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HISTORY MATTERS

Colonialism, Governance, and Fisheries: Perspectives from Lake Malawi

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Abstract:
This piece explores the parallel development of two fisheries management regimes in mid-twentieth-century Lake Malawi: one imposed by the British colonial government over the lake and the other by Senior Chief Makanjira focused on Mbenji Island. The parallel development of these regimes provides opportunity for close analysis of how fisheries management centred on different knowledge and practices led to distinctive legacies of governance legitimacy and efficacy. Given the increasing recognition that Indigenous knowledge is crucial to the future sustainability of fisheries globally, we contend that it is imperative to recognise the ways in which colonial pasts have embedded knowledge hierarchies and exclusionary decision-making processes within national fisheries governance regimes that continue to obstruct capacities to bring different knowledges, practices, and management approaches together effectively and appropriately.

Keywords: Southern Africa; Malawi; environment; colonialism; governance; oral narratives

Home to the largest number of freshwater fish species in the world, Lake Malawi is the third largest lake in Africa and the southernmost of the African Great Lakes. The lake has long been the site of a significant fishing industry, connecting lakeshore and interior markets.[1] Over the twentieth and twenty-first centuries, the industry has expanded considerably with fish production estimated to have increased more than two and a half times between 1992 and 2019. According to recent estimates, Malawi has approximately 75,000 small-scale fishers, with an estimated 2.8 million people dependent on fisheries across the value chain, playing a crucial role in providing livelihoods, food security, and nutrition at household, community, and national levels.[2] At the same time, the fisheries sector

[1]Geoffrey M. S. Chavula, Mwamad S. M'balaka, Edith Gondwe et al., "Lake Malawi/Niassa/Nyasa Basin: Status, Challenges, and Research Needs," *Journal of Great Lakes Research* 49, no. 6 (2021); Wiseman Chijere Chirwa, "Fishing Rights, Ecology and Conservation Along Southern Lake Malawi, 1920–1964," *African Affairs* 95, no. 380 (1996): 351–77; John McCracken, "Fishing and the Colonial Economy: The Case of Malawi," *The Journal of African History* 28, no. 3 (1987): 413–29.

[2]Mafaniso Hara and Friday Njaya, "Migratory Fishing in Malawi and Its Challenges for Beach-Based Rights Co-Management," *African Identities* 19, no. 3 (2021): 402–4; Government of Malawi, *National Plan of Action for Implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (NPOA-SSF Guidelines) in Malawi* (Lilongwe: Department of Fisheries, 2023), 11.

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has experienced declining fish landings since the late 1980s due to a combination of overfishing, environmental degradation, and ineffective governance.[3]

The issue of governance forms the focus of this History Matters article. We contend that contemporary challenges surrounding the effectiveness of fisheries governance in Lake Malawi have their origins in the colonial period when most of Lake Malawi fell under British rule as part of the Nyasaland Protectorate (1891–1963). It is during this period, and especially the late colonial period between the 1940s and 1960s, that knowledge hierarchies and exclusionary decision-making processes became embedded within ineffective regulatory frameworks centred on top-down technical specifications and enforcement. These developments align with the trends recognised within the historiography of the late colonial period when scientists and social engineers became the foremost agents through which the control and "improvement" of nature were to be achieved throughout the British empire.[4] Although the historiography has concentrated largely on the governance of terrestrial resources within this context, parallel processes focused on marine and freshwater resources, in which British scientists were deployed to inform the "rational" exploitation and control of fisheries throughout colonised waterbodies.[5] Such programmes were often obstructed by a lack of resources and political will but these established the basis of centralised fisheries governance rooted in the dominant emerging principles of scientific modelling and biological data. Crucially, the focus on self-styled scientific management worked to neglect the customs, beliefs, knowledge, and practices of fishing communities.[6]

In Malawi, top-down governance continued to define fisheries management for the first three decades following independence. This changed in the 1990s when fisheries policy shifted towards participatory management with the intention to empower small-scale fishers' involvement in decision making and enforcement.[7] Despite these efforts, the success of decentralising initiatives has proven fragmented and inadequate, with one of the central issues being that participatory structures were designed at a government level and often neglected existing customary institutions and protocols.[8] These ongoing challenges are recognised in the Government of Malawi's 2023 National Plan of Action for Small-Scale Fisheries, which includes embracing "diverse traditional knowledge and customary practices in promoting conservation and sustainable management of small-scale fisheries" as one of its key principles.[9]

The benefits of embracing Indigenous knowledge and management practices have already been borne out in areas of Lake Malawi where fishing activities have remained rooted in local customs

[3] Mbachi Ruth Msomphora, Friday Njaya, and Svein Jentoft, "Ecosystem-Based Governance According to the Malawi Principles: A Test for the Southern Lake Malawi," *Maritime Studies* 21, no. 3 (2022): 300–2.

[4] Clapperton Chakanetsa Mavhunga, *The Mobile Workshop: The Tsetse Fly and African Knowledge Production* (Cambridge, MA: MIT Press, 2018); Helen Tilley, *Africa as a Living Laboratory: Empire, Development, and the Problem of Scientific Knowledge, 1870–1950* (Chicago: University of Chicago Press, 2011).

[5] Jan C. Breitinger, "A Lake to Serve: The Exploration, Modification, and Degradation of Lake Victoria, 1920s to 1960s," *The Journal of Imperial and Commonwealth History* 50, no. 1 (2022): 144–84.

[6] Jennifer J. Silver, Daniel K. Okamoto, Derek Armitage et al., "Fish, People, and Systems of Power: Understanding and Disrupting Feedback between Colonialism and Fisheries Science," *The American Naturalist* 200, no. 1 (2022); David Wilson, "European Colonisation, Law, and Indigenous Marine Dispossession: Historical Perspectives on the Construction and Entrenchment of Unequal Marine Governance," *Maritime Studies* 20 (2021): 387–407.

[7] Piers Blaikie, "Is Small Really Beautiful? Community-Based Natural Resource Management in Malawi and Botswana," *World Development* 34, no. 11 (2006), 1950–51; Aaron J. M. Russell, Tracy Dobson, and John G. M. Wilson, "Fisheries Management in Malawi: a Patchwork of Traditional, Modern, and Post-modern Regimes Unfolds," in *International Governance of Fisheries Ecosystems: Learning From the Past, Finding Solutions for the Future*, eds. Michael G. Schechter, Nancy J. Leonard, and William W. Taylor (Bethesda, MD: American Fisheries Society, 2008), 63–66.

[8] Mafaniso Hara and Friday Njaya, "Between a Rock and a Hard Place: The Need for and Challenges to Implementation of Rights Based Fisheries Management in Small-Scale Fisheries of Southern Lake Malawi," *Fisheries Research* 174 (2016): 15; Friday Njaya, Steve Donda, and Christophe Béné, "Analysis of Power in Fisheries Co-Management: Experiences from Malawi," *Society and Natural Resources* 25, no. 7 (2012): 652–66.

[9] Government of Malawi, *NPOA-SSF*, 10.

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and structures despite the centralised governance regime.[10] One of the foremost examples surrounds Mbenji Island, located about 10km off the coast of Salima District on the western shore of Lake Malawi, which has been the site of a customary fisheries management regime under the leadership of Senior Chief Makanjira and the Mbenji Island Fisheries Committee since the 1950s. The long-term effectiveness of the management structures paired with continuing observations of the productivity of Mbenji Island fisheries has marked this as a model of decentralised fisheries management focused on stewardship and strict local regulation by the Government of Malawi's Department of Fisheries but also more globally by international researchers.[11]

The parallel development of these two management regimes in the mid-twentieth century provides an opportunity for a close analysis of how fisheries management centred on different knowledge and practices led to distinctive legacies of governance legitimacy and efficacy over the short- and long-term. This is particularly important as the origins of these regimes continue to impact on their ability to successfully empower decision-making and enforcement by the lakeshore. To explore these parallel histories, we have utilised archival research and oral histories. Notably, we have concentrated on archival research to chart the formation of colonial fisheries governance while our oral histories were conducted with those involved in and knowledgeable of the history of the customary management regime at Mbenji Island, including fisheries participants, traditional authorities, and government fisheries officers. This methodological choice speaks directly to the politics of knowledge production within fisheries and other forms of natural resource governance past and present, in which surviving written records relate predominantly to the formation and administration of centralised regimes—often informed by Indigenous knowledge but without incorporating Indigenous knowledge holders into decision-making processes—while oral records emphasise local knowledges and experiences.[12]

We recognise the limitations across our methodological approaches. Colonial archival records are skewed towards the perspectives of colonial and scientific authorities and remain couched in language and rhetoric surrounding assumed custodianship over colonial water bodies and peoples alongside suppositions of European technological and scientific superiority. Oral histories, meanwhile, were conducted with fisheries leaders and participants at Mbenji Island who are understandably proud of their regime and were keen to celebrate its successes based on local knowledge and practices. As we were focused on how these regimes were conceived and constructed, it was exactly these types of biases and perspectives that we sought to surface and explore.

Colonial Fisheries Governance in Lake Malawi

Colonial intervention in the fisheries of Lake Malawi was first prompted by the entry of European and Indian settlers into the industry in the 1930s, who infringed on long-standing Indigenous fishing rights over rivers and lakeside beaches. The colonial government responded with a series of fishing rules in the 1930s, requiring settler fishers to acquire a government permit before they could lawfully fish. As Wiseman Chijere Chirwa has argued, central to this was that fishing and fish trading were seen as "native" occupations, which were essential for regional commerce and local populations' sustenance. The early intervention focused on regulating settler fishers to stem local conflict. Yet, these

[10] Mafaniso Hara, Steve Donda, and Friday Njaya, "Lessons from Existing Modes of Governance in Malawi's Small-Scale Fisheries" in *Interactive Governance for Small-Scale Fisheries*, eds. Svein Jentoft and Ratana Chuenpagdee (Cham: Springer, 2015), ch. 8.

[11] Interview with Jamilton Kumtombera, Fisheries Protection Officer, Salima District Fisheries Office, Salima, 29 Nov. 2022; Tetsu Sato and Dylo Pemba, "Villagers Managing Lake Fisheries Resources by Themselves: Mbenji Islands in Lake Malawi" in *Satoumi Science: Co-creating Social-Ecological Harmony Between Human and the Sea*, eds. Shinichiro Kakuma, Tetsuo Yanagi, and Tetsu Sato (Singapore: Springer, 2018), 145–68.

[12] Holly J. Niner, David Wilson, Kelly Hoareau et al., "Reflections on the Past, Present, and Potential Futures of Knowledge Hierarchies in Ocean Biodiversity Governance Research," *Frontiers in Marine Science* 11 (2024); Tilley, *Africa as a Living Laboratory*, 328–32; Christine J. Walley, *Rough Waters: Nature and Development in an East African Marine Park* (Princeton: Princeton University Press, 2004), 207–13.

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regulations also expose the dominant perception that was to drive colonial fisheries development in and beyond Lake Malawi in the twentieth century: that the colonial government was the ultimate trustee and custodian of the lake and the resources therein. While the protection of African fishing rights was desirable in the eyes of the colonial government, this was grounded in the assumption that the colonial government held the right to decide the direction of the industry. Such ideas would continue into the last decades of colonial rule, with an increasing reliance on scientific surveys to inform and direct attempts to regulate and "improve" the industry.[13]

Concern over the continuing expansion of settler fisheries encouraged a push for greater knowledge surrounding the state of lake fish stocks, particularly in the southeast where fishing activites were most intense.[14] The burgeoning field of fisheries science was to provide the underlying data to inform the direction of fisheries governance and development. With financial support from colonial development and welfare funds, three fisheries surveys were conducted by British scientists who were deployed to Lake Malawi between 1939 and 1955, focusing on: the assessment of fishing effort and the potential for expansion; the state of fishing stocks and how best to govern fisheries towards sustained exploitation; and directions for developing and "improving" the fisheries. Over the course of the surveys, these scientists engaged with and relied on the ideas, information, and knowledge of Indigenous fishers (with varying levels of recognition in their subsequent reports). However, none offered any real discussion or recommendations surrounding the existing protocols and regulations governing Indigenous fisheries by lakeshore authorities. Instead, even when praising Indigenous fishing methods and local knowledge of fish species and environments, all three surveys recommended that exploitation of the fisheries would only be sustainable in the long term if extensive governmental control were established through regulations, oversight, and market controls.[15] Much like the colonial government claimed ultimate custodianship over the lake, calls for rational scientific management provided the underlying assumption for groups of external scientists and regulators to decide on the lake and its resources. As Helen Tilley and Clapperton Chakanetsa Mavhunga have emphasised within colonial scientific research more generally, this meant that fishers' knowledge was being folded into scientific reports, which were then used to inform regulatory regimes that the holders of that knowledge were not involved in leading or advising on.[16]

Scientists' recommendations across these three surveys provided detailed blueprints for government-led fisheries development and regulation in Lake Malawi, but this was far beyond the capacity of the colonial government to implement in reality. Instead, the final decades of colonial rule witnessed a patchwork of fisheries development, in which government-led schemes proved largely ineffective and unfinished.[17] Yet, these efforts occurred alongside establishing a much-expanded legislative framework through the Fisheries Ordinance of 1949. This provided the colonial government with sweeping regulatory and monitoring powers, including the provision to make rules to prescribe closed seasons, protected areas, minimum landing sizes, net specifications, export regulations, and penalties. One of the principal purposes of the legislation was to institute mandatory registration of all fishing nets, in which every person who owned a fishing net was required to register and obtain a licence for that net from a registering authority. The intent here was to create a data source on where,

[13]British National Archives, London (TNA), CO 852/151/1, A Note on the Nyasaland Fishing Industry; TNA CO 852/651/9. Brief History of European Fishing Industry – Lake Nyasa; TNA CO 852/651/10, Committee Report; Chirwa, "Fishing Rights," 2–6; McCracken, "Fishing," 423–24.

[14]TNA CO 852/151/1, Eastwood to Hall, 31 Oct. 1938.

[15]C. K. Ricardo Bertram, H. J. H. Borley, & Ethelwynn Trewavas, *Report on the Fish and Fisheries of Lake Nyasa* (London: Government of Nyasaland, 1942); Rosemary H. Lowe, *Report on the Tilapia and Other Fish and Fisheries of Lake Nyasa, 1945–47* (London: Her Majesty's Stationery Office, 1952); P. B. N. Jackson, T. D. Iles, D. Harding, and G. Fryor, *Report on the Survey of Northern Lake Nyasa, 1954–55 by the Joint Fisheries Research Organization* (Zomba: The Government Printer, 1963).

[16]Mavhunga, *Mobile Workshop*; Tilley, *Africa as a Living Laboratory.*

[17]Nyasaland Protectorate, Annual Reports of the Department of Game, Fish and Tsetse Control (1949–63) (GFTC Reports).

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when, and how many different types of nets were employed in the lake. This could then be used to estimate the capacities of Indigenous fishing in lieu of direct statistical data.[18]

Between 1949 and 1964, further statistical data was provided by African fisheries assistants trained and employed by the colonial fisheries department to record the average number of hauls per net and the average catch per haul per annum at particular beaches. These statistics provided only an indication of the potential effort of Indigenous fisheries as the majority of landing sites throughout the lake were not observed. This led to considerable underestimations of fishing effort and catch at a time when Indigenous fisheries were undergoing significant changes due to and despite colonial interventions. Restrictive regulations, meanwhile, continued to focus predominantly on settler-owned fishing enterprises, particularly through a closed season imposed on non-Indigenous fishing efforts in the south-east lake every November and December. Despite this, settler-owned fisheries continued to expand to the extent that there were further signs of overfishing in the southeast lake in the final years of colonial rule.[19]

By the end of colonial rule, the fisheries in Lake Malawi had transformed on a fragmented and ad hoc basis. Both imported and Indigenous fishing methods had been adapted and adopted by Indigenous and settler fishers throughout the lake.[20] Consequently, the colonial government could not actively regulate or develop the fisheries to the extent envisioned. Nevertheless, the recommendations of the surveys and subsequent regulatory developments created extensive governmental powers over the fisheries. Although these did not often prove effective in practice, the fact remained that the legislative framework had been constructed whereby custodianship over the lake and the lake resources had been vested in centralised governance. This was top-down governance based on creating a "rational" fisheries management plan determined by scientists and the colonial government to meet nutritional, commercial, and conservationist aims. Without the ability to enact such a plan in practice, a patchwork of development and regulation was established during the final two decades of colonial rule, which continued to influence and define fisheries governance in Lake Malawi long after independence.[21]

In the 1990s, the Government of Malawi shifted towards participatory governance as a result of international donor influence paired with the introduction of multiparty democracy, the development of the National Decentralization Policy, and the recognition that fish stocks were not being managed effectively, particularly following the collapse of chambo stocks in Lake Malombe in 1993.[22] Yet, the principal regulatory tools remained focused on technical restrictions on fishing gears paired with an annual closed season and statistical monitoring according to conventional centralised fisheries management approaches. The enforcement of these also remained patchy and dependent on local contexts as community-led Beach Village Committees (BVCs) were expected to enforce regulations with only limited governmental backing or resources. Today, the legitimacy and efficacy of BVCs among fishing communities varies throughout the lake, so that there are highly variable levels of regulatory compliance. There is also limited ability for fishers' knowledge and feedback to be incorporated into regulatory measures as the legislation—the Fisheries Conservation and Management Act of 1997—remains rooted in technical restrictions based on biological information, a fact explicitly recognised in the recent National Plan of Action for Small Scale Fisheries.[23] This act is currently undergoing a process of review and amendment, which has been supported through the USAID-funded Restoring Fisheries for Sustainable Livelihoods in Lake Malawi (REFRESH) project (2019–2024). This project has also piloted greater community management and ownership of fish

[18]TNA CO 625-7, Fisheries Ordinance, 1949.

[19]GFTC Reports; TNA CO 910/5, Report on a visit to Nyasaland, June 1960.

[20]McCracken, "Fishing," 426–27; Setsuko Nakayama, "City Lights Emblaze Village Fishing Grounds: The Re-Imaginings of Waterscape by Lake Malawi Fishers," *Journal of Southern African Studies* 34, no. 4 (2008): 803–21.

[21]GFTC Reports; Russell, Dobson, and Wilson, "Fisheries Management."

[22]Russell, Dobson, and Wilson, "Fisheries Management," 64–66; Nyaja, Donda, and Béné, "Power," 656.

[23]Government of Malawi, *NPOA-SSF*, 12.

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resources through the implementation of community-led fish sanctuaries in seven pilot sites throughout the lake. This has already generated positive outcomes through early signs of the recovery of chambo stocks—once the main commercial species of the lake, but that has featured declining catches for decades as a result of overfishing and ineffective governance—identified in the 2023 biomass trawl survey.[24] These successes may encourage future government recognition and support for increased ownership and semiautonomous management of fish resources by more communities throughout the lake. The long-term successes at Mbenji Island also point to the potential benefits of this.

The Mbenji Island Fisheries Regime

While the colonial government was busy setting up the structures to regulate and develop the fisheries of Lake Malawi, Senior Chief Makanjira (then Msosa) had successfully established a fisheries governance regime based on his authority, preexisting customs, and local knowledge of fish breeding and life cycles at Mbenji Island.[25] Before the 1950s, Mbenji communities practised localised fishing for subsistence purposes. Only after the arrival of two prominent fishers in the 1950s—Mr Kalemba Assani and Mr Kampunga—did Makanjira establish comprehensive rules to manage the fishery.[26] The two fishers originally came from Likoma Island. However, they sojourned at Mbenji on their return from Mangochi in the southeast of the lake, where they failed to secure fishing space due to the regulations enforced by the colonial government there surrounding the already intensified fishing effort.[27] As fishing experts, they noted the existence of utaka and other species, such as kampango, that could feed demand in urban markets. The two fishers asked for permission to settle at Mbenji to exploit the untapped fishing opportunities. Makanjira granted them land for settlement to extract tribute from the fish catches of the new fishing operations established in his domain.[28]

Soon, Makanjira realised that Mbenji experienced better fish catches than the beach zones.[29] To maintain this success, especially as more fishers began to operate in the waters surrounding Mbenji, he established regulatory laws for fishing and settlement. Importantly, although Makanjira exercised political authority, he respected Senior Group Village Head (GVH) Nyanguru, who exercised religious power by controlling rainmaking practices and pacifying the spirits of Mbenji through sacrificial prayers at his ancestral graveyard at Mphande hill. Makanjira maintained Nyanguru as the permanent traditional leader of Mbenji to protect the new fishers religiously. The most exceptional regulation was the annual closing of the island to any form of fishing or human settlement between December and March. This coincided with the breeding season of the species abundant at Mbenji, which bred between January and March.[30] According to Makanjira, the prolonged closure allowed time for multiple breeding of fish and controlled the catching of smaller fish. Since the island was rocky with infertile soils, the closure allowed fishers to concentrate on agricultural production in the villages along the beaches of Chikombe. This was also the rainy season when the island experienced violent thunderstorms and unstable water levels that made human settlement difficult. The closed season was accompanied by additional regulations, including the prohibition of beer drinking, smoking of *chamba* (cannabis), gambling, and killing of animals that the fishers felt were dangerous to their

[24]PACT, "Restoring Fisheries for Sustainable Livelihoods in Lake Malawi," YouTube, 20 Sep. 2024, https://www.youtube.com/watch?v=2IG7Nk2ypjY; Bishop Witmos, "Survey reveals increased recovery of chambo fish," *Malawi24,* 6 Dec. 2023, https://malawi24.com/2023/12/06/survey-reveals-increased-recovery-of-chambo-fish/.

[25]Interview with Traditional Authority (TA) Makanjira, Nema Village, TA Makanjira, Salima, 2 Oct. 2022.

[26]Interview with Senior Group Village Head (GVH) Nyanguru, Mpiringidzo Village, TA Makanjira, Salima, 3 Oct. 2022.

[27]Interview with Sumaeri Kudimba, Treasurer, Mbenji Subcommittee, Mbenji Island, TA Makanjira, Salima, 2 Oct. 2022.

[28]Interview with GVH Mpiringidzo, Vice Chair of Mbenji Management Committee, Mpiringidzo Village, TA Makanjira, Salima, 16 Aug. 2022; Interview with Chief Makanjira, Nema, 2 Oct. 2022.

[29]Interview with Mpiringidzo, 16 Aug. 2022

[30]Interview with Kalumu Matola, Muhamed Amadu, and Ponja Divalisoni, Fishers at Mbenji, Mpiringidzo Village, TA Makanjira, 17 Aug. 2022.

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lives. Use of lamps and fishing gears of less than two-inch mesh, including mosquito nets, as were being utilised elsewhere, were also prohibited at Mbenji. It was argued that these practices resulted in the unsustainable catch of small fish, which should be allowed to grow for future catches.[31]

Despite violations during the early days of the regulations, when fishers who did not also engage in crop production broke regulations to maintain their livelihoods, many fishers soon began to appreciate the wisdom of the closed season when they experienced bumper catches at the time of reopening in April. Infringements also dwindled due to fear of eviction from the area alongside beliefs of the existence of ghosts on the island and the associated mysterious disappearance of rule violators.[32] As time went by and as the fishing industry grew, Makanjira instituted a committee of group village heads chaired by Senior GVH Nyanguru to enforce the rules among the fishers. The committee focused on patrolling the island of illegal fishers during the closure. At the same time, another team based on the island oversaw the operation of the fishers and ensured that they complied with the chiefs' fishing regulations. The committee was motivated to undertake this task because they collected tribute from all the fishers.[33] Those who violated the rules were often charged a penalty of ten goats; depending on the gravity of the offence, they could even be banished from fishing on the island. The key figure in the enforcement team was a female elder of the Nyanguru family, who the chief engaged in searching for the fishers who intended to sail to Mbenji with illegal objects. It was believed that the elder used magical powers to catch even the most subtle hidden objects from the fishers.[34]

The Mbenji Island fisheries management regime continues to this day, where enforcement and regulations are carried out under the authority of Chief Makanjira and the GVH committee. This includes annual ceremonial events to mark the opening and closing of Mbenji.[35] The closing of Mbenji occurs on a Saturday between 1 and 20 December. The ceremony usually begins with an indoor meeting at the house of one of the successful fishers from the island where the chief and other key members of the community, including the chairpersons of committees, present reports on the quantity of fish caught, the challenges faced, and convictions made on rule violators. After feasting, the chief delivers a speech to fishers and the larger community. The chief often uses a symbolic key to close and open the island before the audience, and it was believed that the key carried magical powers to mysteriously punish people who violated the rules.[36] The opening and closing ceremonies are funded by proceeds from the tributes and penalties collected at Mbenji by the chief's rule enforcers. The opening ceremony often begins with offering sacrifices at Mphande hill three days before opening to express gratitude to the ancestral spirits for keeping them alive and enabling the fish to breed and grow peacefully in the lake. The spirits are also implored to protect them from mysterious attacks on the people in the forthcoming fishing season.[37] These customs, involving community members, fishers, lakeshore authorities, and spiritual figures, provide a space to share knowledge of fishing efforts and yields, discuss the bounty yielded as a result of these regulations, and reinforce and advocate for their continuance. It also demonstrates to the community how the fees generated through rule violations are being used to continue enforcement and fund ceremonial feasting and festivities for the community.

Overall, the long-term effectiveness and legitimacy of governance at Mbenji have only been possible through strong leadership, strict and sustained enforcement, and effective communication centred on the customary authority of Makanjira and the committee of Group Village

[31] Interview with Makanjira, 2 Oct. 2022.

[32] Interview with Matola, Amadu and Divalisoni, 17 Aug. 2022; Interview with Heston Sumbuzu, Fisher and Trader, Mpiringidzo Village, TA Makanjira, 1 Nov. 2022.

[33] Interview with Senior GVH Nyanguru, GVH Mpiringidzo, GVH Manuwale, and Langston Chpangula, Current Members of Mbenji Management Committee, 16 Aug. 2022.

[34] Interview with Bado Banumale, Chiar of Mbenji Subcommittee, Mpiringidzo Village, TA Makanjira, 17 Dec. 2022.

[35] Interview with Makanjira, 2 Oct. 2022.

[36] Interview with Chisimbe Jabesi, Chiku Village, TA Makanjira, Salima, 7 Oct. 2022.

[37] Interview with Langston Chipangula, Mpiringidzo Village, TA Makanjira, Salima, 3 Oct. 2022.

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Heads. This legitimacy has also been bolstered by the consistent observations of successful fish harvests by fisheries participants who have developed a strong attachment to the fishery too.[38]

Even as the Mbenji Island fishery was flourishing and expanding through the management regime established under Chief Makanjira, this existed beyond the knowledge of the government due to a lack of colonial oversight in the area as well as Makanjira's fear of losing the tributes he collected from fishers.[39] Following independence in 1964, the fishery's existence remained hidden from the knowledge and gaze of the government until the late 1980s and it was only officially recognised by the Government of Malawi following the shift towards participatory management in the 1990s.[40] The Department of Fisheries now celebrates Mbenji Island fisheries as a model for community-led management while Makanjira is an active and leading voice within national discussions surrounding small-scale fisheries.[41]

Despite this recognition, however, there remains limited tangible governmental support for the Mbenji Island regime, including the gathering of biological and environmental data, as catch and effort data is not currently recorded by the government at Mbenji Island as it is in surrounding waters under government management. This means that the Mbenji regime is missing important data that could support and offer further weight behind their future decisions while providing biological data to support observational data about the effectiveness of the management approaches there. We attempted to begin to address some of these issues by comparatively analysing the health status of fish stocks alongside the water quality in the fishing grounds surrounding Mbenji Island and nearby waters under government control. This analysis was undertaken between June and November 2022 with results suggesting that fish caught at Mbenji were larger than those caught in the surrounding waters, while there were no substantial differences in water quality. This indicates that fish stocks are healthier at Mbenji, providing further weight to observations that the Mbenji Island management regime is harnessing sustainable fishing efforts.[42] Just as fishers' experiential and place-based knowledge is crucial to informing the government-led management regime, so too is biological and environmental data important for informing community-led management through the information it can provide about ecosystem health and trends.[43]

Conclusion

The histories and legacies of these two regimes, which responded to similar concerns of intensified fishing efforts in different areas of the lake, reflect a broader history of knowledge hierarchies and exclusionary decision-making in centralised fisheries governance that has impacted on fish stocks in lakes, rivers, and oceans across the world in various ways. Through diverse knowledge encounters, assumptions of custodianship, and regulatory impositions (as well as international agreements), colonial governments created the structures for centralised control over fisheries governance

[38] David Wilson, Elias Chirwa, Bryson Nkhoma, Milo Gough, Charles W. Knapp, Tracy Morse, and Wapulumuka Mulwafu, "Fishing (in) the Past to Inform the Future: Lessons From the Histories of Fisheries Management in Lake Malawi and Mbenji Island," *Marine Policy* 173 (2025): 106579.

[39] Interview with Makanjira, 2 Oct. 2022.

[40] Ibid.; Sato and Pemba, "Mbenji," 158–59.

[41] Interview with Jamilton Kumtombera, Fisheries Protection Officer, Salima District Fisheries Office, Salima, 29 Nov. 2022.

[42] Wilson et al., "Fishing (in) the Past."

[43] Jeremy Brooks, Kerry Ann Waylen, and Monique Borgerhoff Mulder, "Assessing Community-Based Conservation Projects: A Systematic Review and Multilevel Analysis of Attitudinal, Behavioral, Ecological, and Economic Outcomes," *Environmental Evidence* 2, no. 1 (2013); Robert T. Lackey, "Science and Salmon Recovery," in *New Strategies for Wicked Problems: Science and Solutions in the Twenty-First Century*, eds. Edward P. Weber, D. Lach, and Brent Steel (Corvallis: Oregon State University Press, 2017), 69–94.

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within delineated marine spaces that neglected or actively undermined and disqualified existing management regimes while excluding fishers' voices from decision-making.[44]

This process, however, did not mean that existing fisheries regimes and practices disappeared. Instead, this most often created a divide between the fiction of government regulations and the reality of fishing efforts, especially as fisheries throughout the lake fell subject to varying levels of government oversight and enforcement. Although the Mbenji Island regime developed from the mid-century, it was only officially recognised by the national government as an empowered management regime in 1997 following the Fisheries Conservation and Management Act, which allowed for local community participation in the conservation and management of fisheries.[45] This is another legacy of colonisation whereby the legislative legitimacy of management regimes—regardless of their legitimacy and efficiency in practice—remains subject to the recognition of national governments. This not only limits the options of local management regimes when enforcing locally set rules but also speaks to a long history of exclusion of these regimes within national fisheries management plans, including where these regimes have proven effective in maintaining productive and sustainable fisheries. Despite increasing recognition, there remains distrust, dissatisfaction, and dispossession, as recognition does not always (or often) equal tangible support in practice, even as these regimes are being celebrated and advocated in policy circles.[46]

Since the turn of the century and in response to the recognised failures of twentieth-century fisheries management and the increasing impacts of climate change, there has been a general turn in both national and international circles towards co-management and community-led management. Those same voices, management protocols, and practices that have been ignored, neglected, or destabilised through decades (and centuries) of colonial rule and governmental impositions are now heralded as the key to achieving sustainable fisheries management at a national and international level. Yet, policies that aim at the consultation and participation of fisheries participants in decision-making do not often equal empowerment in practice. Implementing such schemes continues to be impacted by the limited participation of fishers and communities in the actual design and implementation of these and the continuing embeddedness of hierarchies of specific knowledge, authorities, and laws over others. There remains a stark divide between local knowledge and management principles and the dominant management schemes directed by governments with often limited data and lack the capacity for effective and just implementation.[47]

This is not to say that the Mbenji Island fishery can be used as a model for fisheries everywhere. It is worth stressing that the success of this fishery was achieved through a combination of place-based regulations, proactive enforcement, and sustained evidence of positive results. Crucially, this was also embedded in the existing authorities and beliefs of the surrounding communities; it was not designed, imposed, or enforced by external forces removed from the fishery and communities. This regime has produced a successful and sustainable fishery outside and, historically, despite government regulations and surveys.

[44] Niner et al., "Reflections on the Past"; Silver et al., "Fish, People, and Systems"; Wilson, "European Colonisation."

[45] Malawi Government, Fisheries Conservation and Management Act 1997.

[46] Deborah Curran, Eugene Kung, and Ǧáǧvi Marilyn Slett, "Ǧvil̓ás and Snəwayəɬ: Indigenous Laws, Economies, and Relationships with Place Speaking to State Extractions," *The South Atlantic Quarterly* 119, no. 2 (2020): 215–41; Erika Techera, "Customary Law and Community-Based Fisheries Management Across the South Pacific Region," *Journal of the Australasian Law Teachers Association* 2, nos. 1–2 (2009): 279–92.

[47] Derek R. Armitage, Daniel K. Okamoto, Jennifer J. Silver et al., "Integrating Governance and Quantitative Evaluation of Resource Management Strategies to Improve Social and Ecological Outcomes," *BioScience* 69, no. 7 (2019): 523–32; Steven J. Cooke, Vivian M. Nyugen, Jacqueline M. Chapman et al., "Knowledge Co-Production: A Pathway to Effective Fisheries Management, Conservation, and Governance," *Fisheries* 46, no. 2 (2020): 89–97; Andrea J. Reid, Lauren E. Eckert, John-Francis Lane, et al. "'Two-Eyed Seeing': An Indigenous Framework to Transform Fisheries Research and Management," *Fish and Fisheries* 22, no. 2 (2021): 243–61; Silver et al., "Fish, People, and Systems."

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This history matters as the origins of the two regimes has had a direct impact on their long-term legitimacy and effectiveness in shaping fishers' behaviours and activities. Like the Mbenji Island fisheries regime, both long-established and newly instituted community- and place-based management systems continue to exist and flourish throughout the world with and without governmental recognition or support.[48] Given the increasing recognition that Indigenous knowledge is crucial to the future sustainability of fisheries globally, we have to recognise the ways in which colonial pasts have embedded knowledge hierarchies and exclusionary decision-making processes within national fisheries governance regimes that continue to obstruct capacities to bring knowledges, practices, and management approaches together effectively and appropriately.[49]

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[48]For some examples, see the ICCA Consortium https://www.iccaconsortium.org/.

[49]Kimberley H. Maxwell, Kelly Ratana, Kathryn K. Davies, et al., "Navigating towards Marine Co-Management with Indigenous Communities on-board the Waka-Taurua," *Marine Policy* 111 (2020), 103722; Reid et al., "'Two-Eyed Seeing'"; Daniel R. Williams, "The Role of Place-Based Social Learning," in Weber, Lach, and Steel, *Wicked Problems*, 149–68.

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