

# TERRAQUEOUS TERRITORIALITY A CONVERSATION WITH LIAM CAMPLING

EURO—VISION is an art-led enquiry that explores the extractivist gaze of European institutions and its policies. The relationship between international relations, trade, economic policy and military operations come into focus through the lens of Critical Raw Materials. In 2008, the European Commission adopted the Critical Raw Materials Initiative, which defined a strategy for accessing resources viewed as imperative to the EU's subsistence. The criticality of resources is measured according to supply risk and economic importance. Policies are drawn up to ensure the continued availability of materials deemed critical. Such policies have led to agreements guiding the biological and geological exhaustion of the Global South. The **current list**, revised in 2020, includes 30 materials, including Silica, Cobalt Natural Rubber, Phosphate rock, and the newly added Lithium and Titanium.

***HOW CAN WE UNDERSTAND EXTRACTION BEYOND THE REMOVAL AND DISPLACEMENT OF MINERALS—TO ENCOMPASS POLICIES, INTERNATIONAL TREATIES AND REGULATIONS THAT IMPOSE CONTROVERSIAL FORMS OF STEWARDSHIP OF NATURAL RESOURCES ON COMMUNITIES?***

EURO—VISION focuses on the inscriptive operations of initiatives such as the establishment of Free Trade Zones (FTZs), fisheries partnerships agreements (FPAs), and de-risking investment tools like public-private partnerships (PPPs). In doing so, FRAUD proposes to consider these agreements through the lens of Critical Raw Materials, as well as to incorporate a wider set of 'materials', such as labour and fish(eries). We argue that the latter are managed as resources to be extracted, and that understanding them as critical raw materials as defined by governmental bodies helps to understand how their plunder is mobilised and institutionalised. More importantly, this framework enables us to look beyond these practices to the possibility of thinking and doing otherwise.

The following text is based on a conversation with Liam Campling in the EURO—VISION podcast series.

Previous episodes focused on how colonial structures have shaped current extractive patterns, with specific regard to governance, raw materials and currencies. The following episode focuses on modes of maritime extraction which evidence imperial legacies.

The importance of fisheries and extraction in the marine environment is paramount. In their book *Our Mother Ocean*, Monica Chilese and Mariarosa Dalla Costa remind us that in 2010 the value of marine resources was 70 percent more than the value of resources drawn from land ecosystems, and fisheries constitute a large portion of this.<sup>1</sup> Fisheries Partnership Agreements are examples of the continuing ties that bind postcolonial states and the EU. The nature of these agreements has been strongly shaped by European colonisation throughout the nineteenth century. These agreements reproduce economic relations and trade patterns that existed between metropolises and their colonies in novel ways, adding to current environmental, economic and social crisis and injustices.

The EU has the third largest fishing fleet in the world. The majority belongs to companies registered in Spain. According to Liam Campling and Alejandro Colás, ‘fish exports from developing countries generate a higher monetary export value than coffee, bananas, cocoa, tea, sugar and tobacco combined’.<sup>2</sup> Fisheries are therefore an important resource to consider. Like most states, the EU approaches marine natural resources using mechanistic lenses such as input/output paradigms. For example, the word ‘stock’ is mainly used when referring to populations of fish. These ways of understanding oceanic spaces as resources that can be measured like an inventory exist within a form of marine management which has facilitated the industrial, long-haul fishing responsible for much of today’s overfishing. This episode focuses on the specific tools and agreements that enable overfishing, bringing its logic to the Global South in a gold rush for resources.

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**FRAUD** A powerful argument made in your book (but also in other articles) pertains to the establishment of Exclusive Economic Zones (EEZs). EEZs designate 200nm adjacent areas of sea in which states have exclusive rights for the exploration and exploitation of marine resources. In 1982, the United Nations Convention on the Law of the Sea (UNCLOS) enshrined the significance of fisheries for food and economic security with the establishment of EEZs. This led the EU and its Member States to establish agreements with other countries to gain access to their waters.<sup>3</sup> You have argued that the establishment of the Law of the Sea (UNCLOS) constituted an effective ‘resource grab’ by former colonial powers, thereby permitting them in law to ‘dominate enormous stretches’ of the global ocean.<sup>4</sup> However, the complexities are manyfold: EEZ discussions were negotiated by many postcolonial nations out of a desire for south-south cooperation. And yet, to this day, the UNCLOS constitutes the largest enclosure in human history, which ‘converted the natural resources within a given zone’s waters, seabed and subsoil into a form of state property’.<sup>5</sup> Could you explain this claim, and the role that fisheries governance had in this? Such as the informally called ‘use it or lose it’ clause within UNCLOS, officially Article 62 Optimum Utilisation of Surplus Fish.

**PROF. CAMPLING** The history of the Exclusive Economic Zone is to a large extent a history of imperialist strategy. In the book we borrow a phrase of ‘pelagic imperialism’ to talk about how industrial states, starting from Britain, but also Japan and the United States, chased fish across the planet using their increasingly industrialised capacity, including to process for a new working class—canned fish has classically been a key working-class staple—but also for export. In Japan’s case, they used fish exports as a way to prop up the economy to some extent. In that context of rapid industrialisation, and post World War Two, the United States wanted to continue to support its fishing industry, both domestically (its salmon fishing), but also to allow for its tuna fishing fleet, in particular, to fish on a global scale. So the US was kind of stuck in a conundrum of how to protect its domestic fleet, but also how to allow its own more expansive fishing industry to expand internationally. And

<sup>3</sup> Samson and Gallardo, “Partnerships; or how to reap without sowing.”

<sup>4</sup> Campling and Colás, *Capitalism and the Sea*, p. 209.

<sup>5</sup> Campling and Colás, *Capitalism and the Sea*, p. 69.

<sup>1</sup> Dalla Costa and Chilese, *Our Mother Ocean*, p. 18.

<sup>2</sup> Campling and Colás, *Capitalism and the Sea*, p. 165.

so it tried to deal with this conundrum by setting up, through the Truman and the second Truman Proclamation, a system whereby salmon would be conserved, and exclude Japanese boats from that kind of area of the sea. Meanwhile, its tuna fleets could continue to expand, because those populations were not seen at risk. What that meant was that they used conservation as a strategy to protect their own domestic industrial interests.

The trigger that this created was that lots of Latin American countries did the same, and they also from the early post-World War Two era began to declare Exclusive Economic Zones, in part to keep American fishing business away from their fish. So you had this kind of scramble. This really took off in the 1970s when multiple countries, including the European countries and various African economies, started to create Exclusive Economic Zones in customary international economic law, and this was enshrined, as you said, in the law of the sea in the 1980s.

What this meant for the confetti of empire—overseas countries and territories of France and Britain, and other kinds of former colonial powers—was that their island territories, for example all of French Polynesia, or the British Indian Ocean Territory, created huge expanses of oceanic territory for these former colonial powers. Very often this has been as a resource grab by the big former colonial powers, and the United States, which of course controlled a network of islands in the Pacific region after World War Two. At the same time, developing countries were calling for the institutionalisation of Exclusive Economic Zones because they saw it as a tool to achieve the new international economic order, to try and capture more control over resources, which were running near their kind of land mass, and to try and use those resources to develop; either through resource rents, like distant water fleets paying those coastal states access to extract that fish, or to try and use that access to that fish to leverage on-shore development.

The United States didn't like this. It was the only significant distant-water fishing country who refused to accept Exclusive Economic Zones over tuna. The reason why I've said this is that tuna flow through multiple territories, and as a result can't be controlled by one single country. Unlike the salmon fishery, in the US waters, tuna cuts through multiple countries. Thus, to back up their tuna fleet, when, in the early 1980s the Solomon Islands confiscated US boats, the US blocked its overseas development assistance to the Solomon Islands, and it propped up those fishing industries

that had their boats confiscated. This was very much the US using its diplomatic and economic power to try and force its way in the world.

A key response here was from a tiny country called Kiribati: it was like the mouse that roared. It started to negotiate an access agreement with the USSR, and as soon as this happened, the United States changed its tune, because it didn't want the Soviet Union to have fisheries access in this area of the world, which it saw as part of its sphere of influence. And as a response, the US implemented a multilateral access agreement with all the Pacific island countries. This was a real example of developing countries fighting back and using resource rights as a countervailing tendency against the dominant pelagic imperialism.

One of the things that was built in, and a product of the negotiation of UNCLOS (the United Nations Convention on the Law of the Sea) from 1982, was that they built in this 'use it or lose it' clause. And what this meant was that if countries were not using the surplus of fish that's in their Exclusive Economic Zone, then distant-water fishing nations have a quasi-right to be able to access that fish, and pay a resource rent to the coastal state to do so. This has been a key area of contestation over the years, and some again see it as a neo-imperialist strategy by the distant-water fishing nations to maintain access to other countries' resources. But it also includes this idea that there's a possibility of an optimum utilisation of fish, and this is very much based on the idea of a maximum sustainable yield, which we can talk about perhaps in a bit.

**FRAUD** So Liam, in your book you propose the term 'maritime factor' to point to the materiality of the sea, described as the socio-natural force. You also explain the etymology of the word 'factor', which used to designate a commercial agent "posted to overseas 'factories'".<sup>6</sup> Could you explain the relevance of this maritime factor for the establishment of the EU fisheries partnership agreements of today? And, how could we understand these through the lens of the maritime factor?

**PROF. CAMPLING** As you say we use the word factor in a dual sense. In the book what we're trying to do is to ask the question 'what does the history of capitalism look like if we look at it from the sea

<sup>6</sup> Campling and Colás, *Capitalism and the Sea*, p. 4.

rather than just the land?’ We develop the notion of the ‘terraqueous territoriality’—terraqueous simply means where sea meets land—to try to get at this relationship. We’re not focusing only on the sea. We don’t see the capitalist development as being purely based upon the sea, but we see the relationship between the two as being central to understanding the unfolding of capitalism, over 500 years.

The second use of factor is precisely as you say, to kind of get at the overseas factories. Factories at the time were not really factories as we see them now, but kind of trading ports, central locations for commercial capitalism. Before decolonisation in West Africa, the Europeans had established literal factories in West Africa to process fish caught by French and Spanish boats. These French-owned factories would have duty-free access to the French market to sell canned tuna to the French population. When Senegal became independent, the French relationship with West Africa embedded this colonial relation in its trade policy. Thus, the French West Africa trade policy included a duty-free access to the French market.

However, while giving with one hand, at least to French businesses based in West Africa (it’s not a developmental strategy), they took away with the other, because they introduced ‘rules of origin’, which is a technical tool in trade policy to ensure that the factories supplying the French market for duty-free, tax-free market access, had to use French caught fish. This strategy developed into the EU trade policy with the African, Caribbean and Pacific countries as a whole, through eventual factories that were established by French interests, for example in the Seychelles, and in Madagascar in the 1980s. When the French fleet moved from West Africa to the southwestern Indian Ocean—largely because it was overfishing the western Indian Ocean stock, or at least certainly there was less surplus profit to be captured there—they applied the same strategy. They set up factories, and those factories had to supply their raw material from French and Spanish boats. It was a kind of lock-in.

This system of EU ACP relations in the fisheries world was based upon two steps.<sup>7</sup> One was this lock-in through trade policy, which meant that market access to the EU was dependent upon fish caught by European boats; and the second was this system of what are now called

sustainable fisheries partnership agreements, where the EU pays a coastal state access fees for its boats to access those waters. There’s a kind of an integrated system that brings together the interests of European fishing industry in these countries. Arguably this is a positive thing for some countries, because it creates jobs, and it creates revenue, but there are those who are critical of this in terms of the very uneven economic and ecological relationships that are at play.

**FRAUD** Would you like to say a bit more about how this impacted local or artisanal fisheries?

**PROF. CAMPLING** One of the big problems for local small-scale fisheries is the interactions between their gear types—for example, very often, low technology, labour-intensive fishing—with highly capital-intensive fishing. Where there is a direct interaction in terms of species, there can be a very negative effect on the small-scale fishers because there is less of a healthy stock. In other words, their catch per unit effort tends to be much lower. That’s one interaction, but there are many others. For example, it’s quite common for industrial fleets to offload their by-catch, or the catch of fish that is a lower quality, which they can’t export. Which means that small-scale fishers’ catch is sometimes in competition, in the local market, with industrial by-catch. That can have a negative effect in terms of the small-scale fishers’ prices. Some argue that it has a positive effect in terms of local food security, and there’s a real tension there, because the industrial fleet can provide very low-cost fish for local populations which often don’t eat enough fish. But one of the reasons they don’t eat enough fish, perhaps, is because the coastal fishing fleet is less able to profitably extract fish for the local population, because the fish populations are less than they otherwise would be.

Of course there are other interactions as well, so for example in West Africa, the Senegalese are renowned crew members on European fishing boats, and they tend to be paid extremely well, so there are those in Ghana or Senegal who argue that the European fleet in particular is positive, because working conditions on European boats (the European purse seine fleet<sup>8</sup>), tend to be a lot better than for example working conditions on some of the East Asian long-liners, which are much more cramped and difficult, and which stay at sea for

<sup>7</sup> EU ACP relations refers to the history of EU trade negotiations and relationships with the ACP countries (African, Caribbean and Pacific states), from the Cotonou Agreement, to more contemporaneously the ACP-EU Economic Partnership Agreements (EPA).

<sup>8</sup> Purse seine is a commonly used form of trawling, often deployed to catch fish which school close the sea’s surface.

twelve months at a time where the European boats will come back every three months. And so there's a real tension there between food security, local fishers, and jobs and employment. It's something that is difficult to resolve. Certainly we know that in West Africa, the interaction between foreign industrial fleets and small-scale local fleets tends to not be a positive one for the small-scale fishers. In other regions, there is less of an interaction, for example in the Seychelles and Mauritius, there tends to be less direct interaction between industrial fleets and the local fleets. So it depends. It's a product of the specificity of the populations of fish, where they're caught, and how close it is to shore.

**FRAUD** Certainly. We have spoken recently to local fishermen in Ghana, and their experience has been quite problematic in terms of the availability of fish for the local fisheries being almost—not exhausted, but nearly, and therefore that has affected prices. It's important to remember that this is effectively a tension between many different factors. One of the very interesting tools you mention in your book are these novel modes of property rights, that coexist with the exclusive economic zones, and one such example is 'maximum sustainable yield'. We would be interested if you could explain why it was implemented and what it does, and also what are the key assumptions embedded within it. And perhaps, as another point which you could elaborate upon, the more recent initiatives for territorialising the seas.

**PROF. CAMPLING** One of the things that I didn't really emphasise earlier is that the Exclusive Economic Zone, from the perspective of a coastal state, is a form of state landed property, in the same way that the state very often controls access to mines. In most countries the state owns resources below the sub-soil, except for the United States. It's the same kind of relationship in the sea. So the state is acting as this form of landed property, and Marx's third class, modern landed property. This is an argument that I developed with Elizabeth Havice in a paper, some years ago in the *Journal of Peasant Studies*.<sup>9</sup> The argument here is that the state is able to leverage or use its control over access to the resource, its property right relation, to extract as much revenue as possible. One of the ways that this is governed is through the idea of—very often—maximum sustainable yield, and that's baked into international economic law, and

especially international fisheries law. Maximum sustainable yield (MSY), is the idea that a maximum volume of a species of marine life can be taken from the ocean on an ongoing basis, and the idea is that the species is reproducing itself, and as long as you don't go over a certain point, it'll carry on reproducing itself, and you're maximising the sustainable extraction. That came from, in part, the US State Department, immediately post-World War Two. In a wonderful book by Carmel Finley, *All the Fish in the Sea*,<sup>10</sup> she traces how the US State Department develops this idea of MSY largely to protect its domestic salmon industry from Japanese encroachment. Because of course after World War Two the Japanese were rapidly industrialising and the Americans really didn't want their boats to be fishing up to their coastline again, so that's part of the story of the Exclusive Economic Zone, but one of the tools to block, or to justify the blocking, was this measure of conservation, which is MSY. Thus, when MSY was first developed, it didn't have any scientific basis in the oceans. It was largely a category that was picked up from forestry management, in itself a kind of colonial legacy, and it was based upon this Victorian assumption that if you're not using a natural resource, then it is waste.

A historian called Tim Cooper who has done great work on this, calls it a 'legitimising precondition of capitalist modernisation'.<sup>11</sup> So the idea that if you're not using a resource then you're wasting it is baked into the idea of MSY, because you're maximising the sustainable yield of these tuna populations, and very much treating them like they're something to be 'harvested'. But of course, we didn't plant the fish, so it's not harvested, it's a relationship very much of extraction of nature. And one of the things that is less well understood is the original population dynamics of those species. Very often they've been extracted for years before we started to truly think about measurement and conservation. Actually, we don't know what the maximum sustainable yield of the pre-extractive era is, we know what the maximum sustainable yield is of a species that has already been significantly extracted.

When MSY became international fisheries law, very often it was built into the fisheries access. The 'use it or lose it' clause means that if you are fishing below MSY, in other words the stock is supposedly healthy according to that measure, then foreign fleets should have a right

<sup>10</sup> Carmel Finley, *All the Fish in the Sea*.

<sup>11</sup> Cooper, "Peter Lund Simmonds and the Political Ecology of Waste Utilization in Victorian Britain".

<sup>9</sup> Campling and Havice, "The problem of property".

to come in and take the surplus. So again, even though we have this kind of very modern idea of ourselves as a species that is very in touch with science and potentially understands nature, actually what is at the core of this is a very strange assumption that nature that is not being used rationally by humans is waste. And that's at the core of all of the thinking about access and MSY.

**FRAUD** Thank you. I think you very successfully dispel the notion that such a term as maximum sustainable yield (MSY), which appears very neutral and scientific, is heavily biased towards certain interests, and certain states. Also, this notion that what is not used becomes waste fits very nicely to Büscher and Sullivan's neoliberal biodiversity conservation concept,<sup>12</sup> which is of course that nature must be measured, counted and resold through capitalist terms for it to be 'saved'. Thank you Liam.

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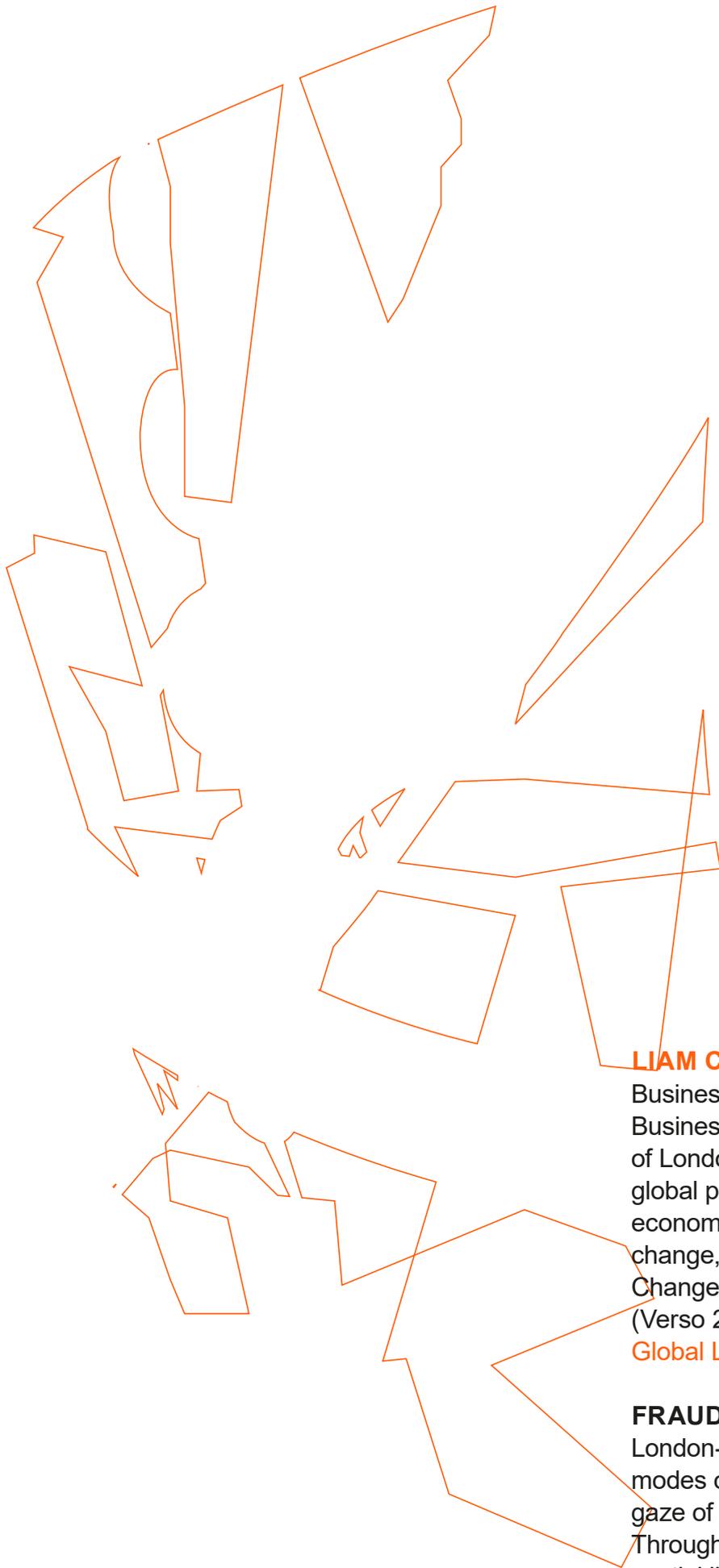
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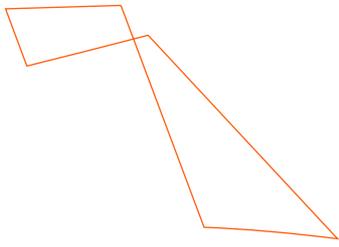
<sup>12</sup> Büscher et al., "Towards a Synthesized Critique of Neoliberal Biodiversity Conservation".



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The **EURO—VISION** public programme has been commissioned by:

**Arts Catalyst**, a nonprofit contemporary arts organisation that commissions and produces transdisciplinary art and research. EURO—VISION is part of their Extractable Matters programme.

**RADAR**, Loughborough University's commissioning and research programme, as part of their 'Risk Related' programme of commissions.

**Partnerships** was produced as part of the **5th Istanbul Design Biennial — Empathy Revisited: Designs for more than one**, organised by the Istanbul Foundation for Culture and Arts, and curated by: Mariana Pestana, Sumitra Upham and Billie Muraben.

We acknowledge the support of the Canada Council for the Arts and Arts Council England.



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