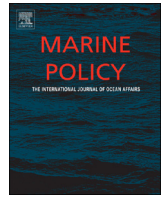




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Contesting the social contracts underpinning fisheries—Lessons from Norway, Iceland and Greenland



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ABSTRACT

It has been noted that in general, formal objectives for fisheries management policies, as expressed in sector legislation, are multiple and inconsistent and that as such they are poor guides for deciding and evaluating management interventions. While we acknowledge that the explicit value statements in legal texts may be unclear and symbolic, it underestimates the possibility of reading out, from legal prescripts and the institutionalised practices they support, the values and concerns a society holds the fisheries sector accountable for. In this study, we examine trends and changes in the value that fisheries hold to Nordic welfare societies. With the concept of 'social contract in fisheries' as a frame drawing on examples from Norway, Iceland and Greenland to examine how the societal value of fisheries is reflected in existing prescripts and practices, how these are currently being contested, and whether the social contract is undergoing change along the way.

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1. Introduction

With United Nations Convention on the Law of the Sea (UNCLOS) III of 1982 [1,2] a new ocean regime provided coastal states the right to manage fisheries resource within their EEZ. Before the regime shifts, access to utilise fish resources was relatively open. This regime shift can be seen as a radical but largely informal transformation of a – to a large extent informal – 'social contract' in fisheries, that had until then provided coastal people an opportunity to make a living from the sea.

Traditionally, the fisheries resources 'belonged to' the coastal communities and this relationship was upheld through the common right to fish. The new configuration is different, since access and use is formally regulated. Instead of an open and informal contract, the fisheries commons, the regime shift introduced a situation with a more formal and closed regulation of access and use. The relationship between society and civil society shifts from a direct to an indirect one. Before, every citizen could become a fisher. Now, the relationship between citizens and the fisheries became indirect and abstract. Society interests are no longer

secured by direct participation of the citizens, but indirectly by the decision on access allocation.

A social contract is the sum of the expectations and requirements that applies to a sector, including how competing interests should be balanced against each other. Throughout this article, the term social contract will be used; other authors are referring to the same using terms such as governance principles, conventions and institutionalised configurations of cultural norms. A social contract is a social institution, partly constituted by formal laws and regulations, and partly by cultural and normative elements embodied in the dominant organizational forms, technologies and practices in the sector. A social contract summarizes and specifies the key expectations, responsibilities and terms that will apply between sector actors (in this case the fishing industry stakeholders and coastal communities, and to some extent the society at large due to the historical and cultural heritage of fishing) and the state. The social contract is often taken for granted and its societal strength relies on the degree of its perceived legitimacy, where alternative order of preferences becomes non-imaginable; the cognitive apparatus is not readily available for seeing the world in a different perspective.

In Norway, Iceland and Greenland, the social contract for fisheries is embedded in and challenged by the Nordic welfare model. The value choice and common goal for a Nordic economic policy is to ensure that citizens have a productive working life that

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simultaneously generates income in order to finance private prosperity, as well as high taxes to secure public wealth. Key tools to ensure productivity are openness to global trade, innovations and mobility [3]. Labour and capital are to be allocated to sectors that provide the best return to society. The best use of inputs depends not only depending on the economic profitability but also on the distributional effects in accordance to societal value preferences. Nevertheless, the main role of the economic sectors is to provide the basis for welfare programmes through taxes. According to the Nordic model, the social costs of pursuing high productivity shall as a rule not be mitigated through sector policies, but handled through general labour market instruments and social security programmes.

In fisheries, the Nordic welfare model represents a challenge to the social contract, since the community values and equity concerns traditionally have had a strong impact on sector policies. The introduction of the new oceans regime, turning resource management into a state responsibility, has exposed the sector to normal demands of the Nordic welfare model. In particular, this has provoked discussions about the balance between economic and social sustainability in the fisheries sector policies. In Iceland, for example, there is a consensus that marine resources must be sustainably managed, however, the means for managing the resource to create an internationally competitive fishing industry are far more controversial. Both politicians and academics discuss efficiency versus distribution of valuable rights between a small number of beneficiaries and the community as a whole. The effects of the regime on employment and settlement in unilaterally dependent rural fishing communities are debated in this paper.

In Norway, the current fisheries management regime emerged out of a time in history when the commons were still open access and where economic and social sustainability was perceived to go hand in hand. With ecological concerns for overcapacity, win–win situations have become harder to attain and together with the changed market regimes, the social contract underpinning the regulatory framework around the Participation Act and the Raw Fish Act is in particular, being contested.

The social contract in the Greenlandic fisheries has undergone significant changes previously, beginning from colonial days going up to the present state of self government. A dual fishery policy aimed at supporting both an emerging nation state and the indigenous coastal Greenlandic societies that emerged in the 1970s, but that balance in the social contract is currently renegotiated by a range of different actors. Here, debates are about maintaining coastal communities vis a vis maximising profitability

in fishing operations, but lines are blurred and also couched in issues of autonomy at both individual and state level.

2. Approach

A variant of Charles model [4] will be applied to understand the conditions and conflicting objectives underpinning the evolution of fisheries policy (changes in the social contract) in three Nordic countries. Although the model is rather simplistic, it is found very useful to highlight the three different but partially overlapping considerations, namely social, ecological and economic sustainability. An important point is that fisheries are complex systems, where several different considerations are likely to be simultaneously relevant as a basis for regulatory intervention. Some of these are consistent and can be realised concurrently, whereas others may be in conflict with one and another. The purpose of the social contract is to strike a balance among conflicting objectives, indicating the legitimate trade-offs in situations when different values and concerns cannot be simultaneously realised. The aim of this paper is to focus on the analyses around conflicting objectives primarily related to conflicts between communities/coastal fleets and industrial scale fishing operation drawing on examples from Norway, Iceland and Greenland.

As Fig. 1 indicates that there may be conflicting objectives along three different dimensions.

Conflicts between social objectives on one side and ecological objectives on the other hand are at the core of the ‘common property’ problem. In a situation of open access, social sustainability has priority since everyone can fish, but at the expense of ecological sustainability. Closing the fisheries commons shifts the balance securing ecological sustainability, but usually at the expense of social sustainability. Within an established resource management regime, the same conflict dimension usually takes the form of controversies over TAC setting, and the allocation principles for TAC distribution.

Although conflicting objectives can occur at the interface between the ecological and economic sustainability objectives, this relationship has a high degree of complementarity and most often reinforce each other. Closing the commons and regulating fishing activities will usually be beneficial to both ecological and economic sustainability, at least in relation to industrial fisheries [5,6]. Nevertheless, in the case of fisheries in developing countries having a high proportion of small-scale fisheries, it might be economically rational to keep the commons open [7–9], suggesting that different economic rationales might apply depending on the national development context.

Conflicts between social and economic objectives usually focus on access rights and distribution of the benefits to be obtained from fishing. Traditionally, the fisheries have been the economic basis for fishing communities and rural settlement. In the Nordic context, however, the fishing industry is also exposed to a strong demand for productivity. Not only is the sector supposed to be profitable but it also should be strong enough to attract labour in competition with other profitable sectors.

The distinction between the three sustainability dimensions is not always clear-cut, since the economic concerns are embedded in social values and because ecological concerns are embedded in social concerns. Nevertheless, the three dichotomies are helpful in understanding and comparing the discourses expressed in the three case studies.

The intention of this article is not to undertake a classical comparative analysis between the three countries on how the social contract has evolved. The case studies will instead be inductively used to highlight the dynamics associated with the development of the social contracts, thus allowing for a thorough understanding of the complexity in balancing different objectives.

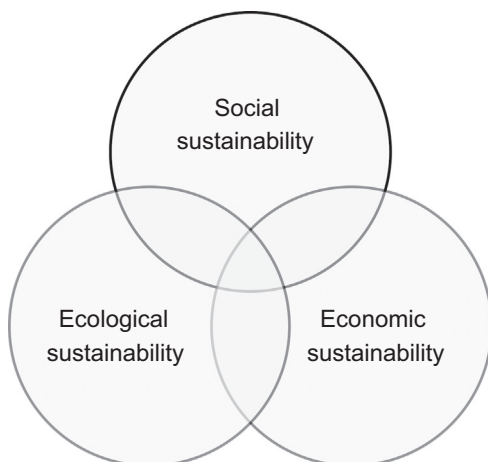


Fig. 1. The different values (social, ecological and economic sustainability) influencing the content of the social contract.

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