



## Shaping the aquaculture sustainability assemblage: Revealing the rule-making behind the rules



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### ABSTRACT

Certification programs yield global assemblages of producers, consumers, investors, markets, and certifiers that are built around rules that define sustainability. In studying the dynamics and impacts of certification, scholars often refer to “the rules” underlying certification in a manner that makes them seem like immutable mobiles: permanent and unchanging objects that are produced by technical, expert-driven processes and that can be applied in diverse places and contexts. In this paper, we turn attention to the rules and rule-making processes underlying certification to demonstrate the unstable, changeable and contested underpinnings of sustainability assemblages. We explore the World Wildlife Fund (WWF)-sponsored multi-stakeholder Aquaculture Dialogues, an unusually open and participatory experiment in “green” rule-making. Our analysis reveals that rules are never final. Instead, intersections between rule-making bodies and the structure of rule-making procedures create critical debate and contestation over the definition of “sustainability” that structures the aquaculture sustainability assemblage, and over who can and should be empowered to do the defining. This approach enables scholars of certification to rethink the ontology of certification rules as part of, rather than an external ordering principle for, the dynamic and contested nature of sustainability assemblages.

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### Introduction

Over two decades, certification programs designed to govern and encourage sustainable products and production practices have proliferated, making certification a prominent feature of the contemporary economy. Broadly, certification programs aim to provide economic and reputational incentives for companies and producers (Cashore et al., 2004), reflecting a now common emphasis on the market as a regulatory mechanism for addressing environmental issues (Klooster, 2010). Certification programs create rules that specify what sustainable production entails and what practices producers must follow to qualify to affix a “sustainable” certification to their product. Now ubiquitous, certification governs a range of products from foods to alternative energy resources. Many institutional and corporate buyers have made commitments to purchase specified products that have successfully navigated certification processes.

Certification programs aim to link production and consumption practices, and many span national and global scales. In doing so,

they generate what we refer to in this paper as a “sustainability assemblage”: relationships and connections among producers, consumers, investors, markets, and certifiers built around the pursuit of sustainability. The rules underlying such assemblages aim to define which producers and practices are and are not sustainable, to enroll people and production sites within their assemblage, and to discipline those that do not conform (Busch, 2000). Rules convey desired behavior, and when deployed by various participants in the assemblage (e.g. retailers or farmers), they structure actors in diverse places and contexts into a particular regime. A rule is powerful because it creates an evaluative framework and intended universal application, but also because of its seeming immutability and permanence. As a result, a rule can gain enduring authority as an apolitical scientific and technical artifact that is applied throughout an assemblage (Busch, 2000). Taken this way, rules can be seen as what Latour (1987) calls “immutable mobiles”: objects that are transferred across communities of practice and which have transformative effects without apparently being transformed themselves (for an example of this usage, see Dunn, 2008). In this vein, much analytical attention has focused on the uses of the “final” rule itself, leaving the rule as an intrinsically static component that contributes to the dynamism and

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changeability of the rest of the sustainability assemblage. Little attention has been paid to the processes through which the rules themselves emerge, leaving rule-making outside of our understanding of how sustainability assemblages are constructed.

Rather than deploying an assemblage approach to trace the range of connections from rule-making to implementation or to explore the content of the rules themselves, the objective of this paper is to turn attention to rule-making processes and structures. We seek to show the heterogeneity of actors, interests and methods that are simultaneously defining the terms and conditions that are to structure sustainability assemblages. This approach enables scholars of certification to rethink the ontology of certification rules as part of, rather than an external ordering principle for, the dynamic and contested nature of sustainability assemblages. It identifies “rule-making” as a contested site where sustainability is both constituted and enacted, and a highly significant one because the emergent rules (and their continuous revisions and upgrades) become practiced across the assemblage from point of production through to point of retail. Exploring how (and by whom) processes of making rules are structured, and how a melee of rule-makers engage with ongoing rule-making processes, reveals that the rules themselves are never “finalized” into immutable mobiles. Instead, rule-making contributes to the dynamic and unstable nature of the sustainability assemblage as a whole, making a case for their further integration into studies of sustainability assemblages and for calling into question what rules actually signify in relation to production practices and sustainability claims.

In what follows, we analyze the nexus of rule-making procedures and bodies developing sustainability certifications for aquaculture. Aquaculture is a fast growing, global sector that poses many environmental and social challenges. When sustainability rules are “finalized” and taken up by certification bodies, fish farmers and retailers, they can influence the material practices of farming and consumption. As such, we assert that rule-making processes and the emergent rules must be considered as a central component of the aquaculture sustainability assemblage specifically, and more generally of the growing number of assemblages that are organized around certification processes. Our research investigating a single rule-making process, the World Wildlife Fund (WWF)-sponsored multi-stakeholder Aquaculture Dialogues, reveals that the rules are formulated through evolving relationships among at least three rule-making sites. These are sites of struggle over what rules should say, which groups and organizations are most qualified to set and implement rules and how they will shape productive relationships in the assemblage. Each rule-making site contains critical discussion of what sustainability means, is subject by the others to critique and transformation, and faces important decisions about the level to which the rule should be distinguishable from or harmonizable with the others (cf. [Mutersbaugh, 2005a,b](#)).

In our case, the first rule-making site is the competition between rule-making bodies to enter and gain influence in the aquaculture sustainability assemblage by creating certification standards. In this contest, the Global Aquaculture Alliance moved first, making rules through a tightly controlled and industry-led rule-making process that was rapidly taken up by large retailers. WWF has sought to offer an alternative set of rules, distinguishable by the participatory, multi-stakeholder rule-making procedures through which they were formed. WWF's choice in rule-making structure created a second site, the Aquaculture Dialogues, where interest groups from across the larger assemblage entered and jostled for influence over substantive content, but eventually came under pressure to conclude rule-making expeditiously so that the rules could be put into practice. WWF's choice to separate rule-making (the Dialogues) from the body that would eventually “hold” and implement the final rules created a third rule-making

site – the new Aquaculture Stewardship Council (ASC) – which continues to modify rules into an audit-ready, profit generating form. In doing so, the ASC is concealing and replacing the participatory nature of the Dialogues rule-making process with its own rule-making procedures.

In section two, we review the ways that rules and rule-making have been understood in certification studies. This review helps to draw out that rules and rule-making procedures deserve scholarly attention because they themselves are site of contestation and because their outcomes structure power relationship among rule-makers, producers and consumers. In section three, we turn to aquaculture. We review debates over sustainability in aquaculture before exploring the way that rule-making moves within and among three intersecting sites. We conclude with thoughts on the significance of conceptualizing rules as constituted through dynamic and contested sites in which sustainability, and related production and consumption practices, are defined.

We collected data aimed at understanding the structures and politics of rule-making processes. Between 2009 and 2013 we reviewed WWF Dialogue process documents and background papers, as well as media coverage on the process, creation and implementation of the final rules. We conducted semi-structured interviews with nine Dialogue participants (one from industry, six from NGOs, two scientists/consultants). These interviews focused on the rule-making process and individuals' rationale for and experience participating in a multi-stakeholder rule making process. Of these, we contacted two participants for follow up interviews. We also conducted interviews and email communication with two representatives from the Aquaculture Stewardship Council to understand the relationships between this organization and the WWF Dialogue process. These data enabled us to analyze the structures of rule-making and point to its relation and significance to the broader aquaculture sustainability assemblage, an effort that we argue helps to explain why the assemblage as a whole is not reducible to a single logic.

### Situating rules in the sustainability assemblage

Rule-making processes are situated in social, economic, and institutional relationships that define and produce “sustainability” as an empirical and measurable construct. Studies of certification standards highlight how rules mediate relationships between producers and consumers and in doing so create and shape spatial configurations of labor relations, land use, and production-consumption dynamics (e.g. [Mutersbaugh, 2005b](#); [Vandergest, 2007](#)). Far less attention has been paid to the rule-making processes that structure these changing practices. We propose that rule-making is a site or set of interacting sites of change within a global sustainability assemblage. Framing this study with an assemblage lens recognizes that rules are developed in the context of often unruly, ill-bounded, mobile, and changing character of a complex set of actors, institutions, and phenomena (e.g., technological systems, regimes of value, circuits of exchange) that are not simply local or global ([Collier and Ong, 2008](#); [Hollander, 2010](#)). These actors and elements come together through rule-making processes in highly contingent, situated ways.

Our focus is not on delineating the formation and nature of assemblages, or on mapping how knowledge may constitute an assemblage or the specific tradeoffs and content of the sustainability rules, but on how rule-making processes operate and are part of sustainability assemblages. Within an assemblage, expert systems that make scientific and technical knowledge produce global forms like “universal” guidelines for sustainable production practices. Such global forms can be de- and re-contextualized to move across diverse social and cultural situations ([Collier, 2006](#); [Collier and](#)

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