



Whose custom is important? : A case of conflict among multi- layered customary fishing rights groups in Okinawa, Japan

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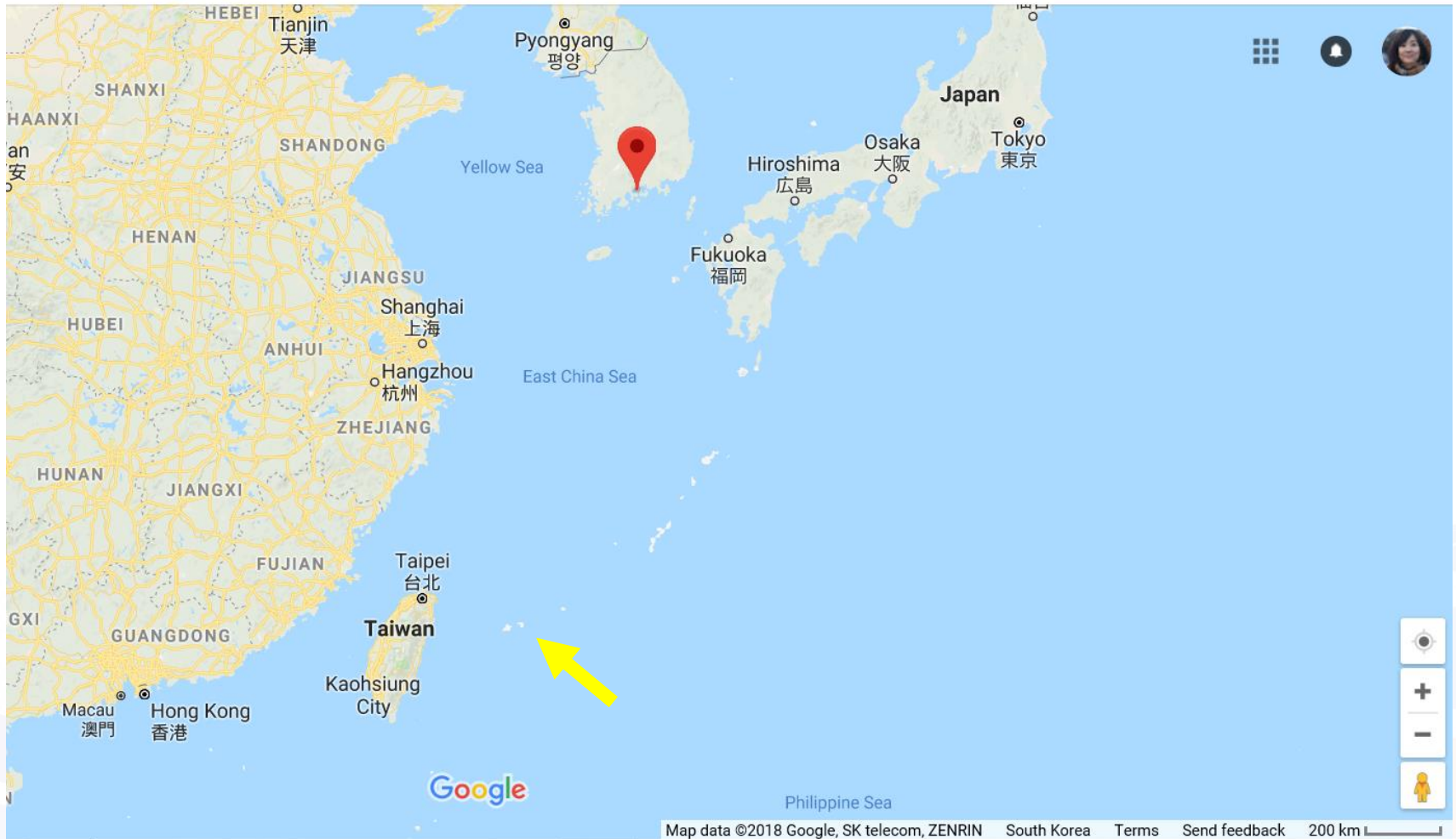
Case study: Shiraho vil., Okinawa, Japan

local villagers vs FCA & Gov. conflict
over the airport construction plan

Highlight

- Even well-designed fishing rights could cause serious conflict among different user groups.
- Any formal resource institution (right) could have a potential risk to generate a conflict among multi-layered resource user groups.
- We should not, therefore, focus on the “right” itself, but the mechanism that is supporting the actual local practices under the rapidly changing social-ecological environment.

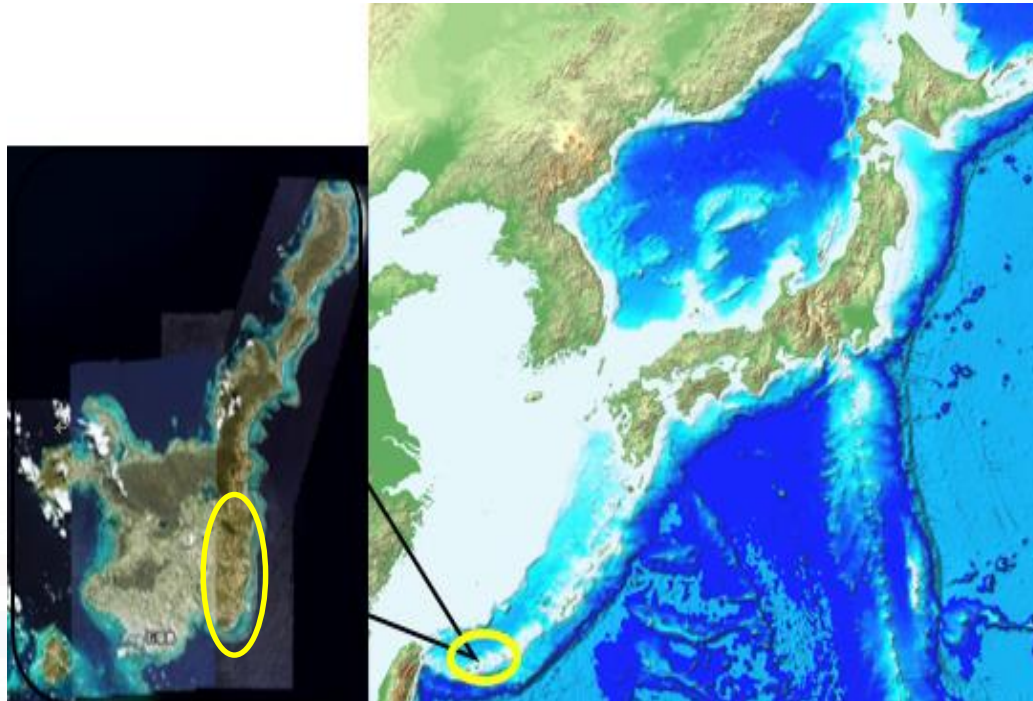
Where is it?





Study site : Shiraho village, Ishigaki is., Okinawa, Japan

- Ishigaki Island: most southwestern part of Japan
- Climate: subtropical
- Shiraho village: southeastern part of Ishigaki Island
pop. 1570, 703 HH (Ishigaki City 2014).



Historical background of tenure & fishing rights policy in Japan

- First declaration of marine resource management policy (Yoro-Ritsuryo legal codes, A.C. 757)
- After that, this policy had been succeeded until now. In the Edo period (1603-1868), establishment of the feudal villages had generated the idea “one village’s own fishing ground”(一村専用漁場) which was owned and managed by each village
- The principle “coastal resources belong to the coastal village, offshore resources are shared among villages” also was established in this time.

⇒ This idea “coastal resources belong to the coastal village” has been succeeded as common fishing rights (共同漁業権), granted to Fishery Cooperatives in the Japanese modern fisheries law until today.

Historical background of tenure & fishing rights policy in Okinawa

- Kingdom of the Ryukyu's -> replaced by Okinawa pref. in 1879
- Since 1673, Ryukyu Gov. awarded the use right of inshore fishing grounds to the professional fishing group, *Itoman*(糸満) for enabling them to develop fishery production (e.g., Akimichi & Ruddle 1984)
- *Itoman* group had kept developing their fishing technique, grounds and production, and this history built the stereotype that fisheries resource users are the *Itoman*.
- As a result, **common fishing rights also were granted to the Fishery Cooperative Associations (FCAs) consisting of *Itoman* fishers, not to coastal villages in Okinawa** (e.g., Kumamoto 1995 ;2010)

Use of lagoon in Shiraho vil.

- utilized by villagers for secondary or minor subsistence activities for a long time. (Tamanoi 1995; Tabeta 1990).
- professional fishing was introduced by migrants after World War II (Tabeta 1990)
- 20 professional fishers and many villagers utilizing the lagoon at present (Sugimoto 2016).



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Net fishing



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Seaweed gathering



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Spear fishing (night time)



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Spear fishing
(daytime, e.g., octopus)

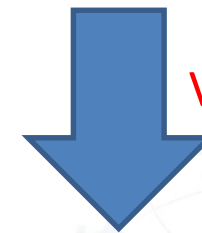


- There are multiple customary fishing groups:
 - *Itoman* group (with fishing rights)
 - professional village fisher group (some with fishing rights)
 - village resource user group (without any fishing rights)

Struggle against the airport construction plan

25 May 1979	沖縄県が新石垣空港建設地を白保地先海面に決定
30 December 1979	白保公民館総会にて反対決議
30 June 1980	八重山漁協総会にて埋立予定海域の漁業権放棄決議
28 November 1980	白保公民館総会にて反対決議及び建設阻止委員会設置
22 September 1983	沖縄県と八重山漁協、漁業権補償合意(4億5000万円)
26 April 1985	WWF-Jサンゴ礁調査実施
11 February 1988	IUCN総会にて新空港計画見直し勧告決議
02 November 1988	環境庁、石垣島周辺海域のサンゴ礁調査実施
26 March 1989	沖縄県、カラ岳東海域案に予定地変更
31 May 1990	八重山漁協総会にて埋立同意決議
26 October 1990	白保住民、カラ岳周辺における共有地持分権確認訴訟提訴
18 November 1990	沖縄県知事に空港建設慎重派の大田氏当選
1991~1998	県は島内周辺集落に建設予定地変更案を提示、各集落による反対
22 April 2000	WWF-J、しらほサンゴ村開設
27 April 2000	沖縄県、カラ岳陸上案を正式決定
18 November 2000	カラ岳東案への反対住民「白保の自然を守る会」結成
20 November 2000	白保公民館臨時総会にてカラ岳陸上案に賛成決議

1979: New airport construction plan over the village lagoon



Village struggle

2000: Plan was amended to relocate the runway over the terrestrial part of the village

From: Yanaka (2001); Sugimoto (2016)

Struggle against the airport construction plan

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31 May 1990	八重山漁協総会にて埋立同意決議
26 October 1990	日待峠、カラ岳東案、白保公民館臨時総会にて反対決議
18 November 2000	カラ岳東案への反対住民、「白保の自然を守る会」結成
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Gov. & FCA (which has been granted the fishing rights) had consistently pushed the plan

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However, local community (village resource user group) had consistently opposed to the plan.

26 March 1989	沖縄県、カブ岳東海域案に予定地変更
31 May 1990	八重山漁協総会にて埋立同意決議
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Fisheries law **did not** assure the right of Shiraho village

- Shiraho airport conflict was village vs FCA & gov.
- That was because, the fishing rights has been granted to the FCA which mainly consists of *Itoman* fishers. FCA could not represent the perspective of Shiraho residents.
- **Thus in Shiraho village, common fishing rights did not assure the principle “coastal resources belong to the coastal village”.**

How did the community protest against airport construction, then ?

- An environmental sociologist documented the local perception during that time.
- One example narrative by villager:

“even without any knowledge about the law, directly, residents living here can say that here (the sea) is ours, I think...as Shiraho people, we get just embarrassed to hear that the airport will be constructed here, no other place than Shiraho...”

(Yanaka 1996: 227)

Thus we can notice here that, **without any assurance nor recognition of the official rights, the residents did have the sense of ownership over the lagoon: “the sea is ours”.**

- Based on such narratives, Yanaka (1996) discussed that, the Shiraho residents could fight against the construction plan **not because they had some official tenure & user rights in advance, but because they had the following things:**

- 1. Shared image of the environment and connection with the environment**, which had been built by daily practices of individual residents
- 2. Social mechanism which could generate the collective opinion to struggle against the construction plan, by collecting the individual 'image of the environment'**



Discussion



Rights can be realized only when threatened?

3. Realization of rights

2. Pressure

'Our right'



Interaction

1. Interaction with natural environment



Insights from Shiraho case

- People's interaction with natural resources generates sense of tenure & user rights (not the opposite direction)
- Because of this, any 'official rights' (once formally institutionalized) could have the potential risk causing conflict among different resource user groups

Way forward:

The interaction between people and natural resources is always diverse and dynamic, not static, fixed.

Given this, the rights-based approach should also be flexible and adaptive enough to meet such diversity and dynamics. We should not, therefore, focus on the “right” itself, but the mechanism that is supporting the actual local practices under the rapidly changing social-ecological environment.

Thanks for attention !



Attachment

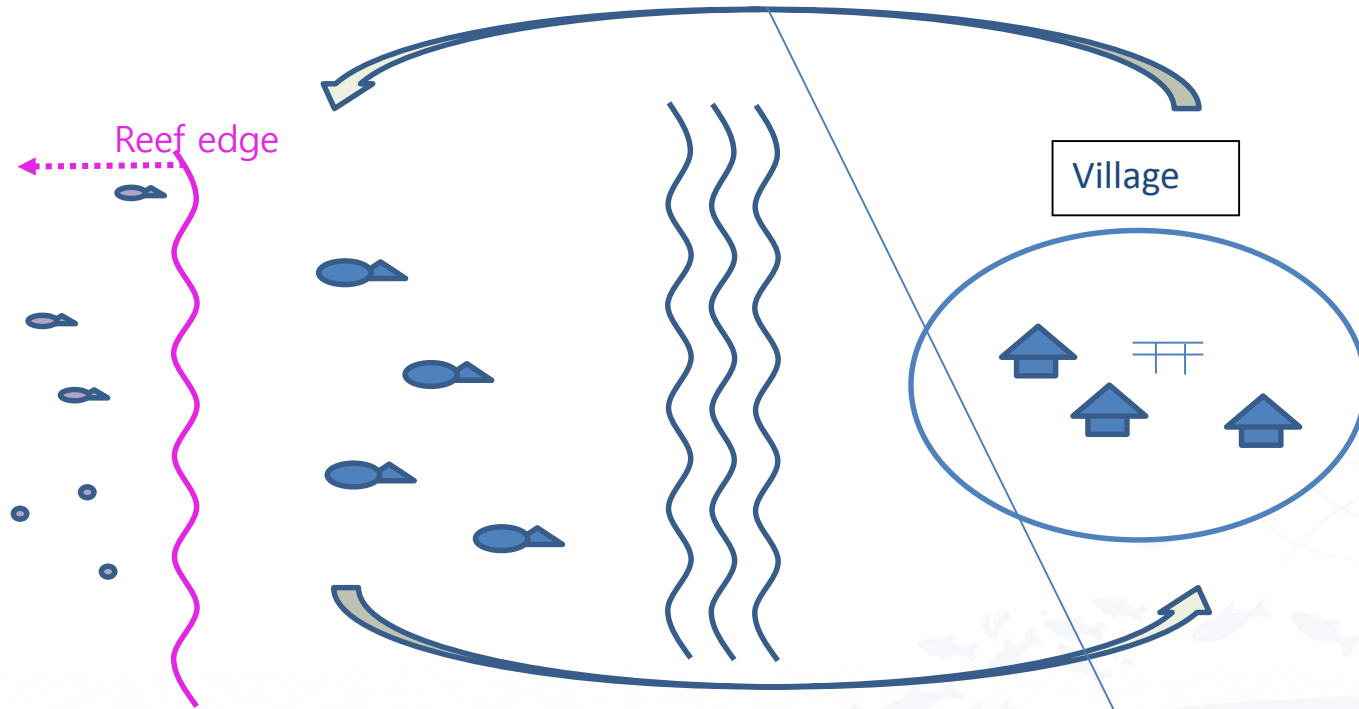
Reef edge

Village

Village common sea

Embedded

precondition for the sense of 'rights'



Summary of this case:

This case indicates the complexity and dynamism of customary rights for fishing activities, and the potential risk of institutionalization of customary rights which could result in a serious conflict among multi-layered customary rights groups.

Important thing is that, local people can recognize their ownership without any 'official right', based on daily practices interacting with natural resources.