Privatizing to reverse destruction of fishery is pure fiction

JANICE HARVEY

As I SIT down to write this third column on the topic which I (but not the headline writers) call "The Myth of the Tragedy of the Commons," I am acutely aware of being steamrolled by the curren daily run of articles advocating an opposite editorial point of view.

The September 12 full-page commentary by Elizabeth Brubaker entitled "Making The Waters Safe For Fish: Property Rights Can Reverse The Destruction Of The Atlantic Fisheries" sparked my columns in the first place. Philip Lee's subsequent and seemingly unlimited fount of multipage opinion called "Watershed Down" takes the theme of private property rights for conservation purposes to great lengths, including a bizarre defence of royal tyranny and starvation of peasants in pre-Revolutionary France.

This unabashed avalanche of editorial discretion belies an ideological agenda plagued by muddled thinking and a selective reading of history. It accepts uncritically the notion, popularized by Garrett Hardin's 1968 essay "The Tragedy of the Commons," that all our environmental ills can be traced to public or common ownership of air, water, land and resources, and that privatizing all of these things will result in their protection. Now elevated to mythical status, "the tragedy of the commons" is chanted like a mantra by well-meaning people with little consideration of its veracity or of the widescale privatization of public resources it implies. The Ms. Brubaker and Mr. Lee articles typify the growing clamour to blame the demise of Atlantic groundfish stocks on their common or public ownership and to call for privatizing those stocks to ensure their protection and restoration. This is to be done by assigning individual transferable quotas (ITQs) to private fishing enterprises, giving them the exclusive right to a portion of the fish stocks, including the right to sell quota or amass it. Ms. Brubaker paints an idealistic, whimsical picture of what ITQs could do for fisheries conservation. "Confident that their rights to fish are secure, fishermen need not waste money building bigger boats and equipping them with more advanced gear in a race to catch fish. . . . With valuable assets tied up in their property rights to a percentage of the catch, fishermen have an economic

Canada was, in fact, one of the first fishing nations to institute ITQs as the cornerstone of fisheries management. It began with the offshore fleet in 1982 and then moved to the midshore fleet in the mid- to late-1980s. In spite of this, Atlantic groundfish stocks were fished to virtual depletion. The process of stock destruction, which began with the industrialization of offshore fishing fleets after the Second World War, continued unabated when these property rights were conferred. In the real world of Canadian fisheries, holders of ITQs overcapitalized precisely because their secure quota rights provided the collateral they needed to borrow expansion money. Quota holders applied constant political pressure to keep the annual total allowable catches, and thus their own share of the TAC, high, despite warning signs that the stocks could not support the quotas. Overfishing occurred as ITQ holders highgraded their catch to ensure the maximum profit on their quota, bringing ashore only the highest value fish and dumping the rest. These and many other abuses increased rather than decreased the need for intense enforcement efforts. Like any corporate enterprise, the motivation was a return on investment in as short a time as possible, not long term conservation. Clearly there are gaps between the theory and practice. Both Ms. Brubaker and Mr. Lee make two other fundamental mistakes which hopelessly confuse the issues. First, they (and Garrett Hardin) wrongly equate common or public ownership of resources with an unmanageable free-for-all where every user is out for himself. Common land supported village inhabitants in feudal England for over 500 years before it was seized and privatized for sheep farming. This was possible because all inhabitants agreed on how the land would be managed and agreement was enforced

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The interval islands in the St. John River are still used as common pasture by local farmers through voluntary, self-governed collective arrangements. The Maritime and Maine lobster fisheries, a common property fishery, maintains itself through a combination of rules which respect the biology of the lobster and fishermen's support for these rules. While space prevents elaboration of these, every example of good private stewardship can be matched with an example of effectively-managed commons. Their public ownership does not make their destruction inevitable. To suggest otherwise is misguided or dishonest.

Second, Ms. Brubaker and Mr. Lee consider community ownership of fish quotas, which they support, the same as private ownership. Communities are not private interests. They are the smallest unit of public governance (the federal government being the largest).

The original commons were, in fact, community owned and managed land. To equate community ownership with private ownership is to deny the fundamental right of democratic participation inherent in the former, and the fundamental absence of that right in the latter.

It is ironic that privatization advocates would see community ownership of quotas as a solution to our fisheries management dilemma. It is precisely such an arrangement, typified by the village commons, which Garrett Hardin and his disciples claim did not work, leading to the so-called tragedy.

It is further evidence that they know not of which they speak. ✹

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