



Regulating the global fisheries: The World Wildlife Fund, Unilever, and the Marine Stewardship Council

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Accepted in revised form October 19, 1999

Abstract. This analysis uses an analytical framework grounded in political economy perspectives of the globalization of the agro-food sector combined with a case study approach focusing on the Marine Stewardship Council (MSC) to inform discussions regarding the characteristics of societal regulation in the post-Fordist era. More specifically, this analysis uses the case of the emergence of the MSC to investigate propositions regarding the existence of, and location of, nascent forms of a transnational State. The MSC proposes to regulate the certification of sustainable fisheries at the global level through an eco-labeling program. The MSC was created in 1996 by the transnational environmental organization the World Wildlife Fund and the transnational corporation Unilever. The emergence of the MSC has generated heated discussion in fisheries management circles that is in general divided along North/South lines. This analysis indicates that the case of the MSC provides valuable insights into the possible characteristics of supranational regulatory mechanisms that might emulate the role of the nation-State in the post-Fordist era.

Key words: Environment, Fisheries, Fordism, Nation-State, Regulation, Supranational State, Transnational corporations, Transnational State

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Introduction

The United Nations Food and Agricultural Organization (FAO) reports that over 70% of the world's commercially important marine fish stocks are over-exploited, fully exploited, depleted, or recovering from over-exploitation (FAO, 1997). This situation is often blamed on the rapid growth of the industrial fishing fleet that fishes in the waters of developing countries and thereby competes with local fishers. Such fishing practices kill and waste an average of 27 million tons of fish, sea birds, sea turtles, marine mammals, and other ocean life annually as by-catch; this represents about a third of the global catch (Samudra, 1996a). During the period 1991–1997, 1,654 new vessels were added to the world's industrial fleet, which increased its fishing capacity by over 20% (Walz, 1998).

Over fishing has led to catastrophic declines in fisheries that have sustained coastal communities

for generations. These trends have severe negative implications for hundreds of thousands of jobs in industrialized countries and entire fisheries dependent communities in the developing world (WWF, 1996b). "To reverse this crisis, we must develop long term solutions that are environmentally necessary and then, through economic incentives, make them politically feasible" (WWF, 1998c: 1). In 1996, the World Wildlife Fund for Nature (WWF) and Unilever announced the creation of the Marine Stewardship Council (MSC) designed to certify fish products caught from all major fisheries as either "sustainable" or "not-sustainable." The purpose of the MSC is to link market incentives to consumer preferences through a sustainable fisheries certification and eco-labeling program. The MSC is now a non-profit, non-governmental organization (NGO) implementing principles and criteria for sustainable fishing.

In this paper, we use the case of the MSC

combined with a political economy-based globalization of the agro-food sector analytical framework to inform discussions regarding the characteristics of socio-economic regulation in the post-Fordist era. More specifically, this analysis uses the MSC case to test propositions regarding the existence of, and location of, nascent forms of a transnational State. We begin with an overview of the salient literature in the sociology of agriculture and food. Next the case of the MSC is presented in two parts. First, the historical development of the MSC is outlined, including the rhetoric in favor of the initiative. The following section delineates discourses that call into question the feasibility and/or legitimacy of the MSC. The discussion section uses the analytical framework to interpret the events of the case. Finally, we provide some conclusions to inform discussions regarding possible characteristics of emerging forms of the transnational State as part of the post-Fordist transition.

The globalization of the agro-food sector

Recent contributions in the sociology of agriculture and food (e.g., [Arce, 1997](#); [Bonanno, 1991, 1992, 1994](#); [Bonanno and Constance, 1996, 1998b, 1999a](#); [Bonanno et al., 1994a, 1994b](#); [Buttel, 1992, 1994](#); [Constance and Bonanno, 1999a, 1999b](#); [Friedland, 1991, 1994a, 1994b](#); [Friedland et al., 1991](#); [Friedmann, 1992, 1993](#); [Friedmann and McMichael, 1989](#); [Goodman and Watts, 1994, 1997](#); [Heffernan and Constance, 1994](#); [Kenney et al., 1989](#); [Lawrence and Vanclay, 1994](#); [Llambi and Gouveia, 1994](#); [Marsden, 1992, 1994](#); [Marsden and Whatmore, 1994](#); [McMichael, 1991, 1993, 1994, 1996a, 1996b](#); [McMichael and Myhre, 1991](#); [Raynolds and Murray, 1998](#)) analyze the implications the socio-economic transformations occurring in late capitalism have for the agro-food sector. One of the major themes of these discussions pertains to the process of the globalization and the characteristics of the post-Fordist era (see [Aglietta, 1979](#); [Amin, 1994](#); [Harvey, 1989](#); [Lash and Urry, 1987](#) for a full discussion of Fordism). For the purposes of this paper, we concentrate on the implications these trends have on the ability of nation-States to regulate their national agricultures and the emergence of supranational forms of the State that might emulate the role of the nation-State at the global level.

The debate on globalization and the post-Fordist transition was introduced into the sociology of agriculture and food arena by [Friedmann and McMichael \(1989\)](#) and [Kenney et al. \(1989\)](#). Drawing on the works of the French Regulationists who advance the concepts of Fordism and post-Fordism (e.g., [Aglietta, 1979](#); [Lipietz, 1987](#)), these authors argue that different “food

regimes” requiring different international divisions of labor link different historical periods of capitalist accumulation with international relations of food production and consumption. The post-Fordist “third food regime” is characterized by the rapid growth of TNCs that rely on global sourcing to create a global agro-food regime ([Friedmann and McMichael, 1989](#)). This process allows TNCs to play one country off another in their search for the most lucrative factors of production and hinders the ability of countries to direct their agricultural policy towards national ends.

The current debate on the globalization of the agro-food sector from a political economy perspective can be divided into four positions (see [Arce, 1997](#) for an alternative perspective). The first of these positions is exemplified by the work of Philip McMichael (e.g., [1991, 1993, 1994, 1996a, 1996b](#); [McMichael and Myhre, 1991](#)). Following [Arrighi \(1994\)](#), McMichael details the demise of the “development project” based on the diffusion of the Fordist model of US agriculture and industry into the developing world and the rise of the “globalization project” based on a reorganization of the agro-food system coordinated by transnational finance capital (TFC) and TNCs. He traces the collapse of Fordism to the demise of the Bretton Woods Agreement and the resulting de-stabilization of world currency markets. As investors decoupled liquid capital from productive capital, financial institutions increased their ability to control the servicing of debts, which affected the actions of production corporations and nation-States. This process was orchestrated by a global elite of financial managers, global bureaucrats, and corporate leaders.

According to McMichael, the GATT/WTO global regulatory regime is harmonizing national agricultural policies based on the globalization project’s neo-liberal political agenda. TFC has superseded the powers of the nation-State and closed off many of the spaces for democratic action. Similarly, supranational organizations such as the GATT, WTO, IMF, and World Bank that carry out TFC’s regulatory agenda are crucial examples of mechanisms of socio-economic coordination emerging at the global level. For McMichael, the globalization project is a purposive attempt on the part of global economic elites to revive accumulation by restructuring economic activities away from rigid national forms into flexible transnational circuits. In this global system the nation-State is no longer a political mediator between global capital and the national bourgeoisie and working class, but rather assumes the role of facilitator of the requirements of global capital. While new forms of regulation of the world economy are necessary, “(t)he unifying theme, the era of postnational regulation, poses the question: what new forms of regulation of agro-food

systems are likely to emerge?" (McMichael, 1994: 282).

The second position is that of William H. Friedland (e.g., 1991, 1994a, 1994b, 1994c, 1995; Friedland et al., 1991). Friedland argues that while the agro-food sector is going through a process of global restructuring, he posits that the crisis of Fordism did not result in the creation of post-Fordism but rather a more advanced Fordist period he terms Sloanism. Fordism in the US was based on the vision of Henry Ford and others whereby through the increase in wages, a system of mass consumption could absorb assembly line-based mass production. When this model reached its limits due to over-standardization, the impasse was addressed by Alfred Sloan at General Motors who recognized the importance of market niches and introduced the concept of "options" that allowed consumers to add variations to basic models according to their purchasing power. The concept of Sloanism expanded into other production spheres such as food and electronics. Friedland employs the case of the fresh produce sector to show how the presence of small units of production and the decentralization of large vertically integrated systems does not denote the end of mass production (Fordism) and the emergence of craft-based systems (post-Fordism) but rather reveals a much more sophisticated mass production system that is formally based on small, independent units but controlled by TNCs. This nichification of markets allows TNCs to respond to the crisis of homogenous Fordist markets and cater to the diversified demands of global consumers by providing niche options. Despite producers' apparent independence, products and labor processes maintain their mass character and remain fully controlled from above. For Friedland, Fordism did not end but was modified as Sloanism – a mass production system controlled by large corporations that offers a differentiation of products and therefore provides the impression of the end of mass production and its replacement with craft/artisanal production.

According to Friedland, a central aspect of this process is the decline of the powers of the nation-State as TNCs can only be partially controlled by them. While no transnational State exists as of yet, Friedland predicts that such an entity "must become emergent" to provide socio-economic coordination at the global level "as transnational political economy spreads" (1991: 53). The emerging transnational bourgeoisie will require a new global form of the state to establish the "commonly understood standards" required by business and perform the accumulation, legitimation, and mediation functions that the nation-State performed for national bourgeoisie. It is through the discovery of "such standard setting processes" that "are not set by any formally delineated government

or intergovernmental" body "that one must look for the emergent transnational State" (Friedland, 1991: 57). Following Hechter and Brustein (1980), Friedland argues that the nation-State emerged to minimize uncertainties and provide a climate of business confidence and suggests that we focus on two similar criteria to look for the emergence of the transnational State. First, the emergence of the transnational State must occur through some form of opposition whereby the dominant actors in the globalization of the economy are threatened by opposing forces. Second, the transnational State will be the result of a dialectical process whereby the dominant group coopts or incorporates the demands of the subordinate group in a form of compromise that brings about the conditions for continued economic accumulation accompanied by societal legitimation. In conclusion, Friedland asks, "with which class forces does the transnational bourgeoisie come into conflict that would lead to explorations toward the formation of a transnational State?" (1991: 55). In summary, for Friedland, students of globalization should be looking for the emergence of transnational forms of the State in the nascent compromises between oppositional class segments that establish codified standards to regulate capital accumulation.

In the third perspective, Goodman and Watts (e.g., 1994, 1997) also stress that the globalization of agricultural and food has been characterized by the emergence of powerful TNCs. Building upon Friedmann's work (1993) but adding some actor network aspects (see Arce, 1997; Long and Long, 1992), these authors contend that TNCs are the major agents involved in agro-food restructuring through the deregulation of production and distribution in the public arena and their re-regulation on private grounds (see also Marsden, 1994 on re-regulation). Disagreeing that post-Fordism can be equated with a sharp break with the past, they maintain that because the concepts of Fordism and post-Fordism are grounded in an industry-based analytical system that does not consider the intrinsic characteristics of the land-based agriculture, they are an inadequate conceptual framework for the analysis of the agro-food system. For them, agriculture and food is far from being fully transnationalized as TNCs do not always source globally but most often adopt multinational, multi-domestic strategies. Additionally, agro-food production processes display significant local components that make the local-global relationship a much more complex entity than that assumed by renderings in which local is a residual of the overwhelming global.

Goodman and Watts refute the position that the nation-State has lost relevance in the regulation of significant processes within the sector. While they

agree that globalization has expanded the role of transnational forms of the state such as the WTO, they stress that this trend does not translate into the claimed obsolescence of the nation-State. They maintain that the latter continues to play a crucial role in domestic restructuring and in the way in which the competitive global environment is negotiated. For Goodman and Watts, globalization is a more complex process whose analysis should privilege the role of human agency. They call for a focus on the analysis of the simultaneous processes of territorialization – that is processes based on place-specific social relations and practices – and deterritorialization – the elimination of place-specific practice and social relations to better understand agrarian production structures in the global era.

The fourth and final position is that of Bonanno and Constance (e.g., Antonio and Bonanno, 1996; Bonanno, 1991, 1992, 1993, 1994; Bonanno and Constance, 1996, 1998a, 1998b; Constance and Bonanno, 1999a, 1999b; Constance and Heffernan, 1991; Constance et al., 1995a, 1995b). These authors view Fordism as an ideal type of capitalist organization that reached full maturity after World War Two and stress the class dimension of the globalization process. They emphasize the open-ended character of post-Fordist transition and portray it as a contested terrain in which groups operate both locally and globally. In the 1960s, social movements challenged the legitimized rule of dominant classes, thereby destabilizing Fordism and requiring dominant groups to devise new strategies to enhance capital accumulation and social legitimation. Global Post-Fordism emerged as a result of these attempts. While they agree that the end of Fordism signified the possibility of enhanced freedom for subordinate groups (see Giddens, 1994; Lash and Urry, 1994), they argue that the opening of these “free spaces” has been countered by the actions of the TNCs that were able to set up processes that diminished the power of subordinate groups. In their work on the tuna/dolphin controversy, they link the crisis of political power of subordinate groups to the crisis of the nation-State and its inability to control the flows of resources and actions within its territory.

Despite their strength, these authors argue that TNCs are vulnerable as concerns about the protection of the environment, quality of consumption, and lifestyle inform anti-corporate agendas. For example, new social movements such as the environmental movement have been able to establish emancipatory agendas both in advanced and developing societies. However, these successes come with contradictions as the environmentalists’ agenda has only partially addressed workers’ needs. TNCs have been able to profit from this situation by pitting labor against environmental

groups. This situation problematizes the struggle for democracy as emancipatory groups find themselves divided and at odds with each other. Another weakness of TNCs is their lack of an “organizing force at the transnational level that surrogates the functions that the state performed at the national level” and thereby resolves the problems associated with intercorporate competition and societal legitimation through regulation and mediation of conflicting interests (Bonanno and Constance, 1996: 212). Focusing on the concept of “contradictory convergence” (Bonanno, 1992, 1993), they maintain that both dominant and subordinate groups call for global regulatory forms that protect their individual, though divergent, interests. But because the TNCs’ powers exceed that of the subordinate groups, they suggest that a new, broader-based coalition between environmentalists, labor, and consumers is needed to galvanize a counter movement powerful enough to challenge the globalization project. Bonanno and Constance conclude that “transnational forms of the state and the international arena within which they appear become the contested terrain for both TNCs and subordinate classes” (1996: 212).

All of these political economy perspectives on globalization generate valuable insights into the aspects, mechanisms, and effects of the post-Fordist transition. While Friedland and Goodman and Watts argue that the Fordist/post-Fordist dichotomy is overstated, all submit that a significant qualitative change in the form of capital accumulation has taken place. McMichael calls this phenomenon the globalization project, Friedland labels it Sloanism, Goodman and Watts refer to deterritorialization, while Bonanno and Constance discuss the rise of Global Post-Fordism. McMichael’s and Friedland’s positions are similar in their more structuralist orientation. While all the perspectives comment on nascent forms of global coordination, these two authors go as far as to advance the necessity of a supranational form of the State to emerge to mediate the contradiction between capital accumulation and societal legitimation; Friedland even points to places to look for them.

Goodman and Watts and Bonanno and Constance are similar in their more agency-oriented perspective. The latter authors see globalization as an open-ended contested process based on class struggle where both dominant and subordinate groups call for the creation of a supranational regulatory entities. Their view of “contradictory convergence” complements Friedland’s prescription regarding where to look for the new forms of the transnational-State, i.e., in the struggle of opposing classes. The former authors also admit to the rising power of the TNCs and supranational State forms, but encourage structuralist analysts to not

treat the “local” as a residual category but to see that both nation-States and local actors have significant powers to influence their position in the global agro-food system. In summary, Goodman and Watts tend to see the most “free spaces” for subordinate groups, Bonanno and Constance see the “free spaces” as being contested but in general becoming increasingly closed off; for McMichael and Friedland, the “free spaces” were few and far between to begin with, and are even scarcer now.

The reviewed authors also hold similar positions regarding the role of the nation-State. While there is some disagreement as to the exact parameters of the decline in its autonomy, all perspectives delineate a process whereby the traditional powers of the nation-State have been redefined in ways that reflect its new role in the international division of labor regarding the agro-food sector. While all of the authors argue that the nation-State still plays a vital role in the global socio-economic system, this new role tends to be centered on facilitating neo-liberal restructuring policies in order to attract TFC for socio-economic development to the detriment of social and environmental policies. Again, McMichael and Friedland are the most pessimistic in their interpretations of this process, with Goodman and Watts the most optimistic regarding the ability of the nation-State to preserve substantial portions of its sovereignty.

In this analysis, we employ aspects of all of these positions to interpret the events of the case of the emergence of the MSC as a proposed mechanism for social, economic, and environmental coordination of the global fisheries. Specifically, we try to answer McMichael’s question regarding what form a transnational State might take by borrowing Friedland’s suggestion on where to look for such new forms through focusing on instances of class conflict regarding socio-economic regulation. To this we add Goodman and Watt’s assertion that TNCs and their supporting organizations are deregulating public agro-food system policies and reregulating them in private arenas. Finally, Bonanno and Constance’s contested terrain approach based on class struggle between oppositional groups and the contradictory convergence of these groups’ interests in the formation of a transnational State is used to frame the discussion.

The case

An important characteristic of the MSC will be its independence from both the environmental community and the industry. Finding a way to harness market forces and consumer power in appropriate ways to help resolve the crisis in marine

fisheries may not be the only arrow in the quiver of marine conservation, but it could well be a powerful one. (Michael Sutton, Director of the Endangered Seas Campaign of WWF International, and Caroline Whitfield, International Manager of the Fish Innovation Center for Unilever [Sutton and Whitfield, 1996: 1])

The Marine Stewardship Council: Historical development and supporting rhetoric

Stating that previous attempts to halt the decline in the viability of the global fisheries had failed, in February 1996, Unilever and the World Wildlife Fund for Nature (WWF) announced a joint venture called the Marine Stewardship Council (MSC). The MSC is designed to create a global system of sustainable fisheries that will “provide powerful economic incentives for sustainable well-managed fishing” (WWF, 1996a: 1) and thereby “halt a catastrophic decline in the world’s fish stocks by harnessing consumer power” (Llunggren, 1996: 1). It is an outgrowth of WWF’s Endangered Seas Campaign started in 1994 (WWF, 1996b) and is modeled after WWF’s successful Forest Stewardship Council enacted in 1993 (WWF, 1996a).

The WWF is the world’s largest private, non-profit, conservation organization, with 4.7 million supporters, a global network of 26 National Organizations, and 3,500 employees. WWF invested US\$223 million in conservation program in 100 countries in fiscal year 1997 with total income for 1997 at US\$323 million (WWF, 1997b). The Anglo-Dutch firm Unilever is one of the largest consumer product companies and the world’s largest buyer of frozen fish and the manufacturer of the world’s best-known frozen-fish products under with brands such as Iglo, Birds Eye, and Gorton’s. Unilever has a twenty-five percent share of the European and US frozen fish market and also has major fishmeal and fish oil enterprises (Smelly, 1997). With about US\$50 billion in 1997 sales, Unilever markets over 1000 brands through its 300 subsidiary companies with operations in 88 countries and employs about 270,000 people (Unilever, 1998; WWF, 1998d).

While the organizations may have different motives, their stated shared objective is to ensure the long-term viability of global fish populations (WWF, 1996a). According to Michael Sutton of WWF (WWF, 1996a: 1), “The history of fisheries management is one of spectacular failures. By working together with progressive seafood companies, we can harness consumer power in support of conservation and make it easier for governments to act.” Caroline Whitfield of Unilever concurs with Sutton and adds that (WWF, 1996a: 1), “Two of our core principles are

that sustainable business is good business, and that we work in partnership to meet our goals. This initiative, on behalf of millions of consumers, is entirely consistent with these principles.” Because high levels of government subsidies and poor management regimes combined with economic and political “expediencies” have brought ruin to many fisheries, a new incentive structure that involves all stakeholders working toward a common goal of sustainable fisheries is crucial (MSC, 1998b). During the announcement of the initiative, Sutton stated, “The market is becoming more important in economic issues. There are limits to regulation and the market has to start trying to solve this problem rather than contributing to it” (Llunggren, 1996: 1). “Governments, laws, and treaties aside, market forces (corporate buying practices) will begin to determine the means of fish production” (WWF, 1996b: 1).

WWF and Unilever hired an international consulting firm to develop implementation plans for the MSC. They interviewed fisheries stakeholders and conducted studies of certifying organizations to evaluate the various factors in such ventures. This action was followed by a search for a project manager and board chair. Initial funding was obtained from independent sources such as private foundations and a fundraising drive was launched to capitalize the MSC. Next a team of consultants with expertise in commercial fisheries and ecolabeling certification was assembled to hold meetings with a broad range of fisheries experts. The team prepared a set of principles for sustainable fishing that was circulated to a broad spectrum of stakeholders in the fisheries arena. The MSC team sponsored a series of regional, national, and international workshops in order to redefine the principles and develop a process of implementation. In September 1996, Bagshot, UK was the site of the first workshop followed by the annual meetings of the National Fisheries Institute in Seattle; the International Coalition of Fisheries Associations in Seoul; the Groundfish Forum in London; and the IUCN World Conservation Congress in Montreal. Additionally, MSC staff briefed the Seafish Industry Authority in the UK, the US Marine Fisheries Advisory Committee in Honolulu, and the Pacific Economic Cooperation Council’s Symposium on International Trade and Fisheries in New Zealand. Finally, after a meeting with the World Bank’s Environment Division, the Bank announced it was considering enacting a “Market Transformation Initiative” based on the MSC (Sutton and Whitfield, 1996).

In January 1997, the MSC team announced the appointment of its first project manager, Mr. Carl-Christian Schmidt of the Organization for Economic

Cooperation and Development (OECD), with fourteen years of experience in global fisheries issues (Aquatic Network, 1997). Prior to joining the OECD, Mr. Schmidt was an administrator with the Royal Danish Ministry of Fisheries. His hiring was supported by a UK charitable foundation. The MSC was formally established in London in February 1997 as an independent, not for profit, non-governmental body (MSC, 1998a). In March 1998, the Rt Hon. John Gummer MP, former UK Secretary of State for the Environment and Minister of Agriculture, Fisheries, and Food, accepted the position of chairman of the MSC (WWF, 1998b).

In April 1997, the UK firm Sainsbury’s became the first food retailer to announce its support for the MSC (WWF, 1997a). In late 1997, the MSC launched its “Letter of Support” campaign to solidify widespread support for the initiative. By early 1998, a number of organizations had signed such “Letters,” including the National Audubon Society (WWF, 1998a). Safeway and Tesco joined Sainsbury’s with MSC endorsements bringing the three largest food retailers in the UK and major fish product suppliers to the European continent in support of the MSC (WWF, 1998a). Further support came from James D. Wolfensohn, president of the World Bank, who stated, “We recognize the major significance and enormous potential of the Council and would seek to support the utilization of market forces in this sector in as many ways as resources will currently permit” (WWF, 1998a). Furthermore, the MSC has the potential ability to complement ISO 14000 by certifying sustainable harvesting practices prior to value-added processing (Sproul, 1998). By early 1998, the list of supporting organizations exceeded 60 (MSC, 1998c).

In April of 1998, the MSC announced its first public draft of their “Principles and Criteria For Sustainable Fishing.” The Principles support the position that a sustainable fishery should be based upon (MSC, 1998e: 2):

- 1) The maintenance and re-establishment of healthy populations of targeted species;
- 2) The maintenance of the integrity of ecosystems;
- 3) The development and maintenance of effective fisheries management systems, taking into account all relevant biological, technological, economic, social, environmental, and commercial aspects; and
- 4) Compliance with relevant international, national, and local laws and standards and international understandings and agreements.

In June 1998, the MSC launched its Fisheries Certifiers Accreditation Scheme (MSC, 1998d). This initiative enables the MSC to verify the competence

of independent certifiers who assess fisheries specific practices against the MSC criteria. Products from fisheries certified by MSC accredited certifiers are eligible for the MSC logo.

Recent issues of the journal *Samudra* put out by the International Collective in Support of Fishworkers (ICSF) are the source of several articles covering the controversial impacts of the MSC. One editorial in support of the MSC comments that “when Unilever and other major seafood companies make commitments to buy their fish products only from well-managed and MSC-certified fisheries, the fishing industry will be compelled to modify its current practices. Governments, laws, and treaties aside, the market itself will begin to determine the means for fish production” (*Samudra*, 1996a: 2).

Cooper (1997) also speaks in support of the MSC. She takes issue with conclusions drawn by Neis (1996) (see below) that view the MSC at the death-knell for traditional fisheries and a system of disenfranchisement for women who participate in local fisheries and/or markets for fish products. Contrary to its critics, she feels the MSC is taking into account social and economic factors in its deliberations over the certification process. Cooper concludes that the MSC is not designed to replace or circumvent existing democratic institutions.

The controversy over the MSC: Questions of legitimacy and feasibility

...these last years of the century are giving birth to a new alliance: a type of ruthless, unsentimental, large-scale action which entirely bypasses governments. After years of mutual suspicion and tension, the environmentalists and the industrialists, the sandals and the suits, are working things out together ... (a columnist in *The Times* in the UK [*Samudra*, 1996e: 16])

The MSC initiative has generated considerable discussion regarding the pros and cons of the program. Mark Ritchie, president of the Institute for Agriculture and Trade Policy, remarked, “While there is controversy surrounding this initiative due to the major involvement of one global corporation, Unilever, in the overall control and design, rather than a broad group of stakeholders as are involved in the Forest Stewardship Council, nonetheless this is an important initiative” (Ritchie, 1998: 4). Several other articles in *Samudra* focus on the perceived shortcomings of the initiative. For example, the agreement between the powerful TNC and the famous international environmental organization “seems to have ignored the fisherpeople, though it is precisely their future that is at stake in this venture” *Samudra* (1996b: 5). Citing the

European market’s bias in favor of industrial fisheries as a major factor in the price slump that has affected the welfare of fishermen, these observers distrust that alleged “broad basis” and “independence” of the MSC and feel that with initiatives like the MSC, environmental movements and the TNCs may have a decisive influence on both prices and the conditions governing access to the market. Other observers assert that the introduction of new eco-conditions on markets such as the MSC will lead to a bias in favor of wealthy consumers in the North as Northern consumers and TNCs impose their view as to what a responsible fishery is upon developing countries. They see a hypocritical pattern whereby the promotion of imports of eco-friendly fish products to developed countries whose food requirements have already been met coincides with the continuing neglect of the needs of the malnourished in less developed countries (*Samudra*, 1996b).

An observer from the North questions a program created by an industrial fishing company that proposes to resolve the eco-crisis related to depleted fisheries. According to *Samudra* (1996c: 9):

From a Canadian point of view, the call for “codes of conduct” and sustainable fishing practices seems to be coming from the very industry people most directly implicated in the devastation of our demersal stocks. The new-found piety and heartfelt concern for the resource is not completely credible, and the “green” mantle seems to be adopted to deflect public rage at what has already occurred, while serving to maintain the perpetrators in the future fishery... So, when the Marine Stewardship Council clears a fishery as sustainable, will it consider the co-option of fishing grounds by “industrial” fleets at the expense of small-boat fishers and their communities. Hardly likely. It will be designated as a political problem and the people at Unilever and WWF selling the “new hope,” will look on governments with disdain and label the public sector as venal, while happily embracing markets as replacing the democratic institutions as the key determinant in our society.

Another view from the South questions an initiative that places all its faith in the “magic of the market” and sees the MSC as another example of Northern eco-imperialism (*Samudra*, 1996d). Whereas in democratic institutions, each participant is provided the equal endowment of one vote, in the market dominated systems of the South where income and purchasing power are “unequally distributed, this blind faith in almighty market’s ability to correct all economic and environmental ills is a far cry from the realities which people experience” (*Samudra*, 1996d: 13). Because

of Unilever's "quasi-monopoly" of the fish industry, many small-scale commercial ventures that do not fit into the MSC certification process may be left out of the value-added eco-labeling program. Because marine fish account for an important export for many developing countries, their governments are unlikely to openly support the MSC (*Samudra*, 1996d).

Another view highlights the MSC impact on fishery-dependent women of the North (Neis, 1996). Neis argues that eco-labeled fish will cost more, be purchased by women in the wealthy North, and further marginalize poor women who, due to their lack of votes in the marketplace, will experience decreased direct access to local fisheries and be relegated to purchasing "non-sustainably" caught fish. Because the actors who have the most votes in the marketplace are the vertically integrated food conglomerates who are increasingly the primary consumers and producers of fish products, Neis sees the outcome of an initiative such as the MSC as "the equivalent of a death sentence for fisheries and communities that depend on them" (1996: 2).

If the real interests of long-term sustainability of marine resources and ecosystems are the goal, then the measures of sustainability need to take into account social criteria that include the livelihood interests of the majority of fishing communities (*Samudra*, 1996e). Because of a generalized distrust of Unilever, many fishing communities in both the North and South express skepticism regarding the MSC. "Many consider the multinational giant to be a wolf in sheep's garb" (*Samudra*, 1996e: 16). Citing MSC project manager Schmidt's statement that "(e)co-labeling is a neo-liberal tool, and the MSC is going down that path" made at a workshop to deal with concerns from the South, O'Riordan (1997: 1) concluded that the MSC has no clear plans for developing country issues and feared that the MSC would develop its principles in the North and then administer them in the South.

Another source on concern comes from Lee J. Weddig, Executive Vice President of the National Fisheries Institute. In addressing the European Seafood Exhibition in April 1997, Weddig expressed dissatisfaction with the MSC regarding three areas. First, previous attempts at eco-labeling such as the "dolphin-safe tuna" and "certified turtle safe shrimp" attempted to date in the US seafood industry have not been favorable. Second, there is a high level of uncertainty that a quantifiable assessment of the sustainability of a fishery can be calculated incorporating the concepts of "sustainability," "responsibility," and "good management." He fears that the establish of such criteria will be more political than scientific and that the MSC is a form of North "elitism or left over colonialism" created to tell the South how to manage

their resources (Weddig, 1997: 2). Third, using the example of US fishery laws, he argues that the use of fishery resources is strictly regulated by law and the system of government balances the needs of competing groups – a system that provides for dissenters to advance their positions and after deliberation, sometimes get Congress or the courts to change the laws. Weddig concluded (1997: 3):

We believe the MSC concept would supersede the flexibility needed to accommodate the needs of all aspects of our society. It attempts to torque the system to a one dimensional agenda. It would do this by changing the value of the product according to its own narrow view of how the public resources should be used.

Other comments support Weddig's concerns. In June 1998, the MSC initiative suffered a setback at a meeting of the FAO Sub-Committee on Fish Trade when a Norwegian minister argued that the eco-labeling of fisheries stocks is an issue for fisheries authorities, not NGOs such as WWF and Unilever. All of the countries present at the meeting supported the Norwegian initiative (Walz, 1998). Finally, a marine biologist from the Independent World Commission on the Oceans questions the ecological motives of the MSC. According to Sidney Holt (Schoon, 1998: 1):

I read many of the publications for the fishing industries. For every sentence there may be published about ...conservation, there will be a page or more about the building of more, bigger and more powerful boats, the construction of bigger nets ... Making profits now or soon is the name of the real game.

Discussion

Agricultural politics, particularly as its systems of regulation shift to the international level, is being increasingly contested by environmentally-related NGOs and by the dominant segments of agro-industrial capital outside of the sphere of the nation state. (Buttel, 1994: 24)

Friedland told us to go looking for McMichael's and his early form of the transnational State in those places where the dominant class coopts its major detractor in a compromise that creates a system of standards to regularize economic accumulation. Bonanno and Constance added that the codification of these standards would be a contested process whereby opposing classes would both call for the creation of a

supranational State to regularize business dealings and legal proceedings globally. Goodman and Watts finish the story with their more agency-oriented perspective that stresses deregulation in the public arena and reregulation in the private.

The case of the MSC provides evidence that answers McMichael's question using Friedland's methods – a dominant TNC was able to coopt a dominant detractor, the largest transnational environmental organization (TNEO) in the world, and create a supranational State-like NGO to establish a socially legitimate system of standards that propose to balance capital accumulation with environmental sustainability. Proponents even argue that it might be used in conjunction with ISO 14000 certification. Buttel's (1992) concept of "environmentalization" is useful in explaining Unilever's newfound commitment to sustainable fisheries. He might call this new hybrid NGO an example of the "greening" of the corporate image and discourse (see also Constance and Bonanno, 1999a). Buttel's discussion of "NGOization" is also helpful. "NGOization" is defined as a process whereby NGOs assume a level of power previously thought to only be associated with nation-States and large multinational firms. "NGOs are able to do so not only because of their mobilizing capacity, but also because of the vacuum created by national-states and the international regimes they have fostered having lost legitimacy" (Buttel, 1992: 12). The green MSC is proposed as a solution to the failure of nation-States' previous attempts to rectify the global fisheries crisis.

Other events from the case illustrate the links between the MSC and the global financial elites of McMichael and/or the international bourgeoisie of Friedland. The MSC is funded by private foundations, staffed by previous members of the OECD and the British and Danish Governments, and is being considered by the World Bank as a model for other market transformation initiatives. In this scheme, the MSC becomes an agent whereby McMichael's TFC rationalizes and restructures both developing and developed nations' economies, in this case the fisheries related segments, by incorporating them into global investment circuits that link disparate producers to TNCs to customers via a global eco-labeling program. In doing so, a new set of elites, the dominant actors in the TNEOs, are now linked to dominant actors representing TNCs and TFC.

Friedland's concept of Sloanism provides a valuable complement to McMichael by highlighting a process whereby centralized control by TNCs can be used to coordinate and link a multitude of different producers and consumers and thereby provide the illusion of a decentralized craft-based system. Through the use of numerous private contractors that meet

the MSC certification standards for sustainable fisheries, the MSC centralizes the eco-labeling process that links individual fisherpeople, whether industrial or craft-based, to fisheries TNCs that market to green consumers. This arrangement is very similar to his earlier description of the way multitudes of fruit and vegetable producers are integrated into both mass and niche markets through centralized grading and standards mechanisms. Sloanism becomes valuable here by highlighting how a fractured system made up of multiple locations and types of fisheries might be centrally controlled through an NGO. While McMichael concentrates on the structural constraints imposed by TFC from above, Friedland tracks those constraints as the work up through the chain of networks that underpins his commodity systems analysis.

The events of the MSC case also provide strong support for Bonanno's concept of contradictory convergence. The development of the MSC is a contested process where both dominant and subordinate groups called for the creation of supranational State-like mechanism to stabilize global socio-economic development. Unilever and the WWF proposed the MSC in partnership. The MSC can be viewed as an attempt by a TNC to stabilize and legitimize its business practices by resolving (at least temporarily) the historical antagonism between capitalist accumulation and environmental protection through a "neutral" NGO-based joint venture. Similarly, frustrated at the inability of nation-States to resolve the global fisheries crisis, and already possessing a model of green forestry in the Forest Stewardship Council, the WWF is looking to the MSC as a replicable model of sustainable stewardship. Their recent research on the tuna/dolphin controversy reveals a similar "green NGO solution" to an international trade dispute (see Constance and Bonanno, 1999a).

Goodman and Watts encourage researchers to not marginalize the powers of nation-States or local actors in the face of globalization. Their perspective points to the ability of subordinate groups, especially the fisheries dependent nations of the South, to get their concerns about environmental privilege superceding social and economic stability heard through special MSC sponsored conferences to evaluate the needs of the South. The wide ranging critiques of the MSC from both the fisherpeople of the North and South show that the MSC does not represent all stakeholders. Indeed, the attempts by these apparently marginalized groups to make sure the MSC includes social agendas and that smaller artisanal fisheries have the same, or at least similar, opportunities to become "eco-labeled" if they so desire, are valuable examples that the globalization project is a more negotiated order than structuralists

are willing to admit. In other words, where and how the global manifests at the local is not a unilateral decision but rather a contested arrangement. Whether the tenets of social responsibility included in the MSC charter will be observed is questioned by many of its opponents.

The legitimacy and credibility of the MSC was also challenged by representatives of various nation-States' fisheries industries who argued that the fisheries were matters of national regulation and not global bureaucrats. A marine biologist questioned the legitimacy and sustainability of the MSC initiative citing the continued expansion of the industrial fishing fleet as an indicator that the mining of the world's ocean was going to continue. Indeed, from Goodman and Watt's view, the voices in protest are many and varied. How powerful is another question addressed by Bonanno and Constance.

Many of the events of the case also resonate with Bonanno and Constance's "contested terrain" framework of globalization. The agenda and parameters of the MSC were challenged on several grounds. The case reveals that the MSC emerged within an aura of controversy based on the concerns of the fisherpeople. These groups charged the MSC with elitism and questioned whether it would include the artisan fisheries in its certification scheme or cater only to the large global fisheries dominated by the industrial fleets. In this scenario, with limited access to the MSC eco-label of approval, the small-scale fisheries would be left to sell "dirty fish" by default. These groups expressed their distrust in solutions that put unquestioned faith in the magic of the market and privileged Northern consumers and corporations over Southern producers and consumers. More specifically, while the MSC espouses both an environmental and social agenda, views from the South and the North doubt that expressed concerns for traditional fisherpeople's livelihoods are sincere.

Although the MSC was challenged on many fronts, the careful planning and corporate campaign secured its required support and initial success. This again concurs with the views of Bonanno and Constance by highlighting the fact that while the globalization project is a contested and open-ended process, more often than not the winners tend to be on the side of neo-liberal trade policies. On this point they are not too far from Friedland and McMichael's global elites orchestrating a new international regime of accumulation. This is where Goodman and Watts come back into the story. The MSC deterritorializes the issue of the crisis of the global fisheries away from the political venue of individual nation-States, or territorial collections of nation-States as in the EU, and towards a supranational solution. The MSC privatizes the eco-

labeling process within a supranational NGO structure centered on scientific criteria of fisheries management and market-based incentives. Through a process of de facto deregulation of nation-States' laws, treaties, and policies regarding fisheries issues, the MSC reregulates the coordination of the global fisheries away from public venues and into private arenas. This process can be characterized as an example of re-regulation that transposes "state power onto private sector interests through micro-corporatist relations and practices" at the international level (Marsden, 1994: 155).

A central message in legitimating the need of the MSC was the position that nation-States had failed to meet the global fisheries and it was the markets time to give it a try. Using a "micro-corporatist" NGO framework, the MSC bypasses the sovereignty of individual nation-States and proposes to resolve the global fisheries crisis within an arena beyond their jurisdiction. The thorough corporate campaign to sell the "independent" MSC to the global fisheries and food community through national, regional, and international conferences and the Letters of Support program established the MSC as a socially legitimate organization and solidified its immediate future as a tool of neo-liberal restructuring over and above the jurisdiction of nation-States. This result points back to the fears of Weddig and the structuralist views of Friedland and, especially, McMichael.

Finally, the MSC proposes to perform the necessary functions of the State as outlined by Friedland. With its NGO organizational form, it emulates the accumulation function by fostering a stable business climate and continued access to reliable supplies of fish stocks for fisheries TNCs. The MSC also creates an atmosphere of legitimation by linking sustainable fisheries products certified through the use of fisheries science to global consumers via eco-labeled products that allow the consumers to be the legitimaters of the global system. The plethora of "Letters of Support" attests to the effectiveness of the MSC's attempts to legitimize itself as "the answer" to the global crisis of depleted fisheries. The question of how well it will perform the role of mediation is more problematic. The dissent from the South, as well as the North, raising charges of eco-imperialism, impaired national sovereignty, and the lack of attention to the social and economic needs of the fisherpeople of the world problematizes the smooth acceptance of the MSC.

Conclusions

It is too early to get too excited about the effects of MSC, but it does point to a trend in the future of fisheries management. That trend is character-

ized by the increasing marginalization of workers and state institutions and the advance of market-led initiatives. (*Samudra*, 1996e: 16)

While proponents of the young MSC attest to its independence from both the environmental community¹ and the global fishing industry, detractors claim that it is a wolf in sheep's clothes designed to establish a regulatory system for the global fisheries that favors fisheries TNCs, bypasses national laws, and marginalizes fisherpeople. The wolf in this case is the giant TNC Unilever and the "green" sheep's clothing is provided by the TNEO, the World Wildlife Fund for Nature. The WWF consistently presented a position that questioned the ability of nation-States or groups of nation-States to resolve the global fisheries crisis and proposed in the MSC a solution based on market driven mechanisms. The MSC promises to both resolve the accumulation crises of the depleted fisheries (i.e., provide a consistent supply of fish) as well as the legitimation crisis due to environmentally irresponsible fishing techniques that waste millions of tons of fish each year (i.e., appease the environmentalists). This is a Holy Grail in political economy circles.

The MSC appears to be a prime example of what Buttel is referring to: a green NGO occupying the regulatory spaces vacated by failures of the nation-State system. What might surprise him is that the green NGO and agro-industrial capital are working in alliance, instead of in opposition. With the support of a major TNEO and TNC, the MSC is working to meld environmentalism with free trade and scientific fisheries management within an NGO format that bypasses the particular political positions of individual nation-states. The NGOs then become important actors and regulators in the global free trade political arena whereby consumers play the role of legitimizers of the system by purchasing the products and thereby buying into the system. These NGOs are then linked to larger global coordinating mechanisms and initiatives. For example, the MSC has support from the World Bank, a project manager from the OECD, a former British Secretary of State for a chairman; it has letters of support from the dominant food retailers in the UK, numerous other fishing related companies and associations, and major environmental and conservation organizations such as the National Audubon Society, National Coalition for Marine Conservation, National Resources Defense Council, and Sierra Club of Canada; and it has its TNC and TNEO parents. The "political spread" of the MSC coalition is substantial and a critical factor in its success.

According to the WWF and Unilever, the MSC will harness consumer power to resolve the crisis of the global fisheries. This position fits well with views

that see consumption as the site replacing labor as the new locus of identity and behaviors (Bauman, 1992) and providing emancipatory options for empowered (Humphrey, 1998) and reflexive (Lash and Urry, 1994) individuals. The emerging "food movement" can also be seen as a successful example of the ability of groups to challenge neo-liberal, global restructuring agendas (Lang, 1999). Contrary to these more optimistic views, other observers (Jameson, 1994; Eagleton, 1996) question the emancipatory scope of consumption and instead highlight TNCs' hegemonic powers to transform new forms of consumption into novel markets that expand their sales and corporate power. While we have argued for the development of new social movement-based coalitions that incorporate the interests of workers, environmentalists, and consumers into a cogent force to counter the globalization project (see Bonanno and Constance, 1996), the events of this case indicate that TNC interests have not only coopted major environmentalist detractors, but they have also found a novel way to accommodate the "food movement" demands of green consumers from the North into their global structures of accumulation and legitimation. While this struggle is not completely adjudicated, this case speaks directly to the development of trends that support the corporate transnational project.

This analysis shows that innovative initiatives such as the MSC are finding ways to address and resolve crucial roadblocks to the globalization project related to environmental and consumer issues and thereby minimize the efficacy of the critiques of subordinate groups. The organizational composition of these initiatives provide insights into the possible characteristics of the post-Fordist system. The MSC is an example of the kind of coalitions and regulatory mechanisms emerging – a new blend of free-market, science-based, environmentalism – which could serve as a model of how to resolve difficult fisheries management, and other issues. In this arrangement, such global NGOs would provide the organizational oversight and scientific verification that links sustainable production to world consumption. From Friedland and McMichael's view, these Buttelian NGOs would be structurally linked to TFC and act as agents of global socio-economic rationalization. While Goodman and Watts might see this arrangement as being the result of a more negotiated process, we argue that the role these NGOs play in Global Post-Fordism is predicated upon a class-based system where emancipatory demands are countered by discourses and practices that redefine the situation to the advantage of the TNCs. The MSC provides further evidence of the fracturing of the environmental movement as a "mainstream" environmental group – to the benefit of a major corporate actor

– adopts neo-liberal approaches to ecological problems (see Constance and Bonanno, 1999a; Murray and Reynolds, 2000).

Although the MSC is a very young organization, this case also provides interesting insights into some possible characteristics of emergent forms of a transnational-State. Friedland's instructions on where to look for and find the nascent forms pointed accurately to the process of the conception and formation of the MSC. Further studies might also look for the convergence of contradictory interests in support of NGO formatted regulatory mechanisms that perform State-like functions. Whether this NGO child of the peculiar marriage between a TNC and a TNEO can sustainably regulate the global fisheries remains to be seen. We think that a person's position on the contested definition of "sustainable" will determine whether the MSC is perceived as a success or failure. If the MSC does realize its pre-eminent role as the model of market transformation initiatives, as alluded to by the World Bank, then this form of reregulation that incorporates the ecological critique of capitalism into socially legitimized standards for capital accumulation deserves careful attention. Indeed, what the MSC proposes to do is resolve O'Connor's (1998, 1994) second contradiction of capitalism as it relates to the global fisheries: the contradictory relationship between sustained capital accumulation and sustained ecological integrity. The MSC is formally designed to balance economic accumulation with environmental sustainability. This is no small feat.

Acknowledgments

No seniority is implied by the ordering of the author's names. This work is the result of equal contributions among colleagues. We would like to thank Richard Haynes and three anonymous reviewers for their constructive comments that substantially improved the quality of this manuscript.

Note

1. It is inappropriate to view the environmental community as a homogenous group. Indeed, there is a long history of divisions in the community beginning in the early 1900s with the "conversationist" versus "preservationist" split followed by the "grassroots/NIMBY" versus "mainstream" split more recently. For the purposes of this paper the environmental community focuses on the "mainstream" organizations represented by TNEOs such as WWF (see Constance and Bonanno 1999a for a similar discussion regarding TNEOs).

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