

This article was downloaded by: [National Sun Yat-Sen University]

On: 07 March 2012, At: 19:51

Publisher: Taylor & Francis

Informa Ltd Registered in England and Wales Registered Number: 1072954 Registered office: Mortimer House, 37-41 Mortimer Street, London W1T 3JH, UK



Coastal Management

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/ucmg20>

Integrated Oceans Policymaking: An Ongoing Process or a Forgotten Concept?

Nien-Tsu Alfred Hu ^a

^a The Center for Marine Policy Studies, National Sun Yat-sen University, Kaohsiung City, Taiwan, Republic of China

Available online: 15 Feb 2012

To cite this article: Nien-Tsu Alfred Hu (2012): Integrated Oceans Policymaking: An Ongoing Process or a Forgotten Concept?, *Coastal Management*, 40:2, 107-118

To link to this article: <http://dx.doi.org/10.1080/08920753.2012.652506>

PLEASE SCROLL DOWN FOR ARTICLE

Full terms and conditions of use: <http://www.tandfonline.com/page/terms-and-conditions>

This article may be used for research, teaching, and private study purposes. Any substantial or systematic reproduction, redistribution, reselling, loan, sub-licensing, systematic supply, or distribution in any form to anyone is expressly forbidden.

The publisher does not give any warranty express or implied or make any representation that the contents will be complete or accurate or up to date. The accuracy of any instructions, formulae, and drug doses should be independently verified with primary sources. The publisher shall not be liable for any loss, actions, claims, proceedings, demand, or costs or damages whatsoever or howsoever caused arising directly or indirectly in connection with or arising out of the use of this material.

Integrated Oceans Policymaking: An Ongoing Process or a Forgotten Concept?

NIEN-TSU ALFRED HU

The Center for Marine Policy Studies, National Sun Yat-sen University,
Kaohsiung City, Taiwan, Republic of China

Recent Development

In the last decade many countries of the world have taken a similar path for ocean governance and sustainable development through adopting comprehensive and integrated national oceans policy and strategies. To name a few, the EU issued its “Integrated Maritime Policy” on October 10, 2007 and Japan adopted on April 27, 2007 a “Basic Law on the Oceans” (in Japanese) or “Basic Act on Ocean Policy” (in official English translation) with which a Headquarters for Ocean Policy was established and chaired by the Japanese prime minister. Canada had its Oceans Act adopted in 1997 followed by the issuance of an associated Oceans Strategy in 2002 and an Oceans Action Plan in 2005. The United States had its oceans policy reviewed by the U.S. Commission on Ocean Policy, as provided under the terms of the Oceans Act of 2000 (P.L. 106-256), during 2000–2004, which submitted its final report entitled *An Ocean Blueprint for the 21st Century* to the U.S. president and the Congress on September 20, 2004 and the Bush administration reacted by issuing an executive order establishing a Committee on Ocean Policy as part of the Council on Environmental Quality (CEQ) and an “Ocean Action Plan.” China published its 2009 oceans development report, and Taiwan just passed an amended organic act to overhaul the structure and components of its Cabinet on January 12, 2010 by which a new specialized agency for the oceans will be established in the year of 2012, a ministerial level agency under the name of “Commission/Council of the Oceans” (or 海洋委員會 in Chinese), that will have the administrative authority of “integrated planning, promotion, and coordination on oceans comprehensive policy and basic laws and regulations” (海洋總體政策與基本法令之統合規劃、推動及協調) as provided under the terms of the draft organic act of this agency.

The 2010 International Conference on National Oceans Policymaking

In 2010, my Center, The Center for Marine Policy Studies (CMPS) at the National Sun Yat-sen University (NSYSU), a leading marine policy think tank in Taiwan, considered that it was a good time to discuss the issues relating to the development of national

Address correspondence to Prof. Nien-Tsu Alfred Hu, Ph.D., Guest Editor to the Special Issue, Director, The Center for Marine Policy Studies, National Sun Yat-sen University, 70, Lien-Hai Road, Ku-Shan District, Kaohsiung City 80424, Taiwan, Republic of China. E-mail: omps@faculty.nsysu.edu.tw

oceans policymaking in different countries as well as the importance and consideration of national oceans interests in the context of national oceans policymaking. Accordingly, an International Conference on National Oceans Policymaking was organized by the CMPS and held in Taipei, Taiwan, Republic of China on August 4–5, 2010.

The main themes for the Conference included: (1) National Oceans Policymaking: National Practice & Lessons and (2) National Oceans Interests in the Context of National Oceans Policymaking. These two themes were covered by 15 papers delivered in two days. In the first day, it had eight speakers to present eight individual countries' oceans policymaking, especially their practices and lessons. These eight countries include Australia, Canada, China, EC, Japan, Korea, Taiwan, and the United States. As far as the national oceans interests in different sectors/issues in the context of national oceans policymaking are concerned, seven topics were addressed. They were naval, fisheries, marine environment protection, ocean diplomacy, legal regime of islands and rocks, maritime delimitation, and regional cooperation. After the paper presentation sessions, a roundtable discussion was held, co-chaired by Prof. Ted McDonald (Canada) and the organizer of the Conference and director of the CMPS, Prof. Nien-Tsu A. Hu, and all foreign speakers attended. It was a very lively discussion that abounded with much intellectual stimulation. After hearing all the presentations delivered in the previous sessions, panelists all agreed that an integrated approach for oceans policymaking was very much needed on a national level; however, the remaining issue was how to achieve such integration.

Retrospection: A Philosophical Approach to the Issues

During the early stage of the development of “marine policy” in the 1970s and the 1980s, regardless whether this term was treated as an expression for an academic discipline or a policy domain, one can find that there were intellectual explorations in a philosophical approach on the issue of “integrated marine policy” in academic literature or even government publications. For example, the U.S. Department of Commerce issued a publication entitled *U.S. Ocean Policy in the 1970s: Status and Issues* in October 1978 in which Chapter IX, “Organizing the National Ocean Effort,” had an in-depth examination of the then American government organizational structure and status, along with a section of philosophical inquiry about the issues of “Independent Agency or Cabinet-Level Department?” and “Integration by Function or Resource?” (U.S. Department of Commerce 1978, IX-23–28). For the latter issue, this governmental publication succinctly presented the essence of the issue as follows:

Whether Government organizations should be predicated on functional lines, e.g., energy, food, transportation, and labor, or whether they should be organized on the basis of resources, e.g., land, water, people, and oceans is a fundamental question. To some extent this is merely another way to ask the question: Is the ocean a sensible theme for integrating the functions of government? (U.S. Department of Commerce 1978, IX-24)

After examining the merits and disadvantages of the two different approaches to government organizational disposition, this publication continued by stating that “[s]ingling out the ocean as an integrating theme for a resource-oriented organization tacitly implies that there are characteristics and factors which distinguish ocean resources from land and other resources” and citing the four unique factors that differentiated ocean-based efforts from

land-based efforts as identified by Elliot Richardson in a U.S. Congressional hearing (U.S. Department of Commerce 1978, IX-27):

1. Ocean resources are common property resources and are therefore wholly in the public domain. . . .
2. Ocean activities interact and impact one another in a more direct way than comparable land-based activities. . . .
3. Technology needed for development of marine resources is significantly different from that associated with similar land-based resource development.
4. The ocean constitutes an area in which U.S. interests butt up against the interests of other countries. Therefore, there is an important international ingredient involved in resolving ocean problems.

This publication then proposed a persuasive argument that “[w]hether the ocean, as a resource, is a sensible integrating theme for organizing the Federal ocean effort must be determined on the basis of these distinguishing characteristics weighted against the organizational options of ‘function’ versus ‘resource’ and modified by other organizational efforts in the Federal Government that may affect any possible reorganization of Federal ocean activities” (U.S. Department of Commerce 1978, IX-27). It is persuasive since this argument can readily be applied to any other governments when they are considering reorganizing their own ocean activities or efforts.

The most representative work in academic literature was an article authored by Arild Underdal (1980). Underdal asked “Integrated Marine Policy: What? Why? How?” or “What is the precise meaning of the concept ‘integrated policy’? Why—if at all—should marine policies be integrated? How can policy integration be accomplished?” Underdal proposed a straight-forward definition for an “integrated policy” and three requirements contributing to an “integrated policy”:

To “integrate” means to unify, to put parts together into a whole. Integrated policy, then, means a policy where the constituent elements are brought together and made subjects to a single, unifying conception. More specifically, I suggest that to qualify as integrated a policy must meet three basic requirements, *viz* comprehensiveness, aggregation and consistency. As interpreted here, these requirements refer to three consecutive stages of the policy-making process: comprehensiveness to the input stage; aggregation to the processing on inputs, and consistency to outputs. (Underdal 1980, 159)

For the “why” issue, Underdal argued that “[t]he most general purpose of policy integration is to improve outcomes, and the key to this improvement is ‘internalization of externalities’” (Underdal 1980, 163). For the “how” issue, Underdal proposed different approaches to policy integration, including direct and indirect approaches while the latter encompasses several distinct strategies, such as intellectual and institutional strategies (Underdal 1980, 166–168).

Due to ever increasing and often competing uses of the oceans and resources thereof and a multitude of private, public, local, national, and even international interests involved, two phenomena ensued: more and more government agencies and/or programs were established to address a variety of marine affairs, and as a result, the fragmented ocean responsibilities among agencies, with the possible loss of efficiency, evoked a cry for integration of marine policy. As indicated by the aforementioned U.S. Department of Commerce publication, “In

1969, the year that *Our Nation and the Sea* was issued by the Stratton Commission, Federal ocean programs were located in 6 departments, 4 independent agencies, and 17 agencies or sub-agencies within the departments. Ocean programs in 1977 were administered by 9 departments, 8 independent agencies, and 38 agencies or sub-agencies” (U.S. Department of Commerce 1978, IX-1). This kind of increase and proliferation of ocean programs in more and more functional lines of departments and agencies in any government was a natural human response to new issues or affairs and a natural trend of organizational expansion of governments. Thus, the same publication continued to describe a counter force calling for a change of the *status quo* existing in that period of time that “Failure of the United States to adopt an explicit ‘national ocean policy,’ the alleged lack of coordination among agencies administering ocean programs, and the absence of what advocates term an ocean commitment have been attributed to lack of a single ocean focus within the Federal structure” (U.S. Department of Commerce 1978, IX-1).

However, from a practical view or experience, some also cast their doubts on the utility of the concept of “integrated (national) marine/oceans policy” or “a single ocean focus in the government structure.” For example, Don Walsh gave his outright rejection to the idea of “centralization of ocean activities within a new or existing agency of the federal government” in the United States context by simply saying that it would not work. He added that “In fact, it will only add to the problem because ocean issues must follow functional lines which are aligned with the basic organization of the executive branch. Instead of attempting to create new agencies which further confuse the basic functional organization of the executive branch, a return to the fundamentals is needed” (Walsh 1981, 85).

In addition, Jean-Pierre Levy, a former director of the United Nations Office for Ocean Affairs and the Law of the Sea, once argued that “an ideal marine policy does not yet exist” due to “the multitude of interests and of uses and resources involved.” Thus, “it is almost impossible to adopt an exhaustive, comprehensive marine policy which would not give rise to national criticism from various quarters” (Levy 1988, 327). While Levy thought that “[t]he establishment of a *national integrated marine policy* calls for a mechanism for collecting and transmitting information, a planning body for integrating this information, and a decision-making body to take policy decisions,” he still considered that “[t]o propose a *single institutional model* for states to follow would serve no purpose . . . ” (emphasis added; Levy 1988, 328). However, at the end of his article, Levy could not help but provided a model of institutional arrangement or structure involving an inter-ministerial committee to coherently implement a national marine policy and suggested that “[i]t is through the early *adoption of an integrated approach* to the development of marine areas under national jurisdiction, through the *adoption of a national marine policy* that countries will be able to maximize the contribution of ocean space and introduce the potential of marine resources into their long-term development plan” (emphasis added; Levy 1988, 341–342).

Levy held his skepticism on the concept of “integrated national ocean policy” at least until 1993. He argued that “the words integration, comprehensiveness, and rationality must be used cautiously” and “a perfectly integrated ocean policy—that is, a policy that is ‘rational’ from all points of view and at all levels of interest—does not and cannot exist. This is due to the complexity of the policy process itself and to the impact of internal and external factors that come into play at different stages of the policy formulation and implementation process as well as to the type of policy problems under consideration” (Levy 1993, 75). He observed correctly:

[O]cean responsibilities have been assigned progressively and in an incremental and fragmented manner under the pressures created by the growing use of ocean

space. Traditionally and in a very inevitable way, a sectoral approach became paramount. With the multiplication of various responsibilities corresponding to the increase of the types of uses of the ocean, it is nowadays common to find some 10 to 15 different ministries having ocean-related responsibilities. This creates functional as well as institutional difficulties in as much as each ministry has its own priorities and objectives and has at its disposal administrative/institutional agents of its own. (Levy 1993, 78)

After examining major elements of a national ocean policy, namely spatial dimension, jurisdiction of a coastal State, actors involved and the interests at stake, the administrative set-up, and coordination and harmonization of activities, Levy suggested that it would be helpful to limit the concept of *integrated coastal management and development* to the area of coastal land and adjacent ocean space, *integrated ocean management* or *integrated sea use planning* to a much wider body of water extending to the limit of a State's exclusive economic zone, and the concept of *ocean policy* be reserved for the national dimension of a State's role and responsibilities in marine affairs both at the domestic and at the international/global levels (Levy 1993, 80). It seems that, in Levy's mind, "[t]he degree of integration and consequently of rationality and efficiency will be directly related and inversely proportional to the geographical coverage and to the nature of interests involved" (Levy 1993, 80). In other words, Levy seemed to suggest that the term "ocean policy" should be reserved or applied only to a State's actions with respect to marine affairs on national, international and/or global levels and the practice of "integrated ocean policy" would achieve less and less degree of rationality and efficiency when such policy was applied to a marine area farther and farther away from a State's jurisdiction.

Similarly, D. Cameron Watt raised a question: Is an integrated marine policy a meaningful concept? (Watt 1990) By using a mythical coastal State's ocean-based and ocean-dependent activities as a case, Watt satirically answered the question that he himself raised as how to organize such activities in a government: "'In a ministry of the sea' answer the integrationists" (Watt 1990, 300). Watt continued by laying out his arguments:

The demand for a single integrated policy-making agency for all sea-based activities is a reaction to the normal situation in most developed countries where sea-based or sea-relevant institutions find themselves isolated from one another, placed fairly far down the chain of policy recommendations so that much of their concern and many of their choices become diminished before they reach the top levels of policy recommendations, and where there is no lateral communication with similar agencies attached to other sectoral departments. . . . Advocates of an integrated marine policy, faced with the problem of coordination, have been forced to adopt various solutions, none of them entirely satisfactory, depending on the nature of the central constitutionally responsible body. (Watt 1990, 301)

Watt concluded that

There is no ideal organization for the coordination of marine policy making over the very wide range of issues and interests involved. . . . What is important is that the widest range of interests and agencies be consulted so that policy choices are made after as complete a review of the side effects and concomitant outcomes of any policy decision, and that conflicts of interest that may arise

can be recognized and allowed for if not resolved *before*, not *after*, they do damage to the general public interest. (Watt 1990, 304)

Although Watt's line of reasoning might be correct in the sense that there had been no truly ideal government or institutional setting that could serve as a panacea and solve the problems arisen from ocean uses all at once, he cannot negate the fact that a pursuit for integrated oceans policy with improved coordination has its own merits.

Nevertheless, this kind of intellectual and philosophical exploration on the issues of "integrated oceans policymaking" and/or "a single ocean focus in the government structure" has dissipated in the last decade or two. Interestingly, it seems that there was no unified or clear definition on the term of "marine affairs" ever been made in academic literatures since the 1970s (Barnett 1982, 357–358) until a paper recently published by the present author (Hu 2007). It seems that both academics and practitioners alike take the concepts or terms of "integrated marine/oceans policy" and "marine affairs" for granted. However, a deep look at such terms reveals that they are not as clear as they look at the surface. More importantly, issues such as how an integrated national oceans policy can be reached in different constitutional settings or whether to reach an integrated national oceans policy is probable at all by its nature, and whether a single ocean focus in the government structure will be conducive to the formulation of an integrated national oceans policy are worthy of our examination.

Assessments of Recent Developments

A set of papers presented at the CMPS-organized 2010 International Conference on National Oceans Policymaking held in Taipei, Taiwan was selected for publication, after a double blind peer review process, in this Special Issue. These articles may shed some light on these intellectually stimulating and practically meaningful issues. Authors of these articles are also divided among themselves on the issues of whether or not it is possible to have an integrated national oceans policy and an integrated single ocean focus in the government structure, mirroring the earlier intellectual cross-fire. These articles, arranged with alphabetical order of countries' names (including the supranational organization European Union), examine such issues from real practices of different governments and provide a valuable input to the academic and practical pursuit of answers of such issues.

Australia

Martin Tsamenyi (the paper presenter in the Conference) and Richard Kenchington examined the context and development of Australian Oceans Policy, especially the launch of such policy by an issuance of *Australia's Oceans Policy* and *Specific Sectoral Measures* in 1998, the International Year of the Ocean (YOTO), as well as the achievements and shortcomings of such policy in their article "Australian Oceans Policymaking." The two authors concluded and attributed the failure of Australian Oceans Policy to the insufficiency of state governments' engagement in decision-making immediately prior to the release of the Oceans Policy or in subsequent endorsement of the policy in the Australian federal system. To them, this is a retreat from a multi-sectorial approach developed in substantial consultation with state, territory and local governments, peak bodies and organizations, and the general public seen in the development of such policy in its early phase. The initial geographical misplacement of the National Oceans Office in Hobart, far away from the national multi-sectorial policy arena of the national capital, Canberra, and the later organizational

misplacement of such Office in the Marine Division of the Environment Department, plus another institutional misplacement of allowing the Environment official to chair an interdepartmental committee of senior officials and the dissolution of the National Oceans Ministerial Board, all contributed to an inappropriate policy focus, priority setting, and conflict of interests.

Canada

Canada's oceans policy was reviewed by Ted McDorman (the paper presenter in the Conference) and Aldo Chircop in their article "Canada's Oceans Policy Framework: An Overview." They are not advocates for a single ocean focus in government structure, as they wrote: "The myth of national ocean policymaking is that there is a single path, structure, or instrument within which ocean policy is considered, adopted, implemented, and, where necessary, enforced. The reality is that a State and its citizens interact with the oceans in a multitude of different manners that defy and undermine an easy definition of national ocean policymaking as an explanation of that relationship." Canadians are proud of their federal legislation Oceans Act of 1997 for its integrating approaches to ocean management—one single piece of legislation not only prescribes the maritime zones of Canada and the assignment of a leading administrative authority to the minister of the Fisheries and Oceans, but also lays out the principles for the development of Oceans Strategy and Implementation Plan (Jessen 2011, 22–23). However, in the eyes of these two authors, the results coming out from the implementation of the Oceans Act and the administrative role of the Department of Fisheries and Oceans are interpreted differently. While "Canada's principal contribution to the global discussion of enhancing national oceans policymaking is the Oceans Act," they observed, "What the Oceans Act does is provide a mandate to a single government department to seek to lead and enhance coordination of cross-sector activities and responsibilities and to have a so-called 'big picture' approach to ocean matters. There is a major department in Canada that is focused on new (and hopefully better) approaches to oceans management that incorporates ecosystem management, integrated governance, attaining and using greater scientific information, and protecting the marine environment. It is this that may be of most importance in a comparative context." And, they argued that "The Oceans Act does not establish a super-ministry of oceans or consolidate all ocean policy- and law-making in the hands of a single department. The Oceans Act does not supplant the numerous pieces of national law and bureaucracies that govern particular ocean sectors. The stove-pipes of sectoral activities and regulations in Canada remain fundamentally unaltered. It has been suggested above that this is a product of the necessity of users for directions that are certain, timely, and specific."

Departing from Australian and Canadian federal systems, oceans policymaking in other countries presents a different landscape.

The People's Republic of China

In the People's Republic of China, a non-democratic country under one-party rule, with a semi-ministerial status ocean policy/marine affairs agency, the State Oceanic Administration (SOA), sharing ocean competence with several other ministerial level departments in the central government, divided marine affairs responsibility among agencies is obvious; while the policy decision-making power resides in the hands of a handful of political leaders in the Politico Bureau of the Chinese Communist Party and the government agencies and/or even legislature are just policy implementing arms and, "ocean policymaking is no exception,"

as described by Keyuan Zou in his article “China’s Ocean Policymaking: Practice and Lessons.” Although fragmentation and departmentalism are obvious in the government, Zou indicated, however, that “in the eyes of the Central Government, the divided system may not constitute an obstacle for the implementation of China’s ocean policy and law.” Zou also suggests several problems in China’s ocean policy and law-making, including gaps, quality, and public participation. Reading between lines of Zou’s conclusion, readers may find that such problems seem not hinder China’s being assertive in maritime endeavors in recent years. From present author’s understanding, this discrepancy may well be explained by the fact that PRC’s political leadership has the necessary political will and power not only to guide and control the formulation of oceans policies but also to realize such policies.

European Union

The European Union is a non-State actor itself, although comprised of sovereign States. Timo Koivurova presents the development and impacts of EU’s 2007 Integrated Maritime Policy (IMP) in a unique multilevel structure context of this supranational organization in his article “Integrated Maritime Policy of the European Union: Challenges, Successes, and Lessons to Learn.” Koivurova described the success of EU’s Integrated Maritime Policy as such that “[n]ow it is possible to view these European seas as part of the territory of the EU, and with this the IMP has certainly contributed to a vision of a more unitary EU, which will likely promote the process of its further integration.” However, “[t]his paradigm shift will not happen overnight and needs to be seen as an incremental learning process, many times requiring a new generation of managers to challenge the old legally enshrined sectoral ways of policy implementation.” And, “[t]he challenge, of course, is to ensure that IMP functions in the real world of institutional politics within the EU but, more importantly, in the Member States, with their long traditions of fragmented national maritime policies, laws and institutions.” Koivurova suggested that “the EU and its IMP is a prime example of how to conduct multilevel oceans governance—a form of governance that currently permeates all ocean areas—and can thus pioneer best practices to be shared across the world.”

Japan

As mentioned previously, Japan adopted on April 27, 2007 a “Basic Law on the Oceans” (in Japanese) or “Basic Act on Ocean Policy” (in official English translation) with which a Headquarters for Ocean Policy was established and chaired by the Japanese prime minister. The initiation, development, contents, and the ensuing implementation of this Act are described and examined by Hiroshi Terashima in his article “Japan’s Ocean Policymaking.” With such integrating legislation in existence, Terashima observes that “It seems [that] the ocean related ministries and agencies have started to consider how to utilize the new framework on the oceans for fulfilling their respective missions. If so, this is a good trend toward implementing the Basic Plan on Ocean Policy and promises a bright future for ocean governance.” And, at the same time, as Terashima noted, “New initiatives on the oceans have been emerging not only from the government, but also from nongovernment sectors in recent years.” Apparently, while this Basic Act only lays down the principles for oceans policymaking, establishes a top-down decision-making body and mechanism, namely the Headquarters on Ocean Policy, and requires the formulation of a Basic Ocean Plan, it does begin to show its utility as a driving force for a more integrated Japanese ocean endeavor.

The Republic of Korea

Korea is a good example to look at for a national experience of establishing an integrated single ocean focus in the government structure. Dong-Oh Cho examines this experience and provides his evaluation for the success and failure of it in his article “Korea’s Oceans Policymaking: Toward Integrated Ocean Management.” With President Kim Young-Sam’s commitment, the Korean government established the Ministry of Maritime Affairs and Fisheries (MOMAF) on August 8, 1996, including almost all ocean-related functions except for shipbuilding, weather forecasting, and exploration for offshore oil and gas—an ocean-specialized agency with much more and wider authorities than the other two existing foreign examples, namely the Department of Fisheries and Oceans (DFO) of Canada and the National Oceanographic and Atmospheric Administration (NOAA) of the United States. This Ministry lasted until 2008 when subjected to a reorganization of government. It lost its fisheries function (moving back to the Ministry of Agriculture and Forestry, and renamed the Ministry for Food, Agriculture, Forestry and Fisheries (MIFAFF)) while all the other functions of MOMAF were joined with the Ministry of Construction and Transportation, and renamed as the Ministry of Land, Transportation, and Maritime Affairs (MLTM), a huge, super agency with multiple government functions including marine affairs. Cho noted that although Korea had a Marine Development Basic Act of 1987 and a Marine Development Committee chaired by the prime minister preceding the establishment of MOFFA in 1996, “the Korean government failed to achieve its goal due to the lack of enthusiastic leadership and responsible institutions” and that “[t]he main intent of the MDBA was primarily to enhance research and development (R&D) of oceans rather than to establish a comprehensive oceans policy.” As a part of achievements of the MOMAF, Cho stated, “Therefore, MOMAF repealed the MDBA and enacted the ‘Marine and Fisheries Development Basic Act’ (Korea Oceans Act) in 2002 to establish a comprehensive oceans policy. The Act mandates establishment of an integrated oceans policy.” And, “During the 12 years of MOMAF, many important individual laws were enacted under the sustainable development principles within the Korea Oceans Act.” From Cho’s evaluation on the Korean oceans policymaking, one finds that the existence of MOMAF in Korea during 1996 to 2008 has really changed the scenery of Korea in terms of its oceans policy, ocean-related legislation, and budgetary allocation in the government as well as ocean industries and constituency in the society.

The Republic of China (Taiwan)

The Republic of China on Taiwan has been an island or ocean State since 1949 when its central government moved from mainland China to Taiwan. However, it has retained a strong terrestrial mentality in almost every aspect of its policies and domestic legislation. Only after 2000 when a native opposition party (the Democratic Progressive Party, DPP) won the presidential election has there been some discernible development for integrated oceans policymaking. Nien-Tsu Alfred Hu reviews such development from three dimensions: oceans policy instruments, ocean legislation, and the establishment of an ocean specialized agency, respectively, and puts this development in a historical context of landmark marine affairs activities in the last six decades. Hu observes five distinctive phases of marine policy or marine affairs development of Taiwan: the sea power phase, the economic power phase, the democratic power phase, the visionary power phase, and an uncharacterized phase. Hu also notes the existence of different core values and driving forces in each phase and, from one phase to another, core values and driving forces of the time also shifted. Hu

maintained that “the formulation of marine policy over a particular period of time reflects the ‘core values’ and ‘driving forces’ of the time in the minds of some leading figures. In other words, the development of marine policy and marine affairs in Taiwan has not been shaped by Parliament through any significant legislation like the Marine Resources and Engineering Development Act of 1966 did in the United States or by social awareness for ocean development. Rather, it was shaped by the ‘core values’ and associated ‘driving forces’ in the minds of those who had influence on the decision-making of the Government.” After seeing the flow and ebb of integrated oceans policymaking endeavor in the last and present administration of Taiwan, Hu concluded that “A stable and continuous development of marine policy, especially toward an integrated oceans policymaking, in a nation depends on a steadfast legislative foundation and a viable and specialized administrative agency on marine affairs.”

The United States of America

As noted previously, ocean programs in the United States in 1977 were administered by “9 departments, 8 independent agencies, and 38 agencies or sub-agencies” (U.S. Department of Commerce 1978, IX-1). David Fluharty pointed out in his article “Recent Developments at the Federal Level in Ocean Policymaking in the United States” that “U.S. policy has evolved to the point that at the national level we have 24 agencies with ocean management responsibilities under the aegis of approximately 147 separate laws many of which have been amended over time.” In a federal system like the United States, it is almost inevitable to see the development of a very complex coordination web for the cooperation between and/or among various federal agencies and state agencies and a set of growing rulings from the courts on the disputes between and/or among these agencies and various sectors. Rather than wrestling with the development and evolution of U.S. oceans policymaking mechanism in the last few decades, Fluharty concentrated on recent efforts made by the Obama administration, especially the so-called “blue/green economy” in the marine sector. He argued that “The current administration under President Obama has emphasized economic recovery and job creation. However, in the marine sector the endorsement of catch-share management in fisheries is consistent with sustainable fishery management but not consistent with job creation. Ocean renewable energy holds significant promise for economic activity and job creation assuming the technological and environmental issues can be resolved. Similarly, offshore aquaculture can serve as an economic and employment bonus if its technological and environmental issues can be resolved and public perceptions improved.” In the end, Fluharty concluded that the legislative action in the 1970s, the courts’ rulings during the 1980s to 1990s, and the administrative branch efforts under the weak instrument of Presidential Executive Orders were not enough to sustain the United States to remain a leader in the development of coastal and ocean policies and “serious efforts must be made to lead the United States forward into a more modern integrated policy and to adapt to climate change, ocean acidification, and other major challenges.”

Fisheries Interests in National Oceans Policymaking

National oceans policymaking deals with a number of interests or sectors related to human uses of and activities on the seas and oceans, and fisheries interests are certainly an inherent one of them, if not *the* most important one. Warwick Gullett’s article “Incorporating Fisheries Interests in National Oceans Policymaking” examines the incorporation of fisheries interests into national oceans policymaking, focusing on Australia and Canada. Gullett

warned readers that “‘fisheries interests’ are diverse—spanning commercial, recreational, Indigenous and subsistence fishers— and there can be considerable conflict within the sector,” thus, “the sector as a whole is not unified, which has implications for its representation in national policy frameworks—especially in regard to ensuring that the large commercial fisheries interests do not dominate the sector viewpoint.” Adding to this complexity is that “the objectives of fisheries management and oceans management, while largely compatible, are not identical.” Gullett suggested that “[f]isheries management involves taking measures to ensure the continued operation of fishing activities and maintenance of livelihoods whereas oceans management focuses on facilitating the optimal use (or environmental preservation) of ocean spaces and resources across all human activities. With this in mind, it would be inappropriate for fisheries interests to dominate or dictate national oceans policymaking.” However, an “institutional ‘silo’ syndrome” commonly exists whereby “fisheries and environmental and maritime agencies administer separate legislation with different legislative objectives” and “[t]his type of problem typically remains even in countries which enact overarching oceans legislation, such as Canada.” Another important observation made by Gullett is that “Effective inclusion of fisheries interest in national policymaking is also more difficult in federal systems rather than unity systems because of the existence of an extra layer of government administration and more complicated spatial jurisdictional issues.” He then suggests ways to alleviate such difficulties, including mandating stakeholder consultation in the development of national legislative ocean planning and regulation arrangements, strategic planning in cross-sectoral arrangements, mapping and understanding all current and potential interests in sea spaces, and identifying and managing for the optimal use of marine resources. The conclusion he made was “a goal of all national oceans policies should be the designation of areas in which particular ocean use activities can be permitted. This approach need not, and should not, be limited to the fisheries sector.”

Conclusions

This set of articles has reviewed the endeavors made by eight different countries (including EU) in their attempt to reach integrated oceans policymaking. They suggest that, on a path to an integrated oceans policymaking, a political entity with a federal system or multilevel political system generally suffers more difficulties from their complex internal decision-making structure and litigation prone judicial system than those political entities with unitary system. The latter may have a better opportunity to formulate an integrated national oceans policy if they also possess overarching oceans legislation with a single oceans policy decision-making mechanism (regardless whether it is an inter-ministerial body chaired by the top political leadership such as in the case of Japan or a full-functioned ocean ministry such as in the case of Korea). This review also shows that in these days moving towards an integrated national oceans policymaking is still an aspiration for most nations, however, the intellectual and philosophical exploration of such concept is no longer a fad as it was in the 1970s. Hopefully, this Special Issue may revive such exploration and eventually contribute to the realization of such concept in the political, social, and ocean world.

References

- Barnett, Judith. 1982. A guide to periodicals for the study of marine affairs. *Ocean Development & International Law* 10 (3–4): 357–377.

- Hu, Nien-Tsu 2007. The content and scope of marine affairs (海洋事務之內涵與範疇). *Journal of Ocean and Underwater Technology* 17 (3): 3–20, Special Issue on “Marine Affairs,” in Chinese.
- Jessen, Sabine. 2011. A review of Canada’s implementation of the Oceans Act since 1997—From leader to follower? *Coastal Management* 39 (1): 20–56.
- Levy, Jean-Pierre. 1988. Towards an integrated marine policy in developing countries. *Marine Policy* 12 (4): 326–342.
- Levy, Jean-Pierre. 1993. A national ocean policy: An elusive quest. *Marine Policy* 17 (2): 75–80.
- Underdal, Arild. 1980. Integrated marine policy: What? Why? How? *Marine Policy* 4 (3): 159–169.
- U.S. Department of Commerce. 1978. *U.S. ocean policy in the 1970s: Status and issues*. Washington, DC: U.S. Government Printing Office.
- Walsh, Don. 1981. National organization for ocean management: Centralization vs. functionalization. In *Making ocean policy: The politics of government organization and management*, ed. Francis W. Hoole, Robert L. Friedheim, and Timothy M. Hennessey, 71–87. Boulder, CO: Westview Press.
- Watt, D. Cameron. 1990. An integrated marine policy: A meaningful concept? *Marine Policy* 14 (4): 299–304.