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Institutional Design of Fisheries Co-management: The Problem of Democracy and Representation

Abstract

This paper addresses the problem of representation and democracy in fisheries co-management. The questions of representation and democracy are not properly dealt with in most inquiries, even if it is a core feature of co-management. Most advocates of co-management appear to have instrumental or functional conceptions of democracy. Here we attempt to discuss some of the problems this approach raises from the point of view of two established models of democracy. Two broad categories of co-management arrangements are identified: One that applies to small, localized “communitarian“ communities, and one that applies to the national or the meso level that bears close resemblance with traditional corporatist arrangements. We conclude that there are several contradictions and dilemmas within the co-management tradition regarding democracy and representation that deserve more attention.

Keywords: Co-management, corporatism, fisheries management, democracy, representation.

1. INTRODUCTION

In most coastal states, fisheries management is a highly controversial issue. In recent years there has been a growing recognition that for regulative measures to be both effective and legitimate user-groups ought to become more actively involved in fisheries management. The technocratic, centralistic, paternalistic and bureaucratic, top-down management approach based mainly on administrative and legislative measures is increasingly compromised,

inadequate and outdated both in and outside the fishery sector, as it in most places proves to be insufficient to prevent degradation of renewable natural resources.

This model has been compromised by lack of flexibility and of high monitoring and enforcement costs and poor compliance, due to the measures' low legitimacy among the fishers. Often this type of management also proves to be counter-productive or have side-effects that may be as bad as no management at all. Fisheries management is not management of fish, but of fishers. Thus, management has to be seen as a social process in which social and cultural organizational variables have to be taken into account and given serious attention (Cernea 1995:343).

The alternative advocated is often a management process that involves a "bottom-up" approach which includes user-groups in decision-making. This approach is oriented more towards the fishers and fishing communities, and seeks to involve the fishers and other parts of the industry in the decision-making process. This form of management is more likely to be met with a higher degree of acceptability and compliance by the user-group, as increased participation may lead to the formulation of more workable regulations (Raakjær Nielsen & Vedsmand 1997:278). Such efforts to include user-groups in decision-making processes regarding natural resources have during the last decade frequently been labeled as "co-management".

Co-management is now a rapidly developing field, and initiatives based on this 'model' are in progress in a large number of areas such as fisheries, wildlife, forests, etc. There is a substantial accumulation of empirical studies on co-management arrangements. However, in terms of precise definitions, theory development, and synthesized and structured knowledge the situation is rather poor (Berkes et al. 1996:3). The underlying mechanism that makes co-management work is poorly investigated and no coherent theory is established as "The co-management theory". There is rather a fragmented bundle of principles and elements with no clear theoretical link between them.

As long as co-management is used only on the abstract and general level as a buzz-word, this lack of clarity does not cause serious problems. However, as the model is increasingly used also as a concrete model for designing practical solutions for managing common property resources, improved conceptual clarity is required. Co-management as a design principle means reallocating management responsibilities and legal power to user-groups. Thus, co-management implies a re-organization and restructuring of both the management system and the agencies and organizations involved. In other words, co-management means a radical change of the management responsibilities between public authorities and civil society. This requires more detailed and carefully developed guidelines than those currently available. To avoid the conception of co-management as a universal panacea for fisheries management, clearer definitions and focus on the prerequisites for the model are necessary.

In our opinion, one of the key practical and theoretical questions in discussions of co-management models is the problem of representation, as representation is the main source of legitimacy. However, most scholars have focused on participation, without addressing the representation of interests adequately. It is in the literature often unclear which user-groups that are supposed to participate, as well as how and to what extent, in the various outlines of co-management arrangements. Experience from different parts of the world indicates that inclusion and exclusion of groups is heavily disputed. Who is going to take part in decision

making on management of the resources? What institutions are viewed as just and legitimate? Is management of resources only a question for actors within the industry, or should other people (i.e. politicians, scientists, environmentalists) be included? In discussing such questions the literature on co-management systems apparently has trouble. Close empirical examination of present co-management systems is apparently insufficient to bring the debate further. From our point of view, there is a need to confront the literature on co-management with that of political science debates on democracy in general, and on representation in particular.

In this paper we address the question of representation and discuss the criteria that can be used for including - and excluding - participants. The discussion is related to both theoretical models of democracy and experiences with co-management. Theoretically, our point of departure is criteria of representation outlined from different views of democracy, such as pluralism, corporatism, participatory democracy, and deliberative democracy. Related to these theoretical positions we use literature on co-management systems to clarify criteria of representation used in existing systems, and to discuss the dilemmas related to these criteria. The last part of the paper is concerned with the problem it raises for the design of institutions viewed as legitimate both among user-groups and actors outside the industry.

2. THE DEFINITIONS AND RATIONALE OF CO-MANAGEMENT

Evelyn Pinkerton, one of the first scholars to use the term in fisheries management, defined co-management as:

"negotiated agreements and other legal or informal arrangements (...) between groups or communities of fishermen and various levels of government responsible for fisheries management" (Pinkerton 1989:4).

Further, she included under the term co-management:

"a wide range of legal or informal agreements and efforts, because they have much in common, both as expressions of community self-reliance, and as attempts by government to solve difficult management and public policy problems" (Pinkerton 1989:4).

A few years later she maintained a loose definition, as she claims that:

"(c)o-management agreements may be more or less comprehensive, covering one or all aspects of management activity" (Pinkerton 1992:331).

Others have defined co-management as:

"..the sharing of responsibility and authority between the government and local fishermen/community to manage a fishery or other natural resource. Co-management covers various partnership arrangements and degrees of power-sharing and integration of local- and government-level management systems. It involves some degree of communal management of the resource" (Pomeroy & Williams 1994:iv).

Pinkerton's early definition is still very illustrative of the "co-management" literature, and Berkes et al. (1996:2) even claim that the concept cannot be defined very precisely because a

wide variety of partnership arrangement and a continuum of degrees of responsibility sharing that is possible. However, Sagdahl (1992) emphasized in 1992 that the term co-management is a quite loose and vague concept that needs to be defined more precisely. Most definitions include a large set of strategies and models. Today the concept covers both informal community-based management, and central consultations and negotiations between national user-group organizations and government agencies. According to authors like Berkes et al. (1991), McCay (1995), Sen & Nielsen (1996), co-management arrangements may cover a spectrum ranging from informative, advisory, cooperative, consultative, and instructive.

In the last few years the confusion and inaccuracy have further increased, as marketing functions have increasingly been included in the co-management concept (Nielsen & Vedsmand 1997). Thus, some wide definitions will include every management regime in which some user-groups participate in some of the decision-making processes in some parts of the industry. The various co-management definitions cover a large number of ways of organizing the management of fisheries, both in terms of degree of formalization, bureaucratization, decentralization, delegation, and in terms of which functions the user-groups undertake. Apparently, any form of user-group participation is also co-management. This makes it difficult to see co-management as one coherent strategy or alternative. It also makes it difficult to claim that the same mechanisms are operative in all the various set-ups. Thus, the broadness of the definitions serve to empty the concept of its value as a precise tool when applying it to the local context.

Other more narrow definitions, to which we subscribe, describe co-management as systems in which government and local-user-groups share management power and responsibility, giving them different but complementary roles in the management scheme, and where the fishing authorities have delegated exclusive management authority to the local user-groups over a given fish resource or a given sea territory.

The rationale of co-management

Despite the variety and lack of clarity in the definitions of the co-management phenomenon, most authors advocating this approach seem to agree on the effects. The rationale of co-management is based on several arguments. Greater participation by user-groups in decision making will increase democracy and enrich the regulatory process by providing a broader base of information and knowledge, and lead to more adequate and better regulations. The users will also acquire a sense of "ownership" of the regulations, and may, because of their continual and frequent presence, contribute to the monitoring and surveillance of the resources (White et al. 1994:16). Local participation will also start important learning processes, and often lead to improved social cohesion and community development (Pomeroy and Williams 1994:iv) Participation or representation in the decision-making process enhances the legitimacy of the decisions taken. This will in turn lead to enhanced compliance to the regulations. Higher compliance is invaluable in most fisheries where effective monitoring and enforcement is almost impossible except at large cost. All in all, co-management will contribute to a more economically and proficient management regime with increased efficiency and efficacy (Jentoft and Mikalsen 1994:288).

"Ideally, co-management gives user groups a real influence, in the sense that their practical knowledge makes a difference in the decision-making process. At its best, co-management leads to consensual management." (Jentoft & Mikalsen 1994:288).

The purpose of most co-management regimes is to develop a dynamic partnership, using the capacities and interests of both government agencies and the people using a resource. According to Pinkerton the point is that the parties "give to get" in lasting arrangements.

"Co-management regimes work by altering the relationships among the actors in the fishery, primarily those between fishermen and government, but also those among individual fishermen and among fishermen's groups. Basically, by instituting shared decision-making among these actors, co-management systems set up a game in which the pay-off's are greater for co-operation than for opposition and/or competition..." (Pinkerton 1989:4-5).

User-groups provide the decision making process with knowledge of what regulative measures, from the fishermen's point of view, will be of local relevance. The improved decision making and management due to relevant knowledge is expected to increase the legitimacy of the management system (Jentoft 1989, Jentoft & Mikalsen 1994, Kuperan & Abdullah 1994:310). This double effect, the argument goes, will enhance compliance to regulation. Co-management is often perceived precisely as a strategy to counter lack of legitimacy. Thus, democracy is seen not primarily as a value in itself, but as functional method to obtain legitimacy, increased compliance, and efficient regulations. Given the deep and multiple problems related to the management of most fisheries resources, legitimate solutions are indisputably favorable.

3. CO-MANAGEMENT AND USER-GROUP PARTICIPATION

Bringing the state and the question of organization back in is one of the important achievements of the co-management debate in resource management. To focus on the relation between the state and the fishermen in fisheries management is important for several reasons. First, local, informal management systems are not existent everywhere, and can therefore not always represent an alternative management option to state led management. Second, local informal management systems may be too weak to build more comprehensive regimes on, yet strong enough to cause problems for larger state driven management initiatives. Third, most local management regimes would need to collaborate with the state to get the necessary expertise, legal infrastructure, defining property rights, economic support, etc. Also, if local co-management is to have relevance as a national management strategy, it has to function in larger organized settings, as well as in small, isolated, specific settings with simple ecosystems. This can hardly be achieved without local formal organizations and the involvement and co-operation of the authorities. Finally, it is difficult to imagine the state giving away regulatory power to a counterpart not formally organized¹.

The point of departure for most co-management efforts is that public regulations are mainly organized at the macro-level of state bureaucracy (Dubink & van Vliet 1996:502). On the micro-level, individuals are only passively involved as the subject of government regulations. Except where the resource use is privatized, individuals can hardly have an important role in resource management. Thus, in our opinion, co-management should focus more on the meso-level and on civil organizations. This is the level where legitimacy is produced, and a decision-

¹ We do not include privatization of the resource use as a part of the co-management strategy.

making vacuum or institutional neglect here is an open invitation to implementation and compliance problems (Dubbink & van Vliet 1996:502).

These points make it clear that the co-management debate should pay more attention to the debate on corporatism and democracy in political science. Pinkerton states that:

"(W)hile co-management agreements are usually initiated from the bottom to solve the problems or concerns of communities or groups dependent on resources, corporatist decision-making is often initiated by government to solve the problems of governments with expanded power and high costs of running an orderly process" (Pinkerton 1992:338-9).

On the other hand, will:

"Co-management arrangements in general involve genuine power sharing between community-based managers and government agencies, so that each can check the potential excesses of the other" (Pinkerton 1993:37).

Co-management has from the beginning focused on the preservation of traditional practices, often linked to small native groups in relatively small and "simple" ecosystems. Co-management was a bottom-up strategy for increasing, strengthening and consolidating the traditional use-rights and self-managing practices of local user-groups. It was linked to community mobilization and activism directed at acquisition of property or use-rights and increased influence in decision-making. Pinkerton for example focuses on "the legal recognition of co-management rights and the achievements of agreements" and "North American Indian rights to co-manage fisheries and to protect fisheries habitat" (1992:330). However, the co-management model has developed to become as popular among scholars, government agencies and other fisheries managers as among the fishermen. According to Pomroy & Williams:

"Co-management is a middle course between state-level concerns in fisheries management for efficiency and equity, and local-level concerns for self-governance, self-regulation and active participation" (Pomroy & Williams 1994:8).

Thus, as in corporatist structures, the point is that both parties benefit, and a clear distinction between co-management arrangements as "bottom-up" processes and corporatist agreements as "top-down" processes, is not valid. It is, at least, of great importance to clarify whether one talks about "bottom up" or "top down" approaches to co-management.

Keeping in mind that user-group participation and co-management requires organization, the question of representation becomes a central issue. User-group participation and co-management has become so ever-present in parts of fisheries management jargon that the concepts are often virtually without meaning, with the effect only of softening the top-downism. As stated by Gardner & Lewis (1996:112), the notion of participation is itself problematic as it tends to mask differences between people by dissolving heterogeneity into vague notions of "community". It has become a politically attractive slogan, and has gradually been stripped of its previous radical connotations. Participation is a political issue that can take on multiple forms and serve many different interests. It is clear that the rhetoric of participation easily can be misused while real power is in the hands of outsiders, and Rahnema (1992:116) emphasizes the importance of distinguishing between manipulated forms of

participation and spontaneous ones. Incorporation is often the best means of control. It is, however, clear that participation in the co-management tradition is primarily a methodology and secondly a goal in itself.

However, focusing on representation forces one to clarify what participation is all about; who participates and at what level of participation. It is often a tricky issue to determine who shall be represented in the co-management system. Who can be regarded as a user-group? To determine who is affected by a regulatory decision is a complicated issue, as fishermen usually are heterogeneous groups in terms of where they live, where they fish, what boats and gear they use, which species they harvest, whether they are crew or boat-owner, their dependency on fishing, etc. (McCay and Jentoft 1996:242). It is likely that their world view, interests and attitudes will reflect this variation. In addition, including some groups will usually mean to exclude others, and the groups excluded from the co-management system may cause new conflicts and problems in the industry.

Co-management is based on a goal to give management of natural resources a flavor of democracy. Participation in decision making is the basic argument for avoiding top-down models, and in favor of a bottom-up version. Given the fact that it is difficult to delimit a clear notion of what this bottom-up model is, and what it is not, it is perhaps a hazardous project to discuss the model of democracy inherent in co-management. However, we find it necessary to try to figure out different aspects of co-management and democracy. The question is then: What conception of democracy is advocated? To discuss this, we turn to a short presentation of two theoretical models inherent in the political science debate over democracy.

4. TWO MODELS OF DEMOCRACY

Even though it seems to flourish all over the world as a governing principle, democracy is a highly disputed concept. Both among lay persons and, perhaps not so surprisingly, within political theory, it is difficult to find a clear and uncontroversial definition of its main components. In the fragmented and diversified debate over democracy, however, two traditions can serve as important points of departure for an outline of main elements of democratic governance. Each of these traditions gives different arguments for participation and representation.

The starting point in the *liberal tradition*², originating in the works of Hobbes and Locke, is that of a society of free and equal individuals. Their freedom is almost undisputed, giving everyone the right to pursue their private and egoistic interests, and to struggle for their private goals in competition with other individuals (Held 1987:248; Kymlicka 1990:200). Society is seen only as an aggregation of diverse private objectives, whose members do not share a common or a public interest outside the autonomous individual. Thus, each person is standing in an antagonistic relation both to other individuals and not least to the state.

² Using the liberal tradition as a label is a simplification for a school of thought covering diverse thinkers and a wide collection of positions. For our purpose, however, it is impossible to scratch more than the surface. For an overview, see Gray (1986) and Kymlicka (1990).

Focusing on basic rights, neither the state nor other individuals should intervene to curb personal freedom or restrict the possibility to make a free choice.

Leaving each individual to make their own choices, and to be the ultimate judge for goals to be realized, the state should be value free and behave neutrally among competing views of what the good life ought to be. Thus, defining the state from a liberal point of view, is a search for elements that can limit the activity of the insiders, i.e. politicians and bureaucrats. For a liberal, the constitution is an individual's best tool to secure the role of a minimal and non-totalitarian state (Hayek 1967:170). No authority shall define the purposes of a good life, or intervene in private affairs to secure common interests in society. Given that the market, at least in theory, is the best mechanism to secure personal freedom and private choices, the government should be obstructed from regulation and thus from restricting voluntary exchanges.

Following this view, political decisions are not at the core of society, and the assumption is that people will limit their participation in political decision-making to voting in elections. The purpose of participation is instrumental, i.e. to protect individual freedom and promote solutions that best fit in with private goals. The citizen is seen as a customer taking part in a market where politicians, as producers, compete for electoral support - and positions. The test for decisions is whether they reflect the will of the people, i.e. democracy as a mechanism for decision should have procedures to ensure that collective decisions reflect citizens' preferences.

From a *republican position*³, the way of thinking has to be turned around in many ways. First, it takes society, not the individual, as the starting point. For a republican, freedom is not a question of independent living and the pursuit of personal goals, but of earning membership in an integrated society, and an ethical community, where individuals are socialized to encourage and share values in a common culture. Personal integrity depends on social anchors. Not striving for the personal best, people take part on a broad basis, for other people's interests and to secure the ends and means of society as whole. Personal freedom and private interests are secondary goals, and should be restricted to a common interest shared by members of society. Rights are not given *a priori*, nor definitively personal. Their borders and content are set and changed according to what is needed for political participation. The political, not the judicial, part of citizenship is most important.

Second, characteristic of the republic position is a different impression of the state and government. Neutrality is replaced with government as a moral actor. As such, the state defines some views as better than others, and tries to promote certain ways of living as the good life. The republican view opens for an active state, regulating the economy and transferring resources to remedy inequality. For some republicans, like Hannah Arendt, the modern state can become a problem if it grows in size and turn into a bureaucratic monster acting against civil society. The answer, then, is not more personal freedom and market solutions, but delegation of political power and administrative responsibility to local assemblies based on broad participation (Habermas 1996:26).

³ For an outline of a modern republican position, see Cass R. Sunstein (1988).

Third, politics is not a subactivity, but comes to the forefront as, perhaps the most important part of life. Political participation is not a means, but becomes itself an end. On a broad basis, citizens have an obligation to take part in the collective process of political decision making aimed at protection and development of common interests. Participation is not instrumental, but for an embedded, societal actor, political involvement and training for the individual means to learn and work for integration of society. Thus, we have to view the purpose of the democratic process not as a question of aggregation. Deliberative democracy is dialogue for the development and maintenance of a common will. Participation is to take part in an open and uncoerced discussion of the issue at stake with the aim of arriving at an agreed-upon judgment. Discussion implies the raising of arguments, participation in contestation, reasoning over values, and the transformation of preferences to take into account the view of others (Miller 1993:75).

5. DISCUSSION

Even though the republican model of democracy stands out as the most appropriate, theories of co-management are combining elements from both the liberal and the republican model. First, the most important argument for co-management is based on a golden line of liberal democracy: Those affected by a decision should be given the possibility to participate and have a say for an outcome that will affect their future possibilities (Dahl 1970). Decisions, then, are reflections of the private goals members of the demos have, and how these goals are aggregated to a majority. Thus, participation is necessary to secure private interests, and hence it can be argued that access is most important and should be given to those who have 'most at stake' (Jentoft & McCay 1995:237, McCay & Jentoft 1996:242). So whereas liberal democracy is a model underlining the importance of equal rights to everyone (one person, one vote), co-management can be seen as a way to limit representation according to a utilitarian principle. In co-management the common way of organizing is to involve those most affected, i.e. to let user groups participate because they are mostly affected by the outcomes. Thus, because fishermen's income and their way of living are a result of regulations and quotas set, they should have a privileged role at those arenas where decisions are made.

Secondly, even though participation in resource management is based on interests affected, it is important to remember that the goal of involving affected interests is, not least, to promote what we can call a common good in society. The purpose of increased legitimacy and the promotion of more efficient regulations is hardly just to raise private income, or in other ways to secure the interests of members in a boat owners association etc., but to manage what is defined as common property. If co-management is to become an alternative, for example to avoid privatization or market solutions (McCay & Jentoft 1996:238), outcomes have to be an advantage for society at large, not only profitable for members of user-groups acting as decision-makers. The given possibility to participate and affect outcomes, is then at the bottom line related to an understanding of resources as a property belonging to society, in which co-management should benefit both society at large and those using the resource. Thus, decision-makers are, as in the republican model, expected to be embedded in their (local) society, and act in a way that promotes the interests of all members of society.

The main difference between co-management and the liberal model, then, is that whereas a liberal relies on the market, and argue in favor of private initiatives, private property rights etc.

as alternatives to bureaucratic solutions, republicans and those advocating co-management search for possible solutions in civil society. Market and strategic behavior for investment in private goals should be replaced with participatory arenas, and the possibility for decision-making processes in which actors take care of their common purposes as responsible members of society. Such a participatory model seeks to use informal bonds among the members of a society, to rely on their ability to discover and to take care of common goals, and to rely on citizens' ability to build and use organizations to solve problems as a collective.

The answers presented to resource management as a problem are, then, found in what we, broadly speaking, can label as "participatory democracy", involving actors in the industry. However, the broad conceptualization of co-management makes it necessary to classify the model in at least two different ways. Let us first turn to the argument stemming from, and in favor of, **co-management in small, local communities**. This model of co-management is based on an already developed practice, and it is argued for the promotion of well-functioning systems. It is local management in the sense that the actors are involved in small scale fisheries, and that management is related to the management of a local resource, where both actors and the resource itself are easily identified. The deliberations that take place in these arenas are based on local norms and tradition, and resources are managed according to history and the already established local rules for just distribution. Thereby, rational action in these settings can be labeled as contextual rationality, i.e. where actors express commitment by acting in accordance "with the expectations generated by the beliefs and norms of an existing or potential community" (White 1988:16). Several scholars emphasize that characteristics such as group cohesion, collective values, homogeneity in terms of kinship, ethnicity, religion or fishing gear type, are important requirements for successful co-management (Pomeroy & Williams 1994:11, Lim et al. 1995:216, Pinkerton 1989:28). McCay & Jentoft (1996:247) contend that such local or decentralized systems are more congenial to "communicative rationality" as opposed to instrumental rationality.

From this perspective, it is easy to understand why state interference should be avoided. Intervention from government means bureaucracy, and thus an apparatus based on an instrumental form of rationality that could disturb the norm driven actions and decisions in local communities. Instrumentality is a threat to decision-making in which involved actors try to deliberate over common goals and try to figure out the best means for the good life in the local community. Seen from the perspective of resource management, the problem is not only that state intervention can threaten bonds among members of society, but also that it can threaten a successful way to manage natural resources. That is, participatory democracy and political communication among the local stakeholders is potentially also environment friendly communication.

Even though this small, local community model of co-management seems to be both promising and interesting, it is difficult to see how this model can be extended to new areas or to management regimes with larger geographical scope. From the perspective of institutional design, it is difficult to see how such arenas can be instrumentally designed. They rely on already existing bonds among members of a society, and relationships of this kind are, at least, difficult to establish deliberately by instrumental design. Infusing values is a long-term process with highly unpredictable outcomes. For a liberalist, the topic is not only difficult. Underlining individual freedom, it is definitively a problem if any part, especially the government, tries to promote or impose particular values into civil society, particularly if it intends to use these values for instrumental purposes. Seen both from a republican and liberal

perspective, it is difficult to see how it is possible to design a local communitarian democracy for management of natural resources.

However, when design of co-management areas are discussed, arguments are often based on experiences from meso or national levels where "both government and user-groups cooperate as equal partners" (Sen & Raakjaer Nielsen 1996:407). While co-management in small communities rely on direct representation, communicative action and "integration", this version of co-management rely on indirect representation, power, compromise, and aggregation" (Jentoft & McCay 1995:234). This second version is what we will call the **corporatist version of co-management**. In an ideal version of corporatism, the state and user-groups are equal partners in a harmonic partnership for joint fisheries management. When it comes to this type of arrangement, we find it fruitful to turn to the literature on neo-corporatism. Neo-corporatism, as it is presented by political scientists such as Philippe C. Schmitter and Gerhard Lehmbruch, focuses on the established close relations between the state and a few interest groups which often have a monopoly to represent specific interests. For example, in Norway the National Fishermen's Union has for many years been the dominant actor in corporatist boards, representing the entire industry.

Corporatism implies that groups with monopoly status are interest groups controlling vital resources for society. They are able to paralyze important functions, and given their power, government depends on their cooperation. On the other hand, we find a state with sufficient resources to balance different groups, and thus able to use organized interests as a tool to govern society. Decisions are made by bargaining, and power – control over vital resources – is essential. This means that decisions can be favorable for those who are able to set up an organized group, and thus mobilize a counterforce to the state. It is also important to point to the fact that corporatism means symbiotic relations in which the state can put pressure on interest groups and demand compliance. The unorganized, and those without the ability to use pressure, can then easily fall outside the agenda and will not have their interests promoted.

We want to point at two problematic features of co-management understood as corporatism. First, compared either to the liberal or to the republican model, corporatism is a democratic problem when those most interested, and controlling sufficient resources, are given an extra vote. For a republican the main problem is not necessarily the extra vote, but the fact that it seems as if rational arguments have no decisive role.

An additional problem is the fact that many interests will not be take part in decision-making. This is not only a problem within the industry, but also for other interests who claim that they have something at stake in the management of the resource. As stated by McCay & Jentoft:

"The narrower the definition of user-group, the greater the risk of harming broader societal interests" (McCay & Jentoft 1996:242-3).

Environmental groups have, for instance, criticized the lack of concern for the environment and for long-term resource management. Other groups, like the interests of the women, are rarely invited to contribute. It is, of course, possible to promote democratization of corporatist bodies by extending participation. However, if new groups are included in this type of partnership, they will usually not have the required bargaining power. Because of this, "weak interests" can be set aside, and become co-opted by the state. This forms a central dilemma. The functionality and efficiency of the co-management system depend on support

from the major user groups. The enhanced compliance that stem from legitimacy, is only relevant regarding the main harvester-groups. This makes most co-management efforts very harvest-oriented, and explains why other interests often are neglected or deliberately excluded.

Secondly, the outcomes, as compromises among government and different organized user-groups, will not necessarily lead to sustainable resource management. There is, thus, a risk that resources can be harmed by heavy involvement of the interest groups in the co-management of common pool resources.

6. CONCLUSION

There is no generally agreed upon definition of co-management, even if many scholars apparently agree on the effects of such arrangements. Most notion of co-management seems to be either too general or too context-dependent to give necessary guidance for institutional design of fisheries management regimes. In this paper we suggest that the question of democracy and representation is inadequately dealt with in the co-management literature.

We find, with regard to institutional design, that it may be useful to distinguish between co-management in small local communities and the more comprehensive corporatist version of co-management. These two versions of co-management differ in the way they operate and function, and in how they relate to private interests and larger societal concerns. The differences are also relevant for how democracy and representations is conceived and dealt with. We regard these differences between them as more important than the similarities, and that we therefore should treat them as two separate models of co-management, and not as to closely related application of co-management.

In this paper we have also attempted to apply two well established theoretical models of democracy, namely the liberal and republican, to investigate the conception of democracy and representation that is inherent in the co-management model. We find that elements from both models are reflected in most outlines of co-management.

A particularly problematic aspect of co-management is the implicit functional or utilitarian conception of democracy. In co-management democracy is mainly a tool for bringing relevant information and knowledge into the decision-making processes, and for producing legitimacy, and thereby enhance the compliance to the regulations agreed upon. This principle is in conflict with both liberal and republican conceptions of democracy.

The question, then, is whether the only way out is to give up co-management as a strategy. We do not think so. User-group participation is a goal in itself and is also important to secure legitimacy and compliance. However, the intrinsic contradiction, at least in the corporatist version, of co-management (in order to secure the common good, some groups are included, others excluded). The question is how to cope with this dilemma. As stated by McCay & Jentoft (1996:241), both too much and too little user-group involvement may cause problems. On one hand, too much participation may lead to the "fox in the henhouse" problem. On the other hand, too little user-group participation may lead to an "ivory tower effect" where the management agencies makes themselves less and less relevant as resource managers. However, the question is not if user-groups should be involved, but how. This issue certainly deserves more attention in the co-management debate.

The lessons to be learned from this discussion on the basis of two models of democracy are, at least, twofold. First, in co-management it is of great importance to open for participation from other interests than those who claim to be directly affected and to have control over important resources. It is not sufficient with legitimization within the industry. Also, legitimacy on the outside is required. Second, a lesson from the republican model is to use the mild voice of reason, and to have an open process in which arguments are tested in public, not only among governmental bodies and interest groups. If this is not done, the industry can be accused for being a fox in a henhouse.

However, the gains of extended representation and open, democratic processes may be outweighed by the increased transaction cost, as we confront the classic trade-off between “internal democracy and external efficiency” (Christensen 1979). This dilemma is central to co-management, and the success of co-management arrangements will to a large degree depend on the balance between these two concerns.

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