

The Common Fisheries Policy has to Recognize

THE NEED FOR COMMON GOODS FOR COASTAL COMMUNITIES

Common Community Quotas for Sustainable Life-Modes in Coastal Fisheries:
The Alternative to Privatization of Fishing Rights in the Home Waters of Europe

*By Thomas Højrup
University of Copenhagen*

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The Alternative to Privatization of Fishing Rights in the Home Waters of Europe

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Han Herred Havbåde

Bådebyggeri og kystkulturcenter

Centre for Coastal Culture and Boatbuilding

Slettestrandvej 158-162, DK 9690 Fjerritslev, Denmark

Telephone: + 45 20700870

Mail: info@havbaade.dk

Website: www.havbaade.dk

Bådebygning (boatbuilding): Peter Madsbøll, peter@havbaade.dk

Forskning og formidling (research) Kirsten Monrad Hansen, pipsen@havbaade.dk

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Thomas Højrup

University of Copenhagen

nordstrandconsult@post.tele.dk

www.thorupstrandkystfiskerlaug.dk

www.lifemode.eu



Han Herred Havbåde



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THE NEED FOR COMMON GOODS FOR COASTAL COMMUNITIES

Today it is a world wide well known fact that a legal forced privatization of fishing rights paves the way for a smooth concentration and monopolization of quotas in the hands of a few investors whereas most coastal communities and fishing people are stripped of acces to their resources.

To avoid the negative consequences of the Danish privatization of quotas in 2006, the fishing community of Thorupstrand in Northern Jutland, Denmark, formed a common quota company which included both boat owners and crew fishers. The company invested in sufficient quotas, which they then held in a common pool, to ensure the future fishing rights of the community – and to keep out outside investors. This example shows that on the basis of the share system and its culture, it is possible to build a common pool of quota rights ensuring the community a share in the resource and providing fishers with an interest in conserving this resource for future generations – legally and biologically. But this experiment also revealed that the necessity of securing loans in order to pay large sums for quota weighed down the community company with a vast debt, making it vulnerable to external factors such as banking changes under the financial crisis, gambling investors, and falling prices of fish in Europe.

To ensure the environmental, economic and social wellbeing of fisheries, instead of privatizing most of the fishing rights in Europe's home waters, the European Union should secure most collective fishing rights to common quota companies held by living coastal communities.

Introduction

This ethnological analysis follows the debate on the homepage of the European Commission about the Green Paper on the Common Fisheries Policy (CFP).¹ It is dedicated to members of the European Parliament, and to scientists, politicians and voters of the European countries who now have the possibility to discuss the European Commission's proposal to the CFP: A Common Fisheries Policy based upon a privatisation of the fishing rights into a system of Individual Transferable Quotas (ITQ). The paper presents critical experiences with this kind of management in Denmark. From the basis of this evidence, it recommends that Europe develop an alternative and more sustainable future for its coastal fishing peoples.

The book is written with the aim of initiating and fuelling further public debate about the possibilities open to us to improve sustainable life-modes and communities along



The fishing community Åstol on the Swedish west coast is placed at a little island with a fine painted fishing family home at every plot available. The harbour is now a high valued destination for yachting. Photo Thomas Højrup 2009.

the European coasts. After the industrialization of shipping, coastal fisheries and fishing rights are one of the most fundamental resources for the maintenance of small coastal communities and the evidence of this analysis points to the fact that there is a need to develop common goods for the fishing villages in Europe.

The EU Interreg IVA project *Coasts of the Future* investigates how the resources of coastal people in the region of Skagerrak and Kattegat are maintained, threatened, transformed, undermined, appropriated and developed in new ways by different groups.² Our task is to participate in the complicated process by contributing to the elaboration of more sustainable life-modes and communities in the regions where European coasts meet.



At the Swedish west coast island Donsö tanker shipping and long distance fishing are the two main occupations of the coastal families. Photo Thomas Højrup 2007.

Most of these communities are shaped through centuries by the families and praxis of fishermen, artisans and seamen. This formative process explains the salty spirit of these communities, the communal sentiment and the way people have shaped their places, houses and homes.

Until recently many of the coastal resources were marginal and cheap. They were the last resort for marginalized people from the agricultural hinterlands – just like coastal resources are today in many developing countries.



Cheap and marginal resources and places as the fishermen's wooden houses in the skerries of Guldholmen, Bohuslen, are today transformed into commodities, destinations and resources in great demand. Photo Thomas Højrup 2007.

The last hundred years have turned this upside down in Europe. The industrial and post-industrial development has turned the coastal values into commodities in great demand. Wooden houses in the skerries, sandy beaches, sea view, light, smell and air from the sea, fishing harbors, authentic landing places, sandy fields near the shore, shipmasters residential quarters, cliffs and rocks, sailor's narratives, maritime cultural heritage etc. are all transformed and traded as high value commodities. The question is this: How are we to explore scientifically and manage politically the conditions of existence of sustainable life-modes in the coastal communities under these circumstances?



Skagen is an old landing place and town which is situated where Skagerrak and Kattegat meets at the Danish coast. Today most of the families of seamen and fishermen are living in the hinterland behind the quarters of their old homes, which are sold to wealthy people with a career-professional life-mode from the big cities and maintained as a large romantic garden and destination for distinguished leisure of high value. Photo Thomas Højrup 2002.

The Right of Navigating

The right to sail at the sea and the fishing rights at the sea are the two legal resources which have always been most important for the Nordic coastal communities.

Because both of them have been protected by the western Scandinavian coastal states none of them have been owned as private property and traded as commodities at the market. Nevertheless they have often been under attack during the last thousand years, but at the same time heavily defended by the states.

European sea powers have always been keen to maintain the right to sail and the Law of the sea, because it is the prerequisite and foundation of a big industry and its competent seamen supplying the naval fleets.



For a thousand years shipping was successively expanding as a still more important occupation for the busy coastal communities favorably placed as pearls along the sea lines of communication. Mathilde is one of many Norwegian old timers still sailing as a part of the coastal cultural heritage. Photo Thomas Højrup, Bohuslen 2009.

In our times the industrialization of shipping has concentrated most of the seaborne transportation of goods in the hands of large scale operators – moving containers on keel, road and railway.

Before that happened most coastal communities were favorably placed along the sea lines of communication following the coasts or crossing the sea from coast to coast.

“The Great Trunkline” passed at its way from the Baltic to the Channel through the Scandinavian archipelago and shaped huge shipping business possibilities as well as channels for information and innovations from abroad.

Because of that many communities were able to take part in the shipping industry and their yards and many other workshops maintained the ever increasing number of ships. Shipping was an important foundation of their growth and in times of war at the sea they carried a heavy burden of conscripted seamen to the naval fleets. With a few exceptions this industry has now disappeared from most of our coastal communities. Only the physical and sentimental heritages from the long seafaring area are still there and play the role as cultural background for local self consciousness, for visitors and for tourism.



Capital demanding large scale advantages are dominating the shipping industry and have replaced most coastal communities' commercial fleet's carrying trade. Eugen Mærsk in the port of Le Havre. Photo Maersk Lines.

Skjernøya is an old out port outside Mandal at the Norwegian Agder-side of Skagerrak, where the export of iron, oak and pine since late medieval times contributed to the Great Trunk Line between the Baltic and the Channel regions. Photo Kirsten Monrad Hansen 2010.





Emma Maersk is the world's largest container vessel, measuring 397 metres long, 56 metres wide and able to carry 11.000 TEU. Photo Maersk Lines 2006.

The Right of Catch

The other essential legal resource of the coastal communities are fishing rights. In the Danish-Norwegian state, as well as the English the marine fishery was recognized as “a very important ‘nursery’ of seamen to man the fleets” (Fulton 1911, 58). As a *quid pro quo* seamen and fishermen have been conscripted to the naval fleets long before the national conscription of peasants became dominant at the European continent.

The right of catch has been defended against the introduction of property rights and until recently coastal citizens have had open, protected, and regulated access to fish resources; under the domain of state sovereignty. From an ethnological perspective this access is the precondition for three distinct cultural ways of life or “life-modes”; grounded on two very different modes of production.



The pelagic and whitefish trawler fleet of Killybegs, Donegal, at the Irish west coast is an actual example of how the EU is subsidising the construction of a new and capital demanding long distance fishing fleet taking part in the global struggle for maritime resources. Killybegs is thereby taking over the dynamics from other Irish west coast communities. Photo Thomas Højrup 2008.

These different modes of production stand in opposition to one another in the fishery, and ever since late medieval times European fisheries have been dominated by two fundamentally different types of fishing.

The first of these is mobile long distance fisheries. In these, shipping companies in European ports financed fleets of large vessels to fish at well-known fishing grounds, concentrating their effort in areas with a high prevalence of fish in certain seasons and benefiting from industrial advantages of scale.

In this type of fishery, the size of the catch is the determining factor of competitiveness, and large vessels can compete by storing and transporting fish over great distances. In six centuries this fishery has supplied Europe with dried, salted, canned and now frozen fish from distant oceans and fishing banks.

The other mode of production is a multi-species near-shore fishery, practiced by self-employed fishers in many small coastal communities all around Europe. This simple commodity mode of production has a long history, and still occupies around 80 % of the fishing people in Europe. They fish together in tight and flexible crews, sharing the earnings in such a way that the boat and gear owners and each crew member get a share.

Heavy engines and energy demanding trawling combined with freezing and cooling facilities on board are the techniques which get most of the EU subsidy for European fisheries. Killybeg's fishing harbour is selected as the place where Irish fishing is concentrated and capitalized in the district of Sligo, Donegal. Photo Thomas Højrup 2008.





The small scale fishing fleet of Greencastle, Sligo, is the share organized basis of a large and dynamic fishing community at Inishowen on the Irish North coast. Photo Thomas Højrup 2008.

This share system means everyone on board any given boat is motivated in operating the fishery efficiently and sustainably. This mode of fishing delivers fresh fish, caught on the same day, to market, and has for centuries supplied the coastal regions of Europe with fish.



The skipper and one of the other 15 members of one of the share organized fishing crews on the landing place of Praia de Mira at the coast of Aveiro are looking for the neighbouring ship landing in the early morning. The community of Praia de Mira is among other specialities supplying particular customers of Spanish cities with high valuable Atlantic sardines. Photo Thomas Højrup, Portugal 2011.

Share Fishing in European coastal communities can be described by the distribution principle of joint income for a Danish sea boat with three crew members as given in the example below:

Variable costs such as the winch or harbour, diesel oil, cleaning, packing, and the auctioneer's fee are paid in advance.

The remaining joint income is paid out as follows:

- 20 % vessel (for maintenance and repair)*
- 20 % nets, lines, snares, etc. (for maintenance and repair)*
- 20 % skipper (share fisher, and most likely owner of a share of the vessel)*
- 20 % second crew member (share fisher, and eventually owner of a share of the vessel)*
- 20 % third crew member (share fisher, most likely a young man)*

As a partnership, in the event that the value of the catch does not exceed the variable costs, the partners are financially obligated to take the loss and earn, in effect, a negative income.

A crew of 4 share fishers was operating a Danish fishing vessel like this one from the little community Strandby at the coast of Kattegat. Photo Thomas Højrup 2007.



Distinct Life-Modes of the Fisheries

Let us look on the structural differences between the two modes of production and their complementary life modes (Højrup, T. 2003):

The life modes of investors and productive capitalists, the wage-worker life mode and the career-professional life mode (commonly found on larger, distant water vessels) treat the fishing company as a *means*: to profit, wage and leisure time, or a career.

The simple commodity mode of production (found on share fishing vessels and in in-shore fleets), in contrast to this, has a worldview with an opposite concept structure. In the life mode of share fishing, families treat their fishery as an *end*: This end is their own way of living as free and self-employed fishing people. Their distinctive fishing praxis is a means which is its own end: the life as a share fishing family living as part of a tight local community with the share fishing system and with a spirit as cooperating and competing hunters of the sea (Andresen, J., Højrup, T. 2008).

Two generations and some times three of several families are working together in share organized crews and maintaining the competences and experiences of the tight coastal community Praia de Mira. This share system make it possible to compete at the European market for fresh and high quality pelagic fish. Photo Thomas Højrup 2011.



For the investor, capital is a means to accumulation and valorisation, in competition with other capitalists in the market. For share fishermen, the boat and gear are a means of operation making the lives of fishing families possible. Capital demands a profit above what is necessary to maintain a competitive production, because capital must accumulate and expand to be able to survive the constant struggle with other groups of capital. The share fishermen's means of operation, however, only needs to be reproduced at a competitive level in the market.

In the conceptual world of the capitalist life mode every expected profit below the general rate of profit is an incentive to withdraw the invested risk capital from the business in question before other investors discover the danger and do the same. The alternative strategy of this life mode is to buy up and monopolize property rights in a bad conjuncture. For the self employed life mode, it is absurd to sell the boat in times where the resistance to bad conjunctures at the markets is most important for the ability to survive as a free and self sufficient fishing crew. But you can be forced to give up your way of life.

The combined longliner and purse seiner Carlos e Gaspar is a means for the living as self employed and cooperating families in the fishing community of Sesimbra, Portugal. Photo Thomas Højrup 2011.





The harbour of Marsaxlokk at the east coast of Malta may be used as a marketplace as well as landing place. Here marketing and side-line activities as well as other jobs may be used to supplement the coastal family's income. Photo Thomas Højrup 2007.





Perhaps we should have another trip this morning. Photo Thomas Højrup Praia de Mira 2011.

In the praxis and ideology of the waged worker life mode it is reasonable to give notice and take another job, if the employer cannot pay the tariff for the time at work. The share fisherman never knows if he earns a share or has to pay a share of the costs of production without getting an income from a day at sea. In contrast to any withdrawal of work and gear from a fishery, the self employed fishing family will – if necessary – supplement the income from the fishery with sideline activities and other jobs.

Coastal Cultures Coexist

Between the five life modes here explicated (investor, wage worker, productive capitalist, career professional and share fisherman) we find a deep root of cultural centrism, i.e. lack of understanding and communication between conceptual worlds, people having very different understandings of what the practice of fishing means, and how it should best be managed. They even have difficulties recognizing each other as life modes, because each of them is looking at the others through the glasses of its own conceptual world. It is therefore a part of the structural contrast, that this contrast cannot be seen from the concept worlds between which the contrast exists. The cultural contrasts between the worldviews of the different life modes imply and are implied by the invisibility of the contrasts themselves (Højrup, T. 1983).



In Spain the catholic Cofradia de Pescadores organization has been a stronghold for the self-employed fisheries but the cooperation may be turned to its own opposite if a few strong enterprises get the legal opportunity to monopolize the fishing rights and exclude the share fishing families from their common good. Photo Thomas Højrup, Torre Vieja 2004.

This overall theoretical contrast between the ethnological life modes of the capitalist versus the simple commodity mode of production is, at the same time, an important foundation for the explanation of their co-existence. It explains how the old and dynamic coexistence between the two contradicting modes of production is and has been possible – in spite of their mutual struggle for resources, markets and legitimacy in the social formations of European states over six centuries.

The decisive relation may be formulated in this way: If it is not possible to gain the advantage of large-scale operations which are demanding more capital than is available in the share organized fishing communities, then it is not possible for the enterprises of the capitalist mode of production to compete in markets with the small scale operations of the share organized fishing units, and to squeeze out the simple catching mode of production from the fishery.

The Role of Monopolizing the Resources

The capitalist enterprises must have a monopoly of one kind or another to be able to produce and appropriate the necessary profit to the investors and managers. And that is extremely difficult as long as the coastal people possess their means of production – including their access to the fishing resources, and are able to defend the legitimacy of their right of catch.

Because of that, the biological life forms of the marine ecosystem, the possible catching methods, and the suitable modes of operation are decisive conditions of existence for the modes of productions: Depending on the natural geography in the different oceans, it may be possible to exploit some of the marine life forms with catching methods of large scale demanding such huge investments that this fishery can be made a monopoly for large hedge capitals.

After the privatization of fishing quotas the pelagic sector in Denmark saw an EU subsidised fusion and concentration of the fleet from several hundred combined vessels 10 years ago to a couple of companies operating a few large scale ships like Isafold in 2011. Photo Thomas Højrup, Skagen 2006.



The Dutch North Sea herring fishery of the medieval age and Renaissance with drifting gillnets demanded large and specialized vessels which the share fishermen could not afford. The contemporary long distance cod fisheries with hooks at the West Atlantic Grand Banks demanded large sailing vessels, able to process, store, and transport the salted cod across the Atlantic Ocean. These vessels and the many small boats onboard, from which the men were able to fish with lines and hooks, opened a field for profitable expanding investments, which also became an exclusive possibility for big capital owners and entrepreneurial capitalists.

The community of Muros at the Spanish north-west coast is based both upon the tradition of long distance fishery – a commercial heritage continued by its trawlermen, and upon its small scale fleet of gillnetters, longliners and seiners. Photo Thomas Højrup 2011.





The region of Galicia is one of Europe's most intensive fishing areas from which the fishers are using oceans all over the Globe. From the hillside the families of Muros have their view over the harbour and bay, whereas nice bourgeois houses in domestic architecture are lined up along the quay. Photo: Kirsten Monrad Hansen 2011.



The Shift of Dominance in the Off Shore North Sea Fisheries

With the introduction of beam-trawl these kinds of sailing vessels could be used for catching the rich resources of cod and flatfish in the North Sea, where capitalist shipping companies from French, Dutch, English, and German harbours monopolized most of the fishery until the 20th Century. The last improvement of these large scale advantages was the introduction of steam power for trawling. The heavy steam engines and their coal stores demanded large steel vessels which now became suitable for the big business of capitalist shipping companies employing hard working wage workers onboard, producing surplus value to the shareholders.

Shortly after 1900 the introduction of small, simple, and cheap but very efficient semi-diesel engines made it possible for share fishing people in local fishing communities in Europe to equip their small sea boats with this new machine power. This made their modes of operation much more efficient and expanded their field of activity at sea drastically (Hasslöf, O. 1949).

Six share fishermen onboard Winston of Hvide Sande took part in the conquering of the high quality cod fishery at the North Sea developing gillnets with large meshes appropriate for fishing on the uncountable wrecks at the bottom of that sea. Photo Fiskerforum, Denmark 2002.





Crewmembers with Asian and African background are unloading a modern Peniche swordfish and tuna vessel of its frozen cargo in the Portuguese home port. Photo Thomas Højrup 2011.

After 50 years, these share fishers had squeezed most of the large scale advantages and the capitalist operators out of the North Sea. They were coming from all the previously isolated, small coastal communities in earlier peripheries of the North Atlantic countries. These fishermen also got access to a common large scale transportation advantage in the form of either new regular shipping routes or railways and roads direct to the big urban food markets of Europe's industrialized regions (Højrup, T. 1983).

For capitalist enterprises the fisheries with long lines, traps, Danish seine, and gillnets were no longer possible to monopolize. But in the fishery with trawl and purse-seine catching pelagic species of fish, large scale advantages could survive eventually and were renewed, because still larger deep water vessels became suitable for the catch of big concentrated shoals of fish far away from the home ports. Large long-liner vessels hunting tuna and purse-seining vessels hunting shoals of small and medium pelagic species were left seeking new grounds far away from European waters.

The capitalist enterprises searched for alternative fishing grounds to the home waters and cultivated successively new fishing banks in the South Atlantic Ocean, the Indian Ocean, and the Pacific. With the help of huge investments it became possible to discover resources abroad and beyond traditional knowledge of Europeans. And it became possible to elaborate the deep water technologies needed to establish new monopolies for large capital intensive factory trawlers, long-liners and purse-seiners – often at the expense of poor fishing people in developing countries.

The Struggle for Confiscation of the Right of Catch

Today demersal fishing in coastal waters surrounding Europe is based upon quite widely dispersed resources. Hence it is difficult to obtain the advantages of large-scale fishing operations by companies based upon wage earners and joint-stock capital. The real efficiency of inshore fishing and the satisfaction of market demand for good quality, fresh fish calls for fishing units to be fast, flexible, knowledgeable, committed, suited to harvesting small concentrations of fish and able to switch between different species and different gears (Hansen, K. M., Højrup, T. 2001; Trondsen, T., Vassdal, T. 2005).

Norwegian family vessel which is manned with a share organized crew and under constant technical improvement have just got a new stern at one of the local yards in Mandal. Photo Thomas Højrup 2009.





Equipped with all those instruments and technologies which can improve the efficiency of its selective and high quality modes of catch these traditional seaboats landing on open beaches where it is inappropriate to construct a harbour may be a most competitive kind of sustainable fishery for the fresh fish market in Europe. At the same time the share system, the distinct boats and their specific navigation represent a living cultural heritage of large value for European regions. Photo: Thomas Højrup 2010.

Under these circumstances, fishing undertaken with a share fisherman fleet of small and medium-sized fisherman-owned boats equipped with state-of-the-art technology is the most competitive form of fishing for the fresh fish market. It is here the share organized post-industrial fishing may take place.

Because of that, a confiscation of the common right to catch has become the ultimate means to facilitate the capitalist alternative. This is the reason why it is necessary to carry out an enclosure of the Commons at sea – a privatization by quota – so that the life modes of venture capitalists, managers and wage earners can squeeze out the life mode of self-employed share fishermen from the home waters of Europe. *And that is what the core cultural contradiction and the silent struggles for sustainability is all about in coastal communities of Europe and beyond today.*

In Europe the recipe is this: You establish a regime of heavy subsidies to expand and improve the efficiency of the fishing fleet beyond what the market is able to. Your biologists warn against the fleet's overexploitation of the limited resources, and finally you bring down the overcapacity of the fleet with the help of scrapping subsidies to the share fishermen's ships and a legal forced privatisation of the resource. As a result of this you have paved the way for a smooth monopolization of the quotas in the hands of a few capital groups.

This motive is still a reality along the Swedish west coast but the government is preparing an individual transferable quota system with which the country will get rid of the share fisherman owned fleet of fishing vessels. Photo: Thomas Højrup, The Bohuslen archipelago 2008.





The Danish sea-boat Liv is steaming home to the landing place at the beach, which for more thousand years has been the home base of clinker crafts for trade and fishery. Photo: Kirsten Monrad Hansen, Jammerbugt 2009.

The Right of Property to Transferable Quotas Strips Communities of Access to Fishery Resources

It is necessary to be extremely careful and draw attention to the coherence and scientific uniqueness of the concepts used in the analysis of this cultural process, because here we touch the deep and mainly invisible contradiction underneath the discourses at the ideological surface of “common sense thinking” where the actual debate on EU’s common fisheries policy is taking place.

Garret Hardin publicised his famous article entitled *The Tragedy of the Commons* in *Science* in 1968. Since then it has – in Europe and beyond – become very gradually a superior and prominent way of thinking among economists that open access to a resource must – because of the narrow individual self interests of *the economic man* – necessarily result in over exploitation and in the worst case extinction of the resource itself. In contrast to the contemporary Scott Gordon’s *The Economic Theory of a Common-property Resource: The Fishery* (Gordon 1954), Hardin did not recognize, that in a fishery the protection of the right of catch necessarily and traditionally implies regulation of the maintenance of the resource (Hansen, K.M.1997).



Liv is landing at the beach and her crew consisting of two share organized brothers have to register the catch of the day as part of the resource protecting administration of the quotas before they bring their fish to the common storeroom of the community. Photo: Kirsten Monrad Hansen, Thorupstrand 2009.

Hardin's argument has step by step been applied to fisheries by neoliberal economic experts and produced a new governmental discourse. The core figure of this discourse is that the problem of an increasing over capacity in the European fishing fleet must be solved by privatization of the common resources:

The fishermen have to get legal and transferable individual ownership to their own resources, because only then will they be able to plan their fishery, reduce their capacity and effort in relation to the yield of the resources, and take care of the marine ecosystem – just as human beings – in this kind of liberal economists' worldview – only do with what they have as their own private property.



Local share fishermen are landing sole after sunrise in Hastings 2011. At the exhibition in the museum of Hastings Protection Society the chairman Paul Joy and his fishing colleagues explain the reason for their struggle for conditions of existence: In this area of sea there are 339 boats under 10 m and 11 large boats. "Somehow it was decided, that 70 % of the quota should be allotted to the 11 large boats and 30 % to the smaller boats. Oh, and by the way, in the past the larger boats never caught cod anyway. Although it scarcely seems credible, this means that somewhere under 3 % of the total cod allocation in sector 7d is allowed to be caught by the under ten metre boats, which make up 86 % of the work force." Photo: Thomas Højrup 2011.



Local share fishermen are landing at the beach of Praia de Mira after sunrise where the large seine is placed 1 km from the shore and there after dragged ashore. In the discourse of ITQ none of them are any longer “fishermen” (!) Photo: Thomas Højrup 2011.

The principle of private property and the way it makes an enclosure of the marine commons possible through the legal *right of property* concept demonstrates the essential role this structural feature has come to play in the formation of the liberal culture and potential undermining of coastal communities in the European Union:

Under close exploration one decisive function of the right of property is that it may be used by the state-power as a unique, cunning, and repressive means *for the silent and successive expropriation of the common resources from the share fishermen and their communities* (Højrup, T. 2010b). Their possession of the fundamental prerequisite of share fishery is – in spite of the discursive assertion that the fishermen get their resources assigned as property – expropriated *from* the majority of fishing families.



In Spain and other South European countries there is a sense of veneration and quality connected to fishing boats and fish for consumption which contrasts northern European preferences of easy, cheap, and industrialized fishing and sea food. At the yards of Vila de Conde boat builders, painters and fishermen are grinding, putting, and painting their elegant boats. Photo: Thomas Højrup 2011.





Plaza de Lugo's delicate fish market in A Coruna, Galicia april 2011. Photo: Thomas Højrup.



The secret of the operation is that the notion of “fishermen” is silently changed: Under the cover of a seemingly universal and constant meaning, its signification shifts from signifying all share fishermen working onboard the fishing vessels to signify only the boat-owners. The invisibility of the contrasts between distinct life modes plays a decisive role here.

When the EU green-book 2009 on the Common Fisheries Policy argues for considering Individual Transferable Quotas (ITQ) as a reasonable means to reduce the over capacity of the European fishing fleets, the argument only makes sense if these transferable quotas are allotted to the fishermen (read: boat-owners) and not distributed to all people working at the fishing vessels (read: the share fishermen). As a politician you can tell the truth without risking that the public and your voters understand the signification and consequences of your statement!

In 2007 ITQ was introduced in Denmark to solve the big economic problems of the large trawlers. The fishing rights were confiscated from the fishermen so that they could be distributed to the boats. In two years the value of these boats increased 1000 % and gave rise to heavy speculation gains. Capitalist investors and contractors began building new trawlers supplied with ITQs bought up from many smaller boats in the share fishery. At Kingfisher the crew was manned as wage workers – because the investors would not share their profit with share fishermen. Photo: Thomas Højrup 2007.





The share fishing fleet bought up by the joint-stock companies of Kingfisher and a few other big steel trawler firms. Here the share fishermen's modern boats are stripped of their quotas and waiting upon the ship breaker. Photo: Thomas Højrup, Hanstholm 2007.

In Denmark, where this expropriation took place from 2001 to 2007, the civil servants of the state-apparatus and the politicians of the government consistently told the public (the good story), that “the fishermen” got their quotas allotted as private property – although all share fishermen without a share in a fishing vessel got their possession of fishing rights expropriated. 25 % of the fleet disappeared in one year. The result is that most of the traditional as well as post-industrial fishing communities in Denmark have only a few boats left or their fishery has totally disappeared since 2007.



The breakers yard in Grenå harbour, Denmark is the end station where the beautiful wooden boats from coastal communities all over the Scandinavian countries as quick as possible are destroyed en masse. Photo: Thomas Højrup, Grenå 2010.

To destroy and get rid of the material culture of the share fishing people is a well known means to avoid the risk of a political reversal of an enclosure process which is stripping communities of their means of production. Photo: Thomas Højrup, Grenå 2010.





It took less than ten years to monopolize the fishing rights of the Danish herring fleet most of which is now owned by three companies operating Isafold and its two big steel sisters. The privatization and capitalization process shows no mercy to the coastal communities, which are being stripped of their access to their old marine resources. Photo Kirsten Monrad Hansen, Grenå 2008.

Most coastal communities loosing their fishing fleet are left back with angry residents thinking of the days when their harbour was the centre of living activity, modern facilities, and beautiful surroundings. Photo: Thomas Højrup, Burtonport at the Irish west coast 2008.



The Alternative Development of a Common Good for the Coastal Community

Thorupstrand is a coastal community at the Danish shore of Skagerrak. Here the seamen and fishermen have landed their clinker crafts at the open beach for more than a thousand years. Today the Thorupstrand share fishermen are using gillnet and Danish seine in a post-industrial fishery, where 95 % of the landings are exported as high value E-fish.

The fleet of Thorupstrand consists of 15 – 20 sea boats under 14 m length. Photo: Kirsten Monrad Hansen 2008.





In Thorupstrand the morning begins at 24.00 o'clock when the first boats are hauled into the sea. Where the road to the beach is ending there are thick and dark culture layers under the white sand witnessing about seafaring activities since ancient times. Photo: Thomas Højrup 2002.

When the privatization of the quotas was implemented in 2006 the neighbouring fishing village of Lildstrand lost its fleet of similar fishing clinker crafts in only one month. After the two first boats were sold to investors from outside Lildstrand the rest of the fishermen became afraid that they personally would be the last men at the landing place – carrying all the costs of the upkeep of the communal facilities necessary for the fishery to take place. One by one they therefore decided to sell their boats with the quotas that had just had been allotted to the boat by the Danish state (Højrup, T. 2008).



In the evening the boats are returning from the fishing grounds in Skagerrak. The grounds are scattered from the long shore bars near the beach and up to 6 hours run from the shore in the deep slope between Denmark and Norway. Girls and boys are gutting the living plaice in the cleaning room at the landing place and keep the account by themselves. Photo: Thorupstrand, Thomas Højrup 2008.





The fishers from Thorupstrand are using either cod gillnets with large meshes or Danish seine, which demands little energy and does not harness the sea floor and habitat. At the pictures a seaboat from Thorupstrand is hauling his Danish seine. Photo: Jan Olsen 2005.





The sea boats of Thorupstrand are equipped with all necessary electronic and hydraulic instruments to be appropriate tools of a post industrial E-fishery exporting 95 % of their catch classified as extraordinary high quality E-fish at the European auctions. Photo: Anna Krogh Søndergaard and Kristine Møller Gaardhus 2008.





Privatization is – mirrored by the way weather may cut of the access to the sea – able to confront the share organized coastal fishery with barriers which demand a will to struggle for the continued existence. This struggle for recognition may be a formative process if it succeeds overcoming the troubles. Photo: Thorup Strand, Thomas Højrup 2010.

This process demonstrated materially the fact described by uncountable texts: that the privatization of fishing quotas strips the majority of communities of their access to fishery resources (Hersoug, B. 2005; ICSF 2007; McCay, B.J. 2008; Einarsson, N. 2011). The share fishermen without a share in a boat lost their access by the privatization law and the boat owners were afterwards tempted or forced to sell the foundation of their livelihood for a short-lived bag of money.

The price on quota increased 1000 % in two years and the situation was loaded with intensive feelings of paranoia and euphoria. Each individual choice and each family's feelings for the fishery, their relation to the place and expectations for the future became precarious for all their fellows. The community experience of Lildstrand was heavily discussed by the fishers in Thorupstrand and when the economic gamblers began to raise the bidding on the quotas of the local boats, they went through a contradictory process of reflection which was formative of the idea that there ought to be an alterna-

tive way out of the potentially disastrous situation. They needed a solution with which they would be able to confront the individualizing process challenging the community by depriving it of access to its fisheries resources (Andresen, J., Højrup, T. 2008).

The community became split in two breaches. The confiscation of the fishermen's access to quotas and the enrichment of the owners of the boats with quota property rights did split the families and the generations in a group of losers and a group of winners. The losers called the process a theft by the government. The winners became thereafter divided between those families who saw privatization as a chance and those who saw it as a threat. The first part of the families speculated as to whether to sell or to buy up quotas at the right moment, individually driven by the expectation that they would be able to gain privately by participating in the gambling because of the rising prices. The second group of families saw the concentration of quotas in the hands of the few wealthiest or gambling families as an undermining of the foundation of the Thorupstrand fishery, looking to the experiences in Lildstrand to prove their forecast.

The majority of the people in Thorupstrand consisted of fishing families who were deprived of access and families who saw privatization as a threat to the community's

To avoid aggressive commercial investors from outside buying up the fishing rights (VTQ's) of Thorupstrand 20 families joined together in 2006 with the intention to build a common quota company. At the first meetings they agreed to establish the company as a cooperative in which no individual fisher might be able to speculate in trading his part of the common quotas for individual gain. Photo: Thomas Højrup 2006.





At the final meeting a consultant from the farmers cooperative society proposed that the fishermen had to formulate the ends of their new guild in common at a workshop where they should divide themselves into working groups across the lineages of the old families in the community to avoid the classical conflicts between them. At the picture the young fishermen in the initial board of the initiative planned how to divide their colleagues across the local clans. This was a prerequisite for the success of the formation of the guild. Photo: Thomas Højrup 2006.

It is “sea-weather” around 200 days each year. The boats are repaired and painted as they stand at the beach. Photo: Thomas Højrup 2005.



survival. These people came together and formed an action group of two elder and experienced fishers and several young fishermen with the aim of coming up with a proposal for the formation of a common quota company. The company had to be structured so that it would work in the long-term interests of the fishing community, strengthen the mutual solidarity of the fishing families, to make it easier for the young people to start fishing, to secure Thorupstrand a common pool of quotas in which no one would be able to speculate and gain an individual profit by gambling in rising prices, and to make the fishing families accountable for the decisions they would make as to the use of their common rights in the company.

The type of organization that was decided on in a common workshop and large meeting afterwards was a cooperative company with the economic principle of *one for all and all for one* and each member has one vote in all common decisions. The company was financed by the entrance fee paid by each member and by loans from the two local banks. Twenty families joined the company from its start and among them were share fishermen with as well as without part in a boat. The entrance fees and the cooperative economic principle binding the many families together gave the banks security for their loans and for this money the company began to buy quotas, which provided further security for the loans. After one year of buying the company had enough quota to secure access to

The board of the guild is working. Photo: Thomas Højrup 2007.



fishery resources for the younger generation by the use of which they were able to pay interest and repayment on their common EUR 20,000,000 in loans (Højrup, T. 2008).

Each member of the company has an equal right to the common quotas and has to pay a rent for the quantity he actually wants to use one year. If he wants less that year than he has access to, the rest is distributed to those fellow members who want to use more quota. The tariff of the rent is regulated each year, so that the company is able to pay the total service of the common debt. The quota company has become the prerequisite for the maintenance of the community's access to its fishery resources and for the integration of the young generation which is entering the fishery after the privatization and therefore must start without any fishing rights at all. Without any access you cannot be a true share fisherman because the owner of the boat and its quota cannot find it meaningful to pay you a share of the return of quotas which belong to him and not to you.

In this way "The Guild of Thorupstrand Coastal Fishermen" now functions as the common quota company of the community. It has become a common good which is able to replace the state as the institution which is securing the share fishing people's access to their local fishery resources. In most other Danish coastal communities of equal size the system of individual transferable quotas is undermining the sustainable development of the local fishery.

The guild became a legal subject which owns the common Quotas of the community

The content of this kind of community property can be described in these terms:

- All share fishing families may be members of the guild, boat owners as well as share fishers without their own boat.
- Each member has one vote independent of how large a part of the common quotas he is using.
- Each member pays 20.000 euro as entrance fee. And he cannot get more out of the society when he leaves it.
- Each member has a right and an obligation to use and to pay for his used part of the quota.
- The common quota is each year distributed equally and from below among the members of the guild.
- Each share fisherman re-establishes as member of the guild his fishing rights and by means of this his status as a share fisherman demanding his share of the income of the boat, where his is working.
- The guild presupposes and maintains the system of share fishing. The share fishing maintains the presuppositions of the self-employed lifemode of the members of the guild.
- The next generation may be members of the guild at the same conditions as the founding fathers.
- The young fishermen and -girls may establish themselves as self-employed by means of their fishing rights in the guild.

The quota company was a success, but two years later the local banks were hit by the global financial crisis and one of them went bankrupt. The state owned liquidation bank Financial Stability took over the assets and loans of the crashed local bank. Its response to the fishermen's quota company was to increase the rate of interest and the rate of repayment at the same time as all other national and private banks decreased their rates because of the crisis. At the same time the fish prices on the European market diminished by one half with the result that the quota company became unable to service its debt. In such a situation a common quota company is vulnerable to a crisis in the capitalist economy. The liquidation bank Financial Stability has, since then, tried to sell the quotas to the big trawler companies at a secret auction. But the local fishermen's contact with the media, the parliament and the government has put a stop to this process, because the politicians won't accept that a state owned institution is closing down Thorupstrand which has high symbolic value as an icon of a share-organized high-value beach-landing fishery with a history of a thousand years. Its eventual disappearance would put a critical eye upon the ITQ system in general which the politicians behind the privatization do not want to be an issue in the political public domain.

The board is summing up after a big crisis meeting with all the members of the Guild. Photo: Thomas Højrup 2010.





In the wintertime it is season for cod fishery but it can be necessary to go through the ice when the winter is as strong as it was in 2010. This winter did mirror the economic situation, where the banks and Financial Stability were just as cold as the climate. Photo: Thomas Højrup 2010.

It is possible to avoid this kind of vulnerability if the state or EU, instead of handing over the quotas as private property to boats or individuals for free, decides to hand over the rights to local fishery resources to common community quota companies in which fishing families have to organize themselves in order to make decisions collectively on the use of fishing rights. As we have seen it in the case of Thorupstrand a local quota company may be able to experience with distinct forms of redistribution of the quotas to its members with the aim of tackling the problem of resource sustainability and the economic challenges facing fishing families and their coastal communities as a whole.

One possible way for the maintenance of fishery as a foundation of living commu-



The industrious youngsters are called “the Gold of Thorupstrand” and they are able to gut 30 tons of plaice on a busy evening. They are indeed working and fighting for their own future as “sea people” and the future of their coastal community. Photo: Thomas Højrup 2008.

nities in a *Coasts of the Future Strategy* is to reserve enough quotas for the high value E(xtraordinary high quality)-fishery from small-scale post-industrial share organized fishing units based upon common community quota companies organized by the fishing families themselves. Such families are fishing for a living, they want their coastal life-modes to continue providing decent livelihoods for their children’s children’s children and therefore need institutions and conditions which make it possible for them to take the future of their place and its ecology seriously and to take care of their coastal communities with all the passion and conflicts which springs from responsibility for its sustainability.

Literature

- Andresen, J., Højrup, T. 2008. The Tragedy of Enclosure. The Battle for Maritime Resources and Life-Modes in Europe. *Ethnologia Europaea* 38(1):29-41. Available: <http://havbaade.dk/tragedy%20ofra%20EE%20osat.pdf>
- Baviskar, A. 2008. Culture and Power in the Commons Debate. In: P. Bardhan & I. Ray (Eds.) *The Contested Commons. Conversations between Economists and Anthropologists*. Oxford: Blackwell Publishing.
- Einarsson, N. 2011. *Culture, Conflict and Crises in the Icelandic Fisheries: An Anthropological Study of People, Policy and Marine Resources in the North Atlantic Arctic*. Uppsala: Acta Universitatis Upsaliensis.
- EU-Commission 2009. *Green Paper: Fisheries – Reform of the Common Fisheries Policy*. Available: <http://ec.europa.eu/fisheries/reform/>
- Fulton, T. W. 1911 *The Sovereignty of the Sea. An Historical Account of the British Seas, and of the Evolution of the Territorial Waters: with special reference to the Rights of Fishing and the Naval Salute*. Edinburgh and London: William Blackwood and Sons.
- Hansen, K.M. 1997 *Fishing and the Environment – Conflict or Harmony? Esbjerg: The Nordic Fishermen’s Environmental Secretariat, Nordic Council of Ministers*.
- Hansen, K.M., Højrup, T. 2001 *An Economic Rationale for Inshore Fishing: Simple Commodity Production and the Life-Mode Approach*, pp. . In: D. Symes and J. Phillipson (Eds.), *Inshore Fisheries Management*. London: Kluwer:195-205.
- Hardin, G. 1968 *The tragedy of the commons*. *Science* 162: 1243-1248.
- Haslöf, Olof. 1949 *Svenska Västskustfiskarna. Studier i en yrkesgrupps näringsliv och sociale kultur*. Göteborg: Svenska Västskustfiskarnas Centralförbund.
- Hersoug, B. 2005 *Closing the Commons. Norwegian Fisheries from Open Access to Private Property*. Delft: Eburon.
- Højrup, T. 1983 *The Concept of Life-mode: A form-specifying mode of analysis applied to contemporary Western Europe*. *Ethnologia Scandinavica*, 1983:15-50.
- Højrup, T. 2002 *Dannelsens dialektik. Etnologiske udfordringer til det glemte folk*. København: Museum Tusulanum: 221-272. [Danish] Available: <http://havbaade.dk/Produktionsmaader%20i%20havfiskeriet%202001.pdf>
- Højrup, T. 2003: *State, Culture and Life-Modes: The Foundations of Life-Mode Analysis*. Aldershot: Ashgate.
- Højrup, T. 2008 *Haw. Kampen for en levende kystkultur*. Slettestrand: Han Herred Havbaade. [Danish, Abstract in English] Available: <http://havbaade.dk/Haw.pdf>
- Højrup, T., Høst, J. 2009 *Comments on the Green Paper for the reform of the Common Fisheries Policy*. Available: http://ec.europa.eu/fisheries/reform/docs/thorupstrand_en.pdf
- Højrup, T. 2010a *E-fish. Regulating quantity, or promoting e-quality? Foundations of a new paradigm*. 16. March 2010. *CFP Reform: Resource conservation and Fleet management*. Bruxelles: European Parliament Hearing 2010. Available: <http://havbaade.dk/fiskeriet.html>

- Højrup, T. 2010a European Life-Modes at Sea: The EU's Fisheries Policy as Human Tragedy or Triumph? Copenhagen: EURECO lecture series 2010, University of Copenhagen. Available: [http://havbaade.dk/European %20Life-Modes %20at %20Sea.pdf](http://havbaade.dk/European%20Life-Modes%20at%20Sea.pdf)
- ICSF. International Collective in Support of Fishworkers. 2007 Sizing Up. Property Rights and Fisheries Management: a collection of articles from SAMUDRA Report. Chennai: SAMUDRA Dossier, ICSF.
- McCay, Bonnie J. 2008: The Littoral and The Liminal: Challenges to the Management of the Coastal and Marine Commons. *Mast* 2 2008, 7-28.
- Raakjær, J. 2008 A Fisheries Management System in Crisis – the EU Common Fisheries Policy. Hirtshals: IFM.
- Scott Gordon, H. 1954 The Economic Theory of a Common-Property Resource: The Fishery. *The Journal of Political Economy* 62(2):124-142. 1954 The Economic Theory of a Common-Property Resource: The Fishery.
- Thór, J.Th. 1995 British Trawlers and Iceland 1919-1976. Esbjerg: Fiskeri- og Søfartsmuseets Studierie 6.
- Trondsen, T., Vassdal, T. 2005 Hvordan øke værdiskapningen av fiskeressursene? Tromsø: The Norwegian College of Fishery Science, NCFS.

Notes

- 1 Højrup, T. 2010a, 2010b.
- 2 Available: [http://www.interreg-oks.eu/se/Menu/Projektbank/Projektlista+OKS/Framtidskuster+ %E2 %80 %93+h %C3 %A5llbar+utveckling+i+kustsamh %C3 %A4llen](http://www.interreg-oks.eu/se/Menu/Projektbank/Projektlista+OKS/Framtidskuster+%E2%80%93+h%C3%A5llbar+utveckling+i+kustsamh%C3%A4llen)

