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# Ethical considerations for research on small-scale fisheries and blue crimes

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# Abstract

Crimes at sea-blue crimes-can have devastating impacts on small-scale fishing communities. Increasing calls to address "blue crimes" demand more research to address the drivers, patterns, actors and impacts of criminal activities in society and the oceans. This research and policy agenda, however, is not without risks as it might impact individual small-scale fishers and their communities, exacerbate existing inequalities and contribute to the criminalization of small-scale fishing practices. This paper discusses the risks and ethical challenges faced by a blue crimes research agenda to improve rather than worsen the plight of small-scale fishers. We identify eight inter-related ethical considerations: (i) pay attention to context and forms of involvement, (ii) cultivate reciprocal relationships and collaborations, (iii) evaluate and minimize risks, (iv) integrate storytelling and careful listening, (v) challenge reductionism, (vi) represent people, places, and practices carefully, (vii) follow communication ethics and (viii) consider the legal and policy implications. In light of a review of the literature on blue crimes and small-scale fisheries, we point to the need for ethically grounded research that is committed to reducing the associated burdens on smallscale fishers and their communities.

#### KEYWORDS

blue crimes, blue justice, ethics, fisheries crimes, reflexivity, small-scale fisheries

# 1 | INTRODUCTION

*Blue crimes*—crimes at sea—are receiving growing academic and policy attention, yet research remains relatively sparse when considering the diversity and global scale of crimes, impacts and policy implications (Bueger & Edmunds, 2020; Isaacs & Witbooi, 2019; Song et al., 2020). There is a need to better understand the relations between small-scale fisheries (SSF), blue crimes and law enforcement (Belhabib & Le Billon, 2020; Witbooi et al., 2020). SSF account for at least 90 per cent of the fish workers worldwide, playing a crucial role in the livelihoods of coastal communities (FAO, 2020). Yet, SSF have historically been subjected to systematic, racialized and gendered



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#### Etymology of Ghoti

George Bernard Shaw (1856–1950), polymath, playwright, Nobel prize winner, and the most prolific letter writer in history, was an advocate of English spelling reform. He was reportedly fond of pointing out its absurdities by proving that 'fish' could be spelt 'ghoti'. That is: 'gh' as in 'rough', 'o' as in 'women' and 'ti' as in palatial.

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forms of socio-economic exclusion, which can further escalate in the context of blue crimes (Saavedra-Díaz et al., 2015). Here, we call for blue crimes/SSF research to follow ethical research practices that are not only reflexive of further marginalizing and criminalizing small-scale fishers, but that take an active stand in support of SSF struggles (Bavinck et al., 2018).

Broadly, blue crimes denote all types of criminal activities taking place in the ocean and coastal environment, including human, weapons, petrol, wildlife and illegal drug trafficking/smuggling (Belhabib et al., 2020; Witbooi et al., 2020); slavery, robbery and piracy (Marschke & Vandergeest, 2016; Tickler et al., 2018); some types of illegal fishing (Phelps Bondaroff, 2015); ocean and resource grabbing (Bennett et al., 2015; Pedersen et al., 2014); illegal dumping of toxic materials and pollution (Okafor-Yarwood & Adewumi, 2020); war related crimes (Jacobsen & Høy-Carrasco 2018); and encroachment/infringements into marine protected areas (MPAs) and prohibited zones (Muralidharan & Rai, 2020). We consider criminal activities as those clearly defined in law and not unregulated fisheries or legal grey areas (Vrancken et al., 2019).

There is a gap in understanding the intersectionality and complex relations between blue crimes and place, race, class, gender, and age and their role in shaping SSF struggles (see Valentine, 2007). Enagaging with these complexities is key to progressing a research agenda that works with and for SSF, advocating against their subordination in the context of blue crimes and beyond (Pictou, 2017).

As research into blue crimes continues to rapidly evolve, researchers and practitioners face several ethical challenges. Beyond the direct security implications for informants and researchers, studies of SSF and blue crimes often face the ethical conundrum of uncovering what remains hidden, with potential impacts on already marginalized groups. We write this perspective for researchers, practitioners and policymakers—especially those committed to reducing the exposure of SSF to crime-related violence, heavy-handed repression, prejudiced criminalization, forced displacement and human rights violations—as a reflection on our shared responsibility to minimize the risks of further marginalization, victimization and criminalization of SSF.

Insights from the extensive work on ethical practices and principles in social science research, including conservation ethics, ecology ethics and research in violent contexts, can help navigate some of these complexities (e.g. Brittain et al., 2020; Cronin-Furman & Lake, 2018; Lunn, 2014). Ethical research practices require paying attention to issues of reflexivity, being reflexive of research processes and outcomes, positionality, how researcher are part of power relations and the implications this has on their research, and power relations, critically assessing the context and the power dynamics between researchers and participants (Attia & Edge, 2017; Sultana, 2007). Moreover, researchers should follow the ethical principles of professional integrity, appropriate use of methodologies, truthful reporting of research findings and availability of research outcomes; respect for others, secure prior and informed consent, and maintain confidentiality; beneficence, do not harm, minimize risks and maximize benefits; and justice, ensure fairness and equity (e.g.

European Commission, 2020; Socio-legal Studies Association, 2009). These principles are often part of institutional ethical responsibilities; however, they are not always assessed or reported in publications. Indeed, the granting of ethics clearance by Ethical Review Boards is frequently perceived as a bureaucratic exercise, focussed on protecting institutions from legal liabilities rather than researchers and participants (Brittain et al., 2020; Lunn, 2014, p. 4). For instance, institutional ethics procedures are rarely framed as a reflexive and ongoing process of ethical research practice, where ethics committees are accessible to researchers or participants in the wake of unexpected circumstances (Brittain et al., 2020). Research in "high-risk" contexts, as defined by government agencies, tends to be restricted, which prevents Review Boards from conducting an informed and independent determination of risks, while also pushing researchers to stay away from certain areas or omit information to secure an ethics approval (Sluka, 2018).

This perspective reflects on how to minimize the risks posed by blue crimes research to SSF, identifying *eight inter-related ethical considerations*:

# **1.1** | Pay attention to context and forms of involvement

An understanding of context is central to being able to reflect on the issues of positionality and power relations faced by researchers and participants. Ensuring no harm requires awareness of the social, political, and economic contexts and dynamics of blue crimes, especially local contexts and the factors driving "criminality" in the SSF sector (Hauck, 2008). Small-scale fishers often experience poverty, which is shaped by a wide range of historical, social, economic and political factors that limit their access to livelihood opportunities, property rights, health and education (Béné & Friend, 2011). Choicemaking opportunities are shaped by many factors and power dynamics, driving criminal activities in the SSF sector (Hauck, 2008). The transition to blue crimes can transform fishers' cultures and identities with uneven outcomes across gender, age, race/ethnicity, disability, class and socio-economic status. This has implications beyond the SSF sector to everyday coastal realities (Coulthard et al., 2020). Context is fundamental to studying blue crime/SSF relations and should be explicitly used to inform methodological and analytical approaches. Reducing the risks faced by fishers and their families is of paramount importance for an ethical blue crimes research. Building collaborative relationships with local researchers (including research assistants), organizations and activists can help to foster a better awareness of blue crimes/SSF contexts.

# **1.2** | Cultivate reciprocal relationships and collaborations

Reciprocal collaborations and trust relationships with local researchers and research participants/informants should not be restricted to fieldwork, but integral to research projects (Thornton & Scheer, 2012). Collaborative research requires participation of local researchers in the co-design of research questions and methodologies, and co-production of outputs (Bennett et al., 2017; Norström et al., 2020). This creates space for local researchers and SSF leaders and brokers to become research co-authors, participating in the analysis and reporting of outcomes, corroboration and validation of data (Bennett et al., 2017; Thornton & Scheer, 2012). Local engagement needs time to build trust and foster collaboration, creating space to reflect on issues of positionality and power relations within research teams and beyond (Sultana, 2007). We emphasize the value of interdisciplinary and transdisciplinary research teams working together to assess the impacts of blue crimes and maximize the relevance of research outputs for SSF (Chuenpagdee & Jentoft, 2016; Kelly et al., 2019). These collaborative processes require a reflexive approach to conflicts of values-distinct beliefs/ideas and understandings of responsibilities within the research team and other actors-positioning them as central to research practice (Brittain et al., 2020).

#### 1.3 | Evaluate and minimize risks

The study of blue crimes involves risks for both researchers and participants by being situated in often dangerous contexts. Risks may include loss of livelihoods and access to markets, physical threats, censorship, gendered violence, harassment, displacement, kidnapping, jail time, extortion, torture, assassination and social ostracism, all of which involve multifaceted and intergenerational impacts. Risk assessments and collaborative engagements between local researchers and research participants/informants can help mitigate some of these risks (Cronin-Furman & Lake, 2018; Said et al., 2019). For instance, asking direct questions of illegal practices or about sensitive information may generally lead to non-response and social-desirability bias (tendency to respond to questions that are seen as favourable by others), which requires paying attention to interview settings, gender dynamics and using sensitive/ indirect question techniques (Nuno & St John, 2015). Specific steps should be taken to keep interview participants safe, such as confidentially recruiting participants and conducting interviews in safe and private locations (Ellard-Gray et al., 2015). Special attention is needed to critically evaluate how findings could be (mis)used by enforcement agencies and other powerful actors and the potential risks to marginal groups (Maurstad, 2002). Researchers have an ethical responsibility to keep individuals and data safe and to maintain anonymity and confidentiality, explicitly refraining from disclosing identities, locations and findings that could potentially harm SSF marginal groups, informants and researchers (Sultana, 2007). We contend that researchers should explicitly include the strategies they use to minimize risks to researchers and participants and maximize benefits in their publications and reporting of results.

## 1.4 | Integrate storytelling and careful listening

Engaging with and representing the voices and stories of fishers and coastal dwellers from diverse ages, genders, backgrounds,

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Indigenous groups and minorities is at the heart of understanding the complex and changing relations between SSF and blue crimes (see Houska, 2019). This point is central for maximizing benefits for SSF communities, preventing their revictimization and supporting their access to justice. However, although fishers' voices and stories are critical to understand these relations, they often remain in the background of research processes and outputs. Stories are partial and trace embodied experiences and shared memories, featuring assumptions of causality and exposing situated processes of resistance and alternatives (Pascoe et al., 2019). Although the sharing of crime stories can help alleviate the suffering and open space for justice, for many marginalized actors, silence remains the only option, considering the historical neglect and punishment associated with the sharing of information and discussion of experiences (Pollak, 1989). We emphasize the need for reciprocal relationships of sharing and careful listening to stories via collaboration and co-production of knowledge, where researchers remain reflexive of their own privileges, as well as the silences and absences-what and who is missing/excluded from the research (i.e. methods and analysis) and why (Kanngieser, 2013).

### 1.5 | Challenge reductionism

Field studies of criminal and criminalized activities are challenging in terms of personal security for both researchers and informants (Jones & Rodgers, 2019). While "safe" sources can be valuable, the resultant publications may be biased and fail to account for the diversity of actors and the complexity of processes involved (Matthews, 2017). Press reports and documentary films, for example, may be predominantly sensationalistic, racially biased and follow political agendas that limit their scope and complexity (see Pauly, 2021 on Seaspiracy fisheries vilifying narrative) and are subject to the spotlight effect (see Hendrix, 2017). It is important to critically assess questions, instruments and measurements, to overcome biases linked to partial statistical coverage with widespread under or over-reporting (Witbooi et al., 2020). Multiple methods and triangulation may be required for a deeper understanding of the issue, thus, bringing different knowledges into conversation to fill gaps and avoid reductionism.

# **1.6** | Represent people, places and practices carefully

The ways in which people, places and practices are represented are inseparable from how they are perceived and acted on by societal actors (Satizábal & Dressler, 2019). The depictions or associations of fishers as "drug traffickers," "narcos" and "pirates" are loaded with unjustified assumptions that evoke fear, feeding into discourses (e.g. official and media) that inform and legitimize state-sanctioned violence (Muehlmann, 2020; Pauly, 2021). Importantly, while local enforcement actors might be able to understand the complex identities

Ethical considerations	Assessment
Pay attention to context and forms of involvement	68 offer a description of the country context and/or impacted fisheries; however, information on fishers' socio-economic contexts and local struggles was scarce.
Cultivate reciprocal relationships and collaborations	43 acknowledge the importance of collaborative research practices: 35 were led and co-authored by local researchers (at a country level), and 30 were co-authored by mixed (local and external) research teams.
Evaluate and minimize risks	Only 18 publications offer reflections on the risks to participants and/or society.
Integrate storytelling and careful listening	26 use storytelling (i.e. indirect or direct quotes) or acknowledge its relevance.
Challenge reductionism	40 offer some reflection on the limitation of the data, with 27 relying on secondary data.
Represent people, places, and practices carefully	26 acknowledge or reflect on the implications of criminalizing representations.
Follow communication ethics	22 highlight the importance of disseminating research findings to participants and communities.
Consider the legal and policy implications	70 discuss policy gaps and issues; however, the importance of SSF participation in policy reforms is rarely acknowledge.

Note: Sample of 79 publications from 1998 to 2020 (see Appendix S1 and S2).

and subjectivities of fishers, state-level agencies tend to homogenize fishing activities and criminalize SSF (Song et al., 2020). Approaching SSF using historically stigmatizing and dehumanizing representations and binary oppositions (e.g. legal/illegal) oversimplifies coastal realities, reinforcing fixed imaginaries of places and people with serious implications for fishers' livelihoods and economies (Song et al., 2020). By acknowledging the political and symbolic implications of blue crimes discursive constructions, we emphasize the relevance of engaging diverse groups of fishers and local actors in the reconstruction and understanding of past and present crime stories and impacts.

### **1.7** | Follow communication ethics

The dissemination of study findings, including to research participants and the communities involved, has become a default expectation of research. Yet, it remains challenging when dealing with vulnerable groups already facing criminalization (Von Benzon & van Blerk, 2017). While new knowledge dissemination can be beneficial to certain groups, and the process of research can help build awareness and capacity, it can also be (often unintendedly) harmful, increasing the risks faced by certain individuals and groups. Although institutional ethics reviews often request written forms of consent, diverse cultural understandings of consent and processes of negotiation require a reflexive approach that may require different practices such as verbal consent (Brittain et al., 2020; Sin, 2005). This also involves paying attention to conflicts of values, considering different understandings of the history of written agreements and signatures for certain groups-signatures are political acts, which could be associated with the loss of territory/rights/treaties-the potential harm of disclosing certain findings and the commitment to protect research participants (Brittain et al., 2020). Hence, focussing on the drivers to understand how and why blue crimes occur,

rather than the places and individuals involved (Brittain et al., 2020; Von Essen et al., 2014). To maximize research outreach, it is important to ensure the accessibility of research outputs in local languages and ensure it is freely available. There is an opportunity to support SSF communication agendas, including the direct production of press releases, documentaries and blogs.

### **1.8** | Consider the legal and policy implications

Blue crimes research can contribute to documenting human rights violations and abuses within the SSF sector and the growing demand for the legal recognition of fishers' rights both on land and sea (Jentoft et al., 2019; Ratner et al., 2014). For many small-scale fishing communities, locally legitimate customary law, management and knowledge are their primary evidence to secure fishers' rights within their fishing territories (Jentoft & Bavinck, 2019). The alliance and involvement of lawyers and activists in research teams has the potential to align the production of knowledge and collection of evidence in ways that support fishers' legal claims and rights (Bavinck, 2005), ultimately supporting avenues for legal pluralism and recognition of SSF customary rights (Jentoft & Bavinck, 2019). Importantly, fishers' socio-economic marginalization could be amplified by court procedures, which requires covering lawyer fees, collecting evidence to support their case, as well as transportation and protection costs (see Surtees, 2013). Research outcomes can contribute to fill evidentiary gaps and inform the development of policies and regulations that privilege the interests and wellbeing of SSF across different levels (Song et al., 2020).

# 2 | CONCLUSION

The study of blue crimes has the potential of leading research that is not only attentive and reflexive of its own practices and

the potential harms to participants and researchers, but also that takes an active stand in support of SSF struggles. We argue that ethical considerations need to go beyond methodologies, to shape the development of research teams and projects, the building of reciprocal relationships, the careful use of discursive constructions and analysis and the communication of research outcomes. This research agenda has a critical role to play in the development of policies that support SSF and ocean sustainability. By supporting the transition from anti-crime to anti-criminalization strategies, this agenda can also actively contest biased and often counterproductive criminalization of fishers and better address the drivers of criminal practices.

In writing this perspective, we draw inspiration from the extensive and growing body of work and insights from feminist political ecology (Rocheleau, 2015), decolonial geographies and methodologies (Smith, 2013), Indigenous scholars and methodologies (Denzin et al., 2008) and Black and Latinx geographies (Bledsoe & Wright, 2019). This work offers a much-needed analytical space to critically reflect on our own research practices and envision research committed to enacting solidarity with SSF and that contributes to decolonial research agendas and fisher peoples' movements (Pictou, 2017). The eight ethical considerations we developed are indeed a starting point for a much-needed conversation within the blue crimes' agenda and SSF research in general. Table 1 presents an assessment of the application these considerations within the literature on SSF and blue crimes. This research can support the implementation of the human rights agenda contained in the SSF FAO Guidelines and the Sustainable Development Goals aim to "leave no one behind" and sustain "Life below water". To pursue this, it is important for blue crimes research to engage with the broader past and present political economies and social dimensions of SSF and coastal change. We hope for a pluralistic field of research that is committed to document and address the many historical injustices and impunity surrounding blue crimes and SSF. Finally, we call for researchers, practitioners, policymakers and funders to engage in and/or support ethically driven research to help bring out more progressive forms of fisheries and ocean governance, and associated enforcement practices.

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#### DATA AVAILABILITY STATEMENT

The results from the systematic review of the literature we conducted are available in Appendix S1 and S2.

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#### SUPPORTING INFORMATION

Additional supporting information may be found online in the Supporting Information section.

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