

David Ralph Matthews, *Controlling Common Property: Regulating Canada's East Coast Fishery*. Toronto: University of Toronto Press, 1993, pp. 178, \$55.00 (cloth), \$22.95 (paper).

Reviewed by Sue Calhoun
GTA Consultants Inc.
New Brunswick, Nova Scotia

This book is about property relations and regulation within the inshore fishery in Newfoundland. Author David Ralph Matthews, an Associate Dean of Graduate Studies at McMaster University in Hamilton, Ontario, takes as his starting point the "tragedy of the commons" theory, popularized largely through the work of Garrett Hardin in 1968.

Hardin argued that any resource that remains the common property of all, without any mechanism for controlling who may have access to that resource, will inevitably be depleted. Since then, many scholars have debated the validity of this theory while at the same time, much of government regulation of the fishery that began in the 1970s was based upon it.

Matthews' thesis is that the "tragedy of the commons" argument denied the fact that most communities had traditional, often implicit ways of regulating the fishery themselves. He admits that some scholars have recognized the existence of traditional regulatory activities in situations where open access was thought to exist, and in this sense, his book is a contribution to this body of knowledge. But it also goes beyond, demonstrating what occurs when traditional community-based regulation and centralized state regulation of the same natural resource come into contact with each other. The result is inevitably conflict.

Matthews is concerned with three issues; the role of the state in regulating the Newfoundland fishery; the nature of work in the fishery, and especially how technology and state regulation have transformed that work in the past two decades; and the nature of rural community life in Newfoundland and how it has been affected by changes in the fishery.

He looks at these issues in the context of five communities, discovering in the process not only the richness but the diversity of fishing life in rural Newfoundland. These community profiles are vivid descriptions that bring the book to life.

One example is Fermeuse, a village of 546 persons on the Southern Shore of Newfoundland, about 120 kilometres south of St. John's. The most striking characteristic that has affected how work is organized here is that fishing grounds are exceptionally small and overlap those of nearby communities. The result has been intense competition, both within the community and with neighbouring communities.

While it is the state which controls access to the fishery (by issuing licenses), it is the community which has controlled who can fish where. It has done so through implementation of a community draw for cod trap berths (as in most Newfoundland communities, the cod trap fishery is the most important fishery here). A fisherman may draw a poor berth, and in recent years, because of an increase in the number of fishermen in the community, some fishermen have not been eligible to participate in the draw at all.

Resentment boiled over in the early 1980s when a Fermeuse fisherman without the right to participate in the draw took the issue to court, and won. In essence, says Matthews, the court was willing to intervene in the community's right to regulate access to its own fishing grounds. As a result, many in the community "lost confidence both in the community committee that had traditionally been responsible for regulating the fishing grounds and in the authority of the traditional regulations themselves." Matthews describes Fermeuse as a community at war with itself.

Matthews set out to look at how state regulation has affected the inshore fishery over the past two decades, with the main intervention being defined as the control of access through the issuing of licenses and through the definition of full-time and part-time fishermen (a definition that he rightly points out makes little sense to most fishermen. No one fishes full-time since inshore boats do not go out in the winter).

He learns in the process, however, that state intervention in the form of the unemployment system has also had an overwhelming effect on how the fishery is organized, determining when a fisherman will head out to sea, to whom he will sell his fish, and resulting in a wide variety of activities that sometimes border on the illegal. This, of course, is nothing new. Those who work closely with fishing communities are well aware of how people have adapted to make the most of the system.

Matthews' research was being carried out as the Newfoundland fishery was on the verge of collapse. As a result, his is the first book to deal with the issue. And while he does not do so in any depth, he cautions against drawing false conclusions because of the collapse. One false conclusion, he suggests, might be that advocates of the "tragedy of the commons" perspective were right. But the present work has demonstrated that most inshore fishing communities, were, in fact, doubly regulated — by both the state and community institutional structures. So it would be difficult to accept any argument claiming that the collapse of the inshore fishery was an inevitable outcome of under-regulation and open access. He also notes that inshore fishermen had warned that the collapse was coming, but were not listened to by the regulators.

Matthews may be right when he concludes that those whose job it was to regulate the fishery on behalf of fishermen have failed, but he is wrong to let fishermen themselves completely off the hook. It is not only the offshore or the foreigners who are responsible. It is widely known and accepted that the under-45-foot draggers, for example, while technically considered inshore, have also contributed to the problem.

In the end, Matthews clearly demonstrates how some fishing communities have developed elaborate rules for regulating the resource themselves, and shows what occurs when community regulations and state intervention come face-to-face. This is an important book that raises issues already on many agendas: how to mesh community and state regulatory systems, how to formally lodge property rights in the inshore fishery within the communities themselves, how the state can work more directly *with* fishermen and not *for* them.

Matthews maintains that access to the fishery should continue to be controlled by the state but that the process of fishing within a community's territory, already governed by community regulations, should remain as such. (He found, in fact, that inshore fishermen wanted *more* government regulation and not *less*). He suggests that the state should become involved in inshore fishing activity in terms of the overlap of fishing grounds between communities. And he argues in favour of community allocations, something that would recognize existing community regulatory practices and establish in law community property rights. This is something that was fought for by people in Canso (mistakenly referred to as Port Hawkesbury), Nova Scotia, when National Sea was threatening to close its plant.

These are issues applicable not only to Newfoundland but throughout the region as well, especially now that many coastal communities are attempting to re-organize and re-structure in the face of the devastating collapse of the fishery. This is a well-written book that should provide food for thought, not only for those who study the fishery but also for those who regulate it.
