

# Maria vs Elinor

**The approach of EU Fisheries Commissioner Maria Damanaki to sustainable fisheries management is in stark opposition to that of economist Elinor Ostrom**

For quite a long time now, we in the non-governmental organization Collective Pêche et Développement have been convinced that the fishery crisis cannot be resolved by excluding fishermen and by dealing with fish alone. More than a crisis in the resource itself, it is a crisis linked to fisheries governance, and the sharing of common resources. To address this complex problem, we must find ways to save fish, fishermen and ecosystems together. The other principle that is fundamental to our approach to fisheries management is to regard fishing as a gathering/harvesting activity and not as a production activity. This calls into question approaches based on industrial production models, and governance by consumers. It is not fishing that has to adapt to consuming, but consumers who have to adapt to the reality of fishing, which is evolutionary and complex.

One of the pioneers of sustainable development, an Indian environmentalist, the late Anil Agarwal, described his vision of sustainability in the second issue (dated 15 June 1992) of *Down to Earth*, a magazine he created during the Earth Summit in Rio in June 1992: "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs".

This is a definition offered by the famous World Commission on Environment and Development in its report "Our Common Future". Economists have also provided a definition of sustainable development as being an economic process in

which the quantity and quality of our stocks of natural resources (like forests) and the integrity of biogeochemical cycles (like climate) are sustained and passed on to the future generations unimpaired. In other words, there is no depreciation in the world's 'natural capital', to borrow a concept from financial accounting.

But what is the operational substance behind such definitions? Who is going to ensure the rights of future generations when, given the highly divided world we live in, a

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large proportion of even the present generation cannot meet all its needs. Given such a social and political context, the above definitions also fail to say which future generations' needs are being sought to be protected and preserved. Are we talking only of the future generations of the rich or also of the poor? These definitions are all, at best, rhetorical and woolly.

## **Sustainable development**

Eminent Indian economist, Sukhamoy Chakravorty, in a lecture that he delivered to the Centre for Science and Environment a few weeks before his demise, had pointed out that the success of the phrase 'sustainable development' lies in the fact that it says nothing precise and, therefore, means anything to anybody. For a logging company, it

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can mean sustained projects; for an environmental economist, it can mean sustained stocks of natural forests; for a social ecologist, it can mean sustained use of the forest; and, for an environmentalist, it can mean a clean heritage for our children. But surely confusion cannot be more productive than clarity.

More than these pious definitions, it is important to understand the political content of sustainable development. Sustainability can never be absolute. A society which learns faster from its mistakes and rectifies its behaviour will invariably be more sustainable than another society which takes a longer time. And a society which fails to incorporate the lessons of its mistakes into its behaviour patterns even after the point of irreversibility has been reached, is obviously a society which is pursuing a totally unsustainable process of development. Learning from one's mistakes is crucial to the process of sustainable development because no society—today, tomorrow or ever in the future—can claim to be so knowledgeable that it will always manage and use its natural resources in a perfectly ecologically sound manner. That will always

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be a near impossibility. Changing social, political, cultural, technological and ecological conditions will exert new pressures on the natural resource base, and the possibility of its misuse or overuse will always remain. It can, therefore, be argued that sustainable development will be the outcome of a political order in which a society is so structured that it will learn fast from its mistakes in the use of its natural resources, and rapidly rectify its human-nature relationships in accordance with the knowledge it has gained.

The important question, therefore, is: which political order will lead to conditions which encourage a society to learn fast from its mistakes in the use of its natural resources? It is obvious that such a society will be one in which decision-making is largely the prerogative of those who will also suffer the consequences of those decisions. If decisions are taken by a distant national bureaucracy or a transnational corporation to use a particular resource, and a local community living next to that resource is suffering in the process, it is unlikely that the decisionmakers will change their decisions fast. But if the resource is being overused or misused by a local community which is dependent on it for its survival, and cannot easily relocate itself to another environment (in other words, it is a settled community rather than a frontier community), the declining productivity of the resource would sooner or later force the local community to change its ways.

Sustainability, therefore, arises not out of mushy-headed concepts like care for future generations but out of hard political issues like, one, patterns of resource control, and, two, levels of democracy within the decision-making group. The greater the participation, openness and democracy within the members of the decision-making group, the greater will be the chances of those who are suffering within the decision-making group—whether the decision is taken by a community or a nation as whole—to get a fair hearing and decisions changed accordingly.

Sustainability thus demands the creation of a political order in which, firstly, control of natural resources rests, to the maximum extent possible, with local communities who are dependent on those resources; and, secondly, decisionmaking within the community is as participatory, open and democratic as possible. The more this happens, the more we will move towards sustainable development.

#### **Democracy**

The bedrock of sustainable development is composed of freedom and democracy—a system of

governance which gives freedom to a community or a nation, within an universally accepted social framework that prescribes penalties for harming another community or nation, to control the use and management of its natural resources so that it can determine its own way of economic and social development. Each society will experiment and learn from its own mistakes. Sustainable development cannot be thrust upon by an external agent—whether it is the World Bank, the United Nations or the forestry department of a government—simply because it believes, at any point in time, that it has learnt all the lessons there are to learn. That will surely be a process towards unsustainable development.

Reforming the Common Fisheries Policy (CFP) of the European Union (EU) in the ways proposed by Maria Damanaki, the EU Commissioner for Maritime Affairs and Fisheries, leads us far away from such an approach to sustainability. The vision of Anil Agarwal, based on the analysis of the management of common resources by Indian communities, is supported by the study of the ‘governance of the commons’, developed by Elinor Ostrom, winner of the 2009 Nobel Prize in Economics, which is also based on case studies of fisheries management by fishing communities. In contrast, Damanaki is committed to deepening privatization and liberalization of fishing, on the one hand, and, on the other, to a policy based on strengthening the so-called ‘scientific’ approach to sustainability defined as an absolute to be reached and respected whatever the social cost—maximum sustainable yield (MSY). Who would not agree to such a goal? But what it is, when, and how to achieve it still has to be defined.

To set a deadline for achieving MSY in 2015 is simply absurd. It can take decades to restore overfished stocks. One can also question the relevance of an MSY defined by stocks or species. There is an extreme natural variability of many stocks, and complex interactions between different species in an ecosystem. For example, what is the MSY of a herring



An immigrant fisherman in Oban, Scotland. There is widespread use of underpaid immigrant workers in developed countries like Canada, Iceland and New Zealand

fishery off Newfoundland, knowing that this species has proliferated since the collapse of the cod, and the cod stock recovery is slowed by the predation of herring on cod fry or alevins? Moreover, hyperprotected seals have also proliferated, reaching levels of nearly 10 mn, and they consume large quantities of cod and other fish. Predation by cetaceans is well above that of fishing, but the total responsibility for the state of resources is always blamed on fishermen. What meaning has an MSY in a context of generalized land-based pollution that modifies the environment to the point of anoxia, the total absence of life? Fishing and fishermen must take their share of responsibility for the state of resources, but there are many other factors that influence the mortality of fish, such as pollution, climate change, and mismanagement from scientists and fisheries managers.

### Management by quotas

For Damanaki, the aim is to achieve this mythical MSY by relying primarily on management by total allowable catches (TACs) and individual transferable quotas (ITQs), as determined by scientists. The approach to management by quotas is far from being the only possible one, and it does not provide any greater

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A gillnetter in Lorient, France. Quota management and privatization reinforce the power of financial institutions on fishing

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guarantees for sound management than other system. It may be appropriate for very specific, well-known and well-monitored stocks, which are the subject of targeted fishing. In contrast, it is not an appropriate management tool for multispecies fisheries, where various evolutionary measures allow for greater flexibility. Some scientists also consider that the management by quotas is management of virtual fish that leads almost inevitably to the privatization and increased costs of fishing, encouraging overfishing. The management of cod quotas in Iceland has led to the inexorable decline of landings, from 400,000 tonnes per year to less than 150,000 tonnes in 2010. Paradoxically, fishing and stocks fared better in the absence of management. Gradually, quota management and privatization reinforce the power of financial institutions on fishing, capital becomes concentrated, the number of vessels gets reduced, and the cost of entry into the fishery increases. More expensive quotas will lead to more intensive fishing.

According to Norwegian and Canadian researchers who have observed the evolution of fishing in their country, “the virtual population analysis, the product of fisheries science, turned it into something manageable through quotas. The result is the assertion of financial

logic which reduces the sustainability of the system, which was yet to create a sustainable fishery. The action of all stakeholders is oriented in a certain direction, so that companies are more producers of profits than producers of fish, work and social benefits.”

The social impact of the policy of ITQs is very negative, indeed. To pay for investments, we must lower the cost of labour—hence, the widespread use of underpaid immigrants (in Canada, Iceland, New Zealand). The aim of ITQs is not primarily about the management of the resource, but rather about the quest for maximum profitability. It is also possible to aim for the preservation of the maximum number of jobs while preserving the resource by promoting artisanal fisheries in their diversity. Sociologists such as Dutch Rob van Ginkel have shown that artisanal fishermen have much more resilience than fishing companies of the industrial type, because beyond making a living out of it, their activity is a way of life that they cling to with pride. Instead, privatization leads to the dismantling of all structures and institutions developed by fishermen for the operation of their business and their sustainability. With ITQs, there is no need for producer organizations or local committees; all we need are quota-owning enterprises, run by financiers and monitored by scientists who determine the quotas—an industrial model that is not adapted to gathering but that constantly has to adapt to natural hazards, of very different scales.

### Ecosystem diversity

The diversity of resources and ecosystems requires diversity in the organization of the fishing activity itself, as evidenced by the history and culture of fishing communities. Following a comprehensive survey of fishermen and fishing communities of Maine, United States (US), on their vision of the demersal fishery by the NGO Northwest Atlantic Marine Alliance (NAMA), the first aspect that was emphasized was the need to preserve

the diversity of boats and fishing gear to ensure the future.

The reform proposed by Maria Damanaki is founded on one conviction: the crisis of European fisheries is mainly due to overfishing. Consequently, the avowed objective of the reform is to eliminate between two-thirds and half of the fishermen and boats to quickly reach the mythical MSY. The setting up of ITQs, coupled with a severe restriction of the TAC, is the cheapest way to do this. The sale or lease of their quotas by the least powerful (artisanal fishermen with only one boat) to the more powerful groups will enable the sector to finance the elimination of fishermen without public funding. The free allocation of quotas will be profitable for such groups, with the prospect of a good future income.

No one can deny that there has been overinvestment in fishing, with massive subsidies, in particular after the establishment of exclusive economic zones (EEZs) in the 1970s and 1980s. This policy continued in France until the early 2000s in some activities (tuna seiners, deep-sea trawlers) but since the 1990s, the number of boats has collapsed, ports have emptied, and some of them have even disappeared. In Lorient, France, in 1972, there were over 500 boats, including many industrial trawlers over 30 m in length. There are now about a hundred, mostly artisanal boats of less than 20 m, for the most part non-trawlers. Even considering their improved catching abilities, the problem is no longer one of overinvestment, especially if one looks to the future, and takes account of the age of vessels and skippers; it is probably underinvestment that no longer allows adaptation to the new demands of fishing. There may be overinvestment in some sectors in Europe; it is difficult to adapt capacity to continuously fluctuating stocks (like anchovies), but there is a trend towards improvement of resources in several fishing areas and for several stocks, a sign that the generalized perception of overfishing is now outdated. Adaptations of effort should

help to further improvements. The urgency seems rather to preserve existing capacities in capital and, among fishworkers, to ensure the survival of the activity.

In the US, scientists agree that overfishing is virtually over, but managers continue—on behalf of ‘conservation’—to impose measures so drastic that the landings are sometimes far below the possibilities, to the point that some consider that the US is rather in a situation of underfishing. At the same time, fishermen have disappeared from the docks, replaced by big fishing companies, second seaside homes and recreational fishermen. The supermarket shelves are full of fish and shrimp imports, while the remaining fishermen struggle to sell their products at a decent price.

Recreational fishermen in the US, Canada, and Great Britain are lobbying to reserve some fisheries and to buy additional quotas. The concern for conservation in the extreme, with the generalization of no-take zones, helps accelerate the elimination of artisanal fishermen in the North as well as in the South. The end of overfishing is a Pyrrhic victory. Is this what we want in Europe too?

The profoundly liberal orientation of the proposed reform to the CFP leads to various gaps in the proposals. Social issues are hardly mentioned,

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and neither are the problems related to market liberalization. First, there is a bias in favour of reducing the number of fishermen, a goal shared with many environmental NGOs (in Sweden, considered a model by many environmentalists, where due to their pressure, the number of fishermen has been brutally reduced by a factor of three). While this is a widely shared priority, in many

countries, there is much concern over the recruitment of new fishermen. This requires encouraging immigration (sometimes illegal) of fishermen from the South who will provide labour for industrial boats, a process already under way in several countries like Scotland and Spain. There is no reflection in the reform on this issue, despite the major human and economic consequences. This helps to destabilize the market to the benefit

considering the question of markets? There are many cases where resources are abundant and well-managed, but where it is difficult to find markets offering satisfactory prices because of competition within the EU, or import competition from countries outside the EU. Hake, langoustines, scallops and anchovies are important resources that regularly experience problems in marketing. A massive influx of shrimp or pangas can destabilize markets for fresh fish in many countries. In the name of liberalization, no safeguard measure is provided to protect local production.

It is difficult to mobilize fishermen to set up binding management measures if there are no economic benefits, or worse, if the proper management of the stock leads to a collapse in prices. Ecolabels do not in the least guarantee fair prices. We must, therefore, change our view of the crisis, with its focus only on the resource, to include a broader, more inclusive vision that encompasses a wider set of issues.

In contrast to the liberal approach of Damanaki and all the supporters of the “tragedy of the commons”, Elinor Ostrom proposes to strengthen the self-organization of fishing communities. For her, this self organization is the best way to manage resources in a complex and uncertain environment. She does not claim this approach could be applied everywhere, nor that it guarantees success, but it summarizes the results of her research work, defining seven principles for strong institutions able to manage common resources, plus an eighth one for more complex cases.

### **Community-based management**

The relevance of this approach is confirmed by various studies on community-based management in fisheries. In 1995, Evelyn Pinkerton and Martin Weinstein published a study on examples of good management by communities. More recently, the journal *Nature* published the results of a survey of 130 fisheries in 44 countries. In 65 per cent of the cases studied, community based management is efficient,

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of shipowners who use the cheap labour, which is often overexploited.

The fishermen’s wives have organized themselves to make their voices heard, but their status is far from being recognized everywhere, and the CFP reform is silent on this issue. The only proposal with a social aspect concerns small-scale fishing that could escape ITQs, but there is no clear guarantee to preserve and develop this sector.

The protection of small-scale fishing can only be possible if pressure on coastal areas is controlled, pressure which may be due to the activities of the fishermen themselves, or from the growth of non-commercial fishing. A narrow vision of small-scale fishing, which Damanaki defines as that which employs vessels less than 12 m in length and that uses fixed gear, may lead to the displacement of the bulk of activities by vessels considered as industrial beyond 12 miles, when artisanal fishermen have exploited the whole EEZ zone for centuries. Denying the artisanal character of coastal and offshore fishing calls into question the traditional culture of communities.

The second major impasse is on market liberalization. This certainly satisfies the companies importing seafood products, which control a dynamic and profitable industry. But how do you implement resource management measures without

and in 40 per cent, very effective. These studies cover all types of fisheries. One of the co-authors, Ray Hilborn, had previously shown, in another study in 2009, that the process of improvement of fisheries management and fishing practices was being undertaken across the globe.

All these recent investigations contradict the doom announced by many scientists and NGOs that rely on local examples or previous situations that have changed, so as to promote their objectives and their ideas about the inability of fishermen to manage the resources.

In the management systems implemented in France—such as the Mediterranean *prud'homies*, the scallop fishery of the Bay of Saint Brieuç, the anchovy fishery in the Bay of Biscay and the langoustine fishery in the same gulf—one can easily recognize the eight principles developed by Elinor Ostrom for institutions that manage common resources. They show that we can implement such systems in times of crisis, for all types of fisheries, even in a very conflicting context. At the end of the 1960s, with the first signs of exhaustion of resources in the Bay of Biscay, some fishermen, with the help of scientists, had already proposed measures such as setting up a no-take zone. For lack of cohesion and sufficient consensus, the project was abandoned and external decisions were imposed on the fishermen, without any involvement on their part.


They reacted in a context of serious crisis when they proposed to engage in a process towards selectivity. The situations of crises are favourable to the emergence of solutions initiated by the fishermen themselves, but need catalysts and facilitators. The steps are not always successful, but if the collective dynamic is preserved and sustained, new solutions may emerge. These processes may be slow, chaotic and often require time and strong mobilization. We should also remember that it is the fishermen themselves who supported the project of the Iroise Marine Park and that the process has lasted for 20 years.

In the Mediterranean, the fishermen have set up no-take zones, but they were not heard when the Ministry of the Environment imposed on them an immense coastal reserve that takes away from them fishing areas that are essential to their activity.

In France, in Europe and all over the world, there are many examples of good practices and positive changes initiated by fishing communities themselves. By relying on these initiatives and by acknowledging their capacity to analyze the situations, we can hope to build sustainable fisheries.

It is also up to consumers to support these efforts, rather than follow the guides and edicts of NGOs that mainly benefit supermarket groups. We must learn again from fishermen. While mistakes have clearly been made, their capacity to modify their practices should be recognized. The history of fisheries is a history of repeated crises to which fishermen have proved capable of finding answers.

Today, with powerful technology, errors lead more quickly to disasters, but there are still possibilities to react as long as pollution has not destroyed the capacities of plankton production, even if the ecosystem that is rebuilt is not exactly the same as it was in the past. The sea, like land, is a territory exploited and transformed by human activity. There is no simple answer, readymade, universal or absolute in time.

Elinor Ostrom and Anil Agarwal, in two different worlds, drawing on various examples of common resources, have reached the same conclusions that totally contradict the proposals of Maria Damanaki. It's up to us to take advantage of this. 

#### For more



[ec.europa.eu/fisheries/reform/](http://ec.europa.eu/fisheries/reform/)  
**Reform of the Common Fisheries Policy**

[www.youtube.com/watch?v=ByXM47Ri1Kc](http://www.youtube.com/watch?v=ByXM47Ri1Kc)  
**Sustainable Development and the Tragedy of the Commons**

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