

Rights and Entitlements in Clayoquot Sound

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Notes for Presentation on Clayoquot Alliance PDF

Draft. Comments welcome.

(February 2002)

Research into the emergence of collaborative networks and institutions in the CS region (e.g. Dobell and Bunton, 2001) has raised a series of questions about the conjunction of human and social systems and, more specifically, about the regime of rights, rules, and responsibilities that guide and control their interactions. Who has rights to the resources, and who is excluded? How have these rights come to be specified, and contested? How have social and political factors affected the formation of a property rights regime (and vice versa)? What are the duties, responsibilities and entitlements that accompany these rights? To borrow the terminology of similar research agendas in other contexts (e.g. Beijer International Institute, 1996), are property rights in CS “in tune” with the dynamics of complex ecosystems (with limited predictability) and the dynamics of evolving social and economic institutions?

As presently conceived, there are three sections to this project. The first examines the formation of property rights in general, providing some historical and comparative perspective on the resource governance and management regime as has evolved in the CS region. The second section discusses the difficult challenges recently posed to this regime: by the increasing awareness of ecosystem complexity; by the emergence of community-driven initiatives and, more specifically, by the demands/needs of First Nations communities and their legal recognition by the courts; and, by the varied processes of “globalization” which, on the one hand, seem to be entrenching the reliance of property rights regimes on free markets and, on the other, are obviously redrawing the boundaries that determine who has the legitimacy/authority to set and enforce or monitor those rights. The third section seeks to assess recent innovations that have been developed/suggested to deal with such challenges, both regionally as well as in global perspective.

This project is both a creative avenue for the linking of “traditional academic research” with community based developments and concerns, and a promising way to mobilize the interdisciplinary experience of the University of Victoria: law, environmental studies, indigenous governance, public administration, anthropology, history, and political science, all share a wealth of experience in the study of these (and similar) research questions. The production and dissemination of this research will therefore benefit from the development of lecture series, course material, workshops and possibly conferences all of which will aim to bring CS into the classrooms (and the wider Victoria community); and, of (jargon-free) publications and workshops which will aim to bring academic findings into the region.