



Power across scales and levels of fisheries governance: Explaining the active non-participation of fishers in Two Rivers, North Carolina



Candace K. May

Department of Sociology, Anthropology & Child and Family Studies, University of Louisiana at Lafayette, P.O. Box 40198, Lafayette, LA 70504-0198, USA

ABSTRACT

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The great emphasis placed on the democratic participation of local user groups as necessary for sustainable natural resource and environmental governance by commons scholars and advocates and practitioners of collaborative natural resource management demands a greater focus on who is and who is not participating in governance processes, and why, as well as the associated consequences. This project examines a case where commercial fishers in Two Rivers, North Carolina practice active non-participation regarding fisheries governance; they choose not to become involved in formal political activities, while instead participating in informal governance activities. I examine the causes for the active non-participation of commercial fisherpeople by tracing power across multiple levels and scales of analysis, which not only shape the participation of local Two River fishers in governance activities, but also lead to environmental degradation. Data was collected through observations, interviews, and document and policy review. An important finding from this study is that although the active non-participation of fishers is a rational response to the inequities of the formal fisheries governance system, their absence is hastening the displacement of commercial fishers from, as well as the degradation of, the fisheries they depend upon for a living.

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1. Introduction: an empirical contradiction in collaborative fisheries governance

Over the last few decades an extensive body of work by scholars, advocates, and practitioners of collaborative natural resource governance (CNRG) has influenced the decentralization of natural resource management across the world (Agrawal, 2003; Larson and Soto, 2008), including co-management of United States fisheries (May, 2008; McCay, 2001; Pinkerton, 1989). The premise underlying this movement is the participation of natural resource dependent people in decision-making processes regarding their livelihoods is essential to environmental sustainability. In the U.S., local user-group participation in fisheries governance is encouraged by scholars, researchers, and administrators and extensive legislative platforms and organizational space for user-group participation exists (MFMA, 1976; MSA, 1996; MSRA, 2007; OAP, 2007). However, local fishers are increasingly disappearing from the fishing industry and their communities at the same time as the health of the nation's fisheries continues to decline. I explored this contradiction through a case study of a community of commercial fisherpeople in Two Rivers, North Carolina¹ who practice active

non-participation – intentional non-involvement in formal political activities while instead engaging in informal fisheries governance activities.

Two Rivers fishers' active non-participation is indirectly related to increased fisheries degradation through a series of processes, which also result in their further disarticulation from the fishing commons. Fisher's active non-participation is a response to self-perceived limits on their influence imposed by best available science mandates and a self-perceived lack of political efficacy relative to recreational fishers. Therefore, fishers turn to informal fisheries governance practices, through which they have historically held a comparative advantage in controlling access, allocation, and use of fishery resources. However, not only are recreational interests afforded greater power over fisheries policy processes and outcomes as a result of fishers' active non-participation, broad-scale socio-economic and demographic transformations in the coastal areas of N.C. increasingly diminish the informal power of commercial fishers and the health of fisheries. The end result is greater regulation of commercial fishers, fewer fishers, and increased environmental degradation.

The field research for this project occurred during a recent, but recurrent, campaign by recreational fishing interests to ban the use of commercial gill nets in N.C. coastal waters. The severity of the consequences of this campaign for commercial fisherpeople in N.C.

E-mail address: ckmay1@hotmail.com.

¹ Two Rivers is a pseudonym.

offered an excellent opportunity to explore the reasons for their active non-participation. Below, I trace the multiple levels and scales² of structural and agentic power that shape the participation of local Two River fishers in governance activities and lead to environmental degradation. The first section of this manuscript reviews the literature on collaborative governance and its impact on fisheries governance in the U.S. The second section describes the people and place of Two Rivers, the data collection methods, and the current movement to ban gill nets in N.C.

The third and fourth sections focus on the formal governance scale with an analysis of the intersection between the organizational and user-group levels of analysis. I utilize Mann's (1993) concepts of "infrastructural" and "despotic" power to discuss the aspects of legislative and bureaucratic imperatives that create space and platforms for user-group participation, yet limit the influence of user-groups by mandating all conservation measures rely solely on the best available science. At the user-group level, I discuss recreational fishers' comparative advantage over commercial fishers in fishery politics. I conceptualize the power of commercial and recreational fishers as "differential transformative capacity." This term borrows from Giddens (1984) – the idea that power is agency in the form of transformative capacity, and from Bourdieu (1985, 1986) – the notion that agency is constrained by the forms of capital available to groups and the context in which that capital is deployed.

The informal governance scale of Two Rivers is the focus of the fifth section. I utilize Foucault's (1977) use of the term "domination" to empirically examine the latent structural power of systemic level processes. Population growth, coastal development, and the transformation from commercial to recreational use of resources exert a dominating influence on the social, environmental and economic foundations of the livelihoods of Two Rivers fisher-people. A significant part of the process of systemic domination is the disciplinary, micro-politics of new coastal residents as they attempt to hasten the transformation from commercial to recreational use of resources. The final section discusses the power of active participation.

2. Collaborative governance of the commons in theory and practice

Natural resource governance consists of those formal and informal political-administrative, economic, and social institutions and organizations through which power and authority are held and user-groups negotiate access, use and allocation of natural resources (Larson and Soto, 2008; Rist et al., 2007). Management has traditionally been an activity of government, undertaken in an exclusive and top-down manner with a focus on defining regulations, procedures, and technologies based on a generalized/undifferentiated view of the relationship between and among humans and nature (Rist et al., 2007; St. Martin et al., 2007). Governance, on the other hand, is not government; it may include the actions of state organizations and institutions, but also encompasses actors across multiple levels and scales, such as resource user-groups and other stakeholders, communities, businesses, and non-governmental organizations (Lemos and Agrawal, 2006). While there are many forms of governance consisting of any combination of collaboration between market actors, state agencies, and communities, this study focuses on instances where the participation of communities and local populations is encouraged.

² Scales are the spatial/geophysical, temporal, quantitative or analytical dimensions used to measure and study phenomena; levels are units of analysis at different points on a scale (Cash et al., 2006). Young (2006) adds the jurisdiction of natural resource regimes as an important scale.

2.1. The promises of collaborative natural resource governance

CNRG arrangements hold two promises according to proponents. One promise is greater social justice by "bringing society back in" (Bryan, 2004); another is the flexibility and adaptability necessary for sustainable governance of natural resources (Dietz et al., 2003). Proponents argue that collaborative decision making increases the legitimacy of governance systems by empowering user-groups and ensuring equity in access to resources, while also decreasing the transaction costs of governance – the costs associated with information gathering, monitoring, and enforcement (Berkes et al., 2007; Koontz and Johnson, 2004; Ribot et al., 2006). Furthermore, decentralized governance arrangements are said to promote more accurate data collection and greater flexibility in responding to changes in socio-ecological systems, thereby contributing to sustainable governance and use of natural resources (Fiorino, 2004; Frid et al., 2006).

Proponents assert that CNRG arrangements are better adapted to an understanding of the limited capacity to monitor, predict, and control natural systems than traditional management (Holling and Meffe, 1996; Wilson, 2007). Collaboration encourages the sharing of knowledge and information, which leads to systemic learning between all parties and quicker response rates to ecological changes (Rist et al., 2007). At the heart of this social learning process are the institutions of local resource dependent people. Local-level institutions are believed to be physically closer to and directly dependent upon the resources, which fosters the accumulation of practical, local ecological knowledge based on extensive learning by doing (Davidson-Hunt and Berkes, 2003; Dietz et al., 2003). Armitage et al. (2007) explain that the transference of local knowledge and learning across scales and levels of social organization creates feedbacks of iterative problem solving, which involves a learning-by-doing element giving rise to flexible, adaptive, effective, and efficient natural resource governance.

2.2. Promises betrayed: empirical realities of fisheries co-management

Following the above logic of greater legitimacy, regulatory effectiveness, and social and environmental sustainability, collaborative governance of U.S. fisheries follows a co-management model. Co-management is a hybrid governance arrangement that emphasizes sharing responsibility for natural resource management among government agencies and user groups (Berkes, 2009). Co-management of fisheries is instituted through the primary legislation used to govern fisheries, the Magnuson Fishery Conservation and Management Act (MFMA, 1976) and its amendments, the Sustainable Fisheries Act (MSA, 1996) and the Reauthorized Act (MSRA, 2007). Whereas general responsibility for implementing the Magnuson Act is vested in the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration (NOAA) and the National Marine Fisheries Service (NMFS), planning decisions are entrusted to eight regional councils, consisting of "States, the fishing industry, consumer and environmental organizations, and other interested persons" with the scientific guidance of NOAA science centers (MFMA, 1976: Sec. 2: [b-4]).

Although the federal and state fisheries governance systems are jurisdictionally distinct,³ the N.C. state fisheries governance system follows in the footsteps of the U.S. federal fisheries governance system. The primary legislation that defines the organizational

³ The federal government manages the Exclusive Economic Zone (EEZ), which ranges from three to 200 nautical miles from the U.S. coastline; states are responsible for fisheries from their coastlines out to three nautical miles.

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