

Do Fish Carry Passports? **(And Does It Matter?)**

By Helen Forsey

Fish and other marine life have inhabited the rich waters off the coasts of Newfoundland and Labrador literally from time immemorial – millions of years before humans even appeared on the planet. Fish were around when the continental collisions formed the Island of Newfoundland; fish provided sustenance for the ancient ancestors of Inuit and First Nations peoples; fish drew Europeans to our shores 500 years ago – barely a moment in geological time.

So a mere 70 years ago, on the eve of April Fools, 1949, when Newfoundlanders and Labradorians like my father inadvertently "performed the monstrous and unnatural feat of becoming native-born Canadians," the fish would not have noticed.

But that fateful date nonetheless marked an irreversible turning point for the fish as well, whether they were aware of it or not. When Newfoundland agreed to the federal government's take-over, the fishery was already changing dramatically, with rapid advances in harvest and processing technologies, ever-larger vessels with increasing range and power, and the ongoing unequal contest between small coastal communities and profit-hungry corporations. After Confederation, the decades that followed saw the near-destruction of the cod fishery and the "fishing down" of many of our other stocks. Today, those processes continue, enabled – now as then – by the federal Department of Fisheries and Oceans, DFO.

This ongoing disaster, some would say, is being not just enabled, but actively aided and abetted by DFO. Certainly the Department bears the largest share of responsibility for what is happening. After all, the feds are in charge of the entire wild fishery – research, planning, management, costs and revenues, harbours, environment, safety and more. Though this theoretically leaves processing, marketing and harvester certification to the Province, overlap and complexities limit provincial jurisdiction even in those domains. Moreover, federal jurisdiction generally trumps provincial when things like trade agreement restrictions, environmental regulation, foreign ownership, corporate concentration, or food safety are involved.

It doesn't help that the province's turn-and-turn-about governing parties have apparently given up on the fishery, choosing instead to focus on hydro and offshore oil – two bets that they are now obviously losing big-time. The government's downgrading of the fishery's importance to the province has been reflected over the past several years in the changes in the name of the corresponding ministry: from "Fisheries and Aquaculture" to "Fisheries and Land Resources" to the present "Fisheries, Agriculture and Forestry." This puts what once was (and still should be) the mainstay of Newfoundland and Labrador's society way down the priority list, tucked in with a struggling forest industry and a small but valiant farming sector. Meanwhile, the fish – and our fishing communities – continue to struggle for survival.

For me, all this raises the question of citizenship for the fish in our adjacent waters. Are they Newfoundlanders and Labradorians, or Canadians, or both? If they're citizens of this province, shouldn't the provincial government be taking some responsibility for them – or at least showing some interest? When asked recently about the controversy over the caplin harvest, Premier Furey reportedly brushed off the question, saying, "Sounds like a federal issue." That sounds to me like a politician evading responsibility by playing jurisdictional ping-pong. But Dr. Furey is now the premier of this province, and there is nothing more important to the cultural and economic survival of Newfoundland and Labrador than the fishery.

The waters the fish inhabit are not just Canadian waters, and nor are the fish just Canadian fish. Let's look at the caplin more closely through this lens of piscine citizenship. Admittedly, the little silver fish can be considered Canadian while swimming in the ocean, at least within the accepted international 200-mile limit. However, once they roll on our beaches, they switch jurisdictions, performing "the monstrous and unnatural feat" of becoming Newfoundlanders and Labradorians with their dying gasp. At that moment they and their eggs are transformed into simply another "land resource" for the Province to do with as it wishes.

Perhaps that's why the caplin have been delaying their arrival longer and longer into the summer. Perhaps citizenship is a major political issue for them, with continual debates on aquatic social media and fierce divisions during their pre-spawning aggregations. Maybe the caplin leadership wants to ensure that the next generation will be seen as loyally Canadian, hoping DFO will then pay attention to their plight and end the

decades of neglect and abuse. But many of those at the eelgrass roots may want their offspring to be spawned in Newfoundland and Labrador, in the hope that the Province will finally take charge and allow their youth a more natural life, not one ended prematurely by a rapacious commercial harvest. (Is that why caplin colouring sometimes shows tints of pink, white and green, but never maple-leaf red?)

Of course, maybe neither caplin nor cod give a flying flick of the tail about their citizenship. They may not care – but we should. Dual citizenship ought to confer the advantages of both jurisdictions. We need to demand that our national and provincial governments start taking their shared responsibility for the fishery seriously and taking real action, not only for the survival of the fish stocks and other marine life, but also for the well-being of the human communities that live in symbiosis with the sea.

What might that look like? On the federal level, we need a paradigm shift in the approach to fishery management, particularly in regard to harvesting. The idea of replacing the current quota system with one based on fishing effort (see www.barrydarby.com/the-proposal/) was initially seen as wildly radical and unrealistic, but it now appears to be gaining some traction among informed people fed up with the endless litany of mismanagement, buck-passing and denial that we see so much of in DFO. Harvesters, coastal communities and the fish stocks themselves would benefit in multiple ways from a transition to effort-based management instead of the current slavish adherence to a quota-based approach that clearly doesn't work.

Meanwhile, our provincial government still seems to be trying to compensate for its relative powerlessness on the water by imposing the wrong kind of control wherever it can on land. For years it has been micro-managing the processing, marketing and farming of fish in ways that favour the big corporations at the expense of the rest of us. That has to stop. As well, the Province must end public subsidies and investments in processing and aquaculture companies, actively discourage transshipment of whole fish for processing elsewhere, remove bureaucratic barriers to the local construction or expansion of processing facilities, stop obstructing direct fish sales by harvesters to consumers, and encourage fishery co-operatives and community-based initiatives.

All of us here in Newfoundland and Labrador need to echo the call by Gus Etchegary, Shane Mahoney and others, and push our provincial leaders to kick their bad habit of leaving the fishery to the feds. The Premier, cabinet and all provincial parties should unite to confront the federal government and demand long-overdue action on the fishery. Newfoundlanders and Labradorians – especially harvesters and their communities – must be directly involved in developing and implementing the necessary measures to restore the incredibly rich renewable resource that Canada took over from us decades ago, and ensure that its benefits flow to those who work and live from it.

As for our fellow dual citizens – the piscine variety – well, they will sink or swim according to how well we humans fulfil our obligations to restore a prosperous and sustainable fishery off our shores.

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