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Territories of the Lobstermen

Good ocean boundaries make good neighbors... and vice versa

By James Acheson

According to the law of the State of Maine, anyone with a proper license can fish for lobsters in any waters of the state. Yet fledgling lobster fishermen set out strings of traps or summer residents put out a few traps "for fun" only to find their traps opened, damaged, or gone when they return. They soon realize that the local lobstermen consider them interlopers in private fishing territories.

The local legal system, which rules lobstering off the rocky coast, sometimes runs counter to the laws of the state and nation. It may be enforced with surreptitious violence, which can escalate into "lobster wars" and even homicide.

But the lobstermen are not outlaws, obeying their own code and ignoring state laws. For example, they almost universally obey the conservation laws concerning licensing and the taking of either undersized "short lobster" or breeding females. But these formal laws are relatively few in comparison with the numerous traditional norms by which lobstermen govern themselves.

The rules for lobster fishing territories are especially critical because they control access to the lobsters and because they have important ecological implications at a time when some parts of the marine resource are being over exploited.

Growing up in an inland area of Maine, I was for a long time vaguely aware that territoriality existed among lobstermen. Only recently, however, did I find evidence of these territorial rules and investigate them systematically. >

About five years ago, I helped a friend, a recently retired New Yorker, who was attempting "to break into the lobstering game," as he phrased it. This was going to be a part-time activity for him, a way of supplementing his Navy pension. He only laughed at warnings about any problems, stubbornly insisting that the Atlantic Ocean was part of the public domain and that all one needed was a state license to go lobster fishing.

Accordingly, he bought an old boat and 190 new traps and proceeded to go lobstering. I was with him the first day he pulled up his traps. In the first row of traps we pulled, one was missing, possibly destroyed by accident, we decided. But at the second string, the trend became

clear: ten traps out of seventeen-at least \$150 worth of gear-were missing. The destruction was

deliberate, as we found the cut-off buoys floating over a two-mile area. For the rest of the morning it took little to goad my friend to the heights of eloquence concerning the ancestry of lobstermen, their inborn criminal tendencies, and their sneaky and arrogant ways. He was incredulous that lobstermen would "survey off the Atlantic Ocean," as he put it, and have the gall to enforce those boundaries.

Maine lobstering takes place in a spectacular natural setting. Eons ago, the coast of Maine sank. What were once valleys and river basins are now long, indented bays that create a highly irregular coastline. It is only 250 air miles from Eastport, Maine, on the Canadian border to Kittery, across from Portsmouth, New Hampshire, but stretched out, the coastline is some 2,500 miles long. There are a great number of deep, well. protected harbors. The rocky headlands - covered with dark, stunted spruce-are continually pounded and showered with foam by long, rolling waves coming in off the open ocean. Up the bays and rivers are mile after mile of small islands and coves.

The little coastal communities nestle in small, sheltered harbors filled with boats. The shores are covered with a jumble of weatherbeaten docks piled with fishing and lobstering equipment. Clustered behind the waterfront, the people live in plain clapboard or shingled houses from which they can easily watch boats, equipment, and the weather. >The cold water off Maine's coast provides an ideal habitat for halibut, shrimp, cod, haddock, sardine, and lobster, but a poor place for swimming. The statement that "only tourists go in the water" is more than a joke. Many lobstermen cannot swim, feeling with some justification that swimming offers them little insurance in such waters. The thick fog, present as much as 180 days a year, adds to the danger. Even with modern safety devices, lobstering is not a safe occupation. Every coastal community has its list of men lost at sea.

At any time of year, lobstering is difficult work. In the summer, men usually haul pots, or traps, every day, starting before daybreak so that they can complete as much of the task as possible in the clam morning hours. In winter, bad weather make it impossible to go out more than one or two days a week. On a sunny, calm day, winter lobstering can be almost pleasant. But when the temperature hovers around zero and one is wet with spray, eight or ten hours on a bouncy lobster boat can be miserable. At this time of year, one does not have even the compensation of a large catch. Many men prefer to pull all their traps on shore in mid-winter and to spend their time working on equipment.

Lobsters are caught in wooden traps about three feet long, made of spruce slats, or lars, over oak frames. The style of trap has remained essentially the same for at least 100 years. The lars are spaced about an inch and a half apart, allowing the undersized lobster to escape while trapping the legal-sized ones. One end of the trap is left open and rigged with a funnel-shaped nylon net, or head, so that a lobster can easily climb in, but not out of, the narrow opening. Traps are baited with fish remnants, obtained not from fish-processing plants in nearby cities. A "warp" line attaches each trap to a floating buoy, made either of wood or, more commonly, of styrofoam. Buoys are painted a distinctive combination of colors to allow each man to identify his traps at a distance, and the individual designs are registered with the state.

In shallow water, normally one trap is attached to a buoy, while in deep water it is common to attach two

to one warp line; this is called "fishing doubles". In the Casco Bay region, the standard procedure, known as "trawl fishing," is to attach several traps to a single line. In all cases, traps are set in rows, or strings, 100 to 300 feet from each other, close enough so that a lobsterman can see from one buoy to the next, even on a foggy day.

The amount of equipment used by individual lobstermen varies greatly. A high school boy, just starting out, might have as few as 20 traps, which he tends with an outboard-powered skiff. An experienced lobsterman, especially in the area where trawl fishing is common, might have more than 1,000 traps, a 40-foot boat costing more than \$20,000, and a two man crew. The average lobster fisherman tends 400 to 600 traps by himself, using a 30-foot boat costing about \$15,000.

Lobsters are marketed in the lobsterman's home harbor through a dealer with whom he has close economic ties. The lobsterman will sell his entire catch to his dealer, and purchase gas and supplies from him. In return, the dealer will allow the lobsterman to use his dock, provide him with bait at close to cost, and extend credit for rope and other gear.

To go lobstering, one must be accepted by the men already fishing out of a harbor. These groups of men have no special name, but are referred to by the name of their harbor: the --"Friendship gang" or the "Monhegan boys" or the "men from Boothbay.". Once a man gains admission to one of these harbor gangs, he usually can fish only in its traditional area.

In cases where townships have two or sometimes three harbors within their boundaries, each harbor has its own gang with its own traditional territory. The men from the village of New Harbor, for example, go lobstering out of Pemaquid Harbor and New Harbor. While they live side by side in one community they fish in separate traditional areas.

Anyone just starting out as a lobsterman will experience some hostility. Many resign themselves to a long period of harassment before they are accepted; many never make it. However, a man will have the best chance of establishing himself if his family are long-time residents of the town, if his father's family are lobstermen, and if he is well liked in the community. Such a man almost inherits a place in his father's harbor gang. It also helps if he enters lobstering gradually, putting out a few traps while still a teenager, then expanding after high school to become a full-time fisherman. Such a boy learns the culture of the community and the norms of the lobster industry as a part of growing up.

A man will have most difficulty entering lobstering if he is an adult, if he comes from a distant area, and if his family has no connection with fishing. However, the most important single factor in gaining admission to a harbor gang is willingness to abide by local traditions. Any man who acquires a reputation for molesting other's gear, a prime taboo, will not last long regardless of local genealogy or ties.

A number of "outsiders" are presently lobstering in Maine waters. For example, mainlanders and even out-of-staters have been allowed to fish in Monhegan Island territory - ostensibly one of the most

difficult place to gain entry into - as long as they presently live on Monhegan, prove willing to abide by the local "closed season," and do not go fishing before "trap day," when the islanders begin fishing each year. In fact, in every harbor, a surprisingly high proportion of the lobstermen were not born in the community where they are now lobster fishing.

A part-time lobsterman receives a good deal more hostility than a new, full-time fisherman, even

though full-time fishermen catch more lobsters. In part this prejudice stems from a strong feeling that part-time men are taking unfair advantage by having two jobs. As one man complained, - They have one job. then after they have collected one pay check, they come on out here and take the food out of our mouths." Another common complaint is that part-time fishermen are not familiar with the norms of the industry.

Lobsters are caught in different places at different seasons. In the winter, when the water near shore is very cold, they are best trapped in water over 30 fathoms deep, which is warmed by an inversion effect from the Gulf Stream. As the water becomes warmer with the approach of summer, they can be caught closer and closer to shore so that by mid-June the buoys are often placed within feet of the surf. During late June and July, when lobsters go among the rocks to molt, or shed, lobstering is so bad that some men pull up all their traps; many others leave only a few in the water. As the water cools off, traps are again moved farther offshore..

Traditional lobstering territories are usually no more than 100 square miles, which means that a lobsterman spends most of his life in one small, intimately known area. Even in winter, most men rarely go more than ten miles from their harbors.

Close to shore, traditional territorial boundaries are clearly demarcated and defended. Farther out, the boundaries become vaguer, so that six or eight miles offshore there are no effective boundaries to speak of. A man from the southern part of the state put it well when he said, "The whole ocean is free if you go out far enough."

While lobstermen will discuss boundaries in terms of major geographical features, such as the Damariscotta River or Pemaquid Point, actual boundaries are usually drawn with reference to minor features - a reef, a small cove, a sand bar, sea buoys-features that have significance only for men intimately acquainted with the area.

Violation of a territorial boundary meets with no set response. An older man, well known in the area, might get away with a territorial intrusion for a long period of time; a younger man, a new fisherman, or an unpopular man might quickly be sanctioned for the violation.

Ordinarily, repeated violation of territorial boundaries will lead to destruction of the offender's gear. It is usual for one man operating completely on his own to first warn an interloper. In some cases this is done by tying two half hitches around the spindle of the offending buoys; in other places by damaging the

traps slightly. At this point, most intruders will move their traps. If they are not moved, they will be "cut off." This means cutting off the buoy and warp line from the trap, which then sinks to the bottom where the owner has no chance of finding it.

A man who violates a boundary is ordinarily never verbally confronted with the fact of his intrusion. and the man who destroys his gear will traditionally never admit to it. Admitting the destruction of a man's gear could bring retaliation not only from the lobsterman but from the Sea and Shore Fisheries warden as well. Moreover, destroying another man's gear - even the traps of a known interloper - is considered shameful.

In rare instances, boundaries are defended by group action. It is well known that anyone invading the traditional territories of islands - such as Monhegan - Matinicus, and Green Island will meet with coordinated resistance from men fishing in those territories.

Men touch each other's lobster gear with great reluctance. A would-be aggressor knows that he can easily precipitate an incident in which he would be the ultimate victim. As one man said, "The trick to driving a man [driving him out of the area] is to just cut off one or two traps at a time." This makes it unprofitable for him to continue operating in the area, but does not challenge him to open warfare, especially since, in most cases, he can only guess at who cut his traps.

Periodically, a man whose traps have been cut off will retaliate against the wrong man or men. who do the same thing in return. The result is often a comic opera in which the innocent, along with the guilty, retaliate blindly against each other. Some men cut off traps knowing someone else will be blamed. The potentialities for trouble in such situations are enormous.

Small incidents occur continually, but lobster wars~in which hundreds of traps are cut off - are rare, occurring perhaps once a decade. In fact, when one considers that the entire coast of Maine is patrolled by only a handful of Sea and Shore Fisheries wardens, it is amazing that there is so little trouble. The traditional territorial concepts go a Tong way in maintaining relative peace.

There are times, however, when a group of men, goaded beyond endurance, will launch a large scale cut war." These lobster wars may lead to court action, violence, and long-standing bitterness. In Maine's midcoast area such incidents are infrequent, although stories about them are repeated so widely that they give the entire coastal region an unsavory reputation. I recall listening to a group of men gleefully recount how men on one of the off shore islands cut off all of each other's gear in a series of forays; then went around burning each other's docks. Such stories have obvious entertainment value. They also remind people of what can happen when traditional norms are violated.

When trouble does occur, those who can muster the most support usually win. This is true whether the fight concerns territorial violations, attempts to break into a harbor gang, or a personal feud between two men fishing out of the same harbor. Several times I heard it said that "two men who get to fighting just put each other out of business." The older, well-established men from large families are thought to be

particularly "bad to play with." This explains why men like my New York friend have less of a chance of breaking into the business. It also explains why such men must be careful about violating territorial boundaries if they are ever accepted by a harbor gang.

An individual can affect boundaries if he doesn't mind a little trouble and is willing to take the economic losses. As one man put it, "One man who doesn't give a damn can cut off more traps in a night than a dozen men can make and set out in a week." The willingness of an individual to engage in trouble is notably increased if he has some other source of income. One man on one of the off shore islands, for example, maintains a private lobstering area. If anyone invades his area, he merely pulls his traps, cuts off all those of the invader, and works at boat building until the trouble dies down. He said, "That's my area, and if I can't fish there, no one else is going to."

The waters around many of the small, unoccupied islands are the private lobstering grounds of families who have had legal ownership of the islands themselves for generations. These territories are most vigorously defended. In some cases, lobstering is done exclusively by members of the owning family, but in cases where there are not enough family members to utilize the area, other men are allowed to rent lobstering rights. Even these rental rights are inherited, so that men who rent ocean space from a particular owning family are usually descended from previous renters.

Although people are hesitant to talk about catches and incomes, especially those men fishing private island territories, there is some evidence that holding and defending a private island territory is economically rewarding. For example, early in July, 1971, when mainland fishermen were happy to average a half pound per trap, a man from one of the strongly defended island areas indicated that he was getting much more: "Some of us out here think that half a pound a trap isn't so good. If all I could get was half a pound a trap, I'd go ashore."

On a recent morning I was talking to some friends on a dock as they brought in their catches. One man - who fishes in an ordinary mainland harbor territory, a long with about 40 other men - got eleven pounds of lobsters. Another - fishing five miles away in his family's private island area - aught 172 pounds the same day. The ecology of the two areas is slightly different, and both men do not pull the exact same number of traps. Although the differences in catch are not always this dramatic, men lobstering in exclusive island areas consistently obtain higher yields than men fishing out of mainland harbors.

Before the advent of sophisticated fishing equipment, lobstering territories were small compared with those of today, and boundaries were strongly defended. This pattern was connected to the fishing technology. When fishermen could only gain the intimate knowledge needed for lobstering with a lead sounding line, and could only travel by rowboat or sail, the area that could be effectively fished was limited. Thus, before 1920 the entire coastal waters of Maine were divided into a large number of small territories vigorously defended by their "owners" - often groups of kinsmen.

With the advent of gasoline motors, and more recently with the installation of electronic depth-sounding gear, traditional areas have been growing larger and larger, and the ocean area where mixed fishing is

allowed has increased as well. In part, this new technology has allowed men to fish for lobster farther off shore, in areas not claimed exclusively by one harbor. In addition, the new technology also broke down many of the older boundaries. As the capacity to fish a larger area increased, men became much less defensive about maintaining their smaller territories. Moreover, many men seem happy to see some territorial boundaries disappear. As one old man put it, "You might not be too sad to see men invading your area when the fishing was good if you could do the same to him some other time. Both of you might well catch more lobsters that way."

Changes in territoriality relate in very important ways to the major problem now facing the Maine lobstering industry - that of overfishing. In the past few years the number of lobsters caught has decreased drastically, at least a 25 percent decline since 1967. Lobstermen are fully aware of the problem. In their view, the decrease in supply is due to overfishing. One lobsterman said that "the whole problem is due to too many men, fishing too many traps, for too long." This is a simplistic view, for Robert Dow of Maine Sea and Shore Fisheries has evidence that a change in water temperature is one of the factors responsible for the decrease in lobster supply. However, part of the problem is man-made. The number of traps set has increased tremendously. Fifteen years ago, only a few men had as many as 400 traps; the average was well below 200. Now, the average fisherman has perhaps 400, and men with 700 and 800 traps are not uncommon. These increases were made possible by the hydraulic pot hauler.

For the last ten years, the number of lobstermen in Maine has hovered at about 6,000. However, only half of the men who had lobster licenses in 1970 had them ten years previously. This means that a large number of men do not stay in the business for long. But those who leave are immediately replaced by others. It is still difficult to break into a harbor gang and in most places a summer resident cannot go lobstering at all. Nevertheless, the industry is much easier to enter now. When the entire coast consisted of small, strongly defended territories, any stranger moving into an area could expect to be rebuffed by the traditional owners whose income he threatened.

The older territorial system effectively restricted the number of lobstermen. While the system was hard on men attempting to enter the business, it was easier on the lobster as a resource. Even now, those coastal areas that are most difficult to enter, and whose boundaries are strongly defended, continue to provide a sustained yield of lobsters. As one dealer expressed it, "Those islanders are doing all right, and they will continue to earn the highest incomes on the coast as long as the place doesn't get overcrowded." In comparison, the relatively open areas of the coast where territorial boundaries are weak have suffered from overexploitation of the lobster resource. If lobster fishing and fishermen are to survive in these areas, Maine will have to impose more controls on lobstering. The state would do well, when it prepares new legislation on lobstering, to take into consideration the lobstermen's unwritten rules of territoriality.