

Evelyn Pinkerton, Editor, *Co-operative Management of Local Fisheries: New Directions for Improved Management and Community Development*. Vancouver: University of British Columbia Press, 1989. (320 pp.)

This volume chronicles the evolution of fisheries co-management in Canada and the United States. "Co-management" is not defined but rather described by Pinkerton as either negotiated or court-imposed agreements, formally or informally arranged, "between groups or communities of fishermen and various levels of government responsible for fisheries management in Canada and the United States." The book contains sixteen papers, loosely arranged into five thematic sections. All but three of the papers are exclusively dedicated to Native co-management issues.

Section one addresses the development of formalized co-management initiatives between government and Aboriginal peoples in the Pacific Northwest. In this section, Fay Cohen provides a succinct account of the erosion by the commercial fishing industry of the Native coastal and riverine Washington State fisheries. She also chronicles the history of the landmark ruling *U.S. v. Washington*, which affirmed the Aboriginal right to take 50 percent of the fishery resource, subject to conservation, and the co-management challenges encountered by the claimant First Nations under conditions of extreme fishing pressure exerted by multiple resource users. Norman Dale, in the following paper, examines co-management pursuant to *Sohappy v. Smith* in Oregon and *U.S. v. Washington*, but unlike Cohen, does so from a social learning perspective. Dale demonstrates how perceptions of the issues in these cases became better understood by the involved parties through discourse over time, which clarified respective positions and facilitated a reconciliation of them. Social learning theory, he argues, provides a workable model for resolving resource management conflicts, and submits the British Columbia context as a case where it may apply. But caution should prevail in adopting this transactionally based model without recognizing its limitations. Danny Jordan, for example, provides a descriptive account of the development of a negotiated salmon management plan among multiple stakeholders and jurisdictions on the Klamath River, in California. Unlike Dale, Jordan argues that the management plan for the river was successful because existing case law, in particular *U.S. v. Washington*, had affirmed the Aboriginal right to fish. Legal precedence, not social learning theory *per se*, was of paramount consideration when the parties agreed on the river management plan.

John Kearney, Bonnie McCay and Donald Amend, in section two, focus on non-Native fishermen creating local co-management. Kearney,

with insight and sensitivity to social context, explores the differing concepts of fisheries management and fishing labour processes among Nova Scotia lobstermen, which motivated some of them to respond more favourably to lobster trap size limitations than others. This less-than-unanimous response created an obstacle to co-management negotiations and left the door open for possible government co-optation of the process. Kearney cautions that such co-optation is avoidable only to the extent where uniform support by the stakeholders (i.e., the lobstermen) of co-management exists. McCay's paper recounts the difficulties encountered by user groups, the scientific community and government agencies in their collaborative attempt to increase hard clam production in the New Jersey littoral. McCay concludes that the clam revitalization project, notwithstanding the many roadblocks thrown up by the involved parties along the way, accomplished a shift in public policy favourable to co-management. To that end, there was no co-optation, inasmuch as the process, flawed though it was from beginning to end, accrued net benefits for everyone concerned. Similarly, Amend argues that commercial fishermen's involvement in aquaculture associations in Alaska enabled them to strengthen their alliance with state resource managers and play a greater role in fisheries management, even though differences based on gear type divided them as stakeholders. Thus, contrary to Kearney, the Alaskan government chose to co-operate with the fishermen rather than to co-opt them.

Section three consists of papers written by Milton Freeman, Steve Langdon and Thomas Busiahn that address Aboriginal management regimes under state authority. In a thoughtful piece, Freeman describes the transformation of the autonomous Aboriginal community-specific Alaskan whale fishery into a regionally comprehensive fishery that the Eskimo people now co-manage with seeming success. The co-management agreement between the state and the Alaska Eskimo Whaling Commission, precipitated by the perceived threat of resource decline, today safeguards the efficient subsistence harvest of the bowhead whale in accordance with Aboriginal custom and institutions, and while respecting conservation principles. Yet, paradoxically, state authorities have not expressed the political will to enter into a similar co-management agreement on the Pacific walrus. Langdon explores the initiatives of the Alaskan Eskimos to co-manage the walrus and chronicles the struggles of the Eskimo Walrus Commission to attain its modest objectives. Thomas Busiahn's paper, in contrast to the negotiated approaches to co-management discussed by Freeman and Langdon, explores the impact of court-imposed decisions upholding tribal fishing rights in the ceded Great Lakes and inland lakes fisheries of Wisconsin. While the Wisconsin

tribal co-management structures were established and continue to exist in a volatile social and political environment driven by the overt racism of non-Natives and their fear of Indian fishing rights, they do in fact allow full non-Native participation (through the state) in management decisions, and thus serve as "workable models for resolution of both technical and social fishery management problems," albeit under considerable duress.

Section four consists of papers written by Fikret Berkes and Nancy Doubleday. Respectively, the authors describe the development of co-management provisions in the James Bay and Northern Quebec Agreement, signed in 1975, and in the Inuvialuit Final Agreement, signed ten years later. These claims, settled under Canada's Comprehensive Claims Policy, legally empowered Cree and Inuit people to a degree of self-determination not expressed in previous agreements and treaties, and provided a framework for effective co-management. Though far from perfect, the two agreements recognize and affirm Aboriginal rights to land and natural resources, the basis from which Native co-management must flow.

The last section, on British Columbia Native fishermen, consists of four articles. Mike Morrell, in a well-written and succinctly argued paper, describes the traditional Gitksan and Wet'suwet'en Skeena River salmon fisheries. The riverine fisheries, owned by designated clans, controlled by House Chiefs and governed by customs and tradition, were self-sustaining and central to the Aboriginal economies and cultures of the area. Title to the Gitksan and Wet'suwet'en fisheries was never surrendered and in 1985, the Gitksan Wet'suwet'en Tribal Council proposed to the Pearce Commission on Pacific Fisheries Policy that the House Chiefs retain paramount control over resources within their territories, including the riverine fisheries. In particular, the council argued that only from the riverine spawning bases where stocks become discrete species could the mixed-stock, multi-jurisdictional offshore fisheries be "managed to the weakest stock," in accordance with the capitalizing on traditional Native harvesting systems. A similar initiative was advanced by the Haida people of Haida Gwaii, as chronicled by Miles Richardson and Bill Green. This initiative, however, was withdrawn when the federal government did not demonstrate the political will to negotiate a co-management agreement. Ironically, in a subsequent paper, J.R. MacLeod provides a detailed step by step approach to negotiating co-management arrangements. A former senior ranking official of the Department of Fisheries and Oceans, he argues that a will to move on co-management exists; to the extent that Morrell, Richardson and Green are correct, however, that will has not been demonstrated by the state in negotiating co-management with the Gitksan and Haida people. The final paper, written collaboratively by

Bruce Rettig, Fikret Berkes and Evelyn Pinkerton, assesses the future of fisheries co-management, with only cursory reference to British Columbia. For that reason, it seems out of place in section five.

Pinkerton's work is not without imperfections, some minor, some major. For a start, its emphasis on Native fisheries co-management is nowhere reflected in the title. The title is also sufficiently obscure to lead the reader to believe that Native co-management is predicated on community-based resource management and self-sustaining local resource control criteria, when in the first instance it is or should be framed by the Aboriginal or treaty rights to fish, as enunciated by many of the contributors in their articles. As insignificant as these two unintentional oversights may appear at first glance, they nonetheless convey a subtle message to the reader that the legal, constitutional and historical underpinnings of Native and non-Native co-management structures coincide. Undoubtedly such is not the case.

Norman Dale's paper excepted, not one of the papers make a significant contribution to theory, which leaves me to question Pinkerton's claim that her volume advances the development of theory. Indeed, it is MacLeod who muses that "no one has yet identified a co-management regime that sprang full blown from the furnace of a brilliant intellect and then was implemented to universal acclaim." Pinkerton does develop twenty general propositions and over-arching principles that predict which pre-conditions are favourable to developing co-management. However, her initiative is based on a sample of only fourteen case studies centering largely on North American Native co-management arrangements and implemented with mixed success by the courts or through negotiations. Furthermore, none of Pinkerton's propositions refer to Native peoples' Aboriginal, treaty and constitutional rights, even though many of the propositions flow directly from such rights. Thus, a sleight of hand is operative in this instance, as the propositions categorically *do not* distinguish Native from non-Native co-management structures. From an allocation perspective, for example, non-Native co-management is framed by and flows from different, indeed less comprehensive, rights criteria, as recent American and Canadian court judgments have proclaimed (in Canada, for example, the recent Supreme Court judgment *R. v. Sparrow*).

Pinkerton suggests that community development is one of three secondary benefits accruing to communities through co-management (the other benefits include more effective decentralized decision-making and reduced conflict among users through participatory democracy). The recirculation of increased natural wealth back into resource-dependent communities from co-managed enhancement, planning and habitat protection initiatives, she argues, advances their development. But does

it? These communities do not operate outside of the market economy. Resource-dependent communities are vulnerable to the whims and will of advanced monopoly capital and, concomitantly, to forces of unequal exchange. Thus, any surplus resulting from co-management and development of fisheries, which Pinkerton suggests would naturally flow to community development, instead may be appropriated or siphoned off by capital, to the extent fish and wildlife are made into commodities and unequally exchanged in the market economy. Under these circumstances, how is community development to occur in the context of co-management? What share of the economic benefits from co-management initiatives *will* ultimately flow to communities? What share of these benefits *should* flow to the communities? How would community development be assessed and who would undertake the assessment process? Not once were any of these important substantive issues addressed.

The concluding paper, written by Pinkerton in collaboration with Bruce Rettig and Fikret Berkes, maintains that the need for co-management is clearly in evidence, inasmuch as theory and practice have evolved to the detriment of conservation despite the continued existence of a large number of self-regulating "pre-industrial" and some non-Native commercial groups. But once again, Pinkerton and her co-authors discuss self-regulation, like co-management, without clearly defining the term and without reference to the market economy. The Port Dover smelt fisheries serve as a case in point.

Based on Berkes' Lake Erie data, the smelt trawlermen of Port Dover (Long Point) were identified by Rettig, Berkes and Pinkerton as one of a number of non-Native self-regulating group. However, my published field data show that the Port Dover smelt fisheries are not community controlled, and that the fishermen, the majority small-scale operators, do not regulate the rate of harvest; they are, in fact, monopsonistically dominated by a single, well-placed vertically and laterally integrated capital intensive fish processor located in Wheatley, at the other end of the lake. Until 1984, when government quotas were introduced, the local fishing effort was wholly based on this processor's port quota system. (The sum total of all the port quotas reflected market demand which, fortunately, did not exceed the fishery's sustainable yield. Port Dover was not always allocated a fair share of the lake-wide quota). The processor also established a fixed port price for smelt, thus controlling both production and price and leaving the independent fishermen little as a return to capital and labour. While the smelt fisheries may have appeared to be self-regulating, in fact the fishermen themselves neither regulated the rate of harvest nor were they adequately compensated by the processor for

their capital and labour. The 1984 introduction of government quotas merely entrenched the problem of low fishing incomes because the state established per capita harvesting levels without regard to the fishery's monopsonistic pricing structure. This was enunciated by one trawlerman when I asked him for his views on government quotas. He replied that he would not support quota management unless the government also stepped in to regulate dockside prices. In his view, controlling effort without regulating price effectively placed him and others in an untenable cost-price squeeze.

Any understanding of self-regulation, co-management and community development must be mindful of capital's opportunistic ability to direct production and control the rate of harvest in order to appropriate surplus. My own field work has convinced me that co-management cannot be understood without reference to political economy. This said, a class analysis of co-management and the impact of the articulation of modes of production on resource-dependent communities would have provided constructive food for thought. But, in the final paper, Pinkerton and her co-authors choose to assess the future of co-management without reference to who ultimately profits from fish after they leave the net.

Finally, Pinkerton's volume would have made easier reading had more maps and illustrations been used to highlight the text. With the exception of Busiahn's paper, no maps were provided and I found myself repeatedly turning to an atlas to identify the location of place names cited by the contributors in their articles. Furthermore, the volume contains a number of typographical errors and on at least one occasion (in Busiahn's article) a footnote was omitted in the references cited.

In spite of its imperfections, I found Pinkerton's volume to be a useful addition to the co-management literature, from a substantive perspective, and she is to be commended for her pioneering inter-disciplinary contribution to the field. We need to build on the case studies she and others have provided to critically assess how Native and non-Native hinterland communities can co-manage fish and wildlife within the parameters of a market economy. There is little use in developing co-management arrangements without also addressing the structural underpinnings of underdevelopment which, if left unchecked, would surely erode any benefits accruing to communities from the capture and sale of fish and other natural resources, whether such natural resources are co-managed or not.

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