

# Poisson pirates fight the state in New Jersey

By LOIS CORBETT

The fishermen in tiny Shoal Harbour\*, New Jersey, don't agree to fight for the right to fish at all tions that forbid commercial fishing within three miles of the coast, so they take to their boats and gear after dark, maintaining a "culture of piracy" that has been a part of their lives for decades.

Bonnie McCay, an anthropologist at Rutgers University, N.J., has studied and worked with the "baymen" of Shoal Harbour for almost ten years. She says the fishermen break the law to make a point, and a living.

"The law enforcement officials say these guys are pirates, poachers, sons-of-bitches, tough characters who are brought up to break the law. The press expresses this attitude, and the sports fishermen agree," says McCay, who spoke at St. Mary's University last week.

But when the nature of the marine community and the seasonality of the fishing industry are examined, she says, the logical source of income for commercial fishermen is the inshore, so laws have to be broken.

State regulations prohibit fishing with commercial gear within three miles off the shore, even though most of the fish is found that close to the coast. McCay says some of the commercial fishermen of the state moved to the off-shore when the regulation was brought into force, in the mid-twenties at the request of a strong sport angler lobby, but few were able to maintain the standard of living they were accustomed to as inshore fishermen.

"The fishermen play quite a cat-and-mouse game with the law enforcement officials. Their boats are at the dock all day long. But at midnight, it's a carnival of sorts. The men are out there working hard, but watching for the patrol boats all the time."

For McCay, the question is one of politics and not crime. Her study shows baymen not as hardened criminals robbing a valuable resource, but hardworking people protesting unjust rules and regulations.

More conventional means of protest have failed, says McCay. Facing a powerful sports fishing and pleasure boat industry, the small inshore fishery did not have the political clout to get state laws repealed.

"So piracy became a form of civil disobedience. They failed to win within the political system, so they went out en masse and broke the laws. They hoped that by overloading the courts they could force the state to listen to their side of the story. But they lost out, time and time again. Piracy began to look like the only way they could make a living. And they became very good pirates."

New York City, an excellent market for fresh fish, is within miles of Shoal Harbour. The city's harbour is a busy seaway, with supertankers and pleasure boats criss-crossing the water every day. "The fishermen are right in the middle of a major seaway, but they do not have the right of way," says McCay.

Commercial fishermen not only compete for space, they have to fight for the right to fish at all within three miles of the coast. The sports fishing lobby has won the politicians' and media writers' ears, says McCay, and it insists its right to profit and leisure includes fishing without interruption from commercial fishermen.

Other factors have interfered with the fishermen's way of life, says McCay. Development of coastal land is making it difficult to find a place to dock a commercial boat, and pollution has pushed the coastal waters almost to its limit.

"You almost have to buy a condo on the ocean to find a place to dock your boat," says McCay, "and pollution is a de facto way of cutting off people's right to live. Polluting industries have curtailed the opportunities of fishermen and others to use the environment to sustain their livelihood."

"So the fishermen experimented with more efficient ways to fish illegally. They hired people to watch out for the law enforcement agents and shared in the paying of fines and court costs when people got caught," says McCay.

The "pirates" run a regulated fishery, McCay says. They are concerned that if they catch too many fish, they will ruin their market, so quotas are set for each boat. At one time, the fishermen would only allow a few boats to go out at night and let everyone share in the catch. "All of this informal but very good regulating was going on while the sports fishermen were making all the noise about illegal fishing."

The sport angler fishermen "rat on the pirates," McCay says, and the state uses up to one third of its fishing patrol force to police the waters of New Jersey. "At most there's thirty boats out there fishing illegally, but the state has the U.S. Coast Guard and the FBI out there with helicopters and video taping equipment trying to catch them," she says.

The baymen are "experts in appearing in court," as well as "characters who cut their lines to destroy the evidence," says McCay. Once, some younger fishermen "mooned" a helicopter pilot who came too close to their boat.

"They have a love/hate relationship with the law enforcement officials," says McCay.

\* Shoal Harbour is the pseudonym McCay uses when talking about the N.J. harbour.

# Cashin urges fisheries to network against Ottawa.

By GEOFF STONE

The founder of Newfoundland's largest fishery union says that unless Atlantic inshore fishery interest groups band together, the industry will experience "further decline and ghettoizing" in the future.

Richard Cashin, who set up the Newfoundland Fishermen, Food and Allied Workers Union in the early 1970s, told a St. Mary's University audience on Monday that the fishing industry's survival depends on the development of a common agenda established by all interested parties based on their "regional experience."

Leaving fishery policies and planning in the hands of the federal government has only strengthened the position of large corporations, says Cashin and established a price support system where "the cushion was for

the buyers". But government initiatives failed to ease the pressures imposed on fishermen.

Government response to the 1980 economic recession should have displayed its intentions, he says. "At that time, I thought the government of Canada would react differently. But in restructuring Fisheries Products International and National Sea, the government simply bailed out the banks and restructured the companies — and it left both in quite good shape."

"The industry's small businessmen, the fishermen, who have been devastated by the recession and suffered all the cyclical changes of our industry were never compensated for the damages they incurred," says Cashin.

Cashin doesn't expect the government to act any differently in the "next industry bump," which he says may not be as serious as the recession of the early 1980s.

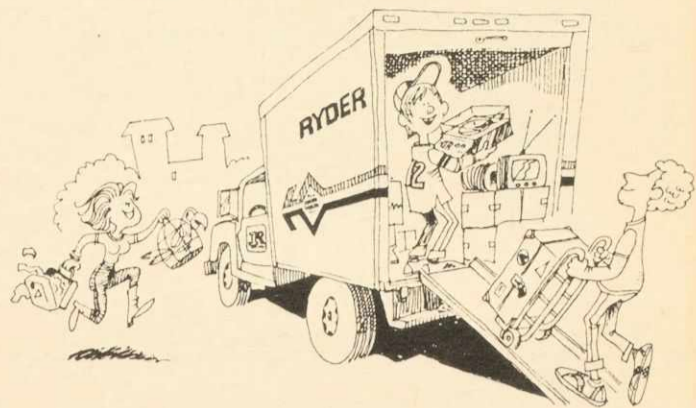
Cashin says that while Nova Scotia and Newfoundland share a common set of industry frustrations, both have failed to appreciate the need for developing a common agenda for change in the inshore fishery.

"We think of our problems as being different and it suits our power system to have this division. But regionalism is something we have to tackle.

"That has to be in place when you're talking about people with similar objectives and problems. And as long as we're under a federal system and jurisdiction, our industry must share some kind of common agenda," says Cashin.

The audience, who Cashin jokingly referred to as "lefties like me," pressed the Newfoundland labour leader to discuss the recent Canada-France cod negotiations, unemployment insurance benefits for fishermen and fish dumping, topics Cashin had intentionally avoided in his talk.

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