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DECISION-MAKING IN ATLANTIC CANADA'S FISHERIES:
THE CASE OF FRANCE'S FISHING RIGHTS

by

ELI MOEN BAINE

A thesis submitted to
the Faculty of Graduate Studies and Research
in partial fulfilment of
the requirements for the degree of
Master of Arts

Department of International Affairs
Carleton University
Ottawa, Ontario
July 1989

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The undersigned hereby recommend to the Faculty of
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Abstract

This study attempts to insert a public administration approach into an analytical tradition which examines the interpenetration of the political and economic spheres in advanced capitalist countries. It analyses the formation of the Canadian position in negotiations with France in 1971 and the late 1980s about French fishing rights off Atlantic Canada.

Concepts like interests, resources, and interorganizational and interdependent relationships are applied to identify influential groups of actors. It is argued that in 1971 the federal cabinet with significant assistance by the federal bureaucracy and input by the processing sector were most influential. In the late 1980s this power-structure was maintained but with additional influence from interest organizations representing fishermen, shoreworkers and crew, and provincial governments. It is further argued that the decision-making framework of corporate pluralism - although not determining the outcome of the decision-making process - directs the participating actors and affects the outcome of the decision-making process.

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LIST OF ABBREVIATIONS

AGAC	Atlantic Groundfish Advisory Committee
CBRT	Canadian Brotherhood of Railway, Transport and General Workers' Union
CFAWU	Canadian Food and Allied Workers Union
CLC	Canadian Labour Congress
DEA	Department of External Affairs
DEN	Department of the Environment
DF	Department of Fisheries
DFO	Department of Fisheries and Oceans
EC	European Community
EEZ	Extended Economic Zones
EFF	Eastern Fishermen's Federation
FANL	Fisheries Association of Newfoundland and Labrador
FAO	Food and Agriculture Organization of the United Nations
FCC	Fisheries Council of Canada
FPI	Fishery Products International
GRT	gross register ton
ICLOS	Interdepartmental Committee on Law of the Sea
ICNAF	International Commission for the Northwest Atlantic Fisheries
IFIC	Inshore Fishermen's Improvement Committee
MFU	Maritime Fishermen's Union
MSY	maximum sustainable yield
Mt	Metric ton
NEAFC	Northeast Atlantic Fisheries Commission

NFF	Newfoundland Fishermen's Federation
NFU	Northern Fishermen's Union
NFFAWU	Newfoundland Fishermen, Food and Allied Workers Union
NFFTA	Newfoundland Frozen Fish Trade Association
NIFA	Newfoundland Inshore Fisheries Association
NSP	National Sea Products Ltd.
OECD	Organization for Economic Cooperation and Development
OGAC	Offshore Groundfish Advisory Committee
PMO	Prime Minister's Office
PCO	Privy Council Office
SOFA	Save Our Fishery Association
SPANS	Seafood Producers Association of Nova Scotia
TAC	Total allowable catch
UFAWU	United Food and Allied Workers Union
UFCW	United Food and Commercial Worker's Union
UNCLOS	United Nations Conference on the Law of the Sea

GLOSSARY OF TERMS

AGAC:

Atlantic Groundfish Advisory Committee, previously OGAC (Offshore Atlantic Advisory Committee), established by the federal government in 1974 to give advice on annual TACs for each stock, division of quotas on type of fisheries (offshore/inshore) and enterprises (offshore).

Closing lines:

Straight lines used to enclose the areas designated by Canada in 1971 as fishing zones of Canada. The fisheries closing lines for the Gulf of St. Lawrence cross Cabot Strait from Money point to Cape Ray passing by St. Paul Island, and they cross the Strait of Belle Isle from Eastern White Island passing by the Northeast Ledge off Belle Isle to Double Island.

Dory:

A rowboat with a flat bottom and high sides, used for small scale fishing.

EEZ:

Extended economic zone.

Enterprise Allocation:

Allocation of a particular groundfish stock assigned to an individual or a company as opposed to an overall quota that is fished by many fishermen competitively.

Factory Freezer Trawler:

A fishing vessel that can fillet and freeze its catch on board into a form ready for being marketed. It is essentially a floating fish plant.

Gross Registered Tonnage:

Total interior volume of a vessels measured in units of 100 cubic feet or 2.83 cubic meters.

Groundfish:

The collective term used to describe species that feed on or near the ocean bottom. The principal species include cod, haddock, redfish, pollock and flatfish species (eg. turbot and witch flounder).

Headed and Gutted:

Fish from which the heads and entrails have been removed.

ICNAF:

International Commission for the Northwest Atlantic Fisheries, established under the International Convention for the Northwest Atlantic Fisheries. Its mandate was to undertake studies and scientific investigations, and to present to member countries proposals designed to keep the

stocks of those species of fish supporting international fisheries in the Convention area at a level permitting the maximum sustained catch. ICNAF was replaced by the Northwest Atlantic Fisheries Organization (NAFO) in 1978.

Live weight:

The weight of the fish as it is taken from the water; same as round weight.

Longliners:

A general boat term in Newfoundland; not restricted to the baited-hook fishery with the same name. Most boats use gillnets, some otter trawl or Danish seines or longlines (hooks).

Mt:

Metric ton, which is the standard unit of volume in fisheries statistics.

MSY:

Maximum Sustainable Yield.

NAFO:

Northwest Atlantic Fisheries Organization, established under the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries to supersede ICNAF in 1978. Its objective is to contribute, through consultation and cooperation, to the optimum utilization, rational management and conservation of the fishery resources of the area to which the Convention applies. Members are Canada, USSR, Japan, Cuba, the EC, Denmark on behalf of Greenland, Iceland, Norway, Poland, Romania, Bulgaria, and Democratic Republic of Germany.

Quota:

Portion of total allowable catch allocated to a particular country, type of fisheries or group of enterprises.

SOFA:

Save Our Fisheries Association, established in September 1971 by the fishing industry in Newfoundland. Its members included organizations representing processing plants and fishermen as well as provincial governments in Newfoundland, Quebec and the Maritimes. Its objective was to influence the federal government to adopt harder measures to protect Canadian fisheries against overfishing of stocks by foreign fleets.

Stock:

A relatively discrete population of fish of a given species which is found in a specific geographical area.

Surplus fish:

—Stocks not fully utilized, sometimes because the species are traditionally not used for human consumption.

TAC:

Total Allowable Catch, the total catch permitted by the coastal country from a stock in a given year. The TAC for each stock is set in the light of scientific assessment and with attention paid to economic and social interests.

Trawl:

A large bag net which is towed behind a vessel. The commonly used "otter trawl" is a cone-shaped net which is towed along the ocean bottom to catch groundfish.

Trawler:

Fishing vessel that uses a trawl to fish.

Wetfish Trawler: _____

Trawler that preserves its catch on board by storage in ice.

CHAPTER 1: INTRODUCTION

This study has its base within an analytical tradition which examines the interpenetration of the political and economic spheres in advanced capitalist countries. The particular analytical approach chosen is rooted in a Norwegian version of neo-corporatism. The theoretical approach brings to the fore relationships and actors which were previously invisible in the literature on decision-making in the Canadian fishing sector. By inserting an organization model of the type traditionally applied within the field of public administration with focus on individual actors or groups of actors, into a theoretical framework of neo-corporatism, the study attempts to show how the theoretical understanding of the surroundings of an organization model affects the explanatory value of the model.

I have chosen as a case study the formation of the Canadian position in negotiations with France about the rights of fishermen from Saint-Pierre-et-Miquelon and mainland France to fish off Atlantic Canada. It compares the positions adopted in negotiations in 1971 and in the late 1980s. The focus is upon the influence of organized interests in the formation of the Canadian position. The study aims at an increased understanding of the decision-making process. It will demonstrate that increased influence of organized interests in the fishing sector during the last two to three

decades does not necessarily lead to significant influence by these actors in every case and that this can well be explained within a neo-corporatist model.

The Canadian fisheries affected by the negotiations and the background for the French fishing rights will be described later in this chapter but before that an introduction is given to the theoretical approach.

Government Decision-Making Processes

In a parliamentary democracy the fundamental principle is that governments are elected by, and responsible to, the people. By definition the concept of responsible government means that an appointed executive is responsible for its actions to an elected legislature; that legislature, by virtue of being elected, is in turn responsible to its electorate and the population (Tucker 1980:38). However, during the past quarter of a century most Western parliamentary democracies have experienced an increasing integration of organized interests into government policy-making (Mahon 1977, 1984; Biggs 1980; Thorburn 1985; Pross 1985; Coleman 1986, 1988). Questions can be asked whether governments are acting according to the will of the people or to that of organized interests, which may be more or less in accordance with the will of the people. However, the influence of other actors has also increased.

Governments have in the post second World War period increasingly taken on new tasks in society, for example in areas like social policies, economic management and environmental pollution. Government bureaucracies have expanded to implement an increasing number of policy measures but have also become more involved in policy formulation. Thus, government bureaucracies are assumed by many analysts increasingly to challenge the control of governments (understood as the politically elected leaders of the government and in the following referred to as the cabinet¹) over policy implementation as well as policy formulation (Allison 1969; Presthus 1973; Pross 1982; Olsen 1983; Skocpol 1985).

Moreover, in a federal state like Canada, during the past few decades increased influence of provincial governments on the federal level of government has been identified (Cairns 1977; Smiley 1980; Pross 1982; Jackson 1982). As will be explained subsequently, this development in the provinces is linked to the extension of government policies into new areas referred to above.

The primary concern of this study is the influence of interest organizations, government bureaucracy and provincial governments on federal policy formation. The question of who decides in Canadian politics has been

examined by many authors. Most of the studies have, however, aimed at specific parts of the decision-making process or specific relationships between actors in the decision-making structure or the political system. The explanatory value is consequently limited to the particular section under investigation. For example, most studies of the relationship between a government and its bureaucracy in the tradition of Graham Allison's classical study of the Cuban missile crisis (1969) consider any influence of private actors in the decision-making process as being irrelevant.

Another group of studies has focused on the economic and political spheres of society. The outcome of government decision-making processes is understood as the result of power struggles between social classes where the government is ideologically linked to the capitalist class (Panitch 1979) or the outcome is explained in terms of the close relationship between economic and political elites representing the capitalist class and the government (Clement 1975; Clark-Jones 1987). Left out of most of these studies are the influence of bureaucratic politics and actors representing other than economic interests.

A third category can be classified as interest groups studies. In a Canadian context these studies have been mostly concerned with economic policies, emphasizing the

influence of industrial or business organizations (Mahon 1977, 1984; Pross 1985). Interest groups are understood as not integrated into government decision-making; their relationships with government are not institutionalized but ad hoc. The government is by some authors understood as an impartial referee in a competition between collective actors, by others as having ideological ties to interest groups. On occasions the issue of a special "client" relationship between particular government ministries and interest organizations is included (Pross 1982). Examples are common within the agricultural sector.

For a study of power relations within the primary economy it is essential that the theoretical model be more comprehensive than the approaches referred to above because in the primary economy as opposed to the secondary and tertiary economies the relationship between government and private interest organizations has during the post second World War period tended to become increasingly institutionalized. In the primary sector this relationship most often takes on a character of power interdependence and reciprocity between the government and the organizations². Therefore, I have chosen to examine power relations in the fishing sector by the use of a model from within the paradigm of neo-corporatism which incorporates the interdependent relationship (Coleman 1985, 1988; Cawson 1985).

The particular model selected, in Norway referred to as corporate pluralism (Rokkan 1966, 1987; Hernes 1975, 1978; Hernes & Selvik 1979; Olsen 1978, 1981, 1983; Laegreid & Olsen 1978, Heisler 1979), considers the government to have a management role as opposed to that of laissez-faire; interest groups are formally integrated into government decision-making processes; the relationship between government and interest organizations is not bilateral as in a pluralist network but multilateral; interest organizations do not only act as pressure groups but have a wider responsibility in policy formation; they participate in government decision-making processes, sometimes on an advisory basis and sometimes with decision-making authority, and occasionally also in policy implementation.

Organizations of labour and employers, as well as those representing industry, business, farmers, fishermen, and non-economic interests, usually referred to as functional interests (as opposed to the interests of citizens represented through the electoral system), all have a chance of influencing the outcome depending on the situation, especially organizations in the primary economy where common interests exist between interest organizations and their "client" department in the government bureaucracy. However, the "client" department's support cannot be taken for granted on all occasions by the interest organizations, as

will be explained subsequently.

Whether an interest organization is influential can be examined by using an organization model. The influence is considered as the amount of organizational resources it disposes of and how much of its available resources it decides to invest in a particular issue. This decision depends on its interests and its evaluation of the other organizations involved in the decision-making process. If the interests are low the organization may choose to use modest amounts of resources. However, the kind and amount of resources it chooses will be modified according to its perception of other organizations, ie. whether they are opposed, co-operative or indifferent. Organizational resources include, for example, expertise of the leadership of the organization, size of the organization in terms of capital and number of members, access to mass media³, control over electoral votes or employment opportunities, etc.

Students of power relations in the fishing sector have plausibly concluded that interest organizations have during the last two to three decades increasingly gained influence in government decision-making processes (Hollick 1975; Macdonald 1979, 1984; Greene & Keating 1980; Keating 1983-1984; Hanson & Lamson 1984; Barrett 1984). The same time period has experienced increased government intervention in

the fishing sector, for example, in the management of fish resources, in the management of the sector economy, and in social policies (Canada 1982). The government bureaucracy has not only expanded its capacity to implement the new policy measures but also extended its responsibilities into government policy formulation, in particular in resource management (Macdonald 1984; Hanson & Lamson 1984). Increased government activities have taken place also at provincial levels and increased integration of the federal and provincial activities in fisheries management has led to growing involvement of provincial governments in policy measures also in cases where the jurisdiction rests with the federal government (Copes 1978, 1982; Macdonald 1979). How this development has left its imprint in fisheries policy-making will be further explained in the discussion of the theoretical approach.

The analysis serves two purposes. First, by use of an organization model with focus on the influence of each organization, it will examine whether support can be identified for the trend of increased influence by the bureaucracy of the federal government, the provincial governments, and the interest organizations at the expense of the cabinet of the federal government. Second, the analysis attempts to explore how a corporate pluralist approach is relevant for studying decision-making processes in the Atlantic groundfish sector and how a corporative

pluralist structure of decision-making has certain features which directs the participating actors and thus affects the outcome of the decision-making process. These features are, for example, an interdependent relationship between government and interest organizations; a relatively stable decision-making network of interest organizations and their "client" ministry; a certain degree of co-operation, trust and willingness to reach consensus by the interest organizations for the integrated participation in government decision-making to work; a relatively independent role of the government bureaucracy because it is acting as a link between interest organizations and the cabinet.

I believe that the federal cabinet as well as its bureaucracy, social classes, interest organizations and provincial governments all are potentially important for a definition of a fisheries policy under the jurisdiction of the federal government. I have decided to study Canada's negotiations with France because these negotiations are potentially important in political and/or economic terms to all the above groups of actors. But most important, the negotiations are suitable because a relatively long time period separates the negotiations in 1971 and in the late 1980s, a period during which, as it will be claimed subsequently, the policy making structure of the sector developed from a pressure pluralist structure to a structure which can better be described as corporate pluralist. In

addition, the negotiations have taken place under largely similar circumstances, as will also be explained subsequently.

Atlantic Canada's Groundfish Industry

The study is limited to Atlantic Canada's groundfish industry, since the Canada-France negotiations concern rights to groundfish stocks, in particular cod. As shown in figures 1 and 2 in the following and in tables 6 and 7 in the appendix, the groundfish sector represents the most important fishery in Atlantic Canada in terms of value and employment. In 1971, at the time of the first negotiations between Canada and France, total number of fishermen in Atlantic Canada amounted to almost 40,000 of whom almost 23,000 were licenced to fish groundfish (table 4). In 1984, there were close to 59,000 fishermen in Atlantic Canada of whom about 24,000 were registered in the groundfisheries (table 4). A survey done for the Task Force on Atlantic Fisheries of 1982 shows that groundfish in 1981 represented 65 percent (779 000 tons live weight) in terms of volume, 47 percent (\$264 million) in terms of value of total fish and shellfish landings in Atlantic Canada (see also figure 1 and table 6 in the appendix). There were in 1971 nearly 15,000 fishplant workers (table 2 and 3). The majority of the plants handle groundfish. By 1981 the number of jobs in fish plants in the Atlantic region had increased to about 47,000, equal to about 31,000 person-

years (Canada 1982:67-68).

The dependency on groundfish resources applies especially to Newfoundland and Labrador, the Quebec North Shore, the Gaspé, and to some parts of the Maritime provinces where groundfish are the mainstay of the inshore fisheries (Canada 1982). For example, as shown in table 4 in the appendix, in 1971 Newfoundland cod fishermen made up slightly more than half of all Atlantic fishermen active in groundfish harvesting (at almost 23,000); Nova Scotia groundfish

FIGURE 1: Atlantic Coast Catch - All Species, 1981

Source: Table 6, Economic Policy Branch, Department of Fisheries and Oceans, The Royal Task Force on Atlantic Fisheries, 1982

FIGURE 2: Canadian Atlantic Groundfish Catch: Distribution and Disposition, 1981

Source: Economic Policy Branch, Department of Fisheries and Oceans, The Royal Task Force on Atlantic Fisheries, 1982

fishermen represented about one quarter of all fishermen; Quebec groundfish fishermen about 15 percent; New Brunswick and Prince Edward Island shared the remaining 10 percent. In 1984 the share of Newfoundland and Labrador had declined to 47 percent of all Atlantic groundfish fishermen (at about 24,000) while the share of Nova Scotia had increased to 30 percent. The shares of Quebec, New Brunswick and Prince Edward Island remained largely the same as in 1971. Thus, Newfoundland and Nova Scotia fishermen dominate the Atlantic groundfish harvesting with the former representing about half and the latter somewhat less than one third of all fishermen licensed to fish groundfish. Figure 2 shows the importance of the groundfish harvest for distribution and processing in Newfoundland and Nova Scotia. In 1971 the Newfoundland fishing industry affected one quarter of that province's population. At that time about 2 million Eastern Canadians were estimated to depend on the fishery for a livelihood (Evening Telegram 7/9/1971:1; 12/10/1971:4).

In 1973 groundfish was delivered to more than 300 fish plants along the Atlantic coast. However, many of these plants were only collection stations which processed the fish for delivery to larger plants and operated for only a few months a year. The plants were owned by approximately 120 private companies, division of companies and producers' co-operatives. Plants belonging to twelve vertically integrated companies numbered about 50. These companies

accounted for about 80 percent of the output of groundfish production (Canada 1976:26-27). In 1981 the number of fish plants in Atlantic Canada had reached approximately 700. Concentration in the industry had increased. Plants belonging to five large integrated companies numbered 51 (Canada 1982:113).

The Atlantic groundfish sector is for economic, social or political purposes usually divided into an offshore and an inshore sector. The large fishing companies which own most of the fish plants also own most of the offshore fleet⁵. These are large-scale enterprises involved in the catching and purchase of raw fish, and the processing, distribution and marketing of fish products. In addition to backward integration into fishing operations, the companies have integrated into marketing, especially in the United States. During the 1970s, the processing firms were dominated economically by the "Big Four", ie. Fishery Products, the Lake Group, National Sea Products, and H. B. Nickerson and Sons. Currently there are two "supercompanies", established after the economic crisis in the industry in the early 1980s by the integration of the four above-mentioned firms with government assistance. The new companies are National Sea Products (NSP) of Nova Scotia and Fishery Products International (FPI) of Newfoundland (Fairly 1985:36-37; Canada 1982:16)'.

The offshore fleet has throughout the time period covered in this study consisted of 150 or so large vessels, each over 150 gross registered tons (GRT) and over 100 feet in length (Canada 1976:23; Canada 1982:15). Most of these are freezer trawlers, also known as wetfish trawlers, as opposed to factory freezer trawlers^a. The offshore fleet fishes nearly year-round. With a crew of 12 to 15, offshore vessels employed, for example, in 1978 about 10 percent of all fishermen in the Atlantic fishery (Williams 1979:170) and represented during the late 1970s to early 1980s about 35 to 40 percent of the landed value of Atlantic fishery (Canada 1982:36).

The inshore fishermen are the small-scale fishermen, who catch cod by line, trap or gillnet. These fishermen either own their own boats and gear or they are crew recruited from personally familiar sources such as the household, kin or the local community. The true inshore boats are generally under 35 feet in length. Normally a nearshore sector is included under the common term of inshore fishery. The nearshore fleet consists of boats between 35 and 65 feet. The true inshore fleet usually stay within a day's sail of home, although some make longer trips well away from shore. They fish only one-quarter to one-third the days of the year, usually from May to September. The nearshore boats may leave home for a day or a week or longer. They typically fish one-third to one-half of the days of the

year. The inshore and the nearshore fishermen together had throughout the time period accounted for about 50 to 60 percent of total Atlantic catch of groundfish (Canada 1982:36). The boats of the true inshore fleet numbered in 1973 between 10,000 and 15,000 (Canada 1976:23). In 1981 there were about 8,300 vessels in this fleet. The nearshore fleet consisted in 1973 of roughly 500 boats (Canada 1976:23). In 1981 the total number had increased to 5,300 (Canada 1982:14). The above figures suggest a considerable growth in average size of the inshore/nearshore fleet. The inshore and nearshore sectors in 1978 together accounted for about 90 percent of Atlantic Canada's fishermen (Williams 1979:70)⁹.

Sometimes the nearshore sector is distinguished from the inshore sector. Fairly, for example, has argued that the nearshore fishery consists of enterprises with a capitalistic structure of ownership and surplus appropriation and therefore should be included in the offshore fishery (1985:39). (The nearshore boats are mostly owned by fishermen, but often with processor ownership in individual boats.) However, Fairly also notes that the nearshore fishing operations should be seen as enterprises that have failed in some periods to provide an adequate return to their owners because of catch-levels achieved, specie-mix caught and/or prevailing fish prices. In fact, with reference to a study from the late 1970s, Fairly notes

that the typical owners of the more numerous, smaller (nearshore) longliners engaged predominantly in the groundfishery earned returns that barely allowed their enterprises to break even (1985:41).

I have chosen to use the traditional division of inshore and offshore fisheries where the nearshore fishery is included in the inshore. The reason is the income distribution in the fisheries. The inshore and midshore fishermen are grouped together because their income is generally poor, ie. significantly lower than the average Canadian industry worker, and because they have little influence on their income earnings¹⁰. Whether organized or not, most of the inshore and nearshore fishermen are price takers, selling their fish in most cases to the only processing plant in the area. The products are mostly exported and it is the supply and demand situation in the United States groundfish markets which determines the export prices¹¹. The standard of living of these fishermen is further dependent on fisheries in a limited area, although the nearshore fishermen have a larger choice among type of fisheries and fishing areas than the inshore fishermen. Moreover, they have few real job alternatives if fisheries fail. Consequently, inshore and nearshore fishermen can be expected to have common interests in politico-economic terms in most cases.

In the offshore sector, the company-owned trawlers have the

flexibility typical of large, integrated companies. Compared to the inshore and nearshore operators they can more easily change operations with changes in the fisheries economy¹². I consider that the majority of small fish boat owners have from an economic perspective more in common with fish plant workers and crewmembers than with the owners of the majority of fish plants and large boats. The inshore and the nearshore fishermen, as well as fish plant workers and offshore crew are therefore in the following classified as one functional group, referred to as the fishermen-shoreworkers-crew group. The other functional group is the offshore-processing group.

French Fishing Rights off Canada's Atlantic Coast

The negotiations between Canada and France concern the rights to exploit cod stocks. France has a long history of fishing rights in Canadian waters, contained in the following treaties: the Treaty of Utrecht (1713), the Treaty of Paris (1763), the Treaty of Versailles (1783) and the London Convention (1904).

In 1971, in the wake of Canada's first extension of its territorial waters (to 12 miles), Canada and France negotiated an agreement which was signed in 1972 and became known as the Fishing Agreement of 1972. This agreement superseded all previous treaty provisions relating to fishing by French nationals off the Atlantic coast of

Canada. In the 1972 Agreement France specifically renounced "the privileges established to its advantage in fishery matters" by the London Convention (art. 1). In the London Convention between France and the United Kingdom¹¹, France renounced the privileges established by the Treaty of Utrecht (art. 1) but retained for her citizens, "on a footing of equality with British subjects", the right of fishing in the territorial waters of the coast of Newfoundland (art. 2). The French were allowed to fish for any kind of fish, enter any port or harbour on the coast on the same conditions as the inhabitants of Newfoundland. British subjects and French citizens should be subject alike to the laws and regulations in force or which might thereafter be passed for the improvement of the fisheries (art. 2) (Canada 1985B:Annex 40; Pharand 1987:28). The extent of the French catch is shown in table 1 below. The 1972 Agreement established fishing rights for vessels based in France, in the following referred to as Metropolitan France, and in the French islands of Saint-Pierre-et-Miquelon, south of Newfoundland. The French government argued in 1971 that French fishing rights were also based on tradition, ie. that vessels from Metropolitan France had been fishing in these waters for centuries (Canada 1985A:Annex 43). Since then no reference by the French government to traditional rights has to my knowledge been reported by any Canadian source.

The Canadian government had hoped that the 1972 agreement together with agreements being negotiated at the same time with other nations whose fleets had traditionally fished within Canada's new twelve mile fishing limit, would phase out all foreign fishing of Canadian waters. The objective was to gain exclusive management rights over fish stocks so that an end could be put to the overfishing of the stocks by foreign fleets¹⁴.

In 1971 the French fleet consisted of small-scale boats and trawlers from Saint-Pierre-et-Miquelon and trawlers registered in metropolitan France, mainly Saint-Malo in Brittany. The 1972 agreement allowed an unspecified number of trawlers based in metropolitan France to continue to fish in the Gulf of St. Lawrence¹⁵, within the Canadian fishing zone, on an equal footing with Canadian trawlers until the end of the 1986 season, ie. until May 15, 1986. Fishing outside the Gulf of St. Lawrence (no specifications were made as to where) in Canada's future extended fishing zone would be subject to Canadian measures for conservation of resources, including the establishment of quotas for the French fishing operations. In addition, special rights were granted to the inhabitants of Saint-Pierre-et-Miquelon for small fishing boats and a maximum of 10 trawlers registered in Saint-Pierre-et-Miquelon of a maximum length of 50 metres to fish in certain specified waters on an equal footing with Canadian trawlers. Canadian fishing boats and trawlers were

Table 1: Annual catches of groundfish ¹⁾ in the northwest Atlantic by Canada, France and St. Pierre and Miquelon from 1970 to 1985 (1000 mt, live weight)						
Year	Groundfish (incl. cod)			Cod only		
	Canada	France	St. Pierre + Miquelon	Canada	France	St. Pierre + Miquelon
1970	463.6	66.2	4.6	262.8	66.2	2.2
1971	447.1	50.2	3.3	244.5	50.2	1.0
1972	405.0	54.2	3.6	219.2	53.7	1.0
1973	375.7	32.9	3.4	176.7	32.8	1.7
1974	323.5	31.3	3.0	156.8	30.6	2.2
1975	320.4	28.6	3.6	154.7	28.5	3.0
1976	373.4	31.6	5.9	193.6	31.0	5.0
1977	368.7	29.4	4.5	235.4	29.4	4.1
1978	518.1	32.8	6.3	296.3	26.9	5.6
1979	605.6	19.1	8.3	370.2	19.1	7.6
1980	678.9	10.8	7.8	418.0	19.3	6.9
1981	690.0	20.8	8.2	432.3	20.4	7.1
1982	737.4	16.6	8.1	510.7	18.6	8.7
1983	702.4	21.2	8.7	508.1	21.2	8.1
1984	670.1	34.4	10.8	475.9	30.0	10.0
1985	690.5	42.5	NA	479.0	35.3	NA

Source: FAO Yearbooks of Fishery Statistics: Catches and Landings.

1) Table B31 Flounders, halibuts, soles, etc. and table B32 Cods, hakes, haddocks, etc.

given reciprocal fishing rights along the coast of Saint-Pierre-et-Miquelon (Canada 1985A; Canada 1985B:Annex 1)¹⁵.

The implementation of the 1972 agreement was relatively problem-free until 1986, although the agreement is not very explicit as to Canada's authority in the setting of quotas

for France. It simply provides that fishing by French vessels in the Gulf of St. Lawrence is subject to "Canadian fishery regulations" and that fishing by the same vessels in the future 200 mile extended zone is subject to "the establishment of quotas". From 1974 to 1977, quotas were established through consultation within the International Commission for the Northwest Atlantic Fisheries (ICNAF). Quotas for the years 1977 to 1980 were established through annual consultations with France. For the period 1981 to 1986 the quotas were fixed in a signed Proces-verbal between Canada and France. The right of Canada to determine unilaterally the quotas to be allocated to France was confirmed in the 1986 international arbitration commonly known as La Bretagne (Pharand 1987:29)¹⁷.

When Canada proclaimed its 200 mile zone in 1977, France also claimed a 200 mile zone around Saint-Pierre-et-Miquelon. Canada protested the French claim. The first negotiations between Canada and France following the declaration of the 200 mile zones began in 1978. During the period 1978 to 1981 officials of both countries held seven rounds of negotiations. Around 1984-1985, with the approaching of May 1986, the withdrawal date for Metropolitan vessels from the Gulf of St. Lawrence, the focus of negotiations began to shift from the boundary question to the question of quotas for France elsewhere in Canadian waters. Nine rounds of negotiations were held in

1985-1986 (Evening Telegram 7/2/1987:5). An interim agreement was reached in January 1987 whereby the parties committed themselves to submit the boundary dispute to third party settlement and to establish, through bilateral negotiations, the annual fishing quotas for French vessels in Canadian waters for the period 1988 to 1991¹⁸.

The Canadian government failed in its promise to consult the Newfoundland government during the final stage of negotiations. The Newfoundland government objected to the proposed quotas and the interim agreement. Since 1987 no agreement on quotas has been reached and the boundary dispute has not been submitted to third party settlement. The French have continued to fish in the disputed area, known as 3PS (see enclosed map). The Canadian government claims that the French have over-exploited the stocks far beyond the biological maximum sustainable yield (MSY) level. As a countermeasure, the Canadian government withdrew its port privileges to French fishing vessels in March 1987 and denied French fishermen, including those from Saint-Pierre-et-Miquelon, access to Canadian grounds in the Gulf of St. Lawrence. Since then a carefully staged protest against the exclusion from the Canadian 200 mile zone by Saint-Pierre-et-Miquelon fishermen and politicians has led to a much publicized arrest. The dispute was drawn into the French presidential election campaign in the spring of 1988. With the French presidential election over, renewed discussions continued in the summer of 1988. This study

will examine the position of the Canadian state in the negotiations in 1971 and in the late 1980s.

As in all international bilateral conflicts one party's position is to some extent a response to that of the other. If the strategy of one party changes the other is likely to change as well. It is therefore reasonable to believe that Canadians interested in Canada's position would observe the French position and make their own moves accordingly. As will be explained subsequently, the strategy of France has changed in the time period.

In 1971, France was among the leading fishing nations in Europe with a significant distant water fleet. Indeed, in 1971 the French fishing industry was to a large extent dependent on its distant water fleet for supplies, especially for groundfish for which they traditionally fished in the northwest and northeast Atlantic and in the Barents Sea. However, by 1971 discussions were going on in international fora about the extension of coastal states' fisheries jurisdictions. Canada and Iceland had already extended their jurisdiction (Iceland to 50 miles). France most likely felt threatened by the possibility of further expansion by Canada and Iceland as well as expansion by other coastal states bordering on their fishing grounds. However, in 1971 the prospects of a future common fisheries policy within the European Community (EC) including some

kind of a common EC zone seems to have softened the fears of exclusion from fishing grounds outside EC waters among distant water fleets in EC countries (Underdal 1980:55)¹⁹. For example, with a common EC fisheries policy cod and other groundfish stocks could be exploited by the French fleet in the waters of the United Kingdom.

With increasing scarcity of cod in the early to mid 1970s French production of cod fell significantly. This was in part due to stricter quota limitations in both ICNAF (International Commission for the North Atlantic Fisheries) and NEAFC (Northeast Atlantic Fisheries Commission). In 1977 severe restrictions were imposed by Canada and Norway for the first time. Fishing in the Soviet sector ceased in 1978. French distant-water trawlers were sold, laid up, or assigned to other fisheries. As part of the restructuring efforts of French industries in general, modernization of the fishing fleet had been a part of the Fifth and the Sixth National Plans (1966 to 1975). The Ninth National Plan (1986-1990) still included modernization of distant-water freezer-trawlers with emphasis on adding more value to production on board. Total number of vessels declined from 44 in 1967 to 23 in 1973 and 11 in 1978 but the size and technological sophistication of the vessels had significantly increased (OECD 1969-1985). It can be assumed that the fishing grounds off the Canadian Atlantic coast were in the late 1980s of crucial importance to the French

freezer-trawler fleet.

Compared to the Canadian Atlantic groundfish trawler fleet, the French fleet has been more capital-intensive. The French trawlers were overall larger, newer, and technologically more advanced than the Canadian trawlers.

It can be concluded that the French initially assumed that any further limitation of access to fishing in Canadian waters could be compensated for by increased access to the waters of other EC members, for example, those of the United Kingdom. During the 1970s France seemed to adapt to additional restrictions imposed in Canadian, Norwegian and Soviet waters by reducing its distant water fleet and partly by making up for loss in catches by increased fleet efficiency.

By 1983-1984 the French strategy had changed. As indicated by the catch figures in table 1, a significant increase in fishing efforts followed, despite the depleted conditions of stocks in the disputed area. French trawler-owners and the French government apparently decided to overfish stocks in view of the uncertainty related to a boundary settlement²⁰ and the large amounts of capital invested in the fleet and a consequent need for high return on investment. In other words, since the early to mid 1980s the French policy apparently has included a considerable discounting of the

present value of future catches (Moen Baine 1988).

The Changing Environment of the Negotiations

Environmental factors have affected the Canadian position both directly through changes in the premises of the decision-making process leading up to the position, and indirectly via changes in premises of the organizations participating in the decision-making process. The remainder of this chapter will examine these environmental factors which are identified as the changing international regime of the sea²¹, the advances in technolocial development, the threat of depletion of stocks, and the economic situation of the fishing industry.

The old regime of the sea, known as freedom of the seas, was in effect when the Canada-France fishery agreement was negotiated in 1971. The ocean fishery was then considered a common property resource. No one person, institution or nation could own it outright and thus establish total control over the input factors of production so as to secure a reasonable "rent" from the resources. No individual fisherman could afford to restrain his own catch in the interest of future returns, for anything he left in the sea for tomorrow would be taken by others today. As a result, overfishing of the stocks became a pervasive and persistent condition.

The freedom of the sea regime is rooted in a belief established in the 16th century²² of unlimited abundance of the oceans' fishery resources. Under this principle all countries could fish in all oceans beyond the relatively narrow limits of coastal state jurisdiction, generally from three to twelve nautical miles. A specific pattern of fishing developed. When catch per unit of effort on the traditional grounds declined, the fishermen either developed more intensive techniques or moved to other regions where they could develop new fishing grounds. As the demand for fishery commodities increased in industrialized countries, it became economically feasible to build larger and larger fleets capable of going greater distances from the home ports. Until the Second World War, the distant-water fishing vessels came mostly from western Europe and Japan. Since then fleets capable of going anywhere in the world have been developed in the Soviet Union and eastern Europe and in a few Third World countries such as the Republic of Korea and Cuba.

The principles of freedom of the seas and freedom of fishing were not seriously challenged until the 1970s. The principle, as far as it affects fisheries, no longer exists to any meaningful extent. Initial reactions to the presence of foreign fishing vessels occurred in 1947 when Chile and Peru announced claims of extended jurisdiction over fisheries to 200 miles from their coasts and when Ecuador

joined them in 1952.

The issue of the extent of jurisdiction, however, remained largely a regional Latin American matter until 1958, when it was raised at the First United Nations Conference on the Law of the Sea (UNCLOS) in Geneva. Here the majority of the countries were in favour of a narrow territorial sea (three, six, or twelve miles). Neither the First nor the Second UNCLOS convened in Geneva in 1960 succeeded in reaching an agreement on the limits.

It was not until a decade later that support for a wider jurisdiction began to mount and that the principle of the freedom of the seas for fishing was seriously challenged. The developments in the international law of the sea leading to the Third UNCLOS in 1974 and to the general acceptance of wide limits of jurisdiction, took place largely in response to the growing awareness of inequities in the distribution of wealth from fisheries and persistent and widespread overfishing of valued fish stocks. The principle of a 200 mile extended economic zone (EEZ) became fully accepted during the early sessions of the Third UNCLOS. The first session of this conference was held in December 1973. By 1980 98 coastal states had adopted zones of jurisdiction over fisheries beyond twelve miles (FAO/Christy 1981). The Convention on the Law of the Sea was adopted at the last session held in 1982.

By the early 1970s Canada's position increasingly became similar to other coastal states on a number of key law of the sea issues. Given that most fishing nations exploiting the Atlantic Canadian continental shelf were rapidly industrializing their fleets, fish stocks were increasingly threatened from as early as the 1950s onwards and some stocks collapsed in the late 1960s. The Canadian government responded by introducing a policy of more direct management and control of fishing, comprising quotas, seasonal closures and limited licensing of vessels from the early 1970s onwards and by unilaterally and gradually extending its jurisdiction over territorial waters beginning in 1970 when the breadth of Canada's territorial sea was extended from three to twelve miles²³. Subsequent legislation established Canada's jurisdiction for fisheries protection and anti-pollution purposes over the Gulf of St. Lawrence and the Bay of Fundy on the east coast, by drawing fisheries closing lines across the entrance to these bodies of water²⁴. With the 1977 declaration of the 200 mile extended fisheries zone, the Canadian government had finally obtained the control it desired to manage the resources properly - or so it assumed.

In declaring a 200 mile fishing limit in 1971 Canada agreed to abide by the rules that had emerged in the deliberations of UNCLOS III. While assigning the coastal state sovereign

rights to the fish stocks in its 200-mile zone, the coastal state became responsible for implementation of proper conservation and for promotion of optimum utilization (Copes 1982:232)²⁵. Although the principle of an exclusive economic zone of 200 miles had become a well established international principle towards the end of the 1970s, a number of problems remained. Some of these concern the Canada-France dispute. First, the determination of boundaries is primarily a matter of negotiation between neighbouring coastal states where the distances between the states are less than 200 miles, as in the case of the boundary between France (Saint-Pierre-et-Miquelon) and Canada. Second, under the concept of full utilization, the coastal state determines the total allowable catch (TAC) which is the maximum sustainable yield (MSY) as modified by economic, social, and ecological factors²⁶. Third, in the case of management of shared stocks, the control measures and the distribution of the quotas for each country must be determined (FAO/Christy 1981).

A second category of environmental factors is the technological advances made in vessels, gear, on-board storage and on-board processing facilities, etc. since the first agreement of 1972 because these changes would have altered the relative importance of the inshore vs. the offshore sector. However, the Canadian government's policy has for political economic reasons been to allocate equal

shares of the total groundfish TAC to the inshore and the offshore sectors throughout the time period discussed here so that any advantage one sector could have over the other was theoretically neutralized (Canada 1982:36; Canada 1986A).

Third, the situation of the stocks in the late 1980s as compared to the early 1970s may be more or less depleted, leading to a different sector economy in the late 1980s. Measurement of stocks is still not an exact science. Biologists representing opposing interests often disagree. Therefore, the well-being of stocks is partly a question of assumptions and interests. However, the perception in Canada, reflected in industry and in government, is that groundfish stocks are still threatened with serious overfishing by foreign fleets outside the Canadian 200 mile zone (Globe and Mail 17/9/1988:1-2). Therefore, it seems that little has changed since the early 1970s. The interests in protecting fish stocks among all parties involved are just as strong in the late 1980s as they were almost two decades earlier.

Finally, the position taken by the various parties involved in the dispute may have changed due to busts and booms in the industry and the overall economic situation in the Atlantic provinces. It was noted previously that the leading world groundfish market is in the United States,

although aggregate demand and supply in European countries also influence the international prices for groundfish. The major suppliers to these markets are Canadian and Scandinavian fishing companies. In fact, more than half the total Canadian supply goes to the United States market with less than one third to the domestic market. During the last two decades the industry has experienced down-periods in 1974-1976 and in the late 1970s to early 1980s and the boom which started in 1986 was in 1988 approaching its end. The negotiations of 1971 and the late 1980s have been undertaken during periods of relative prosperity with relatively little pressure on the industry's economy.

Unemployment has been a serious problem in the Atlantic provinces, in particular in Newfoundland. As shown in tables 9A and 9B in the appendix, the unemployment rate in Newfoundland from 1986 to 1988 fluctuated around 20 percent (in the month of May). In 1988 one in three members of the labour force in Newfoundland reportedly collected unemployment insurance benefits at some point during the year, and the per capita income of \$7,500 was less than half the national average (Globe and Mail 7/3/1988:A5). The unemployment rates in Atlantic Canada actually understate the severity of the problem since there is also a very low labour force participation rate and a high degree of underemployment in the rural economy of Atlantic regions, particularly in the inshore fishery, in which the great

majority of fishermen are occupied (Copes 1982:225).

Around 1971 unemployment was also considered a serious problem. Although the unemployment rate in Newfoundland (in the month of May) for the years 1969 to 1971 was well below 10 percent, it was increasing to unprecedented levels. Headlines in the Evening Telegram, St. John's, read that Newfoundland's unemployment rate was frightening; it had increased to 15 percent in February of 1971. In May the situation was worse; Canada was in a serious economic slump. In November an urgent need for jobs was called for, as the unemployment situation in Canada was steadily growing worse (19/3/1971:6; 18/5/1971:6; 30/11/1971:1; 10/12/1971:6). Thus, unemployment rates were perceived as very threatening both in 1971 and in the late 1980s, although the actual figures were much higher for the late 1980s.

Consequently, among the factors surrounding the negotiations with France, the international regime of the sea could be expected to have unequal effects on the parties wanting to decide upon the Canadian position while the other factors apparently were equally important in the two periods.

To summarize, the first chapter started with an introduction to the theoretical model. This model is inspired by organization theory and corporate pluralism. The model of analysis allows for examination of power relations between

government institutions and interest organizations formally participating in government decision-making processes. The parties normally interacting in the primary economy in modern Western democracies are, according to this model, the cabinet of the central government, the government bureaucracy and interest organizations. The model of analysis is based on organization theory as traditionally known in the field of public administration where focus is upon the behaviour of collective actors and the relationship between them. For such a model to be theoretically rewarding the decision-making process requires a particular structure of stable, institutionalized relationships between interdependent organizations, such as defined by the corporate pluralism paradigm.

The purpose of this study is, first, to examine a trend identified in the groundfish sector whereby the cabinet of the federal government during the past two to three decades has shared influence with interest organizations, the federal bureaucracy and the provincial governments. Second, the study aims at demonstrating how development towards a corporate pluralist structure of decision-making processes in this sector has certain restrictive implications for the behaviour of the actors participating in the decision-making and the outcome of the process.

The case to be studied is Canada's negotiations with France

in 1971 and in the late 1980s over French fishing rights off Canada's Atlantic coast. This chapter therefore included an introduction to the economics of the Atlantic groundfish sector, emphasising the different interests of an inshore and an offshore sector. This was followed by a summary of the history, economics and politics of the French fishing off Atlantic Canada, concluding that France in the early 1980s changed to a strategy of overfishing the stocks whereby the present value of future catches was considerably discounted.

The discussion of the environmental factors of the negotiations concluded that the changing international regime of the sea which, of course, is the cause of the dispute and forms the framework for the negotiations, was the only factor expected to have unequal effect on the parties wanting to decide upon the Canadian position.

The paper is organized as follows: Chapter 2 contains an introduction to the theoretical approach and the model of analysis, an explanation of the choice of model of analysis, formulation of the research question and explanation of how the analysis will proceed. The analysis starts in chapter 3 with the negotiations in 1971, discussing the influence of public and private groups on Canada's position with respect to their interests in the issue and their capacity to realize these interests, individually or in co-operation.

Proceeding with the negotiations of the late 1980s, the analysis in chapter 4 follows the same pattern as for 1971. Finally, the outcome of the 1971 negotiations and the negotiations of the late 1980s are compared in chapter 5. The purpose of this comparison is to examine whether the development from 1971 to the late 1980s corresponds to the trend identified above of increased influence of the bureaucracy of the federal government, provincial governments, and the interest organizations at the expense of the cabinet of the federal government. Chapter 5 ends with an examination of the analysis in chapters 3 and 4 with respect to particularities of the corporate pluralist structure of decision-making as Olsen has indentified in the case of Norway (1983). The purpose of this examination is to demonstrate how a decision-making process within a framework of corporate pluralism is structured by that same framework.

The Claim of Thesis

The thesis is an exploration of the application of the Norwegian model of corporate pluralism to a Canadian case. With reference to existing literature on decision-making in Canadian fisheries, I will argue that application of the Norwegian model contributes to an increased understanding of:

- A) The role of fishermen-shoreworkers-crew organizations as a distinct group within the group of private

interests in decision-making in the groundfish sector, and

- B) The role of the bureaucrats as a group within the federal government with respect to decision-making in this sector.

Such an analysis is possible because the model differentiates between the fishermen-shoreworkers-crew organizations and the organisations representing the processing companies and the offshore fleets and between the bureaucracy and the cabinet of the federal government.

CHAPTER 2: THEORETICAL APPROACH

This chapter is divided into three sections: first, an introduction to corporate pluralism and analysis of influence, and the location of corporate pluralism within the neo-corporatist tradition, with special emphasis on the Canadian context; second, an introduction to a corporate pluralist structure in the groundfish sector, and third, explanation of the purpose of the study and method of the analysis.

Corporate Pluralism and Analysis of Influence

The model of analysis is inspired by models developed by certain Norwegian analysts studying corporate pluralism. Corporate pluralism can be classified as a type of neo-corporatism. Different schools can be identified within the tradition of neo-corporatism but they can all - according to Martin Heisler - agree upon the following broad description (1979:282):

(A) continuous, structural participation of interest organizations in the policy-making (and sometimes the policy implementation) process. Such organizations convey principally but not exclusively particularistic interests in the largest number of cases dealing with economic subject-matter. And reciprocally, they are used by policy-makers to enhance the legitimacy of policies and to facilitate their implementation.

The Norwegian tradition is termed corporate pluralism, referring to the idea of groups participating formally in government policy making". Stein Rokkan was among the authors who first identified the particular system of

corporate pluralist elements in the political process (1966). Rokkan is known for his phrase "votes count but resources decide" (1966:105), with which he intended to show that especially in such systems as those in Scandinavia studies of the party system, electoral pluralist behaviour and traditional interest group (ie. the dominant pluralist view of interest groups as intermittent access and influence in policy-making approaches) were not enough. The roles of regularized participation in the policy process by interest organizations had to be taken into account as well, and the importance of their resources could be seen to be significant factors in determining output. What Rokkan suggested was that the structural participation of organized interests be accorded consideration together with other elements in the political system.

Later Rokkan (1987:206-125) discussed the extent to which private organizations are represented in a country's political system by referring to a hypothetical construct adopted from Philippe Schmitter (1974). Rokkan argued that most of the mixed-economy systems of the Western industrialized countries fall at varying points between the two poles of the ideal type of corporatism and the ideal type of pluralism. The ideal type of corporatism is, as described by Schmitter, a system of interest organizations where the actors are organized into a limited number of compulsory, non-competitive hierarchically ordered and

functionally differentiated categories, recognized or licensed by the state, granted a representational monopoly, in exchange for certain control of their articulation of demand and support. This ideal type of corporatism contrasts sharply with the ideal type of pluralism, a system which allows interest organizations the opportunity to compete freely and fairly for supporters and allows citizens, as members of organizations, to be represented in government decision-making through consultative organs in overlapping and indirect ways, and with equal chance of being taken into account.

The ideal type of corporatism immediately appears unsuitable for a study of Western democracies. Neither is the ideal type of pluralism suitable. The ideal type of pluralism is based on an underlying harmony of interests which is unreal under most circumstances. For example, it does not take into consideration differences in organizational capabilities among various organizations, the fact that a number of citizens affected by policy-making have no access to the policy-making process, and that no government neutrally allocates policy output as a reflection of an evolving consensus among social groups¹⁴.

No attempt will be made here at a comprehensive explanation of the Norwegian tradition as it has developed in the tradition initiated by Rokkan and as it exists today.

Moreover, there is no distinct Norwegian paradigm of corporate pluralism. Norwegian analysts within this field form a heterogeneous group in terms of approaches and purposes, and hence are difficult to characterize with common referents. In the following presentation I will focus on the works of Gudmund Hernes and Johan P. Olsen and co-authors (Olsen et al. 1978; Laegreid & Olsen 1978; Hernes et al. 1978; Hernes & Selvik 1979; Olsen 1981, 1983). The presentation is partly based on a discussion by Martin Heisler (1979).

The works of Hernes and Olsen et al. seem to be close to the original points of departure of those, like Stein Rokkan, who sought to treat the political ramifications of regularized interest organization participation in the policy process as part of a broad, if not systematic, whole. They focus on the national government. The government is considered as both the principal societal actor and the integrating arena for pluralistic interactions among organized interests and their members, and among organizations, citizens, and the central authorities. A prerequisite of this tradition is an unwillingness or inability on the part of the government to take on a directive role with respect to a certain policy area, or to rely on market processes to produce the desired ends.

An example may clarify the role of the government. It deals

with income policy problems and could have been taken from a number of Western industrialized democracies; generally, labour organizations tend to press for higher real, net incomes (ie. purchasing power) for their members. Employers are generally interested in the lowest possible wages and tax costs and the highest possible prices. Governments seek to mediate with comprehensive and effective peak associations but with a view toward maximizing their own policy goals, eg. minimal inflation, high economic growth, a healthy balance of payments, etc. (Heisler 1979:285-286). This process of policy-making is, however, complex. Each actor does not have a clear-cut motive. Governments, for example, intervene, initiate, set parameters and in general strive to achieve their goals; and these may conflict with the goals of employers and labour across cases and over times. Thus, governments do not always act as neutral mediators of conflict (Heisler 1979:286).

Another common feature among the Norwegian authors referred to above relates to the role of organizations. Most of these authors strive to understand the implications of the integration, in some form and varying degree, of private actors or interest groups into the policy-making mechanisms of modern governments (Heisler 1979:282-283). When integrated into government policy making, an interest organization can initiate, design, advise, decide upon, implement or administer government policies but it is not

necessarily involved in all functions. The models of Hernes, Olsen et al. operate within a policy-arena which requires a certain degree of integrated organization participation. The approach sheds more light on the activities of interest organizations in functionally autonomous sectors with a limited number of government agencies and interest organizations²⁹ and characterized by small numbers of well defined, stable interests. For each policy topic it is easy to specify stable rules about which organizations can participate, which problems and solutions are relevant and which rules of the game are legitimate (Olsen 1983:183).

The interest organizations can have as members other organizations, thus being organized in a hierarchical structure, or their members can be individual industrial enterprises, business enterprises, workers, farmers, fishermen, etc. The organizations are further assumed to represent most of the individual members of a sector. Organizational interests are shaped by members' individual interests, but at the same time the organizations fashion and control those interests. The leadership can on occasions take a position relatively independent of the interests of the member, if this is judged to be in the long-term interests of the organization. The motivation for members to fall in line is based on the idea of a non-zero-sum output. Therefore, while interests are organized within

a framework of opportunity and with the purpose of promoting the interests of the organizations, they are not givens which can be read off from an account of socioeconomic structure or a network of pressure pluralism.

As mentioned in the introduction one purpose of this study is to demonstrate how the particular structure of corporate pluralism has certain implications for the behaviour of the actors involved and the outcome of the decision-making process. In corporate pluralism the relationship between the government and the interest organizations is characterized by interdependence. The integration is voluntary. It is assumed to be to the advantage of both the government and the organizations. As Olsen puts it, "an organization becomes accepted by a government agency as the primary expression and representation of a given interest; the organization, in turn views the government agency as the primary partner or point of reference. Public officials give organizations influence over government policies; organizations supply information, political support, and control over their members" (1983:150).

In the analysis in chapter 5 of the explanatory capability of a model of analysis inspired by organization theory and set within a structure of corporate pluralism I have drawn extensively on an analysis by Johan P. Olsen (1983) of government decision-making in Norway. I have attempted to

demonstrate how a similar approach can increase the understanding of decision-making in Atlantic Canada's groundfish sector. For this purpose I have related the analysis of influence in chapter 3 and 4 to the conclusions in Olsen's study.

As in my study, Olsen has dealt with the roles of the cabinet of the national government, the government bureaucracy and interest organizations. As explained previously, I have added the provincial governments. The major factors favouring the cabinet in influencing events and behaviour are related to recognition of its authority. For the cabinet to exercise leadership depends on whether other groups recognize the authority and power of the cabinet as legitimate, and whether these groups can be called in to back up decisions made by the cabinet (Olsen 1983:78). Leadership by the cabinet in a parliamentary system is partly based on party support but that is not a subject of analysis here. The cabinet also needs support from, and legitimacy among, interest organizations and in a federal state like Canada, from provincial governments.

The more the public agenda has grown in size and complexity, the more the most important role of the cabinet has become to manage the policy process, not to make specific policy choices. Members of the cabinet have become organizers. Thus, to exercise influence they may try to affect the

access to issues, problems and possible solutions to the agenda. They can also try to manage the timing of policy decisions and thus the context (in terms of participants and issues) in which choice is made. They can create new policy-making arenas or dismantle established ones (Olsen 1983:207). A cabinet can also use an integrated participation system to prevent interest organizations from taking action on problems, to distract attention, and to waste time (Olsen 1983:152). However, Olsen is doubtful that the cabinet has much freedom to change policy-making structures and processes, among others, because organizational patterns also reflect power structures and governments have to strike a balance between competing interests (Olsen 1983:207-208).

A system of integrated participation by interest organizations is dependent upon a certain degree of co-operation, trust and willingness to reach consensus by all parties involved. The government can not be reduced to an arena for competing organizational interests (Olsen 1983:155). Governments, ie. in this case the cabinet and the bureaucracy, have interests and resources of their own and for that reason should not be understood only as an arena for competing interests.

Today the political leaders in cabinet are often in a bargaining situation both within the governmental apparatus

and with interest organizations in society, and the main tendency in government is toward specialization and division of labour into administrative sectors. Policy-making in the groundfish sector takes place within a political system which has been transferred into specialized coalitions of certain cabinet members, bureaucrats, interest organizations, provincial governments and sometimes experts from institutions of research. Disagreement occurs between them but they share a basic perspective which is formed by the sector interests. Collective decision-making, consultation and anticipated reaction are important (Olsen 1983:144).

In such a sectorized system ministers are recruited from relevant sectors and professions (Olsen 1983:116). Interest organizations want their people, or people sympathising with their interests, in executive positions. They also want to monitor and influence executive processes.

Further, ministers of sectoral departments like the department of fisheries, are spokesmen for the institutions and the tasks for which they are responsible (Olsen 1983:116). Ministers like the Fisheries Minister, and representatives of interest organizations probably most of the time do not perceive each other as opponents. It is likely that a fisheries minister will represent "his" or "her" interest group to the rest of the cabinet (Olsen

1983:111-112).

As indicated above, bureaucrats are also powerful participants in public policy-making¹⁰. In the groundfish sector, most of the bargaining and consultation between government and interest organizations takes place in the bureaucracy. However, to carry through any self-initiated projects bureaucrats need ministers who will sponsor them. If the minister is not willing to fight for them, success is very unlikely. When conflicts arise it is usually between different ministries, or between a ministry and government institutions trying to co-ordinate across sections (Olsen 1983:144).

One can expect well-developed and fairly stable networks of communication between ministers and their dependable allies (Olsen 1983:79) when decision-making in a sector is characterized by a specialized coalition of politicians, bureaucrats and interest organizations. Top bureaucrats become attractive coalition partners and therefore influential. They bring to their allies expertise, information, and above all, predictability. The predictability stems from their lifelong careers mostly protected against arbitrary intervention by politicians.

As suggested above, integrated decision-making cannot be understood in terms of the conflict or co-operation between

two unitary actors, governmental agencies and organized interests. Governmental agencies and interest organizations are seldom homogeneous units (Olsen 1983:153). In a sector economy, organized interests are always divided according to social classes. Further, some organizations are excluded from participation and an organization may prefer not to enter into an integrated participation relationship because to the interest organizations there are costs involved in integration. The costs include responsibilities and losses of freedom, purity, and control by members. By accepting a position in an integrated structure, an organization and its leaders become associated with the actions of the structure. The organization has to share the blame for policy failures, because it cannot credibly claim innocence. A peak organization, which is unable to express opinion on issues because of inability internally to define a common interest, may resort to informal participation (Olsen 1983:156-158, 173-174).

On the other hands, all forms of co-ordination are mechanisms of legitimizing participants, procedures and policies. For interest organizations integrated participation offers recognition as legitimate representatives of causes, groups, and organizational domains (Olsen 1983:161). Participation may affect their public image through participation and establish them as important, legitimate, responsible organizations willing to

co-operate (Olsen 1983:161).

Olsen reminds us of the fact that representatives in integrated decision-making are members of two systems: they represent their organizations outward to an organizational structure, and they also represent the interorganizational structure inward to their organizations. Better than other members of their organizations, they know the preferences, expectations, and beliefs of other organizations and governmental agencies. To succeed, representatives have to be sensitive to those preferences, expectations and beliefs (Olsen 1983:164).

Returning to the Norwegian paradigm, these Norwegian writers have no separate and common theory of the state in terms of interest organizations representing social classes and the autonomy of the state. They are open to the idea that both trade unions and employers associations from case to case can influence government decision-making and therefore adhere to the notion that government organizations tend to be autonomous from capital in Marxist terms. However, their model does not exclude the possibility that the state can be considered to be only relatively autonomous from the capitalist class³¹. Rather than focus on social classes or links between the economic and social spheres, the work of Hernes, Olsen and their co-authors is characterized by attempts at placing the concern with

organized interests in politics into a theoretical framework, usually of a organization theory type. Their aims have been to explain the style and content of politics and they have done that by amending existing theories, for example, the sociological theory of exchange of power, the impact of institutional milieux, and theories on institutional economics, among other topics. In doing so, they stress poorly understood roles of organized interests in politics. They avoid theories which impute roles, interests and priorities to the actors and instead treat these as variables to be tested. In this way, systematic empirical research can have a larger and more meaningful scope, but the trade-off entails a loss of overarching theory (Heisler 1979:286-287). Thus, their research has not yielded a complete theory of corporate pluralism or a theory of politics focused on corporate pluralism (Heisler 1979:291). Thus, it is not possible to decide when and under what circumstances the activities or the interplay of interest organizations will be determining for policy outputs (Heisler 1979:187), but the research has brought us closer to knowing such elements as what kinds and magnitudes of resources are associated with organizational access patterns (Heisler 1979:290).

The theoretical model applied here is inspired above all by a major study by Gudmund Hernes et al. on power relations in Norwegian society (Norway/NOU 1981; Hernes 1975, 1978)³².

In this study Hernes et al. applied an organization theory approach, relying, for example, on George Homan's interaction theory (Homan 1961). Central in Hernes' model of analysis is the concept of power - where power is thought of as a capacity, ie. the aggregate of political resources that is available to an organization and as a relationship between the organizations³³. Equally important is the concept of powerlessness, because organizations may try to promote their interests in a logical way but the results may be unintended or undesired, or they can be forced to act in a way which is not aimed at achieving their objectives (Norway, NOU 1982:4). Examples abound within the area of environmental policies and pollution control where there often is a conflict between economic and ecological interests.

The important concepts in an analysis of power relationships are as follows (Hernes 1975:20-21): There are two basic concepts: actors, here understood as organizations, and events. These are linked in two ways: Different outcomes of decision-making processes have different consequences for the organizations and the organizations have therefore attached different interests to the outcomes. Hernes assumes that organizations try to influence events that concern them, so that they can realize as many of their interests as possible³⁴. The organizations therefore want to influence the interest realization of competing

organizations, eg. other interest organizations, and other organizations which in some way control the decision-making process, eg. the cabinet or a government agency.

The tools applied in this competition are the resources of the organizations. Thus, resources can be used to realize interests. They represent the power of the organizations. However, resources as power can be considered a latent force. A powerful organization is successful only if its power is converted into influence. Whether an organization is willing to exercise influence depends on the one side, on its interests in the issue and on the other side, on the interests of other organizations, ie. whether they are hostile, co-operative or indifferent, and the other organizations' power and their evaluation of the situation. Thus, power is converted into influence depending on available resources, interests and the other organizations involved in the decision-making process (Hernes 1975:20-21).

In a relationship of co-operation, the process by which resources are converted into influence can be thought of as an exchange of power. Resources can be used by an organization to gain control over interests which another organization controls, as in the exchange of political support for protection against foreign imports between politicians and manufacturing industries. Thus, an

organization gives up control over something it cares less about to gain what it desires in another decision-making process. Exchange of power, or logrolling, occurs frequently in the case of policy formation in Western democracies, where control over or influence of the outcome of the decision-making process are usually shared by the many organizations involved³⁵. In a research situation, the question to ask is whether the actors or organizations involved have common or opposing interests, and whether the exchange relationship is balanced or biased, symmetrical or asymmetrical. However, persuasion or even force may lead an actor to give up control without compensation (Hernes 1975). This possibility concerns in particular the national government³⁶.

It should be noted that the importance of interests, resources, the expected reaction of other organizations, and the relationships between them, as explained above, are considered valid for all kind of organizations, ie. an interest organization as well as a cabinet or a government agency.

There are different types of resources available to an organization; the importance of each depends on the particular organization and the situation. Ole Berg has identified the following major types of resources (1978:43-45): Number of supporters or members play an important

role. This is, for example, probably the main base of influence for the trade unions. It is in particular important in the Canadian political system of single-constituency representatives in Parliament, since an organization whose members make up a significant share of the electorate in a riding can influence the outcome of the election.

Another important resource is capital. Capital can buy expertise and leadership but it is also important because public policy to a large extent concerns the availability and allocation of capital. Organizations possessing or controlling large amounts of capital can influence the success of a policy measure by supporting public goals or by withstanding them. The government must pay attention to these possibilities by incorporating the interests of capital into the policy-making process. Of course, capital can also be spent on buying influence.

A third resource is expertise. This is a very important resource and its importance is growing. With increasing technological modernization, those who possess it can build up their base for using pressure upon the society, for example, through threats of withdrawal of essential services. Consequently, the experts in private organizations should not be challenged too much but should be consulted and satisfied. The consultation is, however,

facilitated because their counterparts in the government administration often are of the same profession.

A fourth resource is control over vital functions in the society. This resource partly overlaps with expertise, but it is also different. Increasingly important, it is like expertise a "blackmail" resource. Its importance is related to the trend towards increasing specialization in society. The result is that small groups increasingly gain "blackmail" power.

The last resource is different. It is sympathy for an issue in the population at large or in crucial parts of the population. The more positive response an organization meets in the population the easier it is to influence the government. The reason why sympathy is a resource is, of course, its importance for election results. In this respect, the mass media play an important part (Berg 1978:52).

Adding the importance of the leadership and administrative staff of an organization to the above list by Berg, the political resources can be summarized as: number of members, capabilities of the leadership/staff, access to capital and credit, monopoly access to information, control over vital functions in the society, sympathy for the issue in the population, access to government agenda, access to

mass media, etc.

The Norwegian theoretical approach as described above is valid at the national level as well as at a sectoral or industry level or the national economy. In that way the Norwegian tradition differs from the form of neo-corporatism most familiar to Canadian political scientists. Writers like Philippe Schmitter (1974), Gerhard Lehmbruch (1982), and Leo Panitch (1979) in particular, have been occupied with what Panitch termed a tripartite system, a focus on singular (monopolistic) peak associations of labour and capital operating at a national level, coopted or even created by the state. The purpose for the state is to facilitate the orderly policy-making and implementation of economic policies, essentially, income policies.

Schmitter has distinguished between state corporatism and societal corporatism and has argued that the form of corporatism found in Norway is an example of societal corporatism³. He has elaborately defined corporatism as follows:

Societal corporatism is found embedded in political systems with relatively autonomous, multilayered territorial units: open, competitive electoral processes and party systems; ideologically varied, coalitionally based executive authorities - even with highly "layered" or "pillared" political sub-cultures. State corporatism tends to be associated with political systems in which the territorial subunits are tightly subordinated to central bureaucratic power; elections are nonexistent or plebiscitary; party systems are dominated or monopolized by a weak single party; executive authorities are ideologically exclusive or more narrowly recruited and are such that political subcultures

based on class, ethnicity, language, or regionalism are repressed. Societal corporatism appears to be the concomitant, if not ineluctable, component of the postliberal, advanced capitalist, organized democratic welfare state; state corporatism seems to be a defining element of, if not structural necessity for, the antiliberal, delayed capitalist, authoritarian, neomercantilist state. (Schmitter 1974:105)

Neo-corporatism as defined by Schmitter, Lembruch and Panitch is unsuitable for the purpose of this study mainly because it exclusively deals with corporatism at a national level. In addition, the comprehensive model of societal corporatism provided by Schmitter et al. implies a degree of order far greater than that uncovered by those who have studied the Scandinavian cases since the late 1970s (Heisler 1979:285). Sometimes wholly unpredictable phenomena in terms of societal corporatism can be found. An example is the case where government agencies operate as representatives of organized interests in government decision-making processes. Scandinavian analysts have found that neo-corporatism in their countries is immensely complex, multifarious and polycentric. Its norms are characterized by heterodoxy. The actors' motives are often unarticulated (and sometimes perhaps inarticulable) as well as ad hoc or opportunistic (Heisler 1979:284).

Moreover, the neo-corporatist model of Schmitter et al. is not suitable in a Canadian context. Leo Panitch (1979:43-92), who was among the first to analyse the contemporary conditions for corporatism in Canada, explained the absence

of strong centralized associations of business and labour as a factor which may explain the relative weakness of corporatist trends. William Coleman has argued that in Canada, pluralism, understood as pressure group politics, dominates the political system. Fragmented and competing interest groups lobby government agencies and parliament. Coleman notes that business does not organize itself well on a national class-wide basis, preferring narrower organizations, looking to class interests within particular sectors of the economy. There are no overarching peak associations but a series of competing, sometimes influential lobby groups. Coleman further suggests that the labour movement has been so weak and social democratic parties so inconsequential that the incentive for overarching class organizations of businesses has to some extent been removed (1988:219-223).

It is at the macro-level or the level of national politico-economic structures that corporatism is absent in Canada (Atkinson & Coleman 1985A:26). Corporative structures have been identified at the meso-level, ie. in some sectors of the economy or in particular industries. Coleman has identified corporatism in certain sectors of the national and regional economy. Examples are the Quebec construction industry (Coleman 1988:123-124) and the Canadian dairy processing industry (Atkinson & Coleman 1985A:32-35; Coleman 1988:115-123).

Corporatism, as defined by Coleman, is a network where associations are vertically integrated into encompassing systems which seek to concentrate the representation of interests into a few associations which are themselves centralized, highly representative bodies with a monopoly of representation. The associations are incorporated into processes of government policy formulation and implementation. A corporatist network comprises more than one economic interest being represented at the policy table and these economic interests conflict. The network is established to mediate and contain this conflict (Atkinson & Coleman 1985A:25).

The conflicting interest arise sometimes from different classes, sometimes from fractions within the same class (Coleman 1988:76). Coleman argues that a corporatist network becomes more probable where class conflict is likely to harm business and where the state is strong and autonomous enough to call the struggling parties together and act as a neutral arbiter (1988:77). Corporatism requires the three-cornered configuration of conflicting social interests and state intermediation. The destructiveness of class conflict provokes the state to invite the parties around the policy table in the first place (Coleman 1988:76).

Thus, associations gain entree to policy-making and perhaps a say in implementing policy. Associations within a sector are pressed to be representative, integrative, speak for a range of sectoral or broader interests and to have mutually exclusive domains so as not to compete with one another. Corporatism requires a class organization that can control or even discipline its members (Coleman 1988:76-77).

Coleman continues that the policies conducive to corporatism are not so much regulatory or allocative as redistributive. Coleman reminds us that corporatist networks have been used on the macroeconomic plane to draw up and implement incomes policies. On the sectoral plane, they have been used for industrial policies of positive adjustment in declining sectors and to protect and stabilize farmers' incomes (1988:76).

Consequently, it can be concluded that Coleman's understanding of corporatism, referring to the three-cornered configuration of conflicting social interests and state intermediation, and the focus on income policies and redistribution, is similar to the national level corporatism of the Schmitter-Lehmbruch-Panitch model. However, Coleman's main task has been to identify corporatist structures at sectoral levels in the Canadian economy. His understanding of sectoral corporatism, for example, as expressed in the definition above, is similar to that of the

Norwegian authors writing within the perspective of corporate pluralism. But because his studies serve a different purpose than those of Hernes, Olsen et al., Coleman's definition of corporatism differs on certain points.

As opposed to the Norwegian authors, whose objectives are mainly to understand and explain how corporate pluralism works or does not work, Coleman examines whether a corporative structure can be said to exist in certain sectors of the Canadian economy. As a result, Coleman's definition is on some points stricter, for example, requiring that the organizations within a sector have mutually exclusive domains and that class organizations should be able to control or even discipline their members (1988:77).

The most important difference from the Norwegian model is the assumption that a corporatist policy network is established to mediate and contain conflict (Atkinson & Coleman 1985A:25) and that a corporatist network becomes more probable in a situation where class conflict is likely to harm business and where the state is strong enough to call the struggling parties together and act as a neutral arbiter (Coleman 1988:77). However, it should be noted that Coleman considers the above definitions to serve as an ideal type and does not expect the relations between government

and private organizations in any sector to fit the model exactly (1988:77).

Corporate Pluralism in the Groundfish Sector

In this section I will try to explain why an organization model within a framework of corporate pluralism can be applied to analyse Canada's negotiations with France. The structure of the policy network in the groundfish sector has changed from 1971 to the late 1980s from pressure pluralism to one of corporate pluralism.

The dominant interest group theories are pressure pluralist theories in the tradition of Almond (1958) and Bentley (1967). They treat organizations as standing outside governments. Organizations compete for access to, give information to, make claims on, and put pressure upon governmental policy-makers. They provide links between citizens and governments, through political parties or directly. But they are not integrated into the governmental decision-making processes. The organizations are formally separated from the government (Olsen 1983:149). The pressure pluralist theories also emphasize co-ordination through interplays among competing organizations, with governments refereeing the battles, recording and ratifying victories, surrenders, and compromises (Olsen 1983:150).

Corporate pluralism emphasizes the mutual interdependence

and interpenetration of the public and private sectors. Governments and interest organizations are both partners and competitors for power (Olsen 1983:150).

In a study conducted together with Atkinson, Coleman argued that a corporatist policy network is likely to develop in a sector under the following conditions: first, in sectors where there is a strong demand for industrial policies; second, where the state, represented by the sectoral bureaucracy, possesses a significant degree of autonomy from society, and third, in sectors where private organizations permit major socio-economic producer groups to contribute to the development and implementation of these industrial policies (Atkinson & Coleman 1985A:24,29). Hernes, Olsen & al. require in addition that the sector is functionally autonomous, that organizations representing socio-economic producer groups must represent most individual members in the sector and be formally integrated into government policy making, and that numbers of interest organizations and government agencies participating in the decision-making process are limited. Lehmbruch has added to the third point that the more private organizations are co-opted into government committees, etc., the stronger the tendency towards representational monopoly and hierarchical structures (1982:5).

The extent to which the above requirements are fulfilled in

the groundfish sector is discussed in the following.

1. The use of industrial policy:

During the time period covered in this study and starting before 1971, the groundfish sector has, as explained in the introduction, experienced an increasingly comprehensive policy of fisheries management under the control of the federal government³⁶. This management policy has been developed with growing participation of the organizations of the groundfish sector in government committees, etc. In my view, this can be considered an analogue to an industrial policy. In addition, overfishing of stocks since the 1960s resulted in an increasing dependence among both inshore fishermen and the offshore fishing companies upon government aid and/or initiatives (to protect stocks against overfishing by foreign fleets) (Macdonald 1979:187). The first major effort by the federal government to develop a comprehensive policy for the fisheries sector was made in 1976 (Canada 1976). The policy was reassessed following the recommendations of the Task Force on Atlantic Fisheries of 1982 (Canada 1982). Most of the recommendations were adopted and are still valid as government policy (Macdonald 1984:54-65).

2. The autonomy of the sectoral bureaucracy:

During the last couple of decades the role of the bureaucracy in government policy making has expanded. Max

Weber's ideal model of a neutral bureaucracy has been abandoned by theorists as having little explanatory value (although some bureaucrats seem to think that it is still valid (Atkinson & Coleman 1985B; Olsen 1983)).

Graham Allison (1969) was among the first to highlight the importance of bureaucratic organizations and individual bureaucrats in government policy making. Allison discussed decision-making in the United States and although the United States style of democracy differs on essential parts from the parliamentary types found in Western Europe and Canada³⁹, the growing influence of organizations and individual actors in government decision-making developed simultaneously in those countries.

Paul Pross (1982) has explained the increased influence of bureaucracy in Canada as a result of increased redistributive policies since the 1960s by referring to the institutionalization of social security, the new type of political economy in which corporations sought and obtained a symbiotic relationship with the state, and environmental concerns (1982:521-522). Pross referred to arguments that policy issues were becoming more complex, that government agencies were less tractable, that interests were more outspoken, etc. and added that veterans of the executive arena took public service policy-making as a matter of course (1982:525).

With respect to government programs which are implemented by functionally, or sectorally defined agencies, Pross argued that policies related to such programs tend to be initiated, discussed, promoted and eventually implemented by the "policy communities" which cluster around those agencies (1982:535). In the case of fisheries policies, the "policy community" would consist of the department of fisheries, related agencies, provincial departments, interest groups, "think tanks" and so on. This community dominates federal policy in its field and is checked, or even challenged, only when the level of conflict concerning a particular policy cannot be contained within the community (Pross 1982:535-536).

On the other hand, there are authors like Atkinson & Coleman who have emphasized the growth of a cohesive community of interests between bureaucrats and politicians, especially under the Trudeau administration from 1968 onwards (1985B:59). They argue that both bureaucrats and politicians are preoccupied with politics and policy making. However, Atkinson & Coleman demonstrate that there is a difference between the two categories in that politicians articulate broad, diffuse interests of unorganized individuals while bureaucrats mediate narrow, focused interests of organized clienteles, and neither dominates the policy process. What keeps the balance intact is the fact

that politicians and bureaucrats know and trust one another and agree on a division of labour in which both roles are considered legitimate and complementary (1985B:61).

This introduction of two diverging views of the role of bureaucrats in Canada is not intended to give a complete and representative summary of the literature on the matter or to offer support to either view. Rather, it is meant simply to explain why the role of the bureaucracy should be included in a study of policy making in Canada.

The federal department of fisheries has increasingly gained competence in fisheries matters, independent of private interests. This building up of competence took off with the need for stock management which appeared in the 1960s. By 1971 the department had gained considerable technical expertise on fisheries matters. It had access to relevant data on stock assessment through the International Commission for the Northwest Atlantic Fisheries (ICNAF) and to information from the Atlantic provinces through its permanent representatives there.

By the late 1980s the department had developed something like a monopoly on knowledge in the field of stock management because of the increasingly complex character of stock management. In the Atlantic Groundfish Advisory Committee (AGAC, see further description below), for

example, final proposals to the Minister have normally been prepared by a working group composed exclusively of officials from the fisheries department (Hanson & Lamson 1984; Macdonald 1984:28-29, 34-36, 39-40).

3. The integration of major producer groups into government policy formulation:

The use by the federal government of committees under the leadership of the department of fisheries has increased since the mid-1970s. The first major permanent channel of formal access to government decision-making processes was the Offshore Groundfish Advisory Committee (OGAC) established in 1974. This was an offshore groundfish licensing committee whose membership included officials from the federal fisheries department, representatives of each provincial government, and mainly offshore/processing industry representatives (Macdonald 1979:184-195). In 1976 the OGAC changed its name to the Atlantic Groundfish Advisory Committee and fishermen's organizations were included as members. This committee is still the only major advisory body operating on a permanent basis. Ad hoc committees have been in operation both before and after the introduction of OGAC/AGAC, also in connection with the Canada-France negotiations.

An advisory committee was established in 1971 on the phasing-out negotiations with foreign nations whose vessels

had traditionally fished within the recently established twelve mile zone. Members of the committee were organizations of the offshore-processing sector and the fishermen-shoreworker-crew sector. However, this committee was established after the major negotiations with France were concluded.

In the late 1980s the advisory committee on the Canada-France dispute, established in 1985, was firmly integrated into the decision-making process. At times it was even directly involved in the negotiations, ie. in policy implementation. Members were organizations of both socio-economic sectors of the groundfish industry. These organizations also participated in AGAC, thus forming a policy community together with the federal department of fisheries and the provincial fisheries departments.

In the late 1980s the major share of individual members of the offshore-processing sector as well as the fishermen-shoreworkers-crew sector directly affected by the Canada-France negotiations were represented in the advisory committee through membership in interest organizations. This was, however, not the case in 1971, as will be explained below.

The fish processing interests were in 1971, and are in the late 1980s, represented by a peak organization, the

Fisheries Council of Canada (FCC) with headquarters in Ottawa and regional organizations on the East and West coasts. It is, according to Coleman, both a pressure group organization and participating advisor in corporatist terms, in government policy-making processes (1988:203). FCC has been involved as a member of government established advisory committees from the beginning in the mid 1970s but was already in 1964 an important consultation partner to the federal government on the Law of the Sea issues (Keating 1983-1984).

In addition to FCC, the offshore-processing sector has been represented by regional organizations in the discussions leading up to the formulation of the Canadian position. In 1971 the Newfoundland Frozen Fish Trade Association (NFFTA) was representing the interests of this group in lobbying activities and as member of the advisory committee. In the late 1980s the Fisheries Association of Newfoundland and Labrador (FANL), representing more than 30 processing plants in the region, and Seafood Producers Associations of Nova Scotia (SPANS) were members of the advisory committee. Other organizations were represented in the advisory committee but these organizations showed less interests in the Canada-France dispute, as the analysis will demonstrate. A complete list of members is enclosed in the appendix.

Much has happened during the last two decades with respect

to organizations within the group of fishermen-shoreworkers-crew. The group today includes three main categories of organizations, co-operatives, unions, and associations. Fishermen's co-operatives have a long tradition in the Maritimes but have been insignificant with respect to federal politics⁴⁰. They showed little interest in the Canada-France negotiations, neither in 1971 nor in the late 1980s.

Unionization of fishermen on a large scale started on the east coast as the 1960s were coming to an end. In Newfoundland the Newfoundland Fishermen Food and Allied Workers Union (NFFAWU) was created in 1971 when the newly founded Northern Fishermen's Union (NFU) merged with the Canadian Food and Allied Workers Union (CFAWU). At the time of the Canada-France negotiations in 1971, the unions, NFFAWU and the United Food and Allied Workers Union (UFAWU) from the West Coast which was then attempting to expand to Nova Scotia and represented fishermen and crew members there, were fighting for changes in provincial laws in Newfoundland and Nova Scotia, respectively, so that the unions could get the right to collectively bargain fish prices. This had been denied in all provinces since fishermen were regarded as co-adventurers with the vesselowners (Macdonald 1979:177). Slowly the unions succeeded. Legal barriers in addition to a resistance to collective action had until the 1970s led to reluctance to

organize among fishermen, especially in the Maritimes (Keating 1983-1984:164-165).

During the 1970s the unions expanded. The United Maritime Fishermen's Co-operative was challenged by a new force of unionization, the Maritime Fishermen's Union (MFU), established in 1977; its members being small-scale fishermen. It started in New Brunswick where it eventually gained collective bargaining rights. In the 1980s MFU became a major force in Nova Scotia. It still has limited influence in a federal context.

In Newfoundland NFFAWU has throughout maintained its hegemony and expanded its operations. By the late 1980s it represented virtually all workers in the major fish plants and most small and intermediate scale fishermen in Newfoundland. The union extended into Nova Scotia in 1981 and has since been joined by increasing numbers of trawler crews and shore workers in Nova Scotia, partially in conflict with the Canadian Brotherhood of Railway, Transport and General Workers Union (CBRT) which has been representing trawler crew and fish plant workers in that province. NFFAWU has recently joined the Canadian based Canadian Auto Workers' Union as opposed to the United States based United Food and Commercial Workers' Union (UFCW) and the expansion continues (Globe and Mail 2/4/1987:A8; 8/1/1988:B4; 23/1/1988:A13; 21/7/1988:B8; Clement 1984:20; Inglis

1985:88).

The influence of NFFAWU in federal government decision-making has risen since the mid-1970s, due to expanded organizational resources and the gaining of experience by its leadership (Macdonald 1979:181). Macdonald (1979:177) has argued that before NFFAWU emerged in Newfoundland in the early 1970s fisheries policy was largely left to federal and provincial governments influenced and advised mainly by FCC and individual fishing companies with the fishermen, due to lack of organizational representation, reacting or adapting to government policies rather than attempting to fashion policy suggestions. The later success of NFFAWU has been explained by Wallace Clement:

NFFAWU's success in organizing within the Newfoundland fishing industry has been nothing short of amazing. A combination of progressive labour legislation, devoted organizers, and very generous funding by the United Food and Commercial Workers International Union at its formative stages rapidly thrust NFFAWU into a powerful position to effect major advances for Newfoundland fishermen (1984:22).

In 1979 a new grouping of independent fishermen's associations, the Eastern Fishermen's Federation (EFF), was created on the initiative of, and with generous funding from the federal government (Clement 1984:25, 1986:152-154)⁴¹. Members were primarily small and intermediate scale boat-owners. Its core support was in Nova Scotia and Prince Edward Island. EFF has remained fairly low-key and local in its concerns. Members of EFF were, however, not directly affected by the Canada-France negotiations and the

federation was not represented in the advisory committee in the late 1980s.

In the 1971 negotiations NFFAWU became as the only representative of the fishermen-shoreworkers-crew group, one of the major interest organizations participating in the advisory committee on the phasing-out agreements. In the late 1980s NFFAWU, representing more than 20,000 fishermen, fishworkers and crew all along the Newfoundland coast as well as in Nova Scotia, was joined in the advisory committee on the Canada-France dispute by the recently formed Newfoundland Inshore Fisheries Association (NIFA) with about 1000 members, representing various inshore fishermen on the northeast and east coast of Newfoundland (Evening Telegram 16/2/1987:3). The third important member was MFU, representing affected fishermen in Cape Breton, Nova Scotia. Other organizations were represented but as will be demonstrated in the analysis, their influence has been marginal. For a complete list of organizations from this sector in the advisory committee, see the enclosed list.

To summarize point three, the above introduction demonstrates that it is questionable whether the major socio-economic groups were integrated into the decision-making process in 1971. It is almost certain that FCC was consulted by the government since this by then had become an established tradition (Keating 1983-1984:154) but it is also

reasonable to believe that regional organizations representing both socio-economic sectors were formally integrated into the decision-making process after the negotiations with France were largely completed, as will be further explained in the analysis. By the late 1980s, however, the requirements for a formal integration were fulfilled so that it can be concluded that a corporate pluralist relationship existed between the federal cabinet and the interest organizations.

To summarize this section the Atlantic Canada's groundfish sector can reasonably be analysed within the framework of corporate pluralism. The federal government has made use of fisheries policies since before 1971 and the importance of fisheries policies have increased over the years since then. Neither the government nor the fisheries department has throughout the period been dependent on the fishing industry for know-how or expertise. The department of fisheries had by the late 1980s gained increased competence in the field of stock management. Organizations representing the major share of individual members of both the offshore-processing sector and the fishermen-shoreworkers-crew sector were integrated into the policy making process in the late 1980s according to corporate pluralist requirements. The weakest link is the lack of formal integration of the interest organizations into the policy making process in 1971. However, the development in the interest organizations

support the development identified above from pluralism to corporatism on Rokkan's imaginary scale of interest group integration in government decision-making. Thus, I conclude that the groundfish sector had in the late 1980s a corporate pluralist structure, understood as the Norwegian model adapted to Canadian circumstances, whereas in 1971 it had only started on this development. Certain essential elements were then missing for the sector to be defined as having a corporate pluralist structure.

The Role of Provincial Governments

The model of corporate pluralism is developed for Norway. Norway is not a federal state and in Canada the relationships between the federal government and the provincial governments must be integrated into the model. Analysts like Hugh Thorburn (1985:124) have pointed out a tendency by the federal government towards increased use of advisory committees with the participation of provincial governments as well as private interests. Donald Smiley has argued that the provincial governments expanded during the 1970s. The increasing sophistication of the provincial executives has led them to more comprehensive policies (Smiley 1980:108). In addition, since the 1950s the scope of matters in which the federal and provincial governments interact has vastly increased. According to Smiley (1980:207), the late 1950s saw the creation of two very fundamental developments which still condition the economic

circumstances of Canadian federalism. First, the federal government was projected into a large number of economic policies of a structural nature, such as policies related to regional disparities, upgrading of skills of the labour force, ensuring of energy self-sufficiency, monitoring of foreign ownership of enterprises, stimulation of research and development, rationalization of particular industries and industrial sectors, better consumer protection, and perhaps most crucial, control of, or influence over, incomes. Most of these structural policies involved the federal government in relations with the provinces if measures were to be effective.

Second, the provinces were projected into a much more active role in economic affairs than they had hitherto played. There were aggressive attempts to encourage foreign investment and to seek foreign markets for provincial products. Provincial governments undertook their own plans for regional development. Generally speaking, these jurisdictions became much more aggressive than ever before in shaping the structures and defending the interests of their respective provincial economies. The increasing influence of provincial governments in matters of federal jurisdiction during the last two to three decades has also been identified by other analysts (Cairns 1977:701-702,720; Pross 1982:533; Jackson 1982:64).

With respect to foreign affairs, there has been a steadily increasing range of international actions covering nearly every matter with which public policy is involved⁴². The federal government has the prerogative power to conclude international agreements (Smiley 1980:48) but in many circumstances the subject-matter of international relations has been partly or wholly within provincial legislative jurisdiction. It has therefore been accepted that provinces could play an important role in international affairs as long as this was not done independently of the federal government (Smiley 1980:48)⁴³. The provinces have become increasingly insistent that they be involved in the formulation of national economic policies even when these are unequivocally within federal jurisdiction, although demands regarding the extent of involvement varies from province to province (Smiley 1980:253-254). Smiley concluded that Canada can be an effective actor internationally only if there is co-operation between the federal and provincial governments.

As outlined in the introduction, Newfoundland is the province with the largest aggregation of fish stocks in adjacent waters and has the largest number of workers engaged in the fishing industry. Newfoundland interests have traditionally argued for increased influence on the federal government's decision-making on fisheries matters. Premiers such as Joseph Smallwood have been of the opinion

that the federal government and its policies had to be managed, exploited, or reduced, and in some cases, bitterly attacked in the defence of the future of the province (Cairns 1977:707).

By 1971, neither the Newfoundland government nor any other provincial government in Atlantic Canada had developed any comprehensive fisheries policy, although they all had established separate departments of fisheries⁴⁴. Newfoundland had its fisheries household resettlement program which went into operation in 1965, superseding the centralization program from 1954. This program represented a change in policy by the Newfoundland government away from the inshore fishery and towards the more promising offshore operations. Despite its many failures the goal of Premier Smallwood was in 1971 still "modern fish plants with modern trawlerfleets in Newfoundland" (Evening Telegram 17/5/1971:1, 7/6/1971:1-2)⁴⁵.

With respect to the provincial-federal relations, by 1971 the existing consultative arrangements between the federal and provincial governments were limited to the Atlantic Fisheries Committees, which dealt with fisheries matters in general. No consultative forum handled conservation and foreign fishing matters only. Among the reasons for the lack of consultation were the relatively limited use of consultative committees in general, lack of initiatives by

the provincial governments, and the relatively low profile of international fisheries matters in Canadian politics in 1971. With the high pitch of activities in fisheries management that accompanied the move to further extension of fisheries jurisdiction later in the decade, consultative arrangements between the federal and provincial governments expanded greatly (Copes 1982:223).

By the late 1980s the federal government had, as a result of growing activities in fisheries management, for some time considered it prudent to establish a wide range of consultative arrangements with the provinces in fisheries matters⁴⁶ (Copes 1982:223). All the five Atlantic provinces are represented in the advisory committee on the Canada-France dispute by their departments of fisheries. Summarizing the above arguments, it is reasonable to expect that provincial governments have gained increased influence on the Canadian position in the late 1980s as compared to the negotiations in 1971.

Up until now I have discussed the potential influence of the cabinet of the federal government, the bureaucracy of the federal government, interest organizations and the provincial governments. The legislature has been excluded from the model because its influence in this matter is believed to be insignificant. Margaret Biggs has argued that:

(i)t must be considered that Canada's parliamentary system combines the legislative and executive functions and operates on the principle of responsible government and collective cabinet responsibility. Generally speaking, Parliament itself has a limited role in the initiation and formulation of government policy Decision-making is (instead) concentrated in the cabinet and within and/or between government ministries. (1980:118).

Rokkan has added:

Weak and marginal groups can hardly promote their cause through the corporative channel but (t)hey can awake moral obligations among people in power and they can influence the elections through parties competing for their votes. However, although the political parties and the state are listening to their claims, very little can be achieved exclusively through the electoral-territorial channel. To get acceptance for a new policy the state must negotiate with the groups of the corporative production and distribution system, which control the resources. (Rokkan 1975/1987:211).

Paul Pross argues that in Canada there is an increasing need for the legitimating capacity of parliament. This capacity, in conjunction with the legislature's ability to focus public debate, makes interaction with parliament desirable in the eyes of many interest groups. Pross stresses, however, that this does not mean that parliament plays an important part in public policy-making. It is not superior to the executive and administrative branches in the policy process and interest group leaders still assess parliament's capacity to effect changes in public policy-formation as low (Pross 1985:227-266). Consequently, parliament can be said to play a secondary or indirect role through offering publicity and legitimation to the positions of interest groups and government agencies. This will be taken into

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account in the study.

The federal bureaucracy to be discussed in the analysis is primarily represented by the Department of Fisheries under its various names and the Department of External Affairs. Other administrative bodies which might have had some influence but were excluded are the Department of Justice which might have been included considering that the Canada-France negotiations had a legal aspect but the legal side of the dispute has been handled by the Legal Division of the DEA; the Department of National Defence, because it was involved in policing Canadian waters against illegal fishing by foreign vessels; the Department of Regional Economic Expansion, later called Department of Regional Industrial Expansion, because of the contemporary need for economic development in the Atlantic provinces; and the Department of Manpower and Immigration, because of the concern with unemployment in fishing communities in these provinces. However, the Fisheries Department had no contact with these department on issues related to conservation policies (personal interview with senior officer in Department of Fisheries and Oceans). Other government bodies with potential impact on the negotiations, as will be explained in the analysis, were the Prime Minister's Office (PMO) and the Privy Council Office (PCO).

Questions to be Answered by the Analysis

As explained in the introduction, the purpose of this study is to increase the understanding of government decision-making processes. The analysis aims at demonstrating how the interests and resources of organizations or groups of organizations, understood as the cabinet of the federal government, the bureaucracy of the federal government, interest organizations, and provincial governments, can explain the outcome of a policy making process in terms of which organization(s) or group(s) of organizations is/are most influential in formulating the position adopted by Canada in 1971 and the late 1980s towards French fishing rights. I will argue that it is reasonable to expect that when comparing the decision-making in 1971 with that of the late 1980s, the federal government in the late 1980s shared influence with the interest organizations, the government bureaucracy and provincial governments to a larger extent than in 1971.

However, in addition to analysing the outcome of the decision-making process in terms of which group or groups are most influential, this study attempts to explore how decision-making in a corporate pluralist political system directs the participating actors and affects the outcome of the decision-making process.

In this exploration of the explanatory value of the model of

analysis, I will focus upon the means chosen by the organizations to reach their goals and on features of the relationships between the organizations that interfere with their goal-achievements. I will select relevant arguments from the analysis by Olsen of government decision-making in Norway introduced above to demonstrate how his explanations increase the understanding of the decision-making process of this study.

Thus, the analysis will examine:

- a) whether the case studied here supports the trend identified above of increased influence by the bureaucracy of the federal government, the provincial governments, and the interest organizations at the expense of the cabinet of the federal government, and
- b) how decision-making in Atlantic Canada's groundfish sector increasingly has taken place within a corporate pluralist structure. This allows for analysis within a corporate pluralist theoretical framework explaining how this framework has certain restrictive implications for the participating actors.

Method of Analysis

The organizations identified as the cabinet of the federal government, the bureaucracy of the federal government, the provincial governments, the offshore-processing group, and the fishermen-shoreworkers-crew group, will be analysed

according to the following criteria:

- the intensity of interests of each organization or group of organizations in the matter,
- the availability of resources that each organization or group of organizations can and will apply in order to realize its interests in the matter, and
- the relationships between the organizations or groups of organizations with respect to the matter.

No calculus exists for measuring or weighing interest organizational influence in the making of policy outcomes or outputs (Heisler 1979:291). As Graham Allison puts it, in organization models "one is forced to grapple with the less quantified functions of the less differentiated elements in government organizations" (1969:699) and in models of bureaucratic politics "the explanatory power is achieved by revealing the pulling and hauling of various players, with different perceptions and priorities focusing on separate problems, which yielded the outcomes that constitute the action in question" (Allison 1969:711).

The model of analysis outlined above, allows for the relative influences of each organization or group of organizations in the political process to be identified and compared to one another. Thus, the way of measuring used here is relative as opposed to concrete, ie. rather than measuring in terms of correlation coefficients, etc. the

influence of each party is compared to those of the other parties.

Data are collected partly from the news media, government publications, published articles and books, and conference papers, and partly from interviews with key persons in private and public organizations.

CHAPTER 3: ANALYSIS OF THE 1971 NEGOTIATIONS

In this chapter I will analyse and compare the cabinet of the federal government, the bureaucracy of the federal government, the provincial governments, and the interest organizations with respect to their influence in formulating the position of Canada in 1971 in its negotiations with France. As explained in the previous chapter to reach a conclusion of which group or groups of collective actors were most influential I will discuss the interests of the organizations in the matter, the organizational resources they have available to promote their interests, and how the interests and the resources of one organization modified the interests and invested resources of other organizations.

The Cabinet of the Federal Government

The interest of the cabinet in the negotiations with France is formed by its interest in the international law of the sea, French fishing off the Canadian east coast, relations with France in general, and Canadian east coast fisheries. From as early as the mid-1950s the Canadian government had been campaigning worldwide to have a twelve-mile fishing zone accepted. When it failed to obtain an international legal endorsement the government of Lester Pearson went ahead in 1964 on an unilateral basis (Gotlieb & Dalfen 1973:234). But the twelve mile extension legislation was never implemented, mainly because of opposition from the United States (Tucker 1980:180).

The process repeated itself towards the end of the 1960s and, as described in the introduction, the government of Pierre Trudeau in 1970 again proclaimed unilaterally the twelve mile jurisdiction which closed off the Gulf of St. Lawrence from foreign fishing (Canada 1985B:Annex 14; von Riekhoff 1978:270). This time it was accepted internationally. The negotiations with France and other nations represented the first step to implement this policy.

The government gave notice to six nations (United Kingdom, Spain, Portugal, Norway, Denmark and France) that it wished to negotiate a gradual end to their fishing activities within the new Canadian fishing zones". It suggested the mid-1970s as a tentative deadline for ending foreign fishing in the Gulf of St. Lawrence. The governments of Norway, Denmark, and the United Kingdom voiced reluctance to clear out by then (Chronicle-Herald 14/7/1971:3). As the only country with treaty rights to fish in Canadian waters, France protested the new twelve mile fishing limit (Evening Telegram 16/3/1971:7) and challenged the Canadian government's proposal to close certain East Coast fishing areas to their vessels (Evening Telegram 20/5/1971:1).

The first of the bilateral treaties was negotiated with Norway in April 1971 and concluded in July 1971. It was agreed that Norway would be out of Canadian territorial

waters by the end of 1974. The agreement was called the first breakthrough in the phasing-out agreements (Chronicle-Herald 14/7/1971:3; Evening Telegram 21/7/1971:6). Negotiations having similar results followed with the other countries that same year⁴⁸. These talks were going on parallel with or after the talks with France.

The agreement with France was negotiated in Paris May 19-21, 1971. This negotiation session resulted in an agreement at the delegation level to be submitted to the governments for approval. There were subsequent communications between the parties on textual questions, points of translation to English, and the precise delimitation of the boundary. The agreement was eventually signed on March 27, 1972 (Canada 1985A:37; 1985B:Annex 43:15).

An illustration of when the different negotiations took place follows:

	1971												1972											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
France																								
Norway																								
Denmark																								
United Kingdom																								
Spain																								
Portugal																								

N = negotiation, S = signing of agreement

(DEA, Communique no 97 22/12/1971, no 16 27/3/1972, no 17 27/3/1972, no 18 27/3/1972, no 19 27/3/1972, no 87 18/12/1972)

Before the negotiations with France, the cabinet had not decided on the length of time it would offer the French to continue to fish in Canadian waters. In February 1971 five years was mentioned as a goal (Chronicle-Herald 26/2/1971:2). Shortly before and during the May 1971 negotiations the cabinet made it clear that it wanted to end French fishing rights off Newfoundland (Evening Telegram 13/5/1971:1; 21/5/1971:44). However, the records of the Canadian side of the negotiations with the French in May 1971 give a different impression. It was written, for example, that Canada had "no wish to see the present French fishing practices terminated immediately". The Canadian side was prepared to see vessels from both mainland France and Saint-Pierre-et-Miquelon continue to fish inside and outside the Gulf for a period of years under certain conditions. As for the length of the phasing-out period, the Canadian government announced that 1975 was considered a desirable end for nations which did not have fishing treaty rights. A longer period would be acceptable in the case of France. The French government proposed 20 years and the parties agreed upon 15 years.

The Saint-Pierre-et-Miquelon question was considered distinct and separate from the phasing-out agreement. Recognizing Saint-Pierre-et-Miquelon as a neighbour, Canada granted France the exceptional right to maintain a limited Saint-Pierre-et-Miquelon fishery in the Gulf of St. Lawrence

(Canada 1985B:annex 43).

Further, the Canadian government did not demand that future Canadian control over resources beyond the twelve miles limit be specified in the agreement. As mentioned previously, the agreement was vague on this issue. The reason may be that there was confusion in the cabinet about its policy on future extension of the fishing limit. Fisheries minister Jack Davis said that the aim was control over all fishing rights to the edge of the continental shelf (Chronicle-Herald 18/11/1971:1)²³, but this was contradicted by External Affairs Minister Mitchell Sharp who announced that the cabinet had no such intentions (Chronicle-Herald 8/11/1971:1). Thus, the federal government gave the French a phasing-out period which was five times longer than what the Norwegian government received and almost four times the period granted the United Kingdom government. Neither did the federal government pressure France on future rights in an extended zone.

The cabinet had reasons not to upset the French government. By 1971 the air of tension between Canada and France created by President de Gaulle's intervention in Quebec's ideological affairs in 1967 was lessening. This was especially fortunate for the cabinet since its new foreign policy advocated closer commercial links with Europe, as part of the Trudeau government's 'Third Option' decision to

redirect Canadian economic policy away from its dependency on the United States (Johannson 1978:375).

Fisheries was not a politically important issue to the cabinet. The extension of the jurisdiction by the Trudeau government to twelve miles was mainly motivated by threats of pollution to Canadian waters (von Riekhoff 1978:277-279; Tucker 1980:175)⁵⁰. Fisheries Minister Davis pointed to sewage disposal as one example and added that if the environment were dealt with properly, half or more of the problems of the fisheries would be solved. The government recognized that fish stocks were threatened but its interest in solving the problem can be questioned. For example, in February 1971 the cabinet assigned responsibility for fisheries to a new department of the environment with responsibilities ranging from weather forecasting and parks management to environmental impact assessments and where the only deputy minister acknowledged "an almost complete lack of knowledge of fisheries matters" (Evening Telegram 5/2/1971:1-2). Fisheries would be the responsibility of an assistant deputy minister (Evening Telegram 21/5/1971:1)⁵¹.

The Fisheries Minister expressed the opinion that complaints by the east coast fishing industry that it was on the verge of collapse had to be taken with a grain of salt, although he admitted there was still a long way to go for the fishermen to reach a satisfactory income (Evening Telegram

22/9/1971:8). The Minister of Fisheries had previously announced that there were too many fishermen and too many fishing vessels in Canada (Canada, Parliament, Senate 9/3/1971 12:16,17; Chronicle-Herald 4/6/1971:6), thus expressing the opinion that restrictions on foreign fishing would not be sufficient and that the cabinet would possibly have to restrict number of fishermen for the purpose of increasing the income for those who remained. However, this was not an announced government policy.

When discussing the upcoming phasing-out negotiations of foreign operators from within Canada's twelve mile zone Fisheries Minister Davis answered his critics who argued that the government was acting too slowly that the government counted on support from these countries at the next UNCLOS to cut down big fleet operations by the USSR 50 to 100 mile from shore (Evening Telegram 8/3/1971:1-2).

The USSR fleet was previously blamed on several occasions for the depletion of the stocks (Evening Telegram 5/2/1971:1-2; Evening Telegram 8/3/1971:1-2; Canada. Parliament. Senate 9/3/1971 12:16; Chronicle-Herald 29/9/1971:3). The cabinet accused neither Canadian nor western European fishermen of contributing to the depletion of stocks.

The Fisheries Minister added that although the declaration

of the twelve mile zone was a unilateral action, the government's preference was for multilateral vehicles (Canada, Parliament, Senate 9/3/1971 12:14) and in particular the 1973 UNCLOS (Evening Telegram 28/9/1971:1; Chronicle-Herald 8/10/1971:1, 9/10/1971:4).

As indicated above, it was mainly the Fisheries Minister who expressed interest in the international relations of Canadian fisheries. Secretary of State for External Affairs Sharp, for example, in April 1971, told the House of Commons that he was not sure how many countries were involved in the phasing-out talks with Canada (Chronicle-Herald 30/4/1971:4).

Thus, the interests of the cabinet included two main elements, concerns with the overfishing of stocks off Atlantic Canada and Canada's relations with France. However, its interests with respect to the fishing industry were not co-ordinated and contained within the cabinet. The Fisheries Minister and the Secretary of State for External Affairs expressed opposing views on plans and strategies for the fishing sector. The Fisheries Minister obviously understood the overfishing problem to be a more serious threat to the fishing industry than the Secretary of State for External Affairs but the interests of the Fisheries Minister did not prevail in the cabinet. After the agreement with France was concluded, it was commonly known

in fisheries circles that Fisheries Minister Davis was of the opinion that DEA gave away too much to France (personal interview with DFO official). As if to emphasize the lack of understanding for the problem, the cabinet downgraded the fisheries bureaucracy.

The cabinet gave France a longer phasing-out period than it had intended before the agreement was negotiated. Neither did the cabinet show any interest in demanding specific control measures in a future extended fishing zone. Thus, the cabinet may have given in to the French government because it would not jeopardize an improving relationship. Its emphasis on pollution control and overfishing by the Soviet fleet may have been a strategic choice to direct public attention away from the negotiations with the European nations. If, on the contrary, these arguments reflect a true belief, the argumentation nevertheless supports the view that the cabinet was reluctant to pressure France for a significant contribution to restoration of the depleted stocks.

Continuing now with an evaluation of the resources of the cabinet, its jurisdictional control was the most important resource available to the cabinet in its attempt to realize its interests. Being a foreign policy and a fisheries resource issue, the ultimate mandate to decide upon the Canadian position in the dispute with France clearly

belonged to the federal government. Its jurisdictional control allowed the federal government to change the decision-making process and participants in the process. This the cabinet did in late 1971 when it established the advisory committee on the phasing-out agreements in an effort to increase its control over the outcome of the decision-making process.

In November-December 1971 the cabinet integrated interest organizations into the decision-making process through a new advisory committee on conservation and the phasing out of foreign fishing from Canadian waters. It was at that time not publicly known that the government had already completed most of the negotiations over the phasing-out agreements with foreign nations, including France, and that the advisory committee therefore was created too late to have any significant influence on the negotiations with France. However, by inviting interest groups to participate in the decision-making process, criticisms of governmental unresponsiveness⁵² to demands by the fishing industry may have been neutralized and the policy preferences of the government may have been legitimized (Tucker 1980:45).

A second resource is the capacity to control and co-ordinate policies. The Trudeau government had attempted to centralize foreign policy activities. However, as indicated above, there were internal co-ordination problems in the

cabinet with respect to strategies for solving the overfishing problems. In the media Fisheries Minister Davis, Secretary of State for External Affairs Minister Sharp and Transportation Minister Jamieson (the Cabinet member from Newfoundland) alternated as government spokesmen on issues related to the Canada-France discussions and occasionally contradicted one another, as noted above (Evening Telegram 19/9/1971:7; Evening Telegram 22/9/1971:6). This lack of co-ordination may serve as support for Tucker's argument that the cabinet at the time of the Canada-France negotiations did not succeed in giving rational consideration simultaneously to the vast number of foreign affairs issues required. Far from reflecting a sense of conscious purpose or design, the process of decision-making remained in an ad hoc and incremental mode (Tucker 1980:15).

Because of this confusion the credibility of the ministers was questioned; the issue of reputation is not easily distinguishable from that of expertise, the third resource available to the cabinet. No evidence is found of questions on the credibility of Fisheries Minister Davis. However, Secretary of State for External Affairs Sharp was accused on several occasions by the media and opposition members of Parliament of lacking interest in fisheries matters in general and in particular the phasing-out agreements (Evening Telegram 5/2/1971:1-2, 21/5/1971:44; Canada, Parliament, House of Commons, 20/5/1971 14:25). This lack

of interest on behalf of the Secretary of State for External Affairs may have contributed to the motivation among the founding members of SOFA to increase their efforts in lobbying the federal government.

The fourth resource at the disposal of the cabinet was control over information about the negotiations, thus enabling it to limit debates on the issue. As pointed out by Keating, the Canadian government had previously made use of this tool. Unaware of developments in bilateral negotiations, domestic fisheries interests had on occasions been prevented from making timely interventions (1978:168). The cabinet did not make public the fact that an agreement with France was near its conclusion in May 1971. When Transportation Minister Jamieson was asked in September 1971 by journalists about the talks with France, he said he thought it was not appropriate to outline in detail the discussions (Evening Telegram 27/9/1971:1).

It can be concluded that the most important resources were the cabinet's constitutional rights to control foreign policy and fisheries resource policy and its control over information about the negotiations. The cabinet applied both categories successfully to keep secret its interests in good relations with France at the expense of protection of fish stocks.

However, the reorganized foreign policy decision-making process did not keep the government in strict control. Contradictory statements about the cabinet's policies and lack of interest in the issue by the Secretary of State for External Affairs may have created suspicion in Atlantic Canada's fishing communities that the interests of the fishing industry would not be promoted in the negotiations with France and the other European countries.

To what extent the negative effects were neutralized by the establishment of the advisory committee with the participation of interest organizations is a question to be further examined in the subsequent analysis. At this state in the analysis, without having considered the other groups, it appears the cabinet had invested its resources relatively wisely in view of its interest. It wanted to grant France a generous fisheries agreement - which France got.

The Bureaucracy of the Federal Government

The Department of Fisheries (DF) and the Department of External Affairs (DEA) are considered the only federal ministries of significant influence. Other government bodies which probably had some minor impact on the negotiations were the Prime Minister's Office (PMO) and the Privy Council Office (PCO). The PMO, established in 1968, was a body in direct support of the Prime Minister. The PCO was supposed to be non-partisan, functioning both as the

Prime Minister's "department" and a service agency to cabinet. Its president in 1971, Allan MacEachen, represented Atlantic Canada but no indication has been found of any significant influence by MacEachen in the Canada-France negotiations. The PCO rarely provided advice that directly countered or replaced proposals from below. Nor was its planning capability devoted in any major way to foreign affairs (Kirton 1978:298-300). Thus, the government bureaucracy primarily involved in the Canada-France negotiations were DF and DEA.

The interests of DF and DEA were probably not united on the issue. The Trudeau government encouraged both DEA and other departments to participate actively in all deliberations with an element of foreign policy (von Riekhoff 1978:288). Thus, it might be expected that DF would express interests and opinions on the Canadian position in its negotiations with France, despite the dispute's foreign policy nature.

As argued previously, the interests signalled by the government consisted of two parts, not easily compatible; an interest in cultivating its foreign relations with France on the one hand and in protecting domestic fisheries against foreign overfishing and pollution by foreign vessels on the other. Thus, a tension was created between domestic, sectoral concerns and foreign interests, although the threat by French vessels to the overfishing of the stocks was

played down by the cabinet. DF officials naturally had a more comprehensive understanding of the overfishing problem than that expressed by the cabinet and thus would have preferred a policy of more support for the Canadian fishermen at the expense of the French fishermen. DEA probably had a deeper understanding for commitments to good relations with France (Keating 1983-1984). The lack of a clear government policy opened up the opportunity for DF and DEA to promote diverging interests. No evidence is, however, found of open animosity between the departments.

Opinions differ about the type of relationship which existed between the two departments over the years. Comparing the United States and Canadian policy processes in 1975 on law of the sea issues, Ann Hollick (1975:536), has suggested that "law of the sea policy in Canada has until recently reflected the overwhelming preponderance of coastal interests. This has allowed the Canadian diplomat greater flexibility in adapting national policy to coastal trends prevailing in the international negotiations".

Despite efforts by the Trudeau government to enhance the role of DEA in policy-making in 1970 and 1971 (Gottlieb & Dalfen 1973:235-236; von Riekhoff 1978:292), traditional basic attitudes of a preference for producing compromise solutions and a lack of concern with fisheries matters probably still prevailed among DEA officials by the time of

the negotiations with France", since a change in attitude generally does not take effect immediately. Thus, it is reasonable to believe that DF had a leading role in formulating the Canadian position.

The prominence of DF is supported by Fisheries Minister Davis who claimed that Albert Needler of the DF was in charge of the team which negotiated with France in May 1971. He said that Needler was supported by Alan Beesley of DEA's Legal Division (Canada, Parliament, House of Commons 20/5/1971:19-24)⁵⁴. According to records from the Canadian delegation and the communique by DEA announcing the completion of the negotiations Alan Beesley was the formal head the Canadian delegation but Needler played an important part on critical issues concerning the content of the agreement (Canada 1985B:Annex 43; Canada, DEA 1971). A second event supporting the lead of DF is the establishment of the Advisory Committee in late 1971 which had four representatives from DF and one from DEA (Evening Telegram 2/11/1971:4).

To summarize, DF and DEA can be considered to have had incompatible interests as a result of their different responsibilities. In addition, as suggested above, the cabinet did not harmonize its conflicting interests which followed the same cleavage lines. However, DF took an active interest in the issue while DEA did not. DF probably

played a leading role in formulating the Canadian position. Thus, the interests of the bureaucracy were dominated by a wish to protect domestic fisheries at the expense of external relations with France.

However, it is nowhere indicated that DF tried to promote publicly interests that deviated from the interests of the cabinet. As noted above, the view of the Fisheries Minister on certain issues differed from the policy chosen by the cabinet. It can be assumed that senior bureaucrats in DF shared the view of the Fisheries Ministers of increased protection for the east coast fisheries from foreign fishing.

The first resource that DF and DEA could draw upon to promote their interests is their technical expertise. As described previously, DF had by 1971 already achieved a significant level of expertise in fisheries management. In addition, the department had access to relevant data from ICNAF. DF's permanent representatives in the Atlantic provinces probably kept DF, Ottawa, up to date about events in Atlantic Canada. Thus, DF was probably well aware of the potential consequences of the depleted stocks.

Moreover, DF may have been quantitatively reduced after it was absorbed into DEN but DF's international group was maintained in the new department. The mandate of the

international group included closer liaison with foreign countries on the question of overfishing (Canada, Parliament, House of Commons 27/5/1971:11), thus probably providing DF with valuable information about the reaction in fisheries circles in other countries to the phasing-out negotiations. Further, Albert Needler, who was a Deputy Minister of Fisheries before DEN was established and formerly head of ICNAF was well known and respected within fisheries circles in the Atlantic provinces (Evening Telegram 5/2/1971:1-2). It is therefore likely that the leading position of Needler contributed to a feeling in Atlantic Canada that the negotiations with France were in good hands.

In DEA the Legal Division had in the late 1980s played an important part in law of the sea issues. The legal advisor in the Canada-France negotiations, J. Alan Beesley of DEA served as head of the Canadian delegation to the UN Seabed Committee from 1969 through 1973. Although not dealing with fisheries, this experience must have been beneficial to Beesley as a formal leader of the Canadian team negotiating with the French (Hollick 1975:537-539; Tucker 1980:178).

The second and equally important resource is the special relations that sector departments have with their 'clients'. DF was at the centre of a network which included provincial governments and interest organizations. As the recipient of

demands from these groups, fisheries officials could legitimate their control over policy formation and their participation in bilateral negotiating processes (Keating 1983-1984:163).

A third resource for bureaucrats is access to government agenda. The Legal Division of DEA had a direct link to the cabinet through a "team" of law of the sea experts who had for the most part made Canadian policies on this issue since the late 1960s. This team comprised Beesley, Gordon Robertson, the clerk of the PCO, and Ivan Head, Mr. Trudeau's special advisor on foreign policy matters (Tucker 1980:178). This link to the cabinet for members of the team negotiating with France was important for DF and its minister which had, as suggested above, met limited understanding in the cabinet.

To summarize the discussion of the bureaucracy, it was argued above that both DF and DEA had officials well experienced in fishery management and law of the sea matters, respectively. Together they were well equipped to define Canada's position in its negotiations with France. However, DF's qualifications as representative of a sector interest probably made it easy for DEA to accept DF's leading position in the negotiation team.

Disturbing for the bureaucrats in DF was the obvious lack of understanding for the overfishing problems in the cabinet.

On the other side, the support by DEA for DF's position may have increased the level of understanding for the problem in the cabinet through DEA's contacts in PMO and PCO with respect to law of the sea issues.

The above discussion emphasized the active interest of DF in defining the Canadian position while DEA adopted a more passive approach. However, an assessment of the potential influence of the federal bureaucracy led by DF must take into account that DF and DEA basically had different interests due to the different functional purposes they served. DEA bureaucrats were accustomed to taking care of relations with foreign countries. Moreover, their minister had a senior position in the cabinet while the Fisheries Minister led a department whose main function was to protect the environment. The Fisheries Minister was fighting an uphill battle to make his colleagues recognize the seriousness of the state of the overfished stocks. Thus, the leading position of DF over DEA can not be taken for granted. As explained above, the agreement can be considered to favour relations with France at expense of the interests of DF's "constituency". Thus, the prevailing interests of DF over DEA and a leading position, in terms of resources, by DF over DEA were not sufficient to make the cabinet responsive to the demands of the Atlantic fishing industry in the negotiations with France, as will be further explained below.

The Provincial Governments

As outlined in the introduction, Newfoundland is the province with the largest aggregation of fish stocks in adjacent waters and with the largest number of people engaged in the fishing industry. Around the time of the Canada-France negotiations Premier Smallwood was quoted as saying that if fish stocks were not preserved, it would kill Newfoundland (Evening Telegram 20/5/1971:10). A few months later, however, he asked for a waiver from the federal government policy of not allowing foreign ships to land fish in any Canadian ports for transfer to other foreign vessels. The policy was motivated by the idea that such transfer-shipments allowed the fishing vessels to remain on the Grand Bank for longer periods at a time and consequently fishing a larger volume during the season. Portuguese fishermen, who traditionally had used St. John's for bait and supplies and now wanted to transfer fish there, were investigating the possibility of moving their operations to St. Pierre, where the harbour had recently been modernized. Premier Smallwood appealed to the federal government to allow the Portuguese to process and transship fish in Newfoundland, because it would be a loss to the entire province if they chose St. Pierre. The Evening Telegram suggested that the Portuguese fleet spent about \$500,000 annually in St. John's for bait and supplies_(26/8/1971:4). Thus the Smallwood government obviously preferred short-term gain for long-term pain.

The Evening Telegram put it differently, writing that the provincial government of Newfoundland never had a sincere interest in the fishery (3/12/1971:6). The paper was discussing the ad hoc movement, referred to above, which started in Newfoundland in September 1971. It was called Save Our Fishery Association (SOFA). Its objective was to protect fisheries of the east coast of Canada. This was before the Advisory Committee was established. The strategy was to lobby the federal and provincial governments to adopt legislation and other necessary actions. It was established on the initiative of the fishing industry and was very successful in obtaining members in Newfoundland as well as the Maritime provinces and Quebec. Representatives of the provincial fisheries departments were invited to participate but they were not in the executive (Evening Telegram 19/9/1971:7). The above newspaper article complained that by not supporting the movement the Newfoundland government weakened the association's case in Ottawa (Evening Telegram 3/12/1971:6).

As mentioned in the introduction, neither Newfoundland nor any other province in eastern Canada had developed a comprehensive fisheries policy, although they all had established separate departments of fisheries.

The Newfoundland government's interest in the Canada-France negotiations was limited. Premier Smallwood said that the

phasing-out agreements were a federal matter (Evening Telegram 8/3/1971:1-2) and that solutions to preservation of stocks had to be sought in international fora, such as ICNAF (Evening Telegram 20/5/1971:10). No other provincial governments took part in the public debate on the Canada-France negotiations or related issues.

The lack of interest may seem surprising since the provincial governments took an active part in other issues related to the law of the sea regime. For example, in May 1971, at the time of the talks with France, the governments of Newfoundland and Nova Scotia were engaged in an intense debate with the federal government over ownership rights to offshore mineral resources (Evening Telegram 11/5/1971:26; 12/5/1971:1; 26/5/1971:3). Thus, the Evening Telegram might have been on the right track when suggesting that the Newfoundland government lacked interest in fisheries.

With respect to the resources of the provincial governments it should first be recalled that they had no fisheries policies and that the capacities of their fisheries bureaucracies were limited. In addition, in the field of foreign affairs in general the provincial governments had limited organizational capacity to define their interests and provide advice in 1971 (Johansson 1978:357).

Regarding access to the federal government's decision-making

process on fisheries management the existing consultative arrangements in 1971 between the federal and provincial governments were limited to the Atlantic Fisheries Committees, which dealt with fisheries matters in general. No consultative forum handled conservation and foreign fishing matters exclusively.

Consequently, lack of interest and limited resources excluded the provincial governments from making any input into the Canadian position in its negotiations with France.

The Interest Organizations

The two groups representing the fishing industry in 1971 had largely common interests with respect to the Canadian position. As explained in chapter 2 in the section 'Corporate pluralism in the groundfish sector', the NFFAWU in 1971 had been preoccupied with gaining the right to bargain collectively with fish processors. It is therefore understandable that the union did not take an active interest in the phasing-out agreements.

However, some clues to the position of the NFFAWU on the issue are available. A local of the NFFAWU in Newfoundland in February 1971 at a meeting with representatives from the federal DF criticized government officials for being more interested in relations with foreign countries than in

saving the east coast fishery. What the government should do was to tell foreign nations to get their fishing vessels out of the Gulf of St. Lawrence (Evening Telegram 19/2/1971:22).

No expression of opinions is found by the leadership of the NFFAWU on the phasing-out issues. However, at a House of Commons committee hearing in 1972, the union president, Richard Cashin, referred to his union's concern with conservation and proper resource management and the presence of foreign vessels on the continental shelf. He rejected the overall approach of the federal government, suggesting it was much too timid. More aggressive action was necessary (Canada, Parliament, House of Commons 18/5/1972 9:7).

Few other fishermen's or shoreworkers' organizations expressed interest in the Canada-France discussions or in the phasing-out agreements in general. Nova Scotia Fishpackers Association advocated that Canada had to gain control of the continental shelf to prevent over-fishing by foreign nations, otherwise the fishing industry could collapse within four to five years. Therefore, Canada could not afford to wait for the 1973 UNCLOS (Evening Telegram 22/9/1971:8).

On the offshore-processing side, in 1964 FCC had provided the federal government with a briefing paper which was with

few changes adopted as the government's position of the issue of extending the fishing zone to twelve miles. In this paper the council advocated that the historic and treaty rights of the United States and France be respected but that agreements should be concluded with other states having fleets fishing off Canada's coast with the purpose of phasing out their activities over a five-year period (Keating 1983-1984:154).

In May 1971 at its annual meeting FCC passed several resolutions for submission to the federal government dealing with the conservation of fish stocks. The council wanted increased control of foreign fishing fleets in the form of consistent aerial surveillance and an extension of Canadian control over fishing grounds (Evening Telegram 14/5/1971:6). The resolution did not mention the phasing-out agreements or government policy on stock conservation.

Conservation of fish stocks was paid more attention in the regional organization representing offshore-processing interests, NFFTA. Its spokesman was Gus Etchegary, a vice-president of Fishery Products Ltd. In 1971 Etchegary frequently voiced his opinions about the fish stocks in the newsmedia. He was also the driving force behind the ad hoc movement noted above, known as Save Our Fishery Association (SOFA). Speaking on behalf of the Newfoundland fishing industry at a committee hearing in the House of Commons in

May 1971, Etchegary suggested that ICNAF had not made any contribution to protecting Canadian fish stocks and that the twelve-mile limit did not mean very much more than protection for the gear of the inshore fishermen. Etchegary explained how the unit cost of producing fish products was increasing as the resources declined in size and that, in addition, increasing costs of supplies were making the economy of the industry worse, although a market boom during the previous three years had softened the impact of rising costs. He concluded that it was imperative that the phasing-out periods be made as short as possible. If they would take years, as the federal government had indicated, and considering the expected intensified fishing efforts, the stocks could very well be depleted to a seriously low level.

Etchegary added that the long time that would elapse before the next UNCLOS and before any proposals would be implemented through UNCLOS, caused deep concern in the industry. He suggested that the federal government, through DF, establish a special task force and work out a policy which would best serve the needs of Canada, while considering the collective interests of the fishing nations operating on Canada's continental shelf. Among the terms of reference suggested by Etchegary were consultation with Norway, Denmark, and Iceland concerning extension of management control for possible co-ordinated action, that a

message be sent to nations fishing in the northwest Atlantic of the need for corrective measures, and that Canada intended to take appropriate action to protect resources (Canada, Parliament, House of Commons 25/5/1971 15:5-9).

It can be concluded that the interests expressed by the two groups above, were largely in agreement, although the interests of the fishermen-shoreworkers-crew group probably were somewhat more aggressive than those of the offshore-processing group. Moreover, the interests of the latter group were more comprehensive and elaborate. Representatives of both groups expressed interests which were significantly more protective of fish stocks than the federal cabinet suggested.

The two groups' interests were merged in the SOFA. Created in early September 1971 and led by Etchegary, by the end of the month SOFA had already expanded to include members from the Maritime provinces and Quebec in addition to the original members in Newfoundland. The membership comprised processors associations and unions, municipalities and provincial governments, as well as other sectors of the economy, and academic interests". In capacity of the first president, Etchegary had the opportunity to influence the formulation of policy.

The recommendations put forward by the association to the

federal government were as follows: a) Speed up of the phasing-out of all foreign activity in the Gulf of St. Lawrence, b) Extension of the twelve mile limit immediately to all areas around Newfoundland and Labrador with some areas for exclusive use of inshore fishermen, c) Immediate discussions with Iceland, Norway and Denmark for possible future collaboration on fishing zone issues, d) Restrictions on the catch of certain species in specific areas, e) Implementation of sea and air surveillance on whatever scale necessary for effective management control, f) Increased research on critical stocks, and g) acceptance by Canada of full management control over marine resources on the continental shelf by the end of 1973, but not exclusive rights to all fishery resources. The association could not accept that nothing could be done internationally to protect stocks except through ICNAF and UNCLOS. It was not suggesting that Canada should assume a "gun boat diplomacy"; rather it argued that stronger measures be taken to protect and preserve the fish stocks in the northwest Atlantic (Evening Telegram 12/10/1971:4). Concerning the Canada-France agreement SOFA proposed that the federal government should discuss the Canadian aims with regard to the St. Pierre question with the fishing industry.

The SOFA proposals and argumentation were in line with those previously expressed by NFFTA president Etchegary, for example, as listed above, suggesting that he had a strong

influence in SOFA. The association was significantly less aggressive than apparently desired by the fishermen-shoreworkers-crew group and stopped short of recommending unilateral action, as this group might have favoured and Etchegary had also earlier indicated.

The position of the interest organizations on the Canada-France negotiations was, based on the SOFA proposals, that the phasing-out period should be short. The goal was Canadian control over, but not necessarily exclusive rights to, all marine resources on the continental shelf by 1973. The SOFA group wanted to participate in the Canada-France negotiations to discuss the rights of fishermen from Saint-Pierre-et-Miquelon, thus showing that they did not know that the cabinet had already concluded these negotiations. Thus, the recommendations of SOFA were as the interests expressed by the interest organizations on previous occasions and referred to above, considerably more protective of fish stocks and the industry than suggested by the cabinet.

Turning now to the resources of the interest organizations, the first and crucial resource is access to the cabinet. As explained in the introduction, up until the early 1970s there was no explicit consultative framework for fisheries outside the Federal-Provincial Atlantic Fisheries Committee mechanisms which were almost exclusively government dominated (Macdonald 1984:30-33). The call for an advisory

committee by SOFA was motivated by a perceived gap in liaison between the federal DF and the Atlantic fisheries industry. DF responded immediately with the establishment of an advisory committee in late 1971. However, a spokesman for the department had in May 1971 informed the House of Commons Standing Committee on Fisheries and Oceans that the department was working on the establishment of an advisory council which would start in the near future (Canada, Parliament, House of Commons 25/5/1971 15:24). However, the advisory committee was created too late to permit representatives of the fishing industry to participate in the important negotiations with France in May 1971. Its establishment was announced by the federal government on October 8, 1971 and was scheduled to have its first meeting on November 30-December 1, 1971 (Evening Telegram 2/11/1971:4)⁵⁶.

Despite the lack of formal access it is believed that FCC had access to the government decision-making process. Macdonald argues that FCC had ready access to all levels of government decision-making (1984:31). Keating wrote in 1984 that FCC, the UFAWU as well as Newfoundland fishermen have been very active and generally effective in placing their demands before policy-makers (165).

However, the perception by people in the fishing sector in 1971 was that they lacked access to government decision-

making processes as well as to the ear of the government. Richard Cashin told a House of Commons committee in May 1972 that communication between the federal DF and the fishermen was incredibly bad and had been so for twenty years. This was not only the fault of the federal government, but partly the fault of Newfoundland itself because of a lack of organizations, isolation, and the decision-making system in Newfoundland where all decisions were made at the top and passed down. Cashin complained that DF's communications with fishermen had not improved during the past year, despite the existence of NFFAWU. The government had brought in a number of policies without any consultation with his organization. As an example the union president referred to an agreement between Canada and Denmark about salmon fishing. The industry was not consulted and the agreement was heavily criticized in Atlantic Canada. Cashin concluded that the position adopted by the federal government toward NFFAWU was one of studied indifference (Canada, Parliament, House of Commons 18/5/1972 9:4,8,36).

A year previously Gus Etchegary made similar accusations at a hearing in the same Standing Committee on Fisheries and Oceans in the House of Commons saying that there was no consultation at all by the federal government with the fishing industry and the fishermen.

C.G. O'Brien, manager of FCC, speaking at the same hearing

as Etchegary, said that at times there appeared to have been a breakdown of consultation. He gave as an example the Canada-Denmark agreement referred to by Cashin (Canada, Parliament, House of Commons 25/5/1971 15:10,24). However, the accusation by O'Brien of a breakdown in consultation, was mild compared to accusations by others. O'Brien said that by and large FCC had a pretty steady consultation with the government (Canada. Parliament. House of Commons 25/5/1971 15:24).

It is perhaps difficult to understand the complaints by Etchegary in view of the influence exercised by FCC in the 1960s. An explanation is offered by Keating (1983-1984:155-156) who argues that despite the forced postponement in 1964 of the twelve mile zone by the government, which was contrary to the recommendation of FCC, the government was able to maintain the support of FCC through constant contact with the council. At one of these meetings FCC accepted the advice of cabinet ministers to be "good boys" and not raise too much fuss because to do so would make the task for DEA more difficult. If this was still a valid description of the relationship between FCC and the cabinet in 1971 Etchegary either felt that the issue was not properly handled by FCC or he was ignorant of the "quiet diplomacy".

In addition to NFFTA, there were indications of involvement

by offshore-processing interests through channels other than FCC. For example, in the phasing-out discussions with Norway, which included seal-hunting, the fishing and sealing industry was also represented by a Halifax firm, Karl Karlsen Ltd. (Chronicle-Herald 30/4/1971:4).

The second resource which is also very important is organizational capacity. As mentioned above, the offshore-processing group was integrated into the government decision-making process, although not formally. FCC's membership probably included most processors affected by the Canada-France negotiations.

The exclusion of fishermen, shoreworkers and crewmembers from government decision-making processes is largely due to lack of organizations. Before NFFAWU was established in 1970 there was no province-wide unions of either political or economic importance to these groups. In Newfoundland, Newfoundland Fishermen's Federation (NFF), founded on the initiative of Premier Smallwood, had seen its membership drop from over 9,000 members in 1951 to 2,000 in 1971. More important, the fishermen regarded NFF as an extension of the provincial government and the federation developed no power to exercise independence (Copes 1970:586-587; Evening Telegram 6/1/1971:1). But by 1970, Copes argues, the previously docile outport population was showing evidence of awakening militancy, the formation and activity of Northern

Fishermen's Union (NFU) (predecessor of NFFAWU) being an example (1970:604).

Macdonald suggests that although NFFAWU by 1972 was a sizable union with a membership of 4,700 fishplant workers and 4,000 fishermen (Canada, Parliament, House of Commons 18/5/1972 9:25-26), it did not acquire real power until 1974 when the consequences of the 1971 strike at Burgeo had become clear (Macdonald 1979:177)⁵. It is important to note that the NFFAWU was established mostly in response to the monopoly power of fish processors (since they often were the only receiver of fish that fishermen could reasonably reach), less with the purpose to lobby the governments or to get access to government decision-making processes. Fishermen, shoreworkers and crew in other provinces were in 1971 even less organized, as explained in chapter 2 in the section 'Corporate pluralism in the groundfish sector'.

The third resource of importance to interest organizations is the administrative staff and leadership of the organizations. FCC was a well established organization by 1971 and had a small but probably experienced secretariat.

When the organizations representing fishermen, shoreworkers and crewmembers were finally gaining some organizational power and access to the federal government's decision-making process, they benefitted greatly from the leadership of

NFFAWU. For example, its union president Cashin received a prominent place on the executive of SOFA. Cashin, a lawyer who had been member of Parliament in the late 1960s and parliamentary secretary to the federal minister of fisheries, was commonly known as a very competent leader. Cashin together with Desmond McGrath, a catholic priest who had also been with NFFAWU from the beginning, received, probably not undeservingly, newsmedia's attention but the administrative staff also included other important and competent people (Inglis, 1985), partly financed through generous funding from United Food and Commercial Workers International Union, as referred to previously.

The fourth resource is access to the mass media, which represents an indirect channel to government decision-making. However, in its early years NFFAWU did not have easy access to the newsmedia (Canada, Parliament, House of Commons 18/5/1972 9:25-26; Inglis 1985). FCC made little use of the media to promote its position on the phasing-out agreement. Etchegary and NFFTA, as indicated above, were the exception.

It can be concluded that at the time of the Canada-France negotiations there was no formal access for interest organizations to government decision-making on the phasing-out agreements. Communication between the federal government and the fishermen-shoreworkers-crew group was

extremely limited, if not non-existent, but a link was established between the federal government and the offshore-processing group through FCC. But despite FCC it was perceived in the industry, also by processing firms, that consultation with respect to the phasing-out negotiations and conservation policies in general was insufficient.

However, the establishment of an advisory committee towards the end of 1971, when the first pattern-setting phasing-out negotiations were finished served the cabinet to keep the organizations of the fishing industry in line; after the first meeting between industry representatives and government officials which finished in early December 1971, SOFA president Etchegary said he was convinced that the overfishing problem had been dealt with satisfactorily and that the communication gap between the federal government and the fishing industry narrowed (Evening Telegram 2/12/1971:3). But in May 1971 fishing interests in eastern Canada had limited access to the decision-making process.

Concerning the relationship between the interest organizations and the other groups, the cabinet of the federal government and DF were referred to by spokesmen for the interest organizations as one and the same. No reference was made by interest organizations of the role of DEA in the phasing-out negotiations despite the criticism of the role of the Secretary of State for External Affairs in

these negotiations in newsmedia, as referred to above. DEA was probably understood to be less important for their interests than DF. Neither was much attention given to provincial governments but, as pointed out previously, the lack of interest by the provincial governments and their limited capacity to get involved would make them a dead-end road for the fishing industry representatives to influence the Canadian position in the negotiations with France.

Summary and Conclusions

It was concluded above that the Trudeau government's interests were based on conflicting concerns with conservation of fish stocks for the east coast fishing industry on the one hand, and relations with France on the other, although it tried to play down the importance of French fishing efforts for conservation and directed attention towards other measures. There were, however, disagreements internally in the cabinet on the Canadian position and on conservation policies in general and these disagreements were publicized in the newsmedia. The Fisheries Minister opted for more comprehensive measures to restrict fishing activities, including more limitation on fishing by the French metropolitan fleet, than what the Secretary of State for External Affairs preferred and what became the cabinet's position.

When pressured by the French negotiation team, the cabinet

of the federal government was reluctant to jeopardize an improving relationship with France and an increasingly important relationship with Europe to the advantage of Atlantic fisheries.

Jurisdictionally, the phasing-out negotiations with France were a federal responsibility, both in terms of jurisdiction over coastal waters and international treaties. The analysis outlined how the cabinet kept control over the negotiation team. Neither organizations of the fishing sector, nor provincial governments achieved influence on the Canadian position and the bureaucracy of the federal government had no independent interest of those defined by the cabinet. The cabinet kept control despite its unco-ordinated decision-making process internally in the cabinet and signals by mass media that the cabinet might not negotiate in the best interests of the fishing industry. Neither the interest organizations, nor their "client" ministry, DF, nor provincial governments were successful in convincing the cabinet to adopt the position of the regional fishing interests in the negotiations, despite the state of confusion in the cabinet. However, except for efforts by representatives of the fishing industry there were few attempts by actors outside the federal cabinet at influencing the position adopted by the cabinet.

The change of the decision-making process to include the

interest organizations as advisors probably contributed to defuse potential protest in the Atlantic region over the cabinet's handling of the issue. This occurred without the cabinet having to give away any significant control over the decision-making process, at least not with respect to the negotiations with France.

The bureaucracy of the federal government, represented by DF and DEA, did not voice any interest in opposition to the cabinet. However, the issue was defined a fisheries matter by DEA bureaucrats and DF had a leading part in the negotiations.

The two departments had basically incompatible interests as a result of their different functions, which followed the cleavage lines in the cabinet on the issue. Whether due to the more senior position of the Secretary of State for External Affairs in cabinet, the Fisheries Minister and DF lost out. The cabinet decided to favour good relations with France. Despite its interest as a sector department for the fishing industry in promoting strong conservation measures, common interests with the Minister of Fisheries, and its technical expertise on fisheries conservation issues, far superior to that of DEA, the influence of DF did not prevail in cabinet.

Fisheries management and fisheries resource policies are,

according to the constitution, a federal responsibility. The provincial governments expressed no interests in this set of the Canada-France negotiations. Neither did they have significant amounts of resources to invest in the issue.

The interests of the offshore-processing group and the fishermen-shoreworkers-crew group were motivated by the increasing depletion of fish stocks and the serious threat this posed to the economy of the fishing industry in Atlantic Canada and in particular in Newfoundland. Their aim was to put an end to overfishing of stocks to the edge of the continental shelf as soon as possible and within 1973 at the latest. Multilateral or bilateral regulations were accepted by most of these organizations but the government was urged to find new and better ways than through ICNAF and UNCLOS, as preferred by the cabinet.

The resources of the fishing industry were limited by lack of formal access to the government's decision-making process. This left lobbying activities as the only major channel. FCC had well established informal access to the federal government but the only association of processing firms which expressed concern with the issue, NFFTA, was excluded. The perception of a breakdown in communication with the government prevailed in the industry, including FCC. However, when the fish traders and processors in

Newfoundland expressed concern with foreign fishing in the mass media and started to co-operate with fishermen as well as other sectors of the economy for the purpose of increasing its pressure on the government, DF responded with immediate establishment of an advisory committee. Unfortunately this came too late to permit the interest organizations significant influence on the Canadian position in the negotiations with France.

The fishermen-fishworkers-crew group had very limited access to the government, mainly due to lack of organizations, until the establishment of the advisory committee. Lobbying activities were in 1971 not a priority in the newly established NFFAWU. An indirect channel of influence on the government was mass media. In this respect the influence of the NFFAWU was also inferior to that of the offshore-processing organizations because it had not as easy access and could therefore not as easily rally support for its interests in the population. The strength of NFFAWU at this point in time was its leadership. It gained the union a prominent position in the SOFA movement to lobby the governments for protection of fish stocks.

The interest organizations did not distinguish between the cabinet and DF as focus for their lobbying activities. Thus, the industry did not attempt to persuade DF to increase its efforts in promoting the industry's interests

with the cabinet. This might have been due to ignorance about the interests of the cabinet. The industry rightly did not pay any attention to provincial governments. All factors considered, the influence of the fishermen-shoreworkers-crew group was marginal while the offshore-processing group might have had some influence through FCC on the negotiations with France in May 1971.

Thus, the cabinet's interests prevailed in the negotiations. Despite opposing interests internally in the cabinet, the cabinet favoured good relations with France and gave in to French demands in the negotiations to some extent, for example, on the length of time allowed the French Metropolitan fleet to continue to fish in the Gulf of St. Lawrence, as mentioned in the above analysis. The interest organizations were in a weak position to influence the Canadian position. It is not sure whether the cabinet had been in contact with FCC on the issue, but this is likely. The fishermen-shoreworkers-crew group was not consulted. DF was in the most favourable position to influence the position to be adopted by Canada. However, its strong interests, supported by the Fisheries Minister, in increased conservation measures with the contribution also of the French fleet, and its powerful resource, expertise, were not converted into influencing the cabinet away from favouring good relations with France.

CHAPTER 4: ANALYSIS OF THE NEGOTIATIONS OF THE LATE 1980S

This analysis follows the pattern set out in chapter 3, comparing the influence of the groups of collective actors. Since this analysis will serve the examination of whether the trend of changing influences from 1971 to the the late 1980s identified in chapter 2, can be supported by this case study I will discuss the same factors in this chapter as when discussing the 1971 negotiations to the extent possible.

The Cabinet of the Federal Government

The interest of the cabinet is explained with reference to the government of Brian Mulroney, which took office in 1984, and its policy on fisheries management in Atlantic Canada, French fishing off the Canadian east coast, and relations to France in general. As opposed to the Trudeau cabinet of 1971, there is in the Mulroney cabinet a clear distinction between environmental and fisheries policies. Fisheries policies are not priority issues in the cabinet. For example, the Mulroney cabinet has cut budgets and a significant number of positions in the Department of Fisheries and Oceans (DFO)⁵⁹.

Fisheries resource management in Canada developed steadily during the 1960s and 1970s and has since then been greatly expanded as a result of increasing fishing pressure (Copes 1982:223). The fisheries management policies during the

past two decades have increasingly moved away from simple biological management that has tended to emphasize the achievement of MSY. A complexity of economic and social factors are now taken into account (Canada 1986A:9; Canada 1986B:14)".

With the 1982 UN Convention on the Law of the Sea coastal states got the right to license foreign vessels wanting to fish within their 200 mile zones and the right to set fishing quotas for domestic and foreign vessels within that zone. The federal government is licensing domestic and foreign vessels wishing to fish in the Canadian economic zone, including the French metropolitan vessels.

After the metropolitan fleet was excluded from the Gulf of St. Lawrence at the end of the 1986 season, the Canadian and French governments did not reach an agreement on quotas for French vessels in Canadian waters. Canada then unilaterally licensed French trawlers and set quotas for their fishing in 3PS, thus exercising its claim to the disputed zone. The quota allocated by Canada has since 1987 been 6,400 Mt annually, consistent with the quotas allocated in previous years. However, trawlers of metropolitan France have increased their efforts in the disputed zone to make up for the loss in the Gulf of St. Lawrence. The French government set its own annual quotas for 1986, 1987, and 1988 at 26,000Mt (of which 3,600Mt allocated to Saint-

Pierre-et-Miquelon) (Evening Telegram 25/3/1987, 16/2/1988:6)⁶⁰.

Canadians familiar with French fishing suspect that the total catch far exceeds the quotas. The federal cabinet and the fishing industry consider the stocks in the disputed zone to be overfished (Chronicle-Herald 11/2/1987:26; Ottawa Citizen 8/7/1988). Canada has therefore not increased its quotas in 3PS in recent years⁶¹. A NAFO study which used data collected by Canadian and French scientists in joint operations concluded that fishing in 3PS was in excess of what it should be but stocks were not in imminent danger (Ottawa Citizen 23/7/1988:C2; The Gazette 3/7/1988:D-15). Catches by French vessels in the disputed zone were significantly lower in the 1988 season than in 1987. No single explanation could be given for the fall. It could be due to overfishing, but also to the cyclical nature of fisheries, and the fact that French vessels could not go to Canadian ports for repairs and therefore in periods might not have been operational (Evening Telegram 17/2/1988:3, 21/5/1988; The Gazette 11/3/1988:A-2).

Since France has declared a 200 miles economic zone around Saint-Pierre-et-Miquelon, Canada cannot legally stop overfishing by the French fleet because theoretically it may be that France has the right to set quotas in the disputed area. According to John Crosbie, Newfoundland's

representative in the federal cabinet, rolling back French catches in 3PS was a general goal in the government's negotiations with France (Evening Telegram 8/7/1988:3).

The reason for the delay in solving the problem is, of course, the dispute itself. Canada has found the French claim of a 200 mile zone around Saint-Pierre-et-Miquelon, equal to the size of Nova Scotia, absurd. The government would only concede France the right to a twelve mile zone; its stated policy has been to bring the matter to a solution by international arbitration. France would not agree to arbitration of the boundary dispute unless the Canadian government agreed to allocate fishing quotas, subject to approval by the French government, to French fishermen in Canadian waters. France has intended quotas to replace those lost in the Gulf of St. Lawrence under the 1972 Agreement. The disputed zone is likely to be severely restricted for the French by any arbitration decision; until then France could fish unrestrictedly in the 200 mile zone it had claimed. On March 31, 1989 the Canadian government announced that an agreement had been signed between Canada and France under which Canada would allow the French a quota of 27,050 tons of cod during the subsequent three years while an independent tribunal would settle the boundary dispute (Globe and Mail 1/4/1989:1-2).

The 1972 Agreement provides that a tribunal of arbitration

would resolve disputes over fishing quotas that could not be resolved between the two parties. Before the agreement of March 31, 1989 France demanded that the quotas set by Canada be submitted to arbitration but Canada refused on the grounds that its right to set quotas had since 1972 been well established by international law and it was also established by the 1972 Agreement. Moreover, France recognized it in the 1986 arbitration decision over La Bretagne (The Gazette 20/2/1988:B-3).

The Canadian and French governments tried to get out of the impasse when they negotiated the Interim Agreement, signed in Paris on January 24, 1987. France agreed to negotiate the terms of reference for an international tribunal that would settle the boundary dispute. In return, France would get extra allocations of northern cod between 1988 and 1991⁶². However, provincial governments in Atlantic Canada rejected the agreement which was negotiated without their knowledge. It did not bind France to go to international arbitration. Neither would it stop French overfishing so that stocks would probably diminish further while attempts are made at sending the dispute to arbitration (Evening Telegram 30/1/1987:6). Most important, northern cod is a very important resource to the Newfoundland fishing industry, especially to fishermen in the northern and eastern parts of the province. Two-thirds of Newfoundland's fishing effort is reportedly concentrated on the northern

cod stocks (Evening Telegram 11/5/1987:3)⁶³.

Members of the federal cabinet defended the agreement. Until then it was the cabinet's position not to put northern cod on the table, but the French would not move on the boundary dispute until northern cod was offered (Evening Telegram 6/2/1987:3). The French government had initiated the negotiations and given the Canadian cabinet short notice. The matter was urgent because the 1987 fishing season was starting and no quotas for the French had been agreed upon (Evening Telegram 29/1/1987:1).

The federal cabinet had on several occasions before and after the Interim Agreement announced its intentions to defend the interests of the Atlantic fishing sector (Canada 1985A:58; Evening Telegram 19/3/1987:6, 10/9/1987:6; Chronicle-Herald 3/2/1988:5). The popularity of the Parti Quebecois in the late 1970s led to increased pre-occupation in federal cabinets with "national unity"-questions. This policy has been continued by the Mulroney cabinet⁶⁴. After the Interim Agreement the Mulroney cabinet decided to demonstrate that it was serious about defending Atlantic fisheries. When the French fleet continued the overfishing in the 1987-season, despite the Interim Agreement, the cabinet closed Canadian ports to French fishing vessels in protest. In May, during President Mitterand's visit to Canada, the Canadian government rejected a request to reopen

Canadian ports (Evening Telegram 26/3/1987:1).

After a new round of discussions in October 1987 the cabinet, without saying so, unilaterally suspended the 1972 Agreement and blamed France for pressuring it into this action by breaking away from the negotiations⁶⁸. The agreement would be suspended indefinitely - until France agreed to send the dispute over the boundary to arbitration (Evening Telegram 10/10/1987:1; Globe + Mail 10/10/1987:A6; The Gazette 20/2/1988:B-3). The French team claimed they walked out of the talks because they were unable to get Canada to agree to quota allocations (Chronicle-Herald 12/10/1987:1).

In November 1987 the talks resumed at a low level and were described as "technical talks" about how to proceed with the negotiations. When the fishing season started in January 1988 the cabinet soon condemned the French for overfishing cod stocks in the disputed territory (Chronicle Herald 26/1/1988:6; Evening Telegram 30/1/1988:3). This occurred two days before Governor General Jeanne Sauve left for an official visit to France. The visit was meant to be the crowning touch that restored diplomatic relations between the two countries to a healthy level following two decades of squabbling over Quebec, according to a Canadian official (Ottawa Citizen 25/01/1988:A4). The French Fisheries Minister Ambroise Guellec and Prime Minister Jacques Chirac

responded by demonstrating their dissatisfaction with the Canadian government during her visit (The Gazette 20/2/1988:B-3)⁶⁶.

The situation deteriorated further. In February 1988 a communique signed among others by the Secretary of State for External Affairs, the Fisheries Minister, and the Minister for International Trade who was the Newfoundland member of cabinet, announced that France was wholly responsible for the five-months deadlock in negotiations (Globe and Mail 27/2/1988:A6). When a Saint-Pierre-et-Miquelon fishing vessel with fishermen and politicians onboard tried to call attention to their frustration by illegally fishing in Canadian waters, the Canadian government responded with arrest "in accordance with normal Canadian judicial procedure", meaning that the vessel was not licensed to fish then and there (Globe and Mail 16/4/1988:1; 18/4/1988:2). The following month a Canadian fishing vessel was seized by the French for fishing in French waters inside the twelve mile zone around Saint-Pierre-et-Miquelon (Globe and Mail 6/5/1988:1). The French had unilaterally introduced new regulations of licensing Canadian vessels⁶⁷. After this incident Canada cancelled a round of talks on the boundary issue planned for May (Evening Telegram 16/5/1988:1).

However, there was also a side to the story that was intended not to be told. That is the cabinet's intentions

in maintaining good relations with France. In November 1986 a letter by the Prime Minister to Fisheries Minister Siddon, leaked to the press, instructed Canadian negotiators to balance good relations with France against domestic fishermen's interests⁶⁸ (Evening Telegram 13/11/1986:1). In March 1987 a letter by External Affairs Minister Clark dated 14/2/1986 and sent to the deputy mayor of Saint-Malo, L. Perouan, became public. In the letter the cabinet promised that the French fishing fleet would be allowed to fish in Canadian waters outside the Gulf of St. Lawrence after 1986 and well beyond and that Canada would not abandon the fishermen of Saint-Malo (Evening Telegram 25/3/1987:3). Thus, the cabinet's pronounced intentions to defend the interests of the Canadian fishing industry was more cosmetic than real.

When the storm erupted over the Interim Agreement in January 1987 DEA and PMO were largely silent on the matter, perhaps in order not to make things worse in relations with France (Evening Telegram 30/1/1987:6). However, shortly thereafter the Minister of External Affairs contributed to aggravating the misgivings in the Atlantic provinces. He was criticized in the news media when he played down the arrest of the Saint-Pierre-et-Miquelon vessel fishing illegally in Canadian waters, calling it an isolated incident which was quickly resolved. Clark added that Canada's relations with France were too important to be jeopardized by a handful of

politicians from Saint-Pierre-et-Miquelon. Later when the Newfoundland vessel was arrested in French waters Clark was further criticized when he settled for a diplomatic note of protest to the French government (Globe and Mail 19/4/1988:A1,A4,A6). Commenting on the same arrest, the Prime Minister explained that this incident was a result of the French election (Globe and Mail 7/5/1988:1)⁶⁹. DEA added that the use of economic programs for retaliation, as demanded by the Newfoundland government, complicated negotiations (Financial Post 25/4/1988:8).

With President Francois Mitterand in office for a new term and a new French Prime Minister, Michel Rochard, Canada and France decided to resume negotiations. However, during the summer and autumn of 1988 the talks were back on the slow track (Chronicle-Herald 22/6/1988:1; Ottawa Citizen 23/7/1988:A4). Prime Minister Mulroney sent signals to the fishermen to keep the expectations low, saying, for example, that nobody should expect an early solution to the dispute. (London Free Press 31/5/1988:3-6; Toronto Star 22/6/1988:A16). In September France broke off the "technical talks" because the attitude of Canadian authorities made it impossible to reach bilateral agreement and called for international mediation (Globe and Mail 13/9/1988:A1-A2). In November it was announced that the parties had agreed on a mediator to recommend a solution to the quota-issue so that the boundary issue could be sent to

third party arbitration (Globe and Mail 3/11/1988:A5). The result of his mediation was the agreement of March 31, 1989 mentioned above.

To summarize, the interests of the cabinet of the federal government have the same character as in 1971, one of apparent incompatibility. The cabinet has tried at one and the same time to advance the interests of the domestic fishing sector and above all, to stop French overfishing, and the interests of the French government. The objectives of the cabinet have passed from a genuine wish to solve the boundary dispute as quickly as possible to a near standstill in the aftermath of the January 1987 Interim Agreement. Whether this was a short-term strategy influenced by the federal election held in late 1988 or a longer-term one remains to be seen.

The cabinet wanted Canadians to believe that its position was firmly on the side of the fishing industry after the failure of January 1987, especially because it around that time became public that the cabinet had been considering to lower its support for the fishing industry to maintain good relations with France.

The Cabinet ministers participating in the decision-making process were the same as in 1971. They were the Secretary of State for External Affairs, Joe Clark, the Minister of

Fisheries and Oceans, Tom Siddon, and the representative of Newfoundland in Cabinet, John Crosbie, who after the Interim Agreement, was made minister in charge of the negotiations with France.

Proceeding with the resources of the cabinet, it used its jurisdictional authority to give provincial public and private interests access to the decision-making process through the advisory committee on the Canada-France dispute which it established in February 1985. The advisory committee was in the summer of 1988 composed of about twenty-five representatives from the governments, processors and fishermen's organizations in the provinces of Quebec, New Brunswick, Nova Scotia, Prince Edward Island and Newfoundland, in addition to federal officials from DFO, DEA, the Justice Department, a representative of the Cabinet member in charge of the negotiations, and two Members of Parliament from Newfoundland. Meetings are normally held prior to scheduled Canada-France talks. Members of this committee have also attended a number of the negotiation meetings as observers. But its mandate is to make recommendations to the government and the DFO Minister on the issue. It has no decision-making authority (Evening Telegram 7/2/1987:5; Canada. Parliament. House of Commons 7/4/1987 13:7; personal interview with DFO official).

Little is known about the discussions in the advisory

committee. According to Louis Tousignant, Senior Assistant Deputy Minister, DFO, all representatives are well prepared and they make an effort to reach consensus in order to increase their influence on the final outcome (Parliament. House of Commons 7/4/1987 13:7). The process of discussions in AGAC may help reveal something about the importance of the various actors in the Canada-France advisory committee. Based on recommendations of NAFO scientists, AGAC members discuss the size of quotas to be allocated to the inshore and the offshore sectors, to areas, type of vessels, enterprises, etc. Discussions are heated and it is always difficult to reach consensus. Very rarely is a set of coherent recommendations passed on to DFO. DFO reviews the advice and includes this advice in its recommendations which are reviewed by the Minister for approval, thus exercising the jurisdictional control of the federal government over fisheries management (Canada 1986B; Canada, Parliament, House of Commons 27/4/1988 36:22-24; personal interview with DFO official).

DFO also appoints members to the advisory committees on fisheries matters. An example of how the cabinet used this authority to its advantage is the appointment to the advisory committee on the Canada-France dispute of two Members of Parliament, Joe Price and Morrissey Johnson, representing the same political party as the cabinet, the Progressive Conservative Party. George Baker, opposition

Member of Parliament, was excluded although Baker, according to a DEA official involved in the dispute, is very knowledgeable on fisheries matters.

The cabinet has also attempted to keep the rather large advisory committee under control through the creation of smaller subgroups. Consisting of a limited number of members, subgroups are more easily manageable⁷⁰. One group, for example, consisted of four members, representing the Newfoundland and Nova Scotia provincial governments and FCC (Canada, Parliament, House of Commons 7/4/1987 13:7). In a meeting in Paris in December 1986 the Canadian delegation consisted of four members, one from each of DEA, DFO, the Provinces' Intergovernmental Affairs Secretariat, and the Canadian Embassy in Paris. During the meeting of January 12-16 1987 in Ottawa, other members of the advisory committee were available, but not included. The only non-federal government representative who attended was an official from the government of Newfoundland (Evening Telegram 7/2/1987:5).

When the Interim Agreement was negotiated two officials, Bob Applebaum of DFO and Lorne Clarke of DEA, were in charge of the negotiations. Following the uproar over the agreement, the cabinet dropped Applebaum and Clarke and appointed a lawyer from outside the bureaucracy, Yves Fortier, a friend of Prime Minister Mulroney, to head the negotiations

(Chronicle-Herald 1/9/1987:6). Chronicle-Herald of Halifax (1/9/1987:6) argued that Applebaum was replaced as chief negotiator at the request of Prime Minister Chirac, and that the Canadian government intended to smooth French feathers on the eve of a Francophone Summit in Quebec City and to get the French back to the negotiation table. Victor Rabinovitch, Assistant Deputy Minister (International Relations), became DFO's representative on the negotiation team but as explained above, he did not replace Applebaum as chief negotiator.

The cabinet decision around the same time to make John Crosbie minister in charge of the negotiations is also an example of a strategic move by the cabinet to keep the decision-making process under control while at the same time pleasing the Newfoundlanders since Crosbie is a high-profile politician in Newfoundland. (Fisheries Minister Siddon is from British Columbia). Thus, the above discussions suggest that the cabinet turned its jurisdictional authority into a very influential resource in the formulation of the Canadian position.

The second resource, co-ordination of policy making, however, has been exercised weakly. During its first couple of years (1984 to approximately 1986) in office, the Mulroney cabinet suffered from a lack of co-ordination of policy making and policy implementation in general. During

this period the Mulroney government had no effective co-ordinating body for policy decision in the Cabinet, including foreign affairs matters. Later re-organization brought improved co-ordination (Kirton 1985, 1986; von Riekhoff 1987; Ottawa Citizen, special report, 11/6/1988:B5). The meeting in Paris in late January 1987 between representatives of the French and Canadian governments was, according to Crosbie (Globe and Mail, 7/2/1987:D2), not approved of by the cabinet but arranged by DEA and PMO. Crosbie himself was not informed. Sources in PMO explained that there had been some misunderstandings. The team negotiated based on the phrasing of their mandate, in the belief that they were authorized to strike a final agreement, while PMO officials had believed that any agreement would be returned to the cabinet for final authorization (Globe and Mail 7/2/1987:D2). Later co-ordination in the cabinet on the negotiations seemed to have improved. In the summer of 1988 daily consultations were reported to have taken place between Fisheries Minister Siddon and External Affairs Minister Clark (personal interview with DEA official).

The cabinet's reputation in the population, the third resource, probably also represented a weak resource for the cabinet. Generally, federal governments have not enjoyed a high standing among people in fishing communities (Davis 1984). Davis (1984) has argued that its reputation has

deteriorated with increasing management efforts. Johnston has described it this way:

Government entry limitation arrangements, through quota and licensing controls, have resulted in excessive government regulation. Although intended to guarantee fairness in the distribution of licenses and efficiency in the allocation of fishing effort, the system is in chronic disarray. The regulations are lacking in uniformity and therefore inequitable to someone somewhere. Licensing decisions are suspected of being politically motivated, and are not subject to review procedures. (1985:26).

The cabinet's reputation in Atlantic Canada was further damaged in the aftermath of the Interim Agreement. Bill Rompkey, veteran Member of Parliament from Labrador, said in the House of Commons that never in the fifteen years he had been there had he seen the level of emotion in his province so high as it was on this issue (Chronicle-Herald 6/2/1987:18). The emotion was fueled by politicians outside the region; an emergency debate took place in the House of Commons a few days after the Interim Agreement was concluded (Evening Telegram 29/1/1987:1); the Senate called for a committee meeting-of-the-whole, a rarely used format, to examine the agreement (Evening Telegram 11/2/1987:1), and Premier Brian Peckford of Newfoundland managed to arrange for a Premiers meeting to discuss it (Evening Telegram 10/2/1987:1).

Despite the criticism from Atlantic Canada, nobody accused Cabinet members or persons appointed by the Cabinet to handle the issue, of lacking interest in or knowledge of the issue. Thus, expertise, the fourth resource did not

represent a weakness for the cabinet. The Prime Minister on occasions made an effort to solve the conflict⁷¹ (Toronto Star 1/11/1988:A14; Chronicle-Herald 27/5/1988:5). The new negotiator, Yves Fortier, acted for the federal government in the Gulf of Maine boundary dispute which was settled to the general satisfaction of Atlantic Canada's fishing industry (Chronicle-Herald 1/9/1987:6). Nobody seems to question the knowledge of fisheries matters of John Crosbie or Tom Siddon.

The influence of the federal cabinet can then be summarized as follows: The cabinet apparently took care to limit the delegation of control of the decision-making process beyond bureaucrats in DEA and DFO, despite the establishment of an advisory committee. After the failure of the Interim Agreement, responsibility was removed from DFO, DEA and Fisheries Minister Siddon to John Crosbie, the Cabinet minister from Newfoundland, and the new leader of the negotiation team who was appointed from outside the bureaucracy and had close links to the Prime Minister. It was also to the cabinet's advantage that the cabinet members and its representatives normally involved in the conflict area were commonly perceived as competent.

The low level of co-ordination internally in the government led to the failure of the Interim Agreement of January 1987. This experience probably made the cabinet more responsive to

provincial interests. At least, that was the image the cabinet wanted to promote. However, the cabinet's reputation as manager of fish stocks was generally poor in Atlantic communities and after the Interim Agreement people in various camps questioned the will of the cabinet to protect Atlantic fisheries. Thus, despite a rather tight control over the decision-making process, the cabinet decided not to follow the dynamic schedule for further negotiations outlined in the Interim Agreement and slowed down the negotiation process.

The Bureaucracy of the Federal Government

The government agencies that played a major role in the Canada-France negotiations in the late 1980s were the same as in 1971, the Departments of Fisheries and Oceans (DFO) and External Affairs⁷².

The interests of these departments were, as in 1971, a reflection both of their different functions and the incompatible objectives of the cabinet of good relations with France and protection of fish stocks for the Atlantic fishing industry. As suggested above, before the Paris negotiations in January 1987 the interest of the cabinet favoured good relations with France. This policy could have been made in cabinet independent of any influence by the bureaucracy but it could also be explained as a result of the cabinet being more receptive to advice from DEA than

from DFO. Cabinet spokesmen confirmed a reduced role for DFO in the Interim Agreement. John Crosbie, cabinet minister from Newfoundland, and Deputy Prime Minister Dan Mazankowski (Evening Telegram 29/1/1987:1; 30/1/1987:1,20) explained that the negotiations in Paris were arranged without consulting provincial interests, a strategy which must have been contrary to the advice of DFO. Although Bob Applebaum of DFO was one of the two chief negotiators of the Canadian delegation, the perception in Atlantic Canada was that DFO had been bypassed (Evening Telegram, 18/1/1987:1; 29/1/1987:1; 6/2/1987:3)⁷³.

Fisheries Minister Siddon seemed to have accepted the lack of consultations with the fishing industry and the provincial governments, when he admitted that he had been involved in determining the conditions for the negotiators before they left for Paris (Chronicle-Herald 3/2/1987:1,20). As if to distance himself from the affair, the Fisheries Minister explained that the ultimate decision rested with the Minister for External Affairs (Chronicle-Herald 3/2/1987:1,20). Therefore, DFO may have been bypassed with the blessings of the Fisheries Minister. The loyalty of the Fisheries Minister was with the cabinet and not with his ministry and the fishing industry.

In view of the cabinet's interests in good relations with France, one could have expected that the administrative unit

in DEA with closest relations with France would have been intimately involved in the negotiations. This is, however, denied by a DEA Legal Division officer. He claimed that the advice of the "France desk" of the Western Europe Division was sought only when dramatic things happen, as for example, the arrest of the French fishing vessel in the spring of 1988. The issue was perceived as a fisheries matter and therefore too technical for the "France desk" (personal interview with Legal Division officer). Consequently, the cabinet's interest with respect to good relations with France was defined independently in the cabinet and given to the bureaucracy for implementation without the "France Desk" as advisor.

Despite the above suggestions that DFO was bypassed in the Paris negotiations, it is probable that the tradition of little infighting in the area of foreign policy-making prevalent in 1971 still prevailed in the late 1980s. This was confirmed by the Deputy Minister of Fisheries, Peter Meyboom. After the arrest of the Newfoundland trawler skipper by Saint-Pierre-et-Miquelon authorities and the subsequent exchange of diplomatic complaints and threats between the Canadian and French governments, the Deputy Minister was asked in the House of Commons Standing Committee on Fisheries and Oceans if his department had good co-operation with the DEA on the issue of the arrest. His answer was yes, but he did not elaborate (17/5/1988:38:7).

The relationship in general between the cabinet and the bureaucrats was, as suggested above, especially during the first couple of years in office not without friction. It has been argued (Kirton 1985, 1986; von Riekhoff 1987; Ottawa Citizen (11/6/1988:B5) that Prime Minister entered office in 1984 with a low regard for the bureaucrats and announced that he wanted to transfer control of decision-making from the bureaucrats to the elected officials. Immediately, Mulroney took steps to remove the co-ordinative role from the bureaucracy to the cabinet. However, the changes undertaken were, for different reasons, not successful. For example, competing interests from different ministries came to the cabinet without any prior co-ordination or pre-digestion. The Prime Minister and PMO wasted time on departmental concerns and policy-making suffered. To make things worse, PMO was staffed by non-bureaucrats with limited grasp on policy planning and without connections in the bureaucracy.

Beginning in 1986 bureaucrats were brought back into the co-ordination process and a new system was devised for managing the agenda. Communication between the bureaucracy and the cabinet improved (Kirton 1985, 1986; von Riekhoff 1987; Ottawa Citizen, Special Report, 11/6/1988:B5). However, it seemed that the new system of co-operation did not yet work in the case of the Interim Agreement of January 1987.

Proceeding with the question of the bureaucracy's loyalty to the government, it was suggested above that DFO may have had reasons to oppose the interests of the cabinet. However, no disagreement was voiced publicly to my knowledge.

It can be concluded that the bureaucrats in DEA and DFO did not voice strong opposition to the cabinet's definition of the position of the federal government on the negotiations with France. The interests of the cabinet tilted to the side of good relations with France but DEA bureaucrats have had little influence in this respect. The position was formulated without asking the opinion of the bureaucrats in DEA. The possibility of DFO bureaucrats to participate in the formulation of the Canadian position was reduced when John Crosbie was made minister in charge of the negotiations with France, a position that it would be reasonable to give to the Fisheries Minister.

The working relations between DFO and DEA on the issue appeared to be good. The relationship between the cabinet and the senior fisheries officers was likely strained around the time of the Interim Agreement, although neither party criticized the other in public.

The cabinet turned the uproar following the Interim Agreement to its advantage at the expense of DFO. The appointment of John Crosbie to minister in charge of the

negotiations may have been intended to reassure Newfoundlanders of a sincere wish by the cabinet to protect their fisheries but the effect was to move control to the cabinet from the DFO Minister and bureaucrats. The appointment of Fortier and the exit of Applebaum and Clarke had similar effects.

An examination of the resources of DFO and DEA may provide a wider understanding of the role of the bureaucracy. The importance of technical expertise, the first resource, is closely linked to DFO's responsibility in resource management. As explained above, the department's capabilities in this field have steadily increased over the last two to three decades. This resource would make DFO an important contributor to the formulation of the Canadian position in the negotiations with France. In addition, DFO has been well informed about fisheries developments in foreign countries that might be important in formulating the Canadian position. Its International Directorate, although small in number (about 20 in 1988), is according to Deputy Minister Meybohm, responsible for Canada's many international fisheries relations (Canada, Parliament, House of Commons 24/3/1988 31:5).

The Canada-France unit of the Legal Division in DEA is a task force established in 1986 to deal with the Canada-France negotiations. Lack of organizational resources does

not characterize the Legal Division (personal interview with DEA official). The task force has three members including Paul Lapointe who has experience from the 1971 negotiations (personal interview with DEA official). Also involved in the negotiations is Allan Willis of the Justice Department who was a legal advisor on the Maine dispute over the George's Bank boundary between Canada and the United States. Thus, the bureaucracy seemed well equipped to deal with the Canada-France negotiation.

The second resource, the link by DFO to its "constituency", usually represents a strength for a sector department, since the links to the fishing sector legitimate the involvement of the department in government fisheries policy making. However, after the Interim Agreement it seems that the cabinet no longer credited DFO for close contacts with its "clients" since the department was further removed from the decision-making centre. The cabinet probably decided it could keep sufficient contact with the fishing sector without DFO. After the Interim Agreement representatives of the fishing industry doubted whether DFO had any influence in the negotiations with France. They were reluctant to blame the department for the agreement (Evening Telegram 29/1/1987:1). They accused DEA, the bureaucracy in general, or the federal government of "selling them out" (Evening Telegram 28/1/1987:1, 19/1/1987:1, 6/2/1987:3). They still considered DFO as "their" department and did not transfer

their attention to DEA or any other ministry. An editorial in the Chronicle-Herald of Halifax (1/9/1987:6), referring to the appointment of Fortier and the departure of Applebaum, argued that DFO had negotiated hard with France on behalf of the industry, which had justifiably less faith in the bureaucrats from DEA. As Keating points out (1983-1984:161-162): "(d)omestic groups which develop close working relationship with specific government departments are often reluctant to pursue additional contact with other agencies of the government"²⁴. Keating added that domestic fishing interests consistently seek out members of the Department of Fisheries to the neglect of other sectors of the bureaucracy including the Department of External Affairs" (1983-1984:161-162). However, as explained above, the perception of DEA taking over control was probably wrong. It was the cabinet that kept control. So the lack of a working relationship with DEA was not important to the industry.

Another complication for the bureaucracy is the restricted access to the cabinet, the third resource. As explained above, the Mulroney cabinet had tried to exclude senior bureaucrats from government decision-making processes in the early years. By the summer of 1988 an improvement in communication between the cabinet and the bureaucracy had taken place. Daily consultations were reported between the

following members of the negotiation team: Ives Fortier and his colleague, lawyer Roger Tasse, and Paul Lapointe from DEA, Victor Rabinovitch from DFO, Allan Willis from the Justice Department, and Malcolm Rowe, political advisor to John Crosbie (personal interview with DEA official).

The bureaucracy, of course, had access to the cabinet as representatives of the federal cabinet on the advisory committee on the Canada-France dispute⁶.

To summarize, the bureaucracy's strongest resource was DFO's near monopoly expertise on fisheries management issues. DFO's support from its "constituency", the fishing sector, would normally have been an important resource but the cabinet did not define it as such. The major weakness for DFO has been lack of easy access to the cabinet's agenda, that is, up until the whole negotiation process was slowed down. The main resources of DEA were its legal expertise on the issue. It suffered from lack of support by the fisheries organizations but might have had easier access to the cabinet both before and after 1987 than DFO through the more senior position in cabinet of its minister.

The interests of neither DFO nor DEA had any significant influence on the formulation of the Canadian position. The cabinet controlled that process. When the cabinet suspected in late 1986 that policy implementation might be executed contrary to its interests it changed the negotiation procedures. When the cabinet later failed to carry through its interests according to the Interim Agreement it changed procedures again as well as persons responsible for the negotiations to further neutralize the potential influence of DFO.

The Provincial Governments

Since the 1960s most provincial governments have agitated for constitutional changes that would increase their jurisdictional authority in a number of areas at the expense of the federal government (Jackson 1982:106). In the fishing sector increased jurisdictional authority by provinces has been championed most vigorously by Newfoundland. Nova Scotia, the province second-most affected by the French fishing rights, had initially shown an interest in acquiring additional powers in fisheries management but on close considerations developed doubts about the weakening of central government authority over fisheries and became a firm supporter of continuing federal authority (Copes 1982:221-222)⁶. The question of jurisdictional reallocation surfaced again in the Canada-France negotiations with the governments of Newfoundland and

Nova Scotia adopting the same positions as described above (Chronicle-Herald 9/2/1987:1; 21/3/1987:1,2). The Newfoundland Premier was accused of using the Canada-France dispute to support his province's claim to jurisdiction over its coastal waters (Chronicle-Herald 21/9/1987:6; 9/11/1987:6).

Peckford admitted that his long-term goal was to get a share of jurisdiction but with respect to the dispute with France he just wanted a fair deal (Chronicle-Herald 9/2/1987:1). Premier John Buchanan of Nova Scotia wanted a deal that would protect the interests of Nova Scotia fishermen, particularly those of Cape Breton (Chronicle-Herald 9/2/1987:1). Both Peckford and Buchanan, as well as Premier Joseph Giz of Prince Edward Island, have been critical of the way the federal government has handled the dispute during the past couple of years (Chronicle-Herald 10/2/1987:1,16).

The first critical outburst by the provincial governments appeared after the federal government negotiated the Interim Agreement with France in January 1987. The provinces had previously had few objections to the way the issue had been handled. The first premier to voice his dissent was Peckford. In the months to follow he waged a forceful media campaign against the federal cabinet.

Peckford was infuriated for two reasons. First, the federal cabinet had excluded the representatives of the Newfoundland government from the Paris negotiations. In 1978 the Newfoundland government received a commitment from the federal government to have two representatives participate as advisors at all formal negotiation meetings between Canada and France in recognition of the importance of the issue for Newfoundland⁷⁷. In the negotiations from 1985 to the end of 1986, the advisory committee was in attendance at the negotiation sessions with France. In December 1986 the federal cabinet decreased the number of representatives to four, but including one from Newfoundland⁷⁸. The only non-federal government representative who attended the sessions on both December 12, 1986 and January 12-16, 1987, was an official from the government of Newfoundland (Evening Telegram 7/2/1987:5).

Second, the Newfoundland government objected to the Interim Agreement because Canada committed itself to granting France some quotas (the amount to be negotiated) of cod in NAFO division 2J3KL off the east coast of Newfoundland during the period of 1988-1991 in return for submitting the boundary issue to third party settlement (Pharand 1987:628). Newfoundland Fisheries Minister, Thomas Rideout, agreed that France was entitled to fish in Canadian waters according to the 1972 agreement but suggested that since this agreement did not specify northern cod, Canada's obligation could be

discarded by surplus fish such as turbot in northern waters. Peckford agreed and added that allocations to the French, meaning Saint-Pierre-et-Miquelon, should continue to be based on their traditional catch levels (Evening Telegram 4/2/1987:3, 19/4/1988:3; Chronicle-Herald 1/10/1987:3). The objective of the Newfoundland government also included a resolution of the dispute that would stop the French overfishing in area 3PS.

Also the Nova Scotia government criticized the Interim Agreement. Like Peckford, Buchanan was upset by the lack of consultation and by the deal itself (Chronicle-Herald 2/2/1987:1,16; 30/1/1987:1-2; Evening Telegram 28/1/1987:1). The Nova Scotia Premier explained that opening up to the French fleet just off Cape Breton was absolutely unreasonable, since the federal government had reduced the quota for Canadian fishermen there and the area was not in a disputed zone (Chronicle-Herald 4/2/1987:22). Both the Newfoundland and the Nova Scotia premiers accused the Canadian government of giving in to the French in the Interim Agreement (Chronicle-Herald 30/1/1987:1-2; Evening Telegram 10/5/1988:1).

When the conflict heated up following the arrest of the Newfoundland trawler skipper, Peckford proposed actions to be taken by the federal government to put pressure on France to move towards settlement of the boundary: a) recalling of

the Canadian ambassador; b) withdrawal of port privileges to French vessels; c) re-examination of trade and other economic and cultural arrangements for the purpose of sanctions³; and d) review of Canada's role at the Francophone summit in September that year (Evening Telegram 3/2/1987:1). Later Peckford added that if sanctions failed, the federal government should send the navy to defend its borders (Chronicle-Herald 4/2/1987:22).

The Minister of External Affairs, Clark, answered that it could be dangerous to get into a trade war because it could result in lost jobs in Canada. As an example, Clark pointed to Michelin, a France-based tyre company, which operated three large plants and employed 1,000 people in Nova Scotia. Peckford was infuriated and said Clark appeared to suggest that the maintenance of jobs outside Newfoundland was of greater importance than the maintenance of jobs in Newfoundland. According to Peckford the Canada-France dispute was a national issue which was the responsibility of all regions of Canada, not only Newfoundland (Evening Telegram 12/5/1988:12).

However, the Newfoundland government did not choose sanctions when an opportunity arose. When Newfoundland's Development Minister, Hal Barrett, awarded an offshore development contract to a consortium involving a French company he explained that suspension of the contract would

be harmful to Newfoundland companies and deprive them of access to leading-edge, world class technology without exerting any measurable influence on the French government (Evening Telegram 19/5/1988:1).

Premier Peckford accused the federal government of paying too much attention to its relations with France (Evening Telegram 4/2/1987:1). In his opinion harmonious relations with France should be paid for by those who enjoyed the benefits (Chronicle-Herald 4/2/1987:22). The province that above all benefits from good relations with France is, of course, Quebec. Quebec Premier, Robert Bourassa, entered the media debate indicating that the Canada-France conflict might negatively affect commercial negotiations between France and Quebec but the Premier gave assurances that he would not become a lobby for France (Evening Telegram 26/2/1988:5; Globe and Mail 27/2/1988).

None of the Maritime governments suggested that the Canadian government should take unilateral action to set the boundary. Premier Peckford was the exception, suggesting that if Canada was unable to get France to international arbitration Canada should define its own boundaries. Peckford emphasized that the boundary had to be reasonable and recognize the legal right France had to fish in Canadian waters (Evening Telegram 4/2/1987).

It can therefore be concluded that the interests of the Newfoundland government were probably coloured by its long-term objective to increase its jurisdictional power over fisheries management. The Newfoundland government might have tried to participate in the negotiations as a player on equal footing with the federal government. This motivation may explain its forceful attacks on the federal cabinet. None of the other provincial governments had similar aspirations on the issue. They had also less at stake. But the premiers of Nova Scotia and Prince Edward Island were critical of the way the federal government had handled the negotiations since the time of the Interim Agreement. The Newfoundland government admitted that France had treaty rights to fish in Canadian waters but the quantities should be based on historical records of catch in the disputed zone and they should be given surplus fish from stocks outside of the disputed zone, not northern cod stocks which already were overfished. Buchanan also objected to granting France northern cod quotas. The main concern of the Newfoundland and Nova Scotia governments was the future health of fish stocks and the livelihood of fishermen and fish plant workers. Therefore, they wanted to have the boundary dispute settled.

Relations with France seemed to be of little concern to both Premiers. They were, however, of concern to Premier Bourassa of Quebec. Thus, the federal cabinet, responsible

for national unity, was faced with the same dual conflict of interests in its relations with the provinces as internally.

Peckford suggested tough retaliation against France after the arrest of the Newfoundland trawler but the Newfoundland government chose not to use economic sanctions when an opportunity arose, thus emphasizing the view of the federal cabinet that it was difficult to use economic sanctions.

Because the provincial governments have no juridical authority over fisheries management or foreign affairs, the most important resource available to the provincial governments in the Canada-France negotiations is formal access to the decision-making process. The prominent place of Newfoundland in the negotiation team until the Interim Agreement was outlined above. When the provincial governments were excluded from the talks in 1987, the Newfoundland government, recognizing that there was no legal measure available to the provincial governments to cancel the Interim Agreement with France, chose a strategy consisting of three parts: a) boycott of negotiations with France in order to be free to criticize the federal government publicly, b) direct pressure through the advisory committee, and c) indirect pressure on the federal cabinet through mass media.

In September 1988 Premier Peckford pulled out of the

negotiations in protest against offering northern cod to France (Evening Telegram 18/9/1987:1). The Premier explained this action by referring to the increased influence he and his colleagues in government would have outside the talks, unconstrained by the internal secret workings and free to speak their own minds. In a letter to Peckford Crosbie expressed concern that the provincial government could sabotage Canada's talks with France by divulging the federal government's strategy. Rideout denied that his government had any intention of attempting to sabotage the negotiations.

However, it was important for Peckford to keep informed about the negotiations, especially because the possibility of allocating northern cod to France was still being discussed. The Newfoundland government therefore kept its place on the advisory committee (Evening Telegram 3/5/1988:1). Consequently, it seemed that the Newfoundland government tried to have it both ways. It wanted to maintain the opportunity to influence the Canadian position through the advisory committee and at the same time to be free to pressure the federal cabinet through all available channels.

The strategy of the Newfoundland government of pressuring the federal cabinet through the mass media represents the second resource available to the provincial governments.

Premier Peckford made his views known through mass media on numerous occasions. First and most important, he managed to have seven premiers meet him, and the two others send their representatives, to discuss the Interim Agreement. This was a coup because the provinces have no jurisdiction over matters dealt with in the Interim Agreement and it was the first time the premiers held an emergency meeting at the request of one premier to discuss one issue. The premiers agreed that the provinces had to protect their vital resources, that the Interim Agreement was inconsistent with the basic principles of federal-provincial relations, and that the federal government should review the Interim Agreement. If the review found that it did not maximize Canada's use of its fishery, they recommended the federal government renegotiate the agreement (Chronicle-Herald 9/2/1987:1; Evening Telegram 10/2/1987:1).

Premier Peckford arranged several press conferences on the Canada-France dispute and even staged a media war with Crosbie (Evening Telegram 7/2/1987:1; 7/3/1987:2). He had federal opposition leaders speak in his favour in the House of Commons (Chronicle-Herald 3/2/1987:1&20); Liberal Members of Parliament from Newfoundland, Brian Tobin, George Baker and Bill Rompkey, defended the Premier (a member of the Progressive Conservative party) in his backing of fishermen (Chronicle-Herald 9/2/1987:22); the Senate called him to testify (Evening Telegram 19/3/1987:1); fishermen from

Trinity, Bonavista and Placentia Bays publicly supported Peckford (Evening Telegram 11/2/1987:7); and a delegation of fishermen and fish plant workers from the Burin Peninsula announced that they would back Peckford in his fight against extra allocations of Canadian fish to France (Evening Telegram 5/2/1987:3). Thus, Premier Peckford's public campaign against the Interim Agreement gave him a lot of media exposure and support.

The third resource is interprovincial co-operation. The Newfoundland government received support from the various sources referred to above including the Nova Scotia government. But unlike Peckford, Premier Buchanan of Nova Scotia did not stage a media campaign that lasted several months. The Nova Scotia Premier explained that his province was less affected by the Interim Agreement than Newfoundland, but he wanted a solution to the boundary issue and therefore supported Peckford (Chronicle-Herald 5/2/1987:1,16). Newfoundland and to a lesser extent Nova Scotia are the only provinces which can claim any historic dependency on northern cod in the fishing zone 2J3KL off Labrador and eastern Newfoundland (Evening Telegram 5/11/1987:1). Fishing companies in New Brunswick and Quebec have expressed interest in these stocks but with negative response so far (Evening Telegram 5/11/1987:1; 2/12/1987:6).

In the advisory committee on the Canada-France dispute there were reportedly frequent disagreements between the interests of Newfoundland on the one hand and New Brunswick and Prince Edward Island on the other with respect to the northern cod stocks (personal interview DFO official). Therefore, allocation of northern cod to France may have been in the interests of New Brunswick and Prince Edward Island; If France got northern cod quotas it would be difficult for the federal government to refuse New Brunswick and Prince Edward Island companies to fish these stocks (Evening Telegram 3/12/1987:6). This motivation may explains the low profile of these provinces in the aftermath of the Interim Agreement.

An evaluation of the influence of the provincial governments must take into consideration that the federal cabinet has not followed up the negotiations as outlined in the Interim Agreement. This is the result of the French government's behaviour, but also the strong protests by public and private organizations in Atlantic Canada and the Newfoundland government in particular. For the federal government both its reputation as the keeper of national unity and electoral support were threatened.

All provincial governments in eastern Canada were formally involved in the decision-making process on the Canada-France dispute through the advisory committee. More important to

the Nova Scotia government and above all the Newfoundland government through its energetic Premier Peckford, was the indirect influence obtained through public criticism of the federal cabinet and support from politically important sources. This critique could have had considerable negative effect on the federal cabinet if it had not to some degree accommodated the provincial governments. Thus, the premiers' conference and sympathy for the cause in various camps across Canada helped convince the federal cabinet to slow down further negotiations with France and pay more attention to provincial interests.

The Fishermen-Shoreworkers-Crew Group

The organizations whose members were directly affected by French fishing rights and the Interim Agreement in particular were NIFA with about 1000 members, representing various inshore fishery interests (Evening Telegram 16/2/1987:3), NFFAWU, representing more than 20,000 fishermen, shoreworkers and crew all along the Newfoundland coast, as well as in Nova Scotia, the Inshore Fishermen's Improvement Committee (IFIC) representing about 2,000 fishermen in the Bonavista, Trinity and Placentia Bays, the latter adjacent Inshore Fishermen's Improvement Committee (IFIC) representing about 2,000 fishermen in the Bonavista. Trinity and Placentia Bays, the latter adjacent to the disputed zone (Evening Telegram 4/2/1987:1), and MFU with members in New Brunswick and Nova Scotia and in this case

NEWFOUNDLAND: THE SOUTH COAST

Cartography Department, Dept. of Geography, U. of T. Base map - Newfoundland - Co.

representing Cape Breton fishermen fishing the same waters as the Interim Agreement would allow the French to exploit (Chronicle-Herald 7/2/1987:1). Fishermen-shoreworkers-crew organizations generally adopted a long-term approach to stock conservation (Evening Telegram 16/2/1987:3). All the organizations rejected the Interim Agreement (Evening

Telegram 4/2/1987:3, 6/2/1987:3, 16/2/1987:3, 24/9/1987:2, 8/10/1987:3; Chronicle-Herald 30/1/1987:1,2, 7/2/1987:1,2). They held the view that French quotas inside the disputed zone should be allocated in accordance with sound conservation measures. They objected to allocation of additional northern cod to France (ie. in addition to the quota allocated through the EC program of some 1,500Mt annually).

The inshore fishermen along Newfoundland's south coast were at most risk as a result of the agreement (Evening Telegram 6/2/1987:3)^{EC}. Following the negotiations of the Interim Agreement these fishermen took their case to NFFAWU to voice their concern for the first time (Evening Telegram 12/2/1987:3). They had recently experienced a dramatic fall in landings and the fishery in their area was seriously damaged. They would accept no quotas to fishermen other than those from Saint-Pierre-et-Miquelon (Evening Telegram 12/2/1987:3). Fishermen from these islands had a historic right to fish south of Newfoundland (Evening Telegram 12/2/1987:3; 8/10/1987:3). In a meeting chaired by the NFFAWU president, fishermen from the south coast recommended a reduction of TAC in zone 3PS from 41,000Mt in 1987 to 20,000M. in 1988. This would mean the abolition of an offshore fishery in the disputed zone including French offshore fishing (Evening Telegram 1/8/1988:1). IFIC of the south coast supported their views (Evening Telegram

8/10/1987:3).

Fishermen on the northeast and east coasts, as represented by NIFA and NFFAWU were strictly opposed to offering France allocations of northern cod (Evening Telegram 16/2/1987:3). NFFAWU rejected the idea of giving France even northern turbot, as suggested by the provincial government (Evening Telegram 4/2/1987:3). MFU opposed the Interim Agreement to protect its Cape Breton fishermen (Chronicle-Herald 7/2/1987:1).

Thus, the above mentioned Newfoundland organizations had largely common interests with the provincial government. A delegation of fishermen and fish plant workers on the Burin peninsula and IFIC of Trinity, Bonavista, and Placentia Bays offered support to Premier Peckford in his crusade against the federal cabinet (Chronicle-Herald 30/1/1987:1-2; Evening Telegram 11/2/1987:7). NFFAWU gave no explicit support to Peckford but apparently tried not to criticize the Premier in public (Evening Telegram 24/9/1987:2). Max Short, head of the inshore council in the union and its representative on the advisory committee, appreciated that their goals were the same, i.e. to protect the interests of the fishermen and fish plant workers along the south and east coast of Newfoundland (Evening Telegram 6/2/1987:3; 19/4/1987:1) but he probably also knew that it can be harmful for an union to be too co-operative with the government (Olsen

1983:146,152,153).

Union president Cashin appreciated that common interests with the processors could not be taken for granted, explaining, for example, that the role of NFFAWU in the advisory committee was to represent the interests of the fishermen. Without its presence the advisory committee might be dominated by representatives from the processing sector whose representatives might be more agreeable to a "stocks for talks" deal with France (Evening Telegram 22/9/1987:3).

The attitude to the stronger position taken by the federal government against the French following the Interim Agreement was one of endorsement. Nobody suggested that the actions were insufficient, as Peckford insisted (Evening Telegram 3/10/1987:4).

To summarize, the interests of the fishermen-shoreworkers-crew group were based on a long-term perspective on stock conservation. All organizations rejected the Interim Agreement specifying that they wanted limitation on French fishing in the disputed zone and no extra allocations of northern cod to France. Those fishing in the disputed zone were willing to share with fishermen from Saint-Pierre-et-Miquelon but nobody else. With respect to the other groups involved, only NFFAWU seemed to be aware of

divergent interests between itself and the offshore-processing interests on the one hand and the provincial governments on the other. Although critical of the federal cabinet because of the Interim Agreement, NFFAWU did not criticize the new strategy later chosen by the cabinet.

The most important resource for this group is access to the government decision-making process. The most important organizations of this group that participated in the decision-making process as members of the advisory committee on the Canada-France dispute were NFFAWU, NIFA, and MFU. Other less immediately affected and less active organizations are listed in the appendix.

As explained previously, NFFAWU is most prominent among these organizations. Statements by union president Cashin suggest that NFFAWU also had indirect access to the federal cabinet (Evening Telegram 13/10/1987:4; Globe and Mail 6/5/1988:1). In the aftermath of the Interim Agreement, as indicated above, many fishermen came to see NFFAWU as a link to government. For example, a delegation from the south coast inshore fishermen turned to NFFAWU to voice concern and make suggestions (Evening Telegram 12/2/1987:3). Fishermen from Rose Blanche to St. Mary's and Placentia Bays got together to discuss the dispute at a meeting chaired by Cashin. They formed a five-member committee in the hope to meet with Mulroney, Clark, Siddon, and Crosbie to discuss

the dispute (Evening Telegram 1/8/1988:1).

However, not everybody turned to NFFAWU. IFIC on the south coast chose to voice its concerns and recommendations on the dispute to the provincial government (Evening Telegram 8/10/1987:3). The relationship between certain organizations and the provincial government has been close. Tom Best who in 1987 followed Cabot Martin as president of United Food and Commercial Workers' Union (UFCW, see description below) of St. John's when Martin became leader of NIFA, was like his predecessor chief policy advisor to Peckford (Evening Telegram 10/12/1987:4).

The above examples, as well as examples mentioned previously, illustrate how organizational capacity, the second resource, has become a strong asset for this group. Fishermen, shoreworkers and crewmembers directly affected by the dispute have since the 1971 negotiations gained a capacity to organize, define their problems and submit reasonable proposals for their solution (Evening Telegram 8/10/1987:3, 1/8/1988:1).

The increased organizational capacity of NFFAWU has been referred to on several occasions. It has increased with the growth of the organization. The importance of a large number of members to a union has been explained before. Its importance is linked to budgetary capacity and access to

mass media. By September 1987 NFFAWU had 20,000 members (Chronicle-Herald 22/9/1987:4) of which 11,000 were in January 1988 self-employed fishermen (Globe and Mail 8/1/1988:B4). NFFAWU has for the past two years been in constant battle with UFCW for members. The fight began when NFFAWU in March 1987 decided to leave UFCW and joined the Canadian Auto Workers union (Globe and Mail 23/1/1988:A13). Since then NFFAWU has continuously won over workers (Globe and Mail 21/7/1988:B8). The DFO has acknowledged this development by excluding UFCW from the advisory committee on the Canada-France dispute, leaving the NFFAWU as the only union representing Newfoundland (personal interview with DFO official).

Expertise of the leadership and administrative staff, the third resource, has also become important to the group of fishermen-shoreworkers-crew. The contribution of NFFAWU in this respect is significant. Cashin has been the union's president from the beginning in 1971. He has been very valuable and so has Max Short who has also been with the union for a long time, as well as Father Desmond McGrath who has been from the beginning associated as advisor with the NFFAWU (Evening Telegram 19/2/1987:3). NIF^a, although a relatively new association, has, as mentioned above, a high profile leader.

Apparently these leaders have no problems in getting access

to regional mass media, the fourth resource. The NFFAWU president may be placed in the same class as Peckford in using the media to create support for his cause in the population. An example is provided by the Globe and Mail (6/5/1988:1). Commenting on the arrest of the Newfoundland trawler, Cashin said "I'm outraged and I'm sure all Newfoundlanders will be outraged as well. It's an example of French arrogance." The positive aggressiveness in this message is striking compared to the comments on the same issue by Eric Miller, a spokesman for a NFFAWU local in Fortune. Miller said: "The community certainly didn't expect the arrest. Around here, we are really disappointed and we never thought they (meaning the French officials) would interfere with us" (Chronicle-Herald 6/5/1987:13). Because of his previous career as Member of Parliament, Cashin is also treated as a national figure by news media covering other parts of Canada than Newfoundland and the Maritimes.

In a summary of the influence of the fishermen-shoreworkers-crew group it should be emphasized that the group is now organized and the organizations are capable of defining and expressing their interests. After the Interim Agreement these organizations were united behind claims that no northern cod should be given to France and that French overfishing in the disputed zone should be stopped. In addition to promoting their views in the advisory committee,

they also attempted to influence the federal government through lobbying activities as well as through the provincial government. Relatively easy access to news media probably contributed to increased influence. Behind these activities were significant resources in the form of a large number of members, especially in NFFAWU and capable leadership in organizations like NFFAWU and NIFA. However, their impact could have been stronger if the group were organized under one umbrella and their efforts were more concentrated. Nevertheless, it can be concluded that the fishermen-shoreworkers-crew group, like the provincial governments, contributed to having the federal cabinet change its strategy and not proceed with the Interim Agreement as first intended.

The Offshore-Processing Group

The group is composed of three types of organizations, the fishing corporations NSP and FPI, FCC, representing Canadian fish processing firms on both coasts, and the interest organizations representing province-wide processing firms.

The interests of the group span a larger geographic area than the interests of the fishermen-shoreworkers-crew group. For example, FPI has processing plants scattered along the Newfoundland coast and NSP has plants in both Newfoundland and Nova Scotia. Their offshore fleets cover a much larger area than the inshore fleet, having a vested interest in

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northern cod stocks as well as concerns about stocks in the disputed zone because they have plants dependent on supplies of fish from this zone. Their concerns were shared by the small, independent processing firms as well as independent trawler owners.

After the signing of the Interim Agreement spokesmen for the group opposed allocations of northern cod to France and emphasized the importance of ending overfishing by the French fleet in the disputed zone. Thus, their interests are the same as the organizations representing the fishermen-shoreworkers-crew group.

The most vocal representatives of this group have been Bruce Chapman, president of FANL, representing more than 30 processing plants in the province (Evening Telegram 6/2/1987:3, 24/9/1987:2) and Gordon Cummings, president and chief executive officer of NSP. They have been supported in the media by Robert Shaw, vice-president of NSP (Globe and Mail 7/5/1988:A9) and Roger Stirling, Executive director of SPANS (Chronicle-Herald 28/1/1987:20). Chapman and Stirling were members of the advisory committee on the Canada-France dispute and perhaps for that reason were less aggressive in their criticism of the federal cabinet than Cummings (Evening Telegram 19/3/1987:3). Cummings criticized the government's decision to allow France access to northern cod and cod in the Gulf of St. Lawrence because this decision

came on the heels of a 10,000Mt reduction of northern cod allocations for the Canadian offshore fleet (Evening Telegram 6/2/1987:3), adding that there was a really good chance that the French fleet could destroy the stocks in 3PS in the four years the agreement gave them access to the fishery (Chronicle-Herald 28/1/1987:1,2,20). Cumming's outburst was defended in an editorial in the Chronicle-Herald, Halifax:

(N)ine French factory freezer trawlers are steaming across the Atlantic toward the northern Gulf, where they have vowed to each take 6400 tonnes of fish, close to 60,000 tonnes in all. This is four times the 15,000 tonnes quota Canada has agreed France should harvest. No wonder NSP's president Gordon Cummings - a man not inclined to excessive emotion - is outraged at the "agreement" with France (29/1/1987:6).

The NSP president was extremely negative toward the Interim Agreement and the federal government's handling of the affair. For example, Cummings explained that just a week before Canadian negotiators signed the agreement, the industry was assured that any further negotiations with France would include industry representatives. He added that the appeasement of French demands attacked the rational resource management philosophy that Fisheries Minister Siddon had been advocating. Finally, Cummings accused the federal government of having sold out the Atlantic fishery in favour of a diplomatic agreement with France on cultural and other matters (Evening Telegram 6/2/1987:3).

As mentioned previously, there are indications that the industry's spokesmen blamed DEA or the bureaucracy in

general and not DFO for not consulting them before negotiating the Interim Agreement (Evening Telegram 6/2/1987:3; Chronicle Herald 28/1/1987:1,20). Cummings praised Siddon for having successfully improved relations between his department and the industry by consulting with industry representatives on key issues before decisions were made (Evening Telegram 6/2/1987:3). When the federal cabinet later changed strategy to a tougher stand against France this was applauded by the same spokesmen (Evening Telegram 19/3/1987:3; Maclean's 2/5/1988:21).

Spokesmen for the group, such as Chapman and Ron Bulmer, president of FCC, Ottawa, were careful not to criticize or praise Premier Peckford for his actions directed towards the federal cabinet. They probably were afraid that support of Peckford could be interpreted as assistance to his efforts to gain shared jurisdiction over fish resources (Chronicle-Herald 21/3/1987:1,2; Evening Telegram 24/9/1987:2)⁹¹.

Thus, the interests of the offshore-processing group following the Interim Agreement were in opposition to the federal cabinet and in agreement with the fishermen-shoreworkers-crew group. The offshore-processing spokesmen wanted to see an end to French overfishing and they objected to northern cod allocations to France. Spokesmen of the group were critical of the Interim Agreement but members of the advisory committee less so than the company spokesman.

They indicated that DEA, the bureaucracy in general or the government in general were to blame. DFO and the Fisheries Minister were not selected as targets for the critique. However, the measures later taken by the cabinet to protect the industry were applauded. Offshore-processing spokesmen were careful not to support or criticize Premier Peckford, probably because it could be misunderstood as support for his efforts to gain increased jurisdiction over fisheries management.

Proceeding with the resources of the offshore-processing group, organizational capacity is probably the most important resource of this group. NSP and FPI could, as integrated, multinational corporations, be expected to have a vastly superior capacity to all other organizations in the fisheries sector regarding expertise and capital needed to define their interests, submit proposals, lobby government, and make their interests known through media campaigns. Moreover, FCC probably has a more well-established organization with respect to government relations than the regional interest organizations representing this group, simply because it has been longer involved in government consultations, because of its prestige as a nationwide organization and its geographic closeness to the federal cabinet.

The second most important resource is formal access to

government decision-making processes. The organizations with direct access to the decision-making process on the Canada-France dispute included FCC, FANL, and SPANS, as the most important. A complete list is included in the appendix. FCC has frequently participated in the negotiation team and, as indicated previously, was still included when the federal government reduced the negotiation team to four members. As an organization with nation-wide concerns it is less likely to be as intensely involved in the Canada-France dispute as the regional organizations. It has to accommodate subgroups within its membership which sometimes have divergent interests. For example, the west coast division might have been less willing than the east coast division to publicly criticize the cabinet and thereby straining the federation's good relations with the cabinet.

FANL and SPANS were as regional organizations, closer to its members and more homogeneous than FCC. They could therefore take a more vocal stand on the Interim Agreement.

The fishing companies were not members of the Canada-France advisory committee but NSP and FPI in addition to FCC probably had frequent consultations with members of cabinet and DFO officials outside of the formal decision-making process; NSP and FPI because they are important contributors to provincial economies and employment opportunities and

because the government after the economic crisis in the industry in the early 1980s took ownership in these corporations. It was perhaps not a coincidence that the only non-government representative to testify before a Senate hearing on the Canada-France dispute was Cummings of NSP (Chronicle-Herald 18/2/1987:1,24). FCC has a long-time experience in government consultation and its geographical closeness to the federal government may indicate a more extensive use of lobbying activities in the fishing sector than the regional organizations.

The frequent use of lobbying activities in general was confirmed by Cal Whelan, Acting Director-General of the Newfoundland region, at a House of Commons Committee hearing. Whelan explained that in addition to AGAC and sub-regional committees, "many, many interest groups take the direct route and put their case directly before the minister. That happens very, very frequently." (Canada, Parliament, House of Commons 27/4/1988 36:25).

The third and fourth resources, administrative staff and leadership and access to mass media, are in the case of the offshore-processing group closely related to the organizational capacity of the organizations. NSP and FPI have high-profile leaders with easy access to media because of the dominant positions of the firms in the industry and in the provincial economies. FCC has relatively easy access

to nation-wide media because of the well established organization and media representatives' familiarity with the federation.

The influence of the offshore-processing group can be summarized as follows: The most important organizations of the group were NSP and FPI⁸², the national FCC and the regional FANL and SPANS. The organizations based in eastern Canada had common interests with the fishermen-shoreworkers-crew group in the negotiations with France, ie. in stopping French overfishing in the disputed zone and not allowing any northern cod to France. They blamed the federal government, although they tried to defend DFO and the Fisheries Minister, for not protecting the interests of the fishing sector. Especially NSP president Cummings was aggressive in his attacks on the federal cabinet. NSP had no access to the advisory committee and unlike the interest organizations probably felt free to criticize the cabinet. The interest organizations probably had a wider understanding of the position of the cabinet and probably also felt the responsibility involved in being integrated into the decision-making process, as explained when discussing the theoretical approach. The offshore-processing group's main resources were the expertise and capital of the fishing companies. Some of the organizations of the group also had strong lobbying capacities. The fishing companies were very important as contributors to employment opportunities and

the provincial economies and FCC is a consultation partner of long standing to the federal government. FCC was also the most important non-governmental member in the advisory committee in the eyes of the cabinet, since it was on occasions selected as the only non-governmental member of the negotiation team.

Summary and Conclusions

The federal cabinet tried at one and the same time to advance incompatible interests; on the one hand the interests of the Atlantic fishing industry in keeping the fish resources for itself and on the other, the interests of the French government of continued access for French vessels to fish in Canadian waters. Apparently, the cabinet at first favoured good relations with France and the Interim Agreement was negotiated without the involvement of provincial public or private interests to facilitate this purpose. When this agreement met strong opposition in Atlantic Canada the cabinet changed its strategy. It adopted a tougher position against France and chose a slower schedule than outlined in the Interim Agreement to solve the dispute.

The cabinet succeeded in controlling the negotiation process through changing the negotiation procedures and participators in the process to protect its own interests. The inability to predict the failure of the Interim

Agreement was a result of inexperience and co-ordination problems in the cabinet. The cabinet also suffered from a reputation of generally handling resource management issues poorly.

The federal bureaucracy had little influence on the formulation of the Canadian position in the negotiations with France despite DFO's near monopoly expertise on fisheries management issues. DEA did not claim to have any expertise in the matter. The cabinet controlled the process of deciding the Canadian position. After the uproar over the Interim Agreement it even deprived DFO's of its normally strong position as legitimate interpreter of the interests of the fishing sector in order to maintain control, despite pronounced intentions of protecting the interests of the fishing industry. The cabinet removed responsibility for the negotiations from the Fisheries Minister and senior DFO and DEA officials to the cabinet minister from Newfoundland and a private lawyer from outside the bureaucracy who was placed under the responsibility of the Minister of External Affairs.

All the provincial governments of eastern Canada had formal access to the decision-making process through the advisory committee on the Canada-France dispute. The Newfoundland government also had access to the negotiation team. The Nova Scotia government and, above all, that of Newfoundland

also obtained indirect influence on the process through a fierce media campaign criticizing the federal government for the Interim Agreement and through support from the other Canadian premiers, federal and provincial opposition politicians, and some groups in the industry. Thus, the strong protests by provincial governments contributed to making the cabinet slow down the implementation of the Interim Agreement and to stepping up its defence of the fishing industry at the expense of good relations with France.

The organizations of the fishermen-shoreworkers-crew group also had access to the decision-making process through the advisory committee. After the signing of the Interim Agreement the organizations united behind common interests, ie. not to allocate northern cod to France and to stop French overfishing which were the same interests as promoted by the Newfoundland government. In their efforts they also promoted their cause in the mass media and lobbied the federal cabinet. The cabinet might have been receptive because of the large number of electoral voters these organizations could influence. Despite the dominant position of NFFAWU, the impact of the group might, however, have been stronger if the group had been united in fewer organizations or organized under one umbrella.

The offshore-processing group also contributed to the

the agreement it had tried to implement its interests without consulting provincial public or private interests. Provincial interests were kept in the dark through changes in negotiation procedures. For the federal cabinet the Interim Agreement became a failure because of the fierce opposition in Atlantic Canada, which spilled over into the rest of the country. The provincial governments led by the Newfoundland government, the fishermen-shoreworkers-crew group and the offshore-processing group had common interests in condemning the Interim Agreement and what they considered was wrong in the agreement. Although they did not join efforts, their efforts to have the federal cabinet restore their interests were strong and complementary. The federal cabinet gave in, stepped up its defence of the fishing industry in its dealing with France and slowed down the implementation of the Interim Agreement. Whether the relatively high level of influence gained by the provincial interests in the aftermath of the Interim Agreement will continue remains to be seen.

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CHAPTER 5: CONCLUSIONS

I will in this chapter at first explain the outcome of the decision-making processes in 1971 and the late 1980s in terms of the influence of the collective actors involved. This will be done by referring to the trend outlined in chapter 2 of increased influence by the bureaucracy of the federal government, the provincial governments, and the interest organizations at the expense of the cabinet of the federal government. Thereafter these conclusions will be compared to those of Olsen in his analysis of the Norwegian political system. The purpose of this comparison is to explain the constraints imposed upon the collective actors by the decision-making structure within which they operate.

The Decision-Making Process as an Analysis of Influence

Comparing the groups in 1971 and the late 1980s there is a striking difference in the positions of each group with respect to their influence on the Canadian position.

The Canadian position was in 1971 formulated largely by the federal cabinet alone, not so much because of its strong position as despite its weaknesses. The cabinet was troubled by incompatible interests which were repeatedly exposed in the news media. However, its interests in good relations with France came to dominate its interests in

conservation of fish stocks. The federal bureaucracy as represented by the Fisheries Department, the fishermen-shoreworkers-crew group and the offshore-processing group were all interested in influencing the Canadian position but only the offshore-processing group had representatives with resources sufficient to promote its views. The fishermen-shoreworkers-crew group had limited resources. The bureaucrats of the Department of Fisheries did not express interests that differed from those of the cabinet; its important resources were not applied to oppose the interests of the cabinet. DEA bureaucrats also had no interest different from those of the cabinet and because the cabinet's interests favoured good relations with France, DEA's resources were important to the cabinet in its execution of its interests.

In the late 1980s when the Interim Agreement was negotiated the interests of the federal cabinet prevailed. As opposed to the situation in 1971, the federal cabinet now succeeded because of its strength. The cabinet's interests had the same incompatible character as in 1971 and, on balance, favoured good relations with France. However, the cabinet failed to carry through the Interim Agreement because of the important resources gained since 1971 by provincial governments, the fishermen-shoreworkers-crew group and the offshore-processing group. These groups benefitted from common interests which opposed those of the cabinet.

Although their efforts were not co-operative, they were complementary. The bureaucracy played largely the same role as in 1971. DEA bureaucrats had no interest in the matter separate from that of the cabinet but were important to the cabinet in its execution of its interests in the negotiations process. Based on theoretical literature, it was reasonable to expect that DFO, being a sector department for the fishing industry, would promote the interests of the industry at the expense of good relations with France but despite important resources, the department did not show substantial opposition to the interests of the cabinet. It is noteworthy that in 1971 the Fisheries Minister publicly promoted the interests of the fishing industry against the announced interests of the cabinet while in the late 1980s the Fisheries Minister was loyal to the cabinet.

It was demonstrated in the analysis that the identified actors all are significant players in the decision-making process. Consequently, the result of this exploration is, as will be further explained subsequently, to call for a re-evaluation of traditional decision-making paradigms, especially as practiced in political science.

The analysis identified a development towards increased sharing of influence by the federal cabinet with the provincial governments, the fishermen-shoreworkers-crew group, and the offshore-processing group. However, the

analysis revealed that the increased capacity of the interest organizations and the provincial governments to influence the federal cabinet does not follow a linear development. The dominant position of the federal cabinet when the Interim Agreement was negotiated illustrates the unpredictable outcome of a decision-making process in a corporate pluralist structure as will be discussed subsequently. However, following the signing of the Interim Agreement the interest organizations and provincial governments were strong enough to have the federal cabinet abandon its dominant position and again pay attention to their interests.

With respect to the federal bureaucracy the analysis did not demonstrate a significant increase in influence by bureaucrats separate from the cabinet from 1971 to the late 1980s.

The Decision-Making Process within a Framework of Corporate Pluralism

In the following discussion of the explanatory capability of the corporate pluralist model I have, as explained in chapter 2, drawn extensively on an analysis by Johan P. Olsen (1983) of government decision-making processes in Norway, applying his conclusions to demonstrate how a corporate pluralist model of analysis can increase the understanding of the decision-making processes in Canadian

groundfisheries. I have compared Olsen's conclusions with the conclusions reached in the above analysis of influence.

In the introduction I referred to other literature which was silent on key actors and relations in the decision-making process in the fisheries sector. In the following analysis each group of collective actors is discussed separately in an attempt to explain how a corporate pluralist framework structures roles, relations and influence enhancing behaviour which other models might not have included. The discussion has the following order: the cabinet of the federal government, the bureaucracy of the federal government, the interest organizations, and the provincial governments.

The Cabinet of the Federal Government

The point of departure in an analysis of the influence of the cabinet is the common observation referred to previously that public agendas have changed dramatically in recent decades. As Olsen points out, the expanded agenda strains the capacity of the cabinet because of limitations on time and energy (1983:78). The result is lack of control over policy-making and policy-implementation as was evident especially in the Trudeau cabinet in 1971 but also in the Mulroney cabinet during the negotiations of the Interim Agreement in 1987. The expanded agenda further makes it difficult for cabinet members to understand their own goals

and the relations between means and ends. The analysis further suggested that in 1971 the Trudeau cabinet had difficulties in comprehending fisheries conservation questions and in suggesting relevant solutions, which is understandable in view of the rapid development surrounding the Law of the Sea issues at that time. When the Mulroney cabinet took over the Canada-France fisheries issue in 1984 the Law of the Sea Convention had provided guidelines for the negotiations and fisheries conservation was a much more familiar policy issue than it was in 1971.

Moreover, expanded agendas represent challenges to the authority of the cabinet by other political leaders, like provincial leaders, by administrative staff, and by organized interests (Olsen 1983:78). The analysis demonstrated how both the Trudeau cabinet and the Mulroney cabinet were exposed to these problems. The Trudeau cabinet in 1971 suffered because of public criticism of its lack of consultation with private and public interests in Atlantic Canada and lack of interest or knowledge by the Minister of External Affairs. The authority of the Mulroney cabinet was challenged after the signing of the Interim Agreement. It was concluded in the analysis that all factors considered, public and private organizations in Atlantic Canada represented a greater challenge to the Mulroney cabinet than the Trudeau cabinet because in the late 1980s several of them had increased their capacities to challenge the

cabinet.

As pointed out in the earlier analysis, the Trudeau cabinet was in 1971 supported by FFC and no other group challenged its authority until the agreement with France was negotiated. The Mulroney cabinet benefited by support from both interest organizations and provincial governments until the Interim Agreement was negotiated. As will be discussed further below, the interest organizations participating in the advisory committee on the Canada-France negotiations were reluctant to withdraw their legitimating endorsements of the cabinet despite their condemnation of the Interim Agreement. They probably considered this an unique event whose potentially negative effects would not be followed up by the cabinet. The Newfoundland government did withdraw its support when the cabinet took the dramatic decision to change the decision-making procedures and excluded the Newfoundland government from the negotiations.

The more the public agenda has grown in size and complexity, the more the most important role for cabinet members has become to manage the policy process, not to make specific policy choices. They may try to affect the access structures, that is, to manage the access of issues, problems and possible solutions to the agenda as well as the access of participants and timing of policy decisions and thus the context in which choices are made (Olsen 1983:152).

As demonstrated in the analysis, the Interim Agreement offers an example of how the cabinet tried to affect which participants were allowed to take part and how it tried to change the interaction between them to its advantage by influencing the "rules of the game". Similarly, the Trudeau cabinet in 1971 managed the timing of the decision-making to its advantage. In 1971 the advisory committee was established after most of the phasing-out agreements had been negotiated and at the same time kept the outcome of the negotiations was kept a secret until the agreements were signed.

Moreover, the cabinet may try to create new policy-making arenas (Olsen 1983:207-208), thus controlling the decision-making process, as the Mulroney cabinet did when it established subgroups of the advisory committee. However, as indicated in chapter 2, it is doubtful that political leaders have much freedom to design and manage policy-making structures and processes.

Today the government is often in a bargaining situation both within the governmental apparatus and with interest organizations in society, and both the cabinet and its bureaucracy tend to become specialized and divided into separate administrative sectors. The result is a tendency toward sectoral decision-making structures with stable, nonhierarchical functional coalitions consisting of

political leaders, top bureaucrats, and representatives of interest organizations (Olsen 1983:144).

One can expect well-developed and fairly stable networks of communication between the Fisheries Minister and his or her dependable allies (Olsen 1983:79). The breakdown in communications between the Fisheries Minister and the representatives from the industry following the Interim Agreement, as described in the analysis, can partly be explained by the fact that Fisheries Minister Siddon was relatively new in his position and also came from the west coast.

In such a sectorized system ministers are recruited from relevant sectors and professions (Olsen 1983:116). Thus, the fisheries ministers have always had connections to the fishing industry. Interest organizations want their people, or people sympathising with their interests, in executive positions. It was suggested in the analysis that the Mulroney government recognized this when it appointed Crosbie to Minister in Charge of the Canada-France Negotiations. The purpose was to restore confidence among affected interests in Newfoundland.

Sectoral leaders are spokesmen for the institutions and the tasks for which they are responsible. They may be accountable to specialized constituencies rather than to the

head of the government (Olsen 1983:116). As outlined in the analysis, certain statements by Fisheries Minister Davis in 1971 support this argument. On occasions he supported the industry rather than the cabinet although he made an effort to tow the line of the cabinet when, for example, he blamed the overfishing problems on pollution. The analysis of the events in the late 1980s suggested that in the aftermath of the Interim Agreement Fisheries Minister Siddon demonstrated that his loyalty was with the cabinet but it was also explained how the Interim Agreement was surrounded by a lack of co-ordination in the cabinet. Siddon was not in control but he was informed about the negotiations beforehand. As a result, he was forced to defend the agreement when it was a fact.

However, ministers like the Fisheries Minister, and representatives of interest organizations most of the time do not perceive each other as opponents. It is more likely that a fisheries minister will represent "his" or "her" interest group to the rest of the cabinet (Olsen 1983:111-112). The behaviour of Fisheries Minister Davis in 1971 referred to above represents an example of this perspective. The above mentioned role by Fisheries Minister Siddon in 1987 was probably an exception.

In the first period analysed here, the cabinet acted basically autonomously, taking into account only the

interests of the Fisheries Council of Canada, whereas in the second period the cabinet was compelled to take into account a wider range of interests, notably the fishermen-shoreworkers-crew organizations and other organizations representing the processing companies and the offshore fleets, other than the Fisheries Council of Canada. This change occurred as a result of the different decision-making environment.

The Bureaucracy of the Federal Government

When discussing the theoretical approach I explained how bureaucrats are important participants in public policy-making processes because in certain sectors, bargaining and consultation between government and interest organizations takes place at the bureaucracy, not cabinet, level. This view is supported by records of decision-making in AGAC and by the perception in the industry of DFO and the federal cabinet as the same decision-making arena, often referred to as the "feds".

However, bureaucrats need ministers who will sponsor their projects. If the minister is not willing to fight for them, success is very unlikely (Olsen 1983:144). This probably is what happened in DFO at the time of the Interim Agreement when Applebaum was replaced as leader of the negotiation team. No evidence has been found that Fisheries Minister Siddon supported the continued candidacy of Applebaum.

Despite their likely disagreements with the cabinets in 1971 and the late 1980s, the analysis suggests that fisheries officials on both occasions demonstrated an understanding that acting as a link between the cabinet and the fishing industry requires that they are relatively independent of the fishing industry. Nobody spoke out against the cabinet either in 1971 nor in 1987⁸³.

The role of DEA was different. It was concluded in the analysis that DEA bureaucrats did not have separate interests from the cabinet in the Canada-France negotiations, neither in 1971 nor in the late 1980s. The negotiations with France were considered a fisheries issue in DEA. However, DEA bureaucrats served the cabinet in implementing its interests and they served it well as experts in the field of international law of the sea issues. With respect to the sectorization of government decision-making discussed in chapter 2, the fisheries sector consists of the Fisheries Minister as the cabinet's representative, DFO as the "client" department, provincial governments, and the interest organizations, and sometimes representatives of research institutions. In this fisheries sector DEA can be considered an intruder through its participation in the advisory committee. Ideally neither DEA nor the Justice Department should have been there. DEA should have been the

implementing agency of a policy decided upon by the Fisheries Minister and DFO in consultation with provincial governments and the fisheries interest organizations. DEA bureaucrats had no interests of their own to promote; they participated as representatives of the federal cabinet as counterweight to DFO. It should be recalled that the cabinet's interests were to protect the fisheries but also to keep good relations with France. The strategy followed by the cabinet is an example of the cabinet acting as a manager of decision-making trying to change the decision-making structure to its advantage. Moreover, the strategy emphasizes the importance of the bureaucracy in the decision-making processes.

In a corporate pluralist decision-making structure, conflicts usually evolve between sectors, or between a sector and institutions trying to co-ordinate across sections (Olsen 1983:144). Thus, the Interim Agreement caused much uproar and became a failure for the cabinet because it was managed by PMO with assistance by DEA and the Fisheries Minister was deprived of the opportunity of correcting the agreement before it was made public. As suggested in the analysis, the Interim Agreement probably came to be considered a mistake by the Mulroney cabinet. It was allowed to occur because the cabinet was too inexperienced and therefore did not predict the reaction in Atlantic Canada.

The Interim Agreement can also serve to illustrate the claim that the more decisions become political, the more the influence of bureaucrats is likely to be reduced. It was concluded in the analysis that when faced with the strong opposition to the agreement in Atlantic Canada, the Prime Minister got involved, appointed Crosbie Minister in Charge of the Negotiations, and a non-bureaucrat to replace Applebaum and Clarke as leaders of the negotiation team.

The Interest Organizations

Corporate pluralism emphasizes the mutual interdependence and interpenetration of the public and private sectors. Governments and interest organizations are both partners and competitors for power. The events surrounding the Interim Agreement can serve as an example of such interdependence. When the cabinet changed the decision-making structure in order to negotiate the Interim Agreement, as concluded in the analysis, the subsequent opposition by provincial governments, industry representatives, and interest organizations in Atlantic Canada made the cabinet realize that it might be jeopardizing its interests in the regions in terms of electoral support, employment opportunities, contribution to the provincial economies as well as trust in the decision-making process it had created. The cabinet did not follow up the schedule for further negotiations outlined in the Interim Agreement and it adopted stronger measures

against French overfishing. In other words, the cabinet changed its strategy to become more accommodating to provincial public and private interests.

A system of integrated participation by interest organizations is dependent upon a certain degree of co-operation, trust and willingness to reach consensus by all parties involved. It was demonstrated in the analysis how the Mulroney government challenged these unwritten rules of the game with the Interim Agreement. However, the fact that the Mulroney cabinet negotiated the Interim Agreement also demonstrates that governments have interests and resources of their own and for that reason should not be understood only as an arena for competing interests.

When discussing the influence of interest organizations it should be recalled that formal participation should not be accepted as an indicator of influence. It was mentioned in the analysis that in the advisory committee on the Canada-France dispute in the late 1980s some of the participants were silent members who had little interest in the issue because they would hardly be affected by the new agreement over French fishing rights. Their representation in the advisory committee must be understood in view of the Canadian federal system where interest organizations from Quebec, Prince Edward Island, and New Brunswick participated mostly for status reason, although as indicated in the

analysis, when the dispute is finally solved it might bring increased potential for fishing interests from these provinces to exploit fishing grounds which have traditionally belonged to Newfoundland and Nova Scotia.

Further, to interpret participation solely as a result of organizational choices as a pluralist analyst often does, is to be overly voluntaristic and to neglect the well documented fact that some organizations are excluded from participation (Olsen 1983:151-152). In this study the reluctance on behalf of the federal cabinet in 1971 to consult NFFAWU, as referred to in the analysis, serves as an example.

However, an organization may also prefer not to enter into an integrated participation relationship. It may instead prefer a pluralist structure with ad hoc interaction with governmental agencies. That is, an organization initiates particularized contacts with public officials; it acts alone and determines the substance, the targets, the timing, and the methods of contact. Such participation reflects an interest in a specific decision or event - not a general political engagement (Olsen 1983:156). In this respect it is interesting to recall that the interest organizations in 1971 asked to become integrated into the government's decision-making process by proposing the establishment of an advisory committee. They complained bitterly that they were

not consulted by the government. Thus, they rejected a pressure pluralist structure.

Moreover, integration reduces an organization's freedom to act and so constrains its responsiveness to its members' wishes (Olsen 1983:152-153). Such constraints can explain the position of FCC. Being a heterogeneous peak organization, it was probably less able to act effectively toward the government than the smaller, more homogeneous organizations with narrow interests in Newfoundland and Nova Scotia. On the other hand, if peak organizations are unable to express opinion on issues because of inability internally to define a common interest, they may resort to informal participation (Olsen 1983:156-158, 173-174). This argument supports my suggestion in the analysis that FCC was probably influential despite the lack of media exposure.

On the other hand, for interest organizations participation in decision-making processes offers recognition as legitimate representative of causes, groups, and organizational domains (Olsen 1983:161). Again the Trudeau cabinet's reluctance to accept NFFAWU as a consultation partner, referred to above, can serve as an example. Seen from the side of the newly established NFFAWU participation would affect their public image and establish them as legitimate, responsible organizations.

Regarding the interest organizations that did take part in the public debate, the analysis showed common interests between the fishermen-shoreworkers-crew organizations and the offshore-processing organizations in 1971, although the former group was then somewhat more demanding on the federal government to protect their interests. They nevertheless co-operated in SOFA to promote their interests. The analysis further suggests that in the late 1980s the two groups also had common interests in rejecting the Interim Agreement but their long-term interests were probably divergent, as NFFAWU president Cashin suggested when he said that the processing side as opposed to his union could be expected to sell fish for talks, meaning that his organization had a longer perspective than the processors.

Representatives in integrated decision-making also represent the interorganizational structure inward to their organizations. Better than other member of their organizations, they know the preferences, expectations, and beliefs of other organizations and governmental agencies. To succeed, representatives have to be sensitive to those preferences, expectations and beliefs (Olsen 1983:164). Probably realizing this, representatives of the interest organizations participating in the advisory committee in 1987 were reluctant to criticize DFO and also showed restraints in their criticism of the federal cabinet, as demonstrated in the analysis.

The Provincial Governments

The role of the provincial governments has been referred to on a couple of occasions above. They played a middle role between a government agency and an interest organization. The Newfoundland government did not feel the restraints of the interest organizations in criticizing the federal cabinet in the aftermath of the Interim Agreement. This action can be considered to be in line with the traditional role of provincial governments in dealings with the federal cabinet on resource matters. It was described in the analysis how the Newfoundland government withdrew from the negotiation team. This withdrawal demonstrates that its relationship with the federal cabinet is different from the relationship between the federal cabinet and the interest organizations, ie. the relationship between federal and provincial governments is not equally dependent on co-operation and trust. It is based on jurisdictional rights and although the Newfoundland government had no jurisdictional right to participate in the negotiations, it was suggested in the analysis that this was accepted as a right by the federal cabinet in view of Newfoundland's dependency on the fish stocks involved. On the other hand, the response of the Newfoundland government to the federal cabinet was like an interest organization in a pressure pluralist structure, ie. a structure of dual relationships, where the interest organization makes claims and puts

pressure on the government policy-makers.

Another aspect of the Canadian federalism which theoretically violates the claims to corporate pluralism in Canadian groundfisheries is the requirement of a limited number of interest organizations representing the sector. As indicated above, in a federal system this is difficult to achieve because each province would like to see its interest organizations participate. Therefore, the claim that an organization which does not affect governmental performance will be excluded from participation (Olsen 1983:155) is not valid in a Canadian context. However, as pointed out above, with most of the members of the advisory committee in the late 1980s acting as "sleeping" partners, the virtual number of active members was significantly reduced.

Thus, the influence of provincial organizations in a framework of corporate pluralism as shown above, demonstrates that the model must be adapted to the federal system but it does not have to be fundamentally changed.

To conclude, the above discussion demonstrates that decision-making in Atlantic Canada's groundfish sector does not perfectly fit the structure of corporate pluralism but has, in my opinion, nevertheless contributed to an increased understanding of the decision-making processes in terms of why the cabinet of the federal government, its bureaucracy,

the interest organizations and the provincial governments are or are not influential.

The exploration brought to the fore relationships and actors in the decision-making in the fisheries sector which were previously invisible. It was revealed that: a) the fishermen-shoreworkers-crew organizations played a distinct role within the group of private interests and b) that the influence of the bureaucrats as a group within the federal government differed from that of the cabinet.

The exploration revealed the extent to which the fishermen-shoreworkers-crew organizations have different interests from the offshore-processing organizations and how these two groups of organizations possess and apply different organizational resources. It also revealed differences between the federal cabinet and the federal bureaucracy but these differences referred to organizational resources more so than to different interests.

Through the analyses of interests and, in particular, organizational resources, the Norwegian model demonstrated how the changes in the environment of the decision-making process affect the participation of the various actors. However, the analysis also demonstrated that the structure of political institutions differs in Canada and Norway. For example, no distinct and separate interests were identified

among the bureaucrats in the fisheries department in Canada, as would have been reasonable to expect according to the model. Moreover, the Norwegian model also had to be amended to include the influence of provincial governments. The analysis of the role of the provincial governments revealed how the relationships between the federal and provincial governments in general affected this particular case.

This test of the Norwegian model was limited to the groundfish sector. Although it turned out to be rewarding to apply the model on a case in the groundfish sector it would need further tests in other economic sectors to make any claims with respect to other parts of the Canadian economy. On the other hand, although this concrete analysis did not reveal any major differences in interests between the bureaucracy and the cabinet the model is open to discover differences in interests between the bureaucracy and the cabinet. Exploration of other interest areas may reveal different interests between the bureaucracy and the cabinet.

NOTES

1. Like Olsen (1983:77-79) I define "cabinet" as the prime minister and the other ministers as well as their political advisors. They form the executive branch of the government ("executive" in the meaning that they execute legislation made by the representatives of the people in the parliament), as opposed to the administrative branch of the government, in the following referred to as the bureaucracy.

2. Governments are inclined to enter into a dependent relationship with organizations of the primary sectors because they represent important electoral support in areas where they are concentrated. In addition, the fact that they tend to organize makes farmers and fishermen more politically vocal than many other citizens thus increasing the need for the government to have its policies legitimized by these organizations.

Like independent farmers, independent fishermen in a capitalist system need collective organizations if they wish to influence policies affecting them (Coleman 1988:121).

3. I do not consider attention from mass media, politicians other than cabinet members, political parties, and public opinion separately to effect the decision-making outcome. Like Olsen (1983:111,145), I consider the influence of mass media to be essentially reactive, interpreting new programs but not taking many initiatives. The influence of mass media is included in the analysis to the extent that the organizations make use of them.

4. Groundfish or demersal fish are bottom dwelling fish such as cod, haddock, pollock, redfish, hake, whiting, halibut, flounder, sole, etc.

5. This figure is lower than the real figure because the Newfoundland component includes only inshore cod fishermen.

6. For example, total offshore groundfish allocations for 1986 were:

Fishery Products International:	43,57% (205,247 Mt)
National Sea Products:	38,71% (182,404 Mt)
Others:	17,72% (83,457 Mt)

Source: Canada:1986A.

7. Fishery Products International (FPI) was re-established in 1983 from the assets of seven bankrupt fishing companies. It was owned by the federal government (62,2%), the Newfoundland government (25,6%), and the Bank of Nova Scotia (12,2%). The company was privatized and the federal government sold its share in 1987 (Globe and Mail 23/10/1986:B11). The federal government took up a 20%

ownership in National Sea Products (NSP) after the crisis. The balance was publicly owned.

NSP, the largest vertically integrated North American fish-based food company with net sales in 1986 of \$516,4 million, owned in 1986 about 59 vessels, employed about 8,000 people in plants and offices in North America, Japan, Hong Kong and Portugal and had interests in Australian and Hungarian companies. FPI with net sales in 1986 of \$388,7 million, owned in 1986 66 deepsea vessels, operated 19 processing plants in Newfoundland, Nova Scotia and Massachusetts, employed 8,600 people and purchased from 2,500 independent Newfoundland fishermen (NSP and FPI Annual Reports 1986).

8. Freezer trawlers or wetfish trawlers freeze, respectively ice whole fish onboard for further processing ashore. Factory freezer trawlers process, freeze and pack the fish for final consumption onboard. Factory freezer trawlers were not allowed until 1985.

9. There is also a middle distance fleet, in 1981 consisting of 75 boats ranging from 65 to 100 feet. They are similar to the nearshore boats but fewer are owned by individual fishermen. Their catch does not contribute significantly to total Atlantic coast groundfish landings (Canada 1982:15).

10. A survey conducted in 1981 for the Task Force on Atlantic Fisheries showed that a sizable majority of full-time fishermen on Canada's east coast had total incomes below the recognized poverty line. A total of 83 percent of full-time fishermen received unemployment insurance payments (Canada 1982:51).

11. About 60 percent of Canadian groundfish catch is exported to the US market, about 20-30 percent is consumed domestically and 10-20 percent is exported to other countries, mostly in Western Europe and the Caribbean. In the U.S. market, it is generally perceived that between 40-65 percent of total US fish consumption is consumed away from home. Chain restaurants account for a large, perhaps the major share of fish purchased within the food service segment. In the retail market the frozen fish distribution is concentrated among a few processing companies, mostly United States food companies, which produce from imported raw material. Some of these food companies also own restaurant chains. In fact, one of the major frozen fish brands in the retail trade is owned by a major food company which also owns the largest seafood restaurant chain in the USA.

In Canada the vertically integrated firms have their own sales forces and sell directly to the retailing or service sectors. (In Canada about 75% of all seafood is consumed at home.) Most of the independent groundfish processing companies do not market domestically, although by 1982 Canadian firms supplied 84 percent of the Canadian fresh and frozen groundfish needs. In the retail trade, three brands account for the major share of frozen fish sales. These are owned by National Sea Products, Fishery Products

International, and one by a US company. (Personal interviews with key persons in the Canadian and United States fisheries industries).

12. For example, they can move operations among different types of fisheries, more easily invest in new boats, gear and plants and divest from others, and increase their control over marketing through forward integration into distribution.

13. Newfoundland was then part of the United Kingdom. It entered the Confederation of Canada in 1949.

14. The total catches of groundfish in the ICNAF area rose from a reported level of just over 1.5 million Mt in 1955 to a peak of just over 2.8 million Mt in 1965 and declined to 1.3 million Mt by 1976. The Canadian catch remained relatively stable at just under 0.6 million Mt in 1968 as compared to just under 0.5 million Mt in 1955 and declining to just over 0.4 million Mt in 1974 (Canada:1977).

15. It was understood that the fleet's catch would not supercede quantities traditionally caught (Canada 1985A).

16. Saint-Pierre-et-Miquelon with a population in 1988 of about 6000, is dependent on fisheries as its only industry. It was reported in 1971 that about 60-70 small coastal vessels (dories) and between five and ten trawlers, normally operated out of the islands (Canada 1986B:annex 43). The coastal fishery employed about 100 fishermen (Peltier & Gardner 1984:fig. 3). In the 1988 season nine to ten trawlers were fishing off Atlantic Canada. The islands have two processing plants, one in Saint Pierre and the other in Miquelon, employing about 236 and 130 workers respectively (Peltier & Gardner 1984:26; Evening Telegram 8/4/1988:3, 21/4/1988:8; Toronto Star 1/3/1988:A9).

17. France had in that case allowed a technically advanced factory freezer trawler, La Bretagne, to fish in the Gulf of St. Lawrence. Canada protested, arguing that since a factory freezer trawler filleting onboard could store considerably more fish than the traditional wetfish trawler used by Saint-Pierre-et-Miquelon fishermen in the Gulf of St. Lawrence, there was a danger of over-exploitation. France replied that Canada could prevent such an occurrence through enforcement of the allocated quotas. While agreeing with France, the Arbitral Tribunal recognized that Canada "bears sole responsibility for the conservation, protection and management of living resources in the fishing zone" (Pharand 1987:29).

18. It was expected that by 1991 the boundary dispute would be settled since four years is the normal time for similar settlements at the International Court at the Hague.

19. The first components of a common fisheries policy of the EC were adopted in 1970. The central feature of this policy was the principle of equal access by all member states to territorial

waters within the EC. However, it was not until 1976 that detailed proposals for a common fisheries policy were brought forward (Wildsmith 1986:226-227).

20. Judging from similar cases, and especially the settlement of the Maine dispute between Canada and the United States, it is likely that when the boundary is settled between Canada and France it will give France jurisdiction over a fishing zone significantly smaller than the zone they have claimed and exploit at present.

21. International regimes can be defined as principles, norms, rules, and decision-making procedures around which actor expectations converge in a given issue-area (Krasner 1983:1).

22. Hugo Grotius, in his treatise, Mare Librum (1608), argued that fishery resources were so abundant that no one would benefit from having exclusive rights over them and there was no possibility of their being over-exploited. His arguments ultimately prevailed and the freedom of the fishing became a major element in the freedom of the seas.

23. These measures would prevent the fisheries of being trapped by the tragedy of the commons, which implies that the need for regulation derives primarily from the common property aspect of the fisheries. Open access to commercial fishing was considered an invitation to economic disaster in that excessive numbers of fishermen would be attracted when profits appeared likely. Overfishing would occur; prices might be depressed and the viability of labour and capital in the industry as a whole would be threatened due to the immobility of labour and capital in the industry. Limited access would ensure that fisheries would develop in a form offering maximum benefits to the industry and the nation as a whole (Sinclair 1986:116).

24. In amending the 1964 Territorial Sea and Fishing Act, the Government in 1970 extended Canada's territorial sea from 3 to 12 nautical miles. Subsequent amendments to that act, and the Canada Shipping Act, established Canada's jurisdiction for fisheries protection and anti-pollution purposes over the Gulf of St. Lawrence, the Bay of Fundy, Hexate Strait, and the Queen Charlotte Islands by drawing fisheries closing lines across the entrances to these bodies of water with the goal of excluding foreign fishermen from these areas. The Arctic Waters Pollution Act, also passed by the government in 1970, established nationally enforced marine pollution control standards over a 100 mile zone north of the 60th parallel (Canada 1985B:Annex 14, von Riekhoff 1978:270, Tucker 1980:177).

25. The UNCLOS III fishery system has five major elements:

1. The coastal state has exclusive (sovereign) but qualified, rights to the living resources of the waters superjacent to the seabed and of the seabed and its subsoil, subject to the duty:
 - a) to set conservation limits (allowable catch) and to adopt appropriate conservation and management measures,

b) to determine its own capacity to harvest the living resources of its EEZ, and

c) to give other states access to the surplus of the allowable catch, with a view to promoting the global objective of optimum utilization;

2. The coastal state is permitted to exercise conservation and management authority over all fishing and fishermen through a wide range of regulatory controls;

3. Special arrangements are made in the case of highly migratory species, anadromous species, catadromous species, straddling stocks and marine mammals.

4. The coastal state has exclusive (sovereign) rights to all living organisms belonging to sedentary species;

5. A relatively open legal system is retained for the fishing of nonsedentary species beyond 200-mile EEZ limits.

(Johnston 1985:8-9).

26. For example, unemployment and economic hardship in fishing communities may have the result that the authorities allow fishermen to fish beyond the MSY for a limited period of time.

27. Philippe Schmitter offers an explanation of the term: "The very term, "corporatism" continues to be a problem. It evokes too easily the spectre of fascism and authoritarian rule, and therefore leads to a quick presumption that it must initially be produced by coercive imposition and sustained only by the continuous injection of physical force and symbolic manipulation. Scandinavians, in particular, seem to bristle at the thought that the creation and maintenance of such arrangements in their part of the world did not result from a voluntaristic calculus and is not closely accountable to mass publics through democratic controls. Hence, they hang on to the label, "pluralist", simply because of the presence of multiple interests." (Schmitter 1982:262)

28. Pluralism is here not understood in the elitist sense, as is not unusual in North America, following the influence of writers like Robert A. Dahl who created the doctrine that the existence of autonomous groups within the society, for example, the church, professional organizations, trade unions, etc. is beneficial for the society, included the masses of citizens, who are alienated from the political system (Dahl 1961).

29. In Scandinavia most government committees have ten or fewer members (Olsen 1983:183).

30. Please note that I consider it not necessary in this study to discuss the literature on the relationship between the bureaucrats and their ministers in Canada in general. For an interesting introduction see Atkinson & Coleman (1985). However, I believe that the definition by Olsen of the situation in Norway is valid for the Canadian groundfish sector. See, for example, Keating (1983-1984:158-163).

31. As pointed out by Albo and Jensen (in press) some Marxist writers, referred to as instrumentalists, consider the state as controlled by the ruling classes and used as an instrument to realise their common political and economic interests. Others argue that a relative autonomy of the state grants the state an independence of direct class control and economic determinants but, nevertheless, consider state policy at least in the long term, by necessity - because of the way the state is structured - to be compatible with the political interests and hegemonic domination of the capitalist class. These writers are known as advocates of the relative autonomy view.

32. Unfortunately, I have not found any of the publications of this study in English translation. Some of Hernes' ideas as well as those of the other Norwegian writers referred to above can be found in Scandinavian Political Studies, Vol. 2, No. 3, 1979.

33. An example of definition of power as a relationship, not only as a capacity, is given by Robert A. Dahl who has stated that "A has power over B to the extent that he can get B to do something that B would not otherwise do" (Dahl 1957). A strict definition of the concept of power should also include the opposite, ie. that A can also get B not to do it, for the concept to avoid being a counterfactual conditional statement (Elster 1979:20-25).

34. This theory is based on the assumption of intentional behaviour. That is, an action becomes intelligible when the purpose or objective of the action is known because the choice of means to achieve the objective follows from the objective. However, the assumption of intentional actors does not imply individually rational actors as in most economic theories, but simply that the actors' choice is to some extent rational but varying from actor to actor depending on the motivation, type of organization, experience in rational behaviour, amount of information available, etc. (Elster 1979:62-120).

35. This element is, for example, based upon the sociological tradition which considers human behaviour as exchange of power. Representatives of this tradition are, for instance, P.M. Blau (1974) and G.C. Homans (1961). The tradition is also known under the label of interaction theory (Prethuis, 1973).

36. The question of force concerns organizations of the state in a special way, since the state is also "a constitutive element engaged in defining, distorting, encouraging, regulating, licensing, and/or repressing the activities of associations - and backed in its efforts, at least potentially, by coercive actions and claims to legitimacy." (Schmitter 1982:260).

37. Schmitter argued that examples of societal corporatism could be found in all Scandinavian countries as well as in other European countries like Switzerland and the Netherlands. Examples of state corporatism were found in Portugal (before 1974) and Greece (before 1974), Spain (before 1977) and Mexico

and Brazil (before 1985) (Schmitter 1974:105).

38. The Constitution Act of 1867 (section 91 (2)) gives exclusive legislative jurisdiction over fisheries to the federal government. This exclusive jurisdiction has been interpreted by the courts to relate to the protection, conservation, enhancement and policing of fisheries. This exclusive power must be contrasted, however, with the provincial powers over property and civil rights (section 92 (13) and local matters (section 92 (16) (Wildsmith 1986:203,207-208), including for example, licensing of economic activities and establishment of corporations.

39. In the United States system organized interests are provided multiple access points due to the principles of separation of power and a complicated division of labour between federal authorities, the states, and legal agencies (Olsen 1983:181). In a parliamentary system, such as the Canadian, the interests are primarily directed towards the government bureaucracy (Atkinson & Coleman 1985B).

40. Major fishermen's co-operatives on the Atlantic coast include the United Maritime Fishermen and Les Pêcheurs-Unis du Québec. They are co-operatives of long standing for small-scale fishermen and have been unchallenged until recently for membership loyalty. Recent financial crises have caused the federal government to become increasingly financially involved (Clement 1984:26; Globe and Mail 28/3/1988:B1). Co-operatives in fishing, for the most part, mean the co-ordination of the selling or marketing efforts for fish, not the co-operation of either catching or processing fish (Clement 1984:25). Fishermen's co-operative producers see themselves as outside private corporate relationships while the union fishermen see them as something of free riders; unions struggling to set a minimum fish price which will in turn be adopted to apply to co-operative fishermen (Clement 1984:25).

41. The EFF is an umbrella organization of fishermen's associations. The government needed a lobbying organization through which it could keep in touch with fishermen and have its policies legitimized. However, the government did not need an organization which also negotiated incomes (in terms of fish prices) with the processing companies. The result was an association which is opposed to unions (Clement 1984:27-28, 1986:152-154).

42. For example, labour conditions, human rights, health, environmental pollution, education, cultural development, telecommunications, various forms of public control over economic affairs, and so on.

43. Such matters include federal government policies in banking, customs tariffs, transportation, broadcasting and monetary management.

44. Macdonald argued in 1979 that the provincial departments of fisheries had been preoccupied with subsidies and loan programs to the fishing industry. These programs which were implemented through cost-sharing with provincial governments and they were probably responsible, more than anything else, for the existence of identifiable provincial fisheries bureaucracies (1979:177).

45. During the 1950s and the early 1960s great emphasis was placed upon building up an offshore trawler fleet which could compete with foreigners. Besides, conventional wisdom placed great emphasis on large capital-intensive economic units, centralization and urbanization. The offshore-processing industry appeared to be the logical instruments for carrying out this policy, and they were encouraged by various subsidies and inducements originating from the federal and provincial levels (Macdonald 1979:78).

46. AGAC has been mentioned but there are also other advisory and decision-making committees, for example, the federal-provincial Atlantic Fisheries Committee, composed of deputy minister of the five eastern provinces. It deals with policy items and programs on the Atlantic coast. Another committee is the Atlantic Fisheries Ministers Committee. In addition, there are ad hoc consultations, for example, in connection with the comprehensive review of Atlantic fisheries undertaken by the Kirby Task Force in 1982 (Canada 1982). In 1987 a federal provincial task force headed by Meyboom dealt with, among other subjects, development of improved consultative processes and the question of foreign overfishing (Canada, Parliament, House of Commons 7/4/1987 13:5).

47. Canada had already in 1949 signed a convention with Denmark, France, Ireland, Italy, United Kingdom and Newfoundland, Norway, Spain, and the United States with the goal of promoting a sound management of fisheries resources in the northwest Atlantic. Other nations which became increasingly active in exploiting the resources in these areas later joined. These were the USSR, Federal Republic of Germany, People's Republic of Germany, Poland, Portugal, Romania, Japan, and Belgium (Daneau 1982:5).

48. The United Kingdom agreed to discontinue its fishing operations in the Gulf of St. Lawrence at the end of 1972 and in the outer Canadian territorial sea at the end of 1977. Denmark agreed to end fishing operations in Canada's territorial waters by January 1972, although Faeroe fishermen could continue to operate under certain conditions in the Gulf of St. Lawrence until 1976. Portuguese vessels were to be free to operate until July 1978 in those parts of the outer nine miles of the territorial sea which they had traditionally frequented.

49. Canada's continental shelf extends to great depths at considerable distances off Canada's coast in the north and off the east coast.

50. Oil supertankers capable of causing irreparable ecological damage, especially in the Arctic, were increasingly common and new commercial plans were developed to exploit, with proven technology, the mineral resources of the deep seabed.

51. A department of fisheries was first established in 1930. It was succeeded in 1968 by a department of fisheries and forestry which was abolished in 1971.

52. During the talks with France representatives of the fishing communities of the east coast were increasingly complaining about the intrusion of foreign vessels into the Canadian fishing zone where they overexploited stocks and damaged vessels and gear. The federal government did not respond to their claims for surveillance and control. Canada was sparsely equipped with the ships and planes suited for comprehensive fisheries control and surveillance (Chronicle-Herald 26/2/1971:1-2).

53. The attitude of trying to be a helpful mediator was the result of training and reflected an entire outlook on the part of many individuals in the foreign service (Gottlieb & Dalfen 1973:235-236).

54. The fisheries delegation was actually headed by Dr. J.W. Weir who had just become assistant deputy minister in charge of the fisheries service when the DEA was established. Dr. Needler had recently retired but it is reasonable to believe that it was Dr. Needler who was in charge, although not formally.

55. Members of the executive were Gus Etchegary as president, Harry Flemming (president of the Atlantic Provinces Economic Council) as vice-president, Richard Cashin (president of the NFFAWU) as regional vice-president, Roy Myers (director of the Newfoundland and Labrador Chamber of Commerce) as secretary-treasurer, and Pat Ante (of the NFF), Don Hollett (of the provincial federation of municipalities) and Max Burry (who had been associated with the fishery for over 50 years) as directors (Evening Telegram 27/9/1971:1).

56. Representatives of the fishing sector did not participate in the phasing-out negotiations until the negotiations with Portugal in October 1971. The agreements with France, Norway, Denmark, and United Kingdom were concluded without their participation (DEA, Communiqué no 97 22/12/1971, no 16 27/3/1972, no 17 27/3/1971, no 18 27/3/1971, no 19 27/3/1972).

57. The strike at Burgeo became the main battle for collective bargaining rights for NFFAWU. Three hundred plant workers, represented by NFFAWU sought recognition of their union as agent in collective bargaining. The owner of the plant, Spencer Lake, shut down the plant thus also making it difficult for fishermen to deliver their fish. The Burgeo conflict was not solved until 1973 (Evening Telegram 7/9/1971:1, 17/9/1971:7; Inglis 1985).

58. The reduction which was announced on February 13th, 1986 consisted of 200 personyears (personal interview with DFO official).

59. By 1986 regulations in the groundfish sector were primarily decided with a view to the following guidelines: conservation and restoration of the resource; co-ordination of the deployment of the fishing fleets over the fishing grounds and the operating season; regulation of access by seasons, quotas, vessel size, gear types, and since 1982 enterprises in the offshore sector; allocation of the resource according to adjacency to the resource, relative dependence of coastal communities and various fleet sectors on the resource and economic efficiency and fleet mobility (Canada 1986A:9; Canada 1986B:14).

60. Foreign vessels are licensed under provisions of Canada's Fisheries Act and the Coastal Fisheries Protection Regulations, C.R.C., 1978 c. 413 (Canada 1985B:Annex 3). The government allocated quotas to France in the disputed zone since it considered this to meet Canadian obligations and when the case would go to arbitration the government could argue that it exercised its claim to the disputed zone. France, on the other hand, argued that these quotas relate to the French economic zone around Saint-Pierre-et-Miquelon and therefore have no validity.

61. Total allocation by the federal government for the disputed area was 41,000Mt annually for the past few years of which Canadian fishermen got 34,000Mt to 35,000Mt (Chronicle-Herald 11/2/1987:26) and France 6,400Mt. The TAC for 1989 was recommended at 20,500Mt because of the depleted state of the stocks (Ottawa Citizen 8/7/1988:C2).

62. Details of the agreement indicated that Canada would allow the Metropolitan France fleet to take 15,000Mt of fish off Newfoundland in the 1987-season, some of that in undisputed waters (Chronicle-Herald 31/1/1987:6).

63. Northern cod quotas for 1987 were 246,000Mt to Canada and 9,500Mt to the EC of which 1,545Mt to France, according to John Crosbie (Evening Telegram, 29/9/1987:3).

64. This is, for example, expressed by the Meech Lake Accord which will incorporate Quebec into the Constitution and regulate federal provincial relations.

65. Article 2 of the 1972 Agreement binds Canada to recognize the right of French nationals to fish in Canadian waters subject to possible measures for the conservation of resources, including the establishment of quotas.

66. Guellec boycotted a state dinner to honour Madam Sauve and Chirac would not hold the welcoming reception at city hall which is usual for visiting heads of states, cancelled a scheduled meeting with Sauve the following day, and later at a state dinner

in his toast to Sauve went on bitterly and at great length about the dispute.

67. Inshore fishermen using boats under 65 feet from either country have traditionally been able to fish anywhere in the waters around Saint-Pierre-et-Miquelon and between these and Newfoundland's south coast with only a licence from their own government.

68. This letter was in response to a letter from the Fisheries Minister saying: "My goal throughout will be to manage our fisheries discussions with the French in a manner that does not jeopardize the cordial relationship between Canada and France, but which of course recognizes the legitimate needs of Canadian fishermen". Mulroney replied to Siddon: "I agree that in dealing with the sensitive issues we must weigh on the one hand the interests of the Canadian fishermen and fishing communities and on the other our bilateral relations with France".

69. In the final days before the May 8 presidential election, Prime Minister Chirac tried to impress voters with a flurry of dramatic foreign policy coups. Among these was the arrest of the Canadian trawler, as indicated by Mulroney. Chirac said bilateral relations were threatened (Globe and Mail 12/4/1988:A13) and France recalled its ambassador from Canada for consultations, following charges by the Canadian government that Canadian visitors were harassed and delayed at passport controls when leaving France (Globe and Mail 18/4/1988:1).

70. Subgroups have, for example, participated in the face-to-face talks with the French negotiators on technical matters when negotiations have been deadlocked to search for ways to continue the negotiations (Canada, Parliament, House of Commons 7/4/1987 13:7).

71. In a meeting with French Prime Minister Chirac in August 1987 the two Prime Ministers decided to bring the conflict back on the negotiation table (Toronto Star 11/1/1988:A14). Later talks with the new Prime Minister Rochard in May 1988 and with President Mitterand in June 1988 also resulted in a movement of deadlocked negotiations (Chronicle-Herald 27/5/1988:5).

72. An official from the Department of Justice, an expert on international law, and a political advisor to the Minister in charge of the Canada-France negotiations, John Crosbie, also participated in the discussions with France, but these are interesting more for any personal influence they exerted than for the departments they represented.

73. Premier Brian Peckford of Newfoundland felt the DFO was being excluded from determining the long-term fisheries policies (Evening Telegram 6/2/1987:3). Nova Scotia's Premier John Buchanan blamed the incompetence of the federal bureaucracy in general for not consulting provincial interests (Evening Telegram

28/1/1987:1). A representative of the fish processors, Bruce Chapman, president of FANL and a member of the advisory committee on the dispute, accused DEA and PMO of having taken over control from the DFO; DFO officials were misled and not advised that the Canadian team was going to sign an agreement (Evening Telegram 29/1/1987:1).

74. Keating added that "lack of familiarity with personnel and procedures, a perception that other members of the bureaucracy will not be as responsive to their demands as is their patron department, and a fear that attempts to develop alternative channels of access might undermine their relationship with the patron department" (1983-1984:161-162).

75. In the summer of 1988 the committee had two representatives from DEA (Ives Fortier and Paul Lapointe), two from the Department of Justice (Allan Willis and Ross Hornby) and one representative from DFO, Ottawa (Victor Rabinovitch) with other representatives from DFO, for example from fisheries management units, as required, in addition to regional DFO representatives (personal interview with DFO official).

76. Nova Scotia has the most valuable fish catch among the eastern provinces, but to maintain its position its trawler fleet needs to retain access to Canadian offshore waters along the entire Atlantic coast (Copes 1982:221-222).

77. In addition, there were a number of bilateral meetings between federal and provincial officials to discuss Canada's negotiation strategy. In the years 1978 to 1981 the province had been represented by the Department of Justice, the Intergovernmental Affairs Secretariat and, when required, the Department of Fisheries. In 1984 and 1985 when the focus of the negotiations began to shift from the boundary question to fisheries issues, a representative from the Department of Fisheries began regularly to attend the meetings together with the representative from the Intergovernmental Affairs Secretariat (Evening Telegram 7/2/1987:5).

78. The Canadian delegation at the December 12, 1986 meeting consisted of four members (DEA, DFO, Newfoundland's Intergovernmental Affairs Secretariat, and the Embassy in Paris).

79. Fisheries Minister Rideout suggested that the federal cabinet should not order ordering Airbus planes to replace ageing Air Canada planes and nuclear submarines from France (Globe and Mail 7/5/1988:A9).

80. There are 70 fishing communities and almost 5,000 fishermen along the south coast of Newfoundland adjacent to the disputed zone, according to the Evening Telegram, St. John's (19/4/1987:1).

81. Copes has argued that most larger fishing companies on the Atlantic coast, wishing to maintain fleet mobility, have opposed a shift in jurisdiction to the provinces (1982:222).

82. No comments have been found by FPI spokesmen on the Canada-France negotiations.

83. The government bureaucracy must fulfil the requirement of being independent of the fishing sector for a corporate pluralist system to function properly. Since it acts as the link between the cabinet and the interest organizations, it must show that it can be trusted this role.

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Ottawa Citizen
Toronto Star
Toronto Sun

LIST OF INTERVIEWS

Charles V. Cole, Department of External Affairs, Ottawa
Robert Vanier, Department of External Affairs, Ottawa
Liseanne Forand, Department of Fisheries and Oceans, Ottawa
Michael O'Connor, Department of Fisheries and Oceans, Ottawa
Kenneth Lucas, previously Department of Fisheries and Oceans, at present Agrodev Canada, Inc., Ottawa

Appendix A:

TABLES NO. 2 - 9

Table no. 2: Number of fishermen by province and region, 1971 and 1984

Year	Newfound- land	Nova Scotia	New Brunswick	Prince Edward Island	Quebec	Atlantic Total	Canada Total
1971	15,961	10,688	5,148	2,677	5,252	39,726	58,845
1984	27,617	13,235	6,557	3,399	8,050	58,858	83,791

Source: Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review 1955-76, Vol. 9, Reprint 1980, and Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review, 1984, Vol. 17, June 1987

Table no. 3: Number of persons employed in fish processing plants, by province and region, 1971 and 1984

Year	Newfound- land	Nova Scotia	New Brunswick	Prince Edward Island	Quebec	Atlantic Total	Canada Total
1971	5,566	4,284	2,876	789	1,480	14,995	18,510
1984	8,637	5,793	3,829	712	1,859	20,830	24,372

Source: Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review 1955-76, Vol. 9, Reprint 1980 and Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review, 1984, Vol. 17, June 1987

Table no. 4: Number of fishermen engaged in the groundfish sector, 1971 and 1984

Year	Newfound- land	Nova Scotia	New Brunswick	Prince Edward Island	Quebec	Atlantic Total
1971	11,660*	5,606	1,436	786	3,496	22,984
1984	11,366	7,214	1,229	945	3,357	24,111

* Newfoundland component includes only inshore cod fishermen.

NOTE: When comparing table no. 3 and table no. 1: Persons engaged in more than one fishery are duplicated.

Source: Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review 1955-76, Vol. 9, Reprint 1980 and Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review, 1984, Vol. 17, June 1987

Table no. 5: Number of fishermen in Atlantic provinces by extent of employment*, 1971 and 1984						
	Nfld.	N.S.	N.B.	PEI	Que.	Atlantic Total
1971: Full time	1,024	3,693	405	-	-	5,122
Part time	5,024	3,315	2,157	1,844	2,928	15,268
Occasional	9,913	3,680	2,586	833	2,324	19,336
TOTAL	15,961	10,688	5,148	2,677	5,252	39,726
1984: Full time	13,456	7,334	2,032	1,370	- -	24,192
Part time	14,161	5,901	4,525	2,029	-	26,616
TOTAL	27,617	13,235	6,557	3,399	8,050	58,858

* In 1971 the classification of fishermen by extent of employment in the Maritimes, Quebec and Newfoundland was based on the time spent in fishing as follows: full time - 10 months or over, part-time 5 to 10 months, occasional - less than 5 months.

In 1984 fishermen were categorized as full-time or part-time based on their fishing activity and their dependence upon the fishery for their livelihood. This categorization is slightly different for inshore fishermen in the southern Gulf of St. Lawrence where fishermen have been classed as bonafide or commercial as part of a licensing pilot project, implemented in response to a request from fishermen in that area. Although the categorization process is different in the southern Gulf, bonafide fishermen can be considered to be full-time. As such, in this table "bonafide" fishermen are included with "full-time" fishermen whereas "commercial" and "non-category" are included with "part-time".

Source: Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review 1955-76, Vol. 9, Reprint 1980 and Department of Fisheries and Oceans, Canadian Fisheries Annual Statistical Review, 1984, Vol. 17, June 1987

Nfld. = Newfoundland, N.S. = Nova Scotia, N.B. = New Brunswick, PEI = Prince Edward Island, Que. = Quebec

Table no. 6: Atlantic coast catch - volume and landed value, 1981

	Volume		Landed Value	
	(000Mt)	(%)	(\$ millions)	(%)
Cod	439	37	163	29
Other Groundfish	340	28	101	18
Herring	161	14	27	5
Lobster	22	2	93	16
Scallop	90	7	100	18
All Other	139	12	41	14
TOTAL	1191	100	565	100

Source: Economic Policy Branch, Department of Fisheries and Oceans,
The Royal Task Force on Atlantic Fisheries, 1982

Table no. 7: Landings and landed values by main species group and province, 1981 (volume: 000Mt live weight, value: \$ millions)

	Ground-fish		Pelagic & Estuarial		Shellfish		Total		Percent of total	
	Vol.	Val.	Vol.	Val.	Vol.	Val.	Vol.	Val.	Vol.	Val.
Newfoundland	392	119	64	18	39	26	495	168	42%	30%
Nova Scotia	278	108	94	16	95	138	467	264	39%	47%
New Brunswick	23	7	50	10	30	38	102	55	9%	10%
Québec	63	24	9	4	16	19	88	47	7%	8%
Prince Edward I.	23	6	6	2	9	27	38	32	3%	6%
TOTAL	779	264	224	51	188	242	1191	565	100%	100%

Source: Economic Policy Branch, Department of Fisheries and Oceans,
The Royal Task Force on Atlantic Fisheries, 1982

Table no. 8: Relative importance of the fishing industry to provincial economics, 1981

	NFLD.	N.S.	N.B.	P.E.I.	Que.
Contribution of fishing and fish processing to value added in commodity-producing industries	16%	17%	6%	14%	Negligible
Fishermen and plant workers as a percentage of employment in all commodity-producing industries	55%	17%	12%	29%	1%

Source: Department of Fisheries and Oceans, Annual Statistical Review of Canadian Fisheries

Table no. 9A: Labour force and unemployment by region 1969-1971 (in thousands)									
	Labour force			Unemployed			Unemployed in per- cent of labour force		
	Can- ada	Atl.- region	Que- bec	Can- ada	Atl.- region	Que- bec	Can- ada	Atl.- region	Que- bec
May 24 1969	8,248	666	2,294	386	52	166	4,7	7,8	7,2
May 23 1970	8,465	663	2,325	513	44	201	6,1	6,6	8,6
May 22 1971	8,627	676	2,376	543	52	196	6,3	7,7	8,2

Table no. 99: Labour force and unemployment by province 1985-1988 (in thousands)															
	Labour force					Unemployed					Unemployed in per- cent of labour force				
	NFL	NS	NB	PEI	Q	NFL	NS	NB	PEI	Q	NFL	NS	NB	PEI	Q
May 1986	228	402	321	60	3199	45	55	48	7	340	19,9	13,7	15,0	12,4	10,6
May 1987	232	410	326	62	3317	50	55	45	7	344	21,7	13,4	13,8	10,9	10,4
May 1988	242	418	330	65	3387	46	47	42	8	323	18,8	10,0	12,7	11,7	9,5

Source: Statistics Canada, The Labour Force, Catalogue 71-001.

NFL = Newfoundland, NS = Nova Scotia, NB = New Brunswick, PEI = Prince Edward Island, Q = Quebec

Appendix B:

MEMBERS OF THE CANADA-FRANCE ADVISORY COMMITTEE

MEMBERS OF THE CANADA-FRANCE ADVISORY COMMITTEE, JUNE 1988

**Prince Edward Island Seafood Processors Association
CHARLOTTETOWN, Prince Edward Island**

**Independent Fish Producers
ST. JOHN'S, Newfoundland**

**Fisheries Association of Newfoundland and Labrador (FANL)
ST. JOHN'S, Newfoundland**

**Newfoundland Saltfish Producers Association
BRIGUS, Newfoundland**

**Seafood Producers Association of Nova Scotia
DARTMOUTH, Nova Scotia**

**New Brunswick Fish Packers Association
MONCTON, New Brunswick**

**L'Association cooperative des pecheries de l'ile Ltee
LAMEQU, New Brunswick**

**L'Association Quebecoise de l'Industrie de la Peche
SILLERY, Quebec**

**L'Association Des Capitaines Proprietaires De La Gaspesie
GASPE, Quebec**

**L'Alliance des pecheurs Commerceaux du Quebec
STE FOY, Quebec**

**Maritime Fishermen's Union (MFU)
SHEDIAC, New Brunswick**

**L'Association Des Pecheurs De La Basse Cote Nord
LOURDES-DE-BLANC-SABLON, Quebec**

**L'Association Des Pecheurs Professionnels Acadiens Inc.
SHIPPAGEN, New Brunswick**

**Newfoundland Inshore Fisheries Association (NIFA)
ST. JOHN'S, Newfoundland**

**Newfoundland Fishermen Food and Allied Workers Union
(NFFAWU)
ST. JOHN'S, Newfoundland**

**Fisheries Council of Canada (FCC)
OTTAWA**

**Department of Fisheries Newfoundland and Labrador
ST. JOHN'S, Newfoundland**

**Department of Fisheries
CHARLOTTETOWN, Prince Edward Island**

Department of Fisheries
FREDRICKTON, New Brunswick

Department of Fisheries Nova Scotia
HALIFAX, Nova Scotia

Ministere de l'Agriculture, de Pecheries et de
l'Alimentation
STE-FOY, Quebec

Intergovernmental Affairs Secretariat
ST. JOHN'S, Newfoundland

Department of Justice
OTTAWA

Department of External Affairs
OTTAWA

Joe Price, Member of Parliament, Newfoundland

Morrissey Johnson, Member of Parliament, Newfoundland

The Office of John Crosbie, Member of Cabinet from
Newfoundland

Department of Fisheries and Oceans
OTTAWA

Department of Fisheries and Oceans' Regional Offices:
Scotia-Fundy Region
Quebec Region
Gulf Region
Newfoundland Region

Government of Canada
Fisheries and Oceans
Gouvernement du Canada
Pêches et Océans

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