

Rules and Regulations Supporting Satoumi as a Social System

Takeshi Hidaka

School of Humanity-oriented Science
and Technology, Kinki University,
Japan

Agendas

1. Attributes and challenges of Satoumi
2. Fishing right institution as prototype Satoumi
3. Change of circumstances and emergence of new Satoumi
4. Governance structure of new Satoumi
5. Conclusion

Definition of Satoumi

- The basic concept of Satoumi is the coastal sea with high bio-diversity and bio-production under the moderate human interaction.

(T. Yanagi 1998)

- Satoumi is defined as a coastal zone where the livelihoods of human-beings and nature harmoniously coexist with coastal area ecosystems.

(Ministry of the Environment, Japan)

Structure of Satoumi

Satoumi

History and
culture

Living
activities

Economic
activities

Sustainability

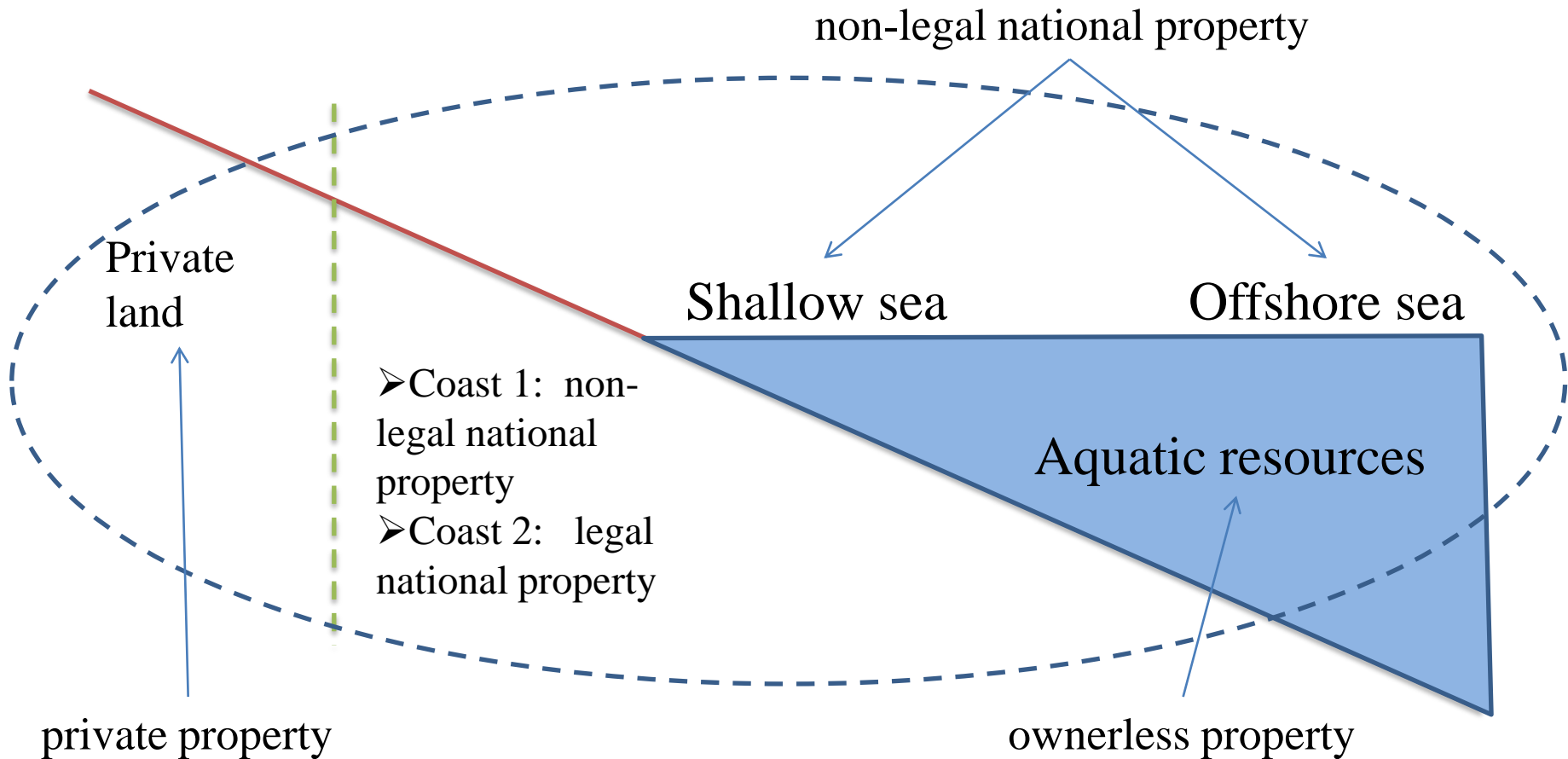
Material
circulation

Ecosystem

Biodiversity

Institutions for governing human activities

Complexity of ownership



Legal framework of coastal zone management

category	Type of property	Property right owner	user
Sea	Non-legal national property	Government (FCA)	Anyone (Fishers)
Aquatic resources	Ownerless property	None (FCA)	Anyone (Fishers)
Coast 1	Non-legal national property	Government	Anyone
Coast 2	Legal national property	Government	Anyone
Private land	Private property	Owner	Owner




Access rule ⇒ free/open or closed
 Appropriating rule ⇒ loose or tight

Design principles illustrated by long-enduring CPR institutions

1. Clearly defined boundaries
2. Congruence between appropriation and provision rules and local conditions
3. Collective-choice arrangements
4. Monitoring
5. Graduated sanctions
6. Conflict-resolution mechanisms
7. Minimal recognition of rights to organize
8. Nested enterprises

(E. Ostrom 1990, Governing the Commons, p.90)

Challenge of the Commons

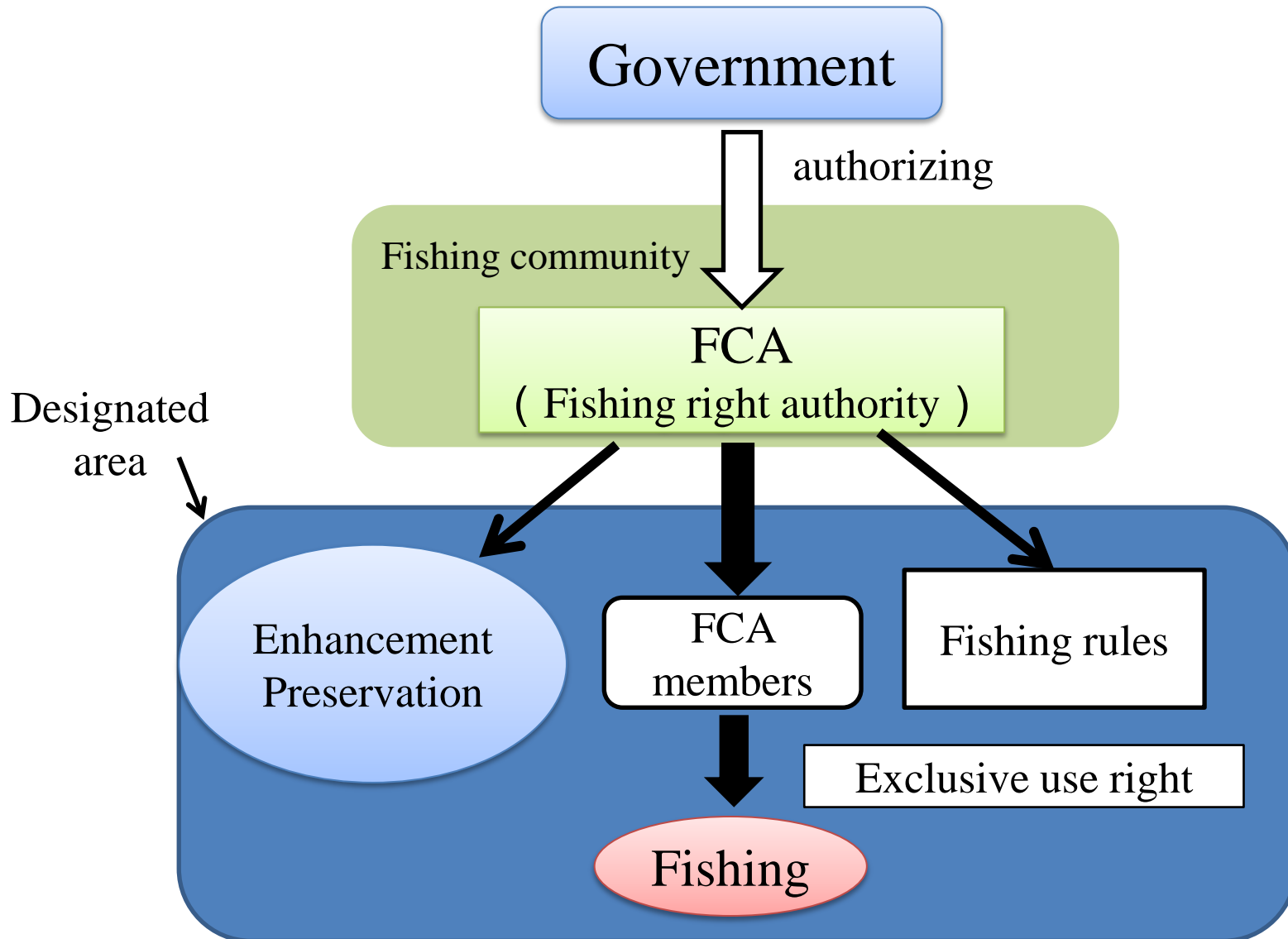
	Tight rules	Loose rules
Closed access	Use by specific members having tight rules 	Use by specific members having loose rules
Open access	Use by non-specific members having tight rules 	Use by non-specific members having loose rules 

Expanding spatial scales
 Expanding temporal scales
 Expanding cognizance
 Increasing differences among users



Size
 Heterogeneity

Outline of fishing right system



Characteristics of fishing right institution

- Japanese fishing right system was formed through institutionalizing traditions and custom laws of coastal zone managed by coastal communities.
- Fishing right is granted to the Fisher's Cooperative Association(FCA) as a representative of coastal community by prefecture government.
- The FCA has responsibility and duty to manage fishing and preserve fishing resources within the designated area.
- A member of the FCA has right to exclusively access the fishing ground and catch particular fishing resources with using designated fishing gear.

Changes of social circumstances

1. Emergence of conflict between commercial fisheries and non-commercial activities in the 1990s
 - Recreational fishing
 - Water activities which don't use aquatic resources
2. Increase of voluntary activities concerning the coastal environment since the 1990s
 - Rising interest about biodiversity and sustainability
 - Increasing voluntary activities like NPO
3. Depletion of representativeness of FCA for fishing communities
 - Thinning kinship with individual fishing community by FCA amalgamation
 - Decreasing ratio of fishers and their relatives among fishing community

Conflict between commercial fisheries and non-commercial activities

- Reasons of conflict
 - Confusion about property right of sea
 - Unintentional illegal fishing
 - Local vs. nonlocal, minority vs. majority, custom vs. fairness
- Recent court cases
 - Osezaki case (2000) between fisheries and scuba diving
 - Ieshima case (2002) between fisheries and recreational fisheries
 - Miyako case (2002) between fisheries and scuba diving
- Implication for solution indicated through court cases
 - Importance of local rules or agreement negotiated among participants
 - Legitimacy of custom and local rules

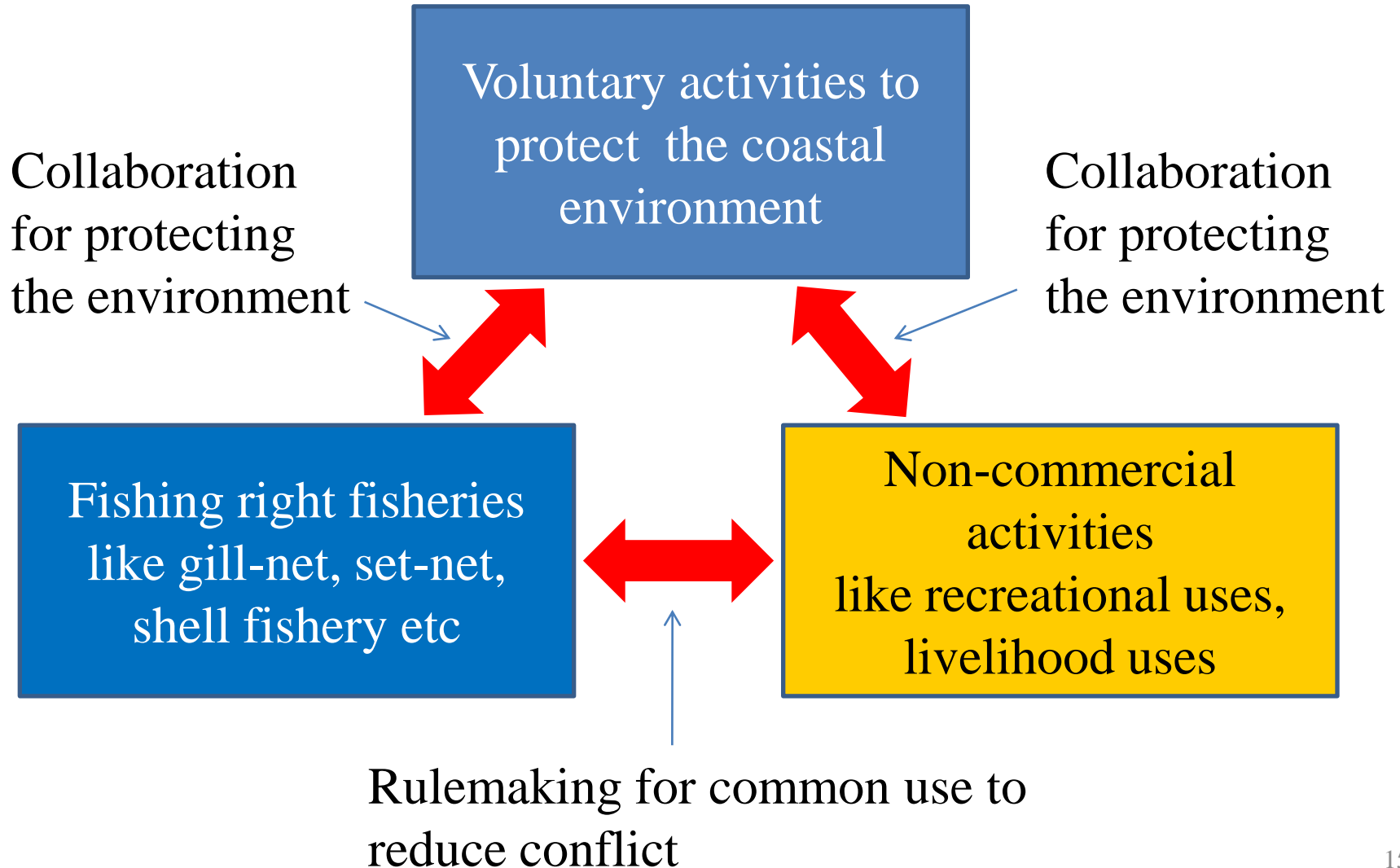
Additional conditions to design principles

- Non-commercial users and relevant stakeholders participate rulemaking process.
- Local rules include other resources than fishing right resources and are fair for all participants.
- Management system includes adaptive mechanism reacting to changes of natural and social circumstances.

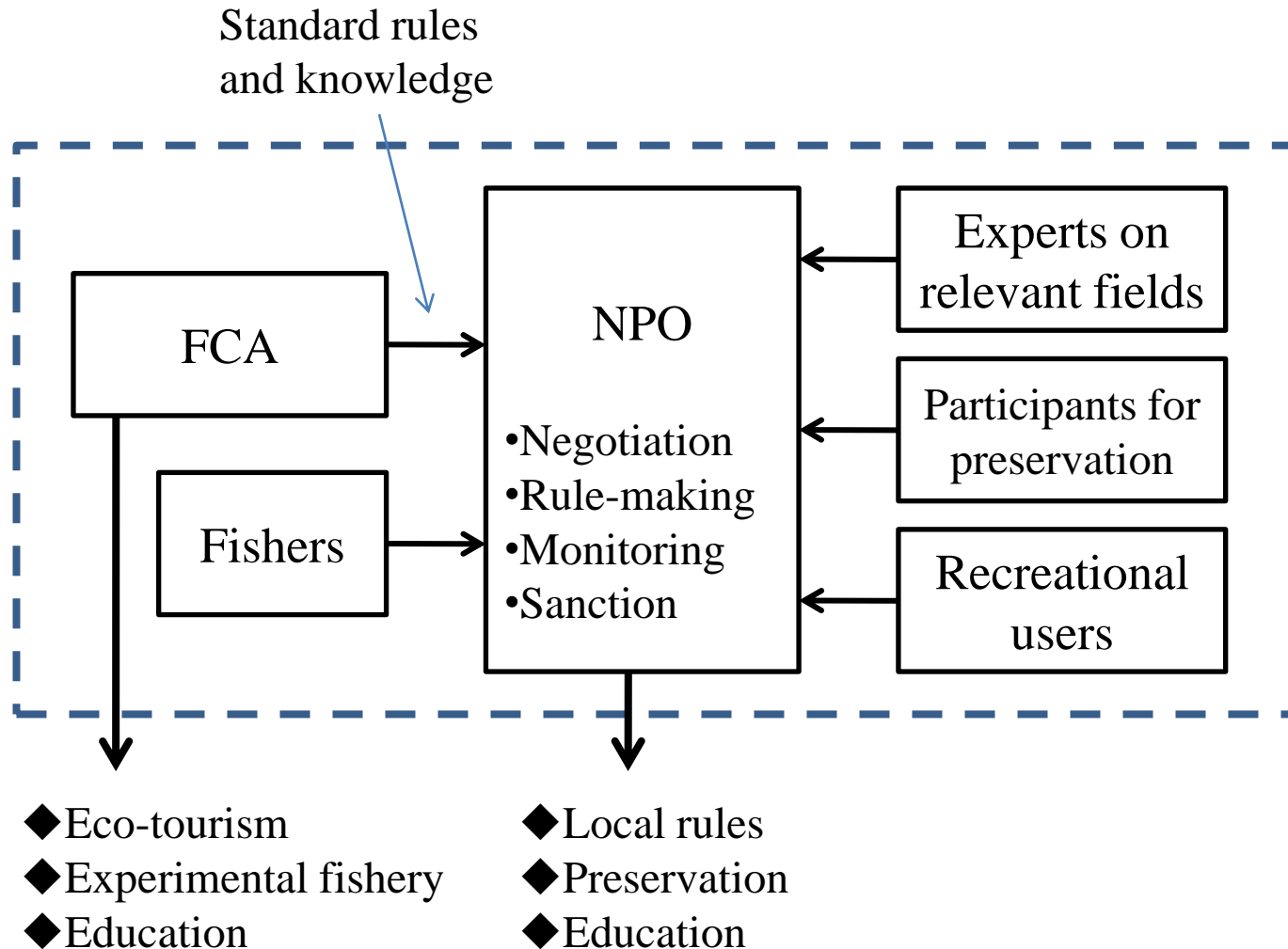
Increase of voluntary activities for the coastal environment

- Emergence of voluntary activities
 - Clean-up activities on the coastal area from the 1990s
 - Han-Shin Awaji Earthquake disaster in 1995
 - The Nakhodka oil spill incident and disaster in 1997
- Increasing concern about the coastal environment like tidal flats, sea-grass beds, pine forests, etc

Components of Satoumi management



Management scheme for contemporary Satoumi as new local community



Political regime for governance

Satoumi at wider area to cover material circulation in
as political regime by government

A Sato-umi at
local area to
cover day to day
management

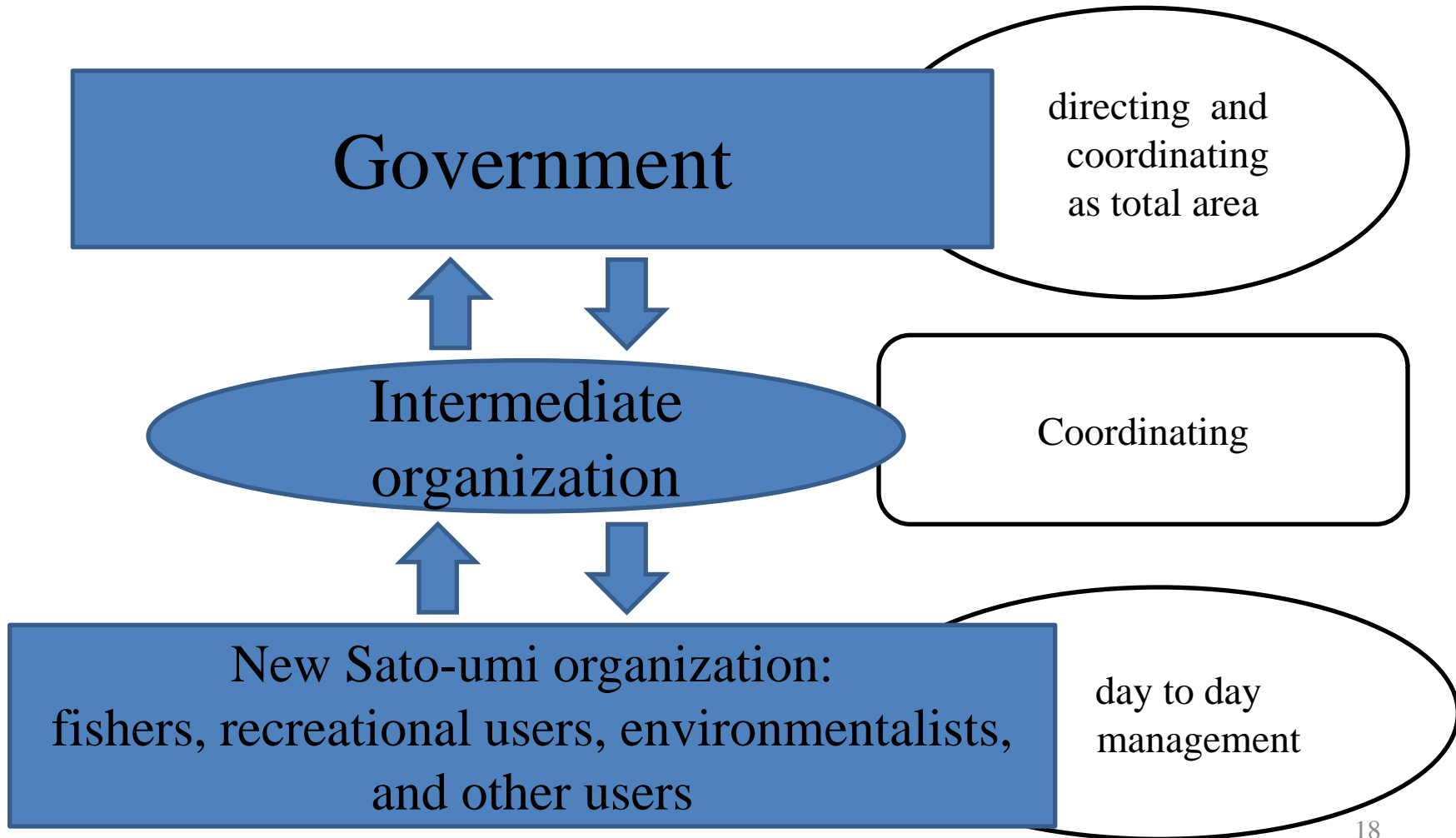


B Satu-umi at
local area to
cover day to day
management



C Sato-umi at
local area to
cover day to day
management

Governance framework for Satoumi



Conclusion

◆ New local communities

- Satoumi is transitioning from traditional Satoumi based on fishing right institution to contemporary Satoumi managed by new local communities.
- New local communities consist of diverse users: commercial fishermen, non-commercial users and environmentalists.
- They often compose NPO to engage in negotiation, monitoring, preservation and other day to day management.

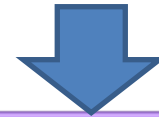
◆ Layered structure for governance

- Upper level Satoumi is managed by government.
- Lower level Satoumi is managed by new local communities.
- Intermediated organizations connect upper and lower level governance.

Challenges of Satoumi

- ❑ Degradation of water quality
- ❑ Decrease of tidal flat and sea-grass bed
- ❑ Decrease of fishing resources

- Complex of ownership
(national property, ownerless)
- Complex of use
(commercial fishing, recreational use)
- Difference among users
(resource use, surface use, water use)
- No integrated management law



Who can access? How, when and where can he or she access?
What and how much can he or she use?



How to manage Satoumi through rule and regulations?