

# Green Turtle: an emblematic marine species at a crossroads in New Caledonia

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## Introduction

In New Caledonia,<sup>1</sup> the green turtle, *Chelonia mydas*, is an emblematic and protected species. Today, it lies at a crossroads in administrative, political and customary terms. Knowledge and representations relative to this animal, and most of all provincial and tribal<sup>2</sup> as well as collective and individual legitimacies that emerge around the turtle and its management, are interconnected and often confronted with one another. In this paper, this animal will be studied not only as a “natural” or “social object” but also as a “political object”. This approach will allow greater depth to be employed in the comprehension of the relationships between societies and their marine environment and also between individuals regarding their environment.

As Faugère (2008) noted, sociologists such as Callon, Law and Latour drew attention to the absence of non-human objects in most social science studies (Latour 1997). Non-human objects are yet considered by some anthropologists, particularly in the realm of ethnosciences. However, Faugère (2008) emphasizes that most studies focus exclusively on a particular form of human-nature relationship — exploitation; studies of other forms are quite recent. Faugère first distinguishes between anthropology of natural resources and anthropology of “heritage-nature”, and then argues that these two realms should be considered together as in environmental anthropology.

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1. New Caledonia is a *sui generis* French territory; its institutional status is unique in the French context. This status results from political agreements (Matignon-Oudinot Agreements in 1988 and Noumea Agreement in 1998) that laid the basis for a “negotiated decolonization” process, which should lead to a referendum on self-determination in the territory before 2018. In 1989, three Provinces were created in New Caledonia and environmental issues fell under the competence of these provinces.

2. In New Caledonia, the word “tribe” has a special meaning/connotation that differs from the classic use in social anthropology. Tribes do not correspond to any pre-existing “formation”, but are based on a “projection en milieu mélanésien de l’image européenne d’une sorte de conseil des Sages ou d’un Sénat – a projection in a Melanesian environment of the European image of a sort of council of Elders or of a Senate” (Leblic 1993). Tribe refers to a “historically produced administrative unit created in 1867 by colonization which was subsequently modified by the Indigénat regime (1887), the administrative chieftaincy (1897), and the demarcation of indigenous land reservations” (Le Meur 2013). Since the 1970s, the word has lost its colonial meaning and has been appropriated by everyone, in particular by Kanak people who are the indigenous inhabitants of New Caledonia. Today, as Le Meur (2013) underlined in his paper exploring the transformation of the notion of tribe in New Caledonia, ‘*Vivre à la tribu*’ is a French expression used by Kanak people to “express a strong feeling of locality and belonging”.

Following the constitution of these three co-existing anthropological sectors, in the introduction of the latest issue (n°6) of the *Revue d'ethnoecologie*, entitled “*Conservation of nature: What role for human sciences? Towards an anthropology of conservation*”, Dumez, Roué and Bahuchet (2014) describe the progressive setting up of an anthropology of conservation based on both ethnoecology and environmental anthropology. They argue that debates about biodiversity conservation strategies are acute and that they concern both their efficiency and questions of equity and social justice. Four questions are identified by these authors: Preserve for whom (see also Bahuchet et al. 2000)? Which uses of nature are “legitimate” and which are not? What are the links between biodiversity and cultural diversity (see also Roué 2006)? How may one analyse the sustainability of practices which are transforming the environment while at the same time managing this environment (see also Dumez 2010)?

Studying the socio-environmental changes caused by the implementation of a protected area through anthropological and political ecological approaches has been done by several authors within and outside the Pacific region (Aswani and Hamilton 2004; Biersack and Greenberg 2006; Brosius 2004; Doyon and Sabinot 2014; Doyon and Sabinot 2015; Escobar 2001; West 2006; West et al. 2006). Studying the socio-environmental changes caused by the confrontations of diverse types of management of one migratory species, such as the green turtle, is less common.

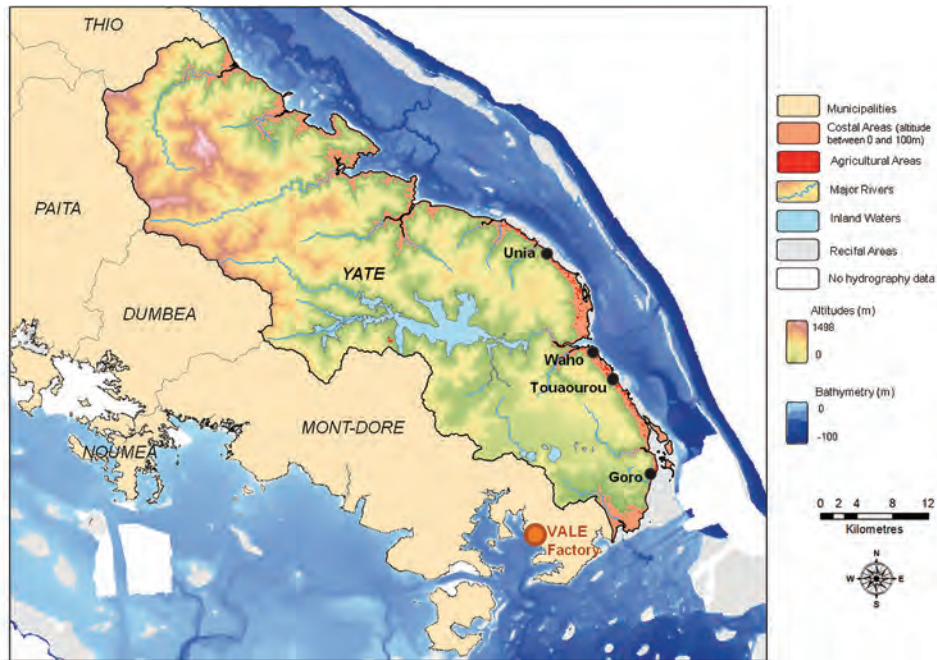
This paper analyses the new legitimacy and social issues that are emerging in New Caledonia out of the production of new norms and values for the “management” of the green turtle, which lies at a crossroads of local, tribal, provincial and international expectations. It aims to provide a few insights into the four questions raised above. In many parts of the world, marine species are symbolic and emblematic species that spark specific debates, negotiations, and sometimes conflicts (Artaud 2014; Collomb 2009; Cormier-Salem 2000; David et al. 2003; Rosillon 2014). In New Caledonia, in a context of “negotiated decolonization” and mining industry development (see also Cornier and Leblic in this volume), the construction of environmental codes and regulations in the three Provinces involves confrontations of values, norms and knowledge systems. These confrontations are original and very enlightening for the understanding of socio-environmental dynamics that are currently occurring inside Kanak tribes and between Kanak tribes and other groups (Provinces, government, mining operators, etc.).

The argument put forward in this paper is based on anthropological fieldwork carried out over 18 months in 2014 and 2015 among three tribes in Yaté in the southeast of New Caledonia (fig. 1) and inside the offices of the Direction of the Environment of South Province.<sup>3</sup> First, we will describe Yaté municipality, its

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3. In addition to regular short periods of fieldwork conducted in Yaté and regular interviews with representatives and Kanak fieldworkers from the South Province done by the author in 2013, 2014 and 2015, a Masters student, Sarah Bernard, spent four months living with a family from the Touaourou

Figure 1: Map of Yaté municipality



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inhabitants and the marine and terrestrial management of this territory. We then will analyse the international status of the green turtle and compare this with its local status in Yaté tribes. On one hand, we will specify the place held by the green turtle within the Kanak environment and the role it plays in structuring Kanak society. We will also analyse the discourses and practices of various actors (inhabitants as well as employees from South Province) relative to this species. On the other hand, we will examine the intricacies of the individual and collective social logics and strategies that rely on and are revealed by the green turtle. By describing the evolution of customary, cultural, scientific and administrative knowledge and norms associated with this animal, as well as the customary and provincial ways of managing this resource, we will show in what sense the turtle is an indicator of social change

tribe and conducting fieldwork full time (see Bernard 2014). Moreover Sarah Bernard and I conducted 3 drawing workshops in Waho School in 2014. The main data used here were collected within the framework of the LIVE "Littoral Vivrier et Environnement" (Food-producing coast and environment) programme directed by Jean-Brice Herrens Schmidt and myself and funded by the Environmental Customary Consultative Committee. This programme aims to describe and analyse the dynamics of habits, practices and knowledge related to the use and management of the coast and the sea in the context of industrial pressure on the environment as well as of social change (Bernard et al. 2014).

in the Yaté area, and in what sense it can be used in negotiations with institutional and industrial actors. In addition, we will demonstrate the complexity of the relationships between the various actors present in the area.

### **Yaté municipality, its inhabitants and the marine and terrestrial management of its territory**

#### *Location, municipality, tribes, chiefdoms, and customary territories*

Yaté is part of the Djubéa-Kaponé area. It is New Caledonia's most extensive municipality, but with a population of less than 2,000 inhabitants (95% Kanak people), it has the lowest population density (1.4 inhab./km<sup>2</sup>). The population is mainly constituted by four tribes, Unia, Waho, Touaourou and Goro, inhabiting a narrow strip of coast extending over 80 kilometres. This population comes from several areas in New Caledonia, including the Isle of Pines, Païta, Thio, Mont Dore, the Loyalty Islands, etc. (Mapou 1999). Migrations mostly date back to the 1840s and seem to have stabilised during the colonial period and the arrival of Catholicism in the Far South. In the settled areas of Yaté municipality, land is customary, meaning incommutable, unseizable and inalienable.

Understanding customary relations and the recent evolutions<sup>4</sup> of the actual functioning of chiefdoms and clans in Yaté is essential to understanding the tensions emerging around the green turtle within clans and tribes and between tribes and the provincial authorities. Each tribe consists of several clans and is associated with a chiefdom that holds political power ensuring cohesion within the tribe and manages relations with those outside the tribe.<sup>5</sup> In Yaté, there are three chiefdoms: Unia chiefdom (held by the Adjamé clan), Touaourou chiefdom (held by the Ouetcho clan) and Goro chiefdom (previously held by the Attiti clan). The Waho tribe is closely linked to the Touaourou chiefdom. In Yaté, each chiefdom is supposed to have a chief and each clan has a clan chief. In Goro, however, the chief's position has lain vacant since the death of the great chief (Charles Attiti) in 2004 due to internal discords in the Goro tribe, both between clans and within some clans. Goro clan chiefs cannot agree on who should hold the great chief's position. Such disagreements can mainly be explained by divergences in the understanding of the criteria of legitimacy to access this position, a legitimacy that is built and discussed with

4. For the development of customary relations before 2000, see Mapou 1999 and Leblic 1989; 2008.

5. As noted before, this situation is the result of a colonial reconfiguration that has gathered groups on administrative units (tribes) and "created an administrative chieftaincy, without clearly defining its duties and responsibilities" (Le Meur 2013). In 1897 and 1898, Kanak administrative chiefs were designated at the district and tribe levels, respectively a paramount chief or great chief (*grand chef*) and a headman (*petit chef*).

reference to the clans' history (particularly their establishment in the area) and the alliances between clans (especially through marriages). As political and socioeconomic stakes are high in the area, personal interests also play a role in strategies to access the position. When an issue related to a great chief's enthronement arises, due to legitimacy or to age-related problems, the chiefdom's powers can be provisionally entrusted to another clan, or can stay vacant for years (as it is happening for Goro) until an agreement between clans is reached.

As it will be shown, such ongoing reorganisations and negotiations within the tribes are superimposed on other significant governance mutations at the scale of New Caledonia. The political framework and ongoing transfers of competences from the French government to the Caledonian Provinces are giving rise to dynamic and heterogeneous organisational innovations. In Yaté particularly, due to its history, the strong development of the mining sector and the nearness of Noumea, the social and political context is constantly changing due to competition and negotiations between actors and unstable, changing alliances. These transformations are revealed in the study of tensions and negotiations inherent in the place occupied by the green turtle within the realms of conservation, custom and politics.

### *Management of marine territories: statutory law and customary law*

Management of maritime territories depends on both statutory law and customary law.<sup>6</sup> The set of customary rules governing Kanak society form the customary law, which now co-exists alongside the statutory law. The customary law covers all of the statutory law and is not always put into writing. "Custom" in New Caledonia refers to a way of being, or of considering oneself, and hence the social and legal standards ensuing from this. It is expressed particularly through exchange, donation and speech, which will be discussed several times in this paper. Today, "customary gestures" always consist of codified gifts of fabrics (named *manous*) and variable amounts of money that support speeches.<sup>7</sup> According to the nature and significance of events, these gifts may be complemented by yams, tobacco and imported goods (rice, sugar, alcohol, etc.). In the Far South, for various major events such as the yam celebration,<sup>8</sup> important weddings or recently for the Charter proclamation,<sup>9</sup> one or more green turtles are also expected.

6. Papers relative to land issues are numerous but those analysing marine issues are rare (Leblic 1989; Le Meur et al. 2012; Léopold et al. 2013; Teulières-Preston 2000).

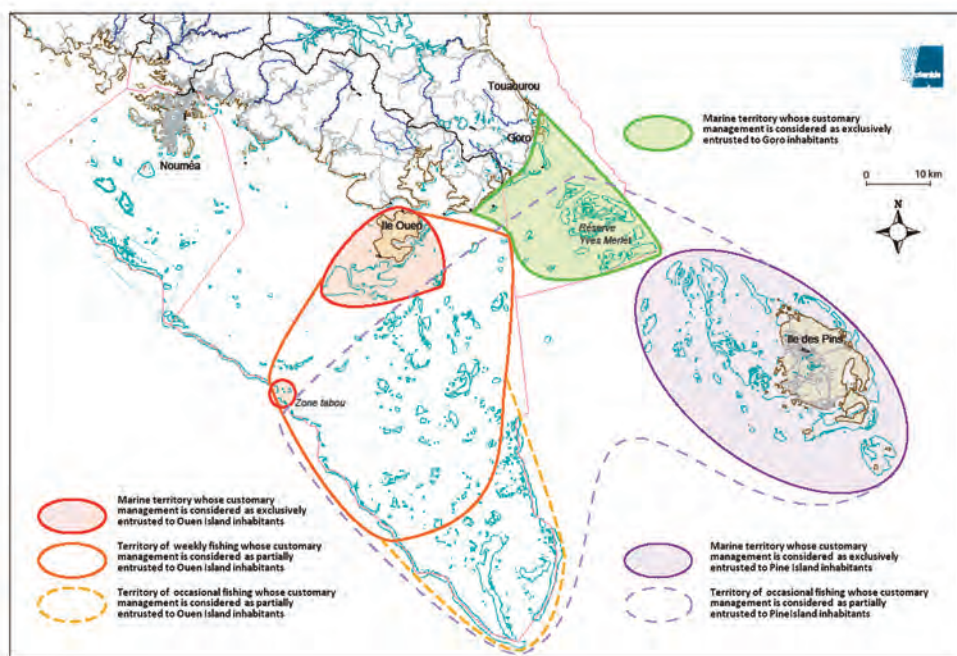
7. Speeches are accompanied by the material elements composing the 'gesture', but the speech, and the message shared, remains the most important feature.

8. The cropping cycle of yams determines the course of life in Kanak society and the Yam Celebration celebrating the beginning of the year (in February or March) is the most important annual event for Kanak people.

9. The Charter of the Kanak people, carried by the Customary Senate, was proclaimed on 2014. Also

These turtles live in marine territories that have a dual status in New Caledonia: the customary and cultural status that is recognized by Kanak clans and tribes, and the official one that is recognized by the New Caledonian government and the French nation-state (similar situations exist in the region: it is the case in Australia, the “other country” of New-Caledonian turtles). While land has a customary status officially recognised since 1998 by the Noumea Agreement, the marine environment pertains to the public maritime domain in administrative terms. Within the framework of the transfer of competences, the management of the lagoon was entrusted to the Provinces. However, within Kanak society, there is no land-sea discontinuity: land extends into the sea and the governance of the lagoon thus customarily pertains to the chiefdoms (fig. 2).

Figure 2: Map of chiefdoms’ influential areas in the Southern Great Lagoon



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The contemporary customary marine territories are an expression of Kanak history, which is marked by their experience under colonial rule, during which clans were

known as “Common base of fundamental values and principles of Kanak civilization”, it has been validated and signed by the authorities of the eight customary areas of New Caledonia.

compelled to often migrate and regroup. Nowadays, the coastline is interspersed with limits that can be described as tribal, yet that seems to actually tally with the limits of influence between former customary regions (Herrenschmidt et al. 2007). The marine heritage constitutes the base for customary identities as well as for the close cultural and food-producing relationships between individuals and their ecological environments, including specific species. Such identity links to marine areas and species, as well as the territorial dimension of the lagoon, are found in most Kanak populations of New Caledonia.

In 2008, the lagoon was declared a Unesco World Heritage serial site comprising six marine clusters and including the Great Southern Lagoon marine park, “Parc du Grand Lagon Sud” or PGLS (see also Cornier and Leblic in this volume). In Yaté, the feasibility study for the development of participative management of coral reefs and associated ecosystems in the PGLS indicated that the marine environment, complementing the land environment, constituted “a vital territory cementing the pacified development of the community” (Herrenschmidt et al. 2007). The green turtle is one of the major stakes of this space: it is one of the internal structuring elements of the tribes of Yaté and a significant object of legitimacy and negotiation between these tribes, South Province and even the industrial sector.

### **Green turtle, its national and local status**

#### *International status translated in the environmental code of South Province and in the management plan of the Great Southern Lagoon marine park*

The green turtle is classified as a vulnerable species on the international red list of threatened species (IUCN). Since 1977, the green turtle has appeared in texts concerned with environmental management in New Caledonia. In the environmental code of South Province established in 2008, it is specified that green turtles are fully protected in the context of the prohibition of the capture, collection, intentional disturbance, mutilation, stuffing, destruction, transport, peddling, use, possession or consumption of sea turtles of all species, whether living or dead. However, the president of South Province Assembly can grant authorisations for green turtle collection in the context of customary celebrations.

In the Far South, within the framework of the management plan for the Great Southern Lagoon marine park approved in July 2013, a number of actions were voted. One of them consists of bridging gaps between customary governance and statutory law, especially regarding green turtles, and hence requires acquiring knowledge related to the green turtle’s place within society, especially Kanak society. The inclusion of this kind of action in the management plan shows that a lack of knowledge on these topics could lead to failures in the management of this space.

### *Local status explored through the eyes of Kanak children*

Adults in Yaté are particularly concerned by these administrative methods and frameworks. However, an analysis of children's perceptions reflected in their discourses and drawings (Pagezy et al. 2010; Sabinot and Carrière 2015) offers a larger view of the relationships between society and the green turtle. In 2014, we conducted two types of drawing workshops at the Waho School to understand how children perceive their environment, the place they allocate the marine environment, and the species they pay attention to. During the first workshop, children in CM1 and CM2 classes (about 10-12 years old) were asked to draw their environment, without being given further details. No comprehensive study of the drawings has yet been done but it should be noted that only 4 out of 26 children drew the lagoon, the reef or the beach. Surprisingly, while all of the children live near the sea and regularly play and fish on the reef, most of them drew the terrestrial environment: mountains, rivers, lakes, etc. At the second workshop conducted only with the CM2 class, children were asked to draw the sea and the lagoon: 5 out of 13 students drew one or more turtles. The drawings then became a support for interviews conducted with the children, who often knew several turtle species. They told us that the green turtle has a good taste and that it is eaten for the yam celebration. Children have a special relationship with this turtle, in particular in relation to this celebration during which they have the privilege of eating its cooked blood, which they love. Many children know the stories and legends associated with this animal, and in 2013 some 3 to 6 year-old children even participated in creating a tale "*Taa Nii Ngüü, La Petite Tortue Verte*"<sup>10</sup> in *numee* language with the help of their Kanak teacher (École maternelle de Tchivi 2013).

This dynamic of creating storytelling with children is interesting because it reveals the place people want to give to the green turtle, which is both a symbolic and emblematic species — symbolic by the place the turtle holds inside tribes and clans, emblematic by the flagship role that is given to the animal at local, provincial and international levels. The interviews conducted with the socio-cultural officers who work for the mayor and intervene in schools also suggest this relationship. The socio-cultural officers' approach is definitely educational: they develop activities in schools to fight against the loss of traditional knowledge and skills, to fill the lack of knowledge of children relative to food and food crop practices, but also using their mother tongue. The green turtle seems to be less affected than other animals by this loss of knowledge and skills but it is deliberately and consciously emphasized in the tribes and at school, which is helping to convey messages beyond the tribe. The fact that the book relating the tale "*Taa Nii Ngüü, La Petite Tortue Verte*" is sold in Noumea attests to this dynamic. Moreover, people living in Noumea are now invited to join the yam ceremony.

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10. "*Taa Nii Ngüü, The Little Green Turtle*"



*Turtles and yams, inserted in normative and cognitive chains of local translations*

Before dealing with the intersection of customary and administrative ways of proceeding, it is essential to describe the meshing/interlinkages between the yam and the green turtle, two highly structuring elements of Kanak society in Yaté. It should be noted that dualist logic is present in each “thinking process” (pine/coconut, man/woman, yam/taro, dry/wet...) characterizing the manner that Melanesian people understand unity and totality. Totemic operators (such as green turtles) invoked in myths for example are the “hyphen” between nature and culture and there is no opposition or dichotomy between these two intricate realms. As Herrenschmidt wrote, “instead of placing them in opposition, their presence and complicity show how this is not the rejection of nature that is fundamentally at stake, but the affirmation of duality as a civilizing vector and cultural basis” (Herrenschmidt 2004, my translation).

“One cannot talk about turtle without talking about yam. One cannot talk about yam without talking about whale. All of this is periodical.” (Old Man, Touaourou, 2014)

As suggested by this man from Touaourou, before defining and analysing the place held by the green turtle in Kanak society in Yaté, it is important to mention what the yam represents to Kanak society. The yam, which the green turtle accompanies during the yam celebrations, “is Man”: it lies at the heart of Kanak society; it structures society and forms its pattern. Thus, the yam cropping cycle determines the course of life in Kanak society, and particularly the date of significant events (yam celebrations, marriages, etc.).<sup>11</sup> It is also at the centre of customary gestures, which for a long time mainly included this tuber. In addition to its symbolic value, yam has a substantial nutritional value and was formerly consumed on a daily basis.

Today yam is no longer eaten daily and everyone no longer has his own yam field in Yaté: its use value has lowered. Nonetheless, its symbolic value remains very strong and it is unacceptable to fulfil a customary gesture without yams, ideally those called “true yams”, especially dedicated to important customary gestures (we will see below that the green turtle has the same status of “true turtle”). A few individuals, although this is slightly “shameful”, even buy some in shops for this purpose. Many customary gestures nowadays present only small loads of yams in proportion to the rest of the gesture (*manous*, rice, cans, money, etc.) and this creates real concern among the population. Such concern shows the importance of the yam and the population’s fear of losing their culture and their fundamental values.

While some values, knowledge or know-how, such as agricultural practices, fishing techniques, language skills, etc. are tending to disappear in the area, symbols such as the yam and green turtle remind everybody that Kanak culture is still alive and contribute

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11. Haudricourt is one of the first major authors who dedicated an important part of his work to the comprehension of the “yam civilization” (Haudricourt 1964).

to keep it alive. These symbols are sometimes overvalued in speeches, especially when the availability of, or access to, the animals and tubers are threatened (by regulations, lack of time, loss of knowledge). As for the green turtle, named “true turtle”, unlike all other marine turtles (just like yams favoured for customs are called “true yams”), it is still always caught and consumed during the important ceremonies in Yaté.

### *Green turtle as food, symbol and flagship for Kanaks from Yaté*

The analysis of interviews done in Yaté shows that the green turtle has played (and for some people continues to play) a dual role, as a food and as a symbolic animal, and therefore people distinguish between “food turtles” and “ritual turtles”.

The category “food turtle” is used when the green turtle is considered to be “a fish among other fish”,<sup>12</sup> that is regularly caught to provide meat in a meal. Since the imposition of the provincial bans, Yaté inhabitants can no longer eat turtle on a regular basis. However, this was not the case previously, and young and old agree on this point: “before people caught turtle to eat it at home” (25-year-old man); “before we killed turtles like fish. Now it’s forbidden” (80-year-old man).

The category “ritual turtle” is used when the green turtle is considered to be an emblematic and symbolic species. “Ritual turtles” are always consumed with yams during specific customary events. We shall thus talk of a symbolic species when the green turtle is used as a tool within the Kanak society in order to legitimate a place, function, role, etc. within a tribe. When it is used to assert rights and legitimate the place of an individual or a group from within the tribe with regard to authorities outside the tribe, we shall speak of an emblematic species.

Differences involving “food turtles” and “ritual turtles” are the customary paths<sup>13</sup> followed to hunt them, capture modalities, and ways of cooking them. In each case, the persons authorized to carry out a particular task/function are specific, as are knowledge transmission modalities (fig. 3).

The study of the task of cooking green turtles highlights the two discourse registers that we have identified. In the customary register, green turtles are cooked in a specific way, by women only, and require a particular organisation. In the basic “food” register, green turtles are roasted, stewed, cooked with coconut milk or oil, etc. according to what the person in charge of cooking feels like eating and the preparation requires no particular organisation.

12. A work on local categorizations is still in progress.

13. Customary paths can be here defined as sociopolitical and familial networks that express alliance networks and family relationships. In other words, a customary path metaphorically links individuals with customary status to each other and facilitate understanding of the role that each clan and individual has *vis-à-vis* others. Concerning fishing and the use of marine territories, one frequently must follow a particular path (both metaphorically and physically), and one must request permission to someone or several persons to do some activities in some places.

**Figure 3: Legitimate persons identified by the majority of inhabitants from Touaourou, Goro and Waho tribes for carrying out tasks relative to the turtle as a food or symbolic animal**

Who may legitimately...	<i>Turtle as food</i>	<i>Turtle as symbol</i>
...capture turtle?	Everyone	Sea clan
...share turtle?	Everyone	Land clan
...cook turtle?	Everyone	Only women

© Sabinot and Bernard

The study of capturing green turtles also reveals both these registers. Prior to the provincial bans, fishing for family consumption was practised individually or in a group (family, friends, etc.); all clans could devote themselves to it.<sup>14</sup> Yaté inhabitants generally did not only target green turtle during such outings. They went out fishing to bring back fish and were delighted when they also brought back a turtle should the opportunity arise.<sup>15</sup> In contrast, fishing for a particular event, such as yam celebrations, was and is only practised by the sea clans. It can be described as customary fishing: sea products are consumed at yam celebration meals and sometimes even integrated into the customary gesture. Customary fishing was previously described as simultaneous fishing by several sea clans sharing their nets. Nowadays, with the evolution of fishing gear, each sea clan of the four Yaté tribes sometimes practises fishing individually. Whatever the clan going out fishing, a customary path must be respected in order to fish. Such paths vary according to individuals and clans, and also according to the ceremony for which they are followed.

When the date of the yam celebrations is officially announced, nowadays after a church service or gathering, “each clan knows its work”, “each clan knows what it should do”. Each clan’s function and individual statuses within the clan determine the role it will have to fulfil in the capture, killing, preparation and sharing of green turtle, and associated customary paths.

Today, for yam celebrations, the chieftdom provides a customary gesture for the sea clan and for its fishermen to go and catch green turtles. The land clans are in charge of bringing the yams to the chieftdom, including the fishermen’s share that

14. See Leblic’s excellent description of the activities, legitimacies and customary relations to the sea and to other clans and tribes (1989; 2008).

15. According to a few informants this practice still exists.

mainly comprises *manous* (fabrics) and beverages. The presence of beverage in this customary gesture expresses the gratitude toward the fishermen who will be “dried out” during fishing and will need to rehydrate upon their return. On the day of the yam celebrations, the chiefdom will redistribute to the sea clan the share intended for them (*manous* and beverages) to thank them for their catch. Only the sea clan receives a customary gesture: its task is renowned for being the most difficult due to the challenges of bad weather. Each clan (sea or land) at the yam ceremony offers a yam to the chief to thank him for the reception.

If the sea clan has to go out of “its lagoon territory” in order to catch green turtles, it must respect a particular “customary path”, asking permission from the tribe customarily known as the owner/manager of the concerned lagoon territory prior to fishing. When the fishing activity does not aim to capture green turtles or other meaningful species (such as the fish *darwa*, *Naso unicornis*), the fishermen do not need to “do the custom”, yet they must warn one of the empowered persons from the owner/manager tribe that they are going to the lagoon. In Yaté municipality, the Touaourou and Waho tribes catch green turtles opposite the Goro tribe and must therefore follow a customary path that leads them to the Goro tribe. The interviews reveal various discourses regarding this visit to Goro, and different ways of perceiving and living this customary path.

Many people say they have to go through Goro to access the marine territories that belong to the Goro tribe. However, while there was originally only one referent clan, some men say that they have to see a specific clan, others another clan. Everything depends on the relationships and conflicts that people have (or do not have) with the clans and their members. Some even claim they have to go through Goro to give legitimacy to the members of the sea clan of Goro, “to allow them to exist”. Finally, some now refuse to go through Goro and rely on the fact that only the consent of the provincial authority is now required.

Discordances in the discourses and actions reveal that important changes are taking place and that customary paths are becoming blurred and confused, revealing that legitimacies relative to status, territories and resources are nowadays being discussed extensively within the tribes.

### **From customary paths to the paths of provincial regulations**

As noted above, a customary path links individuals having customary status with each other. According to their status, individuals can be in direct or indirect connection with other individuals. In the first case, individuals can go and directly meet other people; in the second case, intermediaries are needed to go from one person to the other. The Kanak society forms a network that provides several possible paths to reach an individual and reveals alliance strategies. Some paths have to be followed for activities related to the green turtle.

### *Progressive construction of provincial regulations*

Because of the status of endangered species given to the green turtle, official, administrative paths are now added to — or even superimposed on — these customary paths. Among them are the provincial environmental regulations. A brief overview of how these regulations were implemented will enable us to analyse how they are understood and in what ways they shake up and disrupt Kanak habits while also being subject to “instrumentalisation”.

In 1977, the government passed the first ban on turtle fishing between November and March and on collecting turtle eggs all year,<sup>16</sup> but exemptions were possible for scientific and customary purposes.<sup>17</sup> In 1985, the rules were strengthened and specified, especially in terms of sanctions. With the creation of the three Provinces in New Caledonia in 1989, environmental issues became a provincial competence. In 2002 in South Province, the former article (ban with possibility of exemptions for green turtle) was abrogated and a limitation of capture in terms of quantity was voted (only one turtle per boat and per fishing trip is permitted).<sup>18</sup> However, in 2006 the use of marine turtles and their products was totally banned: “are prohibited the capture, collection, intentional disturbance, mutilation, stuffing, destruction, transport, peddling, use, possession or consumption of sea turtles of all species, whether living or dead”.<sup>19</sup> Additionally, modifications were made regarding the competent authorities responsible for the implementation of the regulations. Articles about these bans were completely rewritten in 2008 in the Environmental Code of South Province and they still include the possibility to obtain exemptions for the capture of green turtles for customary purposes.

### *Step-by-step integration in local minds and practices of the administrative approach to green turtle management*

Nowadays, South Province agents are particularly active during the yam celebrations. At the beginning of the year, they send a formal letter to all of the tribes to remind them

16. « La capture des tortues de toutes espèces, quel qu'en soit le procédé, est interdite pendant les mois de Novembre, Décembre, Janvier, Février et Mars de chaque année » (The capture of all species of turtle, regardless of the method, is banned during the months of November, December, January, February and March of each year) (Délibération n° 220, art n°1, Journal Officiel de la Nouvelle-Calédonie du 19 août 1977).

17. « À l'occasion des fêtes traditionnelles et coutumières ou à fins scientifiques des dérogations [...] pourront être délivrées, sur demande justifiée, par le Service de marine Marchande » (On the occasion of traditional and customary celebrations, or for scientific research purposes, derogations [...] may be delivered, based on justified requests, by the Merchant Marine Service) (Délibération n° 220, art n° 3, Journal Officiel de la Nouvelle-Calédonie du 19 août 1977).

18. Délibération n° 12-2002 du 7 mai 2002, art n° 1, Journal Officiel de la Nouvelle-Calédonie du 28 mai 2002.

19. Délibération n° 20-2006/APS du 13 juin 2006, art n° 1, Journal Officiel de la Nouvelle-Calédonie du 27 juin 2006.

to submit their request for derogations to the Direction of the Environment of South Province. In such requests, the number of green turtles claimed (usually between 2 and 6), the date and name of the customary ceremony, fishing dates and locations, the port of discharge and the phone number of the person in charge of the fishing activity must be mentioned. If the authorisation is granted, the fishermen get organised and alert the “rangers” (“*garde-nature*”), some of the Provincial field agents, who will go to the “port of discharge” to control the catches. Provincial field agents have told us they aim to raise awareness about green turtle conservation rather than to penalize its fishing. Since 2006, only one person was penalised following a denunciation (a fine of 250,000 FCFP was imposed, less than the one million FCFP fine usually required by law).

The follow-up of tribes’ requests for derogation in South Province began in 2004. In archival requests reviewed, all authors mention the specific article of the law relative to the modalities of green turtle capture, the number of animals requested, the date and name of the customary ceremony, fishing dates and locations, and the port of discharge. Some add the name of a person in charge of fishing activities.

With the exception of 2009, when the request was submitted by the mayor of Yaté for the four tribes of the municipality, the person submitting the requests on behalf of the tribe — that is, the person whose name appears on the official documents — usually had a customary status: great chief, little chief (see note 5) or a representative of the sea clan of the tribe. For Touaourou, it has always been the great chief of the tribe. For Waho, the requests were made by the great chief of Touaourou, except in 2005 and 2011 when it was the little chief of Waho. In Goro, the person who submitted the requests changed every year except for the past two years (2013 and 2014), which is a direct reflection of the internal conflicts related to the chiefdom of Goro.

This absence of continuity/permanence in the “choice” of the persons entitled to submit a request reveals the confusion that exists in the minds of local actors, communication difficulties, and even a strategic use of the rules to express tensions between groups. Most of all, it reveals the dissonance between the representations of local and provincial actors.

### *Long and confused apprehension of intertwined local and customary legitimacies*

Whatever the tribe, South Province agents experience difficulties in knowing who has legitimacy in customary terms to submit dispensation requests. Among the Yaté tribes, this role pertains to the great chief in Touaourou and the little chief in Waho. Goro is a special tribe as it has no great or little chief and comprises, according to some informants, two sea clans. This adds a layer of difficulty for the Province with regard to the application of the regulations.

When South Province receives two dispensation requests for the same event, such as the yam celebrations, which are submitted by the same tribe but by two different individuals who ask for different amounts of green turtles, which request

does it approve? Which of these two individuals should be considered the most legitimate to submit the requests? When actually faced with this situation in 2012, South Province selected the one requesting the lowest number of turtles, as the ecological consideration took precedent. This decision caused discontent within the tribe.

The division of the Touaourou sea clan into two sub-clans, “Little” and “Great”, also causes trouble, mainly when each sub-clan brings back from their fishing trip the total amount of green turtles granted to the entire tribe, or, in other words, twice the number of turtles allowed. Which turtles should be chosen? Which sub-clan may legitimately go catch the turtles? Moreover, for several years the “Great” sub-clan has no longer been taking part in the tribe’s yam celebrations, yet it organises its own internal yam celebrations. Each sub-clan considers its group as the fishermen and the other group as the intermediaries between the chiefdom and the fishermen. According to one of the Province agents, when faced with this situation, the agents requested the sub-clans to release half the turtles and let the two customary authorities who had originally submitted the requests to decide which turtles should be kept or released. According to the inhabitants we talked to, the Province requested the release of the smallest turtles (although we learned from Province agents that they in fact aim to preserve turtles old enough to breed).<sup>20</sup>

There are thus misunderstandings between the different actors involved. The system of dispensations granted at the tribe level seems very difficult to apply without establishing strong relationships between South Province, members of the tribes and customary authorities, and without considering the legitimacy conflicts occurring internally in the chiefdoms but overlooked by the administration. Will the division of the tribe, reflected in the holding of two separate yam celebrations in Touaourou, make the Province consider requests for dispensation differently? Will the two sub-clans accept to submit a joint request? Will they request a larger number of turtles for this reason? These questions will be examined in further research.

According to South Province agents, while everyone agrees on the customary importance of the green turtle’s presence in yam celebrations, there is no consensus for other events such as weddings or funerals. Who is truly legitimate to receive a green turtle for a funeral or wedding? What requirements/criteria should be retained when nothing is codified, formalised or written?

South Province agents are sometimes in a delicate situation and usually combine political and customary figures to avoid controversy. Indeed, an individual holding a position with high responsibilities in the political world at a municipal, provincial or governmental level does not necessarily hold an important place within his/her tribe or his/her clan. The Province’s representatives sometimes granted derogations

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20. See also the work of Colin Limpus and the PhD research of Tyffen Read.

for events related to politically important individuals, without knowing their actual customary value and status in the Kanak society, and this has been criticised by some people.

Another problem arises when requests are submitted for religious, i.e. Christian, events. Many requests were submitted in relation to religious events, such as building new chapels, the arrival of the Evangel, an end to mourning announced by a priest, etc. Nowadays, there are fewer religious requests (but not necessarily captures), as the population knows the representatives of South Province systematically refuse them. According to one of its agents, the distinction between customary and religious ceremonies is becoming less and less clear, and Kanak people are requesting more turtles, while only customary events should give the right to catch turtles, knowing that custom is imbued with Christianity.

In a context of strong cultural syncretism, agents have trouble distinguishing between the two types of events, and most agents consider that these requests do not have a customary character: religious and customary ceremonies are totally intertwined and customary rites apply for anything religious. Weddings in particular cause problems as the nature of the event is both customary and religious, but agents doubt their “customary” character and the obligation to have green turtles present. The logic underlying the conservation of the species leads the Province to be as restrictive as possible: its agents only tolerate rituals considered to be faithful to the “theoretical traditional canons” (such as yam celebrations). The stakes of conserving the species are assimilated with the stakes related to the cultural conservation of traditions, which is contrary to the logic and processes of syncretic identity and cultural transformation.

Finally, more recently, within the framework of the Charter proclamation, which gathered the customary authorities of the eight customary areas of New Caledonia, the permission to capture ten green turtles was requested. Such a request sparked controversy among South Province agents: after long debates, they decided the event was a political one rather than a customary one. They therefore initially proposed to grant only two turtles. However, we were given two different versions of the final decision. The first is that under pressure from politicians, the executive of the Province decided to accept the catch of ten turtles; the second version is that no catch was authorized. What is certain is that at the Charter proclamation event, a few green turtles were included in the customary gesture and were cooked. This event shows employees working within the Province’s administration face difficulties in recognizing legitimacy.

### *Progressive construction of an internal and external political object*

Following inclusion as a Unesco World Heritage site in 2008, South Province worked with several clans from Goro whose members wanted to make the Merlet



area a “total” sanctuary. This area was first a “customary reserve” before becoming the “Merlet reserve” in 1970, a marine protected area that allowed customary fishing for special collective and customary events. To be a “total” sanctuary, rules for complete protection are required, namely the prohibition of all access to and use of this area, even if some dispensations remain possible. Such a project also reveals that some clans decided to no longer allow the capture of green turtles in the Merlet reserve, even though other clans wanted to continue the practice. This kind of decision is frequently challenged and renegotiated, notably in the context of new events or tensions between the Province and a few individuals of the Goro tribe. In February 2015, when the Province authorized a lesser number of green turtles than requested, it received a letter asking for the decision to be reconsidered. Respect for the administrative procedure relative to the green turtle, and the fact that Kanak tribes entrusted the management of Merlet Reserve to the Province a few years previously, were both called into question.<sup>21</sup> This event shows that when an agreement is not co-constructed by the tribes and the administration, and when it is not considered for a “reasonable” period in order to include temporal changes and the fact that one or several individuals from one side or the other can have an impact on the shared regulations, the population may stop respecting or following the agreement, and it can become a strategic tool used in a context of conflict and claim. Understanding the evolution, and sometimes the mutations, of the relations between humans and the environment via the “green turtle” offers us a more integrated comprehension of the processes that are occurring in the southern part of New Caledonia, where both local and provincial regulations are in place, especially on the marine part of the country.

In a context of negotiation over independence and autonomy, several Kanak actors have highlighted the conservation of the environment and resources using the term, “heritage”. For instance, the green turtle has been widely used by the Rhéébù Nùù association, whose discourse is both indigenous and conservationist, in their negotiations with the mining industry. Members of Rhéébù Nùù demonstrated a will to preserve the environment by transforming a customary reserve into a provincial reserve and have shown a certain skill at negotiating with the polluting factory, the mining industrial VALE. The green turtle was one of the emblematic species invoked in these arguments.

Today in Yaté, in the context of both exogenous development politics and environmental conservation politics alike, a close link is observed between professionalization in mining industry-related trades and diversion away from traditional activities, and between increased financial resources and rapid changes in food consumption. The use value of the environment and food-producing goods seems to have considerably

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21. More fieldwork is needed to well understand the recent and current history of the Merlet area and this is one of the objectives that our team is pursuing this year.

decreased, as the population no longer relies on them to meet basic food requirements. The deep social and identity mutations that accompany these changes are often perceived as a new breach by inhabitants, and particularly by customary authorities. The important moments of customary social life are a strong expression of the community's social cohesion and an identity assertion of belonging to a territory (Bernard et al. 2014, Sabinot et Lacombe 2015). The “heritage” value of the environment and of food-producing goods derived from it, that is, their social, cultural and symbolic value expressed at weddings, funerals and yam celebrations in particular, seems to increase all the more as their daily use value has decreased.

The green turtle is definitively both a symbolic and emblematic species. Although this animal is an endangered species and an emblem used in negotiations, it continues to swing between being considered a heritage and being considered a commodity. Nowadays, in becoming a political object as well as a natural and a social object, the green turtle lies at a crossroads in administrative, political and customary terms.

## Conclusion

To conclude, the green turtle is both the “subject” and “object” of conflicting representations, territoriality issues and legitimacy issues. The fact that actors who are not members of Yaté tribes also use this animal as an iconic species, on which new, externally driven modes of relationships are superimposed, seems to reactivate or overactivate tensions around the animal. This study is particularly concerned about the stakes involved in South Province by this emblematic sea species. As both an animal with a strong cultural and customary value in Kanak society and an emblem for provincial and international institutions, the green turtle *de facto* ends up at a crossroads of knowledge systems, expectations, representations and regulations pertaining to these different actors.

The green turtle and the specific chains of translation in which it is inserted are currently challenged by environmentalist apparatuses and the socioeconomic mutations occurring in the country. In this context of quick and strong transformation, the social value of certain elements such as the green turtle is becoming more important and an increased “heritage” value is also conferred on them. Keeping the social practices related to the environment as well as cultural knowledge and references attached to environmental elements alive is, according to many, a fundamental issue for the Kanak community because it helps to maintain the links between people and their land and sea and the relationships between groups. It also explains why some “objects” like the green turtle are the subject of such negotiation between administrative, local and customary actors.

Moreover, as Artaud described in 2011 in Mauritania, the institutional regulations relative to green turtles (a complete ban on fishing, without possibilities of dispensation for the Imrâgen people, the local indigenous inhabitants — a much more

drastic regulation than in New Caledonia) can extend and renew the range of meanings that are “supported” by the green turtle. “Fishing and consumption [of the green turtle], instead of conveying the values of sacredness and the blessings thought to be received from the turtle’s flesh, suddenly became for some players, claimants and activists, emblems of resistance against this authoritarian policy of the Park [National Park that previously enclosed them]” (Artaud 2014, my translation). Instead of seeing in this coincidence of prohibitions the convergence of local and institutional interests, Imrâgen “communities have felt an additional encroachment on their “traditional” area, an arbitration too much on the scope of their practices and their representations” (*ibid.*, my translation). Although the law is not as restrictive and permits dispensations for a few customary events organized by Kanak people, fishing and eating the green turtle in New Caledonia could become for some inhabitants, as it has elsewhere, an act of militancy against the protagonists of economic development policies and environmentalist apparatuses. This holds even truer if the regulations are not well understood and accepted. Claims in Yaté do not seem to be as acute or shared as in Mauritania, notably because the regulation permits dispensations. The history is different but the processes that are occurring present some similarities. In a context of a growing cultural syncretism that blurs the distinction between customary, ritual, religious and political dimensions of the requests for everybody and particularly for the employees of the Province, the system of dispensations granted at the tribe level is difficult to apply without organizing new discussions with all of the actors concerned by the management of the green turtle. Even if the internal legitimacy conflicts occurring within the chiefdoms will probably be globally overlooked by the administration, recognizing that these conflicts exist is essential. Provincial agents have recognized that the rules and criteria of dispensation had to be revised in collaboration with the people to take into account both cultural and customary expectations and environmental concerns. Shared reflexions for adapting provincial regulations to the sociocultural, economic and identity dynamics experienced by the population have just begun in 2015.

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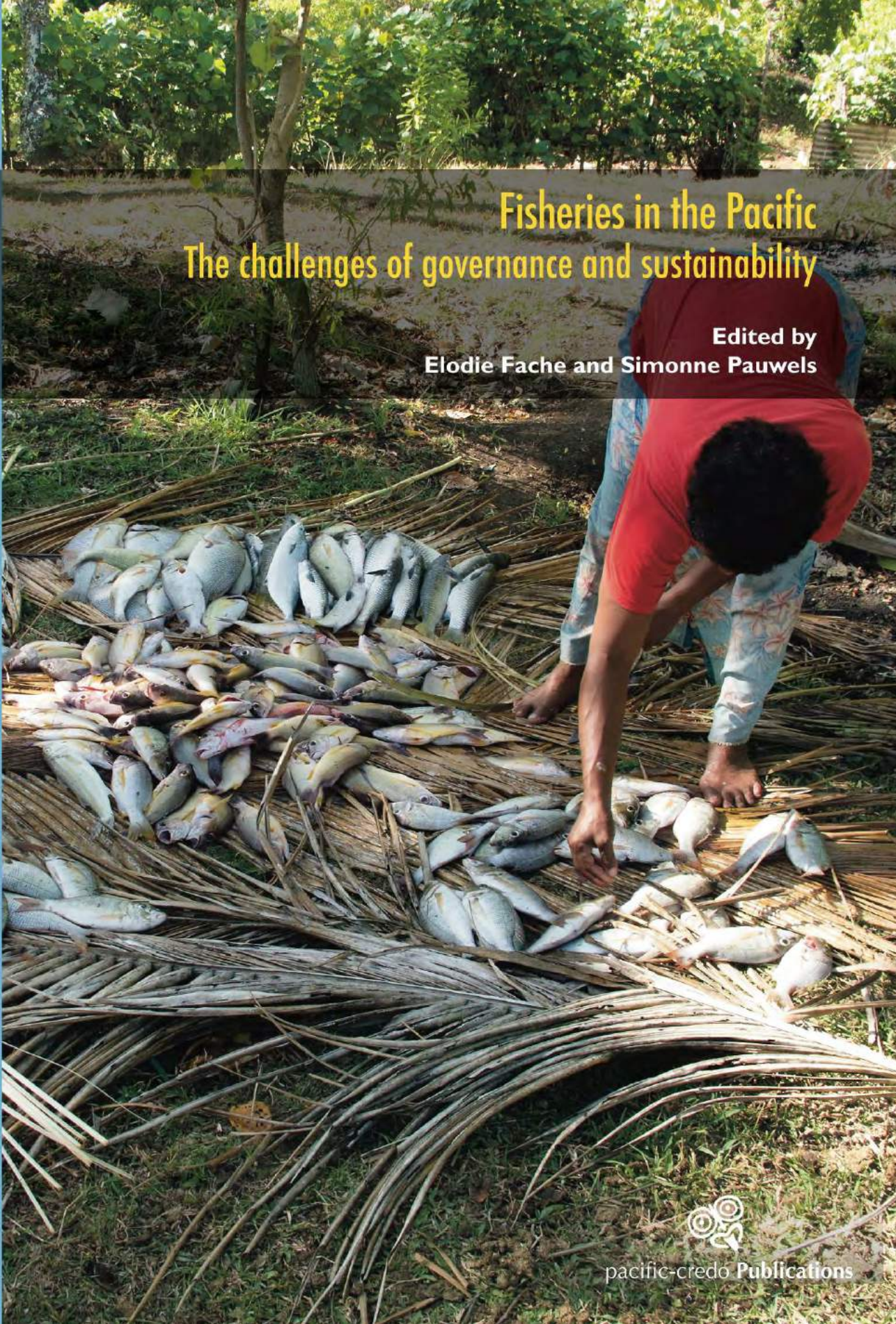
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# Fisheries in the Pacific

## The challenges of governance and sustainability

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