

The Concept and Importance of Governance

Prof. Lawrence Juda

Department of Marine Affairs

University of Rhode Island

Workshop on Sustainability of Large Marine Ecosystems

March 2006

Changing approaches to ocean/coastal management

- no management → the ocean as a commons
- sectoral approach → single use management
 - single sector laws
 - mandate to particular departments/agencies
- integrated management → multiple use management
 - as seen in Coastal Zone Management Act, 1972: multiple uses, priorities, state jurisdictional context
- ecosystem-based management → multiple use management, in an ecologically determined spatial context
 - relevant geographical extent defined by science: “ecosystems” rather than political jurisdictions

Why the change in management approaches?

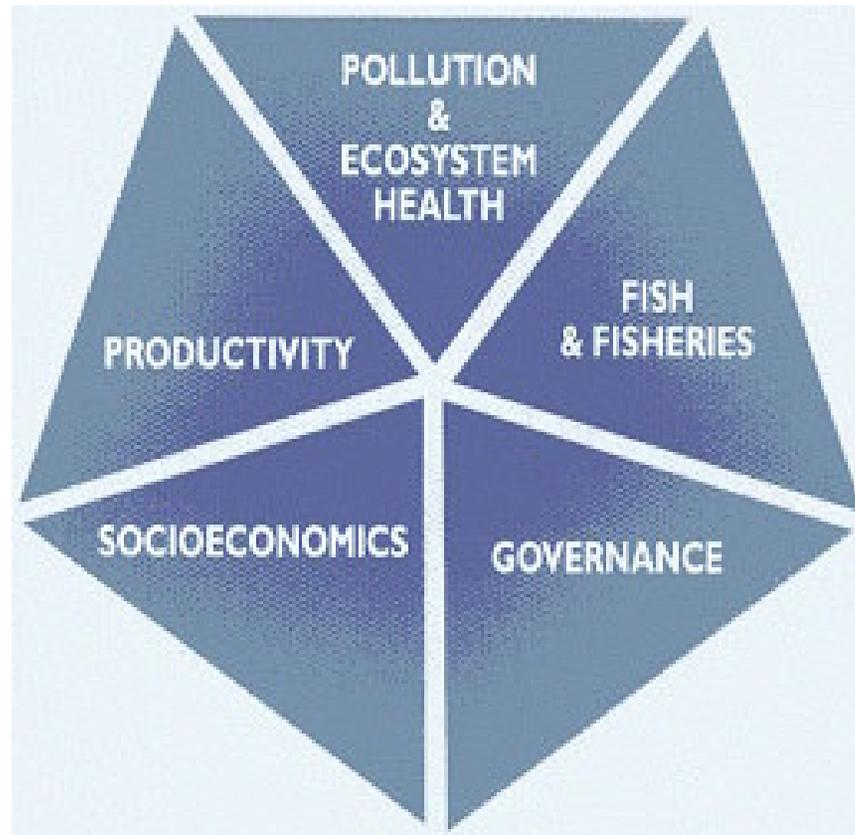
- earlier management systems → unsatisfactory results
- changing understanding of:
 - how nature works and limits of natural systems
 - growing impact of human activities on functioning of natural systems
 - new model of reality → search for new governance paradigms

Why ecosystem-based management?

- considers the interactions of the various parts of natural systems that compose a whole → provides needed “systems” perspective
- recognizes human activities can result in loss of extremely valuable, environmentally produced goods and services

<u>Natural Asset</u>	<u>Examples of Goods & Services</u>	<u>Anthropogenic Threats Include</u>
Barrier islands	storm protection	development
Beaches	recreation, storm protection	sewage, fecal material
Coastal wetlands	habitat, nurseries, pollution filter, storm protection	development, pollution
Estuaries	habitat, dockage/ mooring	development, pollution, dredging
Living resources	food, recreation	habitat destruction, over-exploitation, pollution

LME Modules



Source: www.edc.uri.edu/lme/intro.htm

**Management of large marine ecosystems →
management of human activities**

Human perception + evaluation → action (or inaction)

Changing Perceptions and Their Implications

- Fish are inexhaustible → No conservation rules needed
- Fish are exhaustible → Conservation rules are needed
- Fisheries subject to damage not just from overfishing but through human actions that destroy habitat, damage water quality... →

Need for attention to broader ecosystemic considerations

Importance of Governance

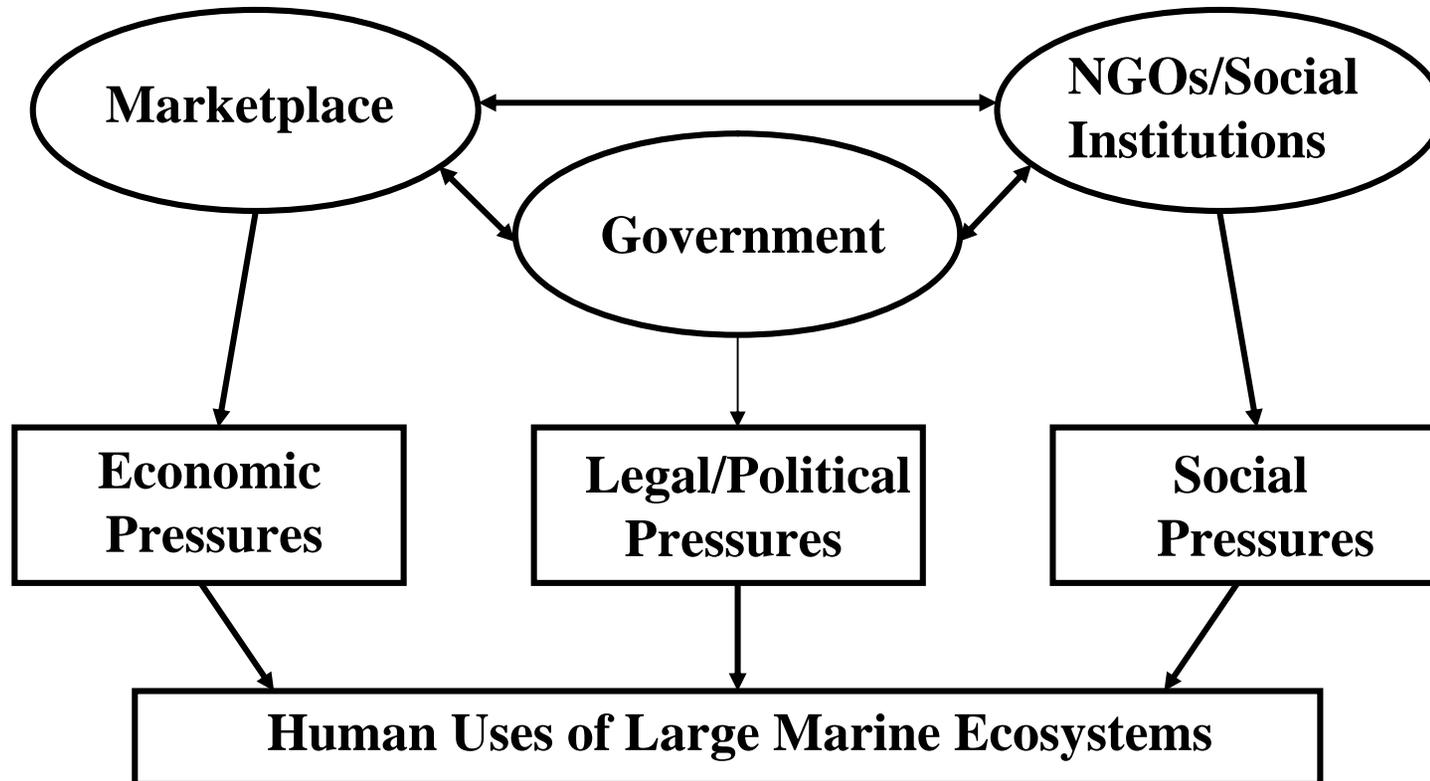
- **Human perception + evaluation → action (or inaction)**
- **Action or inaction → environmental consequences**
- **Governance mechanisms → perception + evaluation**

Governance

The formal and informal institutions, arrangements, and social practices that influence:

- how resources or an environment are utilized in practice
- how problems and opportunities are evaluated and analyzed at individual and collective levels
- what behavior is deemed acceptable or prohibited
- what rules and sanctions are applied to affect resource and environmental use

Key Governance Mechanisms



Source: L. Juda and T. Hennessey, "Governance Profiles and the Management of Uses of Large Marine Ecosystems," 32 ODIL 43-69(2001).

Governance Mechanisms

Government

- laws and regulations
- taxation and spending policies
- education and outreach

Marketplace

- profit motive
- ecosystem service evaluation
- eco-labeling

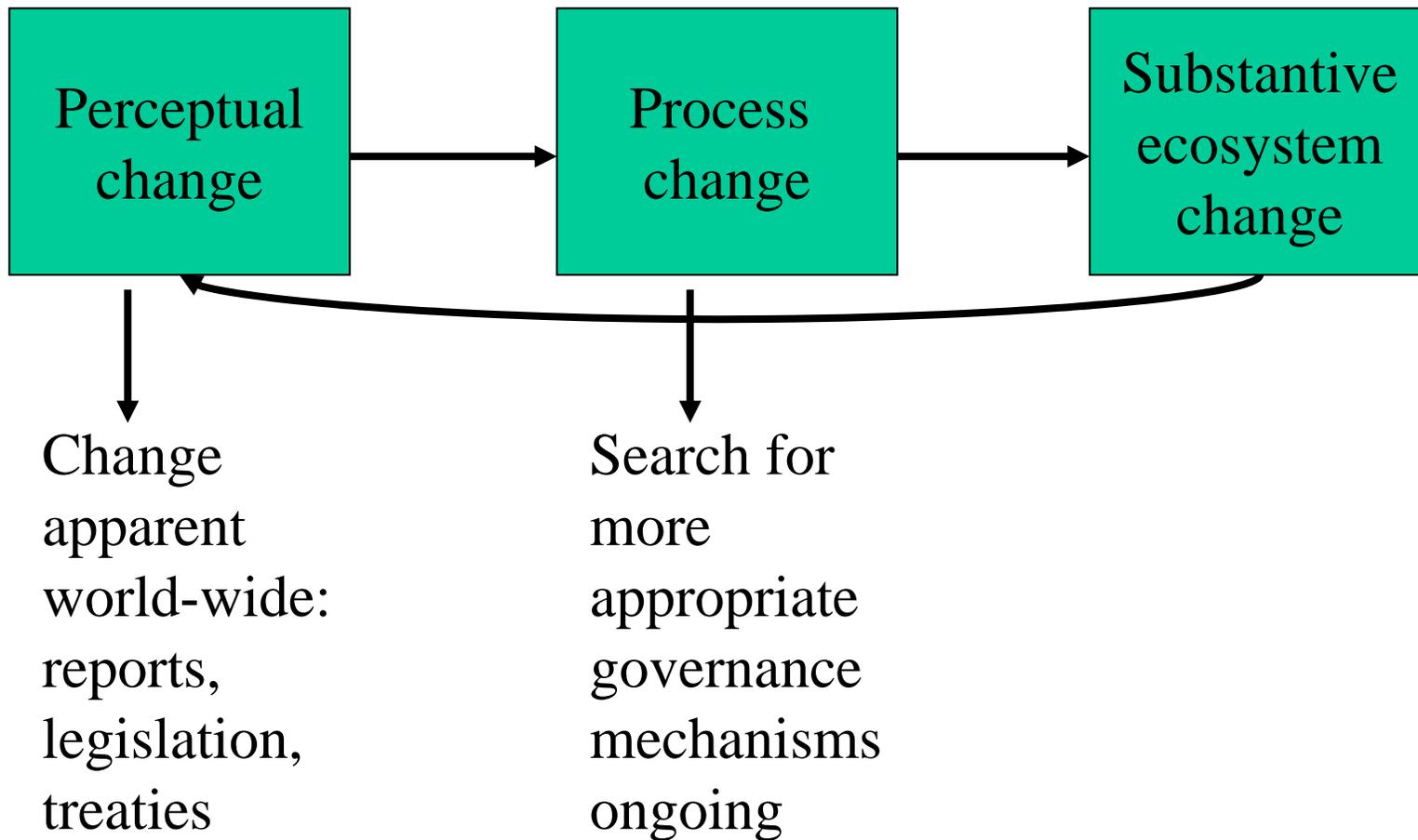
Social Institutions and non-governmental organizations

- socialization processes
- constituency roles and “issue framing”
- co-management

Some Expectations for Key Governance Mechanisms

- Government:** provision for institutional and policy integration both horizontally and vertically
- Marketplace:** internalization of environmental costs
- Social Institutions:** pro-sustainability acculturation, monitoring, and use evaluation in broader context

Governance Transition



Key Inter-related Aspects of Site Specific Governance Profiles

- Institutions: governmental and non-governmental
- Processes and procedures
- Policies and programs
- Perceptions, attitudes, values
- Public participation

Governance Profile Utility

- **Descriptive function:** Describes governance site specific situation as efforts begin: provides a baseline
- **Analytic functions:**
 - Suggestive of what needs to be done or done better
 - Provides guidance on how to achieve needed change
- **Evaluative function:** Provides basis for future assessments of progress toward “systems” approach

Governance Profile

Institutions: governmental and non-governmental

- Which institutions are involved?
- What are their responsibilities and interests?
- What is their relative influence?
- How do the institutions interact?

Governance Profile

Processes and procedures

- How do things get done?
 - adoption: how are decisions/policy made?
 - implementation and administration
 - surveillance/enforcement
 - dispute settlement
 - assessment and needed adaptation

Governance Profile

Policies and programs

- what is presently being done?
- with what degree of success?
- interplay with other policies/programs: reinforcing or undermining?
- options for improvement?

Governance Profile

Perceptions, attitudes, values

- what are the prevailing perceptual models?
- what is the basis for acceptance of those models?
- what are the major values relevant to LME use?
- how are attitudes and values shaped?

Governance Profile

Public Participation

- Need for public “buy-in” → involvement/transparency
 - monitoring/enforcement
 - education/socialization functions
 - constituency support
- How can needed public participation be encouraged?

Governance Gap Analysis: an operational approach

1. identify needed governance functions that must be performed to effectuate a working LME governance system

Generic functions that need to be addressed include:

- research, data collection, analysis
- priority setting
- monitoring: environmental and governance
- regulation
- enforcement
- public involvement
- education/socialization/outreach
- dispute settlement
- adaptation

Governance Gap Analysis: an operational approach

1. identify needed governance functions that must be performed to effectuate a working LME governance system
2. create site specific governance profile: a baseline reflecting existing pattern of governance
3. undertake a gap analysis (compare 1 and 2)
 - to what extent are identified needs being effectively met by existing governance mechanisms?
 - what types of changes are needed to further advance LME-based governance?
4. adopt and implement appropriate institutional arrangements and measures to close identified gaps and obtain needed funding