



# Conflict resolution and the delegation of authority in fisheries management: The case of Outer Hebrides Inshore Fisheries Group in Scotland



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## ABSTRACT

Using the Outer Hebrides Inshore Fisheries Group (OHIFG) in Scotland as a case study, and stakeholder participation theory as a basis for analysis, this paper explores the conditions that are important for making stakeholder participation work in fisheries management, under the 'modern governance context'. It argues that stakeholder participation can function well under less than what the research literature identifies as ideal circumstances, namely despite on-going stakeholder conflict and a deficient devolution of management responsibility. Even with the absence of a formal conflict resolution mechanism and without a clear delineation by government as to who has the right to formally assume a management role, OHIFG stakeholders in Scotland have been heavily involved in developing a management plan and have made significant progress in implementing it. This paper argues that in the absence of formal mechanisms for conflict resolution and management, informal mechanisms may do the job. Secondly, it is argued that conflicts can in fact have a positive function for stakeholder participation as they bring stakeholders together, clarifying and communicating amongst themselves their interests and values.

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## 1. Introduction

Stakeholder participation in fisheries management decision-making, from the conception of the management plan (MP) to its implementation, has been recognised as a key ingredient of good governance [1,2,3]. The challenge is to make it work in practice. For that, there is need to understand the conditions that may inhibit and enhance stakeholder participation. In addition, it is necessary to understand the process of participation; what it means and how it evolves. Finally, it is important to investigate the relationship that exists between stakeholders, such as between the government as facilitator and regulator on the one hand, and the users including all those with an interest or concern in the resources on the other. For the latter, by becoming involved in management, they step out of a predominantly passive and reactive role into a proactive one that makes them responsible partners [4,5,6,7].

It is in line with the above context that the government of Scotland, among others countries such as England, Wales and Northern Ireland, established inshore fisheries groups (IFGs) for the purpose of allowing more and better stakeholder participation

[8,9]. The IFG system aims at putting fishers at the centre of decision-making for the development and implementation of management plans for inshore fisheries, while balancing fishing interests with wider environmental and socio-economic interests. Although the IFGs will develop local objectives, reflecting local priorities, these have to be complimentary to high-level national objectives (HLOS), under the strategic framework for Inshore Fisheries [10]. IFG members include the local fishing industry (fishers' associations, owners, skippers and crew holding a licence to fish commercially in the area) and representatives of legitimate commercial fishing interests operating in the area, as well as other stakeholders with interests in the area (such as environmental groups, community members, scientists and other marine users); and also the government authorities, such as those from the municipal council and Marine Scotland<sup>1</sup> [9].

Stakeholders in the Scottish IFGs have made a good start in taking up responsibilities in fisheries management [8]. In fact, the stakeholders in the Scottish IFGs have all successfully finished developing their management plans (MPs), which are approved by the government and are now in the implementation phase [8];

<sup>1</sup> Marine Scotland is a directorate of the Scottish Government and is responsible for the integrated management of Scotland's seas (Marine Scotland website).

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Scottish Inshore Fisheries Groups, 2009). However, the level of stakeholder participation in the decision-making process of the MP development varies among them. In the West Coast of Scotland, the score level on the overall perception for expressing stakeholder satisfaction and participation in the decision-making process for the development and implementation of their fisheries MP is highest in the Outer Hebrides Inshore Fisheries Group (OHIFG) [8].

The objective of this study is to explore to what extent and under which conditions stakeholders can be engaged successfully in the development and implementation of management plans. The idea is to examine this question through the lens of Ostrom's [11] design principles for institutions established for solving collective action problems in the area of resource management. While the coastal state, in a modern governance context, holds exclusive management rights for coastal resources, management responsibility can be partially delegated to stakeholders. The interesting question then is: how can stakeholders be engaged and make them responsible in a context where the coastal state holds exclusive management rights? In particular, the paper explores the relevance of the conditions that are formulated to contribute to the success of stakeholder participation. My starting hypothesis is that the successful engagement of stakeholders depends on the extent to which Ostrom's design principles are fulfilled.

Section 2 presents an overview of the theory of stakeholder participation, in comparison with Ostrom's design principles. This is followed by Section 3, which is about the methodology employed in the Scottish case study. Section 4 contains the results of the research on OHIFG. Sections 5 and 6 draw conclusions from the research relevant for the assessment of stakeholder participation in fisheries.

## 2. Stakeholder participation under devolved management

Stakeholder participation in fisheries management can take place in different forms. Under the 'modern governance context',<sup>2</sup> which is the case in the present study, the coastal state holds exclusive management rights and local stakeholders can only be given partial management rights as deemed fit by the state. With partial devolution of management powers to stakeholders in terms of their active involvement in the formulation of management plan functions, it becomes relevant to check whether the design principles Ostrom [11] deemed necessary for the success of stakeholder participation in fisheries management have been fulfilled.

Ostrom's influential theory [11] on self-governing, long-enduring institutions for collective and collaborative resource management initiated a debate about conditions and principles for collective action. The eight conditions listed in her theory [11] have been confirmed by other scholars considering situations of self-governance by local communities, but also by those considering stakeholder involvement in situations of co-management [4,6,7,12]. The latter added certain conditions to Ostrom's framework and are described in Table 1 [4,6,12,13,14]. Table 1, therefore, indicates the key conditions for successful performance of

stakeholder participation, especially in terms of the sharing of responsibility between government and local stakeholders in the management of fisheries [4,11,12].

Drawing from the work of these scholars, successful stakeholder participation would seem likely if the governance system in question is set up in order to fulfil the conditions for local community self-management [4,6,7,14]. The underlying assumption is the existence of management conditions to enable the managing institutions to form incentives, motives, intentions and actions of multiple stakeholder groups as they respond to management rules and regulations [4,7].

The thirteen conditions (Table 1) for successful stakeholder involvement are briefly presented below, with emphasis laid on the last two conditions. These are of special interest herein, because under modern fisheries governance the coastal state government holds exclusive management rights [15], and the approach entails a wider range of stakeholder involvement, which implies more conflicting interest [16], resulting in possible tensions. Tensions surface between the differing, and often conflicting demands of various stakeholder groups involved [17,18]. In coastal fisheries management such tensions often surface between large and small boats when they compete for the same resource, as their fishing focus is usually different. Typically, trawl-boats incur larger catches with more focus on commercial species as compared to static-gear fishers who usually (but not exclusively) fish for their own family income and subsistence. Hence, their contradicting interests ignite tension, making collaborative stakeholder participation challenging.

1. *Clearly defined boundaries* – While clearly defined boundaries of the fisheries' areas may be partially arbitrary due to the multi-scale nature of most fisheries, the process of defining the boundaries of the fishery itself, with manageable size, is necessary for devising appropriate management responses [6,19,20].
2. *Group cohesion* – It is more likely that stakeholder groups are tight and see problems the same way if they live close to each other and the resource [4,6]. A high degree of homogeneity in local ideology, customs and belief systems creates a willingness to deal with collective problems [6]. Thus, group cohesion is particularly conducive to effective stakeholder participation, especially with a wider spectrum of involved stakeholders [13]. It encourages knowledge integration through collective learning and thereby opens possibilities for interactive knowledge development for decision-making in the management processes while ensuring joint resolutions in solving problems faced.
3. *Motivation and or incentives* – Stakeholder participation can be ensured when, from the beginning, it is clear to them that benefits exceed the costs of their involvement [14]. Without appropriate incentives, or motives, stakeholders will not want to be actively involved in management-functions [6]. For fishers, incentives may include early benefits from improved management of the fishery, in addition to secured access to the fishery, long-term control of the resource, opportunities to learn new skills, tangible benefits such as more fish or larger fish and social recognition. For the authorities, incentives may include e.g. salary, promotions, training and successful management of stocks [4].
4. *Management organisation* – A fishery organisation with members who have prior experience of managing natural resources within a community provides a good basis for the success of stakeholders in taking on management-functions [4,6]. To successfully increase the chance of realising this, both Ostrom [11] and Hoggarth et al. [4] argue that the management organisation or core group responsible for the management

<sup>2</sup> Under modern fisheries governance, management rights by definition are invested in the coastal state governments [15]. The interactive governance approach is generally seen as the way forward under the new model of fisheries governance. Interactive governance is an approach reflecting the recent developments in the concept of participatory governance that suggest a changing discourse from co-management, where fisheries management policy is driven to a large extent by four primary sets of actors: users (fishers), scientists, government administrators and elected officials [46] towards a system that involves more than these four groups [41]. The approach takes into account social-ecological issues [47,48].

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