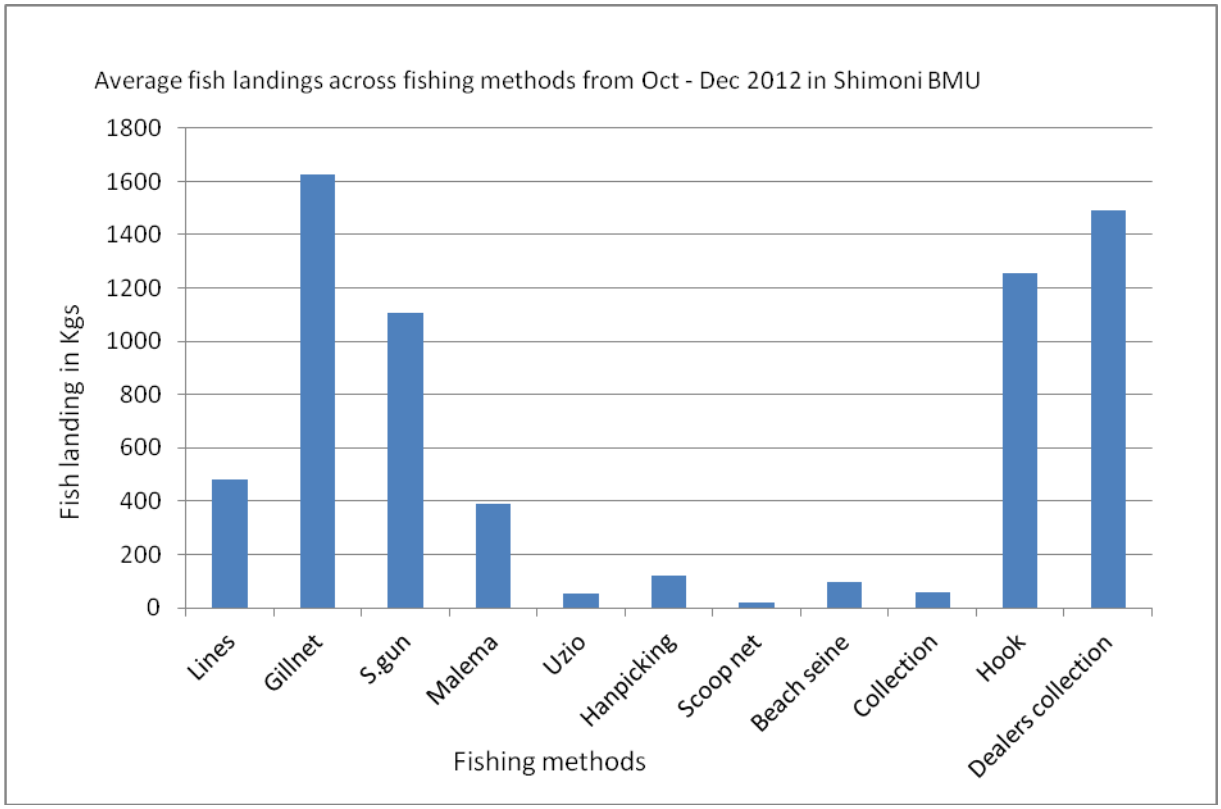

Figure 8: Average fish landings across fishing gears in Shimoni

4.2. The history of spear gun fishing

The origin of spear gun fishing can be traced back to the rise of beach *boyism* in the coastal beaches in response to the rise of tourism and unemployment. Glaesel (2000) notes that in the 1950s and the 1960s, tourism boomed in Kenya's coast attracting a number of young men from the neighboring Mijikenda tribes especially the Giriama to find employment within the tourism industry. As many as they moved, the number of those failing to find employment rose forcing them to become beach boys. Beach boys – a term that is associated with illegal activities, begging from tourists and poverty at the beach- refers to young men engaging in activities to assist tourists at the beaches. Indeed, it is from this activity that Giriama could be said to have acquired its negative label. Gleasel (2000) further records that some of the beach boys continuously observed tourists (predominantly whites) using spear guns from their home countries to fish in the shallow lagoons and parks. Through periods of interaction with the tourists some of the beach boys acquired skills of fabricating/improvising spear guns from locally available materials. Eventually, the spear gun became a fishing gear that the former beach boys could use to fend for themselves. The skills for fabricating and using a spear gun was quickly passed over to others through what Glaesel (2000) calls apprenticeship. It is a cheaper but effective method of fishing in the shallow reef waters. Although its use has spread to other areas and to non-Giriamas and its history almost not an issue, spear gun has not lost its connection to the Giriama beach boys as remarked one of the elderly gillnet fishers in an interview:

> *Mideti* [local name for spear gun] *is a gear that is used mostly by our young people who are struggling with life. I don't know very well its origin but it belongs to Wagiriama. But to say the truth our sons who are also struggling to survive and to provide for their families also use it'* [gillnet fisher, Shimoni banda, January 13, 2012).

The widespread use of the gear in the coastal fisheries rose until the government outlawed its use through the *Wildlife (Conservation and Management) Act cap. 376* and the *Fisheries Act. Cap 378* (GoK, 2005; GoK, 1991).

4.3. Contesting spear gun fishing in Shimoni

The use of spear guns in Shimoni is very controversial but not as widely talked about amongst the local fishers as they do about ring netters. Spear gun is an illegal fishing gear according to the fisheries and wildlife Acts and all fishers interviewed are knowledgeable about that. It is considered destructive to the fish habitats in that fishers, as they swim across coral reefs, break the corals. In addition it is believed amongst the local fishers that when the fish is hit by the spear and escapes, it scares other fish which could be breeding and this impedes the natural regeneration of fish. Animal

rights activist furthermore maintain that the use of spear gun causes unnecessary injury to fish especially those who escape injured. Additional complaints from other fishers point towards the higher chances of spear gun fishers targeting juveniles in case they fail to find larger sized fish. The outspoken critics of the spear gun users are the Kenya Wildlife Service (KWS) officials who are in charge of the neighboring marine protected areas (Mpunguti marine reserve and Kisite marine park). Their complaint is pegged on the destruction caused by spear gun users in the coral ecosystem. This according to them undermines their conservation efforts and mandates. Furthermore, it is an illegal act to use a spear gun, according to the law that established KWS. Further still, Kisite and Mpunguti are key tourist attractions in Shimoni area. It can be argued therefore that spear gun fishing eventually affects coastal tourism, which is one of the key foreign exchange earners for Kenya. Environmental NGOs are also very critical on the use of spear guns for conservation reasons, while the tour operators hide their business interests behind the conservation reasons and the letter of the law. From the side of local fishers, only those using basket traps are critical of the spear gun fishers mainly because they believe they steal fish from their traps and for the reason that they chase fish away when the injured fish in shock scares away other fish in the water as narrates one of the basket trap fishers;

> *'To be honest with you officer* [referring to interviewer] *these sons of ours are struggling with life. They deserve to earn a living in this sea of ours. But they need to stop trying to steal fish from our malema. Let them struggle in the sea. Let them not go for an easy way out. Also, when they hit fish and it escapes, you know it runs in shock. This scares the fish away which should have been caught by my malema.'.* [basket trap fisher, Anzwani, January 13, 2012]

Spear gun fishers do not let such claims go unchallenged. They maintain that those who are against them amongst the fishers are *malema* fishers but simply because of lack of knowledge of their fishing method. The fact that an escaping injured fish may scare away other fish is not a contested reality by the spear gun fishers. However, they argue that the theft part of the complaint is a farfetched incitement. The use of spear gun is a livelihood activity that they have mastered for many years. They maintain that those who argue against its use are jealous of the fish that they are able to land and sell to fish dealers. Several times in the past, they have asked for better and cheaper alternatives. About a year before the fieldwork of this study, one of the NGOs that operated in Shimoni proposed the use of gillnets as alternatives to spear guns. The gillnets were purchased by the NGO and were to be given as soft loans to the spear gun fishers and repayments done in affordable installments. Unfortunately, the gillnets never reached the spear gun fishers as promised but were given to some elderly men in the village by the BMU officials. The Spear gun fishers claim that the elderly men were

seen by the BMU officials as unable to engage in tedious fishing activities so by owning and leasing out the nets they would be able to fend for their families. On the contrary, the spear gun fishers were viewed as energetic young men who can use their energy and skills to provide for themselves.

The fact that most spear gun fishers are not natives of Shimoni also adds fuel into the conflicts between them and the local *malema* fishers. This is another reason which the spear gun fishers attribute to the animosity. Nevertheless, this claim has been overshadowed by the need to come together and kick out the ring netters. The spear gun fishers themselves maintain that, although most of them are not locals of Shimoni and even though their fishing gear is illegal, they are not *wapemba.* In one of the group interviews with spear gun fishers in a restaurant, they vehemently and unanimously denied the identity of *wapemba*. Rather they argued that *wapemba* are very destructive with their ring nets and beach seines, and that they would not allow any of them to be amongst them:

> *'Well,* [lowering his voice as if to take precaution from being heard by someone] *let me tell you the truth, these people don't like us that much. They say we destroy their fisheries with spear guns. And sometimes they claim that we catch the fish trapped in their baskets (malema). This is not true. They just gang up against us because we are not locals and we catch more fish than them. No! we are not wapemba. They* [wapemba] *are very destructive. Their ring nets and beach seines have finished fish here. We don't like them and can't allow them to be amongst us.'* [spear gun fisher, Shimoni old jetty, December 10, 2011]

Despite the contestation between the spear gun fishers and the local *malema* fishers, there was no evidence of the direct confrontation or overt struggle like in the case of ring net. Furthermore, despite the presence of the government's fisheries office for Kwale county, KWS and marine police in Shimoni, spear gun is openly used. There is some kind of 'softness' on the spear gun fishers from the local fishers, fisheries officials and KWS. The environmental NGOs have also not staged massive lobbying and campaigns against spear gun fishing as they have in other cases despite the known contravention of the law and destructive nature of the spear gun.

4.4. Using the 'poor' identity to maneuver livelihood space

When the Dutch artist Renzo Martens produced a thought provoking and controversial film named 'Enjoy Poverty', many people thought the film is a mockery of a genuine problem. Indeed, there is an enormous amount of literature describing poverty as a big challenge in development and wellbeing of people. However, little is always thought of how the 'poor' can use their social label as a tool to navigate the contours of power and create livelihood spaces for themselves. Hardly can we find a

place in the world where poverty is embraced whether openly or in secret. In Islamic faith and most African traditions, poor people should be sympathized with and any injustice done to them may be punishable by failure to enter the eternal life and curse respectively. It is widely believed and taught through many African folktales that a curse from a poor person in need may damage one's future. In Shimoni, poverty is a pathetic situation which is characterized by material things that one owns, the food that one eats, the type of social networks that one belongs to and the type of job that one has. Spear gun fishing is one example of the jobs that people have associated with the 'poor'. The link between spear gun fishing and poverty goes back to its origin. Spear gun fishing in the coastal fisheries originated from poor and ill-behaved beach boys and many people still associate it to its origin not only in Shimoni but also in other areas of Kenya's coast. In fact in Shimoni, it is believed to be a fishing method for Giriama which also has a negative connotation.

While conservation groups and KWS have openly demanded for the complete removal of the use of spear gun in Shimoni and other areas, their use is not very much an issue to most local fishers. Oral accounts attributed this softness on the spear gun users to their being perceived as 'poor' and thus needs to be empathized with. They are generally described as addicts of the locally made palm wine –*mnazi* – and belonging to Giriama tribe or Digo of Msambweni. Even though in Shimoni, during fieldwork, one of the spear gun fishers is from Wasini and lives in Shimoni, has money in his bank account and owns land and house (see case study 4), they were still generalized as 'poor' and struggling with life. Any attempt to crack them down can be construed by local fishers as injustice to the destitute which may earn a curse. The KWS officials, for example, only arrest spear gun fishers when they enter Kisite marine park but not when they fish from Mpunguti marine reserve. The mandate of arresting any fisher using illegal fishing gear is with the Fisheries Department. Under the BMU arrangement the Fisheries Department relies on the self-regulation of the fishers through their BMU leaders. The leaders of the BMU mainly sympathize with the spear gun fishers and surprisingly refer to them as their own young people as opposed to ring netters and beach seiners who are labeled *wapemba* (see case study 3).

There is silent reluctance of the Fisheries Department and the marine police in cracking down on the spear gun fishers. Comparing spear gun fishers to the well-off ring netters who are accused of bribing government and BMU officials, there is less motivation for the arrest of the spear gun fishers. Furthermore, because of their perceived poor conditions, local fishers believe that arresting them is being unfair and harsh. Thus government officials appear to be wary of wronging the local community if they keep arresting the spear gun fishers. They would rather give several warnings than to arrest them.

Case study 3

'Everybody knows that we are poor' - December 10, 2011, Shimoni Banda

It was around 4 o'clock in the uncomfortable warm coastal climate with temperatures almost hitting 30 degrees on the Celsius scale. From, the old fish depot -*banda*, my eyes took me right into the sea where some fishers were coming ashore. Their boat was being towed by another boat depicting a problem. I quickly remembered that I was told by some fishers that whenever they had a problem the BMU would find a way of helping them. When they landed, they shouted and chanted songs of victory. Just as they were landing, I saw the fish dealers from the *banda* rushing down to the shore. They got into the water to meet the approaching fishers all holding their containers ready to receive fish. Each dealer received fish from specific fishers. They did not exchange with money immediately but only after the fish had been weighed. I asked one of the fish dealers present why they were rushing to the waters and he replied with less interest, 'you know we have to come here and meet the fishers otherwise they can sell the fish to another dealer'.

In the *banda,* I saw the BMU secretary struggling with them to pay the Ksh. 2 per Kg commission to the BMU clerk who was a woman. All of them did not want to pay the commission. The secretary looking furious threatened that he would not allow them to operate in Shimoni anymore. He shouted aloud at them, 'you young men of poor behaviour, if you don't want to pay the commission, then take your *mideti*- spear gun- and go to your homes and never return here'. They seemed not to be paying attention as if they had a joking relationship with the BMU secretary. None of them paid the commission and the clerk just sighed deeply and continued with her duties. The secretary and I followed them to the restaurant where they went to eat and he introduced me to them and left in a hurry. When I asked them why they did not want to pay the commission one of them explained, 'you know, these BMU people think we are rich. They know very well that we are poor. Also, they did not come to help us when we had problems in the sea despite putting the red flag as a sign of danger'. They explained that they cannot be stopped from fishing especially by the BMU secretary who they referred to as their father. 'You know' one of them exclaimed, 'Mzee Rishad is our father. He comes from Bodo where we come from and he knows our situation. He is just joking with us'. But how did they know that they are poor? One of them explained with difficulties, 'you know everybody knows that we are poor. Look at me, also we use these things to fish instead of fishing nets. Even you officer, you know that we are poor, don't you?'

As seen in case study 3, spear gun fishers have appropriate knowledge of the image of being 'poor' that they have been labeled with. They use this knowledge of 'poor' as a tool to maneuver and defend their livelihood space which puts the self regulation element of co-management to test. Since they are not as stigmatized as the ring netters, they operate quite openly in the market and the village without any fear of arrest by camouflaging their 'prohibited' fishing practice within their 'poor' identity. The religious village of Shimoni considers expression of sympathy to a poor person or destitute as a sacred value. Because the spear gun users are widely seen as objects of sympathy, they easily get approval from the BMU officials to access the fisheries with the full knowledge that they use a prohibited gear. However, since the law requires that all fishers get a permit from the Fisheries Department, the spear gun users hide the identity of their gear from the government officials. This way, the fisheries officials are not able to know which fishing gear they will use. Oral accounts from the FGD held at the Shimoni shopping center on January 13, 2012 explains:

> ***Facilitator (Richard)****: how do you get registered by the Fisheries Department if this spear gun is not allowed by law as you have told me?*

Spear gun fisher 1*: we are lucky that the BMU understands our unfortunate conditions. You know, we are poor and it is haram* – [unlawful in the Islamic faith]- *to stop us from getting our livelihoods right because we are poor. Good luck, our officials are Muslims.*

Richard*: So, how do they assist you? Or how do you go about it?*

Spear gun fisher 2*: We are given a letter by the BMU* [office] *to take to the fisheries officers.*

Spear gun fisher 1*: And then we don't just fill the form there like fools. We know the law eh!*

Spear gun fisher 2*: Yes! True we don't say that we will use spear gun. We say we are fishers who swim or dive. That is all. We can't spoil for*[expose BMU officials as recommending use of illegal gears] *our officers.* [others laughing as if they are smart in their ideas]

Generally speaking, to be a spear gun fisher in Shimoni attracts an image of one who is 'poor', struggling to make ends meet and an addict of local palm wine- *mnazi*. Glaesel (2000) notes that spear gun users in many areas of the coast failed to integrate themselves in the local community by importing their social networks in places of origin and thus considered as outsiders by local fishers. In Shimoni, although the spear gun fishers are sometimes viewed as outsiders especially by the basket trap fishers, they are generally accepted as 'insiders' for reasons of their state of empathy and possibilities of alliance formation with the local fishers during the struggle against the ring netters and establishment of the marine parks.

4.5. Conclusion

Spear gun fishing in Shimoni has persisted despite the fact that it is outlawed by the Fisheries and Wildlife Acts. The struggle presented by spear gun fishers in Shimoni is influenced by their need to earn a livelihood by circumventing government law and the unequal distribution of the ecological effects of spear gun fishing. Although most spear gun fishers in Shimoni are not natives of Shimoni, they are not as much viewed as outsiders as ring net fishers. Two reasons could help explain this point. The origin of spear gun fishing is linked to poverty. This makes spear gun fishers in Shimoni to be viewed as objects of sympathy by the local fishers as influenced by the norms and religious teachings. Spear gun fishing is an artisanal fishing compared to the commercial ring net fishing. The purposive use of the 'poor' identity is used by the spear gun fishers not as means of territorial claim but as means to defend the use of a fishing gear. Thus while the *wapemba-wenyeji* identities are connected to ethnicity and territorial claim, the 'poor' identity of the spear gun fishing is connected to the history of spear gun fishing. The successful use of the 'poor' identity to maneuver the contours of power created by fisheries laws present a clear example of opposing discourses of law. While the

Fisheries act prohibit the use of the gear BMU and fisheries officials succumb to the highly held norms of treating ‘poor’ people in Shimoni.

CHAPTER 5

5.0. CONTESTING COASTAL FISHERIES MANAGEMENT SCHEMES THROUGH 'US'-'THEM' IDENTITIES

In this chapter I describe the struggles over livelihood space between artisanal fishers and two management schemes –Marine Protected Areas (MPAs) and Co-Management (BMU). I narrow down to provide an in-depth description of how artisanal fishers, with the aim of defending their fishing grounds, engage in the social construction of 'us' and 'them' identities which is a manifestation of social inclusion/exclusion. Although these management schemes are most dominant in controlling fishers actions and access to fishing grounds in Kenya, this chapter shows that fishers are able to challenge existing unequal power relations by engaging in identity politics of 'us' and 'our' survival against 'them' and 'their' conquest. Moreover, I describe the transformation of Beach Management Unit (BMU) to a *'BMU'* label that is characterized by demeaning practices in order to contest the co-management framework.

5.1. Marine Protected Areas (MPAs), access to artisanal fishing grounds in Shimoni and 'us' – 'them' identities

5.1.1. Fishing grounds of Shimoni

There are a number of fishing grounds that are accessible to the small-scale artisanal fishers of Shimoni. They are found within the reef fisheries except for the gillnet fishers who fish from outside the reef flat because they target pelagic species. In a FGD to determine the level of preference attached to fishing grounds for different fishers, three fishing grounds were found very important namely: Mpunguti, Nyuli and Mwamba Mkuu. Mpunguti which is a marine reserve was unsurprisingly ranked higher (Fig. 9) because of its potential for higher catches. Raw data accessed from KMFRI and processed in figure 10 show how catches were distributed on average for October, November and December 2011, across fishing grounds. From these data it was very clear that Mpunguti contributes the highest to fish landings in Shimoni. Most of the fishing grounds including Mpunguti, Nyuli and Mwamba Mkuu are shared with fishers from other neighboring BMUs. There are no designated fishing grounds for each of the fishing gears/methods.

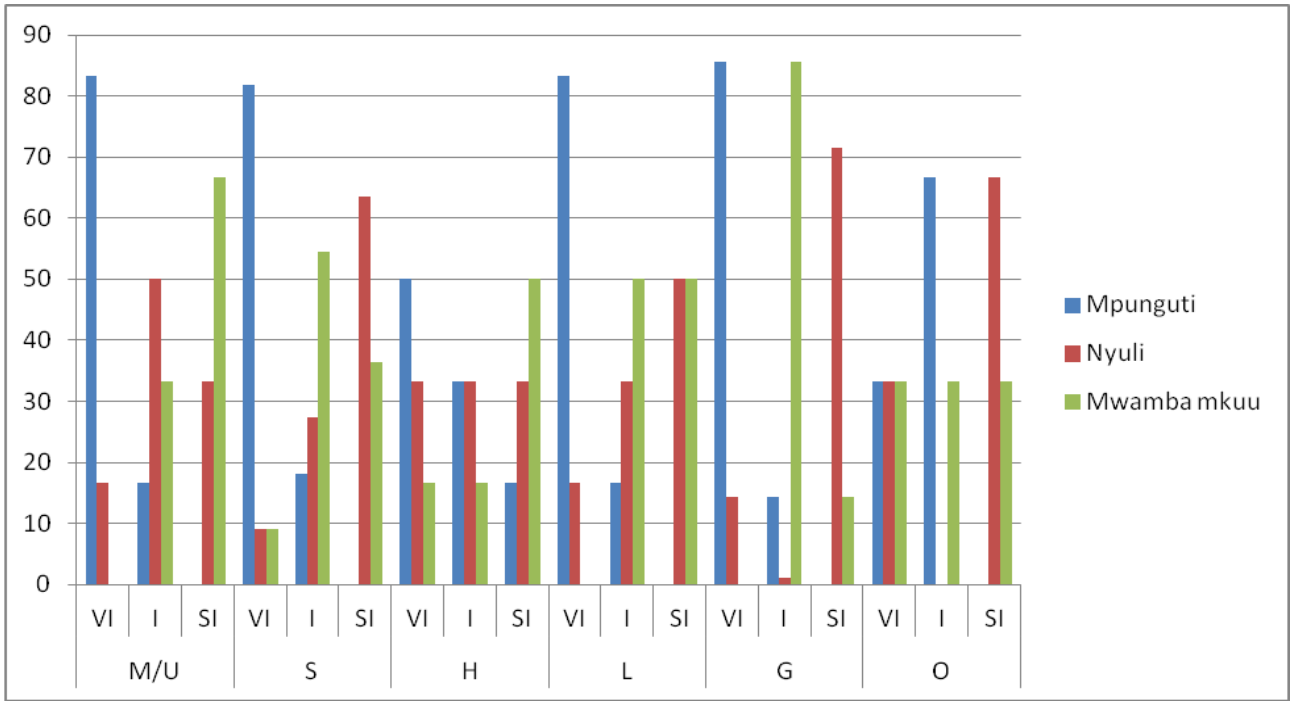

Figure 9: Preference of fishing grounds across fishing methods

Expressed as a percentage of *n* in each method. VI= very Important, I= Important and SI= somewhat important; M/U= *malema & uzio*, S= spear gun, H= hooks, L= long line, G= Gill nets and O= others. **NOTE X axis represent percentage of n**

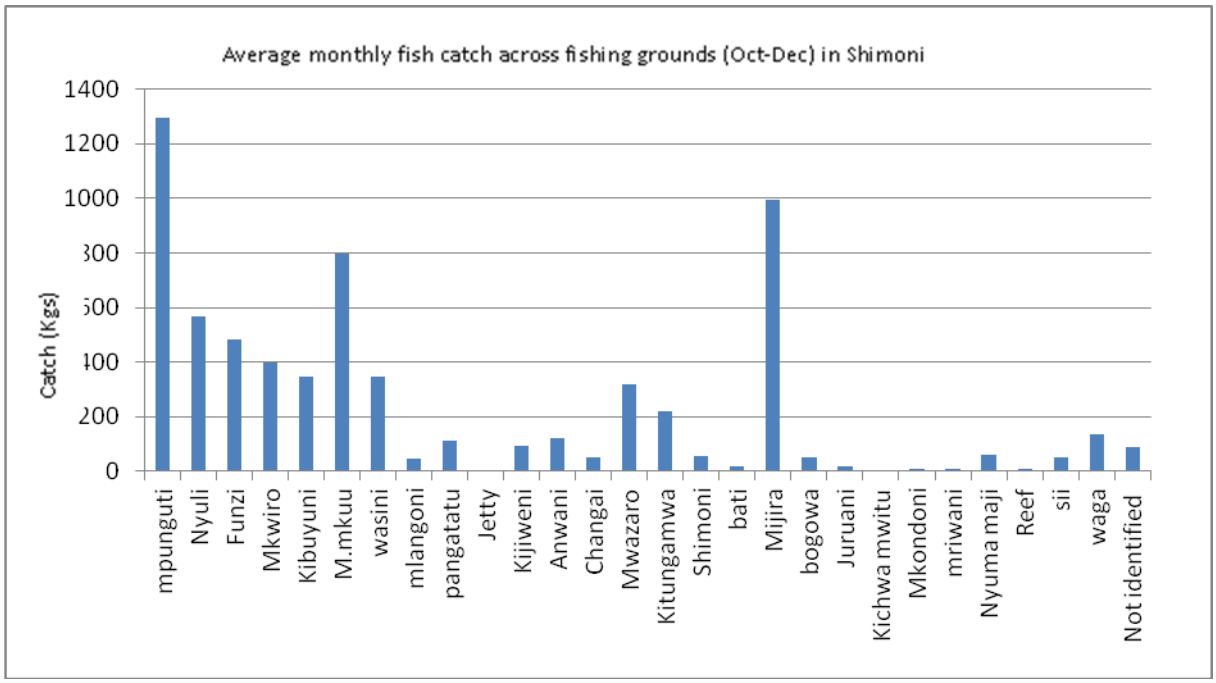

Figure 10: Fish catch across fishing grounds

5.1.2. The Kisite/Mpunguti marine protected area

The Kisite/Mpunguti MPA is located some 6km from the Tanzanian boarder and about 8 km from the Shimoni shoreline. It is some 5 km from the Wasini Island (Emerton and Tessema, 2001; see also figure 11). Covering a total area of 39 square Kilometers, the MPA was established in the 1970s to enhance the conservation of the reef ecosystems and promote tourism in the area. The complex is divided into two. Kisite, which is a marine park and covers about 28KM^2, was the first to be established in 1973. All forms of fishing activities are prohibited in the park. Mpunguti marine reserve was established in 1978 to address the challenge of loss of fishing grounds of the local artisanal fishers (Emerton and Tessema, 2001). In Mpunguti marine reserve, only non-commercial artisanal fishing is allowed. The majority of the fishing gears are prohibited including all forms of seine nets and spear guns. Tourism activities such as snorkeling and sightseeing are allowed in the entire MPA. The MPA is under the management of the Kenya Wildlife Service (KWS) in accordance with the *Wildlife (conservation and management) Act* of the laws of Kenya. KWS has its office in Shimoni mainland, including a watch tower situated in Mpunguti ya Chini (see figure 11).

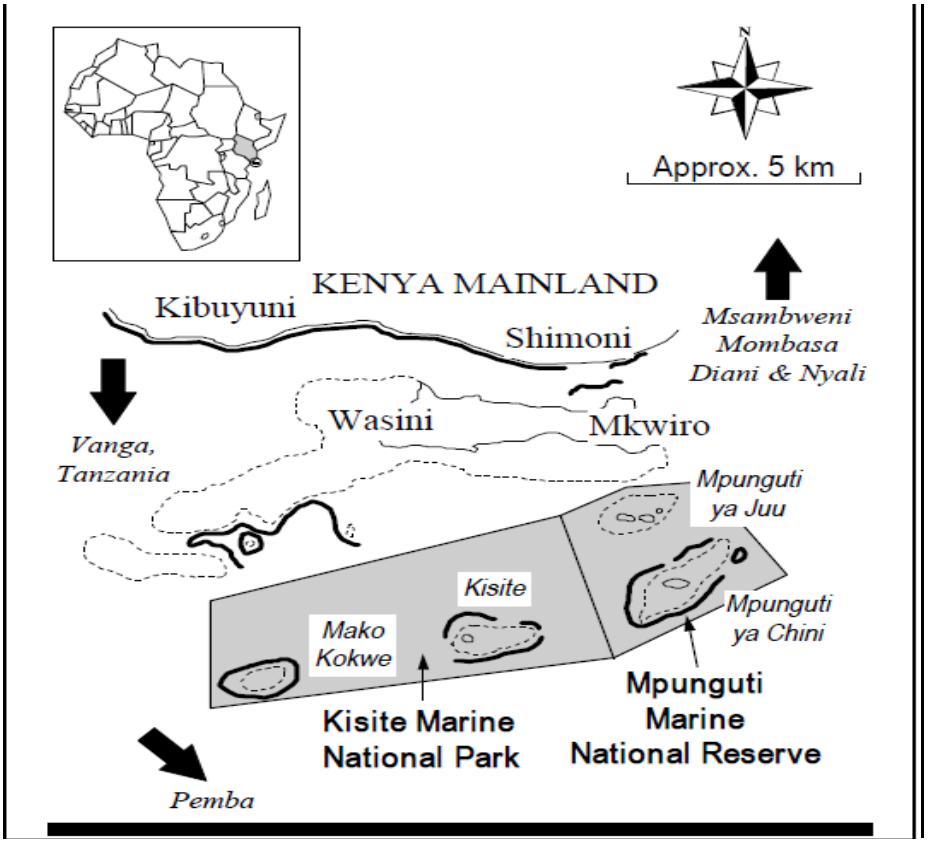

Figure 11: Map of Kisite/Mpunguti marine protected area: Source; Emerton and Tassema, (2001)

5.1.3. Struggles over the MPA

Although the hostile conflicts over the establishment of Kisite/Mpunguti MPA was addressed by allowing artisanal fishers to access and fish from Mpunguti marine reserve there are silent ongoing struggles between artisanal fishers on one side and KWS, environmental NGOs and tour operators on the other. From Figures 9 and 10, the significance of Mpunguti marine reserve to artisanal fishers is explicit. Artisanal fishers in the first place contest the ration of the area of Kisite marine park to Mpunguti marine reserve. Kisite is far much bigger in area than Mpunguti ($28KM^2$ and $11KM^2$. respectively). Although all fishers do not out-rightly contest the whole concept of marine enclosure, they are much more concerned with the size of the area that allows fishing activities and that which prohibits them completely. The high productivity of Mpunguti as a fishing ground could be attributed to the fact that it is adjacent to the marine park. Artisanal fishers do not lay much emphases on this argument but attribute it to the mercy and love of God to them.

There are constant arrests of fishers conducted by KWS officers for failing to observe the park rules and fishing in the park. The majority of the cases are involving spear gun and basket trap fishers. Although KWS charges the fishers in court for deliberately fishing and using the illegal spear gun in the protected area, the fishers accuse KWS officials of lack of knowledge of sea conditions. According to the fishers' oral accounts, the arrests often take place during the times of higher undercurrents that pull their fishing baskets into the park. Any fishing gear found within the boundaries of the park is confiscated and destroyed and owners, if identified, are charged in court for contravening specific paragraphs and sub-paragraphs of the *Wildlife (conservation and management) Act*. Spear gun fishers even suffer more because of the negative label that they have. In the eyes of KWS they are seen as 'poor' fishers but 'ill-behaved' former beach boys who aim at nothing but destruction of the coral reef fisheries. It is not only their fishing activities that are seen to threaten coral gardens, but also their presence gives an image that tourists should not know of. It is interesting and significant to learn how spear gun fishers defend their arrests in the park as in the oral accounts of an interview below:

> *'[W]e do not go to their park deliberately* [stretching his arm to show me the park area from a far]*. You know, we are in the sea because we want to earn a living. Because of the nature of our work, sometimes the undercurrents are so strong that we are dragged into the park. Then when they see you they arrest you. They don't know sea life. They are wabara* [meaning people from upcountry]. *Also when I shoot fish with my instrument and it escapes into the park, should I not follow it. It is my gift from God.'* [spear gun fisher, Mpunguti fishing ground, January 13, 2012]

The park has buoys showing the specific boundaries but there are no visible boundaries for the fishers to know the end of the marine reserve. The boundaries as they were may only be understood by KWS officials and those who know how to study the maps of the MPA. During fieldwork, three of the spear gun fishers had been arrested and charged in court for fishing in the park (case study 4, see also figure 12). Although the judge ruled that they were guilty of the offence, KWS was ordered to create very clear boundaries on the park to avoid unnecessary confrontation with the spear gun fishers. There are local tour operators in Shimoni and few of them double as fishers as well depending on the tourism season. These tour operators own some boats for taking tourists to the park, organize their accommodation which is sometimes home stays with their families. They also organize lunches for tourists and sell sea items such as cowry shells. In some cases they get paid in US dollars or Euros and occasionally also exchange money for the tourists. This group is unsurprisingly in support of respect to park rules and is critical of the fishers activities in the MPAs. They are widely known for their presence in most seminars organized by conservation NGOs and thus have perfected their eloquence in conservation language including co-management and sustainable development which they have translated to Swahili as *usimamizi shirikishi* and *maendeleo endelevu* respectively. Their aggressiveness and mastery of the conservation jargons, such as co-management and sustainable development, have helped them to create a very strong bond with KWS, conservation NGOs and Fisheries Department officers. Additionally, most of them are members of Shimoni, Wasini or Mkwiro BMU executive committees. The analysis of their relationship with artisanal fishers is significant understanding creation of 'us' – 'them' labels and how the boundaries of such labels are traversed.

Case study 4

Arrested, charged and fined but feels victorious

At the age of 25 Halfan (name used to hide identity) is married and has children to care for. Halfan, was born in *Wasini* to a Swahili father and Kikuyu mother. He went to school until class five and joined groups who transport goods by boat between Zanzibar and Shimoni. As a young boy, his work was to cook for the loaders and captain. He learnt many skills at sea and later joined gillnet fishers from Pemba. He worked as a member of a fishing crew until after he got married when he saw an opportunity in spear gun fishing. Since then he has been a spear gun fisher. Contrary to other spear gun fishers who say they are 'poor', Halfan sees himself as a progressive young man. He doesn't deny though that his colleagues are poor but maintains that 'they are poor because they are taken to *mnazi*- locally made palm wine and women'. He says with all hopes shining in his face, 'you see, soon I will quit fishing. I want to go for a course in Mombasa. Maybe mechanics or building course. I never went to school but I have skills'. Halfan has a bank account in Ukunda, a nearby town and saves money every week for his course. He has also built a house in Shimoni on the land that he inherited from his father.

On December 11, 2012, Halfan was amongst the spear gun fishers who were arrested by KWS officers in Kisite marine park. Alongside his colleagues he was charged for fishing in the park and for using an illegal fishing gear. Halfan explains with all sorts of bitterness what he calls injustice to fishers and abuse of power. 'You know,' he says tightening his teeth and lines forming on his forehead, 'these KWS officers are so unfair to us. I never went to the park to fish, I was dragged by strong undercurrents that day'. He remembers with pain his frustrations of explaining his case to the KWS officers whom he described as 'lacking knowledge' on sea conditions. When he was taken to court after spending some time in the police cell in Shimoni, he pleaded guilty but adds, 'I made sure that I told the judge that I was not in the park to fish. I told him that it is the mistake of KWS not to put a buffer zone between the reserve and the park and he agreed with me'. Because of this, Halfan claimed victorious. He was fined Ksh. 3,000 (about 30 Euros) which his colleagues raised and paid on his release. Halfan ends his story by explaining how they help one another as spear gun fishers.

takiwa kusafirisha hadi Mandera kusaidia wapelelezi katika mahojiano. Dkt Salim na Dkt Hillow wanamiliki hospitali ya Afowan iliyo karibu na hospitali ya kujifungulia kina mama ya Pumwani kaunti ya Nairobi.

Gichuki muda mfupi baada ya kushuka kutoka mlingoti wa kupeperusha mawasiliano ya simu mtaani Skuta, Nyeri, jana. Alipanda mlingoti wa urefu wa mita 45 akilalamika kwamba polisi waliwanyanyasa vijana wa

ukuu badala ya kuwatia nguvuni wanaonunua vyuma hivyo. Alipelekwa katika kituo cha polisi cha Nyeri kuhojiwa, na huenda akashtakiwa kwa kutisha amani na kuzua vurugu.

Picha/JOSEPH KANYI

KWS yawashtaki wavuvi watatu

WAVUVI watatu kutoka kaunti ya Kwale jana walishtakiwa kwa kuingia eneo linalolindwa la mbuga ya baharini ya Kisite/Mpunguti bila idhini ya mkurugenzi wa KWS.

Seif Haruni na wenzake wawili ilisemekana walikamatwa na maafisa wa KWS Desemba 11 katika mbuga hiyo, wakiwa na mitego sita ya samaki na kilo tano za samaki.

Kiongozi wa mashtaka Inspekta Said Mwadzombo alimwambia Hakimu Mkazi wa Kwale Bw

Na KENYA NEWS AGENCY

Abdulrahman Aminga kwamba vifaa hivyo vinazuiliwa na KWS ili vitolewe kama ushahidi.

Washtakiwa walikiri makosa, lakini wakalalama kuwa KWS halijaweka alama ya mipaka kutenganisha eneo la umma na mbuga ndani ya bahari.

Bw Aminga alikubaliana na malilio ya washtakiwa na kusema kwamba shirika hilo la kuhifadhi wanyama pori, lina wajibu wa kuweka alama ya kuonyesha mpaka kati ya bahari ya umma na mbuga hiyo.

"Washtakiwa wametoa hoja ya maana. Ni wajibu wa KWS kuweka vigingi vya kuonyesha sehemu ya mbuga, ili visa vya wakazi kuingia humo bila ruhusa vizuiwe," akasema.

Hakimu hata hivyo aliwafunga mwezi na kuamuru KWS liwarejeshee vifaa vyao wakikamilisha kifungo. Lakini aliagiza samaki wapikiwe maafisa wa mahakama.

Figure 12: Picture of a news paper cutting about arrested spear gun fisher. Photo by R. Kiaka, December, 2012

5.1.4. 'The us' of fishers and the 'them' of non-fishers in contesting MPAs

Most artisanal fishers in Shimoni see the MPAs as an establishment that blocks them from accessing what they call their fishing grounds. The struggles between them and park officials is based on their quest to fend for their households. In their eyes, the larger size of the park is an injustice to their livelihoods but a favour to those involve in tourism. Even though some of the tourist operators get involved in fishing during the low tourism season, the artisanal fishers see them as non-fishers whose livelihoods quest compete with the interest of the fishers. Yet the tourist operators also put a claim on the resources in the MPAs. Because of these competing claims on the MPAs, there are forms of alliances of fishers and non-fishers. There is an interesting interlink of contestation in Shimoni. For example, artisanal fishers contend that BMU, Fisheries Department and KWS failed to stop ring net fishers in good time until they had destroyed what they call their fishing grounds. Yet according to them, these institutions that failed in undertaking their duties constantly limit their access to Mpunguti fishing ground. In order to cement these alliances, artisanal fishers have created self-fulfilling labels of 'us' and 'them'. Those who belong to the 'us' category are local fishers who see MPAs as a limiting factor to the quest their livelihood. Spear gun fishers are considered in the group of the 'us', although occasionally accused by basket trap fishers of stealing fish from their traps and scaring away fish. This is an indication of the permeability of these social labels.

The issue is even exacerbated by the proposal to create more reserves in what EAWS calls Community Conserved Areas (CCAs). CCA is a project idea implemented by EAWS. The project aims at creating reserves in some fishing grounds for conservation purposes. This project allows the

'community' to be in charge of the project and create rules that shall govern fishing, tourism and research activities in the reserve. To local artisanal fishers, this is just another clever way of converting their fishing grounds to MPAs that shall end up with KWS. In Wasini the CCAs project has been implemented and EAWS, KWS and Fisheries Department seem to be happy with the results of the Wasini CCA. A part from conserving fisheries, CCA idea also aims to increase tourism activities in the area. Groups working on tourism activities mainly from Wasini and Mkwiro widely support the idea obviously because of the perceived benefits to them. Such groups who support the formation of the conversion of Nyuli into a CCA are considered 'them' by artisanal fishers and seen as enemies of their progress. Oral accounts from a joint group interview with basket trap and spear fishers held at Anzwani on January 17, 2012, explains:

> **Facilitator (Richard)** – *If Nyuli is converted into an enclosure* [CCA], *what would happen?*
>
> **Spear gun fisher** – *Stop dreaming. We told them never to try it. They should make decisions in Wasini and Mkwiro not Shimoni. They want it because they gain from guests* [tourists]*. If they close it where will we fish from?*
>
> **Richard** - *Who wants to convert it to park as you say?*
>
> **Basket trap fisher** – *You know them don't pretend to us. Let me tell you. BMU, people from Wasini and Mkwiro, Wildlife* [KWS] *and fisheries* [department] *and people of project* [EAWS]*. You see, Nyuli is also an entry to goods coming to Shimoni. They don't like our progress. But we will not allow them. We have fought for Nyuli and will fight again.*

Oral narratives indicate that the struggle has led to violent conflicts between those opposed to the creation of CCA and those who support it. Figure 10 shows that Nyuli is a productive fishing areas in the region for the artisanal fishers. Converting it to marine closure will mean reduction in livelihood space for the small scale fishers. EAWS works on a project funded by the Darwin Initiative to establish Community Conservation Areas in Shimoni, Wasini-Mkwiro, Kibuyini and Vanga.

5.2. Contesting co-management and the labeling of 'BMU'

5.2.1. What is Beach Management Unit (BMU)?

Prior to and in the early part of the colonial rule, Kenya's fisheries was governed through social norms and traditional ecological systems. In most of the fishing communities, whether in the inland or coastal fisheries, a village elder often acted as the leader of fishing and landing area. The village elder would provide advice concerning patterns of fishing, actions in cases of accidents related to evil spirits and, allows access to fishermen from other areas, restricting specific fishing gears and ensuring social cohesion (Ogwang' *et al.*, 2006; Glaesel, 1997). Locally existing social structures including taboos, curses, expulsion and so forth were used to enforce these rules. As the colonial government strongly got established, they rendered these structures ineffective and inefficient and governance of fisheries was taken over by the state (McClanahan *et al*., 2005). This culminated into a decade long top-down management of fisheries resources which has been blamed for the underdevelopment of fisheries and degradation of not only lake fisheries but also the coastal reef fisheries (Ogwang' *et al.*, 2006). In the 1980s and 1990s, there was a great pressure for the post-colonial state to involve the natural resources users in their management. The Department of Fisheries- presently known as the Ministry of Fisheries Development – ventured in the development of legal frameworks within which fisheries management responsibilities could be shared with fish workers (Glaesel, 1997) under the then much debated co-management concept.

The Fisheries Department adopted the Beach Management Unit (BMU) as a framework through which the co-management concept would be given shape in the fisheries sector. The BMU's purpose, though debatable, is to turn fish workers into fisheries managers. BMU was first developed in Tanzania to manage the Lake Victoria fisheries and then its application was expanded to manage the entire lake's fisheries shared by Kenya, Uganda and Tanzania (Hodgson, 2005). Today, BMU remains the primary means used by the government to manage small-scale fisheries in Kenya as enshrined in law through the Beach Management Unit (BMU) regulation of 2007 legal notice no. 402 which is a subsidiary legislation under the *Fisheries Act Cap. 378*. (GoK, 2007). Since 2007, the BMU concept has continuously been promoted in the coastal fisheries to increase the participation of the local communities and enhance their partnership with the government. According to the BMU regulation, a BMU should incorporate in its membership all persons who have direct interest in beach and fisheries activities such as fishers, fish dealers, those who collect marine resources and beach tour operators. Environmental NGOs and other government agencies whose work affect the wellbeing of fish workers and fisheries should be considered as stakeholders. Cinner *et al.* (2009) further notes that a BMU is empowered by this regulation to exercise exclusive rights over the management of

fisheries resources at a particular fish landing site. Box 1 highlights the objectives of BMUs as outlined in the BMU regulation.

Box 1: The objectives of BMUs (Source; GoK, 2007, see also Cinner *et al.*, 2009)

1. Strengthen the management of fish-landing stations, fisheries resources and the aquatic environment;
2. Support the sustainable development of the fisheries sector;
3. Help alleviate poverty and improve the health, welfare and livelihoods of the members;
4. Promote good governance, democratic participation and self-reliance;
5. Ensure the achievement of high quality standards with regard to fish and fish products
6. Build capacity of the members for the effective management of fisheries in collaboration with other stakeholders;
7. To prevent or reduce conflicts in the fisheries sector.

The formalization of a BMU is the prerogative of the Director of fisheries in collaboration with other government institutions. For this to happen, the group applying for a BMU status must have no less than 30 fishing boats registered operating in the fish landing site. In addition, they must develop their by-laws in the schedule and format provided and approved by the regulation. In case of landing sites with less than 30 fishing boats, they are required to team up and as Cinner *et al.* (2009) explains, the landing site with the highest number of fishing vessels will bear the name of the BMU, as is Shimoni in this case.

5.2.2. The Shimoni Beach Management Unit

The Shimoni BMU was formed much earlier than it was officially acknowledged by the Fisheries Department. By 2008, it already declared itself a BMU but had to wait for a joint government/NGOs project to train officials. Previously they called themselves Shimoni Fisherfolk Group, a name which had been used by an NGO- Eco-Ethics- Kenya – in its project targeting coastal small-scale artisanal fish workers. Although they developed their by-laws in 2009, it was only approved by the Director of fisheries in June 2011. Shimoni BMU brought together other fish landing sites that have less than 30 fishing boats such as Shimoni, Anzwani, Kiwambali, Mkuyuni, Bati, Mwazaro, and Changai. According to their by-laws, it has a jurisdiction over fishing grounds such as Waga, Kombeni, Kimundu, Mnazi Nduwa, Nyuli, Rambazo and others. There are a total of 361 registered members of the BMU. The objectives of Shimoni BMU are outlined in box 2 below:

Box 2: Objectives of the Shimoni BMU (Source; Shimoni BMU by-laws)

1. To strengthen the management of fish landing station, fisheries resources and the aquatic environment;
2. To support the sustainable development of the fisheries sector;
3. To prevent/ or reduce conflicts in the fisheries sector;
4. To protect the environment from over exploitation;
5. To ensure beach sanitation and hygiene;
6. To create awareness amongst the fishermen on good fishing practices;
7. To collect fisheries data and other information

5.2.3. BMU as a contested concept in Shimoni

BMU is a concept whose existence and relevance draws mixed reactions and perceptions in Shimoni especially across the fishers. Of all the fish workers interviewed and including the FGDs, hardly a quarter of them are happy with the BMU framework. The majority of them have great misgivings on the BMU. Those who support the BMU mention the benefits that they get from the arrangement. Most of these benefits revolve around financial support, which may include money to buy materials for repairing boats and fishing nets and what is locally known as *Kitoweo* – fish for household consumption – in cases of no catch. The other assistance that BMU has offered is rescue at sea in times of accidents. However this help faces huddles as a result of lack of facilities. An NGO – CRDO (Coast Rural Development Organization) that worked in Shimoni a year ago had trained selected individuals on sea rescue. During fieldwork 3 American marine officers had come to train some fishers on sea rescue. Amongst fishers, the majority of those who are less critical of Shimoni BMU are gillnet fishers most of whom fish from outside the reef and are from Tanzania. They also land more fish than their counterparts who use basket traps and hooks (Fig. 8). A link could be drawn from their support to the BMU because they stand to benefit more. Since they fish from outside the reef they are more vulnerable to accidents at sea than their counterparts who fish in waters below the reef flat. Moreover, most of them are foreigners meaning they are secure when in good books with BMU. Because they land more fish, they would have less difficulties to pay the commission of Ksh. 2/Kg of fish landed compared to the others whose catches are low.

The BMU officials talk very proudly and in support of the BMU. The chairman and the secretary have attended a number of seminars about fisheries management which make them to talk so eloquently about the regulation and the BMU framework. In their eyes, BMU helps to crack on illegal fishing gears even though spear guns are used so openly under their watch. Oral accounts from an interview with the BMU secretary explains his satisfaction with the framework:

'BMU is the mother and father of fishers and fisheries [department] *is the mother of BMU. We support fishers who have problems, we want to grow big until the fishers here will not have problems looking for small monies from dealers because we will give them loans. BMU is also good because we can use it to get money from donors like you when you are in Europe* [referring to interviewer]. *Because of BMU, illegal fishing will be a forgotten history. We look into fishers safety at sea. We take fishers to seminars organized by organizations* [NGOs] *and we collect our own fish data'* [BMU secretary, at Shimoni BMU's office, January 18, 2012]

The fish landing statistics in Shimoni during fieldwork was taken by the Kenyan Marine and Research Institute (KMFRI) officers except after one month when the BMU employed a clerk to double as commissioner collector and fish landing data entry personnel. No one, including the BMU officials, KMFRI and Fisheries Department officers, had confidence in the fish landing records taken by the BMU. Oral accounts from the interview with the BMU secretary (January 18, 2012 at BMU's office) confirmed his lack of confidence in the data collected by their clerk:

Interviewer (Richard)- *I would like to get some daily records of fish landings in your fish banda, can I access your records?*

Hamisi – *Yes you can but I advise you to use the ones of Mr. Omondi* [KMFRI officer].

Richard – *Thank you so much. I remember you told me that you also collect data here, right?*

Hamisi – *Yes, but you know these our people have not been trained well. They make mistakes*

On the other hand BMU is seen by a section of artisanal fishers as a concept that threatens their livelihoods. To this group, BMU does not work for the benefit of small-scale artisanal fishers but for the government and *wapemba* –ring net fishers. Most of the fishers interviewed during fieldwork are members of the BMU. They contest the fact that BMU elections cannot take place without the approval by the Fisheries Department thereby making it too difficult for them to change leaders who may not be representing their interests. Another stumbling block for them in the BMU is that influential and richer individuals in the village use money to influence elections results even though they are not fishers. The chairman and the secretary by the time of fieldwork were not fishers but had been elected based on their past service in the defunct fishers co-operative and their regular participation in seminars organized by NGOs and other government institutions. This exposure has given them much knowledge on the language of development, fisheries conservation and BMU laws. The chairman runs a restaurant which buys fish from dealers and it is from this activity that he defines his interest in coastal fisheries (see case Study 5). There are also women serving in the BMU executive committee but artisanal fishers opposed to BMU claim that they are not genuinely elected. Although the role of women in the BMU is not contested by fishers, their presence in the executive

committee of the BMU is widely seen by most fishers as a mere public show for the government and environmental NGOs. It is a requirement in Kenya's constitution that the leadership of any group linked to the government must have at least 30% women representation.

Case Study 5

Not a fish worker but the BMU chairman

The eloquent Mzee Shebwana is about 52 years old and is married. He is the chairman of Shimoni Beach Management Unit. Shebwana was born in Wasini Island and has lived in Shimoni since he was a teenager. He owns and operates a restaurant located barely 30 meters from the Shimoni fish market- also known as *soko la samaki*. He likes being in BMU and praises it for its achievements since he was elected the chairman. Unfortunately, Shebwana has some misgivings of the local fishers of Shimoni who he blames for abandoning their economic activity and allowed foreign fishers from Tanzania, Vanga and Msambweni to take over. In my first interview with him he exaggerated that local fishers are barely 5 in Shimoni and blames them for being lazy and not business minded. On the contrary, he is loaded with lots of praises for the foreign fishers for their fishing and entrepreneurial skills. He remarks, 'without these guests', referring to foreign fishers as if to evade using the term *wapemba, '*there would be no business in that *soko la samaki*. They land real fish there not like our people here who were born complaining and will complain forever and take fishing as a hobby'.

Shebwana is neither a fish dealer nor fisherman but explains that he buys fish from the fish dealers for his restaurant and that makes him eligible for BMU membership. He attributes his election into chairmanship as a result of his charitable character and good leadership skills. He once served as the Pongwe/Kidimu location branch chairman of KANU- a former powerful ruling political party in Kenya. Between 1966 and 1992 KANU was the only political party in the country and during the rule of the immediate former president Daniel Moi, no one dared to speak against the party especially in the 1980s. Shebwana was later appointed as the assistant chief of Shimoni sub-location representing Shimoni, Wasini Island and neighboring places. During his time as an assistant chief, he was also in charge of distribution of food to displaced people from Pemba and Zanzibar who came to Shimoni and were living in a camp. He then served as a clerk to Shimoni Fisheries Co-operative Society. Fishers co-operative societies collapsed in the 1990s after Kenya opened its markets to international trade. Co-operative societies were accused of massive corruption and many fishers lost their monies especially in the Lake Victoria region. Mzee Shebwana speaks proudly of a number of charitable activities he has undertaken in Shimoni. For example, he assisted to fundraise for the cementing of classroom floors of Shimoni primary school to save students from jiggers menace. He has also assisted to foot hospital bills for helpless families including the ones that are not his relatives. He explains with his admirable oratory talent his endless list of generous actions including claiming to be funding the Shimoni BMU. Surprisingly, he was missing in the BMU meetings that were held during fieldwork. During the workshop organized by EAWS, his restaurant was in charge of supplying tea and snacks during breaks.

Shimoni has received many NGOs working in the fields of fisheries development, economic empowerment, mangrove rehabilitation, marine conservation, public health and HIV/AIDS. Nearly all the NGOs working in Shimoni make mention of their participation with BMU in their work. There is hardly an NGO project that does not have a seminar or workshop with Shimoni BMU 'members'. The selection of the participants to such workshops is often left to the executive committee of the BMU. Since the participants are often given money after attending the seminars, many fishers and non-fishers tend to influence their selection. Many artisanal fishers fail to participate in the workshops due to their low level of education and criticism of the BMU and Fisheries Department. During the time of fieldwork, East Africa Wildlife Society (EAWS) organized a workshop to train the fishers and

fish dealers on socio-economic monitoring of fisheries (Fig. 13). They would be trained on how to collect socio-economic data using designed questionnaires. The responsibility of selecting the participants especially from Shimoni, Wasini, Kibuyuni and Mkwiro BMUs was given to the Shimoni BMU secretary by EAWS. The BMU secretary, while selecting the participants, had to obey strict instructions from EAWS including selecting only those who could read and write and ensure the representation of women. It was not surprising to overhear other fishers on phone with the secretary asking how much money they would get to compensate their time for participating in the seminar. These seminars are also seen by local fish workers as alternative sources of money to them.

Figure 13: Participants of the seminar on socio-economic monitoring organized by EAWS; Photo by EAWS

5.2.4. No longer Beach Management Unit but 'BMU'

Since BMU framework is aimed at gaining self-regulation of the of fishers in enforcing the fisheries laws, it is expected to stop illegal fishing in coastal fisheries. This objective is rather a tall order in such a heterogeneous fishing area facing so many challenges. The failure to fulfill this objective has made the BMU framework to lose its credibility in Shimoni, especially as seen by the artisanal fishers. Since, according to artisanal fishers in Shimoni ring net fishing continues because of bribing the BMU and Fisheries Department officials, they do not see BMU as a representation of fishers but as a government project that competes with the quest for livelihoods by the artisanal fishers. Oral narratives from artisanal fishers opposed to the BMU framework points towards a reified 'BMU'. BMU to these fishers means the executive committee which is a group of individuals they consider as influential for their own good. In any interview concerning the role of BMU, fishers often create an

'us'- 'them' scenario depicting invisible picture of inclusion/exclusion. Oral narratives of initial interviews with some basket trap fishers explains labeling of the BMU by fishers:

> *'The problem with you* [referring to interviewer] *is that you ignored us and went to BMU. We are the fishers, they are not fishers. BMU serves the interests of officers like you and wapemba. We cannot talk to you because you ignored us.'* [Basket trap fisher, Anzwani, November 23, 2011]

To these fishers 'BMU' is personified to mean influential individuals who are easily compromised by *wapemba* –meaning ring net fishers, environmental NGOs and the Fisheries Department. In fact these fishers have stigmatized 'BMU' such that it appears in their eyes as an enemy of fishers but a friend of those destroying what they call their fishing grounds. The label 'BMU' is used by the local artisanal fishers mainly when they call for solidarity against what they see as injustice to local fishers. Such injustices include harassment by confiscating their fishing gears (some artisanal fishers are also improvising fishing nets whose mesh sizes are less than 2 inches). Such fishers are easily targeted by 'BMU' because according to them they cannot bribe them. There is indeed a collection of confiscated fishing gears in a store room in Fisheries Department office in Shimoni(see figure 14). The label 'BMU' also helps the fishers to define an association that they say BMU has with ring net fishers. This way they succeed to win support from fellow local fishers by defining 'BMU' as an outfit that is easily bribed by the ring net fishers in total disregard of the local fishers. Most artisanal fishers fail to pay the commission as required by the BMU by-laws because they see it as a way of enriching the 'BMU' and strengthening governments control over them.

Figure 14: A picture of a confiscated fishing net being inspected by Fisheries Department officers. Photo by R. Kiaka, January 2012

5.3. Conclusion

The constant struggles about the Kisite/Mpunguti MPAs are a manifestation of territorial claims of the local artisanal small-scale fishers. The fishers see the area occupied by the MPA as their cultural inheritance which should be used for their livelihoods. A body of knowledge that links artisanal fishing to destruction of reef fisheries prioritizes conservation of the reef fisheries and hence the establishment of the Kisite/Mpunguti MPA. The conservation/preservation body of knowledge thus informs actions to be taken which are expressed as regulations in the *Wildlife Act* and prohibits the access of fishers to Kisite park and limits access to Mpunguti reserve. This organisation and disorganisation of access and ownership of the MPAs show how the government and conservation NGOs exercise power and knowledge to control the relationships between the artisanal fishers and the fisheries. Tourism, being a key foreign exchange earner to the government of Kenya, is promoted as a new regime of appropriation in the MPAs leading to further organisation and disorganisation of fisheries in Shimoni. Despite being central to the livelihood of the fishermen, fish in Kisite and Mpunguti become 'good to watch but not good to eat'. The artisanal fishers show their dissatisfaction through entering the parks leading to their arrests and the stern opposition of the of the establishment of CCAs. Much struggles are seen in the divisive politics pitting fishers and non-fishers leading to formation of alliances around the 'us' and 'them'. However, the boundaries of these alliances are traversable as shown by the in-and-out movement of tourist operators who also double as fishers in low tourism season.

Struggles around BMU emanate from the politics of power that co-management discourse unrealistic aims at sharing. The BMU framework has all the elements of a top-down fisheries governance approach expressed through the systems of drawing up BMU-bylaws, procedure of BMU elections and reporting systems. The analysis of the struggles in Shimoni presents challenges that the misleading assumption of co-management poses. Co-management assumes power as a discrete product that fishers would share with the government with input of stakeholders such as conservation NGOs. The politics of power around BMU in Shimoni is grounded on the existing complex relations. The government's Fisheries Department controls the BMU process by for example outlining procedures of making the by-laws and holding BMU elections. Furthermore, BMU exist to implement the fisheries laws on behalf of Fisheries Department. The objectives of Shimoni BMU in the by-laws mirror those of the government as outlined in the BMU regulations. This chapter therefore comes to sharp contrast with the rhetoric that fishers and government are equal partners in BMU framework. The infiltration of Shimoni BMU by influential individuals in the village politicizes the BMU concept in Shimoni. This further fuels the struggles leading to the personification of BMU as

a means of expressing their dissatisfaction. Moreover, this chapter shows that BMU process is one of the transformations going on in the fisheries of Shimoni and influences the struggles. It is thus paradoxical to conceptualize BMU as a framework that address struggles/conflicts in small-scale fisheries in Shimoni as it disciples tend to contend.

CHAPTER 6

6.0. DISCUSSION AND CONCLUSION

In this chapter I discuss the main findings of this study as described in chapters 3, 4 and 5. In doing so, I revisit the two questions that this study seek to answer using the arguments of political ecology. How are the struggles in the small-scale coastal fisheries of Shimoni influenced by unequal power relations regarding access, use and control of fisheries? How do small-scale artisanal coastal fishers in Shimoni [re]create and use identity politics to challenge these unequal power relations? I begin by discussing how the three cases of focus for this study present unequal power relations and how this can be used to explain the constant struggles, hence answering my first research question. I then advance to present my arguments for identity politics as a tool of struggle for small-scale artisanal coastal fishers in Shimoni. I progress to explain the fluidity of identity politics, hence answering my second research question. Finally, I draw my main conclusion and make a recommendation for further research in this area.

6.1. Unequal power relations in the social transformation of coastal fisheries and struggles

I return to my intention of viewing struggles in the coastal fisheries of Shimoni as being influenced by unequal power relations in access and use of the resources. The three cases described in this study present good examples of understanding natural resource-use struggles not as a consequence of scarcity but as a function of the socio-political transformation that seeks to organise and disorganise the social relations of production (Peluso and Watts, 2001). As seen in this study, the artisanal fishers fish from the inshore fisheries first because they perceive the fishing grounds to be belonging to them. This way, they claim ownership through their historical involvement, territorial claim and religious beliefs. Second they have legal access to these fishing grounds except Kisite marine park. They value these fishing grounds not only because of the fish caught, but also because they are meeting places for the fishers and where they can fulfill their social and cultural obligation embedded in their historical experience.

Practices such as ring net fishing and establishment of marine protected areas transform the social organisation of coastal fisheries in Shimoni. Shimoni fisheries is largely artisanal except for the ring net fishing, which is a semi-industrial gear. To the local people artisanal fisheries present a set of economic, social and political paraphernalia for their livelihoods. The fishing grounds are economic assets from where they can earn a living through fish catches. Fisheries has also a cultural value to the fishers in sense that it is their cultural possession or inheritance. The fishing grounds and beaches are also places where they meet with each other, create a bond and generate knowledge of the sea

and fishing. They claim ownership following historical experience and religious teachings. Thus to them artisanal fisheries is a way of life. The ring net on the other hand introduces a different regime of utilizing fisheries. It is a semi-industrial fishing gear, pegged on the idea of commercializing fisheries (Ring net task force, 2005, unpublished). Its introduction into the coastal fisheries was based on government capitalist ideas such as maximization of fisheries, increasing production, increasing food security, employment creation for fisher society and reducing pressure by artisanal fishing in the reef fisheries. Ring net fishing for example, introduces a new regime of fishing. It is a semi-industrial fishing that is not meant for the waters below 20m of depth. Because of its capacity and associated destructiveness, its use within the fishing grounds accessed by the artisanal fishers does not only introduce competition for fish but also brings uncertainty in the future of the artisanal fishers. Claims of destruction of the fishing gears belonging to artisanal fishers points towards destruction of physical assets. The artisanal fishers who are used to setting their nets and traps in the waters and leave them over night, or for sometimes would have to change this practice in order to tolerate the ring net practice. This is not very likely to happen; hence the struggle to kick the ring netters out. Because they land relatively more fish than the artisanal fishers, the artisanal fishers tend to lose market. This way, their access to markets is compromised and the profitability of their labour is reduced. The operation of ring nets in the Kenyan waters was sanctioned by the government in order to 'modernize' fishing in the coastal waters. In addition to this, the ring net operators also have more financial capital to invest than the artisanal fishers. Hence, I see them to be operating within a field of power that is supported by 'public transcripts' such as government's policy on increasing food security and employment in the coastal regions of Kenya. Consequently, I argue that the ring net fishers and the Fisheries Department exercise their power to organise fishing in the coastal fisheries. That is, reduce artisanal fishing and encourage a semi-industrial fishing that can access the offshore fisheries. The result has been that ring net fishing transforms the social relations of the artisanal fisheries by being used in fishing grounds that artisanal fishers claim ownership for and its impact on the market is far reaching for the artisanal fishers. I see this as a confluence between fields of power (semi-industrial fishing and artisanal fishing) and the social relations of coastal fisheries which embodies constant struggles (Peluso and Watts, 2001).

The *Fisheries* and *Wildlife Acts* proscribe spear gun fishing in coastal fisheries. By law, spear gun fishing is rendered ideally impossible and is an example of how 'public transcripts' can be used to control the action of resources users in relation to natural resources (Bryant, 1997). Spear gun fishing is a livelihood practice that is strongly held by the respective fishers. However, while the spear gun fishers are open to other alternatives approved by law, the social relations in Shimoni work against

their wish. For example, an NGO donated gillnets meant to replace spear guns without understanding the inherent complexities in Shimoni. The gillnets were given to elders in the village by BMU officials. This is because most spear gun fishers are not locals of Shimoni and also because the needs of elders are prioritized over young, energetic and skillful spear gun fishers. This explains that grassroots are not always acting in solidarity as Bryant (1997;1998) would suggest but rather differentiated.

The establishment of Kisite/Mpunguti MPAs and the proposed community conserved areas (CCAs) transform the access and ownership of the coastal fisheries. They are identified, defined and prioritized by a preservationist ideology that limits the access of fishers to specific fishing grounds. The cultural possession of the fishers is also rendered impossible by MPAs. Furthermore, to assume that co-management arrangements like BMU can rise to the occasion to address the struggles is an illusion in Shimoni. The politics of power that BMU process produces reveals the analytic deficiency that co-management concept presents. The fisheries in Shimoni present a complex power relations that cannot be reduced to a shareable product. Hence, rather than see co-management arrangement in Shimoni as framework that resolves fisheries struggles/conflicts as emphasized in BMU regulation, I argue that co-management process is a political arena that produces those struggles that it aims to solve. The bottom-up approach so widely proclaimed in the many co-management literature including Pomeroy and Rivera-Guieb (2006) is not a reality in Shimoni since BMU remain a governmentality process of the government where power is exercised to direct the actions of fishers in a desired direction (Wolf, 1990). This is visible in the way the government has a firm grip of the BMU framework through controlling BMU elections and out-right reflection the government's objectives in the Shimoni BMU by-laws. The same argument is applicable for the romanticized CCAs which is juxtaposed with the operation of the BMU. Although EAWS labour itself to educate the fishers concerning the benefits of CCAs, the fishers are suspicious that CCAs is another way of introducing MPAs and its restriction hence contestation over the discourse of conservation. By and large, MPAs, CCAs and BMU concepts, although coated with a participatory flavour, not only aim at producing governable subjects (small-scale artisanal fishers) but also lead to inequalities and injustices especially to the governable subjects (Norgrove and Hulme, 2006) hence the resistance.

6.2. Using identity politics to challenge unequal power in Shimoni fisheries

I now revisit the question- 'how do small-scale artisanal coastal fish workers in Shimoni engage in identity politics to maneuver their livelihood spaces?'. To answer this question I revisit the specific social identities explored in the three practices (Chapters 3, 4 and 5). I do so by discussing how the

power fields in the quest of transforming social relations of fisheries lead to struggles where artisanal fishers use identity politics as tools of struggle.

6.2.1. Ring net fishers

The struggles between the local artisanal fishers and the ring netters emerge as a result of the threat that ring nets pose to the coastal fisheries, and consequently to the livelihoods of the artisanal fishers. It cannot be overemphasized that ring nets, when used in the shallow waters, destroy the feeding and breeding sites of coastal fishes. They also stand accused of destroying fishing gears belonging to other artisanal fishers, something which is socially perceived as disrespect to others' property and livelihoods. Bavinck (2005) reports similar observations for conflicts between small-scale fishers and semi-industrial trawlers in the South. Not least their effect on the market reduces market prices. State officials responsible for enforcement of the law on destructive fishing have either low capacity to do so or are compromised by the richer ring net owners. These findings show that the struggles between the artisanal and ring net fishers in Shimoni are livelihood-based and thus consistent with the views of Bryant and Bailey (1997).

The rich ring net fishers are able to enhance their access to the coastal fisheries because of their bigger financial capital and technology. Ring net is a fishing technology that requires more money to set up and also has the capacity for higher fish landing. Moreover, the introduction of ring nets in the coastal waters was backed by government decision. This makes the operations of ring nets in Shimoni to be seen as occupying a 'powerful' position. The findings of this study also show that, although ring nets have been banned, their owners are able to use money to maneuver the contours of power. Ribot and Peluso (2003) calls this kind of access mechanism illegal access. This is done by compromising law enforcement officials through bribes. This is something that the artisanal fishers cannot afford. This way, in addition to their financial capital and technology, the ring net owners build their power field by gaining control of the 'public transcripts' through unofficial means. This presents a situation of unequal power relations in so far us how power is exercised to gain, control and maintain access to resources (Ribot and Peluso, 2003; Wolf, 1990).

The artisanal fishers, having lost faith in the government's Fisheries Department, the marine police and not least the BMU, but persistent to defend their livelihoods space resort to identity politics. Although, identity politics is thought of in many socio-cultural studies in relation to ethnicity, race, class and other social categories, this study shows that identities are built alongside functional groups - fishing methods and gears- but use ethnicity to camouflage the intention. The *'Wapemba'* is a label that had previously been used to refer to foreigners who should have limited access to the

coastal fisheries according to the local fishers. As described in Chapter 3, *'wapemba*' identity increasingly became an unpopular label amongst the local fishers because they were seen to be using destructive fishing gears and unfairly competed with them. Although the label was initially used in its ethnic sense, this study finds that in its present use it has very little to do with ethnicity but more with destructive ring net fishing. It is a label with which artisanal fishers in Shimoni cannot only identify their 'enemies' but also intimidate them. Although the ring net owners are rich to afford 'better' fishing technology and buy their access to fisheries through bribes they are not immune to 'gossips, slander and character assassination' (Scott, 1985:25) which are the building blocks of *'wapemba'* identity.

Apart from being described by the artisanal fishers as destructive to the coastal fisheries, they are also viewed as greedy, disrespectful, adulterous, corrupt, witches and not least foreigners. I contend that this process of stereotyping ring netters is aimed at intimidating them and inciting other fishers against them so as to symbolically balance power (Scott, 1985). The social creation of the *'wenyeji'* identity, which refers to those using gears acceptable to local artisanal fishers, produces a 'zone of constant struggle' (Scott, 1990:14) by creating the opposite of w*apemba*. The *wenyeji* are seen as 'friends' to the local artisanal fishers who are concerned about the survival of their livelihoods. The *wenyeji* identity is therefore an ideation of unity about and around which alliances are formed to resist the activities of ring net fishers. The ingredients of the negative connotation of the *wapemba* are aimed at weakening the wider social field of power that construct the flow of action of ring net fishers. Following Wolf (1990), I argue that the *wapemba* identity is a symbolic means through which artisanal fishers in Shimoni build and exercise power to control the social environment where ring net fishers operate. By constantly referring to the ring net fishers as *wapemba* and describing them with all the negative words, the artisanal fishers succeed to polarize the socio-political space with enmity and fear which have led to violent conflicts compelling the government to impose a ban on ring net fishing.

6.2.2. Spear gun fishers

Spear gun fishing is illegal in the eyes of the state law. Therefore in exercising their power represented in the *Fisheries and Wildlife Acts*, the Fisheries Department and KWS control the activity of the spear gun fishers. Thus following Wolf (1990), the law is very explicit on the spear gun fishing and their access to the coastal fisheries would ideally be out of question because the law makes it impossible. Although the law prohibits spear gun fishing in Kenya's coastal waters, the spear gun fishers, due to lack of alternatives to their livelihoods, continue to use the spear guns. This study shows that there is some kind of softness on the spear gun fishers from both the local artisanal

fishers and Fisheries Department. This softness has more to do with the 'poor' identity created of the spear gun fishers. Following the analysis in chapter four, the 'poverty' identity of the spear gun fishers goes back to the origin of the gear. The spear gun fishers use this identity to maneuver the contours of power created by the state laws on spear gun fishing. To analyze the actions of the spear gun fishers in the fields of power, I see them to be missing legal support and financial capital to buy any illegal access to fisheries. The spear gun fishers are not only knowledgeable but also creative of the fact that the wider society of Shimoni views them as objects of sympathy. They camouflage their illegal access of the fisheries behind this societal image of them to navigate the contours of power and escape the law. Thus following Scott (1990), I argue that spear gun fishers inflect the *Fisheries* and *Wildlife Acts* to offstage. Although they sometimes run into problems with basket trap fishers, this contention is often overridden by their perceived 'poor' state. Nonetheless, by contending with Nuijten (2003), I argue that both the Fisheries Department and other artisanal fishers are conscious of this camouflaging process of identification. This is illustrated in the manner in which the BMU officials issue warnings to the spear gun fishers if they fail to obey some conditions such as paying the commission charged at the fish market.

6.2.3. MPAs and BMUs

Kisite and Mpunguti MPAs are major bone of contention in Shimoni. Artisanal fishers see them as major impediments to their livelihoods. They are established by a state law that renders the access for all forms of fishing to Kisite park illegal. The *Wildlife Act* empowers the Kenya Wildlife Service to arrest any person found fishing in the park while allowing tourism activities. This is consistent with Wolf (1990) that the exercise of power can be seen in the way in which some actors exert control over the environment of others in a manner that renders their actions impossible. The creation of the park and exercise of the *Wildlife Act* is informed by a body of preservationist knowledge that views artisanal fishers activities as destructive to the coastal fisheries. This knowledge easily enrolls those who are most likely to benefit from tourism activities. McClanahan and Mwangi (2005) report that in many instances the people involved in tourism activities have always influenced the establishment of MPAs. The product is always a body of law with prohibitions that aim at organising the flow of action of the resource users (Wolf, 1990).

In Shimoni, the proposal to increase the number of protected areas has generated much recent contention. EAWS has proposed this through the Community Conserved Areas (CCA) where fishing communities (in its broader sense) are supposed to make their own rules to govern these CCAs. Many studies like Alidina (2004) argue that the resistance from the artisanal fishers are often guided by their memories of the past rejection of KWS's establishment of MPAs and consequent suspicion.

While such arguments may be valid to their context, the rejection of the CCAs by artisanal fishers in Shimoni has more to do with the uncertainty of their livelihoods than suspicion with KWS. Areas such as Nyuli which have been proposed to be converted to CCAs are some of productive fishing grounds (Fig 10). Conversion of Nyuli, for example, into a CCA will mean that fishers access to the productive fishing ground will be limited. This will consequently shrink their livelihood space. From the findings of this study (Chapter 5), I argue that artisanal fishers are resisting the formation of the CCA in Nyuli because this practice will produce a governance system that will exercise power to disorganise their social relations to fisheries (including their access to such fishing grounds) (Peluso and Watts, 2001).

Although violent conflicts are often popular with studies that focus on resource use conflicts, this study is a clear example of how artisanal fishers can use non-violent alongside violent struggles to resist the preservationist ideas. The process of identification is very much present amongst the fishers in Shimoni regarding the ideation of MPAs. Since fishers perceive the fishing grounds such as Nyuli, Mpunguti and even Kisite as theirs, they see the action of creating the MPAs to be an injustice to their livelihoods. As a result, they engage in an insider-outsider politics through the creation of labels such as 'us' and 'them'. Although enrolment to these labels keep shifting as I will discuss below, at specific time and space, artisanal fishers use such labels to win alliances in order to resist the establishment of the CCAs. Fieldwork (see chapter 5) shows that those who support the establishment of the CCAs and the whole preservationist idea are seen by the Shimoni artisanal fishers as less fishers and belong to the 'them'. They thus succeed to create the otherness of their society based economic activity and interest. Since most of the tourist activities take place in Wasini and Mkwiro villages, the otherness of the fishing society becomes even more ethicized. While Bryant (1997) argues along the dichotomies of grassroots – hegemonic struggles, this study shows that even amongst the so-called 'grassroots', there are significant differentiations and various forms of resistance. Understanding such struggles by use of simple dichotomies of grassroots and hegemony is thus inadequate. In order to polarize the social environment where fishers act in Shimoni, the artisanal fishers demonize and stigmatize the pro-CCAs 'others' through gossips, slander and propaganda. Questions such as 'who is a fisherman without a fishing ground?' and 'who is the government Fisheries Department without fishers who fish?' are all aimed at winning alliances with artisanal fishers in the negotiation meetings. Field data (chapter 5) shows that this polarization caused by demonizing 'others' led to violent conflicts that led to the suspension of talks around the CCAs.

Concerning the co-management issue, BMU is seen by most artisanal fishers as an outfit of village elites who have less concern for the development of fishers. Fieldwork for this study shows that most

artisanal fishers are dissatisfied with the operation of the BMU framework. BMU is conceived with the intellectual breath of co-management which idealize a power-sharing arrangement between fish workers and the government. In, Shimoni power sharing in the BMU has remained as ideal as it is in many co-management frameworks. Like Norgrove and Hulme (2011) argue about participatory management of Mt. Elgon park in Uganda, BMU in Shimoni has become a media of govermentality where fishers are expected to participate by following government procedures, hold BMU elections according to government plans, and formulate BMU by-laws in accordance with the government's format. This leaves very little room to think of BMU as a bottom-up approach in management of fisheries. Furthermore, BMU just like its mother concept co-management, has overlooked the complexity and multiplicity of fish workers. It does not account for very influential individuals in the villages who can by means of positions influence decisions such as BMU elections to their advantage even if they are not fishers. In order to deal with all these discomfort, artisanal fish workers have created a label 'BMU' which does not mean an assemblage of fish workers as it would be thought of, but an outfit of influential elites who despite being non-fishers, use their position to gain leadership for their advantage.

6.3. The fluidity of social identities in Shimoni fisheries

I have explained identities as a tool that artisanal fish workers use to fight the unbalanced power relations in the fisheries of Shimoni. The creation of identities itself assumes the creation of social boundaries based on socio-economic status, economic activities, culture, gender and other forms of difference (Little-Siebold, 2001). While works of Bryant (1997;1998) subsume such identities into fixed dichotomies of grassroots and hegemonic force, I see identities as fluid and constantly changing with time and space, change of interest of actors and many other socio-political processes. The *wapemba* identity was first created by the local fishers of the coast to resist the increasing number of Tanzania fishers crossing and fishing in Kenya. However, with the increased use of the ring net which was introduced from Tanzania, *wapemba* identity has now been transformed to mean the fishers using ring nets which is not acceptable to the locals fishers. Moreover, the fluidity of *wapemba* is made visible when local fishers from Shimoni serving in the ring net fleets are referred to as *wapemba* while foreign fishers from Pemba but using locally accepted gears are referred to by their own names or guests. This way, the identity *wapemba* is no longer used to imply ethnicity but to imply people using gears not acceptable to local artisanal fishers.

The 'poverty' of the spear gun fishers was once used to imply the pathetic situation of the beach boys who used spear guns originally among the local fishers in Kenya's coast. Despite the fact that spear guns are used by other groups of local fishers who are not beach boys and not taken to local

palm wine, most spear gun fishers are still referred to as 'poor' and objects of sympathy. Results of this study (case study 4) describe one of the spear gun fishers who had land, house, money in bank account and better clothes but was still referred to as 'poor' simply because he uses spear gun. Within the confines of spear gun fishing in Shimoni, to be 'poor' no longer implies beach 'boyism' but someone using spear gun which is perceived by the local fishers to be inferior. Moreover, one of the spear gun fishers (case study 4) denies being poor but when he is applying for a fishing license from the Fisheries Department, he invokes the sympathy attached to 'poor' spear gun fishers. The creation of the otherness of the pro-CCAs by the artisanal fishers is not fixed. The local fishers from Mkwiro and Wasini villages –pro-CCAs- are seen as 'others' or 'them' by the 'us' local fishers during struggles over establishment of CCAs. However, during the struggle against ring net fishing, the artisanal fishers from Shimoni, Wasini and Mkwiro team up to form the 'us' of the *wenyeji* against the 'them' of the *'wapemba'*. Following the fluidity of these identities and their meanings, I distance myself from the simplistic dichotomization of resource use struggles to be between grassroots and hegemonic control. Instead, I contend with Little-Siebold (2001) and Gupta and Ferguson (1992) when they observe that the social boundaries that produce identities are always shifting and cannot be fixed to places or specific groups of people.

6.4. Recommendations

In this study, I have argued that struggles in the small-scale coastal fisheries of Shimoni cannot be reduced to a simple denominator of fisheries scarcity. Instead, I have argued that those struggles are as a function of the social relations to fisheries. Social relations to fisheries encompasses a whole set of socio-political paraphernalia such as power relations, knowledge processes, access and use of resources. Focusing on these complex and multiple socio-political processes makes us to understand artisanal coastal fisheries as a way of life. Positivistic economic and ecological studies that flood Kenya's coastal fisheries in general cannot account for the complexity and multiplicity of coastal fisheries. By using the intellectual traditions of political ecology, I have shown that the transformation of the social relations to coastal fisheries leads to constant contention between different fields of power characterized by varied actors and their interests.

I have used the example of ring net fishing, spear gun fishing, MPAs and BMU to show that struggles around and about these practices occur as a result of the power imbalances that result from the transformation of regimes of appropriation, access and use of fisheries resources. I have argued that, while the state law, bodies of knowledge and financial capital may be used in the exercise of power to control access, use and ideation of local coastal fishers with regard to coastal fisheries of Shimoni, the coastal fishers can use identity politics to challenge the unbalanced power relations that they are

faced with. To succeed in this process of identification, the fishers demonize and stigmatize the *wapemba, 'BMU'* and *'them'* of the pro-CCAs such that the society is polarized to the extent that it leads to their exclusion in social functions of the society. Interestingly, this study has shown how spear gun fishers, because of lack of alternatives, purposively but creatively, use the derogative identity of the 'poor' to maneuver the contours power to gain, control and maintain their access to fisheries. In addition, by unearthing the complex and multiple social-political processes within the coastal fisheries of Shimoni, by looking at how artisanal fishers create and use social identities, this study has shown that social identities are not completed projects or finished products. Rather, identity formation should be seen as a fluid process influenced by shifting social boundaries and actors' interests.

Because of time constraints, I deliberately exclude the role of fish dealers in the social transformation of coastal fisheries of Shimoni. I acknowledge the need for future research into this area especially taking into consideration patron-client relationship between fish dealers and small scale fishers. Furthermore it is important for research to delve into how the patron-client relation shape the identification process.

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ANNEX

Annex 1: Map showing the position of Shimoni. Source; Google Maps retrieved on March 14, 2012

Annex 2: Picture plates

Annex 2a: A picture of dug-out canoes *(Midau)*

Annex 2b: A picture of a sail boat *(Ngalawa)*

Annex 2C: Environmental education artworks at the beach of Shimoni

Annex 2d: Environmental education artworks at the beach of Shimoni

Annex 2d: Environmental education artworks at the beach of Shimoni

Annex 3: Invitation for presenation at Pwani University, Kilifi, Kenya

Pwani University College

A CONSITITUENT COLLEGE OF KENYATTA UNIVERSITY

(Department of Environmental Sciences)

P.O Box 195,
KILIFI
Telephone: 041 7522498/7522259
Fax: 041-7522128
Website: www.pwaniuniversity.ac.ke
Email: info@pwaniuniversity.ac.ke

OUR REF: PDG/COMM/13/01/12 **Date: Friday, January 13, 2012**

INTERNAL MEMO

From: Coordinator, Post Graduate Studies

To: All post graduate students

Ref: PhD and M.Sc. concept notes presentations

The earlier postponed presentations of the departmental PhD and M.Sc. concept notes shall now be held on 25th January 2012 as from 12.00 – 1.00 pm (first session – PhDs) and as from 2.00 – 4.00pm (second session – Masters also featuring one external student) at HTM hall.

Each candidate shall be allocated a total of 15 minutes for presentation and equal time for discussion with the panelists. The order of presentation shall be as shown below:

Time allocation	PGDE program	Name of student	Topic
12.00 – 12.30	PhD	Mr. Tunje Joseph	
12.30 - 1.00	PhD	Mr. Mtunji Nathaniel	
LUNCH	BREAK		
2.00 – 2.30	M.Sc.	Mr. Abdul S. Omar	
2.30 – 3.00	M.Sc.	Ms. Sheilla Mumbi	
3.00 – 3.30	M.Sc.	Mr. Daniel Baha	
3.30 – 4.00	M.Sc. Student	Mr. Richard Kiaka (Wageningen University)	Fisheries co-management as a social arena: case of Shimoni BMU

Please, note that the ability to condense facts and manage the allocated time is a crucial part of the examination process.

Also, each student should send a summary of their CV (a paragraph) to be used for their introduction.

Dr. Okeyo Benards, PhD.,
Coordinator, Post Graduate Studies,
Department of Environmental Science.

Annex 4: Time plan

Component	Activity and output	Time period - Months							
		Aug. 2011	Oct. 2011	Nov. 2011	Dec. 2012	Jan. 2012	Feb. 2012	Mar. 2012	Apr. 2012
Proposal Development in Wageningen	Identification of supervisor 1[13]								
	Write concept note								
	Review meeting with supervisor 1								
	Draft 1 -Proposal								
	Review meeting with supervisors								
	Draft 2 - Proposal								
	Review meeting with supervisor 2[14]								
	Signing of contract (with both supervisors)								
	Proposal presentation (Supervisor 2 present)								
	Final proposal								
Fieldwork in Mombasa and Shimoni, Kenya	Pre-visit to field								
	Identification of respondnts								
	Data collection and transcription								
	Presentation at Pwani University -Kilifi, Kenya								
Data analysis and thesis writing in Wageningen	Data coding								
	Post-fieldwork meeting with Supervisors								
	First draft chapter 2								
	First draft chapter 1								
	First draft chapter 3, 4 and 5								

[13] Supervisor 1 – Prof. Leontine Visser

[14] Supervisor 2 – Dr. Dik Roth

	Review meeting with both supervisors								
	First full draft								
	Meeting with supervisor 2								
	Second full draft								
	Meeting with supervisor 1								
	Final thesis								
Presentation and evaluation in Wageningen	Thesis presentation seminar (Supervisor 1 present)								
	Evaluation meeting with both supervisors								