

**The Law of the Sea and The South Pacific:
An Ecological Critique of the Philosophical Basis of International
Relations**

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Abstract

The second half of the twentieth century has witnessed the emergence of ecological issues as among the most important problems in the global political agenda. The aim of this thesis is to demonstrate that the challenge of ecology is larger than it initially appears to be. It argues that ecological problems represent a deeper problem in the way that the relation of human being to nature is conceptualised in International Relations.

The structure of the thesis works through three layers. In the first layer, chapters 1 and 2, the problems in the oceans' ecosystem are presented, with particular emphasis on ocean management system in the south Pacific Cooperation. The impact of the United Nations Convention on the Law of The Sea III (UNCLOS III) in the region and on the ecosystem is analysed with particular emphasis on the species of Tuna. In this analysis the focus is the newly formed Exclusive Economic Zones and the concept of sovereignty.

The second layer, chapter 3, begins with an overview of the importance of the concept of sovereignty for the discipline of International Relations. The analysis of the deployment of the concept in UNCLOS III constitutes the middle section. The last section presents the concept of sovereignty in terms of its operational aspect. It argues that sovereign decisions always decide about an exception on *life*. This move opens up the philosophical constitution of the concept by pointing to the deeper relationship between human beings and nature.

The third layer, chapters 4 and 5, engages with the philosophical discussion of the human subject and nature. In chapter 4, the particular anthropocentric constitution of human being through Cartesian and Kantian philosophies is critically analysed. In chapter 5, a Heideggerian formulation of human subjectivity is presented as a new ground of thinking about nature. The conclusion, then, seeks to outline more precisely the implications of the thesis' argument with respect to International Relations.

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M. Hakan Seckinelgin
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Introduction: Method and ‘Prefacing’¹

On Thursday June 12 1997, most of the British national newspapers carried coverage of the Greenpeace occupation of ‘Rockall’ accompanied by photographic images of the barren rock which lies 289 miles off northwest Scotland. A Greenpeace spokesman announced that ‘[w]e have asked the Government to stop oil exploration in the Atlantic Frontier region and when they do they can have their rock back’ (*The Times*). And one of the protesters added that ‘[b]y seizing Rockall we claim her seas for the planet and all its peoples. No one has the right to unleash this oil into our threatened climate’ (*The Independent*).

The follow-up to this coverage came on Thursday July 24 1997, when *The Guardian* reported that ‘[t]oday in London, Greenpeace moves from a symbolic to a legal challenge, and will take the Government to the High Court, arguing that Britain has acted unlawfully by issuing licenses while not applying two European directives, in place since 1988’. The newspaper also reported that ‘the Government is being supported by 15 of the world’s largest oil companies’.

The Rockall case is one example of environmental politics. I use this case, in the introduction, to locate the question of the present study through the conceptual incision it opens up in international politics. The following questions are the means for this incision. What is the issue at stake here? Is it important at all or is it one of those radical Greenpeace actions? If it is important, why is it so? What does it point to?

The situation created by the Greenpeace protest can be analysed on the basis of two different claims. The first is the claim of Greenpeace against the Government decision, and the second is the Government response and the grounds of legitimation used in this response.

The reason for the occupation of Rockall as expressed above carries a very important challenge. The idea that Greenpeace was working for the benefit of the planet and all its people indicates a relationship of a different kind between those who take the decision and the rest. Its call on the British Government to stop licensing oil exploration is also a call for responsibility. In this call, a national government is asked to consider the impact of its sovereign decision on the planet and other people living on the planet. In this move, connections between people are *not*

¹ For a discussion on ‘Prefacing’, see Spivak, 1976, pp.ix-xiii.

considered on the basis of their divided state identities. Furthermore, the identities of people living on the planet are linked with the identity of the planet; a link with other species living therein is also implied.²

The response of the British Government can be discerned from two different sources. The first one is the direct official response to the protest and occupation of Rockall by Greenpeace. It is reported that a spokesman from the Foreign Office stated that '[r]ockall is British territory. It is part of Scotland and anyone is free to go there and can stay as long as they please'.³ It is clear that the Government is acting on a territorial claim which enables it to legislate within its sovereign control. So, the concept of statehood is invoked to evade the responsibility call and divert the attention from the ambit of the call to the fact that that decision is within the state's territory, hence authority.

The second source is the Prime Minister's declaration in relation to the British commitment to the Climate Change politics in the United Nations. At the very same period, during the United Nations General Assembly session on the environmental change assessment, the PM(Tony Blair) declared the wish of the United Kingdom to become a world leader in Climate Change politics by promising a radical reductions program in carbon emissions by the early next century. Although in this statement there is a sign of responsibility in relation to a global issue area, it seems to be based on a very interesting differentiation. It is a curious question, how it is that the British Government is allowing further hydro-carbon extraction while at the same time, commits itself to the Climate Change politics. The area under discussion, according to a British Petroleum (BP) spokesman, is supposed to replace declining production in the North Sea, and the first of these sites in the area is expected to produce up to 95 000 barrels of oil a day.⁴ It might be true to argue that the commitment to Climate Change is located in a different dimension than the domestic political discourse. Both discussions are fundamentally related, but dealt with through contradictory moves.

Although the response and the grounds of this response by the British Government seem to be valid, the challenge by Greenpeace targets a deeper dimension. It is clear that the language

² The idea of claiming rights for nature is dealt in terms French practice in Luc Ferry 1992.

³ *The Independent*, 12 June 1997.

⁴ *The Times*, 12 June 1997.

used in the Government's defence is based on concepts of 'state', 'territory', 'interest', 'the international' and 'international law'.⁵ What is being challenged is the relevance of these concepts in understanding the ecological situation. Through the claim of representing the ecosystem around Rockall and the rest of the human population who would be influenced by hydrocarbon extraction, Greenpeace allows us to attempt to think of moral relations, ethics, in terms of ecology. 'Ecology' can be defined, tentatively, at this stage as: an awareness of the interrelation and interconnectedness among the species of nature themselves including humanity; and between species and the physical components of nature where species are located and on which their existence depends. Hence, ecological understanding means to consider issues at stake with the awareness of existential relationality among species, and between species and the earth. Therefore, the call for responsibility is about an ecological call.

In the context of the ocean space under consideration one needs to see the possibility of justification provided to the British Government in international relations and conditions on which the Government action is justified. The authority of the Government to utilise a section of ocean space around Rockall derives from the United Nations Convention on the Law of the Sea III (UNCLOS III), concluded in 1982, which established a new zone of sovereign rights for coastal states and islands, i.e. an exclusive economic zone (EEZ). The UNCLOS III process was initiated to formulate an Ocean regime which would both deal with the environmental problems and benefit coastal states. The most innovative and important change was the establishment of EEZs and the regime it establishes on the basis of rights given to the coastal states. These rights were expressed in relation to 'exploration, exploitation, conserving and managing the natural resources'(Art. 56, 1a)⁶ of a certain area of the ocean adjacent to the coastal state's territory. By relating these rights to state sovereignty the convention has created national spaces out of a global common. As a consequence, those national jurisdictions have become legally isolated from the larger context in which they are located. The implication of this move is the possibility

⁵ Lord Justice Tucker, who sat in the High Court hearing in relation to the legal challenge against the Government by Greenpeace, said that '[t]he case was of considerable importance, high sensitivity and national interest for all parties concerned'. The interest of the state is invoked against the call for responsibility. The reason of state is, in this case, related with economic concerns. *The Observer*, 3 August 1997.

⁶ Article 56, 1a; *The Law of the Sea, United Nations Convention on the Law of the Sea-Final Act of the Third United Nations Conference on the Law of the Sea*, 1983, p.18

of spatial differentiation between state and international in the way we try to understand international relations. By this move the international law also describes the content of these spaces. In the case of Rockall this means that the British Government can isolate the case within its internal, 'state', systemic conceptualisation and can respond by transforming the case into what can be discussed on the basis of national-interest. It also means that the assimilation of the call for responsibility into national-interest is mediated by the international law.

It might be argued that the relationality and interconnectedness of human beings and nature suggested by the Greenpeace action is not addressed in the Government response. My intention, then, is to find an intellectual orientation for the critical analysis of this juncture between the Greenpeace and the Government. The juncture can be spotted between the official response and the ecological interconnectedness of species, that is, their relationality invoked in the protest; as well as in the meaning of the non-response to the ecological call for responsibility beyond official understanding of responsibility in terms of state interest. The 'critical' in the critical analysis means that the analysis will attempt to reveal the limits of knowing⁷ in terms of ecology within the discourse that is framed by concepts of 'state', 'territory', 'interest', and 'the international' as they are deployed by the Government. It is, therefore, important to conceptualise the nature of the problem between the call for responsibility and the location of the official government response within international relations.

In the context of this study, the discourse is the study of International Relations as studied by the discipline of International Relations (IR).⁸ The study of International Relations is taken to be a discursive practice insofar as it produces and forms the knowledge in relation to

⁷ Spivak, 1993, p.25.

⁸ Within the IR discipline there are varied traditions based on different perspectives in relation to what the nature of international relations is all about. It is possible to analyse the major debates of the discipline *pace* Michael Banks (1985) in order to have a coherent classification. According to Banks, the debates among 'realist, pluralist and structuralist paradigms' provide the groundings of the discipline. Although this view is accurate, there are other classifications such as Kal Holsti's (1985) 'Classical Tradition, Global Society and Neo-Marxism' or R.D. McKinlay and Richard Little's (1986) 'realist, liberal and socialist' schools of engaging with international relations. All these different perspectives employ different analytical methods to understand international relations. According to Friedrich V. Kratochwil '[t]hose who denied that norms are important for international interactions called themselves-with typical modesty-"realists", and those who were interested in norms were labeled "idealists"' (1995, p.45). Despite all the differences they share the conceptual frame work provided by the concepts of sovereignty, state and the international. In other words differences are contained within the disciplinary boundaries provided by the concepts.

international relations.⁹ In this productive mode it applies discursive rules and categories such as ‘sovereignty’ and ‘the international’, without which the discipline of International Relations cannot explain *the* international relations; nonetheless, in the statement of ‘the international relations’ these rules and categories are always already assumed.¹⁰ The response of the British Government to Greenpeace’s actions reflects the discourse of IR which is based on territorial sovereignty claims through the means of international law and claims of priority of national interest over international responsibility—in other words the discourse of International Relations through its rules and categories enables spatial differentiation between international and national. It creates two sides of political action where the basis of action is based on different ethical relations. Put differently, this spatial differentiation also differentiates the mode of political concerns and agents. Through this structure the state becomes the agent of political discourse in ‘the international’ under the assumption of representing its territorial unity and unified will of its citizens. In this enabling rests the question of how it is that concepts of ‘sovereignty’ and ‘the international’ create the conditions of the discourse.¹¹ The ecological call as expressed in Greenpeace attempt destabilises the disciplinary moves that are based on the framework of ‘sovereignty’ and ‘the international’. As R.B.J. Walker suggests, the increasing importance of the problems arising outside traditional sovereignty claims such as ‘those involving the law of the sea, space law and speculative claims about a global commons or planetary habitat’ make traditional belief that ‘here is indeed here and there is still there’ (Walker 1993, p.174) rather difficult to sustain. The politics based on ecological relationality exposes the inner tensions of the concept of sovereignty. The image of sovereignty as reflected in state action becomes unstable as these actions have larger consequences that cannot be assimilated within the boundaries of sovereign decision making.

⁹ Foucault 1977, p.199.

¹⁰ This argument is based on Foucault 1972, p.107 and Foucault 1977, p.199.

¹¹ Foucault argues that ‘discourse is constituted by a group of sequences of signs, insofar as they are statements, that is, insofar as they can be assigned particular modalities of existence’(1972, p.107). This makes more sense when read together with ‘all the discursive rules and categories, assumed as a constituent part of discourse and therefore knowledge,...they remained unvoiced and unthought’(1977, p.199). It is the fact of deployment of concepts, such as sovereignty, as a disciplinary practice which keeps the values within the concepts hidden, unquestioned.

The ecological understanding defined as a holistic relationality between species and earth presents an important discursive problem to International Relations.¹² Of course, there is an attempt to locate ecological problems as an environmental problem within the discourse, as demonstrated by the British Government's response. This prompts a question of how it is possible, in the face of an invocation of ecological responsibility, to manage the environment in terms of 'sovereign' spaces? Stated differently by Michel Foucault, in his attempt to locate the conceptualisation of sex in relation to the general discourse of sexuality, '[w]hat is at issue, briefly, is the over-all "discursive fact", the way in which sex is "put into discourse"' (Foucault 1990, p.11). It is important to realise that transformation of ecological problems into environmental issues is a discursive move. International Relations might explain the issue of Rockall through environmental management terms based on British sovereign rights and its international obligations, and by bringing this explanation imposes its own discursive structure over the issue. Nonetheless, this precise juncture of transformation reveals the anthropocentric prejudice of the discourse. Although there are those theories, or schools, of International Relations that are receptive to the environmental problems, they remain within the anthropocentric framework.¹³ The ecological call raised by the Greenpeace allows us to see the inadequacy of the rules and categories of the discourse. Or, from a Foucauldian perspective this inadequacy represents the internal unvoiced and unthought existential values and norms in the discourse. In other words, to bring the concept of ecological into perspective is an attempt to uncover power¹⁴ reflected in the possibility of the conditions of knowledge framed in the discourse of International Relations.¹⁵

¹² This problem is addressed by Jurgen Habermas as well. His response, nonetheless, follows a different path. The problem created between the ecology and the human response can be solved, according to Habermas, or rather avoided, through the transformation of 'latent class structures of advanced-capitalist societies' (Habermas 1975, p.93). He considers these problems essentially as a problem in the steering mechanisms of the capitalist societies. Therefore, the ecological understanding has reduced to an epiphenomenal issue which would only arise as a result of a legitimation problem in the steering ability of the system.

¹³ Various levels of receptivity within IR and their anthropocentric frames are analysed by Laferriere and Stoett in their study of ecological thought and different schools of IR: Realist, Liberal and Critical. See Laferriere and Stoett 1999.

¹⁴ The Foucauldian definition of power does not consider power in relation to hierarchical imposition of power by the strong superior structure. It is more about 'the multiplicity of force relations immanent in the sphere in which they operate and which constitute their own organization; as the process which, through ceaseless struggles and confrontations, transforms, strengthens, or reverses them;...' (Foucault, 1990, pp.92-93).

¹⁵ '[t]he discourse of sexuality' (Foucault 1990, p.92).

The relationship between power/knowledge and discourse is extremely interesting and important one. In considering a discourse as the reflection of deeper, internal, values and norms, and their relationship, it is possible to dissect the knowledge claim of a discourse in relation to the underlying conditions of its production. In the privileged norms and values, those norms and values that are silenced can be observed as well. The silenced relations in the production of certain truth claims within a discourse represent where the resistance can be located. In terms of the juncture between ecology and International Relations, the location of this resistance can be the discussions of environmental management within the discourse of International Relations (insofar as this location allows us to see the power relations and ethical values deployed in the disciplinary parameters of sovereignty and the international).¹⁶

Through this understanding one can analyse the discursive production of 'environment' and can also analyse its inclusion in politics. What are the power relations reflected in this knowledge? It does not mean that the challenge is external to the discourse. The location of resistance is clearly within the discourse as an oppositional power relation, that is silenced, which can be mobilised to reflect the contingent power relations underpinning the possibility of discourse. By showing the contingency of the discourse not only to what is being confidently expressed but also to the silenced power relations, the knowledge claim becomes disrupted, and the possibility of a new space can be opened. With this move, the explanatory power of the discourse of International Relations based on spatial differentiation between 'sovereignty' and 'the international' and the very legitimacy of this explanation are questioned.¹⁷

The ecological call, of which Rockall is only one manifestation, presents International Relations with a fundamental challenge. What we see in this example is very important. The Government's response to the issue of Rockall revolves around the disciplinary matrix of

¹⁶ Foucault argues that '[d]iscourses are not once and for all subservient to power or raised up against it, any more than silences are. We must make allowance for the complex and unstable process whereby discourse can be both an instrument and effect of power, but also a hindrance, a stumbling-block, a point of resistance and a starting point for an opposing strategy. Discourse transmits and produces power;...but also undermines and exposes it, renders it fragile and makes it possible to thwart it' (Foucault 1990, p.101).

¹⁷ In other words the disciplinary response based on the spatial framework is not accepted insofar as it does not address the ecological call, but it transforms the ecological understanding in terms of its own ontological framework. By this refusal the question, then, can be carried to a deeper level where the conditions of possibility of non-response, whereby the ecological understanding is transformed, can be questioned. By this process the assimilation of the call through discourse can be resisted.

International Relations. However, one of the main arguments in the discussion, that is the ecological claim, urges us to stretch our vision provided by the discourse. The claim that the state, and hence the domestic government, has a responsibility to people beyond its boundaries, attempts to disintegrate the image of responsibility only based on state relations in the international, which is not concerned necessarily about people. Moreover, by bringing in a concern for species that are not able to vocalise their dissent from the practices threatening their existential space, and therefore, their being, this ecological politics of contestation is pointing to a discursive anomaly in International Relations. The knowledge produced within the discourse in terms of 'the international' does not reflect what it is that we perceive to be international, the larger context implicated in the concept becomes obscured. Its knowledge claim remains restricted with state behavior and interests. The present study claims that the discourse of International Relations is paralysed by ecological problems. As it tries to overcome this state of affairs through its traditional discourse, the situation becomes worse. In other words, one can observe a rupture in the discipline through which power relations behind it can be dissected. The internal constitution of the concept of sovereignty and the power relations implicit in it create the rupture, so far as the ecological issues at hand are always already discounted internally in the discipline. Therefore, the allure of theories of regimes and institutions structured on the basis of established concepts such as state, sovereignty, and the international, used as analytical tools of engagement seems outdated. They obscure the possibility of understanding the ecological call and the implied responsibility therein. The question of this study, then, is: can IR understand and address the ecological call? This question will be expanded and located at a deeper philosophical level as I present how I engage with the question through the thesis.

A reminder, before I continue further, is required. The concept of 'international' in this study will be used to present a space of social relations that is not captured by International Relations. In other words, I will use the term to mean a space which is beyond and more dynamic/fluid than what is indicated in 'the International' as relations among states. The definite article 'the' will not be used unless the term is used to indicate the limitedness of this term within

IR. In this way, the attempt is to disrupt the naturalness of the international space within International Relations, and always pose it in relation to a larger context of dynamic relations.¹⁸

The Methodology of Questioning

One is obliged to follow when one is in search of the ‘singularities’ of a matter, or rather of a material, and not out to discover a form; when one escapes the force of gravity to enter a field of celerity; when one ceases to contemplate the course of a laminar flow in a determinate direction, to be carried away by a vortical flow; when one engages in a continuous variation of variables, instead of extracting constants from them, etc. And the meaning of Earth changes: with the legal model, one is constantly reterritorialising around a point of view, on a domain, according to a set of constant relations; but with the ambulant model, the process of deterritorialization constitutes and extends the territory itself (Deleuze-Guattari 1996, p.372).

The present study takes up the challenge to IR presented in the ecological call. It concentrates on the oceans, their problems and the solution to those problems prescribed by the discourse of IR. This choice of the oceans is not an arbitrary choice of an ecological disaster. The oceans and the way IR conceptualises oceans presents the disciplinary rupture very interestingly—as shown even in a very limited example of Rockall. Also, the attempt to find solutions to the problems of the oceans has dominated traditional international relations, that is, international diplomacy, negotiations-bargaining, strategy, economic development, regime building, during a large part of the last fifty years. The final result of all this activity was/is the 1982 United Nations Convention on the Law of the Sea —UNCLOS III—that entered into force in November 1994, the effect of which is demonstrated in the Rockall case. The UN Secretary-General in his speech to the inaugural session of the Seabed Authority described the Convention as one of the ‘greatest achievements of this century’, one of the most ‘definitive contributions of our era’ and ‘one of our most enduring legacies’ (Bouthros-Ghali, November 1994). In this ovation the Secretary-General is not alone. The literature of institutions and regimes, as well as the literature on

¹⁸ I will also refrain from using *globe* or *global* to indicate this particular space. This is intended to avoid any misunderstandings that might occur in relation to the discussions of globalisation and the political space articulated

environmental problems, is very positive and, probably, overemphasising its role.¹⁹

The method of facing the challenge in this study is based on 'questioning' the success story of UNCLOS III and its application under the South Pacific Cooperation. This questioning is the first step in an attempt to think about and understand the meaning of the oceans and the way we deal with them. The process of questioning takes place at two different levels. The first level of questioning establishes the existing situation, the success story, as it is a 'Delusion' that 'believes that it sees, and that it sees in the only possible manner, even while this its belief robs it of sight' (Heidegger, [1954] 1968; p.164; emphasis added). The success story based on the values and categories of the discourse of International Relations transforms the ecological problems into environmental concerns by treating the ecological concern as either irrelevant or as incomprehensible. As shown in the Rockall case, the ecological call and the responsibility implied therein were ignored through the *only* possible way of understanding the issue, i.e. through the state/international divide. In understanding the issue through this divide, international ecological responsibility is discounted by the higher concern for the individual state's responsibility within its sovereign territory. While this level establishes the conventional analysis of the problems of oceans in the South Pacific, the second level of questioning is based on the anxiety created by the conventional explanations, and tries to inquire about another possibility, another space:

There are times in life when the question of knowing if one can think differently than one thinks, and perceive differently than one sees, is absolutely necessary if one is to go on looking and reflecting at all...what is philosophy today—philosophical activity—if it is not the critical work that thought brings to bear on itself? In what does it consist, *if not in endeavour to know how and to what extent it might be possible to think differently, instead of legitimating what is already known?*' (Foucault 1992, pp.8-9;emphasis added).

While the first level sets the scene, the second level carries the issue to a different depth by bringing a new dimension to the equation. This new dimension is provided by keeping the

rather ambiguously within this particular discussion.

¹⁹ See Caldwell, 1990, pp.125-27,277-78. Birnie and Boyle, 1993, pp.252-59, 514-42. Vogler, 1995.

ecological call as a constant in thinking, that is, as a spectre. This spectre of ecology is a reminder of the fact that the conventional analysis, based on primacy of sovereign units acting in the international, is only one side of the story about international.

The Structure of the Thesis

The thesis develops through three layers. With each layer, the engagement with the initial question takes place at a deeper level. This layering allows the thesis to move from the empirical case of ocean management in the South Pacific to the process of producing knowledge about this empirical case in the discipline of International Relations. From this point it moves to understand, how in this knowledge the possibility of the environmental regime is ontologically implied. Then it moves to a deeper level of analysis in order to unconceal the ontological binds implicit in the grounding concepts of the discipline, that is 'sovereignty' and 'the international'. In the centre of the argument stands the discipline of International Relations and its approach to the environmental problems.

The first layer is established through chapters 1 and 2 with the analysis of the case study of the South Pacific Cooperation(SPC) and their ocean management system under Forum Fisheries Agency(FFA). The regime formation and the impact of the international law of the sea (UNCLOS III) are analysed. The creation of Exclusive Economic Zones globally changed the understanding of ocean management. Out of all applications of EEZ and subsequent cooperation schemes around the world, the South Pacific case has been hailed as the most successful of all on the way to sound cooperation,²⁰ despite the fact that some scholars argue that because of the size of the member states²¹, cooperation is unlikely to have any important consequences.²² Chapter 2

²⁰ The account of the success seems to be taken on the basis of Stephen D. Krasner's definition of regimes which is accepted with some criticism(see F.V.Kratochwil 1995, p.57) as the consensus definition. According to Krasner regimes are: 'implicit or explicit principles, norms, rules, and decision-making procedures around which actors' expectations converge in a given area of international relations. Principles are beliefs of fact, causation, and rectitude. Norms are standards of behavior defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action' (1983, p.2). The explanations of regimes are based on a nearly realist stand in relation to the naturalness of states and the international. States and the way they act as rational egoists are accepted as the theoretical grounds of this line of thinking (Keohane 1984, p.27).

²¹ See for example Johnston, 1990.

juxtaposes the ecological context of the oceans with the South Pacific regime. In this chapter the discussion of tuna species, insofar as they are the most important part of the regime put together with their ecological life, is inserted into the conventional institutional regime analysis. This insertion provides a critical understanding of the South Pacific ocean regime.

Chapters 3 and 4 constitute the second layer. Chapter 3 follows from the conclusion about the impact of the concept of sovereignty in terms of ecological concerns about oceans. In the first section of this chapter, the importance of sovereignty/the international juncture for the discourse of International Relations is critically analysed. The aim is to show that the disciplinary bind makes IR uneasy about ecological concerns.²³ The target is the crucial position of 'sovereignty' in this method.²⁴ As the grounding assumption the concept is not questioned on its own possibility. The section explores the way the concept is thought in IR, in order to show that it is always taken as a fact even within the critical discussions of international relations.²⁵ Once the constitutive importance of 'sovereignty' is established, the second section, the conceptual dissection of the International Law of the Sea (UNCLOS III) follows in order to understand the particular deployment of 'sovereignty' in the context of ecology. The section aims to show how methodologically fixed deployment of the concept, in order to secure the objective analysis of international, cannot understand the ecological concern that arises from the oceans and produces a truth claim about environment at the expense of an ecological understanding.²⁶ In the third

²² See Gubon 1993 and Fong 1993; Kimball, 1989; van Dyke 1989; Schug 1993; Munro, 1993.

²³ John Gerard Ruggie discusses that although ecological problems require epochal thinking, discussions in IR 'invariably focus on negotiation processes and the dynamics of regime construction, as opposed to exploring the possibility of fundamental institutional discontinuity in the system of states' and he argues that 'they do so because...prevailing modes of analytical discourse simply lack the requisite vocabulary'. Ruggie, 1993, p.143.

²⁴ According to Andreas Hasenclever, Peter Mayer and Volker Rittberger realist and neoliberal theories of international regimes share a 'commitment to rationalism, a meta-theoretical tenet which portrays states as self-interested, goal-seeking actors....Foreign policies as well as international institutions are to be reconstructed as outcomes of calculations of advantage made by states' (1998, p.23). Neither realists nor neoliberals bring the issue of grounds of possibility of actor's perceptions and values in to their questioning.

²⁵ Chappell's philosophical dissection of the concept of personhood in terms of its linguistic deployment is very important. He argues that by defining a concept and referring to this definition later to explain what the concept is does not, in real terms, explain anything at all. It would only register definitional connection. The discussion of 'sovereignty' in the IR discourse has the same circularity. The definition of the term in terms of authority and opposition to 'the international' always already presupposes existence of 'sovereignty' therefore, it does not explain anything but reaffirms the definitional connection. See Chappell 1997, pp. 103-106.

²⁶ It frames the range of questions that can be asked in IR. An interesting case is discussed by Daniel Warner in his analysis of the Advisory Opinion of the International Court of Justice on the legality of the threat or use of nuclear weapons. Warner shows the difficulty of the International Court of Justice (ICJ) to arrive at a decision in terms of

section, the concept of 'sovereignty' is taken into a different level, it is analysed in terms of its workings. The formal [naturalness] understanding of the concept in international is questioned on the basis of what sovereign claim produces in relation to what it decides about. In this section the important concept is 'life' insofar as the invocation of sovereign decision creates an exception on the basis of some perceived normality.

The following chapter, chapter 4, aims to analyse the constitution of exception in relation to 'nature' within the concept of sovereignty. The main claim of this section is that at the level of constituting 'sovereignty' an exception was created in terms of human beings superiority over nature. Therefore, the concept of sovereignty *ipso facto* discounts the nature from the consideration when it is applied. In order to understand ecological problems sovereignty automatically deploys the human beings superiority over nature.²⁷ This argument leads the chapter through two important Enlightenment²⁸ philosophers, namely, René Descartes and Immanuel Kant. Descartes is analysed because his understanding of nature and its relation to human subject represents the threshold of modern understanding of subject and its location in relation to nature.²⁹ Cartesian subject was further radicalised and abstracted from nature by Kantian philosophy.³⁰ In particular Kant's work on *Critique of Pure Reason* which is the focus of analysis in the chapter, provides the grounding of his understanding of human subject and its

responsibility and ethics of using nuclear weapons, and the ICJ's comprise to keep with the conventional conceptualisations of international relations. See Warner 1998.

²⁷ As argued by Zygmunt Bauman: '[w]estern civilisation has articulated its struggle for domination in terms of the holy battle of humanity against barbarism, reason against ignorance...It has interpreted the history of its ascendance as the gradual yet relentless substitution of human mastery over nature for the mastery of nature over man. It has identified freedom and security with its own type of social order: Western modern society is defined as civilised society' (Bauman 1991, p.96).

²⁸ The Enlightenment, according to Zygmunt Bauman, initiated the modern world 'that was distinguished by its activist, engineering attitude toward nature and toward itself. Science was not to be conducted for its own sake; it was seen as an instrument of awesome power allowing its holder to improve on reality, to re-shape it according to human plans and designs, and to assist it in its drive to self-perfection'. Bauman 1991, p.70.

²⁹ According to Luc Ferry '[t]he essence of modernity, since Descartes, is nothing but *Ratio*, which can be defined either as the functional rationale of capitalism in its quest for economic possibility or as "the world of technology" devoting man's energies to the domination of the earth. This vocation, which emerged with Cartesianism, came to fruition with the ideology of the Enlightenment and its belief in progress. Thus there is "an irrevocable ontological complicity between the founding subjectivity and the mechanism," since, once the subject is established as the sole and unique pole of meaning and value, nature can no longer be conceived as anything but a gigantic reservoir of neutral objects, or raw materials destined for human consumption'. Ferry 1992, pp.47-48.

³⁰ Kantian undertaking is, as Bruno Latour points out, that 'what was a mere distinction is sharpened into a total separation Things-in-themselves become inaccessible while, symmetrically, the transcendental subject becomes

location. This chapter, then in general, discusses at a philosophical level the ontological grounds for/of the possibility of a methodology that cannot respond to the ecological question. Finally, this chapter exposes the ethics of existence that is internally assumed in and operationalised through the application of the concept of sovereignty. This, therefore, responds to the normative³¹ discussions within the discipline.

The next layer, then, takes issue with the possibility of thinking about a different formulation of human subject and therefore, articulates a different ethicality. The aim is to show that differently located subjectivity would produce different methodology to understand something like international. In this, the subjectivity is thought through ecological life. Stated differently, the human subjectivity under consideration in chapter 5 is located in nature as a part of it. The discussion can be seen as aimed at two important contesting strands at the same time. The first is the objective gaze of the human subject over nature. The second is the discussion of whether nature is real or it is a social construction. The idea that there is no ready-made world (Putnam 1983, pp. 205-28) is an important understanding which questions their grounds and possibility of understanding something like nature.³² It challenges the idea of authentic nature.

The focus of the chapter is Martin Heidegger's thought in relation to Being and being-in-the-world-with-others. Heideggerian philosophy represents one of the major ruptures in the western thought in this century. By questioning the western metaphysics he dislocates the abstracted-sovereign-subject based thinking. Through this, objective gaze of human subject over nature is dislocated. The response through rethinking of both nature and human subjectivity, then, is an important one. It argues that we cannot talk about nature on the basis of fixed truth claims. At the same time it does not agree with the idea that nature is a text and beyond it we cannot know.

It argues that nature can be comprehended in a given context as it reveals—unconceals itself, but in this, a given appearance—unconcealment must be thought as always already located in a larger existence and therefore unconcealing as a part of it. This cautions human beings to arrive at a quick truth claims about an appearance. The idea about fixing truth about an

infinitely remote from the world' (Latour 1993, p.56).

³¹ For the discussions of normative theories of IR see Neufeld, 1995, Frost, 1996 and also see Dyer 1997.

³² Holmes Rolston III 1997

appearance is always related more with the perception of the human subject rather than what is really reflected in the appearance.

The main focus, then, is the Heidegger's book *Being and Time* from which I discern a possibility of ecological being. There are two outcomes from this chapter. The first is the substantial discussion about ecological formulation of human subject as relocated in nature. In this relocation nature becomes comprehensible as life. Neither nature nor human subject within it have fixed roles definitions, or fixed relationally. The second is the methodological reorientation. This new perspective underpins the methodological approach applied in the thesis as a whole. The aim is to change the perceptions in the way we think and try to see the grounds of what we perceived to be environmental and political problems by denaturalising³³ concepts based on human progress without considering its 'finality' (Deleuze and Guattari 1996, p.119).

³³ Human being's 'decontextualised' position, see Toulmin 1992, p.21.

Chapter 1

A Case of 'Environmental Management' in IR

The theoretical concerns of the study, as explained in the introduction, derive from the field research undertaken in the South Pacific in relation to ocean management cooperation. This chapter looks at three aspects of the ocean regime. The first one is the international law framework through which oceans are reterritorialised, to paraphrase Deleuze and Guattari (1996), according to a set of constant relations in relation to ecology. The second one, then, is the explanation of the particular case of the South Pacific. The third one is about the specific reterritorialisation of identities and the relations in the region on the basis of institutionalisation which is, also, a function of the new international law of the sea. This approach is informed by an understanding that the socio-political context is an undeniable component in thinking and articulating a conceptual framework for any discussion.

These steps will be taken through the perspective of conventional IR. Therefore, this chapter attempts to see the *successful* application of the new law in the South Pacific region. This aim, nonetheless, should be read through the theoretical framework discussed in the introduction. It is, therefore, imperative to keep the theoretical framework in mind all through the empirical work.

A New Step in the International Law of the Sea

The 1960s witnessed a rapid deterioration in the global fishing grounds in spite of the increased production. One of the central reasons was the unprecedented technological developments and investment which asked for new measures and norms in ocean governance. The other important issue was the political change in international as a result of de-colonisation resulting in a large number of newly independent states in international. Territorial claims of these new states created an important challenge to the fisheries of the major metropolitan states. It was necessary to accommodate both the needs of de-colonised coastal states and the needs of metropolitan states without losing the economic viability of already established fisheries in the oceans.

After long discussions and negotiations the process for establishing a new ocean governance was initiated under the UN Conference on the Law of the Sea in 1972. It covered a very large number of marine issues (UNCLOS III Official Text). The most important result of this has been the creation of Exclusive Economic Zones (EEZ). An EEZ is geographically described as an area whose breadth shall not extend beyond 200 nautical miles from which the breadth of territorial sea is measured (art. 57). Article 56(1) defines coastal states' sovereign rights and jurisdiction; it allows the coastal state rights for the purpose of exploring and exploiting, conserving, and managing the natural resources, whether living or non-living, of the waters superjacent to the sea-bed and of the sea-bed and its subsoil. It does not, however, create sovereignty as such. It is qualified through the convention (art 56[1]b, art56[2], art58[1], art60, art70).

Division of the ocean space to facilitate coastal state control over the resources adjacent to their land territory was the main starting point. Environmental protection, however, is added to the responsibilities of the coastal states. This environmental protection is conceptualised as protection from accidents caused by vessels that is only a part of marine pollution in general. Conservation of the marine environment is mentioned frequently throughout the articles and, especially the EEZ system puts strong stress on conservation and protection. Article 61 obliges coastal states to ensure that the zone's living resources are not endangered by over-exploitation (Art.61[1]) and allows the coastal state to determine the total allowable catch (TAC) of the EEZ's living resources (Art.61[2]) on the basis of best available scientific data (Art.61[3]). Coastal states are required, also, to co-operate regionally or globally through the competent organisations over management measures only as appropriate (Art.61[4]). Maximum sustainable yield (MSY) was chosen as the criterion for the exploitation of the resources. The fourth paragraph of Article 61 brought the issue of the conservation of associated or dependent species but does not really define the potential relationships between the species. Although EEZ regime recognises coastal state jurisdiction over vast areas, it guarantees access rights to new areas for third parties i.e. mainly for distant water fleets. Article 62 obliges coastal states to open their EEZs to third parties after they have taken their share. However, the decision about the amount of the resource that is to be offered is left entirely to the discretion of the coastal state. Attard points

out that there was a general understanding that the recognition of the access principle was essential to the widespread acceptance of the EEZ (Attard, 1990,p.164). Therefore, it is clear that the conservation measures expressed in UNCLOS III Part XII, Section 2, 'Global and Regional Cooperation' are designed to give precedents to the management of EEZs based on the state interest. It is expressed that cooperation is qualified by 'to the extent possible' (Art. 199). This conceptualisation of cooperation considered to be feasible through competent organisations (Art. 200). There is no definition, or standard of competence, as well as no qualification for what should be considered as direct cooperation in that there is no clear requirement for establishing new cooperative schemes.

The grounding, or locating the possibility of cooperation as motivated by the concept of an Exclusive Economic Zone (EEZ) (Art.56) is based on some peculiar reasoning. If one considers the concept of EEZ it is clear that the imperative behind it is about extending coastal states control wider than they had previously. Also, the rights and obligations expressed in the convention make this wider remit very curious indeed. The cooperation system which would derive from the EEZ can only be articulated because of the inability of individual states to deal with vast patches of ocean space. In other words, cooperation is based on a negative relation between coastal states' ability and the size of its EEZ. The high cost of collecting data, evaluating it, maintaining surveillance over the zone and actively enforcing the required measures in these vast zones have become problems that can obstruct the exercise of rights recognised in the convention. Therefore, some coastal states have resorted to cooperation in managing the zones that have been established. One of the most common forms of this, particularly in developing world, is the invitation of distant water fleets (DWFs) into individual zones in the attempt to benefit from their technology. This fact reflects the reality about the contingency of sovereign rights given to coastal states in EEZ regime, as it is clear that the ability of developing coastal states to utilise their new zones is dependent upon the involvement of the industrialised fishing countries. It could be argued that this fact underpins the EEZ regime to the extent that it was clear from the beginning to the developed world that productive displacement was not a viable political option. If this was not the case, in parallel to the Attard argument above, a means of leverage could have been given to the developing world which could have changed the structure of the existing system by changing the market relations in favour of

the developing world. The language of the convention reflects these considerations as well. Throughout the convention, marine living resources are recognised as an agent of development in the developing world. Therefore, the industrial world has become a 'partner' in the development process of those developing countries. This enables industrialised countries to keep their access to the natural resources of developing countries due to their comparative advantage in technology and finance. The rhetoric of being 'partners' does not change the subtext of the industrial world becoming the main beneficiaries of the new regime. On the other hand, one cannot readily deny the advantages of this situation for the developing coastal states that have benefited, usually in terms of hard currency input to their national incomes by capitalising on their marine resources.

These linguistic formulations of marine resources as 'agent' and the new relationship established are the means through which an EEZ area becomes functional as the industrial zone that has become the engine of development. By definition the ecological identity, that is based on ecological life, of the resources is subsumed under the *raison d'état* in relation to 'development'. Furthermore, a problem of spatiality has been created. By conceptualising a special zone that has a different and exclusive legal status from the rest of the ocean, the attention has been diverted to the immediate interest of the coastal states in their zones. Therefore, the high seas have either been left alone or have been considered under different measures. Two different systems of cooperation have emerged: one for the high seas and one for the EEZs. The first system is based on the traditional freedom of fishing on the high seas which is a function of voluntary catch limits based on voluntary involvement of fishing fleets that reflect the interests of all the parties involved. This structure, in relation to marine resources, has no obligatory conservation or protection measures. Each fishing party can establish its own limits and enjoy them without answering any legal consideration. The second system is internal to EEZ areas as a stock management exercise based on external bargaining strategy with DWFs. The system allows individual coastal states to assess their own zones and then make it available to the third parties. In relation to neighbouring zones of coastal states sovereign considerations only facilitate consultation among the neighbouring zones rather than integrated policy (apart from the EU Common Fisheries Policy). Since coastal states are granted exclusive rights on the choice of protective measures that are to be initiated in their EEZs, it is difficult to maintain uniformity of measures of any kind through the borders, an issue

which is crucial in the ocean system. At the end of the day, the final decision about any policy is usually/has to be based on 'national interest' given that resources are established as central to a coastal state's development.

If one considers the ecological call and the relationality expressed in that, it becomes rather clear that the logic of UNCLOS III does not allow the ecological relationality to appear as integral to the understanding of oceans. The structure of UNCLOS III as a structure of spatial differentiation by radical materialisation of life forms, that is reducing life of species to economic material forms-into agents of development, is problematic to say the least. Given the complexities of the resources that are meant to be managed, this allows life forms to become distanced from ecological considerations as part of a life world. One, then, could argue that it is highly questionable how a system based on political divisions of individual interests could deal with a biological and physical whole.

Although UNCLOS III presents an innovative law making process that has been instrumental in redefining the relationship between nature and humankind, albeit implicitly, it could not manage to escape from the grounding constraints of its location as a result of which redefinition, hence the reterritorialisation, takes the shape of re-positioning within a certain framework of beings. This repositioning is located within the fragmented idea of human and externalised environment. The convention augments this fragmented understanding by establishing a possibility of thinking about environment on the basis of divided sovereign spaces. The epidomization of this idea can be seen as 'assessing one's own zone to decide about external access.' Reterritorialisation, therefore, is a move for further distancing in terms of ecological relations. It can be seen both in relation to the spatiality of the ocean space and the relations among beings implicated therein. The species of the fragmented EEZ space are, now related, or considered to be relevant by the fact that they belong to a certain coastal state while other species become irrelevant by distance and by belonging to a different coastal state. In short ocean space and the species have become materials that 'belong' to some one, thus, can be utilised at the owner's decision and needs.

UNCLOS III has left the world with a recognition of the necessity for conservation and protection of the marine 'environment'. This necessity is based on the material importance of

resources to the developmental effort of the coastal states. Although this might have some important effects on the general conservation measures of the oceans, it is far remote from acknowledging any ecological relationality among species. Nevertheless, it can be argued that by initially creating such divisions at a time of realisation of the ecological complexity, it has prompted a response that it is not possible to manage oceans through unilateral means based on rigid political formulations. This conjunction of reterritorialisation based on UNCLOS III and the spatiality implied within it become a very important concern as a result of very wide application of this form of relationality. In the remainder of this chapter I will analyse and assess the impact of the application of UNCLOS III in the South Pacific. This assessment process is, also, an attempt to uncover a disruptive moment in the discursive structure of IR. The narration of a success story in terms of the discourse of IR allows the location of an instability in the structure that creates the narrative of success. Mostly a success story is based on the functional assessment of the regime rather than its impact on the subject matter of it. In this, there is an implicit grounding of what can be seen as the relevant subject of concern. In the remainder of the chapter the attempt is not to deny the functional story, but to show that it does not provide the whole picture when ecological concerns are juxtaposed with the functional understanding.

The Case of The South Pacific

One of the most accepted sections of UNCLOS III has been the part about the EEZ. Well before the convention was ratified in 1994 the sections on EEZ were already a part of customary international law. Many cooperative schemes have been established to accommodate the new changes and the extension of sovereignty into new spaces. Out of all these experiences, the South Pacific case has been hailed as the most successful of all on the way to sound cooperation, even though some scholars argue that because of the size of the member states,¹ cooperation is unlikely to have any important consequences.²

¹ See for example Johnston, 1990.

² See Gubon 1993; Fong 1993; Kimball, 1989; Schug 1993.

This section will try to analyse the success story through a close reading of institutions and forms of ocean management created on the basis of UNCLOS III in the region. Particularly the deployment of territorial extension of state sovereignty is an important consideration in these analyses insofar as it establishes the conditions of possibility for the new system. Thus, it can be considered as the central concept in the analyses.

The Area, People and The Politics of the South Pacific

The first striking characteristic of the area under consideration is probably the huge size of the water mass. In this huge mass of water, there are around 10,000 islands, the size of the islands is extremely diverse from 21 sq. km Nauru to a continent like Australia. The area comprises 22 island states or dependent territories: nine are independent states, namely, Nauru, Kiribati, Tuvalu, Fiji, Tonga, Western Samoa, Vanuatu, Solomon Islands and Papua New Guinea; five are self-governing in free association with former administrative states: the Cook Islands and Niue with New Zealand, the Federated States of Micronesia, the Marshall Islands and Palau with the United States; the remaining eight countries are administrated by the metropolitan governments — the Northern Marianas, Guam and American Samoa by the United States; New Caledonia, Wallis and Futuna and Tahiti by France; Pitcairn by Britain and Tokelau Islands by New Zealand. This collection of states is located in such a way that “the South Pacific” becomes a term of convenience rather than representative of the real situation. Three of the twenty-two states are above the equator: Palau, the Marshall Islands and the Federated States of Micronesia while the islands of Kiribati lie between four degrees north and 11 degrees south latitude (Profile p.31). The total land mass of 22 states, apart from Australia and New Zealand, is approximately 550,000 sq. km. In this, Papua New Guinea accounts for 84 per cent. The population of the area is around 6 million of whom 3.8 million live in Papua New Guinea.

Overall, these islands control approximately 30 million sq. km of the ocean space as a result of international law of the sea (UNCLOS III). For example, Tuvalu, which comprises nine islands of 26 sq. km in total, controls an ocean space of 757 000 sq. km. while the federated States of Micronesia through its 607 islands — 700 sq. km controls an ocean space of nearly 3 million sq.

km. The land resources of the islands are usually very scarce. There are only a few economically — viable agricultural resources. Apart from some limited tropical products like banana, pineapple and pawpaw , and copra which is limited to some of the islands, the ocean is the actual resource base for the islands in their livelihood.

In terms of culture and social differences, the area is made up of three central groupings: Melanesia is the largest group of all and includes New Caledonia, Vanuatu, Solomon Islands and Papua New Guinea; Polynesia stretches from New Zealand in the south to Hawaii in the north and Easter Islands in the east and includes American Samoa, Tonga, Cook Islands, Nieu, Tahiti, Tuvalu and Western Samoa; Micronesia is composed of island groups straddling the equator. In this group, Fiji represents a location where different cultural groups meet. It is usually considered as having both Melanesian and Polynesian characteristics as a result of centuries-old interaction between different groups (Crocombe 1983, p.10-11).³

Notwithstanding these major differences and the huge geographical distances between the islands, there are reflections of a variety of practices in totally seemingly-isolated locations in modified forms as a result of centuries of communication among different groups throughout the region. Usually, despite the three different cultural groupings, people from Australian aborigines to Hawaiian natives are all considered as belonging to the same area and to the same understanding of human-nature relationship. In this, long-established relations through and with the ocean are the uniting, or grounding factor in the relations of the region. The ocean has been an indivisible part of these cultures and the human existence there.

This is not to say that there is no western influence in the region, nor that the cultures in the region are all authentically preserved without change over time. Although the history of contact with West dates back to 1520s, the time of Magellan's expedition (Maude 1968, p.134), the impact of the West became important in the nineteenth century through the colonisation. Given the vast space under consideration these contacts and colonisation of the region did not happen uniformly. The contact was brought about by the logic of trade in the first instance. The whalers and coconut

³ Different people consider distinct animals as deities such as a group in Espiritu Santos of Vanuatu which believes in white gods which are actually barracudas and consider fishing of them as a taboo while some other groups believe in an ancestral relationship with sharks and perform ceremonies for them at certain times of the year (the Malaita region in the Solomons and in some northern island of Fiji). Personal Communication—Francis Hickey, Fisheries Department—Santo, Vanuatu.

oil traders did not frequent the islands on necessarily friendly terms, and the few Europeans out of these relations that chose to live on those islands on the basis of native customs became what is known as 'Beachcombers or Castaways' (Maude 1968, p.239). The substantial influence, on the other hand, that was to be exerted came with the missionaries. The aim of religious conversion was to cause a radical change in the inner life of people, and determine all the principles and impulses of their future actions (Buzcott 1866-re1985, p.ix). The transformation has been seen as 'from barbarism to civilisation, from heathenism to Christianity' (ibid, p.viii). The impact of Christianity has not erased the traditional practices that are practised under the term of 'custom'. Combining usually conflicting practices of Christianity and individual 'customs' can be seen as the reflection of the cultural adaptability within the region. Despite all the different practices throughout the region, the important point is the similar state of mind that exists beyond the differences, that even helps to shape differences in various locations, as an attitude to life or existence. It is summarised by Waddell as 'the individual-the self — does not exist. One exists only in reference to others. Hence the practice is of always consulting, meeting, talking matters out, such that all decisions are fundamentally collective ones, based on a remarkable degree of consensus' (Waddell 1993, p.xv). The same referential existence holds in the way people relate to nature and particularly to the ocean. In other words *logos* of life can be located in to-be-a-part-of-larger-whole in which the nature and particularly oceans occupy a large part. To be a part of "ocean" is considered to be an important part of the regional culture and identity.

The reflection of this disposition in the politics of the area, to the international relations of the region, is named the 'Pacific Way' by the islanders. It has developed through the region in order to enhance regional cooperation and protect their independence. This phenomenon will now be examined.

Although most of the area gained independence, the effects of colonialism are still visible in legal and economic terms. Britain, France, Germany and the United States were and some still are colonial powers. Haas argues that through colonialism the area was somehow incorporated into the international economy and thus people lost control over their destinies (Haas 1989, p.6).

Nevertheless, this linkage did not happen because of the non-existent economic production of the area. It happened because of the administrative culture that was brought by the colonial powers. The

Western bureaucracy with its heavy burdens of finance was imposed on the area. Needless to say, it was incompatible with the resources that were supposed to sustain such a system. Instantaneously there was a necessity for financial support from the colonising powers which was to become the colonial inheritance of the area to this day.

The impact of a new understanding in matters of political administration required some sort of re-structuring of the society. The political formations at the time were rather diverse and very much based on decentralised power relations among different groups and shared on the basis of traditional chief rivalries. Therefore, a form of centralised government was introduced. It was probably tantamount to an opening of a new world. All cultures evolve through time in ways peculiar to individual forms whereby social coherence and continuity of relations are maintained. However, by the introduction of an alien political discourse, it seems that native practices have been modified in a manner that is inconsistent with their own cultures. It is argued, for example, that democracy had been practised in Kiribati and the highlands of Papua New Guinea long before the arrival of foreigners (Crocombe 1992, p.10). And therefore it was applicable but not without cultural adaptation (Deklin 1992, p.32). It was not possible to disregard 'fa Samoa' — Samoan way (Meleisea 1987) or 'Papua New Guinean ways' in the new system (Deklin 1992, p.35).

In Western Samoa, they kept institutions that were compatible, such as the traditional system of election where only family heads, matai, have the right to vote and the decision-making process, soalaupule, where any decision has to be taken in consultation with all concerned parties (Le Tagaloa 1992, p.119-26). In other societies, based on rigid hierarchies like Palau or Fiji, the new system gave some privileges to the higher-ranking strata in terms of voting, guaranteed parliament seats or created a council with high powers. Although an attempt was made to protect the cultural relationship, the relationship between the people and the administrators was, somehow, dislocated from cultural embeddness and forged into Western-style bureaucracies, as a result of which most of the people were distanced from the process of decision making. In this process, according to Hau'ofa, a culturally homogeneous ruling class emerged across the region (Hau'ofa 1987, p.3). The impact of this can be seen as an regional attempt towards creating a regional vision based on cultural sensitivities formulated by this ruling class.

With de-colonisation, national bureaucracies expanded to take over sections of government which had been under the control of a metropolitan power. Obviously, the question of returning to pre-colonial formations was nonsensical, particularly after long-established Western oriented educational forms. The educated strata was to become more supportive of Western values without giving much thought to their feasibility. And thus, they followed the system brought in by the Westerners. There was no question of self-sustainability of these administrative ways through their subsistence economies. As a result, some islands preferred to continue their dependency relationships with New Zealand and the United States. Through them it was, and still is, easier to get funds from the national budget rather than being a part of 'not-so-big and ever-diminishing' foreign aid budgets. The so-called regional metropolitan powers, Australia and New Zealand, have always maintained connections with the islands through internal migration with the economic consequences of these relations have becoming much more significant than anything else.

It is argued that it is more logical to talk about a single economy in the region rather than the opposite (Hau'ofa 1987, p. 2). This situation is very much supported by the financial institutions of the region that tend to be Australian-based institutions working all over the area. One characterisation of the island economies called MIRAB societies (Watters 1987, p.34) in order to indicate the fact that the island economies are a-migration, b-remittances and c- bureaucracy-dependent. Autonomous economic development of the island states has been ruled out as an unattainable target (Bertram and Watters 1984, Bertram 1985, Bertram and Watters 1985).

The area and people, nonetheless, are fairly dynamic in nature. They are able to follow global trends together with traditional adaptations. Although they seem strangled by the fact that they are highly aid-dependent, they are very much able to make decisions according to their own concerns, even in creating international political agendas. In this, two substantial developments have helped the region. The first is probably the establishment of the South Pacific Commission, which helped metropolitan powers withdraw while creating self-government in the region, and which transformed into the institution of the South Pacific Forum during the early 1970's. The second is UNCLOS III and the creation of EEZs as a result of which the islands have evolved into a 'continent of the sea'. There are different views about the connectedness of the area. Veitayaki argues that today's mobility is misleading in the sense that it happens only among the areas that

offer services. He also stresses the limitations presented by the terrestrial environment and the need to be aware of these limitations, while Hau'ofa supports the idea of more integrated relations among the people and stresses the resourcefulness of the area by arguing that the probably misleading ideas are a result of the colonial legacy.

It seems that both scholars somehow have parallel views. They are trying to find regional orientations that are realistic about the internal potentialities of the region rather than external solutions to problems that are prescriptive and designed outside the region. The first one stresses the limitations and suggests solutions accordingly created, while the second one emphasises the great dynamic tradition of the region and the need for a revival of regional values to replace the implanted Western ones (Hau'ofa 1987, 135-39). Actually, these views are representative of the new era of regionalism that has been evolving for a couple of decades around the idea of the 'Pacific Way'. The strong point expressed in both views is the importance of the Ocean and its resources for the development of the islands. In this line of argument, the role of the EEZ regime is undeniable. It has rightly become an important way to the development in the region.

It is clear that many different cultures have formed through the region that do not present a uniform structure. The impact of colonialism as a kind of new social engineering is, however, a unifying and even centralising experience in the region. The negation of local cultural perceptions about the human condition as a result of inscribed Western values in the politics of colonisation is central to the regional change. According to Serge Latouche, this process is an attempt to 'standardising the imagination' (Latouche 1996, p.22). The history of Western (developed, industrialised) societies seems to suggest a momentum to standardise their understandings of the world during the past 200 years (Wagner 1994) and, also, through which they socialised and standardised nature accordingly (Giddens 1990). In this, they distinguished their societies from those that did not follow the same attitude by categorising the latter as traditional (Wagner 1994, pg. 114-119). Traditional cultures usually meant, in this context, backward, underdeveloped, unscientifically-based societies. However, traditional societies are considered as capable of developing their societies if they apply Western structures (Wagner 1994,pg.38-42). It is believed that the West started to see other societies from its own perspective without paying attention to the ways in which people perceive themselves (Habermas 1976). There are two important paths

to channel this so called civilising move. The first is already discussed as a change in political relations. The second can be seen as related with this political move but in a different area that is through the education system. This leads to the dissemination of Western perspectives on knowledge and ways of thinking. I consider this move, in the context of South Pacific, to be based on removing different levels of rationalities through which different groups or people in the same group used to conduct their relations. In other words it is a move which fixes the political relationality to the rationality of sovereign statehood. Reflection of this move in the lives of people can be followed with the introduction of education system located in the western 'self'. By this turn, the claimed cultural relations in the region are based on the *logos* of sovereignty. Coupled with the sovereign western 'self', a set of new political identities, based on sovereign political coherence, fixes the form of relations. Therefore, analysis of the political structures within the region is, necessarily, about structures that are based on western models with cultural overtones. To which I will turn to in the conclusion of this chapter.

South Pacific Cooperation

The grounding of politics in terms of western frameworks can be easily observed in the post-WWII discussions of regional cooperation. In this section both the emergence and establishment of the regional politics will be discussed.

The first move towards regional collaboration came from the metropolitan powers after the Second World War. In 1947 six metropolitan powers — Britain, France, the Netherlands, the United States, New Zealand and Australia — established the South Pacific Commission (SPC) with a view to promoting the economic and social welfare and advancement of the peoples of the region (Preamble of the Founding Canberra Agreement). Although this was seen as an attempt to consolidate their power in the area to deter foreign interference (Gough Whitlam 1986, p.21), it seems more related to the economic conditions of the metropolitan powers, particularly of those heavily involved in the Second World War. Colonial relationships seemed at a turning point. It was imperative to minimise the economic burden on the metropolitan powers while holding onto

political power. Also, there was regional centralisation. For example, Britain created the Western Pacific High Commission in Fiji to control all of its colonies in the region.

The islands were not members of the SPC but of another organisation created in association with it in 1950, namely the South Pacific Conference. The conference was a triennial meeting of Islands and metropolitan powers where discussions of a political nature were not allowed. Under these conditions the SPC became a non-political arena, political discussions being, practically, considered as outside the purview of the system. The essence of the issue was the fact that there was no independent Island state at the time. Therefore, smooth operation of the system was maintained up until the mid-1960's.

The challenge came as a result of the independence movement in North Africa. It may seem indirect but considering the colonial connections, the impact of a change in one area on to another one under the same colonial rule can be likened to the extremely fast computer highways of today. France had to stop its nuclear tests in the Sahara because of Algerian independence in 1962 (Ogashiwa 1991, p. 1). The immediate alternative was the South Pacific French Colonies, where Tahiti was the 'lucky' one. This rather unhappy development created the first strains in the SPC system. In 1965, during the sixth South Pacific Conference, the delegation from Cook Islands tried to pass a resolution to ask France to re-consider its decision to detonate a nuclear bomb in the region (PIM, August 1965, p. 30). Not surprisingly, it was rejected on the basis of the political bearings of the resolution. However, this spark of regional concern was to become a flame by the end of the 1960's. The first truly regional organisation was the Pacific Islands Producers Association (PIPA) established by Tonga, Fiji, and Western Samoa to get a better price for their banana exports to New Zealand. However, it was to become a discussion platform for other regional initiatives. As a result of decolonisation, there were independent island states in the region so the level of criticism against France increased at the time of the meeting of the Conference in 1970 (Nauru 1968, Tonga regained responsibility for foreign policy in 1970, Fiji was on the way). The Fijian delegation asked France if, as it had been argued by France, the tests were harmless, why they should not have them in the Atlantic (Fiji Times, 24 September 1970). Nevertheless, it was quite clear that criticisms were threatening the existence of SPC which was the only regional

platform and it was not the intention of any island to break up the system of collaboration (Ogashiwa 1991, pp. 2-3).

The need for a regional organisation for the benefit of the region where discussions would have no limits had become very clear, particularly in the eyes of the independent island states. The organisation was intended to cushion the individual vulnerabilities of the Islands rather than working in the opposite direction. According to Ratu Mara: 'When we were considering our constitutional evolution from our colonial status through to self-government and eventual independence, we realised that with our small size and relative isolation, independence could not be entirely viable without some sort of association with our neighbouring Pacific Island territories' (Mara 1982, p.4).

From this general understanding, sparked off by the problems experienced in the SPC because of the nuclear test issue, a new system was established that was to become the South Pacific Forum. The political leaders of Nauru, Fiji, Tonga, Western Samoa and the Cook Islands jointly decided during a regional meeting of PIPA in 1971 to have a regional conference in which they wanted Australia and New Zealand to attend as well (Fiji Times, 24 April, 1971). Ratu Mara of Fiji was given the role of organiser. The first conference was held in Wellington, New Zealand on 5-7 August 1971. Through the final communiqué of the conference the structure of the SPF was initiated. It was stressed that the initiative of the gathering came from the leaders of the independent and self-governing Island States. The range of issues discussed varied from telecommunication to national parks. A pattern of relationships was emerging from the decisions. In most areas, Australia and New Zealand guaranteed to assist technologically and scientifically, as well as through trade relations while Island leaders gave their support for investment from the Forum states. However, the main issue was the French nuclear test, against which many protests were made through New Zealand's diplomatic missions. This was made possible by another decision in relation to diplomatic relations 'Considering the expense of foreign representation the island leaders agreed that there would be advantages in joint representation where appropriate, and that those interested could pursue the matter with each other' (Comm. 1971). By the virtue of this act, Australia and New Zealand had become representatives of the interests of the Island States in the international fora.

Instead of accepting Nauru's proposition for the establishment of a regional organisation, the Forum decided that 'recognising the value of the frank and informal interchange of views and opportunity for planning for future regional development afforded by the South Pacific Forum, the meeting said they would like to see its continuation on an annual basis. It was considered premature to institute a formalised arrangement (for time being)' (Comm.1971).

All these decisions represent the main structure of the SPF that is described as the 'Pacific Way'. Above all else, informality at the annual meetings is of great importance. In each meeting there is a day called 'leaders retreat'. They isolate themselves from the outside world and, of all the discussions held during this period, only the end results are made public. The other important component is the status of the two developed country members. Australia and New Zealand are considered as indispensable and yet equal to all the others. Before the first meeting in 1971 the Prime Minister of New Zealand expressed this point as follows:

If there is something which the Islands can learn from New Zealand experience in fields of vital concern to them, there is also much that New Zealand can learn and gain from her Pacific neighbours. This will be a significant exercise in the sort of mutual co-operation which is coming to assume an ever greater significance in the South Pacific (as cited in Ogashiwa 1991, p.7).

Apart from regional connectedness which occurred primarily through the mobility of local population and economic interests, the fact that the independent Island states were also a potential source of support in the international arena was an important point for the two developed partners of the SPF as well.

After this initial start, the Forum increased its members by accepting through the new independent Island States in the 1970's. New members included Vanuatu, Papua New Guinea, Solomon Islands, Kiribati, the Marshall islands, Nieuwe, Tuvalu and the Federated states of Micronesia. The Forum became a fecund regional platform. Since its inception, many different programmes have been established to deal with the various areas that represented a crucial interest for the Pacific Islands. These include the South Pacific Bureau of Economic Co-operation (SPEC) formed in 1973 to deal with the economic activities of Forum members which took over the role of PIPA as well (Canberra Comm. 1972), the Pacific Forum Line to provide shipping services among

the members, and the Forum Fisheries Agency (FFA) to assist the members in their dealings with foreign fishermen. Another area where the Forum has also been working is the Nuclear Free Zone concept. Although Forum members signed, and most of them ratified, the South Pacific Nuclear Free Zone treaty, it does not seem to be functional because of the lack of commitment from the actual nuclear powers themselves. However, it has been very important in creating global public awareness of such issues and even stopped the Japanese nuclear waste dumping programme (Ogashiwa 1991). While these developments were undertaken by the SPF — the other system, the two levelled system of SPC — was changed. Now, all the members, both former metropolitan powers and Island states, are incorporated at the same level. Through this change it has become much more of a consultative body. Real policy-making power has increasingly transferred to the SPF. Nevertheless, some issues, like environmental protection in the South Pacific has seemed inconceivable without the contribution of all related parties-without discrimination. Therefore, the SPC is seen as the right regional organ to deal with those questions. For example, the South Pacific Regional Environmental Programme (SPREP) which is supported by the UN Environmental Programme aims to solve regional environmental problems in a coordinated manner. Initially, it was set up under SPC control, and became an autonomous organisation in 1991 (1991 SPREP Annual Report). The region also has a tertiary educational body, the University of the South Pacific (USP), which is supported by all the regional governments. All these regional organisations work in coordination with a committee which facilitates communication among the various organisations.

The image of the region that emerged towards the end of the 1970's seemed to reflect considerably innovative, productive, and at times even resurgent regional intercourse. The nature and dynamics of the relations are probably the definition of the 'Pacific Way'. To begin with, there is no fixed institutional centre where organisations meet annually. Every year the venue of the meetings shift in the region together with the presidency of the organisation. Since the economic resources of each member are not enough to support such travel or organisation, special funds have been created to guarantee the participation of such members as Tuvalu. Consensus and attendance of all members are the rules of the game. Also another fundamental factor is the *ad hoc* policy solutions. The peculiar structure of the area would not allow for unnecessary institutions or programmes. This rather *unprofessional* way of conducting business, from a Western perspective,

seems positively successful for the people of the region particularly in creating a regional identity. Nevertheless, the regional identity is clearly the production of ruling elite based on perceived cultural similarities. The reason behind this can be seen as an attempt to ground regional politics on some shared characteristics of the region, rather than a move to think anew political formation. Therefore, it is clear that politics in the region has been modified on the basis of global trends.

Arguably, regional relations in the area evolved into a complex structure, the impact of which, however, was negligible in the international arena. The creation of new concepts in ocean management through the UNCLOS III process whereby coastal states are allowed to extend their jurisdiction outwards up to a limit of 200 nautical miles has changed the position of South Pacific cooperation in the international arena. In 1977 at the Port Moresby Forum, the member countries of the SPF agreed to adopt 200 mile zones and decided to establish a regional fisheries agency (Comm. 1977). The South Pacific Forum Fisheries Agency was established in 1979 in Honiara. The aim of the agency is described as 'to promote the rational exploitation of all living resources in the region for the benefit of the Forum member countries' (comm. 1979). Since then, ocean management and FFA have become the backbone of regional cooperation as well as becoming an important component of the international ocean management field.

Before proceeding to evaluate the success of the new ocean management in the region, one can argue that the claim of difference in handling the political through cultural exclusivity does not represent any different form of understanding or thinking than any other inter-state relations. It is clear that cultural discussion is a layer added on top of Western understanding of state and inter-state relations. This will be established in the next section.

Ocean Management and the Forum Fisheries Agency

The narrative in this section will give the conventional reading of the case. It is, however, imperative to keep the critical understanding of ecology and the cultural particularities in mind.

The ocean space under consideration is highly important for global fisheries. Tuna resources of the tropical zone waters account for approximately 80 per cent of the landed value of all tuna harvests around the world (FAO 1993 a). In this, the tropical tuna fisheries are dominated by the

Pacific which accounts for 65 per cent of the world's total tropical tuna harvest (FAO 1990). The catch of the species of tuna is distributed among three sub-regions in the Pacific: the Pacific Island Nations region, Southeast Asia, and the eastern Pacific, from the southern tip of California to the northern tip of Chile (Munro 1990). However, in this distribution the share of the Pacific Island Nations accounts for approximately 50 per cent of the total harvest (Munro 1990).

According to the estimates of FFA, the tuna fisheries of the western Pacific, i.e. the Pacific islands with the addition of Indonesia and the Philippines, constitute the most important tuna fisheries in the world. It is estimated that they yield harvests in the order of 1.4 million tonnes per annum, having a landed value in excess of 1 billion US dollars (FFA 1992).

The utilisation pattern of these resources particularly in the Pacific Islands region has been determined by the Distant Water Fleets — DWFs of major fishing nations such as Japan, Taiwan and the United States. The relationship between the islands and these resources was negligible in terms of fisheries economics. The resources were targeted for the necessities of subsistence living conditions. Nonetheless, the situation was altered by the formulation of EEZ in the process of UNCLOS III.

The new concept has recognised the sovereign rights of the coastal states with regard to exploring and exploiting, conserving and managing the natural resources of their EEZs (UNCLOS III, Art.56a). Immediate satisfaction with the new territorial expansion was followed by the harsh realities of the inbuilt challenge of the system. It was not quite possible for the Island states to utilise their given zones via internal resources because of the lack of technology and scientific information. Moreover, the difficulty of surveillance and enforcement of vast parts of the ocean was notoriously expensive, requiring technical assistance and sometimes restrained by population dynamics. In addition, the fact that the most important resource, i.e. tuna, is one of the most highly migratory species, travelling over great distances through many different zones and high seas, regional cooperation had become the *sine qua non* for ocean management in the area.

Although cooperation in the management of highly migratory species was required by UNCLOS III in Article 64, it was not the general opinion of the international arena that all the measures drawn by UNCLOS III in relation to EEZ were to be accepted as customary practice in international law. The only-accepted-norm seems to be the extension of limits to create such zones.

Therefore, the initiation of the FFA as a regional fisheries management organisation was more likely to be based on the peculiarities of the region. This position is, significantly, embodied in the legal framework of the FFA. While declaring the establishment of the FFA, the South Pacific Forum decided that no DWFN would become a member of the new organisation (SPF, 1979). Thus, DWFNs were isolated from the decision-making process regarding the management of an area that had been central to their economies. At first glance, this exclusion of an important component seems, to a great extent, to be contrary to a sound management system, particularly in an environment where the utilisation of resources is only possible through the DWFNs access agreements with the island states. Nevertheless, it has proved to be much more beneficial for the Island states in comparison to the Latin American experience where the membership of DWFNs made the cooperative management system obsolete⁴. Through this arrangement the Island states were able to maintain a reasonable rate of capital flow on which several member countries are substantially dependent (FFA Report 90/14). This legal framing of the FFA has been considered as one of its strengths(interviews). The FFA is directed by the founding Convention to:

- a) collect, analyse, evaluate and disseminate to Parties relevant statistical and biological information with respect to the living resources of the region and in particular the highly migratory species;
- b) collect and disseminate to the parties relevant information concerning management procedures, legislation and agreements adopted by other countries both within and beyond the region;
- c) collect and disseminate to parties relevant information on prices, shipping, processing and marketing of fish and fish products;
- d) provide, on request, to any Party technical advice and information, assistance in the development of fisheries policies and negotiations, and assistance in the issue of licences, the collection of fees or in matters pertaining to surveillance and enforcement;
- e) seek to establish working arrangements with relevant regional and international organisations, particularly the South Pacific Commission; and,
- f) undertake such other functions as the Committee may decide (FFA CONV: Art. VII).

It becomes increasingly clear through these paragraphs that the FFA is a functional organisation in coordination of relations with DWFs. The only mandate it has is related to research and report

⁴ See Peterson, 1994; Haas et al.1994.

publishing. It is not given any mandate in policy formulation itself or involvement with a member country in formulating policy without *the request* of a member or the Committee. Furthermore, even if a member requests assistance or advice, it is up to the member to apply what is recommended. Also, in most cases relations with the member countries are conducted through the foreign ministries rather than direct contact with the related agencies of the government.

One of the first important developments was the creation of the Regional Registry to which all foreign fishing vessels working in the area were required to register each year. It works on the basis of negative screening. If a vessel evades the terms of its licence, the FFA blacklists the vessel and informs the members about the particularities of the vessel to which further licensing can be denied on those grounds. However, once more, the process begins with a demand of a member in whose waters the problem arises. It is usually seen, rightly, as an important innovation but in reality parties prefer settlements through financial subsidisation as a result of which they do not go to the FFA for screening.

Having no political power substantially dwarfed the FFA's involvement in relations between the DWFNs and the members during the early years. Behind a facade of aid relationships, the DWFNs tried to manipulate individual states to have *tete-a-tete* negotiations in the pursuance of securing more favourable terms of access for their tuna fleets in the EEZs of Forum member countries (FFA report 88/58). In this, the main strategy has been playing one country against another with the same resource potential. Besides these management attempts, individual countries were hindered by the uncooperative DWFNs because they were reluctant to share catch statistics and other related information with the coastal states. Another issue was the United States approach to the management of highly migratory species. It was argued by the US that because of the highly mobile nature of the resource, jurisdiction of the coastal state over such resources was rejected. This was one of the major confrontations between the Island states and the US.

Boosted by such conditions, a sub-group of the FFA members, through whose zones tuna passes, concluded an agreement to collaborate more closely in the management of tuna. The group named itself after the agreement as Parties to the Nauru Agreement (PNA) — The Nauru Group. It was concluded in 1982 and members include Papua New Guinea, the Solomon Islands, Nauru, Kiribati, Palau, the Federated States of Micronesia, and the Marshall Islands. One of the main

reasons for this step was to stop the deceitful approach of the DWFNs while creating economically viable relations with them i.e. maximum economic benefit for FFA members. The extent of the success in preventing negligent practices of DWFNs is still questionable. However, the measures for prevention created by the PNA with the assistance of the FFA have been extremely innovative for ocean management in general.

The Nauru Agreement (FFA report, 92/37) is a framework agreement through which the parties agreed to establish a co-ordinated approach to the fishing of the common stocks in the Fisheries zone by foreign fishing vessels (Ibid., Art.2) by establishing minimum, uniform, terms and conditions (MTC) of licensing. These would include the necessity to obtain a licence or permit, accept onboard observers, provide day-to-day log keeping, timely reports of entry, exit and other movements to the competent authorities, standardised identification of foreign vessels and to supply the competent authorities with the complete catch and effort data for each voyage. Moreover, there was an attempt to standardise licensing procedures (Ibid., Art.3).

The formulation of the above aims is a reflection of the substantially problematic areas of ocean management. The implementation of these aims has been achieved through some arrangements and subsidiary agreements. The harmonised minimum terms and conditions have been incorporated by all in their negotiations with DWFNs through the immediate follow-up to the agreement and so far it has been applied with some success. Two fairly comprehensive and important developments for the enhancement of the economic gains of the PNA were undertaken during the early 1990's. The first one was the 'Palau arrangement for the Management of the Western Pacific Purse Seine Fishery'. The aim was to put a limit on the number of both foreign and domestic purse seiners licensed to fish in the area through which sound economic management might be maintained. One of the important reasons was overproduction that had been causing unstable global market conditions at the expense of the region. When this rigid arrangement was combined with the already meticulously-defined MTCs, the problems of surveillance and enforcement became exorbitantly expensive and thus difficult. To maintain those services over an extensive area of ocean was/is very difficult and in most cases impossible; the new arrangements required much closer and constant effort. A solution of some sort came with a new treaty. The Nieu Treaty on Co-operation in Fisheries Surveillance and Law enforcement in the South Pacific Region

came into force in 1993. The Treaty is based on bilateral arrangements among the signatories in surveillance and enforcement. One party may authorise the use of a patrol boat and surveillance officers of another party to act on its behalf in its zone (FFA report, 92/51).

The first part of the treaty was used as an enhancement of regional measures on the basis of maintaining MTCs in DWFNs relations (Art.III, IV, V). The new surveillance and enforcement framework is formed in Art.V. It has become possible for two or more countries to use a single structure to maintain surveillance and enforcement. However this does not mean the regulations are necessarily united as well (Art.V(1)). It is stressed that

the conditions and method of stopping, inspecting, detaining, directing to port and seizing shall be governed by the national laws and regulations applicable in the state in whose territorial sea or archipelagic waters the fisheries surveillance or law enforcement activity was carried out (Art.V(1)).

In parallel to this, the second paragraph stresses that the seized vessel shall be passed to the coastal state authorities as soon as possible. All these formulations seem to have a basis in a definition of surveillance that appeared in the FFA report in 1988:

Surveillance is the assertion of a coastal State's sovereign rights over its EEZ. Its broad objective is to ensure that foreign vessels are complying with any treaties or arrangements in force and all relevant laws, acts and regulations of the state (FFA report, 88/42).

The last component of the success story is the highly-regarded Treaty on Fisheries with the US. The conduct of the US in the region has been fairly notorious. On the basis of the 1976 Magnuson Fisheries Act, the US rejected any coastal state claims on highly migratory stocks and supported its fishermen with all means available to maintain their fisheries even if they happened to be in some other state's EEZ. Two incidents in the South Pacific reflected the concerns of the inhabitants of the region in a rather confrontational form. Confiscation of two US-registered fishing vessels, 'Danica' in Papua New Guinea and 'Jeannette Diana' in the Solomon Islands, triggered a diplomatic war of endurance particularly between the Solomon Islands and the US.

The US government, in response to the Solomon Islands' compensation claims, put an embargo on the import of fisheries products from the latter. The action of the Solomon Islands was supported by all the other Pacific Islands throughout the crisis. Also, it was clear that the US embargo was not as influential as they thought it would be. The most likely reason for that was the fact that the fish-related products of the concerned Islands were put into the world market indirectly in any case. The Solomon Islands was, in a way, the provider of raw material to the others who had the means to produce and, in that, Japan was important. Even if Japan had not been helpful, it would probably have been Australia and others that mediated for the markets. Together with this, the realisation that the adverse consequences of widespread discontent in the region, particularly increased by the disturbance of the fisheries, made the US to take a step towards good relations. After long negotiations, the US and, in the name of the Islands, the FFA concluded the Tuna Treaty in 1986. This was the first multinational treaty signed by the Islands but negotiated by the FFA on their behalf, and the result was, and still is, very successful, an agreed amount of fees for a given amount of vessels paid through direct payment and in terms of assistance. The distribution of these fees present a model which might be seen as the culmination of the 'Pacific way' in action. The Pacific Island parties have agreed to divide the access fees on a 15/85 per cent basis: 15 per cent for being party to the treaty and 85 per cent according to where the fish are caught (FFA report, 88/4). The area includes FFA members' EEZs and high seas pockets surrounded by those EEZs. Obviously these arrangements are very helpful for both sides. By means of the treaty, the US obtained guaranteed access to the resourceful region and it was obvious that good conduct meant prolongation of this relationship while the Island parties would be able to maintain substantial amount of constant financial flows as well as political credibility that was brought about by the acceptance of their recognised control over highly migratory stocks in their zones, as well as in the high seas pockets, by the US. In the context of the high seas, the US agreed to give reports of its practices. However, this last point was a highly difficult one for the US to declare as a practice without any hesitation because of its international ramifications. Therefore, as a matter of goodwill on the part of the Islands towards the US, the Treaty did not include any phrase which would make clear that the US agreed to give certain advantages to the coastal states in regard to the high seas. With the help of such useful support, the US continued its harassment of Latin American states by

ignoring coastal state rights and obtaining time to amend its national policy on the issue in early 1991.

During the review of the Treaty in 1991, co-operation among the parties was enhanced through new measures. One of the issues of contention was the trans-shipment of the catch at the sea. The FFA wanted to stop such practices. Therefore the member countries included those related regulations into their national laws. Furthermore, the FFA asked the US to stop such practices on the high seas as well. After long discussions, the US accepted with the condition that FFA members should pursue the same regulation with other DWFNs as well. If they failed to do so, the US would change its approach on this specific issue (FFA Report 91/80). However, in the related Articles, no specific status was considered for such a ban. It is expressed that

no fish on board shall be unloaded from the vessel at sea, except in a designated area in accordance with such terms and conditions as may be agreed between the operator of the vessel and the Pacific Island party in whose zone the trans-shipment is to take place.....and catch shall only be transhipped to a carrier vessel duly licensed in accordance with national laws (FFA 91/80, Anne.1, Part3.1).

In return for this ambiguous language, which might be interpreted as the coastal states controlling all related transshipments, the Islands agreed to extend the period of the Treaty for ten years. As an important enforcement mechanism, the vessels belonging to the US are considered to be bound by US laws as well. The treaty strongly supports flag state responsibility and, in that, flag state prosecution. Besides these legal requirements, there has been co-operation by the US fleet in monitoring other DWFN fleets which has been very helpful for the efforts of FFA members (FFA Report 91/80).

This treaty, through which the FFA obtains important measures at least for the control of a fleet in the region, must be seen as a success in the field of diplomacy as the US ultimately changed its long-standing position in matters relating to highly migratory species. Although some argued that the US had been acting on the basis of UNCLOS III, which urges related countries to act in cooperation in the management of such resources mentioned above, the relationship does not seem to point to cooperation that involves concerted decision-making and application. In the case of the US Tuna Treaty, one party, i.e. the US, negotiates on already decided measures. In other words, it is

not a process of creating a joint management scheme. Therefore, if one tries to find cooperation, it would probably be in relation to the cooperation of the Islands rather than all related parties.

Nonetheless, it is argued that the US contribution in the form of fees is not more than 2 per cent of the total value of their catch (FFA Report, 90/80). This view is not surprising in the general context of the economic gain of the area which is said to be not more than 4 per cent of the total value of the catch (Veiteyaki 1993, p.120). Of course 4 per cent is not a small amount of return considering there was none at all previously. However, the mechanisms that have been created seem to have higher targets in terms of the economic benefits from the resources. Also, the image of such a low level of return seems to point to the fact that the relationship between the region and the DWFNs is one of exploitation of the former.

The important issue is the different applications of the measures agreed on regionally in national legislations. Considering the fact that only the US Treaty is multilateral and others are concluded on a bilateral basis, it seems difficult to impose MTCs and other regionally-accepted measures on DWFNs on bilateral grounds. It is pointed out that the combination of problems, such as a lack of exchange of information and data between member countries in regard to foreign fishermen, an absence of a common fee structure and negotiating strategies, and a reluctance on the part of member governments to agree to terms which may result in short term losses in revenue, would have been greatly in favour of concerted action. Also, DWFNs, by being non-party to the decision making are not bound by the arrangements unless they accept those through the bilateral agreements. Besides, it is undeniable that individual states can be manipulated through aid relations, and thus become reluctant to apply MTCs (FFA Report 88/58).

All through the above-mentioned cooperative arrangements, the importance of individual sovereignty has been strongly emphasised. Although the issues that have become difficult to solve as a result of the sheer physical size of the Islands, somehow led them to cooperate, and while innovative measures of surveillance, monitoring and multilateral treaty approaches are very important, it was not enough to evade the individualism in the relations of Island states among themselves as well as with DWFNs. Usually it is highly likely that, under pressure from its neighbours, one member will accept the suggested measures but it does not guarantee their total application on a national basis. On a closer examination, the challenge of the arrangements to the

ecology, and in a way their defects, seems to be originating from the concept of sovereignty and the development objectives attached to it.

A rather controversial point is the fact that the cooperation scheme in relation to ocean management has been extremely isolating on the basis the regional priorities. It is rhetorically decided by some sort of a consensus but applied arbitrarily as it fits the interests of individual states. Also, the definition of the region seems very deductive in the sense that it does not include any other involved parties apart from the Pacific Island States. Although this approach is justified given the experiences elsewhere (the disconcerting effect of the US in the Latin American Pacific fisheries organisations is well documented), it seems the scheme is still questionable on the grounds of conservation and larger management concepts.

The idea of having sole control of huge parts of ocean without the interference of others who have rather utilitarian interests might sound a well-thought out protective approach, but it is not very clear what the targets of the regional members are in regard to the ocean space apart from economic interests as a path for development. Moreover, such a system, based on strong regional cooperation that accommodates individual diversion within the system without any responsibility apart from providing some access to its zone seems extremely questionable. In short, the major concerns of the members of the regional scheme with regard to the practices of the DWFNs have not been reflected internally in their approach to the issue. Therefore, a scheme which has been meticulously defined and is exceptionally innovative, but fairly insular, might be a problem because, not only is there no way to question their measures of management, but it is internally difficult to control each member's practices. The responsibility factor exists in relation to the overarching principle of sovereignty and primarily national interest for development that has been supported by UNCLOS III.

Assessing the Region

The possibility of narrating this success story can be located in a certain understanding of what the success is. The region can be seen as successful only if the understanding of cooperation is based on a certain perspective of the 'International'. In terms of IR this story can be either located in a

Realist stance, in which case South Pacific cooperation can be seen as successful so long as each member acts in pursuance of their own interest without passing any overarching power to the institution. Also, the institution can be seen within the realist concepts of power maximisation and security (Stein 1990, pp. 4-7) whereby each member can achieve those aims as well through the facility of the cooperative institution. Or it can be grounded as successful in a liberal standpoint. As Stein explains (1990, pp. 4-7), cooperative arrangements could emerge as a result of exchange i.e. trade. Obviously through the application of a new law of the sea and the concept of EEZ, the island states were located into a new set of economic relations within the international economic structure. And their response to this new situation seems appropriate, reflecting greater international division of labour and interdependence. So the institution is the response of states to the requirements of the international market in pursuance of their self-interest.

Both perspectives consider the South Pacific cooperation as a success story on the basis of functional efficiency of the institutions or as an efficient party to the trade relations. The framework which legitimises these stories only perceives the sovereign state as the unit of analysis. In this, functional efficiency seems to be evaluated on the basis of individual gains among the members of the cooperation or group gains in relation to external actors. Through this perspective and understanding the paradoxical spatiality in relation to oceans created by UNCLOS III has been naturalised. The relationality between the institutions and what they are supposed to deal with is severed. The success is not based on how far institutions are fitting for the issues they are dealing with.

Parallel to this discrepancy, it is clear that in the conventional narrative the subject matter of the discussion, i.e. oceans and resources therein, has been disregarded as a relevant concern. The concern arises in relation to the contribution of ocean resources into the finances of development in each individual state. Although it is an undeniable fact that innovative measures developed through the region are important, they are assessed as successful insofar as they generate positive financial flow into the individual island states. When there is a danger for this positive flow, measures are disregarded. Overall, both in understanding and in application of UNCLOS III in the region ecology, as defined in this study, has been ignored. The complexity presented by the

ocean system is not located as a part of the formation formulated in UNCLOS III.

The idea of cooperation in ocean management based on UNCLOS III has caused the fragmentation of ocean space into areas of self-interest of individual states. In other words despite the fact that UNCLOS III calls for cooperation, it both expanded and strengthened the impact of sovereignty. And the second dimension is the fact that the reflection of strong sovereignty claims into regional cooperation has resulted in the enhancement of irony between the high seas and the newly-created zones and has somewhat dwarfed any attempt of wider cooperation for ocean management that is based on a larger ecology than the individual sovereign zones. It has, also, become implicitly obvious that the region would not take part in any formation that gives less power to them or more control to others than there is now. It is fair to argue that the region has become a closed block while having internal fragmentation of interest with regard to the management of the ocean. In this juncture, it is clear that the cultural edifice is nearly cosmetic. The relations between member states are based on application of western ideas of sovereign statehood and its reason expressed as interest rather deep cultural affiliation. Therefore, relations between members begin from this common ground. They are not interested in the question of, for example, why these member states have set development and progress targets based on an increase in national incomes which are meant to be achieved through capitalising on ocean resources, despite the fact that this understanding destabilises their social and cultural systems⁵.

This chapter explained how the new international law of the sea, UNCLOS III, has reterritorialised both ocean spaces and identities in relation to these spaces. I argued that the main reason behind the form of this territoriality is located in the general framework of IR which perceives international on the basis of sovereign entities. The aim was to show how the fact of international relations and the narration of this factuality inter-constituted each other. Reading the case of the South Pacific, it has become clear that within the disciplinary understanding of IR, ecology does not play any role insofar as ecology does not function through a *logos* based on

⁵ The system of EEZs has been difficult to apply and adopt for the people because of the existing marine tenure systems in the so-called traditional cultures. These application difficulties are the consequence of different motivations embodied in the agreement.

sovereign 'self'. By reterritorialisation of ocean space and identities, ecological concerns are further distanced. The questions, that can be asked, then, are located — and limited with — into this conceptual framework underpinned by the concept of sovereignty.

In a nutshell, the question is not about the success of the structural forms that are created, but about how far they are sufficiently articulated and what the possibility of these forms are on the basis of the nature of the problems that they are trying to solve. Therefore, the next chapter brings in what is disregarded while the success story is being told, as an important part of the discussion. Through the introduction of tuna as an ecological component of the ocean system, I will attempt to disrupt the above success story as an inadequate way of understanding and thinking about international.

Chapter 2: The Management of Highly Migratory Species and the South Pacific Cooperation

In order to locate the analysis of South Pacific cooperation within the cooperation scheme, it is necessary to achieve an understanding of all the related 'parties' in themselves and the impact of their communications on each other's existence. Deciding who the parties to this interaction are on the basis of the cooperation scheme can be a contentious issue, according to different perspectives. If one takes the parallel line of argument to the FFA, the parties are those South Pacific Island states. The consequences of the cooperation, nonetheless, suggest a different picture. Through the relational ethics implied in the ecological call of responsibility, this study considers the species of the oceans as one of the major parties to the cooperation, albeit a silent one. Also, it seems fundamentally important to consider the fishing industry as an other relevant party to the cooperation insofar as the existence of this industry has motivated, and will motivate, the South Pacific states to cooperate and capitalise on their ocean spaces.

So, here the cooperation scheme is considered in its 'multiplicity — multiple meanings' (Heidegger 1968, p.71) insofar as each party *affected* might bring a new meaning which would alter the vision of the cooperation. The implication of bringing all the related and affected parties together would be a debasing of the success story that is only based on the interests of the South Pacific states and the functional efficiency of the cooperative institutions. This move aims to talk about the interests of species that are implicated in the cooperation scheme, but ignored as a relevant component in the success story. Furthermore, it is also *a contrario* demonstration [through positive inclusion] of how the absence of a holistic understanding produces a success story wrapped in subtle but one-sided truth claims about resources, sovereignty, interests, and eventually about the existential location of human beings on Earth. So, this step aims to establish a path towards an interpretation which contradicts the established understanding that is 'negatively related' (Foucault 1990, p.83) to ecology.

This relation means that the accepted frame of perception excludes and creates absences of things like ocean species. It dislocates them from their natural existential connectedness only to relocate them as materials to support human existence. By bringing the analysis of what is excluded

from the institutional concern in the region, that is the systemic understanding of life in the oceans, into the discussion, 'the natural' location of species as material support for the development of the region is disrupted. At the same time, through this analysis the framework and the impact of the new ocean regime are related to the process that considers and reduces the 'environment' to the limits of a new political/territorial organisation on the basis of which a certain existential normality for species is fixed. The possibility of understanding ocean ecosystem and the species therein is based on the new politically divided zones. It is argued that new reorganisation allows individual zones to be articulated as 'environmentally' separate entities.

Before focusing the argument on the nature of the resources important for the region, i.e. highly migratory species and the way in which they are utilised, I will locate this methodological step within the discussion of ecology. This will show the location of the ecological understanding implicit in introducing the species as parties to the international politics of oceans.

Ecology

Many different ecological issues have prompted people to reconsider the interaction between humanity and nature. Animal-rights, deep-sea dumping, urban pollution, national parks, forests, nuclear power, viruses, whales, chemicals and many more such issues are considered under the generic name of ecological problems. Obviously, discussion of these issues is not carried out in only one way. Responses are as diverse as the problems presented. Nevertheless, it is still possible to group these responses under certain headings. It is important to state that this is not an attempt to embark on an extensive review of the ecological literature already available in the area.¹

The attempt, here, is to outline the arena of ecological communication. The common denominator of all the issues involved seems to be the human factor, either through physical involvement or through the theoretical conceptualisation of nature. Therefore, it is not surprising that people have been quick to question the human involvement.² Since the discussion is built around the adverse effects of human involvement, the solutions that are suggested deal with the withdrawal of such involvement. The scope of these suggested solutions appear to be the important

¹ For example see Pepper 1993, Hayward 1994, Gruen-Dale 1994, Eckersley 1992, McCormick 1989,

² Carson 1962

dividing line among discussants. 'Anthropocentrism' and 'non-anthropocentrism' are the terms used by those familiar with the literature. The existing system and the conceptualisation derived from it is labelled as anthropocentric as long as it places the human being over and above other beings on the grounds that it is an intrinsically higher being than the rest of beings which are sometimes considered to be like machines — in which there is no differentiation between living and non-living beings.³ This approach argues that human reason and sentience places the human being on a higher ground. Here, the consequential factor for establishing the case is based on the fact that most of the time the exploited material, or what is being seen as inferior, is a living being in somewhat, at least biologically, similar fashion to the human being. The other side of the discussion is marked with views such as those of Goodpaster and Santayana. They consider the existing system as based on a conceited notion of man or human reason, and argued that if philosophers could manage to live within nature and suspend their self-importance as man, things would have been different (as cited in Fox 1995, p.18). Thus, this is called the non-anthropocentric approach.

The former group usually accuses the latter as being anti-human, and does this by emphasising human uniqueness among other beings on grounds of things like reason and communication; while the latter responds with the claim that the former is just missing the point. The latter argues that anthropocentrism proved to be disastrous⁴ and unethical as a result of its highly instrumental approach to other beings; and in that it contradicts itself in its dealings with incapacitated human beings. Non-anthropocentrism adopts the view that the uniqueness emphasised is cosmetic⁵ and a matter of degree⁶ rather than a matter of absolute differences. Communication among anthropocentrists and non-anthropocentrists became rather complex with the introduction of the typology of shallow/deep ecology developed by Arne Naess.⁷ The concept of shallow/deep ecology has captured the imagination of the public probably because of the direct implication of the adjectives used in opposition.

³ See Johnson 1984.

⁴ See White Jr. 1973.

⁵ See Earman 1987.

⁶ See Farb 1978, Rodman 1977, Rodman 1983.

⁷ The best demonstration of this can be found in Naess and Sessions 1985.

Warwick Fox approaches Naess by identifying three strands in his ecological thinking. The first strand is the 'philosophical'⁸ understanding of ecology. The second strand is described by Naess as a concept used in relating to the level of questioning, which means that deep ecology implies the depth of the question⁹ asked about ecology that is, according to Naess, established on the basis of whether questions are about fundamental philosophical concepts shaping the way we understand nature or not (as cited in Fox 1995). The third approach is called Naess' popular sense of deep ecology (Fox 1995, pp.114-19). Their starting point is to establish that each 'life' has an intrinsic value¹⁰ independent of human purposes and the realisation of these values is only possible through the richness and the diversity of life, so humans have no right to destroy this diversity unless there is a vital necessity. The divide between shallow and deep ecology seems more plausible when these considerations are taken into account. According to Fox, Naess' intention in formulating the above principles is not to provide a technical articulation about 'life' or 'vital' but to provide a system of guidelines which could be used to make decisions about nature.

The above classification seems appropriate insofar as there are seemingly distinct ways to approach ecology. However, Naess is not talking about different, separate approaches. There is only one way of approaching ecology. He is formulating a methodology. If the path he admired in questioning is being followed and 'why' questions posed to his principles, the obvious response would be his philosophical stand, 'self-realisation', and to do this one has to ask deep questions. Otherwise, as individual blocks of understanding, neither of them are tenable. This ingenious totality of Naess makes others who are arguing for preservation and conservation through stewardship or guardianship appear rather anthropocentric.¹¹

⁸ And that is epitomised in the concept of 'self-realisation'. The formulation arrived at suggests that self-realisation is about this world rather than other worldly-sense and also that self-realisation of the individual is possible through the self-realisation of others. Finally, self-realisation is seen as a process. It is an on-going identification with others through which one becomes more oneself.

⁹ In this approach there is a presumption that anthropocentric stands cannot be substantiated through deep questioning. The thrust of the argument seems to be that anthropocentric arguments would not be ready to question (Naess says this about the courage to question) their stands as deeply as the concept implies. This argument is shown to be wrong: see Fox 1995. It is quite possible to arrive at anthropocentric arguments through deep questioning. Therefore this version of the concept does not seem to be plausible as presenting a real difference between eco-centrism and anthropocentrism.

¹⁰ Naess argues that in order to avoid questions of grading he formulated that 'Living beings have in common a same sort of value, namely inherent value' (Naess 1999, p.146). He argues that the source of this value is 'largely intuitive'(Ibid., p.147). Here is the problem with this approach, Naess does not clarify where does this intuition come from. I will relate to this again in chapter 5

¹¹ Nevertheless, to ask deep questions might bring Naess slight discomfort. The question of 'how' self-realisation is, is

The term employed by Fox to describe his interpretation of Naess to create his own ecological perspective is 'transpersonal' ecology (1995, p.197). He emphasises that the prefix 'trans' implies beyondness as in transcendence (Fox 1995, p.198). If someone is going to transcend something that person has supposed to overcome a stand point that is either true or false, that is, there is a notion of change. First, therefore, there has to be the will for such a motion/change to happen and a recognition of the way in which it can happen. He accepts that his understanding is influenced by developments in psychology (Fox 1995, pp.199-215). Therefore, the definition provided is defined in opposition to the egocentric self. This new way describes self as a sense that extends beyond one's egoistic, biographical, or personal sense of self that is opening to ecological awareness by realising one's wider ecological self (Fox 1995, p.198).

This view is distinctly non-anthropocentric in the sense that it does not, for example, compare different beings on the basis of their evolutionary stages to value them.¹² Here, the attempt is clearly to overcome moral and ethical formulations deriving from a certain perspective which are extremely difficult to resist. The arguments about conservation and preservation in environmental discourse are usually based on human interest which considers human interest as superior to the rest of nature. Therefore, the value fixed on other life forms derives from their use value to humans. They are good examples of what some authors have tried to replace with transpersonal ecology. In this perspective, the conceptual tool emphasised is 'things are' (Fox 1995, p.251) which warns the gazing subject about the fact that there is a complex life out there independent of him/her.

The attempt of transpersonal ecology to create a new consciousness has important complications for the existing system. It discredits the abstracted image of humankind while recognising its potential for change. Therefore, the step taken by this approach is very constructive for the next phase of ecology in finding appropriate ground to make humanity at home without fear of nature. The discussion about nature is not without challenge. Whether there is a real nature or not¹³ or whether there can be a nature separate from human construction are the questions asked by

not exactly answered in his framework. Self-realisation for all beings is set as a normative principle on the way to symbiosis, that is, reliance of all species on each other, required by the limits of the Earth that would be strengthened by the diversity and complexity of 'life' on Earth. See Fox 1995, p.103.

¹² It argues that 'all life forms are the products of distinct evolutionary pathways and ecological relationships means that, at any given point in time, they should be thought of as more or less perfect (complete) examples of their own kind' (Fox 1995, p.200).

¹³ For example Holmes Rolston III argues that "nature" is a category we invent and put things we meet into, because

many postmodern thinkers such as Richard Rorty who conceptualises nature as textuality *pace* Jacques Derrida, that is, there is no nature outside-the-text.¹⁴ In terms of transpersonal ecology there seem to be some obscure, not-so-clear, areas in this discussion which make the conjecture less persuasive, in relation to its possibility, when compared with the established system. For example, Robin Attfield (1991) is very reluctant to think about a new ethics and moral standpoint in his book *The Ethics of Environmental Concern*:

Believing, as I do, that matters of morality admit of truth, I am reluctant to conclude that we can devise or invent a new ethic; and, even if we could invent one, I do not see how it could establish its credibility unless it were not a new departure but an extension, analogical or otherwise, of existing patterns of moral thought...then what is required is not so much a replacement of moral traditions, or even their supplementation with new principles, as the more promising endeavour of developing in a more consistent manner themes to which at least lip-service has long been paid (p.4).

As a result of this rather defeatist attitude, Attfield and many others try to survive in the existing system by articulating concepts of stewardship and conservation on the basis of future generations' interests which is necessarily anthropocentric.¹⁵ It is imperative to see how these concepts are played out in the International Relations in order to see the relevance of bringing the concept of ecology.

International Relations: Ecology or Environment?

The ecological question can be only answered by the discipline of International Relations after the disciplinary framework redefines what is being asked, in other words, it can only respond if it can understand the problem as a failure in the steering mechanisms of international cooperation, regimes, or bargaining strategies. The first step is to change the location of the question from

there is a realm out there, labeled nature, into which things have been put before we arrive' (Rolston III 1997, p.42). He also argues that '[w]e need to think about language, about the concept of "nature". But this does not mean that we cannot think with such words about the world. There is always some sort of cognitive framework within which nature makes its appearance, but that does not mean that what appears is only the framework' (Rolston III 1997, p.43).

¹⁴ Rorty 1989, p.19 and Rorty 1982, p.96-7.

¹⁵ Rolston III argues that '[t]he epistemic crisis is as troubling as the environmental crisis, and one must be fixed before the other can'(1997).

ecology to environment. By this shift, the problems of an ecological nature can be accommodated within the disciplinary boundaries of IR as management questions in relation to use of nature that should be regulated through the international system. One important example of this can be implied in the contradiction between already mentioned declaration of the British PM in relation to the Climate Change and the actual government policy towards Rockall. By considering the Climate Change as an international environmental problem the policy makers are able to play spatial differentiation, and the nature of internal and external implied within it, to allow the obviously contradictory policy of more hydro-carbon production. In other words, formulation of the problem in terms of 'the international environment' firstly allows them to use the national interest argument which silences the ecological call, and the implicit call for responsibility in it, that is not based on the social relations of states. Secondly, what can be done has to be considered in terms of what is available as appropriate international norms in IR. The problem becomes an issue of adapting proper regime standards that are based on the concepts of 'sovereignty', 'the international', and the state behavior derived from this framework.¹⁶ In the end, the question of ecological call is formulated according to state behavior in the international as one of the agenda points which must be considered while a state is acting in the international. The clear example of this is given in the chapter 1 through the example of ocean regime established in the South Pacific. Here, the knowledge claim of IR in the context of 'environment' that is reflected on the state system is what is named as the 'constitutive model' by Foucault. He argues that those models

which are not just techniques of formalisation for the human sciences, or simple means of devising methods of operation with less effort; they make it possible to create groups of phenomena as so many "objects" for a possible branch of knowledge; they ensure their connection in the empirical sphere, but they offer them to experience already linked together (1992, p.356).

Therefore, the empirical, what is experienced, can be seen in the form of an already formulated structure. This view clearly is open to a challenge by regime theorists showing the large numbers

¹⁶ As discussed by Chris Brown two basic assumptions of realism, international anarchy and the rational egoism of states are accepted by various authors crossing theoretical divides in the discipline including Robert Keohane and Robert Axelrod (Brown1997, p.49).

of international environmental regimes that are functioning in international. By judging through the IR literature¹⁷ on environmental regimes they might have a point. For example, a very important book on this issue edited by Peter M. Haas, Robert O. Keohane and Marc A. Levy titled *Institutions for the Earth-Sources of Effective International Environmental Protection* is representing a strong IR involvement with the issues.

In their introduction, the editors try to respond to a major doubt as they define it '[a]s long as governments protect national interests and refuse to grant significant powers to supranational authorities, the survival of the planet is in jeopardy' (Haas et al. 1994, p.3). Although they recognise the problem expressed in this sceptical view they argue that '[y]et world government is not around the corner: organised international responses to shared environmental problems will occur through cooperation among states. ... Before becoming depressed by this prospect, we should note that interstate cooperation has achieved major successes with problems that earlier seemed as daunting as UNCED's agenda does today' (Haas et al. 1994, p.4). This is a fascinating read since (a) it seems to show that regime theorists are unable to think beyond two options of interstate cooperation or world government. In other words, they cannot ask a question without thinking in terms of their theoretical frame of reference in which states and their behaviour are taken to be the relevant means for analyses. And (b) within that theoretical frame they can not see what was wrong with UNCED:¹⁸ namely that ecological problems considered and managed by institutions do not address the ecological dimension *as such* but correspond to environmental agendas in the structure of international (which can be seen as one of the major problems)¹⁹ ['by

¹⁷ See Benton, 1994, Haas et al., 1994, Imber, 1994, Susskind, 1994, Carroll, 1988.

¹⁸ The United Nations Conference on Environment and Development 1992-UNCED has been hailed as a success story against the environmental impending catastrophe. This process supposed to begin to avert the forecasted environmental catastrophe. The agenda was very comprehensive including climate change, poverty, biodiversity, technology transfer and international trade issues. The story of success must be qualified through the initial comments of George Bush, then the President of the USA. Before UNCED, he commented that 'the US life-style was non-negotiable' (Thomas' 1994, p.20). Also, during the conference it became clear that Bush was not alone, and powerful states agreed on the definition of 'development' as the process of poor countries getting richer along the path followed by the industrialised countries i.e. resource oriented 'economic' development (Grubb et al, 1993, p.34).

¹⁹ During UNCED, and the final declarations at the end of it, the centrality of economic efficiency as a means to environmental ends was clear (Thomas, 1994, p.13). According to Devlin and Yap 'the language of economic efficiency and structural adjustment was woven throughout the UNCED documentation. But the compatibility between economic efficiency and environmental sustainability remains highly contestable theoretically and extremely complex operationally' (1994, p.66). Principle 12 of the final declaration stipulates 'states should co-operate to promote a supportive and open international economic system that would lead to economic growth and sustainable development in all countries, to better address the problems of environmental degradation. Trade policy measures for

“institutions” we mean persistent and connected sets of norms, rules and practices that prescribe behavioural roles, constrain activity, and shape expectations’ (Haas et al. 1994, p.5)]. Without questioning the philosophical and ethical underpinnings of these institutions, they seem to suggest that the problem is about institutional cooperation. In this the understanding aims at ‘[t]he broad question we ask is whether international institutions, thus defined, promote change in national behaviour that is substantial enough to have a positive impact, eventually, on the quality of the natural environment’ (Haas et al. 1994, p.5).

In this statement it is clear that the reasons behind those environmental problems are not real issues for concern. The intention is to test general institutions/regime theory in a new area. And this is supported by the strong emphasis on the misleading dialectics between international norms and changing state behaviour without asking where those norms originate, and how they enter into international in the first place. In other words, the relevance of the international norms is not questioned as long as they are the result of state socialisation.²⁰ In the success story, the validity of international norms and the values which exist in them as natural conditions are not questioned.²¹ Hence, the functional success²² story is being told without thinking about the ecological — in the case of UNCED²³ even environmental — consequences of these norms. It is clear that ‘environment’ is considered in relation to the now familiar international order in its

environmental purposes should not constitute a means of arbitrary or unjustifiable discrimination or a disguised restriction on international trade...’ (Earth Summit’92). It is clear that intention was to bring in the perceived environmental concerns into ‘the international’ system without jeopardising the dynamics of the system.

²⁰ UNCED final declaration, Principle 2 which asserts the existence of a particular international order-[s]tates have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental and developmental policies, and the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or areas beyond the limits of national jurisdictions (Earth Summit’92, p.11)

²¹ For example, in the [implied] idea of ‘our common future’ with the humanity as stakeholders, the questions about who defines ‘Our-Us’? and who decides how ‘We’ live are left unasked.

²² In June 1997, at the UN Review of the Implementation of Agenda 21 at the 19th UN General Assembly Special Session, it was reported that ‘the concept of sustainable development has come to inform economic planning worldwide. The principles of Agenda 21 are being codified into national legislation, and major new conventions on climate change and biodiversity are being applied’, Earth Negotiations Bulletin Vol.5 No88. At the same time Alison E. Drayton argues that ‘the debate and negotiations that followed UNCED seemed increasingly steeped in a sense of futility. We all seemed to lose our sense of urgency in tackling many critical issues, such as poverty and changing production and consumption patterns’. She ends by saying ‘[f]ive years after Rio, the linkage that has proven most difficult to build is perhaps the simplest, a clear linkage between what is said and what is done’, Linkages/journal/ June 1997, Vol.2 No.3.

²³ Tom Athanasiou renders this myopia in an interesting way. He translates UNCED as ‘unsaid’. See Athanasiou, 1998, p.9.

perceived structure. Then what is discussed as 'environment' becomes something rather different from what is implied in the ecological call. The possibility of *national interest based environmental* policies and control on their spill-over effect *on international environment* repeats the internal/external differentiation of IR by breaking down the idea of ecological connections which has nothing to do with abstract political spatial differentiation. As argued by Banks, the change in the narrative does not necessarily change the underlying ideas. It also shows that it is possible to ignore different questions and formulate questions in relation to the institutional wisdom.²⁴

The relationship between analyses and what is being analysed is crucial. One would object to the above unfolding of understanding of 'environment' within IR, on the basis that the analyses of regimes/institutions are based on what is being reflected in IR²⁵ in other words through the logic of IR.²⁶ As argued by Hans-Georg Gadamer, 'at the base of all logic lies an ontological restriction' (Gadamer 1994, p.124). Even if the understanding of UNCLOS III for example, reflects the logic of IR, that takes environment *in* as yet another issue area, there is no attempt to question the possibility of this logic and the implications of this possibility on the ecological concerns. Clearly the introduction of 'ecology' as the location of this discussion disturbs the disciplinary logic. It brings the following question: is it then possible in IR to explain this disciplinary logic without assuming the natural existence of one of the two concepts — sovereignty(state)/international — that are used to explain the subject matter of the discipline?

By locating the question within an ecological framework and language, the particular human/nature relation as an ethical condition, that underpins the objective-functionalist

²⁴ Mark Neufeld. argues that '[w]hat is required is not just new analysis, but new ways of analysing; not merely re-examination of global structures and processes, but critical exploration of alternatives to the dominant theoretical traditions and analytical frameworks which have guided our thinking about world politics' See Neufeld, 1994, p.387.

²⁵ Thomas Kuhn's perspective on this is very interesting. He argues that 'one of the things a scientific community acquires with a paradigm is a criterion for choosing problems that, while paradigm is taken for granted, can be assumed to have solutions. To a great extent these are the only problems that the community will admit as scientific or encourage its members to undertake', Kuhn 1962, p.37.

²⁶ For example Steve Smith argues that 'much of the academic work on environmental issues depend on the writers working within a set of essentially uncontested concepts and assumptions, and that is these which do much of the work in defining what is practical and even what is theoretically possible' (1994, p.31) Despite the recognition of this bind and his warning else where (Millennium Vol. 23 No.2 1994) about trying to question without moving beyond IR Smith locates or slips to the same situation himself in explaining why environmental problems are marginalised. He argues that because 'within international politics there are many other issues that vie with the environment and for the world's population these are far more important'. See Steve Smith 1993, pp. 28-45.

understanding of ecology, implicit in the methodology of IR is disrupted. It reflects the lack of crucial questioning of the location of humankind in all the discussions of institutions, regimes and their success stories.²⁷ By missing out the fundamental question IR distances itself from seeing the problem and, thus, the solution becomes problematic. The 'transpersonal' ecology of Naess attempts to overcome these limits of thinking from a given ontological position of being human. His position, nonetheless, needs further elaboration with which I will engage in chapter 5. At this stage it is sufficient to relate the concept of 'Ecology' I use in the context of anthropocentric and non-anthropocentric discussion with the concept located in the latter one. In the non-anthropocentric ecology framework, the term ecology deployed in this study is trying to think of human-self in terms of ecological being. In other words, the location of human-self is situated into its ecological space, and henceforth the possibility of understanding international is considered. In this the implicit attempt is to dislocate the ethics of personhood, that is defined according to certain human attributes. This ethical outlook is used to value and give rights to those members of human species that have attributes of being 'person'. This ethical position of evaluating the value of life is clearly inadequate, to say the least, in terms of valuing nature and unlikely to produce an ecological understanding of rights for those non-human, therefore, non-person beings.²⁸ This move from a larger perspective is, also, a polemic with the general tendency in International Relations, hence in

²⁷ An interesting example of this, what are labeled as 'Knowledge-Based theories' of IR in Hasenclever et al. 1998 by and large in reference to constructivism represented by Alexander Wendt, Thomas Franck, Friedrich V. Krotowil John Gerard Ruggie and Robert Cox. These theories seek a more cognitive understanding of the international, and focus on identities and changes in order to counter realist claim of ahistorical nature of states and the international as anarchic (Morgenthau 1973, and Dougherty et al. 1997, p.63). In this particular group Wendt's arguments hold strong sway. His main focus is the social construction of world politics and the state identities (Wendt 1992, p.393 and 1995, p.71). This query is focused on the importance of change in the international system, self-understanding of states on the basis of knowledge which is itself shaped by international system. Wendt assumes that 'states are the principle units of analysis for international political theory' (Wendt 1994, p.385 and 1992, p.396f). Therefore, the tenets of constructivism must be considered as intersubjectivity among states through international institutions that are the grounds of the 'social' within this structure. Clearly by explaining behaviour according to the social actions in the social environment of states that is the international, this view creates a certain illusion and circularity about the grounds of norms and rules such as customary law based on 'ascertainable rule underlying the behavioural regularity'. It does not answer the question of if the state does not behave on the basis of exogenously given reasons, and its behaviour is based on its social environment, how is it that the state has a space to formulate its self-movement to change the system? Where does motivation for this movement come from? In other words it accepts the state as the natural given. All the questioning is based on that level without considering implications of this in terms of human existence. Therefore, even constructivism cannot explain in and of itself the grounds of and reasons of state action beyond the circularity of sovereignty/the international. Hence, it can only witness recurring practices and testifies for its acceptance as a rule of practice.

²⁸ See, Chappell 1997.

‘the environmental’ approach within it, to apply philosophical concepts as they fit questions based on the discourse of International Relations. This *a posteriori* application of concepts and methods to already ontologically value-fixed questions limits the possibility of thinking in new ways, and stops the dynamic thinking process within a given methodology. The ecological understanding, in the following analysis of the resources in the South Pacific, [therefore,] by questioning the observing subject’s location and bringing the life of species into the discussion unsettles the questions asked by the observing subject. It highlights a different question, and transforms the location of both the observing subject and the question asked. It begins with ecology and analysis what happens to the analysis produced, that is the success story, by the discourse of International Relations when the ecological understanding is not pushed into predetermined formulations of sovereignty/the international. By drawing out the ecological components of the ocean system, static discussions of territoriality are disrupted, and the complexity of the ocean system begins to appear as international concern.

Other Parties

The marine resources of the South Pacific region, both coastal and deep sea-based, are rich. One of the most important reasons for this diversity can be attributed to the existence of coral reefs which have become the habitat for many different species. The following are some of the many species of the region: Béche-de-Mer (*Holothurids*), Giant Clams (*Tridacna* and *Hippopus*), Spiny Lobster (*Panilirus penicilliatius*) and various fish groups such as deep-water demersal fish like Snappers (family *Lutjanidae*) and groupers (family *Serranidae*); small pelagic fish like scad (*Carwngidae*), mackerel (*Scombridae*), flying fish (*Exocoetidae*) and marine aquarium fish groups such as angelfish (*Pomacanthiadae*), butterflyfish (*Chaetodontidae*) and hawkfish (*Cirrhitidae*).

Although the amount of fish caught in shore is higher than deep sea fisheries, the economic importance of the latter might be seen as higher than the former as a result of DWFNs’ economic interest in these species. In this connection the species defined as highly migratory are the main targets. According to Annex I in UNCLOS III, there are seventeen different species which migrate extensively. And all of them are in existence in the area. However, not all of them are economically

targeted on an industrial scale. The ones targeted are Albacore tuna (*Thunnus alalunga*), Bluefin tuna (*Thunnus thynnus*), Bigeye tuna (*Thunnus obesus*), Skipjack tuna (*Katsuwonus pelamis*), Yellowfin tuna (*Thunnus albacares*) and in southern Australia Southern bluefin tuna (*Thunnus maccoyii*).

The Family 'THUNNUS'

The species belonging to the family *Thunnus* occur all over the globe across the oceans. They usually present a very dynamic life history. In this section, the peculiar life histories of the above-mentioned species will be presented in relation to their interactive life in the South Pacific. The aim of this move is to show that species exist in a complex ecological system rather than in single species based spaces, as it appears in analyses of species which are based on economic interest. The main components of this presentation, or rather juxtaposition, are: the location of occurrence occur for each species, their migration paths, and oceanographic variances influencing such occurrences and paths. The main purpose of this attempt is to present these species in their own space as functioning beings. Nevertheless, in the first instance very general components about each species will be established and then the complexity will be reached gradually through building up general patterns of interaction among species within the ecological system. In all these analyses, data has been collected though the catch statistics and tagging operations which again depend upon fishing operations.

Bigeye tuna inhabit the tropical to temperate waters of the Pacific Ocean. In the Western Pacific it is reported that they live between northern Japan, 40° N, and the north island of New Zealand, 40° S. in the west, while in the South Pacific the border of the southern limits shift to 30° S. (Miyabe 1991). It is argued that there is a lack of information about these species to determine the structure of their migration and make a concrete judgement about the occurrence of different populations across the regions. Nevertheless, it is argued that spawning-feeding migration occurs between equatorial waters and temperate waters. It is suggested that the migration of bigeye is north to south rather than east to west.

The attention to the water temperature paid by Uda suggests that the optimum water temperature for this species is between 17.5-22° C. However, this view has been modified given new findings which suggest the optimum is between 10° and 15° C. This was the result of the fact that bigeye proved to be in the deep layers of the water column, deeper than other tunas. It is observed that bigeye usually mix with yellowfin, skipjack, kawakawa and frigate tuna.

Albacore tuna occur throughout the South Pacific from the equator to at least 49° S (Wang 1988, Bailey and Ross 1987). It is suggested by Jones (1991) that juveniles move from the tropics into temperate waters and then move eastward along the Southern Convergence Zone. And he adds that albacore may move into sub-tropical and temperate regions outside the normal range of existing fisheries. The adult population is considered to be more mobile than the larvae and juveniles. The exchange of adults between the South Pacific and Indian Ocean stocks has been suggested but no conclusive result has been arrived at. The temperature window suggested is 15.5° -20.6° C (Laurs et al. 1987). However, this situation might be subject to slight changes according to the level of maturity. It is reported that adults are mainly caught at depths between 100m and 380m where temperatures range from 9-20° C. Albacore are considered to be an opportunistic, carnivorous species. They feed on a variety of small fish, planktonic crustaceans, and squid (Murray 1991). Likely competitors of albacore vary with the area and season but are primarily skipjack, yellowfin and bigeye tunas, and pomfrets (Murray 1990).

On the opposite side, North Pacific albacore stocks have similar patterns as well. It is suggested that after entering Japanese waters as juveniles they move eastward to North America along the North Pacific Transition zone. Therefore, it is possible to argue that two different stocks, divided by oceanographic conditions, exist throughout the Pacific Ocean.

The distribution of adult yellowfin tuna covers a wide area between 40° N to 40° S latitude in the western Pacific with a narrower distribution in the latitudinal direction in the central Pacific (Suzuki 1991). It is suggested that the swimming depth of yellowfin tuna is mainly above or in the upper part of the thermocline²⁹ with a tendency for deep swimming in daytime and shallower

²⁹ 'The surface waters of the sea receive heat from the sun; therefore they become less dense and float at the surface; therefore they receive yet more heat; and so on. The end result is a body of hot, dense water floating on top of much larger mass of cold, dense water; the interface between the two, or more strictly the zone of rapid change in water temperature is termed as thermocline' p.5 and see the following page for the importance of this — Barnes & Hughes, 1993.

swimming at night (Holland et al. 1990). As mentioned above, all this information and analyses are based on catch statistics. As far as association of yellowfin is concerned they say there are mix-catches of skipjack and bigeye with the same size yellowfin that tends to be the catch of juveniles while at other times marlin, rainbowrunners, and triggerfish are caught as by-catch. Also it is accepted that association with whales, dolphins and above all drifting objects are important for Yellowfin (Suzuki 1991).

The species of skipjack tuna occur continuously from east to west across all oceans, and an over wide latitudinal range from about 40° N to 40° S in the west and from lat.35° N to the south of 40° S (Matsumoto et al. 1984, p.12). The temperature requirement depends on the location. Therefore the temperature line where skipjack tuna have been caught is sometimes between 16° C in southern Tasmania and 30° C in the eastern Pacific (Matsumoto et al. 1984, p.19). Although the temperature differential varies between these two points, localisation might be constant for each group. The feeding habits are variable depending on maturity. The smaller skipjack tuna rely on crustaceans for food while larger species rely on juvenile and small fish (Matsumoto et al. 1984, pp.33-34). Therefore, major items of food can be fish, crustaceans, and molluscs. In more accurate terms, it is suggested that a wide variety of organisms, representing 11 invertebrate orders and 80 or more fish families might be included in the food list of skipjack tuna. The fish group also includes juvenile skipjack tuna as a result of which these species may be defined as being opportunistic carnivorous as well (Ibid.). The extensive migration of this species has been reported. However, considering the existence of more than one sub-population of Skipjack tuna the patterns of migration differ in a variety of peculiar ways.

The above information aids the understanding of the large borders of existence of these species. However, all those considerations could vary with a change of temperature on the basis of global climatic conditions which would alter the life patterns of these species by shifting the temperature zones where they are conditioned to live, which in turn, affects the behaviour of the species at a different level of maturity i.e. larvae, juvenile and adult differently. The temperature level is important insofar as it indicates not only the water temperature itself but indicates some other vital signs as salinity, oxygen content and productivity. This is not an horizontal impact transmission at all. Obviously the same climatic variations are effective on other species that are

associated with each other. Therefore, their variance would eventually have an effect on a given stock of tuna. Migrations might be affected in the way that they sometimes use the different current fronts in order to change vertical direction. If there is a change in the current based on climatic conditions, it would be reflected in the mobility of the species.

This vertical configuration is important. Tunas are distributed by depth layers with the skipjack tuna occupying the shallowest layer, followed in order by the bluefin tuna, yellowfin tuna, bigeye tuna and the albacore (Yabe et al 1963, pp.979-1009) These depth relationships are usually dynamic as well. The depth level where most species spend their nights and days vary. Dizon et al (1978, p.233-259) showed that the skipjack tuna in Hawaiian waters spends its time during the day between the surface and 263 m, while at night it remains in the surface waters of 75m. As mentioned before, for yellowfin tuna the depth is usually determined by the thermocline which tends to be approximately 150m in the southern ocean (Philander 1990, p.293). In addition, adult Albacore tuna, occur at depths between of 100m and 380m. According to the research of different species of albacore caught at different depths, the diet of each species differs according to the depth (Saito 1973, pp.107-184). It is also suggested that although there is evidence that bigeye tuna is usually caught in the thermocline, the bigeye catch has been more efficient in such deeper waters as 133 to 245 m around Hawaii and up to 300m around Fiji (Suda et al. 1969, pp.99-114). There is also lateral differentiation among the larva, juvenile and adult of a given group of species. These different patterns of depth existence are by no means fixed. The most important reason for the existence of those patterns is due to feeding habits of the various groups. The change in the availability of food might alter the depth relationship. The species that are under consideration are mobile and have fairly efficient locomotion systems. As a result, they may change location in order to compete for food with other members of the ocean.

All these groups are considered to be divided into sub-populations which might be different biologically and habitually from another sub-population of the same group. Although most population arguments are tentative because of the imprecise data gathered from fisheries, it is argued, for example, that there are six sub-populations of skipjack tuna occurring over the whole of the Pacific Ocean (Matsumoto et al. 1984; p.9). Suzuki et al. argue that there might be three distinct sub-populations of yellowfin in the Pacific without any contact, distributed among western, central

and east Pacific. Nonetheless they add that there is no substantial evidence for this argument (1978, p.273-441). Schaefer, however, suggests that eastern Pacific yellowfin sampled from north of 15° N-20° N were different from those sampled from south of 15° N-20° N, so somewhat distinct regional groups were considered by the absence of any clinical relationship between characters and latitude or longitude (1989, p.389-427). Yet another important defining factor is the age of productivity of each species. Each species has a different level of maturity when they become reproductive where the age of the fish is determined through its size. Close examination of its reproductive parts shows the ability of a fish to reproduce with this capacity of reproduction subsequently arranged in relation to its size to estimate the maturity level for a given group. This level is different in each species as well as in each sub-population of different species. For bigeye tuna, for example, the minimum size of maturity is reported as 91-100 cm (Miyabe 1991). According to Matsumoto et al., on the other hand, the minimum size of the female skipjack at maturity is 40 cm and that first spawning may occur between 40-45 cm (1984; p.92). However, Marr (1948, p.206-210) recorded skipjack tuna as small as 40 cm with spent ovaries from the Marshall Islands while Wade (1950, p.409-423) recorded a female in the 34.0 to 34.9 cm size class having ripe ovaries in Philippine waters.

Miyabe argued that the level of maturity is seasonal (1991, p.3) which indicates that in different locations the growth rate of the species will be different, hence the level of maturity. According to Wild et al (1991) growth curves in central and the eastern Pacific appear to be similar, but the average growth rate is more rapid during the early stages in the western Pacific. Similar variations are reported by Bartoo et al.(1991) in relation to Pacific albacore, i.e. fish captured south of 40° N have a higher estimated growth rate than fish captured north of 40° N.

What then is the probable relationship between these qualities and migration tendencies? Tunas require warm water for spawning and larval survival (Matsumoto et al. 1984, p. 17). It is probably reasonable to argue that, insofar as the above general assertion about warm waters holds, at some point of sexual maturity migration towards warmer waters seems unavoidable. Also, it seems reasonable that the migration is not only horizontal towards the tropical latitudes from rather temperate ones but vertical from the higher depths to shallower waters as well. Arguably, both patterns might even happen at the same time. Nevertheless, because of the individual differences in

maturity, the time and the extent of migration depends on each population. In addition, there is evidence that the spawning of certain species such as yellowfin (Suzuki 1991, p.6) and skipjack (Wild et al. 1991, p.7) occur throughout the year over the vast areas of tropical waters while it is observed in summer time in the temperate zones, while only evidence of multiple spawning of albacore has been found without exact numbers (Bato et al. 1991, p.3). These schedules might be seen as an indication of the movement of different groups and sub-populations of those groups. And then, the speculation would be that, if all year-round spawning activity is observed there has to be movement from each area of spawning to the other areas, firstly because mature fish move away from the spawning grounds and secondly juvenile fish tend to change location as well. Moreover, insofar as each group moves in a different direction there should be a rather dynamic structure all over the ocean throughout the year. Obviously these movements are strongly and continuously influenced by climatic changes. The change in warm water dispersion might necessitate a move to lower latitudes as well as shallower waters which means that there would be competition among all species including tunas. One such climatic change, known as El Nino, proved to be a global occurrence contrary to the initial belief that it was peculiar to the eastern Pacific.

During El Nino periods the south-easterly winds weaken in the eastern part of the South Pacific which influence the structure of the tropical current system (IAATC; 1984, and Annual Report for 1983:272pp). In the eastern Pacific the sea surface rises in response to the decrease in the hydrospheric circulation rate, and coastal and equatorial temperatures also increase which then deepens the thermocline (Joseph and Miller 1988, p.199-207). At the same time in the western Pacific, it is suggested that the thermocline tends to be shallower (Suzuki 1991, p.11). In a nutshell, what that means is that in the eastern Pacific fish would disperse into a deeper area while in the west the area of fish becomes more condensed. Such a situation is recorded in a Japanese report after recent climatic change, as follows:

El Nino still remains in the middle layers of the Pacific Ocean such as in the waters of the west longitude fishing grounds. Between January and February, the thermocline depth in the equatorial region of the Pacific (2N-2S) was just about back to normal in the eastern region but was still very deep in the central region (160-170W) and quite shallow in the western central region (150-160E) (Katsuo-Maguro Tsushin-KMT April 14, 1993).

'to a fish, the depths the expanses of its waters, the currents and quiet pool, warm and cold layers are the element of its multiple mobility. If the fish is deprived of the fullness of its element, if it is dragged on the dry sand, then it can only wriggle, twitch, and die. Therefore, we always must seek out thinking, and its burden of thought, in the element of its multiple meanings, else everything will remain closed to us' (Heidegger 1968, p.71)

As an overall engagement, what has been established thus far is the complexity of the system, part of which is exposed to the fisheries. The most important point seems to be the fact that there is no uniform structure among the species under consideration. Each group is influenced by various biological and oceanographical changes which might be seen as forming a unit all over the globe. Be that as it may, the consequences are not at all uniform. Nevertheless, as it is exposed none of the groups live in isolation in its own oceanic patch or its own sovereign EEZ. All species are in contact in various ways. The picture has become extremely interactive when all the seemingly isolated dynamics of each species are juxtaposed. The locations that they share, the feeding habits through which they interact with a larger environment and to which they become a prey as well, climatic conditions that change their cycles, and all the other relevant relations make this system multi-dimensional.

The common approach in assessing the conditions of *resources*, nonetheless, has been to analyse each single group in isolation. Then, generalisations about the state of the resources are arrived at without paying real attention to the dynamics of sub-populations and their larger impact. The regimes based on single species, therefore, have become rather complacent about the ecological location of the species they are interested in. The material value of the species dominated the policy decisions as will be shown below. The consequence of this can be seen in the structure of regimes. In other words material interest in and search for a single species shaped the way the ecology is perceived — that is 'environment' stratified according to particular interests of regimes. This can, in fact, be seen as the result of the methods of data collection that have been employed in 'marine resource assessment', that is, catch data. It is clear that these assessments were shaped by the interests of regimes. Therefore, it is a inter-constitutive relationship between interest and

method, and *vice versa*. In order to see the limitations of this approach, the first step might be a brief explanation of the different fishing methods used in the Pacific and elsewhere.

Fishing Methods

The major methods are: (a) the longline fishery, a longline being a horizontal line with side hooks, set near the surface for pelagic fish such as tuna, or on the bottom for demersal species; (b) the purse seine fishery, a purse seine being a net in a circle around a school of fish such as tuna or mackerel. Floats are fastened to its upper edge and weights to its lower edge. A purse line runs around the lower weighted edge, and is hauled in to close off the bottom of the net; (c) the bait boat (pole-and-line) fishery, which involves the use of unbaited hooks on short lines attached to poles; (d) the handline (drop line) fishery, a dropline consisting of a vertical line with baited hooks set on short side-lines and may be wound in with the wooden hand reel and finally, (e) drifnet fishery now banned but once popular which utilised the gill nets made from almost invisible nylon strands which lock behind the gill covers of fish. With the exception of the last one, all the other methods catch fish, in theory, at different levels. Thus the size of the fish that they catch is considered to be different as well. Considering the diversification of fishing methods, obviously not every method is used for every single fishery. In other words there is a target specific diversification among the methods. According to Bartoo et al., for example, north Pacific albacore is mainly caught by the so-called surface gear i.e. longline and baitboat fisheries. Another gadget that is used in catching tuna is called Floating Attraction Device, used in order to capitalise the natural affiliation of fish to congregate around a floating object.

The real question, then, is: what is the impact of this fisheries' structure on the data that has been used in tuna management? The catch data from the fisheries is one of the main sources of marine resource analyses. The components of this data such as per unit effort in catching a given amount of a fish and the average size of the group would give an idea about the state of a particular stock. In addition, the location of a given stock would obviously be determined. Apart from this direct help, fisheries can be used in tagging operations that are made by putting identifiable tags on

species and releasing them into the ocean, and retrieving those tags in the future through the fish catches. This method helps to understand migratory patterns in given stocks.

With the last point, however, the difficulty or rather the limitations of these data can be shown. Since tag recoveries depend mainly on the catch it means that it is more likely to recover tags from grounds that are well established, while many other tags remain silent basically because they do not travel through fishing grounds or because of natural mortality that might be exacerbated by tagging itself. This argument can be connected to the other methods of data-gathering.

The same problem of locating stocks can be seen in the catch data as well. The important issue here is the fact that most of the fleets target a main fish group which they pursue in the ocean. Therefore, their catch data are usually based on a *targeted* species and very little attention, if any, is paid to the by-catch. This is a 'good intentions' situation, but it is not always valid. The important thing to remember is the fact that a rich fishing ground is a real asset, so on many occasions the catch statistics are modified to divert attention from rich grounds or fishermen prefer not to report at all. Parallel to this, obviously a by-catch of any sort remains unreported unless there is a strictly enforceable regulation. Even in that case the by-catch that is disposed of [directly] remains unnoticed.

Consequently, these events result in one-dimensional analyses of a given stock. For example the data about skipjack in the western Pacific, is based on reports of a given fleet the validity of which seems questionable. The interactive relations can only become traceable through the by-catch report which is not usually presented. Also, the understanding of migration patterns seems fairly curtailed. Because collection depends on fisheries, all the migration paths seem to end in fishery grounds. First of all this technique, by its nature, does not show the way a given species travels. What is seen is only the point at which it starts and ends combined with a usually straight line. On top of this, when all the lines are inflated around the fishing ground, it becomes self-justified to argue that there is no substantial trans-oceanic migration. Moreover, the maps are species specific so it becomes extremely difficult to see the interactive relationship among the species of a given area, let alone of the whole of the ocean. Also, it seems a fairly self-perpetuating

system, as it carries on using the same data and method of analysis to assess the stocks which would, probably, be endangered by the process itself.

Therefore, although science is helpful in understanding the nature of the marine system, it is far from being accurate and should be considered in terms of these limits [over its accuracy]. The way through which the scientific analyses are employed in an attempt to facilitate the industrial worries by locating itself into the industrial practice of fisheries, which in turn is reterritorialised into sovereign patches — that is shaped by unconcerned motivation to produce more results in the production of a certain understanding of species that are under consideration — collapses the very space it is trying to understand into fragmented structures of material existence. These can be seen as waiting to be utilised, and this fragmented structure somehow becomes coherent in its exclusion from the life space of human beings. The dangers of this situation in practice will be dealt in the next sections, together with an analysis of the industry in relation to tuna in the Pacific.

The Tuna Industry and the Major Players

The commercialisation of tuna fisheries is not a very old phenomenon in the South Pacific. The major fisheries used to be subsistence ones carried on by the locals on the coast or near shore areas. Japan was the first country which began commercial fishing in the area during the early years of this century (Matsuda et al. 1984; p.232). Japanese involvement with off-shore fisheries began during the Meiji era during which interest in the tuna fishery expanded to the distant water practices (Tuna and Billfish Assessment Programme-TBAP, 1991). The first resource to be exploited for commercial purposes was skipjack tuna around Saipan, Truk and Pohnpei (the Federated States of Micronesia, today). Until the 1950s, inclusive of the war period, fisheries in the area were under Japanese control. The Taiwanese arrived during the 1950s and the Koreans followed in the 1960s. These fishing operations primarily used longlining until the 1970s, when Japan introduced purse-seining on a commercial basis. And this method became fairly popular during the 1980s and in the present decade when Australia, Indonesia, the Philippines and the United States joined the fishing effort in the area. Although there is a relatively short history of drift net fisheries in the region, it

was enough to cause an uproar in the area that it resulted in the formulation of International Moratorium on such fisheries by the UN General Assembly.

This short history of the development of the tuna industry in the area shows that this industry primarily depends on the involvement of distant water fleets. Nevertheless, there have been new fishery enterprises in the islands whose operations are quite small in comparison to those of the DWFNs. The aim to develop a regional fisheries industry as a replacement for DWFN effort which seems to be the main target, has to be considered in a rather larger picture of the fisheries industry. The industry that is under consideration must be established as a multi-layered system that includes: fisheries operations i.e. fishing; storage and process; and marketing. Obviously, in order to be active in all these areas requires technology, trained human power, and good connections with the global markets. The dominance of DWFNs in fact indicates the dominance of DWFNs in the market and in the processing as well. Japan is the major and ever-growing world leader in the fresh tuna market. In 1990, Japan consumed 34 per cent of all international tuna production while the US consumption totalled 27.2 per cent (Peckham 1991, p.6). In the canned tuna market that comprises approximately 65 per cent of all catch, however, the US leads the arena with a total consumption of 51 per cent followed by Japan with 12 per cent and western Europe with 28 per cent, the remainder going to Eastern Europe, the Middle East and Latin America (FFA Report 1990/26).

Therefore, it is fair to talk about two major concentrations in the market: one is that of fresh meat that is mainly focused on the sashimi market in Japan and the second one is that of canned tuna in which Japan's role has been determinant. However, there is an expanding market for frozen tuna as well. In 1965 Japanese consumption of fisheries products was 5,048,000 metric tonnes while national production accounted for 5,547,000 metric tonnes allowing a surplus of 499,000 metric tonnes that was channelled into exports. This trend of having a surplus out of its own production established Japan as one of the important exporters as well. During 1975 domestic demand was at the level of 7,552,000 metric tonnes and national production was able to sustain that level with surplus production of 3,000 metric tonnes (Japanese Marine Importers Association as cited in Bergin et al. 1993). Nevertheless, by the end of 1970s the winds of change were affecting Japanese production. In 1980 domestic demand had risen to 7,666,000 metric tonnes, national production was not able to sustain this and there was a negative balance of 245,000 metric tonnes

(Bergin et al. 1993). This is a very important situation for global market trends. Before getting into an analysis of further market shifts, it seems essential to look more closely at the Japanese case which has established itself as a market pattern since then.

Fish can be seen as one of the most important dietary components of Japanese life. Therefore, a gradual increase in domestic demand for fish seems natural. Hence, an increase in national production follows. However, this flow chart was altered, in reality, because of the development of a new international law of the sea. The new law, although it was not in force, became widely applied in relation to the EEZ and the sovereign rights therein. By 1990 domestic demand was 8,804,000 metric tonnes while production declined to 6,309,000 metric tonnes causing a huge gap of 2,495,000 metric tonnes to be imported (Bergin et al. 1993). As a result of this process Japan has become one of the biggest, if not the only, fish importer in the market. A counter argument might be put forward along the following lines: any way the level of production might have been insubstantial to support domestic demand as a result of a massive increase above production possibilities. In the first instance it might seem valid opposition, but the problem is not related to such a relationship. While domestic demand has been increasing, production has been declining. Also, the importance of the area to which entry has been restricted as a result of EEZs is very central to the Japanese sashimi market. So, in the final analysis, what happens is that while Japan is not able to sustain itself through its own fishing effort, it uses its financial power to obtain its demand from someone else as an import so, that someone else should be considered as fishing in the space that is denied to Japan individually. Therefore, there should be a development of new industries both for fishing to sustain a fresh meat market and canned fish products market that is left by Japan.

The Republic of Korea, Taiwan and Indonesia have become important tuna suppliers for Japan. In 1990-1991 Taiwan and Indonesia supplied 85 per cent of Japanese fresh tuna imports (KMT, 11 May 1992). In 1990 Indonesia became the major tuna exporter and increased its market share (Bergin 1993, p. 40). The reflection of this situation in production is expressed as the total skipjack catch in 1989 which was 18 per cent higher from that of 1988 and total catch of yellowfin in the same year was 55 per cent higher than in 1988 (TBAP 1991, p.19).

Another important issue in relation to the Japanese position, and in general, is that of price fluctuations on the basis of demand and supply changes. It seems that to influence market conditions when national production is sustaining domestic demand is rather straightforward. It is up to the national producer to shift their targets according to demand by manipulating the catch effort. Hence, they can maintain the profitability of fishing enterprises.

Conversely, when there is a dependence on importing for the stability of the market, it becomes very difficult to control price fluctuations. Moreover, the domestic industry might become vulnerable. In the particular case of the Japanese fish market, all these trends can be seen. The specialised structure of the Japanese market has been mentioned. However, the sheer size of the market makes the import of various different fish products such as fresh, frozen and canned easier than it seems in the first instance. As a result of the difficulty in controlling imports, the Japanese market was oversupplied during the 1980s and that lowered prices. However, by 1990 it seemed more balanced because of the government's insistence on the issue of control of the industry by the control of the exporting country itself. This situation has been particularly important in the frozen tuna market (Bergin et al. 1993, p.38). The frozen tuna import of Japan rose from 118,000 metric tonnes in 1985 to 174,000 metric tonnes in 1992. The market share of frozen tuna increased as well. Although fresh tuna has been very popular in the sashimi market, frozen tuna began to dominate because of its rather lower production cost in yen per kg basis (Bergin et al. 1993, p.39). This brings the issue of comparative advantage into the equation.

The operational costs of the fleets belonging to South Korea, Taiwan, Indonesia, and China are much less than that of the fleet of Japan. The Japanese fleet has a high technology base with a high cost of crewing as a result of national regulations. Therefore, Japanese practice is highly efficient and properly regulated but at a high cost (KMT July 7,1994). The fleets of other countries are, for a start, in bad shape, and crewing regulations are flexible enough to accommodate the cheapest possible crew. Hence, the production cost is lower with a certain efficiency that cannot be utilised for the fresh tuna market. The last point leads to the next issue that is important for the market, and that is that of production on the basis of different gears.

The fresh tuna market is a highly specialised one. Many different characteristics of the catch can change the prices in the market. In general, each fish should be in good condition without any

damage. Apart from this even, the fat content of a fish can increase its price in the market (KMT July 15,1994). So, the fresh tuna catch tends to come from the longline operations in which handling of the catch can be done without damaging the fish. The next step is the attempt to send the catch to Japan. Here again, the Japanese use high-technology, using specialised air-conditioned aircrafts to fly the fish in. In this way, they maintain the quality of the fish for the market. No doubt this structure and the products provided by these means are difficult to challenge. Therefore, other countries are more concentrated to the markets other than the fresh tuna market. This also reflects the type of operations that they are handling. Purse-seining is the major mode. Through those means they can challenge the Japanese fishermen through their low production costs. Nevertheless, the import of fresh tuna has been increasing as well (Bergin et al. 1993, p.40). According to Bergin et al, there is a consensus among fishery circles that fresh tuna is more susceptible to price fluctuations (Bergin et al. 1993, p.40). Nonetheless, over-supply does not seem to be causing a major problem because of the high demand (Ishida et al. 1992, p.31). Actually, as pointed out by Doulman, the expansion of purse-seining during the late 1970s resulted in a crash in the world tuna market in the first half of the 1980s (FFA Report 1990/62).

The South Pacific and The Industry

Where the South Pacific fits into this picture is, perhaps, the next puzzling question. Although the South Pacific cannot compete in a production-based race in the global market, it has been influenced by the market and has an influence over the market. But first, what sort of influence does the market have over the South Pacific? On the basis of EEZ applications, DWFNs are licensed by the coastal states. In the case of the South Pacific, licence fees are determined on the basis of a percentage rate of return of the estimated value of catch per fishing trip. Clearly, there is a close link between the market conditions and the fees that are paid. In a situation where the market is over-supplied, prices tend to decline which means a low level of return from the licence fees. Precisely at this point the market might become influenced by the South Pacific. So far as FFA countries are controlling vast parts of the ocean on which many of DWFNs depend, through regionally applied

management measures, they can control the effort in the fisheries. And this connects the discussion with the end of the last chapter where the main management measures were discussed.

In relation to market conditions the Palau arrangement is extremely important. It establishes a cap that is a maximum number of fishing vessels that are allowed to be in the FFA area in a given period (FFA Report, 1993/28). The attempt is to control the market through production and manipulate it if necessary.

The impact of this arrangement has enhanced the tendency of the FFA to urge DWFNs to enter a relationship that is based on a multilateral treaty as is the case with the US. In this, the primary target has been Japan. Because of the reluctance of the latter to enter such a relationship, it might seem that the Japanese share might be altered. Well this is not quite the case. It is true that they cannot fish as much as they want to, but still they have the highest number of purse-seiners in the area after the US fleet. At this point, the understanding of the relationship between the South Pacific countries and DWFNs on the basis of stock management becomes a key issue.

As is explained elsewhere, the main pattern of relationship has been through the bilateral fishing access agreements between individual coastal states and a DWFN. In this pattern, the coastal state grants right of access to its resources to a DWFN on the basis of a licence fee and some other requirements, such as the ones described by the FFA's MTC. Apart from these criteria, the issue of aid has been very important so far, as most of the South Pacific is aid-dependent. One important point is the fact that aid does not only include financial assistance but also technical and educational assistance which are substantial parts of any aid package. The major sources of aid are Canada, the US, Japan, and inter-regionally Australia and New Zealand. There have also been contributions from Commonwealth Funds for Technical Cooperation and other international organisations such as the European Union and the FAO. Although the literature about foreign aid to the South Pacific usually concentrates on development aid in general, it is, by and large, considered in terms of the fishery industry insofar as it has been promoted as the most important area for development. The main issues are the development of coastal fisheries, together with local fish markets and the creation of an off-shore based fishing industry which could utilise, primarily, tuna (FFA anniv., p.179).

In all these relations not all the donors are DWFNs. Donations by countries such as Canada and organisations like the Commonwealth and the FAO can be seen in the framework of humanitarian development aid. While Australian and New Zealand contributions are logical to keep South Pacific cooperation working, as well as increasing its competence in general, donations by DWFNs are not based only on humanitarian development concepts.

The first multilateral management agreement has been important in the context of aid as well. According to the agreement, the US government's aid is added to the fees that are supposed to be paid by the industry. So what there is, is a package of financial contributions. For example, in the seventh licensing period this package consisted of 14 million US dollars paid by the government and 4 million US dollars paid by industry, accounting to 18 million US dollars. The payment contribution by industry was calculated according to the number of vessels applying for a licence and an adjusted individual payment which was dependent on a positive calculated base price index. In short, it could fluctuate from period to period (FFA Report 1994/23). The government contribution, however, is not fluctuating; it is a guaranteed amount of payment. In addition, the flag state control is full insofar as the US government is a party to the treaty on behalf of the industry. Clearly the importance of such control and constant secure revenue at a higher level has been central to the South Pacific countries' intention of concluding more multilateral treaties with other DWFNs. In this attempt Japan is the main target because of its heavy involvement with the South Pacific.

According to the report on informal consultation between FFA and Japan in June 1990, both sides recognise the necessity to cooperate in tuna management because of conservation concerns. The discussion, however, focuses on the importance of possible protected access rights to Japan (1990/63). The South Pacific side argued that such relations could only be realised under a multilateral treaty basis which has been opposed by Japan. Here, the intention, apparently, is to derive higher revenue from Japanese fishery operations. In fact, this point is expressed much more openly in an early report (FFA Report 1987/26) where it is argued that the expected return from the US arrangement is around 10 per cent while bilateral agreements with Japan brings returns of less than 4 per cent.

Apart from this financial consideration, there are some other issues which are considered to be absent from the bilateral relations of Japan with the South Pacific as well. Japan has refused to give information about its catch in general, and about the high seas in particular. Also, bilateral arrangements do not usually provide uniform enforcement and dispute settlement measures. Nevertheless, the really contentious issue seems to be development aid. The way it has been dealt with in the US treaty proved to be successful and efficient for FFA members. At this very point Japan refuses to combine government aid donations with fishery relations under a multilateral treaty as is the case in the US treaty. Japan argued that the aid is aimed at economic development, and acknowledged that there is a relationship between fisheries development aid and access conditions. There is, however, no official link between the two. Japanese government argued that Japanese aid is based on inter-governmental requests. It has to be put forward by the government of a would-be recipient country to the Japanese government (Interview). In this relationship the major actor is the Japanese Ministry of Finance.³⁰

The non-official story about Japanese aid, nonetheless, seems slightly different under close examination. For a start it is between governments, so the first level to receive a demand for aid is the Foreign Ministry, which is also the last level to inform the recipient of the outcome. Between these two points, several political bodies are involved in the decision-making. In this process the professional and technical consultant is the Japan International Cooperation Agency (JICA). Also, the Foreign Ministry holds consultations primarily with the Ministry of Finance whose approval for any project is important, as long as funds transferred by JICA derive from the government budget. Therefore, in the case of a positive response to a request the Cabinet has to approve the donation. Besides, any related ministry or agency is consulted as well. Another interesting issue is the required involvement of the Japanese industry. Since the aid is given on the basis of specific projects, the execution of the project must be undertaken by a Japanese company. However, without any discretion it has to be decided through 'competitive bidding aimed at Japanese Companies' (A Guide, p.11). The other important point is that the aid is not aimed in one direction. In the case of the South Pacific it is evident that projects can vary from hospital building to local fisheries development projects. So, it seems that Japanese aid is very important for individual countries for

³⁰ Interview — Shimura Shigeru, JICA(Japan International Cooperation Agency)Fisheries Advisor in the Pacific, Fiji-Suva, 12.08.1994.

social development. This surface impartiality, however, is misleading. As suggested above, there are political considerations behind each contribution. And it is not a coincidence that Japan has a real economic interest in the Pacific. This has become very public recently in the case of another area.

It was reported in early June 1997 that Japan allegedly attempted to manipulate 'the votes of small Caribbean states with overseas aid in order to block efforts to save endangered species such as elephants, turtles and whales' and furthermore a Lesley Suttly seemed to suggest that '[Japan] has bought its way into their 200-mile EEZ to get access to the fish and bought their votes at international conventions. It is effectively bribing them with aid...' (The Guardian June 7, 1997). So, what is faced here is a centrally-managed global action plan. The Japanese fishing industry is well represented in the Diet (the Japanese Parliament) through the political importance of highly centralised and strong fishery unions. The links between aid and access, as a result of strong lobbying, has been pronounced by the government as well.³¹

So, what is the importance of this link in the context of the South Pacific? The initiatives of the FFA concerning the cooperative management of resources on the basis of MTCs and effort limitations depend on the efficiency of coordination among the parties. In the case of bilateral access negotiations, it is up to the coastal state to convince the DWFN to accept FFA requirements. How far a coastal state can pursue the targets of the FFA when its own development aid is under threat seems to be a curious question. There are signs that although all the members accept the measures in the regional forums they are usually reluctant to insist on their application in practice. Kiribati, for example, expressed its view in the tenth meeting of the PNA in Wellington as follows: 'the Cabinet have accepted the MTCs in principle but that the effect of their application on revenue generation was being monitored. The MTCs have not yet been considered for incorporation into law' (FFA Report 1991/35). At the same meeting the Federated State of Micronesia (FSM) also stated that the requirements for high seas data were proving the most difficult to be accepted by the DWFNs but that a prohibition on trans-shipment at sea was also of concern. The concerns of the FSM were pronounced as

³¹ The Guardian report on June 7, 1997 argues that 'Japan consumes 30 per cent of the world's fish, and the Tokyo fish market has a turn-over £20 million a day'. Therefore it seemed to be absolutely one of the most important inputs for political discourse in the country.

the representative advised that loss of revenue from agreements terminated with Korea and Taiwan (as a result of MTCs) amounted to approximately 4 million US dollars and that FSM could not afford to also lose an agreement with Japan valued at approximately 12 million US dollars. He advised that the FSM Congress may review the financial implications of access fees subject to re-evaluation of the MTCs (FFA Report 1991/35).

This reluctant approach in the application of common measures has had an adverse effect on the joint management scheme. Nevertheless, it can be seen as a good bargaining tool for the DWFNs, as well as for the FFA. In a situation where one DWFN rejects to agree on high seas data procedures, another one by agreeing would gain advantages on entering into an agreement. So, in a way, what has been created is a 'take it or leave it' situation in a highly competitive market.

The tension between the FFA members and Japan escalated with the Palau Arrangement. Japan has been a long-time advocate of control on purse seining in the Western Pacific. However, by virtue of the Arrangement, Japan has been left out of the process of formulation, and subsequently from the decision-making. Considering the importance of the Western Pacific to Japanese industry, obviously there was to be an impact on Japan. Nevertheless, the step by the FFA seems based on the concept of individual state sovereign rights developed in UNCLOS III insofar as the area under consideration consists of the EEZ's of eight FFA member countries. Therefore, consultation with anyone seems unnecessary as long as sovereign coastal states consider such regulations necessary.

As has been explained before, by taking this step the FFA attempted to have some sort of control over the market to prevent over-supply which would be reflected in the licence fees. The Palau Arrangement should also be seen as an internal cooperation measure to increase revenues through playing one DWFN off another. The first reason for this is the fact that not all parties are included in the formulation of measures. The FFA is the only forum that decides and, in that, has power to stop any DWFN carrying out its operations. Therefore, it totally controls a resource that is highly mobile. The second reason is more related to the problematic application of the Arrangement.

In the first instance the Parties to the Nauru Agreement at the 1992 Tarawa meeting agreed to limit the maximum number of licences for purse seine vessels to 159 including US vessels (FFA Report 1993/28). This limit, however, increased during subsequent reviews of the Arrangement. In 1994 the agreed number was 205 in total. Of this number there has been an increase in the US fleet and a reduction in other fleets but the reduction is balanced by an increase in domestic/locally based licences. The real target has been set at the level of 205 vessels with a further increase in the numbers of the domestic fleet by 1997 (FFA Report 1994/14). What seems problematic here is the fact that there is no ecological consideration. If the first agreed maximum number had been decided on the basis of scientific data, the subsequent increase could not have been possible. This increase shows that FFA members are not acting on concerns about the state of stocks. The main reason is that an increase in the effort on a given stock, that has already been stressed, can reduce the stock. And the persistence of this increased effort might enhance the long-term adverse effect on the stock. Besides, to have a long-term target that is based on a persistent number of vessels seems to be most unreasonable from a biological perspective because it shows that what matters is industrial restructuring rather than healthy management of the marine ecology. Obviously the counter argument would be along the following lines: if the scientific data shows any decline in resources we can change our target. It is a flexible approach and if PNA members decide to change it, it would be reduced. In real terms the FFA's main objective in limiting the effort of purse-seiners in the area was, actually, expressed in 1990, as follows:

The main objectives of management would be to prevent the likely economic disaster to the tuna industry and to mitigate any threat to the yellowfin and bigeye tuna stocks. The main interest of FFA members would be to maximise benefits derived from the regions tuna resources.

And it was added that: 'This would be achieved by reducing the supply of new material for canning below the demand. In addition, assuming other factors such as environmental considerations do not severely affect the status of the tuna resource, a reduction in effort would also improve catch rates in the medium to long-term with improved prices, vessels would be better able to meet increased fees' (FFA Report 1990/27). Clearly, here, the environment is considered as *ceteris paribus*. In

other words the aim of the arrangement is not framed by ecological concern but rather by higher licensing fees.

At this point the scientific analysis and the information used in those analyses have primary importance. This issue will be dealt within the next section.

The Scientific Input in the Decision Making

The main source of information about the stocks is the catch statistics provided by the vessels to the coastal states. A close look at the Tuna Fishery Yearbook 1993 shows that many DWFNs are not giving statistics about the CPUE (catch per unit effort) without which any analyses should be considered as incorrect. The most complete statistics are coming from the US fleet on the basis of the Treaty. The US also provides information about its catch on the high seas which has been rejected by the other DWFNs. After the US, Japan is probably the second DWFN that provides relatively accurate data, but Japan does not make its high seas statistics public. This situation supports the previous point that although the measures are there and the number of vessels is fixed, the other requirements of MTCs are not well applied to. In particular, it seems that reporting is the main problem.

As analyses in the first section have indicated, tuna species occur all over the ocean, and if political division is introduced to this vast area, their location will obviously have to be divided into two as high seas and EEZs, if not into individual EEZs as well. There is inaccurate data for the EEZ and nearly no data about the high seas. The decision to increase the number of vessels at any one time on the basis of imprecise data seems to be dangerous.

It has been recorded that the Japanese high seas catch was 1.63 million tonnes in 1988 and declined to 1 million tonnes in 1990 as a result of a poor catch of Alaskan pollack. Japan, however, increased its catch in the West Central Pacific and South West Pacific (Bergin et al. 1993, V). The data about the high seas catch of other DWFNs is not available to the same degree of accuracy, but it is believed that there is a substantial amount of catch obtained from the high seas.

This situation, nonetheless, does not seem to be influential in the FFA approach. The establishment of the EEZ has created some sort of accumulation of data about the resources of a

given zone. But at the same time the data became nationalised as well, in other words it was analysed on the basis of EEZ boundaries. There is a tendency to argue that, in fact, resource occurrence outside EEZs is not important. For example, the area covered by the Palau Arrangement includes patches of high seas surrounded by the EEZs of member countries. On the basis of the legal nature of the high seas, anyone can fish freely. This area corresponds to only 15 per cent of the total coverage, and it is believed that DWFNs cannot sustain their operations through the catches from these areas and it has been argued that the DWFN effort is concentrated on EEZs out of which purse-seine fishery is not economical.³² This is obviously an idea which does not include ecological consideration. It seems that ideas are strongly evolving around the individual zone management concept. In this context, what has been misinterpreted is the fact that the fishing operation might be uneconomical when it is conducted solely in the high seas patches or at the edges of EEZs, but these fleets might fish in those areas in order to decrease their cost by helping themselves freely to the stocks. So, if fishing in those areas is a fact, the impact of those practices on general stock dynamics should be taken into consideration and this seems to be a vital part that is absent from the analyses.

Another example of this phenomenon of singularity is strikingly evident in the relations of South Asians and FFA members. The interaction between the yellowfin tuna of Indonesia and Pacific stocks is observed through some limited research in the region. It is indicated that most yellowfin tuna migrated from the east (north of Papua New Guinea and around the Solomon Islands) to the west (the north eastern part of Indonesian waters) and vice versa (Naamin et al. 1991, p.10). It is suggested that catches in the order of 200,000-220,000 million tonnes are sustainable for yellowfin tuna (SPC RTB 1991, 19). The annual catch statistics, however, present a totally different story. In the area of the South Pacific and the waters of Eastern Indonesia and the Philippines, catches of yellowfin were 292,846 million tonnes in 1989 followed by 396,376 million tonnes in 1991 which declined to 391,000 million tonnes in 1992 (SPC Tuna Year Book 1993). And finally in 1993 it was in excess of 400, 000, with a record purse-seine catch of 292,000 (FFA News Digest Jul/Aug 1995). The statistic about the purse-seine seemed to show only the South Pacific fishery and in that only EEZs.

³² Interview — Tony Kingston, Economics Officer FFA, 23.08.1994.

Obviously this picture is extremely grim. The catch seemed to be two times higher than the sustainable limits. Also there is no indication of interactive management of the resource among the related parties. It can be argued that the maturity of fish caught in the Pacific might be different from those caught in Indonesia and considering the shown stock relations this would imply that yellowfin stock is losing its size through the loss of different age groups. Even if the age group that has been utilised is the same group, which is very unlikely, this does not change the situation of collapse in the long run.

At the time of such a situation it was argued on 'available scientific information that both the skipjack and yellowfin surface fisheries appear capable of 'accommodating increased fisheries effort on a regional basis' (FFA Report 1994/14). This example implies the biased interpretation of what is, in any case, insufficient data. The argument has been supported by another argument that the yellowfin stocks have been holding. Nevertheless, this line of argument is biased as well. The statistics for this argument show that in reality some purse-seiners report small yellowfin (under about 3kg) as skipjack and in the case of almost an equal composition of skipjack and yellowfin, that skipjack, irrespective of size, was reported as yellowfin (FFA Report 1991/83). If a translation of this situation into biological terms is carried out, the reality might be better reflected. Since the existence of yearly groups of species are accepted in the productive cycles (Cushing 1981), what is happening now is, in fact, the decimation of future productive capacity. Therefore, the stocks might be holding at the moment but it does not necessarily follow that the collapse of the same stocks would be unlikely.

The inefficiency of data is widely accepted. And yet, out of tentative analyses of such data, very concrete decisions are being taken for the management of resources, the consequences of these measures being evaluated on the basis of short-term economical gain. The licence fees are paid at the beginning of each season by the purse-seiners and they are allowed to catch anything in the zones they are licensed for. They pay on the basis of the presumed distribution of the species in their future catch decided according to past catches (Pers.Comm.)³³ which might imply that the reporting of the catch is being framed beforehand and the by-catch basically becomes irrelevant. Nevertheless, it is expressed that 'the exploitation of yellowfin remains low to moderate, but close

³³ Ibid.

monitoring will be continued' (FFA News Digest Jul/Aug 1995). The only way to conduct close monitoring is through catch statistics and tagging. The insufficiency of these methods has already been explained, particularly the existence of fleets that are re-flagged under the flag of convenience, making the catch data particularly less reliable in real terms. Therefore, the estimation of the state of yellowfin in such accurate terms seems unreasonable. What is more, such analyses are, probably, irresponsible in the sense that they can promote further increases in the catch. But is this important? If so, why?

The same report concludes that 'it appears possible to sustain further increases in the tuna catch, leaving Pacific Island countries well placed to extract a better return from the harvest, especially by more direct participation' (Ibid.). What appears to be the important issue is not the ecological condition but the rate of returns from the DWFN catch. Also, there is no concern about other species of the ocean that are not particularly targetted on an industrial basis.

In all these arguments there is a lack of ecological understanding. It is the incessant reiteration of the regional nature of the resources and the importance of regional interests — in that interests of individual states — that leads to a situation where the avoidance of ecological reality is an imperative. But, this intentional avoidance seemed to stem from unwillingness/myopia caused by justifications which are internal to the system of relations that underpins the cooperation. The conditions of avoidance of an ecological-systemic view are continually produced at the level of certain partial knowledge of species — at the expense of the larger picture. Also, these underlying conditions allow the system of cooperation to ignore the industrial structure as an external influence on the region which is obviously an important part of the ecological intercourse as well.

In the fishing industry it is not only the resource that is migratory but the fleets are as well. The practice of DWFNs is highly international. The dislocation of a fleet from one region usually means relocation to another area rather than the total disappearance of that fleet. The Taiwanese fleet, for example, carries its operation even in the Mediterranean sea during the closed season of ICCAT (KMT, May 11, 1994). The very large yellowfin catch of the Taiwanese fleet off Pakistan was reported as well (KMT March 12 1993). Also, relocation of the Latin American fleet from the East Pacific to the West Pacific as a result of the Dolphin-free tuna regulation of the US is a well known case. In this context, the Japanese fleet, in particular, works in an extremely coordinated

fashion. They undertake tuna operations from off the coast of Ecuador and Peru to off the coast of the Ivory Coast in the Atlantic (KMT Nov 11, 1993) covering practically the whole area where tuna fishery is feasible. Japanese operations also include research for new fishing grounds in the Ocean. In this attempt, the main target is to find new grounds in the high seas, for example coordination of one area is latitude 25°-45° S and longitude 80°-170°W (KMT April 13,1993). This area is, basically, the high seas located between the EEZs of the South Pacific and Latin American EEZs. According to KMT a large number of tuna longliners have been reported in the area. Strangely enough this area does not usually appear to be as rich in tuna on the maps drawn by the FFA or the Latin Americans on the basis of tagging. The importance of all these facts is that the fishing industry uses the Ocean as a whole. And their methods of gaining access for EEZs seemed to be a relevant issue as well. If Japan is taken as one of the major players in global fisheries, this globalised behaviour might become much more accurate.

The sober (earnest) policies of the FFA cause relocation of vessels either to the other regions such as the Indian Ocean or to the high seas. This situation is likely to create new pressure in the new locations. Nevertheless, inter-regional communication is minimal. It is argued by the FFA that 'cooperation cannot be expected from other similar management areas as those are dominated by DWFN rather than coastal states interest' and added that 'international management, however achieved, will always disadvantage coastal state. This generalisation is based on the principle that DWFNs participation will be always on a voluntary basis where there is nothing at stake' (FFA Report 1990/27). Although there is an interest in the management measures, such as MTCs and the Regional Vessel Registry, innovated by the FFA, cooperation on those schemes has not progressed further than limited consultations. It is recognised that South East Asia is important for FFA and yet no substantial cooperation has been nurtured. Asia Pacific Economic Cooperation (APEC) has been/seen the only possible arena for some sort of joint work, while the Pacific Economic Consultative Council (PECC) fisheries task force is seen as unproductive and the Western Pacific Fisheries Consultative Committee (WPFCC) is considered as being slow. Any cooperation with Latin America is considered to be an unlikely development in the foreseeable future.³⁴

³⁴ Interview — Andrew Wright, Deputy Director FFA, 27.08.1994.

The implication of this situation is very interesting in the sense that the FFA has become a closed circle with no interests outside its zones. FFA appears reluctant to express any view which might be interpreted as a wish to extend its control over the high seas which in turn might require some FFA concessions about the jurisdiction of the EEZ. What has happened is that the high seas has been, superficially, considered as a distinct entity to enable the regional organisation to take measures about its zone, lacking any holistic consideration.

Conclusion

Thus far, the aim and the practices of the FFA have been analysed in order to arrive at a conclusion about the organisation's efficiency. While doing this, the complex structure of the fish group *Thunnus* that is targeted and therefore has become a silent member of the cooperation, is described as well. The above analysis puts into question the validity of the image of success attributed to the South Pacific cooperation on the basis of its efficiency to generate financial interest for member states. The image seemed to fail on different grounds as a result of a re-introduction of multiplicity of agents involved — including different species of Tuna — that is excluded from the decision-making of related parties. I have argued that FFA is an insular regional organisation based on the higher interests of its members. It not only excludes other interested parties from its decision-making process, but nature and its resources as probable concerned party together with the whole ecological context in which they are located have been marginalised as well. In the management measures, ecological considerations seem to be the last thing to be considered if they are being considered at all.

The establishment of 'tuna' as one of the affected parties and thus a party to the cooperation shatters the image of success. The realisation of a complex structural existence situated within a larger ecological structure locates the perpetrators of 'effort of catch' into a larger ecology than the one in which they operate. And this possibility of re-locating the perpetrators exhausts the underlying ethical viability of the cooperation in its present form as a management tool for capitalising on the ocean ecology.

At this point, it is important to realise that the absence of complexity in the analyses produced by FFA creates justification of a certain relational behaviour in the structure of the cooperation. In this, the production of disproof of necessity — through the knowledge claims about both the single species and the possibility of sustaining national interests for international cooperation in relation to industry and the larger ocean ecology — has become a permanent part of the system. The new management measures applied by FFA have reflected this state of affairs.

Also, the net result of this unconcerned approach is an idiosyncratic ethical standpoint very much observed in the analysis of industrial relations of the area. This particular problem becomes quite apparent in relation to High Seas fisheries and the fleet relocation subjects. Although the adverse effects on ecology caused by these practices are obvious, particularly under the considerations of the complexity of the ocean system, the FFA is adamant not to engage other interested parties in the decision-making process that ‘exacts’ the destiny of the silent partners. Moreover, there is no real willingness and attempt to even coordinate management measures among similar regional organisations in order to play the game as internationally as the DWFNs are playing it. It seems that ecological considerations do not come into these processes. Therefore, it seems fair to talk about institutionalised and prevalent ethical irresponsibility in ecological matters.

The other ethical problem here is produced in the concept of EEZs by creating the illusion of owning a space and resources which become the only concern of a coastal state, and this consequently absolves coastal states from wider ecological responsibility. As a result, the ecological importance of the ocean is reduced [and suppressed] to a small, supposedly self-preserving, independent piece of material interest for the coastal states development strategies. In the process, the understanding of species, and their ecological location, has become an issue of independent patches of ocean space.

The self-interest-oriented success of the FFA is highly dangerous if its approach to the illusion ownership of distinct territorial space becomes a model which is produced in other regions as the right approach to ecological intercourse. It is true that the management measures that have been developed by the FFA are very important. Their application through the FFA-type structure could only enhance the dichotomy between the two spaces of the ocean - sovereign spaces of EEZ and high seas — and furthers the suppression of a possibility of ecological understanding.

To reiterate, it is clear that the dominant approaches to management can be identified as unconcerned, irresponsible, non-ecological, suppressive-in relation to other species. Let us have pause at this point and look at a piece of international legislation which makes the connection with the next chapter easier.

Although the UN tried to address some high seas related problems through the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, the adopted agreement in August 1995 draws its recommendations and structure on the differentiation of two ocean spaces. Obviously it is a work of compromise, once again, in which coastal states would never agree to retreat from their sovereign rights. The agreement requires cooperation regarding stock utilisation on the high seas but it does not achieve anything new regarding cooperation that combines and includes the high seas and EEZs as one ecological space. The development is the requirements about the exchange of scientific data (Annex I) and flag state control (art.18). The structure of the agreement is not a cumulative one geared towards the creation of ecological-systemic management in regional or sub-regional-cooperation. The whole ecosystem has been considered only on the basis of straddling and highly migratory species, some of which are economically important at the moment.

So, FFA is not alone in its approach. It is not alone in by-passing, with a near absolute unawareness of, the complexity of ecology for political solutions. After outlining the FFA and UN stances, the questions are why people and organisations act in the way they have acted? How is it possible to ignore and isolate the fundamentally important parts of ecological communication from the practice? Let us not lose sight of the fact that FFA is an organisation born as a result of a radical change in the ocean regime on the basis of UNCLOS III and its formulation of new legal space — EEZ — for the consumption of coastal states. This new formulation of new space has produced practically a new understanding of the ocean space. Therefore, what is being witnessed throughout this chapter is the reflection of this new discourse of ocean space as it is disseminated and normalised through practice. The production of the practices analysed have become a natural fact and no longer questioned beyond the procedures of application within the state of 'normality'.

It is important to unveil the present normality in order to see how that normality was produced. To do that it is not enough to analyse individual institutions and try to find out what has

gone wrong in their processes. It would help, however, to see that the production of certain relational behaviour is not genuinely possible within isolated institutions. It is rather created through its embeddedness within the system of relations that make those organisations possible. This constellation necessitates taking the issues one step further and questioning the possibility of UNCLOS III and its regime on the basis of ecological relations. In that, the juncture of sovereignty and ecology seems to be the fundamental area of interest insofar as the deployment of sovereignty has been the legacy of UNCLOS III made possible the application of [techniques of] discourse of International Relations in creating an abstract political space.

Chapter 3

The Issue of Sovereignty in the Context of Ocean Management

Nearly twenty-five years since the concept of an exclusive economic zone (EEZ) was formulated and then applied, the situation in relation to global fisheries still seems considerably uncertain and may even be darker. The reasons for the extension of coastal state jurisdiction over an area which had previously been considered the high seas still chronically persist. The major issues at stake were the depletion of fish stocks because of unregulated fisheries and pollution of various kinds. In short, the concern was the unbalanced ecological intercourse between humankind and the oceans.

The other important aspect in this, was the state and the impact of global political change in the context of de-colonisation. Considering the utilisation patterns within EEZs, this issue could be located in two different but not unrelated concerns. The first of these was the vested interests of metropolitan powers in these new countries; and the second was/is the concerns about the 'progress' and 'development' of newly-independent states. From a cynical point of view, the latter aspect, framed in humanitarian language, might be fundamentally connected to the former insofar as the conceptualisation of progress and development is provided in relation to metropolitan parameters, which are in turn permeated through the new international law of the sea. So, what is the ecological picture today?

The common view among specialists is highly pessimistic. According to them, the situation has been deteriorating and there is a vital need to act immediately. Since 1989, the global oceanic catch of fish, crustaceans and mollusc has fallen by 5 per cent and stagnated. The productivity of major marine regions has shrunk and in some cases this decline has been more than 30 per cent.

Also, another interesting situation has become apparent from the list of countries that have highly productive long distant fishing fleets. Apart from a few changes, like the declining British fishing fleet and those countries influenced by the decline of the USSR at the end of the 1980s, there is no real change in the order of countries. This begs the question whether politico-juridical

definitions have had any consequence on the intended re-structuring of the oceans to the benefit of, in particular, developing coastal states.

The imminent problem of the time was exemplified by the conflict between Canada and Spain during the spring of 1995. The problem had even created a new tension between Spain and Britain that are parties to the same Common Fisheries Policy of the European Union. According to some, the problem was based on the excessive fishing effort of Spain on straddling Canadian stocks. The Canadian government became determined to stop them in the high seas where Canada has no jurisdiction at all. It can be argued that the problem was either related with a non-strict application of the relevant parts of UNCLOS III in other words, a deficiency in the application of the regime or related with the very basis on which UNCLOS III was negotiated. If it is the latter then, this, of course, is directly related to the way in which IR as a discourse conceptualises the environment.

This chapter argues that, although diagnosis of the problems in the 1960s was largely correct, the prescription — i.e. the extension of national jurisdictions and recognition of sovereign rights — was and remains questionable. This invalidated the conceptual prognosis made from within the discourse of IR. The issue of sovereignty and the concept of sovereignty, with all its ambiguity, is one of the major reasons why the oceans face problems that have increased over the last two decades.

In the first section of this chapter, the importance of sovereignty in understanding the international is critically analysed. The aim is to show that the international relations as theorised by IR obstructs ecological concerns as a result of the crucial position of ‘sovereignty’ in this theorising/method. As the grounding assumption the concept is not questioned [on its own possibility]. The section explores the way the concept is understood in IR.

Once the constitutive importance of ‘sovereignty’ for IR is established, the second section discusses the deployment of ‘sovereignty’ through the International Law of the Sea (UNCLOS III). This section aims to show how a methodologically fixed deployment of the concept, in order to secure the objective analysis of international, cannot understand the ecological concern that arises from the oceans. The section also argues that reformulating the concept does not change its

practical application. By subscribing to the conventional understanding of sovereignty, it does not change the major philosophical ground of the possibility of knowing within IR.

The third section takes its direction from the preceding sections. The concept of 'sovereignty' is taken to a different level. Rather than analysing it on the basis of the *legal* or *effective* form it takes as a norm in the discourse of IR, I discuss its internal constitution in terms of exclusionary ethics. In this section the important concept is 'life' insofar as the invocation of sovereign decision creates an exception on the basis of some perceived normality. In this exception what is excluded is excluded in terms of its existential conditions. The decision on conservation and utilisation within Exclusive Economic Zones is essentially about the 'life' of certain species. Therefore, it is important to understand how this dynamics of exception in relation to Nature within the concept of sovereignty has been constituted.

The Concept of Sovereignty

The concept of sovereignty presents one of the most important analytical tools that is central to the discussions of international relations. The changing international political environment has stimulated recent debates about sovereignty. Changing boundaries at the end of the Cold War, the ramifications of civil wars where intervention by other states was justified as humanitarian responsibility, and expansion of liberal market economy over the globe have prompted a debate about the concept.¹

The concept of sovereignty is difficult to define. There are many interpretations of what it means. My aim in this section is not to give an exhaustive analysis of the concept, as this has already been done in the literature.² The aim is to point out a common tendency among numerous authors of various theoretical persuasions. The analyses of sovereignty usually concentrate either on the legal understanding as this creates the state as a member of the international community, or on the substantial sovereignty as a set of rules of effective powers and attributes in terms of state's 'autonomy, control and authority' (Litfin 1998, p.8).³ In this section the aim is more to

¹ The concept has been considered to be 'a basic rule of coexistence within the state system' (Bull 1977, p.36).

² See, Hinsley 1986, James 1986, Ashley 1988, Krasner 1988, Jackson 1990, Onuf 1991, Ruggie 1993, Bartelson 1995, Weber 1995, Biersteker and Weber 1996 and Litfin 1998.

³ It is argued that 'sovereignty is generally thought to confer on states three specific spheres of legitimacy and power:

show that even the critical analysis of the concept that is the analysis of the changing substance of sovereignty share entrenched naturalistic understanding of the concept. Realists, for example, take the concept ahistorically similar in the Westphalian international order. R.B.J. Walker opposes this view on the grounds that 'the very attempt to treat sovereignty as a matter of definition and legal principle encourages a certain amnesia about its historical and culturally specific character' (Walker 1993, p.166).

This opposition gestures toward a more historically oriented understanding of sovereignty. It points out that sovereignty as a concept changes with changes in the historical context. Hence, the possibility of understanding sovereignty as a 'socially constructed, reproduced, reconstructed and deconstructed' concept employed in the discourse becomes possible (Biersteker and Weber 1996, p.3). In this methodological unpacking of monolithically defined applications of the concept, the attempt to historicise different understandings of sovereignty is best exemplified in Robert H. Jackson's book *Quasi States*. Jackson's differentiation between positive and negative sovereignties is an important conceptual tool towards unpacking the conceptual ahistoricism that has dominated the use of sovereignty (1990, pp.16-31). Through this analytical move, Jackson is able to argue that the legal concept does not reflect the substance of sovereignty in terms of its historical conditions. Although, as he emphasizes, the oppositional adjectives reflect no value judgment (Jackson 1990, p.11), 'negative' means a certain lack of 'autonomy, authority, and control' on the part of the state. The historical understanding expressed in this approach explains the historically contingent nature of what Jackson calls quasi states in the context of Third World.⁴ This implicitly takes positive sovereignty as the conceptual norm to which the negative sovereignty is contrasted. Here, the historical context is the post-colonial state and the way it was recognised and hence legitimated under the international norm of sovereign equality. Jackson argues that the function of negative sovereignty was 'the only way numerous underdeveloped colonies could rapidly be made independent. If conventional criteria of positive international law for statehood 'had been

1) the ability to control territory and natural resources therein; 2) the right to exploit natural resources, and; 3) the authority to develop and enforce environmental regulations, standards, policies, and priorities in accordance with specific national interests and values'. See Kamieniecki and Granzier 1998.

⁴ He argues that 'quasi-states are creatures and indeed protectorates of the contemporary state-system', See Jackson 1990, p.176.

retained...fewer countries would have gained independence and probably many would still be colonies today' (1990, p.25). It is, then, possible to agree with Walker that in Jackson's account the historical condition of negative sovereignty does not go far enough to have a dynamic meaning and understanding of sovereignty. By explaining this historical variation as a move by the system to incorporate the ex-colonial people into international society, the positive sovereignty is, implicitly, set as a fixed norm that is to be achieved, which points to a substantive normative discussion in terms of the nature of the international politics.

Another critical reading of sovereignty can be seen in Cynthia Weber's *Simulating Sovereignty*. Weber makes her aim clear at the outset by posing the question of 'how does the representation assumption affect our understandings of state sovereignty and intervention?' instead of conventional questions of 'what is represented?' and 'what are represented as the foundations of state sovereignty?' (Weber 1995, xii). She further refines her question by asking 'how is sovereignty simulated' (Weber 1995, p.10). She then engages with three cases of intervention where simulation of sovereignty is discussed. Particularly through the different historical cases of United States intervention into other countries, she demonstrates how the US simulates its own sovereignty whereby it also constructs the sovereignty of state it intervenes. It is an interesting way to destabilise a fix idea of sovereignty by showing different postures applied in different historical contexts. It allows her to talk about sovereignty as multidimensional and definitionally ambiguous concept. But by not acknowledging a certain fixed definition and trying to analyse each simulation in its specific historical context, it is not possible to move beyond the IR framework. This analysis falls short of demonstrating how a certain fixed definition of sovereignty, or how the ontological constitution of the concept of sovereignty, informs all the different simulations as long as they try to function within a given discourse that is IR. Even if one agrees with the statement that 'each simulation is a truth effect'(Weber 1995, p.125), this analysis does not explain what is it in this 'truth' which is simulated. Put differently, it does not explain how it is that a simulation has theoretical sway. It is clear that the claim of definitionally unfixed sovereignty is in play but it does not necessarily follow that this claim is a challenge to the inside/outside structure of IR discourse. For the intervention debate still takes place within the overarching framework of the international/sovereignty. Therefore, the analysis presents

different deployments of the inside/outside binary within the discourse, and does not explain conceptually how this binary conceptualisation is possible.

Although sovereignty is released from its fixed Realist grounds, the internal construction of sovereignty as it creates 'the international' at every moment of its deployment, albeit as simulation, remains unquestioned. This points to the fact that sovereignty when analysed is taken in the way it is located in the discourse of IR. Even when it is critically analysed the critical move is restricted with the use of sovereignty within the discourse.⁵ This engagement with the substance of sovereignty makes it possible to question its legalistic analysis. In other words, critical moves show how unstable the concept is in contrast to the Realists'⁶ ahistorical perspective on the concept.

In the critical approaches to sovereignty one can discern a motivation provided by the issue of 'erosion of sovereignty' that is of authority and autonomy, based on global changes such as economic interdependence (Keohane and Nye, 1977) and environmental change. These perspectives point out that the issues under consideration go beyond the political structure that is based on divisive sovereign states. The emphasis is on the global institutions. In this move the understanding of IR expanded by bringing non-state actors into the analyses of international. As observed by Chris Brown, this particular move did not come up with a new theory but brought different agents to the attention of IR scholarship. In their later work, Robert Keohane and Joseph Nye formulated the theory of complex interdependence as a new way of understanding international relations. Their account highlighted issues of (1) 'multiple channels of access', (2) a different degree of importance given to 'force' and the (3) possibility of different issue areas are being prioritised at different times in international relations (Keohane and Nye 1977, p.24). The last point created a space to talk about the agenda-setting capacity of international organisations and therefore, the possibility of change in the priority of issues which can shape the international

⁵ For example see Doty 1996 and Strang 1996.

⁶ The Realist understanding within IR can be traced to the earlier problems of this century. For example E.H. Carr's *The Twenty Years Crisis* is considered by Steven Smith as one of the founding texts of his conceptualisations — the other one he considers is Hans Morgenthau's *Politics Among Nations*. See Smith, 1989. One has to understand two central questions within this perspective: (1) What accounts for state behavior in general and in particular for the survival of states? And (2) What produces and accounts for the dynamics of the international system? (Dougherty et al. 1997, p.58).

system. In this move, however, two basic assumptions of realism were accepted⁷: that of international anarchy and the rational egoism of states (Brown 1997, p.49). Both in the early formulations of institutions/regimes⁸ and in the later challenges to these by Constructivists⁹ they take 'state' and 'international' as the only possible grounds of explanation. Although Constructivism¹⁰ clearly posits the institutional structure as an integral part of international relations,¹¹ there is such a thing out there as 'International' which corresponds to our formulations.¹² This can be seen as similar to that of Realist¹³ understanding.

There is no doubt that, on the one hand, Constructivist perspectives of IR/regimes are able to trace the reasons of state behavior or reasons of cooperation without resorting to natural law or talking about rational games. On the other hand, by explaining behavior according to the social actions¹⁴ in the social environment of states i.e. the international, they create a certain illusion about the grounds of norms and rules such as customary law based on 'an ascertainable rule underlying the behavioral regularity'.¹⁵ This ground can not explain in and of itself the grounds and reasons of such action. It can only witness recurring practices and testifies for their acceptance as a rule of practice. The recognition of non-state sovereign actors is a move towards analysing international organisations. This, however, does not mean that they go beyond the idea

⁷ He affirms that his attempt is to arrive at a 'critique and modification' of realist theory. Keohane 1984, p.14.

⁸ Stephen Krasner defines regimes as 'implicit or explicit principles, norms and decision-making procedures around which actors' expectations converge in a given area of international relations. Principles are beliefs of fact, causation, and rectitude. Norms are standards of behavior defined in terms of rights and obligations. Rules are specific prescriptions or proscriptions for action' (Krasner 1983, p.2). This consensus definition was a matter of debate. See for example Kratochwil 1995, p.57; Keohane 1984 p. 57; Young 1986 p.107; Hasenclever et al. 1998, p.14.

⁹ According to Wendt and Raymond Duvall 'these institutions constitute state actors as subjects of international life in the sense that they make meaningful interaction by the latter possible' (1989, p. 53).

¹⁰ Wendt assumes that 'states are the principal units of analysis for international political theory'(Wendt 1994, p.385 and 1992, p. 396f). Therefore, the tenets of constructivism must be considered as intersubjectivity among states through international institutions which are the grounds of the 'social' within this structure. See Wendt 1992, p.393 and 1995, p.71

¹¹ They argue that 'the dependency of state identities and cognitions on international institutions and relates the formation and maintenance of particular international regimes to these pre-established identities' (Hasenclever et al 1998, p.157).

¹² A similar argument can be developed for the rendering of the state as well. One interesting occasion of this kind can be witnessed in the conclusion of the Adler's *Millennium* article. See Adler 1997, p.276.

¹³ For example Barry Buzan talks about the 'relative intellectual coherence' of the realist perspective also adds that 'it provides a solid starting point for the construction of grand theory, and as far as I can tell, allows sufficient flexibility to integrate main lines of argument from most other paradigms'. See Buzan, 1996, p.62

¹⁴ Wendt 1984, pp.361-69; Dessler 1989, pp.451-558

¹⁵ Kratochwill 1995

of sovereign actors represented by one voice. Richard Ashley's observation points to the underlying assumption that is always already produced at each deployment of sovereignty. He observed that: non-state actors

must be susceptible to interpretation as a well-bounded sovereign identity possessing its own 'internal' hegemonic center of decision capable of reconciling 'internal' conflicts and capable, therefore, of projecting a singular presence, a coherent voice in an ambiguous and polyvocal world 'outside' its recognised bounds. It must be comprehensible, in short, as a sovereign presence — an autonomous source of meaning — whose coherent 'inside exists in opposition to an indeterminate outside' which it takes to be an object of its rational will (1988, p.245).

Analysis

Sovereignty, as a first (Vincent 1974) or constitutive (Ruggie 1983; Wendt 1988) principle, as a legal, absolute, unitary condition (James 1986) or as a simulation, produces meaning and identities in relation to an internal coherence. It is this internal constitution of sovereignty, or in other words its conditions of possibility as an ontological bind which produces the binary understanding of international relations. By not addressing this issue both conventional and critical analyses remain within this ontological frame. It is not, therefore, enough to historicise the deployment of the concept without considering how sovereignty as a concept came to be thought of in the modern times. In the discussions of sovereignty, as is the case with Jackson's negative sovereignty and in Weber's account of what is being simulated, there is a gesture toward what is being described by C.B. Macpherson as '[t]he individual is free inasmuch as he is the proprietor of his person and capacities. The human essence is freedom from dependence on the will of others, and freedom is a function of possession' (1962 p.3). This perspective is similar to Ashley's analysis of the nature of agents in the international. Therefore, in the concept of sovereignty there is an implicit idea of a coherent and self-sufficient and nearly-unrelated-to-anything-but-to-itself identity. Its relation to other things is established through its interests and goals as played out through power games. On the basis of this rendering, state sovereignty becomes the naturally ethical position and hence its survival is implied as well. In taking

sovereignty within this framework the important inter-constitution among different identities has been disregarded.

The idea of state sovereignty based on control, autonomy, authority over a given territory has been challenged by the ecological changes.¹⁶ For the problems presented in the environmental issues do not correspond to the political borders, as Ronnie D. Lipschutz argues ‘ecological interdependence, a situation whereby state borders, characterized as “natural” under sovereignty and anarchy, fail to correspond to those of physical and biological nature’ (1998, p.119). According to Veronica Ward ‘[e]cological links could make identification of the “outside” from the “inside” of the state questionable, if not irrelevant’(1998, p.83). Although this challenge is very apparent, the compatibility of two concepts, ‘ecology’ and ‘sovereignty’, is highly questionable. In particular an ecological understanding of systemic relations contradicts the internal structure of sovereignty as expressed by Ashley and Macpherson. When the idea of ecological conservation and concern is not divorced from the system of sovereignty,¹⁷ the internal structure of sovereignty, as a structure aspiring for coherent-individual-self that is about exclusion and autonomy, trumps and neutralises the ecological concern based on the idea of systemic interdependence. The development of international measures such as institutions and regimes are only redefining sovereignty without altering ‘the actual practice of sovereignty’ (Mitchell 1998, p.141). This understanding supports the contemporary practices in the global environmental politics. States have been asked to abide with rights and obligations derived from the sustainability of global commons such as stratospheric ozone depletion, climate change or pollution in oceans.¹⁸ This argument is based on the development of restricted sovereignty claim. The conclusion of international agreements in relation to climate change and oceans strengthened the belief that there is a move to accept restrictions on state sovereignty. In this, there is no attempt to alter the practice of sovereignty, the ethical position remains within the exclusionist

¹⁶ This characterization is based on Karen Litfin’s typology. See Litfin 1998. The concept, characterised as control, autonomy and authority, has been challenged by many issue areas from financial global markets to the issue of refugees that can be seen in this perspective. The ecological challenge nonetheless has presented a very substantial problem in constantly questioning the limits of the concept.

¹⁷ One important example of this is the Stockholm Declaration where environmental concerns were brought into the international relations. Nonetheless this declaration locates itself in the sovereign state system without problematising the implications of sovereignty which in turn reiterated sovereignty in terms of exclusionist authority. For more see Lipschutz 1998, p.128-31.

¹⁸ This move ‘seeks a balance between rights and responsibilities, reminding states that, while they have authority

understanding of sovereignty. The moral action that is being asked as obligation to a larger whole can only be responded to in terms of sovereign understanding. There is no overarching moral responsibility formulated as ethical relationality to the whole which replaces sovereignty and thereby would be able to underpin obligations beyond boundaries. In other words contemporary environmental politics as discussed in Wapner (1998) and in Miller (1998) give a story which remains in the conventional ethical framework of the practice of sovereign states.

In the next section, the analysis of the UNCLOS III system as a relationship between the concept of sovereignty and ecology will be established. In this, the incompatibility of the two concepts will be discussed. The UNCLOS III system attempts to redefine sovereign rights by remaining in the discourse of IR¹⁹ where sovereignty underpins the international system. Therefore, reformulation remains rhetorical rather than having any positive impact on the ecological questions. The section will argue that the ethical frame internal to sovereignty is incompatible with ecosystem understanding. In order to scrutinise this issue, the relationship between sovereignty and the ocean eco-system is divided into two areas. Firstly, the economic aspects of the relationship will be discussed. What does it mean to have sovereign rights over living resources that are economic targets? Secondly, I look at the ecological aspects of the relationship — what does it mean to have such rights for conservation and for biodiversity?

The Concept of Sovereignty in UNCLOS III

The new concept of EEZ which was meant to change the then existing²⁰ fisheries regime in the oceans was drafted in the Part V of the Convention (Official Text, Final Act Third United Nations Conference on the Law of the Sea). The issue of sovereignty comes into the agenda in this part also. Article 56(1)a recognises 'sovereign' rights of exploiting, exploring, conserving and managing the living or non-living resources of the newly created zone. Although the term 'sovereignty' has a clear dictionary definition, the qualification it gains with the additional term of 'rights' necessitated

over their own territories, ecosystems transcend political boundaries and extend obligations' (Wapner 1998, p.278).

¹⁹ '[t]he success of efforts to alter sovereign practice by redefining sovereign rights depends upon the form of discourse used to justify the redefinition' (Mitchell 1998, p.141).

²⁰ The regime that was seen as problematic was based on the notion of 'freedom of the sea' articulated and initiated by Hugo Grotius. Although it was about four hundred years ago that he conceptualised this issue, 'freedom of the

a new clarification of the whole term of 'sovereign rights.' In order to grasp the meaning, the explanation of the International Law Commission (ILC) given on the basis of the decision of the ICJ in the 1958 Shelf Convention (1958 Fisheries Convention, art.29(1)) can be used as comparison. ILC held that:

the text as now adopted leaves no doubt that the rights conferred upon the coastal state cover all rights necessary for and connected with the exploration and exploitation of the natural resources of the continental shelf. Such rights include jurisdiction in connection with the prevention and punishment of violations of the law. The rights of the coastal State are exclusive in the sense that, if it does not exploit the continental shelf, it is only with its consent that anyone else may do so (ILC report 1956, p.42).

The situation is rather different in UNCLOS III, where rights were expanded to the superjacent waters. In other words, they are not bound by the limit of sea-bed and subsoil as they were in the 1958 Convention. Also, the addition of conservation and management components to the system expanded the scope of coastal state control. However, there are different interpretations of this point. According to Attard, these 'sovereign' rights are by no means absolute (Attard, 1987; p.47-50), but are subject to the restriction expressed in Art. 56(2) 'due regard to the rights and duties of other States and shall act in a manner compatible with the provisions of this convention.' This line of interpretation seems logical in the first reading particularly on the basis of Art. 58(1) in relation to the recognition of customary rights of freedom of the seas that are expressed in Art. 87.

Moreover, a close study of Art. 62 might show some other repercussions for coastal state sovereignty. Art. 62(1) introduces the concept of 'objective of optimum utilization' which is considered by Attard in connection with global food scarcity and necessity (Attard, 1987; p.157-158). Art. 62(2) creates the obligation of opening up a zone when there is an un-utilized surplus with special regard to the provisions of Art. 69 and 70, where the rights of land-locked and geographically disadvantaged states are protected. According to Attard 'under Art.62 there exists an obligation to give access to a surplus once it has been determined to exist' (Attard 1987; p.160). However, this direct interpretation seems to be jeopardized by the existence of Art. 297(3) whereby any obligation could be by-passed.

seas' is a topic which is very much alive and supported by many today.

On the other side, on the side of the argument of real sovereignty, Burke argues that

[w]ith respect to the subject-matter embraced by the sovereign rights, the decisions of the coastal state are plenary... The sovereign rights of the coastal state are exclusive rights, meaning that they are the prerogative of the coastal state alone. In the matters mentioned, exclusive sovereign rights signify that other entities, whether international organizations or states with specific characteristics, have no right of participation in the decisions to be made (Burke 1994; p.39).

This line of interpretation is much more grounded in the articles that are regulating exploitation and management of the resources. Although, as mentioned previously, certain disadvantaged states and others have given rights in the coastal state zones, those rights depend upon the will of the coastal state.

Art.61(1) is clear enough to show that the coastal state has the decision-making power in the matter of determination of catch limits. Art.62(2) urges the coastal state to open up its surplus for the exploitation of other states but it does not change the fact that it is up to the coastal state to decide about the existence of the surplus. Art.62(4) establishes the coastal state's superiority in the matters of management in the case of surplus exploitation by other states. Nationals of other states are required to comply with the rules drawn by the coastal state. On the basis of these articles, it is obvious that the coastal state has a strong standing in the decisions about the utilisation of resources that exist in its EEZ without any legal responsibility to other states.²¹ If a coastal state decides that in its zone, catch limit is at the level of its own catch capacity therefore no surplus exists, other states have to take this without any further argument, because their rights only start if a coastal state declares a surplus.

The concept of 'sovereign' rights as it exists in the UNCLOS III seems to reflect or imply the control of the coastal state over the marine resources of the new zone without any interference from outside. In other words, it has the power to decide at its own discretion.

²¹ Philip Allott argues that rights under the convention are 'shared powers, shared between the holder of the power and the community of states'. See, Allott 1983, p.27. In this view, on the basis of which mechanism the power is shared between the holder and community of states is highly questionable.

'When we say that sovereignty is the central problem of right in Western societies, what we mean basically is that the essential function of the discourse and techniques of right has been to efface the domination intrinsic to power in order to present the latter at the level of appearance under two different aspects: on the one hand, as the legitimate rights of sovereignty, and on the other, as the legal obligation to obey it' (Foucault, 1980, p.95)

This point creates a new argument about the status of the new zone. One side of the argument is the fact that the EEZ is the extension of territorial waters with the moderation of certain jurisdictional rights (2 official records (1974-), pp.108ff; EEZ(1984), p.40). The other side is the claim that because of the existence of Art.58(1) and (2), where certain high seas freedoms are protected in the EEZ as well, the zone is considered an area of the high seas with redefined management rules (Lupinacci 1984, p.98 ff and Schreiber 1984, p.123 ff).

However, a third view supports the fact that the area is a *sui generis* zone (5 Official Records(1974-), p.153; 6 Official Records (1974-), pp.108,110,114). Although the first article of the Part V, Art.55, defines the area as an area 'beyond and adjacent to the territorial sea, subject to the specific legal regime established (in this part), under which the rights and jurisdiction of the coastal states and rights and freedoms of other states are governed', it does not openly locate the area in relation to the high seas. It is rather ambiguous on this issue unless the concept of jurisdiction is interpreted in such a way that it gains a value on which rights and freedoms of other States depend. This issue of the juridical location of the EEZ in relation to the high seas is very important. Through Part V it becomes obvious that the ambiguity is rhetorical rather than real. The EEZ is a new Juridical area where certain freedoms of the high seas are recognised with reservations expressed in Art.58(3). The freedom of fishing and other freedoms in relation to the exploration and exploitation are overruled in the EEZ, the last remaining freedom is related with the freedom of navigation.

Nevertheless, there is another intricate situation in relation to the existence of EEZ rights. On the basis of Art.77(3), rights in relation to the continental shelf are *ipso facto*. In Part V there is no relevant argument about the EEZ. Therefore the existence of rights and their use depends upon expressive proclamation; otherwise, arguably, freedoms of the high seas could be enjoyed i.e. utilisation of living resources cannot be controlled whereas, because of Art.77, non-living resources

of sea-bed and subsoil are protected. As a result of this intricacy, the 1970s witnessed a bonanza of ocean space appropriation by the coastal states in order to stop further abuse of the living resources. Therefore, the rights that are claimed to be in the sovereign will of the state derive from the application of UNCLOS III, or its rules, that are considered as Customary International Law. This situation is a reflection of the economic importance of the living resources and the regime under which they had been utilised i.e. the regime of the high seas.

What happened was the creation of new private/public property rights on the basis of new individual state jurisdictions. But this new situation is seen in IR discourse as well as in the international community, as the extension of state sovereignty that is already presupposed to being party to the negotiations. The new approach, in its creation of a new space under state authority, in theory at least, attempted to prevent the alienation of resources from coastal states. This process aimed to guarantee the development projects of newly independent states.

From a purely legal perspective, coastal states can be considered as holding sovereign control of the area that has been created as opposed to other states enjoying freedoms of the high seas. However, from the perspective of or the spirit of the convention, claims to have sovereignty as such seem to be very unlikely. One even could establish this interpretation from the convention itself. In the preamble, it is expressed that:

Bearing in mind that the achievement of these goals will contribute to the realisation of a just and equitable international economic order which takes into account the interests and needs of mankind as a whole and, in particular, the special interests and needs of developing countries, whether coastal or land-locked (UNCLOS III, Preamble).

Burke argues that a coastal state's judgement regarding levels of catch is based on 'the coastal states economic and other interests'. Economic factors were expressly emphasised in Art.61(3) and Art.62(1) where the objective of optimum utilisation of resources is set as the target. Also Art.62(3) gives priority to 'the significance of the living resources of the area to the economy of the coastal state concerned and its other national interests' before giving any permission for access to a given zone. This last analysis seems to support the contrary argument. However, if the way the national interests of coastal states, particularly those of newly-independent developing ones, are shaped, is

analysed, the picture would be quite different. Economic development and growth have been set as important targets in contradiction to the possibility of such changes in regions where people used to live at subsistence level by using very limited natural resources. After setting economic targets they did not have to look too far to find a means of development, and that was in the area of marine living resources. Encouraged by international aid agencies such as the World Bank and the United Nations Food and Agriculture Organisation (FAO), third world governments have sought to create modern industrial fishing fleets in order to boost their foreign exchange earnings (Fairlie et al in the *Ecologist* vol.25, n.2/3; p.50); after all, that was/is the measure of growth. Under these circumstances, local social structures began to change in order to adapt to the new regime; also the relationship with nature shifted to much more materialistic ground where natural resources became a tool to generate more capital for so-called development objectives.

'Just like individual men, [they] must renounce their savage and lawless freedom, adapt [themselves] to public coercive laws, and thus form an international state (civitas gentium), which would necessarily continue to grow until it embraced all the peoples of the earth'
(Kant 1995, p.105).

'Indeed, it is in discourse that power and knowledge are joined together. And for this reason, we must conceive discourse as a series of discontinuous segments whose tactical function is neither uniform nor stable' (Foucault 1990, p.100).

Under these circumstances, considering the state of technology and knowledge that is necessary for the industrial exploitation of resources for the purposes of development in the area, it is obvious that the third world was in a hopeless situation without the help of the developed world, especially from those who had commercial interests in long distance fishing. Thus, new zones automatically became available to the developed world through the language of progress and development. Although this strand of argument seems indirect, it has the power to show that the concept of sovereignty or 'sovereign rights' is spectacularly misleading as soon as one brings real-life conditions into the legalistic discussion.

The reason why it was necessary to create a new economic orientation in the newly-independent developing states that were to obtain vast areas of ocean, is obscured by the situation of

the distant water fleets at the time of the negotiations of the Convention. What was happening in fact was the creation of new zones in the areas where the utilisation of marine living resources was historically based on subsistence consumption. The only practical way to utilisation was to attract the fishing activities of distant water. If the concept of 'sovereignty' in the convention was to be taken seriously by the coastal states, the impact of it on the distant water states would have been horrendous.

By the mid-1970's, the commercial fishing industry had reached a monstrous scale. In 1953 the first long-distance water vessel was built (commissioned for whaling in the Atlantic. It was named Fairtry. Sanger 1986, p.139). As this long-distance fishing technology had become more accessible for those who had the capital, the method of fishing altered profoundly. Warner estimates the Soviet fishing fleet at 710 factory trawlers, 103 factory mother ships and more than 2800 smaller side trawlers in 1974 (Warner 1983; p.53). The main attraction for the Soviet Union and others such as Japan, Korea and West Germany was the availability of resources on the basis of freedom of fishing in the high seas. In 1968, DWFN reached their peak by catching 2,400,000 tons in the North-West Atlantic alone. In the following decade the catch in the same area dropped to a level of 2,176,000 tons and the size of the fish had been getting smaller and smaller (Warner 1983). The solution was to intensify the effort in order to increase the levels again. Between 1970 and 1990, the FAO recorded a doubling in the world fishing fleet, from 585,000 to 1.2 million large boats (Polack 1994). The world catch also increased from 60 million tonnes in 1974 to 86 million tonnes in 1989, since when it has declined to about 84 million tonnes (Weber 1994; p.15). On the basis of these figures it is obvious that from the 1960s onwards certain states spent huge amounts to build distant water fleets and through these means they capitalised on the marine living resources. The new law that was designed for the management of marine resources was a backlash both for further capitalisation on marine resources and for the existing infrastructure.

Therefore, the Convention had to reflect the interests of both DWFN and the coastal states, if it was to be applied. Also, through the Convention new zones had to be brought into the global market as any isolation of fishing grounds would have been considered unacceptable. In furtherance of the discussion about sovereignty, the argument of the existence of sovereignty would be conceivable as long as it implies some sort of coastal state control over a given marine

environment. However, strictly juridical analyses or interpretations seem to lose the point that, under the given global economy and market orientations, the concept of sovereignty becomes irrelevant. The EEZ regime was designed to integrate the area of oceans, where exploitation had been going on in a rather disorganised manner, into global market dynamics through legal and social legitimisation.

'Peoples who have grouped themselves into nation states may be judged in the same way as individual men living in a state of nature, independent of external of laws; for they are standing off to one another by the very fact that they are neighbours. Each nation, for the sake of its own security, can and ought to demand of others that they should enter along with it into a constitution, similar to civil one, within which the rights of each could be secured....[this] federation does not aim to acquire any power like that of a state, but merely to preserve and secure the freedom of each state in itself, along with other confederated states....It can be shown that this idea of federalism, extending gradually to encompass all states and thus leading to perpetual peace, is practicable and has objective reality' (Kant 1995, p.102).

The process of the extension of zones is usually described as the enclosure of the oceans in the literature of the international law of the sea, but it seems that it was an enclosure in the sense that it created fragmented national patches of ocean; on the other hand, from the perspective of distant water fishing nations, it is a legitimised 'Gold Rush' for more exploitation. Therefore, it should be seen as the opening up of new areas to industrialisation.

'The idea of international right presupposes the separate existence of many independent states. And such a state of affairs is essentially a state of war, unless there is a federal union to prevent hostilities breaking out.. [Thus] nature wisely separates the nations, although the will of each individual state, even basing its arguments on international right, would gladly unite them under its own sway by force or by cunning. On the other hand, nature also unites nations with the concept of cosmopolitan right would not have protected from violence and war, and does so by means of their mutual self interest. For the spirit of commerce sooner or later takes hold of every people, and it cannot exist side by side with war. And all the powers (or means) at the disposal of the power of the state, financial power can probably be relied on most' (Kant 1995, p. 113).

In the report named 'Our Common Future' prepared by the World Commission on Environment and Development during the second half of the 1980s, in fact, this situation was established as the desirable end to remove poverty, protect the 'environment' and create healthy development that would be sustainable. The statistics given above in relation to the level of catch and the number of boats during the last decade show a success story for the EEZ regime in helping the orderly and systematic industrialisation of the oceans rather than anything else in the sense of bringing intended control and sound management objectives.

The next section will try to outline sovereignty claims in relation to the concept of conservation and the probable consequences of such a relationship. The section is divided into two parts. The first one deals with the relationship between sovereignty and the concept of conservation while the second part deals with the particularities of such a relationship in the framework of the Convention — UNCLOS III.

Sovereignty and Conservation of Ocean Resources

The right to decide conservation measures in the new zone is one of the four rights that are considered under the concept of sovereignty in UNCLOS III. Through Art.56(1)(a) these rights are deposited with the coastal state.

In general, attempts to resolve concerns about conservation were made in Art.61. According to this Article, the main measure seems to be the determination of an 'allowable catch' (Art.61(1)). Moreover, the coastal state is supposed to conserve and manage the living resources of the zone in order to prevent over-exploitation (Art.61(2)). While conserving and managing the zone, the coastal state shall act on the basis of 'the best scientific evidence available to it'. The third paragraph of the same article, however, qualifies the target of conservation as 'to maintain or restore population of harvested species at levels which can produce the maximum sustainable yield' on the basis of 'environmental and economic factors, including the economic needs of coastal fishing communities and the special requirements of developing states, and taking into account fishing patterns' (Art.61(3)). Moreover, paragraph four brings up the issue of considering consequences of catch on 'species associated with or dependent upon harvested species' (Art.61(4)).

Art.62(1) further qualifies the target of management and therefore of conservation. The 'objective of optimum utilisation of the living resources' is the main concern and aim. Paragraph two of Art.62 designates the right to 'determine the harvesting capacity of the coastal state' to itself.

The convention differentiates between management and, therefore, conservation of certain species that have peculiar life cycles. Art.64 deals with the highly migratory species and sets the 'objective of optimum utilisation of such species throughout the region, both within and beyond the exclusive economic zone' (Art.64). In this article there is no openly-expressed conservation strategy that is to be adopted both by the coastal state and the other states interested in such resources. The only measure that might establish a base is the optimum utilisation criteria.

Art.66 deals with anadromous stocks. In this article, primary responsibility and interest are granted to the state of origin (Art.66(1)). Fisheries of anadromous species are allowed in the new zone unless it causes economic dislocation for the coastal state or the other states. In the case of economic dislocation, consultation with the state of origin is required (Art.66(3)(a)). Although Art.66(3)b ensures the rights of traditional fisheries, they are required to agree with the state of origin in the enforcement of regulations beyond the EEZ (Art.66(3)d). Again, in this article the emphasis on the conservation of stocks is negligible. There are no apparent conservation measures required apart from those that are deemed necessary by the state of origin.

As an overall summary of the status of the concept of conservation in UNCLOS III, it is legitimate to claim that it does not exist in an effective, helpful and competent manner.²² It does exist, however, in a very matter-of-fact way through vague assertions, most of which should be seen as repudiating themselves because of the lack of proper definitions and deliberations. Before getting into further analyses of the concept of conservation and its relation with the concept of national sovereignty, it is imperative to understand the dynamics of the terrain that UNCLOS III deals with, i.e. the dynamics of the oceanic ecosystem.

The simplest way of beginning to examine the ocean might be to start with its physical qualities. Although humans differentiate various oceans on the basis of geographical locations, 'they' present a unit structure of massive water parts which are always in motion from one place to another through different mechanisms of transport. The surface currents of the oceans are named as 'gyres' that have a pattern of large closed loops. The main currents are the outside paths of the gyres

(Press et al.1986 (4th.ed); p. 291). There are different reasons for the existence of currents: the effect of winds and air-water interaction, the heat difference among the masses of water and deflection of some masses because of the geological components of the ocean such as deep ocean ridges (Barnes et al 1988; pp:4-15). The effect of these causes can produce the vertical movement of deep water called 'upwelling'; if the action is opposite and water is going down it is called 'sinking' (Press et al 1986; p.291). In all these physical actions, the chemistry of the ocean has tremendous importance as well. Most of these actions are also influenced by salinity and heat, which determine the density of water. Therefore, on the basis of different densities there is a movement of divergence or convergence where waters of different density change places vertically and horizontally. Here the system starts to become rather complicated because these movements of water are the way in which nutrients are carried from different levels to the other parts of the ocean. Upwelling areas are particularly important because of the rising of nutrient-rich waters. One of the reasons why deep waters are nutrient-rich might be the mineral intake through the interaction of the ocean and mid-ocean ridges. Also, the ocean-atmosphere relationship is very important, firstly, because of gas interchange and secondly, because of evaporation which balances the heat, both atmospherically and in water.

The biological component of this system is highly important as well. The ocean is a lively place in which various different life forms exist in constant interaction with each other. It might be stating the obvious but, the marine environment is a three-dimensional system where delicate links between different levels exist through the animals and plants and usually through the mediation of water itself. As expressed before, water is in constant movement, and so are most of the species of the ocean. There are those sedentary ones, i.e. benthic species, and most of the plants are rather stationary but even they can travel great lengths through means of physical transportation, i.e. hurricanes.

The extent of biological life in the ocean varies from microscopic planktons to huge whales. However, marine organisms can be located in two large categories dependent on whether they live in the water mass (pelagic) or in the bottom sediments or rock (benthic) (Barnes et al. 1988, p.18). These categories are not rigid. There are those animals which could be in either group during different stages of their life cycles. For example, 80 per cent of the tropic benthic species have

²² See Ward 1998.

plankto-tropic larvae (Barnes et al. 1988, p.87). In terms of large groups one could differentiate plankton, zooplankton and nekton. And this order also reflects the development in size where plankton is the smallest living organism and nekton is the largest. Nevertheless, all these categories have internal divisions as well. According to their sizes there are ultraplankton, nanoplankton, microplankton, macroplankton and megaplankton (Barnes et al. 1988, p.20). Nonetheless, the phytoplankton is the sole source of the oceanic food web (Barnes et al. 1988, p.20). Through the process of carbon fixing they liberate oxygen by using water as the hydrogen donor (Barnes et al. 1988, p.40). This process of fixation is responsible for the primary generation of organic compounds in the sea.²³ Carbohydrates, fats and protein are all synthesised and the total quantity of carbon or energy fixed forms the 'gross primary production' (Barnes et al. 1988, p.45). The level of primary production is determined by factors like light, turbulence, nutrients, and grazing (Barnes et al. 1988, p.46-58). Also, different latitudes have different production characteristics. In order to understand what happens to the primary production one should analyse the food consumption lines in the system. The predominant model that is used in this sort of analysis is called trophic levels. This concept was established on the assumption that different species prey on others according to their location in the order of evolution and feeding characteristics. This means that there is a chain of plant-herbivore and carnivore species. This line of reasoning was based on terrestrial ecology in the first place (Barnes et al. 1988, p.66). In terms of marine ecology, it indicates the fact that there is a chain of plankton-zooplankton and nekton. However, this concept greatly depends on abstraction that has no bearing on the real situation of the marine food web. The organisms in level five are, according to the theory, supposed to feed on only level four organisms which is not the case at all. Also, the existence of energy flows through the detritus of different organisms makes trophic levels less applicable. Therefore, the marine energy flow system through organisms should be considered as a web (most of the organisms change their prey on the basis of scarcity or stress) rather than a linear chain which shows rigid feeding habits.

The relationship among the species of Benthos that are spending their life on or in the seabed and Pelagic species is also very important. Particularly those species living in anaerobic habitats are important for the gas decomposition (Barnes et al. 1988, pp.77-79). The species of benthos get their food through the detritus from the pelagic area. The differentiation of feeding

²³ This process is also seen as the mechanism that triggered life on Earth in general.

habits as suspension and deposit feeders allow full utilisation of detritus (Barnes et al, 1988, pp.79-85). It is noted that this food web is not one way at all. Nixon et al.(1976) investigated the regeneration of nitrogen by three different shallow water benthic systems in Narragansett Bay, Rhode Island, and found that the release of ammonia by benthic animals was responsible for the seasonal pattern of ammonia in the pelagic zone.

One of the most important components of the food web is nekton. The important quality of nekton is its capacity for locomotion through horizontal space which is much easier than that of planktonic species. This quality, in a way, determines the life cycle of the nekton. They change locations through their life. The sites of the spawning, nursery and adult populations are different. The nursery grounds tend to be closer to the surface, nutrient-rich photic zone. Although this structure is usually considered as having a triangular structure, it might be different from one species to another. The locations might be different vertically as well. And certain species travel a great distance to spawn as is the case for the grey whale that travels 18,000 km for each ground (Barnes et al. 1988, p.211-214). However, this whole system is not as straightforward as it sounds. Given the fact that a fish starts its life as larvae and metamorphoses on the way, it is influenced by the other conditions of the oceans, for example, currents, heat, variations of phytoplanktonic bloom, zooplanktonic abundance, the abundance of predators and competition for food in its own cohort. Therefore, mortality rates are usually very high (Barnes et al. 1988, p.217).

The place of nektonic production generally reflects the pattern of the primary fixation of carbon, but because they are carnivorous in general, they are one or more stages further away from the planktonic algae. However, this is not strict either, killer whales and sharks definitely being in this category whereas herring and anchovies are not as long as they consume members of the plankton (Barnes et al. 1988, p.222), and yet all these groups belong to the nekton.

The other major component of this picture is, without any doubt, the habitat structure. If one starts from terrestrial interaction — salt-marshes, mangrove swamps, sea-grass meadows, rocks, corals and kelp forests where all this biological life has been established — it is seen that they are undeniable components of the system. These different habitats and niches in those habitats are the causes of the diversity of organisms in the ocean. The corals and kelp forests have the same structure as terrestrial rain forests. They offer a three dimensional habitat in a three-dimensional

water mass, therefore expanding the space for the existence of different organisms. The life they offer is dependent on symbioses. In this context, it is usually difficult to reduce the web of relations to linear reasoning. For example, kelp forests photosynthesise and in this, wave action is important in providing more exposure to the sunlight and therefore enhancing nutrient uptake. The nutrients produced by the kelp enter the food web through the detritus which exist, sometimes as fragmented particles, but usually as a result of the release of dissolved organic matter that is flocculated by bacteria (Barnes et al. 1988, p.158).

In order to exemplify a community relationship in the kelp forest, Barnes and Hughes use the case of the Nova Scotia coast where a substantial part of the kelp forest was grazed and cleaned out by sea urchins (*Strongylocentrotus*). This occurred when, suddenly, a balanced system was changed by the increased population of sea-urchins (for a similar phenomenon see also the case of the Aleutian Islands by Estes and Palmisano).²⁴

Moreover, it is a well established case that the removal of keystone species such as the sea otter (*Enhydra lutris*) (Estes and Palmisano 1974, pp.1058-60) or lobsters in the given case (Mann and Breen 1972; p.603-9) have important effects on such habitats as kelp forests, insofar as the mentioned species through their predator status control the expansion of benthic species, which in turn at the expense of the kelp forest (Simenstad et al. 1978; Mann 1985; Kitching 1986). Nevertheless, in the case of Nova Scotia it is argued that the change in the urchin population is much more synergistic, that is, it was not only based on the change in the keystone species but on a combination of that and oceanographic conditions such as temperature change (Mann 1985, pp.227-46). Therefore, it is argued that changes in the communities are dependent upon various different reasons such as a change in food availability or feeding efficiency (Blankley and Branch 1984 for starfish); oceanography; and cooperation and competition are also seen as important agents of different biological interactions (Buss 1981, pp.1012-14). All these different variations in individual relationships, in social organisation or social density of the species, imply that there is a relationship that cannot be simply explained through hierarchical views about the organisation.

²⁴ Although a concrete reason for the sudden change in the sea-urchin population has not been found, one theory is that '[l]obsters feed readily on urchins and normal densities, lobsters would be able to keep a pre-epidemic urchin population under check. Over fishing may have reduced the lobster predation pressure so much that the urchin population escaped and grew into an unchecked epidemic' (Barnes et al, 1988; p.153).

Considering this brief exposition about the marine ecosystem, it seems sensible to argue that what is out there in the ocean is an extremely complex system of sophisticated biological relations among the organisms that are organised into inter-related, multi-layered communities which are influenced by interconnected oceanographic conditions.

In the context of UNCLOS III, the complex ecological structure causes a problem in relation to its claim to fame. This problem might be analysed in two ways. The first is the question of whether the measures drawn up in UNCLOS III in relation to the ecological complexity were ecosystemically efficient, and should they have been considered as compatible with the concept of sovereignty that is the core of the new regime. The second way would question the validity of the premises that underpin the concepts of conservation in UNCLOS III.

The 'Nature' by which we are 'surrounded' is, of course, an entity within-the-world; but the kind of Being which it shows belongs neither to the ready-to-hand nor to what is present-at-hand as 'Things of Nature'. No matter how this Being of 'Nature' may be Interpreted, all the modes of Being of entities within-the-world are founded ontologically upon the worldhood of the world, and accordingly upon the phenomenon of Being-in-the world (Heidegger 1995, p.254).

Regarding the first area of analysis, if one considers even for a minute that the conservation measures described at the beginning of this section were efficient, the application of them on the basis of national sovereignty would have been absolutely illogical. As it is, the ecosystem of the ocean represents a complex unity which requires an understanding of the ecosystem as a whole rather than superficial, convenient divisions on the basis of unrelated interests. In particular, political divisions such as the EEZ have no bearing in relation to natural dynamics and realities whatsoever. No single being carries a passport or recognises political divisions in the oceanic ecosystem apart from human beings. It is futile to attempt to adopt conservation and management regimes based on political divisions, particularly if they are based on individual state sovereignty.

'If power were never anything but repressive, if it never did anything but to say no, do you really think one would be brought to obey it? What makes power hold good, what makes it accepted, is simply the fact that it doesn't only weigh on us a force that says no, but that it traverses and produces things, it induces

pleasure, forms knowledge, produces discourse. It needs to be considered as a productive network which runs through the whole social body, much more than as a negative instance whose function is repression' (Foucault 1980, p.119).

What is required by the system is a regime based on an understanding of the complex unity of the ecosystem rather than one based on inappropriate political fragmentation, since the sound existence of the system depends on the responsibility of all human society. Dispersing the responsibility to states by fixing it to 'the national interest', itself based on the local economic needs of coastal fishing communities, as well as the special requirements of developing states and the other issues (mentioned in Art.61), seems extremely oversimplifying and problematic. It discounts the condition of responsibility to a limited conceptualisation that is based on idiosyncrasies.

Unfortunately, the realities of short-sighted political and economic goals (Our Common Future; p.265) are far from being a rare incidence in the international arena. Under the analysis given in the first section, it seems more likely that conservation measures will be applied arbitrarily and only when they are not opposed to the immediate interests of the states.

Regarding the second area of analysis, conservation measures and the prescribed exploitative system have to be considered together. The division that is taken as the structure of this chapter, i.e. utilisation and conservation, is artificial. These two things are very important for a management regime.

The striking feature of the Convention in relation to conservation is the fact that there is no specific measure of conservation — which might imply a total lack of understanding of ecology. What there is, is the image of conservation, and recognition that *sound management* necessitates measures of conservation. However, if Art.61 is taken as the culmination of the concept of conservation, it becomes obvious that the concept of conservation has been fixed to the utilisation of the living resources. The measures of conservation should be able to ensure maximum sustainable yield without causing over-exploitation in the zone in order to maintain the objective of optimum utilisation. Possibly the only conservation-oriented phrase is 'the consideration of associated and dependent species'. Therefore, the starting point of the next section will be conservation measures on the grounds of the concept of associated and dependent species in

relation to the required pattern of exploitation in the zone. The soundness of the required exploitation system will now be questioned.

UNCLOS III and the Measures of Conservation

What is implied by the term 'associated and dependent species'? In terms of the biology of living resources it means that there are many different direct and indirect relations in the ecosystem among its different components. Although a predation-based relationship has an immediate impact on the system, it has much more subtle indirect effects as well, such as changing the structure of lower trophic levels (Tsumuru et al. 1993, p.296). Patten (1991, p.288-351) suggests that there is an overall or ultimate relationship between an organism and others in its environment, defined as the entire ecosystem network of interacting components and, he adds, that this network is often mutualistic. However, there are also relations based on competition. These relationships of mutualism or competition can occur through the many pathways that exist in the system. These interactions may occur between species that are separated by one or more intervening species in the food web. Also, a change in a given quality of one species such as its population size may have a variety of qualitatively different effects on different qualities of different species such as individual fitness, population growth rates, long-term population changes (Abrams 1987; p.272-81). One thing which should be clarified is that all communities have individual parts, as well as themselves being a part of a larger system. Therefore, all these systemic relationships exist for intra-community structures as well. Behavioural or other changes, like food habits, have different reasons and consequences for a specific group of species and a larger system that they exist within. Also, the impact of these changes may be fundamentally different in the long term on some other species at the other end of the system because of varied areas of susceptibilities and differences in physical living conditions.

It is all too clear that the phrase in the Convention in reference to all these complex relationships is inadequate and does not reflect the above relationships of dependency. What it refers to, in reality, is profoundly different. It refers to those species of incidental or by-catch that have market value and exploitability. The main concern is to keep levels of harvest intact, but this

short-sighted view of dependency would, in fact, do more harm than good. It puts, for example, higher nektonic species apart from their system and considers them on an individual basis. For example, it is not at all clear whether coastal states should consider reclamations at the expense of mangrove swamps or salt marshes under Art.61(4) or not. What is the perceived dependency relationship between these habitats and the living resources? This sort of consideration seems irrelevant in the context of the Convention.

Since the concept of conservation expressed in Art.61(4) is based on commercial interest, it is interesting to see how oversimplifying it is. There is no specific control measure or quality of conservation, only a highly ambiguous, even impressionistic, phrase. The above-described dependency system works on natural conditions and may be seen as being balanced. However, this is not the case when human intervention is added to the system as one of the parts of the ecosystem. Human effort is usually concentrated on harvesting certain species over a period of time on a regular basis, not at all due to natural reasons. This means that there may be a huge stress on a group of species which is building up and, even if there is recovery of a certain level of stock, it does not mean that a sudden change in the stock is impossible. Also, the reflection of this effect on the system could be drastic. So what seems to be missing from the convention's understanding of conservation is recognition of the potential cumulative effect of human practice on certain groups and the system in general, together with the ability to conceptualise human beings as one of the parties within the same ecological space with, for example, fish. The idea of cumulative stress does not exist, the consideration in the Convention is based on seasonal harvestable capacity that has very little to say about the conditions of the ecosystem.

Furthermore, Art.61(5) enumerates sources of possible available scientific information. In this, the main inputs are catch and fishing effort statistics together with other necessary data relevant to the conservation of fish stocks. Once more, vagueness in the second part is confusing because it is not clear what is considered as other relevant data and also how it is going to be processed. These decisions are also considered under the concept of sovereignty. Other states are expected to contribute to data-gathering but there is no indication of a cooperative interpretation of gathered data. Therefore, it may be argued that concerns expressed in Art.61(3) are going to be

important as long as the available scientific information is used in decisions taken on the allowable catch in a given zone.

All these arguments have focused on the conservation of resources in the new zone. Considering the species that are regulated by different articles, the conservation measures are very loosely defined indeed. There are demands for cooperation in conserving those stocks, but no definitive standard has been set, apart from *optimum utilisation* in the case of highly migratory species (Art.64(1)), and a requirement of due regard to the conservation requirements which are concerned with the renewal of anadromous stocks (Art.64(3)c) and the needs of the state of origin (Art.66(3)a) in this case. It seems there are no guidelines for conservation levels or the level at which anadromous stocks are supposed to be renewed. Particularly, on the basis of Art.64, the needs of the coastal state expand over an area larger than the EEZ. Furthermore there is the question of the high seas. All the states that are utilising the living resources of the high seas are required to cooperate through Part VII, Section 2 of the Convention. In Art. 117 this necessity of cooperation is openly established. However, it is further qualified by 'as may be necessary for the conservation of the living resources of the high sea'. This qualification creates a byway through which excuses can be created. It does not specify *under which conditions* and upon *whose authority* such a necessity would be claimed. In Art.119 the conservation concept that is developed in Art.61 is adopted with slight modification for the high seas. Once more, conservation is fixed to the optimum utilisation concept. In this connection, again, there is no recommended category for the determination of parameters expressed in the article. Since this is an international area, every single state is free to qualify itself in one way or another on the basis of self interest to utilise the resources of the high seas. This argument is backed up by Art.119(3). It is in conflict with Art.119(1)a where special requirements and other considerations are asserted. Individual states might take conservation measures, but because of the freedom of fishing on the high seas, such an act is prevented by Art.119(3).

Moreover, only *those* states that are concerned with a given conservation issue on the high seas are supposed to use the best scientific data available to 'them' (Art.119(1)a). In other words, data presented in contradiction to certain states can be disqualified, if the best available data does

not serve to the interests of a given state. Conservation on the high seas appears as an arbitrary political decision.

Considering the mismatch of the ecosystem and the Convention, it seems obvious that UNCLOS III is in no way a convention that is designed to be an initiative for sound conservation of the ocean that has been exploited indiscriminately. There is no concept of ecosystem conservation. As was shown before, there is a need for a system based on holistic understanding. This idea is absolutely disregarded and the established system is based on total fragmentation on politico-legal lines. Self-interest based zones under the banner of sovereignty were created without considering any environmental consequences. Bearing in mind the needs of the ecosystem, it is clear that nothing in the present Convention is efficient in terms of conservation of a ecosystem. Moreover, creating a highly divided system of administration that tends to manage each species individually is yet another adverse factor. The method of this divided management happens to be Maximum Sustainable Yield (MSY) (Art.61(3)), which raises question marks about the compatibility of this method for sound utilization of the ocean resources.

The compatibility of the MSY concept was challenged even before UNCLOS III. However, it seems — or seemed to the negotiators — appropriate for the new zone. Apart from scientific doubt about the validity of the concept, to connect it with extra-scientific considerations (Art.61) seems most unhealthy. How does MSY work in the management of the fish catch?

Maximum Sustainable Yield means the greatest catch that can be taken for a long period of time without any danger to the stock (Kwiatkowska 1989, p.2). In deciding such a limit, it is crucial to know the size of a given stock i.e. population, growth rate, natural mortality rate and fishing levels of the stock. The way to estimate the size of the stock would be through the measurement of 'catch per Unit Effort'. From the growth rates and death rates of the stock, an equation is derived which relates catch or yield per recruit to fishing mortality (Cushing 1981, p.95). In this regard fishing mortality is assumed to be proportional to the fishing effort. Another assumption is the fact that in order to maintain the size of the stock recruitment, that is the magnitude of the cohort, or year classes, at the age at which it joins the stock, it must be equal to the total mortality rate (Cushing 1981, p.95). In the same manner fish mortality can be arrived at: from the catch equation (Cushing 1981, pp.96-117), fishing mortality is the ratio of catch in numbers to the average stock in

the sea. According to Cushing all the models used to regulate stocks of fish make certain assumptions one of which being that natural mortality is relatively low and does not change with age (Cushing 1981, p.196). Therefore, catch-effort statistics are very useful in finding out about mortality. The other important component of the analysis is the variation in the rate of recruitment of the stock. The variations are usually supposed to be based on previous catch effort on the same stock, and the survival of off-springs on the basis of density-dependence mortality. Apart from these considerations the economics of the issue created a new derivation of MSY, that is Maximum Economical Yield (MEY). This is the level of sustainable fishing that gives the best economic returns (Smith 1995; p.82). It is based on the argument that profits are higher somewhere below the limit of the MSY. According to Gulland (1968, pp.256-61), the increment of yield for each increment of fishing intensity decreases as the maximum is approached with increasing fishing intensity. However, it is shown that MEY is also not successful.²⁵

Whether it is directly MSY or in a modified form MEY, both are based on theories of linear relationships between a given target stock and fishing effort. Both measures discount the complexity of the system in which a given stock exists. All the analyses have scientific grounding. However, the scientific method used is to find patterns in given stock through catch statistics and reflect them as management guidelines. Through the years this scientific labour produces various patterns for different stocks that are seen as accurate, insofar as predictions based on this knowledge of patterns are holding. Nevertheless, the pattern should not be confused with the processes that actually produce the pattern (Noakes and Baylis 1990, pp.555-83). Moreover, the difference between mathematical and statistical processes and the real biological one must be recognised. Patterns are changeable under real conditions; statistically and mathematically the relationship between the catch and mortality can be shown and used as a justification for certain management schemes, but it does not explain a sudden decline in the stock unless the conditions of the system, other than mere catch statistics, are integrated into the formulations. Patterns alone can be used as a good descriptive tool without having explanatory power and that comes with comprehension of the underlying ecological processes.

The relationship, or the conditions, of a single stock are considered in the Convention on the basis of MSY as long as it is the main concern of the related industry. So the measures of

²⁵ See *The Ecologist* vol.125-n.2/3, p.86 where the Canadian experience is outlined.

management are deflected by this approach and the end result might be the annihilation of the target species as well as different species that have no relation on the basis of linear connections.

Considering the complications of this argument, it is fair to suggest that the fisheries regime established by UNCLOS III is an ecologically-inadequate system. The scientific grounding has disadvantages for ecology as well as for economics in the long run. The scientific basis of UNCLOS III does not bring the complex ecology into play in establishing the ocean regime. In addition, by combining such a system with the concept of sovereignty, the adversity has been enhanced by creating a fragmented space not only between states but between states and high seas as well. Therefore, the concept of conservation seems redundant in the Convention for the individual economic interests of the related parties. On the other hand, it seems UNCLOS III was formulated for the latter objective rather than the former. In the words of Kwiatkowska

[T]he 200 mile zones have the underlying purpose of accelerating the socio-economic development of states and reducing the inequalities existing between the industrialised and developing countries. . . . the economic potential of living resources was the main motivation behind the establishment of EEZ by both developing and industrialised states (Kwiatkowska 1989; p.2).

Recognising state sovereignty over utilisation/conservation, while not defining the way and manner through which healthy management may be maintained, is the real disadvantage of the system. It allows individual states to apply what conservation measures they would deem necessary without having any consideration other than immediate interests which may not necessarily be good for the ecosystem and also, therefore, for humankind in general. Moreover, because of this structure, i.e. sovereignty based management, the claim expressed by Kwiatkowska can be contested.

Why Sovereignty?

Thus far I have argued, firstly that, the concept of sovereignty established by the Convention to protect the rights of developing states and create equal opportunities for all states, should be seen as a failing legal abstraction. It has made possible the integration of massive parts of the ocean into world market relations in such a way that political decisions of developing coastal states are shaped

by the developed world and not necessarily in the interests of local communities which are excluded from the decision making process about their immediate ecological relations. Secondly, I have argued that fragmented management measures are inefficient for the management of the oceanic ecosystem, insofar as the fragmentation of administration on the basis of individual state interests creates arbitrary applications that are incompatible with an understanding of the ocean system and its inhabitants. In this process, the production of knowledge in relation to ecology is limited and shaped by the concerns, again, produced by concept of 'sovereignty'.

The ocean is considered as a 'Global Common' by many people (Cladwell 1990). Moreover, the issue is considered under the heading of 'Managing the Commons' in the Brundland report. Although, in the report, international cooperation between EEZs for sound management is seen as an imperative, national interest-based exploitation is encouraged as well (Our Common Future, p.268). Presumably, it only requires on human ingenuity to consider one thing as common and then to try to manage the same thing on the basis of a piecemeal approach. Furthermore, it is argued that EEZ management of the developed world has been much more successful than that of the developing world when fishing effort in the respective EEZs has been considered. Reading between the lines, there is an inbuilt attitude that derives from the needs of the industrial world in relation to UNCLOS III. Given the conditions of the developing world, by drawing development plans through which the utilisation of marine living resources were established as targets, the path for the industrial world has been opened up. This has allowed the developed world to manage their own EEZ strictly, while exploiting other areas on different terms. Therefore, if there is a success story to be written it must include the performance of single countries not only in their own zones but wherever they fish in the ocean — in other words their behaviour at a systemic level. Otherwise, to accuse disadvantaged coastal states seems to be a travesty of the reality, based on the knowledge produced through the concept of 'sovereignty', whereby individual zones have become fictional, self-contained units of analysis.

According to Kaczynski,

implementation of EEZ in this region (sub-Saharan West Africa) late in the 1970s and early 1980s did not substantially change the ways these (marine living resources) resources are used and managed. They are even more heavily exploited and depleted now than before and foreign fleets continue to extract the

lion's share in economic value of the commercially important stocks. The coastal countries' capabilities to control the exploitation process of these resources and use them directly for their own benefit are still low and will remain this way many years ahead (1989, p.2).

This situation under the new regime was/is supposed to create at least some substantial revenue for the developing countries, but it has not done so.²⁶ Because of the lack of enforcement and surveillance measures, aid dependency, and hard currency-based investment in the areas that are not related to resource management such as military build-up, the coastal states seem to be getting a fraction of what they are supposed to get (Kaczynski, 1989; p.5-10). Apart from this, using their sovereign authority to further open up their zones to foreign exploitation, while trying to avoid conservationist claims on the basis of the same concept, has been an important way of subsidising the hard currency requirements of these countries. Since the revenue has been low, they are trying to increase it by allowing less controlled zones and more utilisation.²⁷

In the final analysis, 'sovereignty' seems to have been used, whether intentionally or not, as a vehicle for expanding and ensuring continuity of the industrialisation of the ocean — at this point the example of Japanese fisheries interests in the Caribbean (presented in the previous chapter) is an extremely good and relevant example of the situation. The rather loaded ideas about the possible meaning of 'sovereignty' in terms of autonomy, authority, and control produced and sustained both through the discourse and the resulting practice of International Relations have obscured, what has been produced, in terms of a path leading to ecological problems. How this is produced has also been hidden on the basis of the naturalness of this ambiguous concept.

In order to see what has been produced — in other words the present reality in which this study is located — we have to unfold the end result of 'sovereignty' in its deployment. The application of the concept has created a conceptual schizophrenia that is established in UNCLOS III as the new way of understanding 'environmental' problems. It is clear that the way conservation

²⁶ Kaczynski adds that the pressure by the global market on these resources is very high. Therefore 'fishing fleet operators are often more interested in immediate benefits from resource exploitation than in long-term solutions addressing regional environmental concerns and coastal state systemic difficulties'. See Kaczynski, 1989; p.3.

²⁷ The trend that was created should be seen in terms of market competition. According to Queirolo and Johnston, Japan increased its landings by 6 per cent between 1973 and 1985, for the Republic of Korea, the increase was 59 per cent (1989, p.19). The competitive advantage of resource ownership has been replaced by the competitive advantage of developed technologies and diminished operating risks that had existed in the open access utilisation of the high seas. See Kaczynski, 1989, p.18.

and protection are thought of in the convention is located within a certain understanding of ethical relationality between sovereign states and the EEZs. In this relationship the grounding of conservation and protection can be found in the economic interests of sovereign agents.²⁸ In other words the ideas rest on a certain set of 'values and beliefs about the relationship between humans and the natural world' (Ward 1998, p.94). Therefore, I would argue further, that it is not only the incompatibility of 'sovereignty' as a norm with conservation and ecological understanding which creates an unecological understanding at the level of implementation, it is the internal constitution of sovereignty as a concept which permeates through, even, at the level of initial thinking about 'environment' and, therefore, informs the possibility of conservation, is the source of unecological thinking. In every application, or understanding, based on the concept of sovereignty there is an implied deeper meaning which exceeds the legal and effective understandings of the concept. It is this deeper meaning which produces the possibility of applying the concept without due regard for the ecology. In other words, it is the thinking in terms of sovereign being which allows us to think in terms of 'the equitable and efficient utilisation of [their] resources' and 'conservation of [their] living resources'.²⁹ It is at the level of turning other beings into our resource base, an existential level, that the concept of sovereignty must be analysed rather than what it does as a legal abstraction.

The impediment that faces any analyses of sovereignty is the danger of reification of the concept as if there were a possibility of generic understanding and therefore a generic definition of 'sovereignty' in an a-historical framework. However, the ecological analysis presented so far implies a possibility of overcoming this problem. In order to initiate some sort of de-naturalisation of the concept of 'sovereignty', the question is not what sovereignty *is*, for this question limits the possibility of seeing different deployments of 'sovereignty' and attributes illiusionary ahistorical existence to the concept. It is not a problem of definition to which I am trying to respond, but an operational problem. Therefore, the driving questions are more likely to be what this concept does,

²⁸ It is clear that UNCLOS III negotiations were based on the idea that there was a resource pool to be shared in order to satisfy concerns of economic and consumptive returns to states and corporations. In this negotiation process the absence of marine ecologists is rather interesting. See Freidheim 1993.

²⁹ In the convention it is stated that the objective is to establish 'a legal order for seas and oceans which will facilitate international communication, and will promote the peaceful uses of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection, and preservation of the marine environment' (Convention, preamble, parag.4).

and how it does and probably, and most importantly, why it does what it does at the present in terms of ecological understanding.

Sovereignty Revisited

Heidegger suggests that *Keeping silence* is another essential possibility of discourse (1995, p.208) through which a certain knowledge claim could be conveyed. In the present context I argue that it is this silent affirmation of the location of human beings in relation to nature within the concept sovereignty that needs to be unpacked. Only through the unpacking of the problem with IR in terms of ecology, can the silence about nature be exposed and a new space for discussion be opened.

From the conventional IR perspective the convention and the regime of EEZs can be analysed in two general ways. The first is the *legalistic* explanation that would allow us to see the merits of UNCLOS III regime in terms of abstract rules without relating these to the ecological context. It would argue that the convention gives rights to the coastal states to control large patches of oceans which used to be free for all. So, the issue here is ordering the oceans. The second is a perspective which would analyse whether sovereign rights given are *effective* in terms of their exercise or not. The outcome would be based on the difficulty of having absolute control over EEZs as a result of global markets and economic interdependencies, which in turn allows analyst to conclude that the sovereign rights recognised in EEZs are an erosion of absolute sovereignty and therefore an innovation to the understanding of international relations. Once more, ecological understanding and what this frame of international/ sovereignty³⁰ do to ecology in terms of its application have been ignored.

As the discourse of IR tries to make sense of this system, the concerns are conditioned on the basis of what can be known within IR. This conditioning is hinged and maintained through the

³⁰ In these explanations the questioning does not go beyond the naturalness of the 'international' based on mutual understanding of sovereign-states whereby the new law of the sea is reaffirming the system. On the other hand, this assurance of an international certify the possibility of 'sovereignty'. Here lies the maintenance mechanism of the discourse of IR which normalises itself through the silent affirmation within what seems to be opposite concepts. Judith Butler, in her approach to Monique Wittig, uses Wittig's argument about production of heterosexuality 'the binary restriction on sex serves the reproductive aims of a system of compulsory heterosexuality.' in Butler 1990, *Gender Trouble*; this argumentation can be used as an analogy to the discourse of IR which through binary opposition and restriction on the possibility of knowing reproduces compulsory 'international' discourse. And the upshot of this is an obvious circle that is not possible to transgress.

continuous production of a naturalness of the system based on the spatial differentiation between international and sovereign state. This attempt not only makes possible two differentiated spaces but it also makes what can be known, that is, what belongs to these spaces possible as well. In other words, it is about the limits of knowing/being on the basis of two spaces that are differentiated in terms of the binary opposition. R.B.J. Walker argues that '[f]ramed within a spatial metaphysics of same and other, citizen and enemy, identity and difference, principle of state-sovereignty express an ethics of absolute exclusion' (1995, p.66). It has to be remembered that international is defined, by traditional IR, on the basis of the absence of central power, as opposed to the existence and centrality of the internal power of individual states which reflects the legitimacy of a state³¹. Then the conceptual tool that creates 'the international' is the concept of sovereignty. By posing an internal cohesion according to a certain criterion, it creates the outside as that which cannot be included in the sovereign space. What is implied with this understanding is, practically, as also suggested by Walker, the ethics of being — hence Being — in two different spaces based on different ethical states. Therefore, it is important to understand what sovereignty³² means in relation to an *ethics of absolute exclusion* as its operative function. The following discussion will argue that what Walker calls exclusion in terms of spatiality is underpinned by exclusion of nature at the ontological level. The territorial spatiality then becomes the reflection of the ontologically abstracted human subject.

According to Giorgio Agamben 'sovereign is at the same time, outside and inside the juridical order' (Agamben 1998, p.15). Sovereignty, therefore, implies in itself the outside, or inside is the source of outside that it is based on the prejudice, or existential concern within the sovereign. Agamben (1998) describes how it is the sovereign power that creates political life through what he termed as *bare life*.³³ The argument is an attempt to show the constitution of political through the

³¹ And according to David Campbell this equation also maintains the fictional unity of internal politics 'The principal impetus behind the location of threats in the external realm comes from the fact that the sovereign domain, for all its identification as a well-ordered and rational identity, is as much a site of ambiguity and indeterminacy as the anarchic realm it is distinguished from' (1992, P.70).

³² As it is indicated through the last section 'sovereignty' can be taken as a legal and effective norm. In this norm there is still an implied deeper meaning which is related with exclusion at an existential level. In order to recover this deeper meaning I am using the concept without necessarily identifying it only as a norm. In other words I am taking the concept as unattached to a particular definition within the discipline. By doing this I am able to recover and discuss philosophical meaning present in the concept.

³³ The thinking in terms of *zoe/bios* is considered to be central to the Greeks. According to Jacques Taminiaux 'the invention of the *polis* and of its *bios* is concomitant with an overcoming and, therefore, a repression of everything

sovereign power to decide between those who are included and those who are excluded. He argues that

[t]he fundamental categorical pair of Western politics is not that of friend/enemy but that of bare life/political existence, *zoe*/bios, exclusion/inclusion. There is politics because man is the living being who, in language, separates and opposes himself to his own bare life and, at the same time maintains himself in relation to that bare life in an inclusive exclusion' (1998, p.8).

Any discussion of conservation, protection, exploitation, and sovereignty in general and in the context of UNCLOS III as elaborated above in particular are about *life*. In the context of UNCLOS III the possibility of using natural resources is about the life of the human population. Although this discussion takes place at the expense of the life of other species, this fact remains unacknowledged by constituting these lives as resources. In terms of this juncture of bare life/political life, the context of the present study in terms of ecology and IR, therefore, becomes a site of contestation in terms of *life*. It is, then, imperative to understand what sovereignty is and what happens when the claim of sovereignty is invoked. In other words, the analysis has to shift from a focus on how sovereignty is underpinned by international and vice versa to what the concept of sovereignty implicitly deploys as a relationally in deciding about the possibility of beings.

The discussion of the political in terms of life has been put forward by several authors in terms of modern politics. Hannah Arendt and Michel Foucault are two important interlocutors in this discussion. It is important to sketch their arguments before I return to the concept of bare life. For they allow me to show the connection between politics and life. Foucault argues that modern politics represents a shift toward *biopolitics*:

Power would no longer be dealing simply with legal subjects over whom the ultimate dominion was death, but with living beings, and the mastery it would be able to exercise over them would have to be applied at the level of life itself. ...what might be called a society's 'threshold of modernity' has been reached when the life of the species is wagered on its own political strategies...; modern man is an animal whose politics places his existence as a living being in question (1990, p.143).

that characterizes the belonging to mere life, *zoe*, with its eternal return of desires, appetites, pleasures, violence, and voluptuousness' (1997, p.102).

This invocation of life as the relevant ground of politics is also discussed at length by Hannah Arendt in *The Human Condition* (1989). Although Arendt does not follow her discussion to the concept of life as biopolitics, life exists in her writings as an implicit political concern. Her analysis of the human condition in the modern age demonstrates how ‘life asserted itself as the ultimate point of reference in the modern society. . .immortality of individual human life had reversed the ancient relationship between man and world and promoted the most mortal thing, human life, to the position of immortality’ (Arendt 1989, pp.313-14). She further argues that ‘life, and not the world, is the highest good of man’ (Arendt 1989, p.318) remains the central argument in the modern thinking. Earlier Arendt discusses the relationship between life and politics (1976, pp.159-84). According to her, the development of Darwinian theory in general — ‘the genealogy of man from animal life’ — brought the biology of human beings as a consideration into the politics (Arendt 1976, p.178). Although aspects of the Darwinian theory were out fashion, she argues, as the basis of research, the biological life continued to be a political issue. She says that ‘ [t]he most dangerous aspect of these evolutionist doctrines is that they combined the inheritance concept with the insistence on personal achievement’ (Arendt 1976, p. 180). Her example is located to discussions of race relations through the colonial encounters with Africa ‘whose humanity so frightened and humiliated the immigrants that they no longer cared to belong to the same human species’ (Arendt 1976, p.185). It was not, in other words, how they conducted their social relations — differences in social organisation to regulate their lives — but it was who they were as human species that made the difference; and this difference is unalterable insofar as it is about one’s biological condition of possibility for life. When this limit is breached or challenged at the expense of a group or an individual, the group’s or the individual’s existence comes under threat. The threat, nonetheless, cannot be politically countered because the group is not considered within the discourse of politics insofar as it represents a discounted and distanced life form that is not ‘human’ under the defined terms of what is it to be human in a given time-space juncture of a social context.³⁴

Arendt’s discussion of minority rights under the nation-state system of Europe (1976, pp.267-302) brings the issue of politics on life into more focus in relation to the present chapter’s subject matter, that is, the concept of sovereignty. Although her unfolding of the challenge posed by

the stateless people to the nation-states is very interesting, the implication of statelessness and the mechanisms that leads to it, and the way it is dealt with, present us the central figure, that is, the *sovereign* state. The establishment of nation-states in the eastern and southern Europe, she argues, brought about the minority treaties through which rights of these people were guaranteed (Arendt 1976, p.270). This reflects a move towards putting minorities under the decision of the *sovereign* state. As Arendt argues this situation was about spelling out what had been implicit in the concept of nation-state

implied in the working system of nation-states, namely, that only nationals could be citizens, only people of the same national origin could enjoy the full protection of legal institutions, that persons of different nationality needed some law of exception until or unless they were completely assimilated and divorced from their origin (1976, p.275).

It must be remembered that these arrangements were concluded between nation-states and, therefore, the responsibility was located in the sovereign authority of the state. In other words it was 'the sovereign' who would decide the law of exception for the minorities and again decide the limits of their difference and levels of assimilation. It was about *deciding* and *locating* their difference. According to Arendt the international system of states made it impossible for stateless people or refugees to claim their human rights beyond sovereign authority of a state 'there was no place on earth where migrants could go without the severest restriction...no territory where they could found a new community of their own... it was a problem of political organization' (1976, p.293-94). The refugees in the modern times were/are not only prosecuted because of their doings but, also they were/are persecuted because of 'what they were, unchangeably were-born into the wrong kind of race or the wrong kind of class' (Arendt 1976, p.294). At this juncture it is imperative to see the relation between the logic of race [discussions] and the minority rights issue in the same context. Considering stateless people, refugees and others are expected to be assimilated by divorcing themselves from their origins, the decision to activate a move towards that, is related with the way minorities live and in most cases what they are. This issue of refugees and minorities allows us to see *sovereignty* under a stronger light. The sovereign authority that decides the limits of

³⁴ See also Lyotard, 1990, pp.25-30.

being a refugee in a given state is also the authority which decides the limits of their integration within the system. In other words it is on the authority of the 'sovereign' that the decision about assimilating, excluding, or exterminating is based.

The decision to engage with refugees or stateless people, by and large, involves what the people represent as *life*.³⁵ The sovereign decision represents who can be included in the social and the legal network of the society. It creates the outsiders/excluded by deciding on the basis of their ability to change their lives. The interesting issue here is the fact that people who are excluded from the socio-legal net are not beyond the law, but their exclusion is based on the law and their exclusion underpins the social identity of the society. So they are constituted as excluded. This exclusion takes away their existence within the society and constitutes them as a generic being from the *genus* of human beings. It is important to realise that *life* which has been taken out of its social context of relationality has no voice and way of appeal to social, it becomes just a mere life. Arendt argues that

[t]he great danger arising from the existence of people forced to live outside the common world is that they are thrown back, in the midst of civilization, on their natural givenness, on their mere differentiation. They lack that tremendous equalizing of differences which comes from being citizens of some commonwealth and yet, they begin to belong to a specific animal species. The paradox involved in the loss of human rights is that such loss coincides with the instant when a person becomes a human being in general...and different in general, representing nothing but his own absolutely unique individuality which, deprived of expression within and action upon a common world loses all significance (1976, p.302).

Although this discussion of stripping the social constitution of life and creating mere life outside the social through the intentional exclusionary steps is central to the understanding of politics of

³⁵ Here. *Life* means a certain way of conducting life within a given society. So Arendt is talking about social/political life and exclusion from that sphere. Nonetheless, the exclusion on the basis of this life could border to an evaluation of life as a biological category as a result of which life can be taken out of the context of *zoe/bios*. Then the question becomes how one ethically relates to this life which is excluded from the whole existential context? The most important example of this is the way Jews were excluded from German society during the 1930s. This exclusion was based on so called social problems that gradually fixed the Jewish identity to the biological category of being of Jewish blood. In other words social exclusion was turned into extermination by biologically determining the meaning of *life* for Jews. Therefore, I would like to keep life as a biological concern, though this might be contrary to the Arendtian reading, as well as a social exclusion. For absence of this particular understanding is the problem in terms of ecology as it will be discussed at the end of this section.

persecution, I will attempt to understand the implicit meaning in these decisions in terms of the workings of sovereignty.

Carl Schmitt's definition of sovereignty, which explains the concept in terms of its power to decide, is pertinent to comprehend the impact of the concept on political action. According to Schmitt sovereignty represents the structure of exception:

The exception is that which cannot be subsumed; it defies general codification, but it simultaneously reveals a specifically juridical formal element: the decision in absolute purity. The exception appears in its absolute form when it is a question of creating a situation in which juridical rules can be valid.... A regular situation must be created, and sovereign is he who definitely decides if this situation is actually effective.... The sovereign creates and guarantees the situation as a whole in its totality. He has the monopoly over the final decision. Therein consists the essence of State sovereignty, which must therefore be properly juridically defined not as the monopoly to sanction or to rule but as the monopoly to decide.... The exception is more interesting than the regular case. The latter proves nothing; the exception proves everything. The exception does not only confirm the rule; the rule as such lives off the exception alone (1985, pp.19-22).

In the invocation of sovereignty it can be argued that the concept decides and creates an exception that has not existed before, but created according to the decision. Therefore, the legal framing provided by the sovereignty includes the excluded/outside within its constitution of the possibility of regular/inside. According to Agamben 'the force of law consists in this capacity of law to maintain itself in relation to an exteriority [we] shall give the name *relation of exception* to the extreme form of relation by which something is included solely through its exclusion' (1998, p.18). This points out to the fact that the exception or the outside/excluded created by the exception does not exist outside the socio-legal frame. It is separated from the regular but it still exists within the given legal framework. Otherwise, the exception cannot be comprehended, that is, an exception requires a normality to exist. The relation of exception presents a space of politics. If one brings the Foucauldian argument about biopolitics into this political space created by exception, it would be relevant to discuss the political in terms of capacity of sovereigns to remove regularity from the regular existence of life.³⁶

³⁶ In his arguments about the deployment of sexuality as the juncture between politics and power in the society Foucault

At this juncture of biopolitics, the exception created by the sovereign(ty) must be considered in terms of biopolitics as well. In other words, whatever the exception created by deciding about the limits of law is about the limits of *life*. As Arendt argues, decision is taken in relation to what people represent as life. It cannot be considered anymore as a mere legal decision in managing the social space. The sovereignty and the exception it implies are the original constitutive blocks of life as included or excluded. From this it follows that the excluded, *bare life*, is not beyond the law or it represents something in chaos. Far from it, bare life is constituted according to the law and therefore has to be considered within the law.³⁷ In constituting bare life as excluded from the normality of the society presented by the internal what is at stake is the political. By deciding on the exception, sovereign decision removes a certain life from the political. This depoliticisation is a move toward the limiting and eventually the removing of the political from social contestation in the public.³⁸ It, however, does not mean that the existential condition of *bare life* is depoliticised. It is particularly interesting to see this in terms of Arendt's description of *polis*

it is the organization of people as it arises out of acting and speaking together, and its true space lies between people living together for this purpose...It is the space of appearance in the widest sense of the word, namely the space where I appear to others as others appear to me, where men exist not merely like other living or inanimate things but make their appearance explicitly (Arendt 1989, p.198-99).

It is in this context that the exception, by excluding the appearance of life in the arena of the politics, moves to take the political to the level of sovereign decision, whereby political space disappears at the level of public. This allows the sovereign decision to exclude and reconstitute *bare life* within the framework of what is included.³⁹ In summary, the decision for the exception, and the space created by this decision represents a decision over *life*. The discussion in this section

spells out the concerns of new politics as health, progeny, race, the future of the species, the vitality of the social body, power spoke of sexuality and to sexuality (1990 p.147).

³⁷ This is what Agamben calls the paradox of sovereignty. See Agamben 1998, p. 29.

³⁸ See Derrida 1997, p.84.

³⁹ According to Agamben, modern politics is not so much about the inclusion of '*zoe* in the *polis* nor simply the fact that life as such becomes a principal object of the projections and calculations of State power. Instead the decisive fact is that, together with the process by which the exception everywhere becomes the rule, the realm of bare life gradually begins to coincide with the political realm....At once excluding bare life from and capturing it within the political order, the state of exception actually constituted the hidden foundation on which the entire political system rested' (1998, p.9).

so far argued that the concept of sovereignty is a decision on life. Therefore, the limited discussions of sovereignty as a *legal* and *effective* political concepts are not relevant if they do not address what happens to *life* at the end of a deployment of sovereignty.

Having established this perspective, it is clear that sovereignty as decision(exception) on life still does not explain how it is that the application of sovereignty in the context of UNCLOS III can function without recognising the *life* it decides on in the ocean ecosystem. In the testimony of Robert Antelme what the camps (Nazi extermination camps) thought those who lived was precisely that 'calling into question the quality of man provokes an almost *biological* assertion of belonging to human race' (As cited in Agamben 1998, p.10, *emphasis added*). In other words, at the extreme condition of facing the becoming of bare life, at the threshold of being removed from the context of *zoē/bios*, the question of exclusion/inclusion on the authority of some sovereign appears as the existential question. In parallel to this, I would argue that ecological conditions created by humans in the manner they are living at the expense of other living beings on earth should bring the way we decide to utilise other living beings as resources under scrutiny.

Even the analysis of *bare life* does not go far enough to question the essential building blocks of sovereignty which allows the exclusion of that which is not perceived as normal, and constituted as excluded before the political, that is nature. Considering this exclusion is based on a certain social relationship of being human, *bare life* represents being human outside the community.⁴⁰ I want to suggest that in the context of ecological concerns the decisions and the constitution of sovereignty as the condition of the possibility of creating *bare life* in the times of biopolitics can be dissected to its essentials. In this study, in terms of its ecological context, sovereignty decides about other life which is not even *bare*, if it is a life at all. From the discussions of bare life above it is clear that, *bare life* can only be related to humans. The rest of nature is located beyond this context and, therefore, sovereignty ignores the life on which it decides and which it excludes. The way the concept of sovereignty is imposed in UNCLOS III presents that what sovereignty is dealing with is a pool of natural *resources*. Decisions about what nature is, are

⁴⁰ As argued by Taminioux in the context of the Periclean era, the connection between *zoe* and *bios* was performed two times a year in Dionysian rituals to create an 'acknowledgement and distancing' through this process 'the community affirmed itself as human while at the same time expressing the fear of ceasing to be so' (1998, p.102).

decided over and above already decided relationality between humans and nature imminent in sovereignty.

Therefore, the dislocation of nature from politics happens at a very deep level. It is excluded even before sovereignty has become constitutive of the political. When sovereignty works in terms of *life/bare life*, nature as *a priori* excluded is always already located in the move. Also, considering the fact that *bare life* even as an excluded is political insofar as it legitimates the political within, nature can be seen as the absolute of that which is outside of the political. The exclusion of nature is the existential condition of being human which in turn creates the political. Sovereignty does not exclude nature, rather, it does not include it on the area where it creates the political in terms of *life*. Nature does not exist in the arena where *life /bare life* decision takes place. In this, political sovereignty functions through deciding on exception to life, but this decision is never about life in nature. In order to utilise the concept of *life* as the ground where sovereignty acts in the ecological system, one has first to destabilise the imminent matrix of human/nature within the concept.

This section has argued that the move to locate sovereignty in a decision about *life/bare life* is an important one. It allows the political in sovereignty to appear in the discussion whereby the near-naturalness of the concept can be disrupted. The exception that creates the bare life is a politicising move, while seemingly excluding a life from the political. This double movement uncovers the nature of the proponents of the political, that is, human beings. As a result of this association of the political with the human realm, the question about ecology as *life* must be seen as located somewhere outside the political. In other words ecology is not a *sui generis* political issue. Its politics comes from the utility it represents within human society. Any attempt to solve ecological problems within this political realm is bound to consider ecology as a pool of resources and decide about them not in terms of *life* but as materials.

This realisation allows me to argue that if the solution of ecological cannot be located in the political as a decision on *life*, the reason for this impossibility and hence the inability to address the question is not about the political but an ontological condition. This means that in the way this ontology is constructed, nature is distanced in such a way that it cannot be represented as a political voice in its own right as *life*. Therefore, ecological politics becomes excluded from the political concern at a deep level of thinking about the constitution of 'human' life. The life which is

represented in the ocean system never appears on the communicative level of political space. This is important insofar as nature, hence ecology, has to be reconceptualised in terms of life in order to be able to be included in the political. If we take the lead from the Foucauldian terminology of biopolitics it might be clear that the essentials of politics is about *bio* — in other words life. So political is about life on the very basic level.

The analysis of sovereignty in this section leads to the unpacking of the constitution of sovereignty as *a priori* relationality between human and nature where the former is located as abstracted from the latter. Although this presents an ethos based on absolute exclusion of nature from the human moral sphere, this is ignored both theoretically and rhetorically as a relationality between life and material rather than between life and life. The fundamental problem, then, is in understanding or engaging with ecology through the conceptualisation of sovereignty/international in IR. Therefore, one has to understand the idea of human sovereignty in terms of its existence in the context of nature.

Conclusion

Through UNCLOS III it becomes clear that the concept of sovereignty applied within it as the conceptual tool of IR decides on life. In terms of the binary relationship between international and sovereignty it allows the sovereign decision to prioritise the internal as opposed to the external international. In this, however, the possibility of international only as a counter concept to sovereignty is always ignored. The application of the concept within new zones presents the real functions of sovereignty. In the political space, it decides on what the legitimate political agent is. I argued that in this decision there is always an already decided ethical framework which is based on a certain relationship between nature and humans. Therefore, thinking about ecology and ecological problems necessitate the addressing of this grounding ethical structure. The ethicality expressed here must be understood in terms of

a mode of relating to contemporary reality; a voluntary choice made by certain people; in the end, a way of thinking and feeling; a way, too, of acting and

behaving that at one and the same time marks a relation of belonging (Foucault in Rabinow 1984, p.32).⁴¹

Ethics⁴² can also be thought of as both producing and produced according to some sense of reality of being, so there would be a question of the *ethos* of ethics. I argued that UNCLOS III represents a fundamental ethical relationship between nature and humans which is deployed implicitly through the concept of sovereignty. The possibility of this ethical framework, however, remains unquestioned. The upshot of this is not asking the question of what sort of moral agents are created through the application of sovereignty. In other words the *ethos* of this ethical position as the constitutive of moral agents within the discourse of IR is not dealt with. Instead international/sovereignty system is taken to be the neutral ground on which what is called international relations is built.

In connection with the questioning undertaken in this study the ethos of ethicality of sovereignty represents a move to question discussions of ‘environment’ as a add-on concerns within the general structure of IR. The ecological concerns expressed in this study clearly are not add-on extras to the agenda of IR. They are focusing and pointing out a problem at the fundamental level. They are a challenge to the ‘assumptions which still seem to underlie far too much post-Cartesian epistemology and metaphysics. That these assumptions also underlay nearly all Western ethical attitudes to the environment from at least the sixteenth to the twentieth century’ (Chappell 1997, p.2).

Broadly, these assumptions might be termed Enlightenment conceptions of the human/Nature relationship moulded in a certain way through specifically modern conceptions of rationality and anthropocentrism. In the ancient Periclean understanding of *zoe/bios*, *zoe* was represented in its ‘eternal return of desires, appetites, pleasures, violence, and with its cycle of

⁴¹ Foucault in his later work defined ethics as ‘the kind of relationship you ought to have with yourself, *rappor a soi*, which [I] call ethics, and which determines how the individual is supposed to constitute himself as a moral subject of his own action’ (Foucault 1983, p238). From a conventional Western perspective this is not a change from the Kantian moral agent, the change and the importance of this understanding derive from the Heideggerian reformulation of human subject to which I will turn in the last chapter.

⁴² An interesting conceptualisation of ethics in terms of ecology is provided by Thom Kuehls. He reinterprets Nietzschean understanding of nature and man, and argues that ‘Nietzschean ecological ethic can exist that understands nature to be chaos and sees no necessity to human existence. This will not be an ethic of egoistic hedonism, or of anything goes, but instead will be an ethic that highlights the difference and ambiguity of nature and sees a “role” for humans to not divest existence of these characteristics’ (Kuehls 1996, p.15). In this approach, again, ‘subject’ is the location of change in the perception of ethics.

alternating seasons and renewing generations' through which potential for 'ceasing to be human' was depicted as a potentiality (Taminiaux 1998, p.102). In the modern understanding *zoe/bios* relationship is located within an already abstracted human dimension which does not consider the human/Nature relationship as a relevant concern in terms of the social space. The ideas based on Rene Descartes' conception of the self, and Immanuel Kant's notion of the essentially rational agent and its pure will have created an overriding ethical relationality.⁴³ This ethics was essentially between Nature and human-persons and after abstracting the human-person from the irrationality of Nature, it arguably allowed gradients among humans and different societies. According to Midley 'Enlightenment morality ..strongly tends towards egoism and social atomism' (Midley 1997, p.89).

Another aspect of this ethical positioning is expressed by Niklas Luhmann. He suggests that the conceptualisation of 'subject' has an importance in the production of knowledge. He argues that 'not until the end of the eighteenth century was man understood to be a subject in the strict sense, and thereby unlinked from nature' (1995, p.xxxix). And he further argues that

[u]nder the heading 'subject', the modern individual conceives himself as an observer of his observing, which always operates with self-reference and reference the others; thus he understands himself as a second-order observer. One could then designate the subject as a unity that, as it itself knows, lies at the foundation of itself and everything else. Or, if one prefers a dynamic, active, voluntaristic version, it lays the foundations for itself and everything else (Ibid.).

This argument points to the fact that it is in the articulation of a certain concept of subject⁴⁴ one can find the ontological limits of possibility of thinking through the concept of sovereignty, and hence in the discipline of IR. Unless this critical task is carried on to the ontological level, in its application sovereignty can only function at the level of an already constituted ethical context thereby producing a knowledge based on resource potential rather than a knowledge in relation to other species with which we share the general ecological system. Eventually this ethical

⁴³ See Chappell 1997, pp.102-117.

⁴⁴ Luhman argues that one consequence of thinking within the subject was 'that a concept of an opposite, relative to the subject, had to be invented. This called *Umwelt*, and later "environment" *environnement*. Before this time there had been no environment. Instead, the world was understood as the totality of things or as the support of all their particulars. The scheme subject/environment dissolved the compactness of this conception of world. One began to think in terms of differences..' (Luhman 1995, p.xxxix).

perspective in IR⁴⁵ becomes neutralised and considered to be reflecting an objective relationality on which ethics can be discussed.

The ethical relationship expressed in UNCLOS III in terms of conservation and protection of oceans represents a certain rights based relationality. The right to exploit the *resources* merely as a mean for human ends represents a distinct affinity with Kantian philosophy of free and rational human being.⁴⁶ In this perspective rights of human beings in relation to each other are recognised⁴⁷ in organising exploitation of the resources within a given moral system. In this recognition rights constitute 'the status of personality and characterize the agent as different from a thing so that he/she is subject to law and *a participant in the interplay of freedom* involved in a system of rights' (Mulholland 1990, p.10, emphasis added).⁴⁸ Nonetheless, nature is not included in this morality. According to Kant the relationship between rational beings and Nature in terms of morality is based on the latter's position as a 'thing': '[B]eings whose existence is based not on our will but on nature, if they are non-rational beings, have only *a relative worth as means* and are therefore called "things"' (Kant 1959, p.428, emphasis added).⁴⁹ Mulholland argues that '[t]he term "person" is

⁴⁵ In the General context of conventional IR the evocation of Enlightenment takes two different lines of argumentation, argues J.G. Ruggie. According to him, two dominant perspectives in IR are deeply implicated in the project. They are, (a) 'realist balance of power' and (b) 'idealist institutionalism' (1993, p.146). According to this argument, both perspectives have different locations from which to derive their validity. The former is based on the system of states and their development at the end of the Treaty of Utrecht (1713). The latter is based on the 'Perpetual Peace' discourse initiated by Abbe de Saint-Pierre and reached its climax with Kant's articulation of the subject. In connection with subjects own production of opposite concept in nature, therefore, IR is firmly located in this subject based ontological framework.

⁴⁶ I believe this is an important point which allows us to see the distinctly Western perspective of turning nature into a resource pool by recognising only *one* relationship between Nature and human society. It is based on an idea that Nature is something to be manipulated, controlled, and conquered. At the same time this is not to say that conceptualisation of Nature as resources only exist in the Western understanding. It is clear that in all dependency relations there is a concept of resource, but precisely at that point one can observe other complex relations with nature in excess of this resource based contact. It is this excess which does not happen in the Western understanding. See Wilmer 1998, pp.55-78.

⁴⁷ According to Mulholland 'Kant's ethics and doctrine of rights is a conception...which is expressed in the concept of person' (Mulholland 1990, pp.1-10).

⁴⁸ This agent or person who is the subject of morality considered to have intrinsic value. According to Kant 'their nature indicates that they are ends in themselves'. Moreover '[t]hese are thus not merely subjective ends whose existence as effect of our actions has a worth for us, but are objective ends, i.e., things (*dinge*) whose existence in itself an end' (Kant 1959, p.428). Kant indicates that 'only man, and with him, every rational creature, is an end in himself. He is the subject of the moral law which is holy, because of the autonomy of his freedom' (Kant 1956, p.87).

⁴⁹ It is also argued that 'only rational being has the capacity of acting according to the representation of laws' (Kant 1959, p.412). This is an interesting position if one considers that the rational being's freedom to will is 'the property of will to be itself a law' (Kant 1959, p.447), the sphere of law is the locus of rational being from which 'things' i.e. nature is ipso facto excluded. In other words the law is about the rights and duties among rational beings to which nature is not included.

used to distinguish this kind of entity from things or beings incapable of participating as agents in the moral world' (1990, p.131). It is, then, this formulation of 'person' — human subject that creates the concept of sovereignty as it is applied in modern times. It is initially the relationship between Nature and subject which is established at the expense of the former. After the subject appears as the locus or the unified reference point resting at the ground of all possibilities of knowledge⁵⁰ the concept of sovereignty moves to a level of discussion based on the gradation of rational beings, as argued in the context of race by Arendt. The subject becomes only possible as a sovereign entity, which means a unified structure in itself, whereby the subject reflects the self-contained possibility of existence.⁵¹ It is at this level⁵² sovereignty inherently ignores Nature when deciding on *life*.⁵³

It is to the constitution of modern subject that I will turn to in the next chapter. By focusing on the process of thinking about subject in Cartesian and Kantian philosophies, I will show how nature has been construed as ontologically irrelevant. This move will open a space to rethink the constitution of subject.

⁵⁰ According to William Connolly knowledge 'is a distinctive tool of power' and 'The will to Knowledge transcends the will to see the world in particular ways: it emerges as the will to organise the world to become a certain way..... the will to knowledge is the will to change the world so that it corresponds more closely to human capacities for conceptualisation and organisation' (Connolly 1988, p.144-45).

⁵¹ This also means that for others the self-referentiality becomes an aim to be achieved in order to 'be'. This process, this attempt, might be named as modernisation whereby entities become sovereign i.e. differentiated subjects. This idea of will to become sovereign self allows modern subject to discount Nature altogether as a life to be considered.

⁵² This can be seen as a process that 'dissolves' plural 'histories into one mode of being, one temporality and one chronology, which then is superimposed upon events'. See Kosselleck 1985, p.31-35.

⁵³ As argued by Mulholland 'things' become excluded from the moral community insofar as they can express their own ends so their existence depend upon the ends given to them '[t]hings cannot will at all. This indicates that things cannot give themselves ends. The only ends they have are those given them by rational beings' (Mulholland 1990, p.132)

Chapter 4: The Possibility of Existence Under The Cosmology of Enlightenment

Through the previous chapters, the story of an ecological problem has unfolded. This problem is, in general, related to the manner in which human ocean intercourse, and the human/nature relationship, has been structured. As they have been described, the concepts that are being used as the framing constellations are inadequate, if not, unintentionally, biased from the start.

In more precise terms, considering the issue under discussion — the human/nature relationship — it is imperative to understand why we act in the way we act at the expense of other *life*. The point here is the way we conceptualise our location in nature, which then directs us to act in a certain way. Although the signs of ecological degradation are very apparent, there has been no real shift in human behaviour in relation to nature.¹

Through the conceptualisation of the subject-object relationship, realities in relation to human beings are being produced. Even if one accepts that although this process is continuous and dynamic, there are still certain static frameworks in which this dynamic process takes place. This framing structure, which gives meaning to the location of subject, humankind, in its relation to others and the rest of the nature apart from humankind, is taken to be a ‘cosmological’ framing. It is believed that the development of discursive disciplines and actions they prescribe take place on the basis of a given cosmology.

In the face of exacerbated ecological problems which present existential questions, the way in which these questions are being ‘problematized’ (Foucault 1983, in Lotringer ed. 1996) is fundamentally important for taking action and for understanding the consequences of those actions. Without doubt problematisations carry in themselves the location of the problematising subject. The forms of this processes are based on certain relational norms and values in which a given ‘normal’ is located as a standard of thinking about the problematised issue. This process, also, enhances the concept of a given ‘normal’ and therefore becomes self-legitimizing. As a next step, other possible relations become either invalid or non-issue situations. And the knowledge of them, or about them, might be considered as disqualified information as long as it does not fit into what is

¹ The change that has been initiated for the protection of the *environment* is limited within the concepts of sovereignty/international which may have negative implications by their definition. Therefore, it is believed, in this

considered to be normal. All these situations and locations of 'normal', which exist in problematisations as an inbuilt component, are based on what is referred to as a cosmology.

The way in which nature is being experienced is articulated and lived out through certain relational concepts. Although every individual might independently claim that they have a different experience of 'nature', the way that they locate themselves in those experiences could produce an over-arching common ground. So what is being discussed is not the surface appearances on the actual different experiences but the real underlying conceptualisation which allows the subject to locate itself in a particular way. This study, then, claims that it is the way we experience the affairs outside ourselves as well as ourselves, according to a specific cosmology,² that gives direction to the way we conceptualise and question the political and natural world. In the context of the problems faced in the oceans, the response from International Relations has proved to be fairly limited³ as a result of its location within a given cosmology.

Ecology, in the following analysis, has the main role. In this, the ecological concerns established in the previous chapters lead the analysis. Therefore, I want to state three central criticisms developed previously in the text. The first is the constitution of human subject as a being distinct from nature, its character as an absolute anthropocentric subjectivity; the second, the impact of this anthropocentrism on nature as the problem, it allows nature to become a thing; and the third as the consequences of this anthropocentric standpoint in relation to methodology of understanding the world, that is, the development of 'knowledge' and how it has been applied to understand the rest of nature as well as ourselves. These three criticisms rest in the grounds of ecological problems that we are facing. Therefore, as the most important proponents laying the basis for an absolute anthropocentric ontology, I turn to the philosophies of René Descartes and Immanuel Kant. In order

study, that the conceptualisation of nature has a very peculiar impact on these results.

² This cosmology was developed in 17th and 18th century western Europe and is known as the Enlightenment. Since it was a departure from previous ages it is also known as the Modernity. However, there is no one accepted definition of these concepts or agreed content of them.

³ As a discipline, IR has a certain criterion to evaluate the affairs of humankind. This means that conceptualisation of those affairs are, most of the time based, on a specific criterion as a starting point without any questioning of the grounds of those criterion in relation to the issue at hand. In other words, the discipline of International Relations does not question the way through which the 'international' is, itself, conceptualised and conditioned as a social science. The analyses of *environmental* problems in the discourse of IR, therefore, are experiences based on certain conditions of 'normal' which are reiterated through the discursive process. But the discipline does not seem to be interested in the established and disseminated grounds of experience at all.

to understand the way we problematise ecological problems today, this chapter attempts to explore the roots of the location of humankind in the cosmology of the Enlightenment as a result of which the subject recognises itself to be something.⁴ These three central criticisms will shape the structure of the following discussion.

According to Alan Touraine '[n]ascent Modernity is dominated by the thought of Descartes, not because he is the herald of rationalism, but because he puts modernity on a sound footing and his dualistic thought, which would be attacked by the empiricists but extended by Kant, beckons to us across two centuries of Enlightenment philosophy and progressive ideology and teaches us to redefine modernity' (1995, p.43). This chapter therefore, focuses on two philosophers in relation to their grounding of human 'being'. In doing so, it also provides a response to the question of whether the philosophical perceptions about the being/nature found in the Cartesian-Kantian philosophical tradition would allow us to 'redefine' our ecological intercourse within this cosmology without excluding nature.

A New Beginning: RENE DESCARTES

The history of modern European philosophy is counted from the overthrow of scholasticism until the present time. Renatus Cartesius, born 1596, the initiator of modern philosophy, a revolutionary, in the spirit of his nation, begun by breaking off all connection with earlier philosophy, by rubbing out, as if with a sponge, everything that had been achieved in this science before him, and by building it up again from the beginning, as if no one had ever philosophised before he did (F.M.J. von Schelling; Munich Lectures 1833-34).

These words were uttered for someone who made his contribution nearly two hundred years before Schelling's lectures. Did Renatus Cartesius philosophise, as mentioned above, to understand essential existential questions or was his interest actually somewhere else as suggested by Stephen

⁴ Bartelson articulates the changing meaning of sovereign/international on the basis of changing Knowledge claims in different periods. This periodisation somehow becomes rigid and isolating as a result of a focus in the way each period is analysed as beyond the self-perpetuating modalities of the knowledge produced by the discourse. It does not allow the changing meaning of being to be seen (1995). So Bartelson takes the manifestation of sovereign/international in each period and studies the given period on the basis production of Knowledge which allows for a particular sovereign/international matrix. Nevertheless, as it is established that the problem is about the perception of being/nature and Other, it is imperative to see a dynamic development of a certain perception that is not locked into the modalities of

Gaukroger (1995) in his biography of Descartes? Although the response to this question is important insofar as it might put the works of Descartes into context, it does not change the fact that the 'philosophy' of Descartes has been extremely important throughout the Enlightenment.⁵

As the concern in this section is about the impact of Cartesian thinking on ecological outlook, Descartes' later work will be the focus of the study. His later work consists of *Discourse on Method* (1637)⁶ and *Meditations* (1641)⁷ where the existence of God and the human soul was explored on the basis of 'Cogito ergo sum'; the statement which was to become the identity of the Cartesian dualist philosophy based on the theory of distinctness of soul and body. The constitution or possibility of Cartesian dualism abstracts the human being from nature. In order to reach this level of abstraction Descartes initially tries to explain the existence of God in terms of the idea of God which a human subject has. This first step of thinking in terms of God allows him to isolate 'I' as the location of certainty. In this isolation 'I' becomes abstracted from nature. Therefore, it is imperative to see how Cartesian methodology is articulated insofar as on the basis of this method, ecology as a knowledge base becomes excluded from the human thinking. He outlines his methodology in *Discourse Part One*.

[t]he first was never to accept anything for true which I did not clearly know to be such; that is to say, carefully to avoid precipitancy and prejudice, and to compromise nothing more in my judgement than what was presented to my mind so clearly and distinctly as to exclude all ground of doubt.

The second, to divide each of the difficulties under examination into as many parts as possible, and as might be necessary for its adequate solution.

The third, to conduct my thoughts in such order that, by commencing with objects the simplest and easiest to know, I might ascend by little and little, and, as it were, step by step, to the knowledge of the more complex; assigning in thought a certain order even to those objects which in their own nature do not stand in relation of antecedence and sequence.

the discourse of IR.

⁵ Even Newton, whose natural philosophy replaced Cartesianism, was considered to be Cartesian himself in the early 1660's. See Gaukroger 1995, p.4. Also see Cohen 1985, pp. 146-60.

⁶ The copy of Descartes' *A Discourse on Method- Meditations and Principles* Everyman's Library 1992[1912 trans.] is used.

⁷ The copy of Descartes' *Meditations on First Philosophy* Trans. B John Cottingham, Cambridge Uni. Press, 1994 is used.

And the last, in every case to make enumerations so complete, and reviews so general, that I might be assured that nothing was omitted (Descartes 1992, p.15).⁸

At this stage Descartes is interested in to see how one thinks. He presents through his own thought process his interest in the mind of man.⁹ The aim of this orientation is to bring the discussion of God¹⁰ as the possibility of certainty for a clear path to knowledge. The methodology outlined above is deployed for this end. There is a move towards to individualised, personal, reason which would lead one's quest in life.¹¹ Through these steps, it becomes necessary to eliminate those things outside one's reason to have an effect on one's life. Nature, then, becomes decontextualised as a source of knowledge based on sense experience. So, the question about the existence of God becomes a question of whether God exists outside one's self or not.

It is important to point out that the method outlined is located in Descartes' previous scientific studies which are based on mechanical philosophy 'which sought to explain the properties and actions of bodies in terms of the parts of which they are composed' (Cohen 1985, p.154). His attempt 'to find ground of assurance'(Descartes 1992, p.22) is based on finding the correct use of reason. Therefore, reason has to be resolved into its most simple elements. Relying on his methods, it is safe to argue that there is an inbuilt capacity for 'I' to become the locus of inquiry as long as reasoning is located within it. Considering the situation on this basis it is clear that Schelling is, indeed, justified to see this process as a new beginning.

It is a new dimension where the subject, 'I', emerges as the focus of discussion. It becomes the agent behind the change. Again in this breaking up of the complexity, the proof of the existence

⁸ This methodology is not merely a distilled structure of Descartes' works up to that point but a fairly dangerous claim for his time. Three years prior to the publication of this text, in November 1633, Galileo had been condemned by the Inquisition. And one of the main reasons was the fact that he was advocating a doubtful approach to the church's discourse and claiming that something was true on the basis of his own reasoning (Feyerabend, 1994, p.247-64). Therefore, it is not possible to consider the attempt of Descartes only on the basis of an intellectual exercise to spell out his method.

⁹ He argues that to have 'a vigorous mind' is not enough unless it is to be rightly applied (Descartes 1992, p.3).

¹⁰ He has an important insight: 'that there is seldom so much perfection in works composed of many separate parts, upon which different hands had been employed, as in those completed by a single master' (Descartes 1992, p.10).

¹¹ 'I could, however, select from the crowd no one whose opinions seemed worthy of preference, and thus I found myself constrained, as it were, to use my own reason in the conduct of my life'(Descartes 1992, p.14).

of God and soul occupies centre stage.¹² Nonetheless, the way in which Descartes proceeds in his approach to the issue of God signifies the point where 'I' becomes the determinant factor for the existence of subject. It formulates the 'I think hence I am' in such a way that one could only arrive at knowing about God and one's soul through 'I'. This implies that one needs no interference from outside. Therefore, it seems that God's centrality is somehow linked to the possibility of 'I'. The existence of God and soul were, then, proved subjectively on the grounds of 'I' through a nearly mechanistic inference. In order to be 'I am', 'I' has to doubt, and in this the existence of everything apart from 'I am' becomes uncertain. The reconciliation of absolute doubt in continuum in order to be 'I am' and the attempt to reach certainty is realised in the necessary existence of a Super Being which is the guarantee for the potentiality of certainty.¹³ This inference is provided by his analysis of the existence of 'I' as the only truth on the basis of his condition while dreaming.¹⁴

Remembering the fact that doubt¹⁵ is the starting point for Descartes, there is no certainty of the existence of anything. One could doubt everything including oneself. However, here again by means of doubt one arrives at the existence of 'I'. In order to doubt one has to exist. This does not, at the same time, mean 'I' includes body. As another important Cartesian factor one has to be devoid of senses to arrive at a truth.¹⁶ In *Meditations* he furthers this argument to suggest that doubt

¹² Both because of Descartes' religious convictions and the times, all due respect was given to the church in order to cushion what was to be theorised next. According to Jean-Marie Beysade 'the entire methodical structure of scientific knowledge depends on an assured knowledge of God' (1993, p.85).

¹³ Nevertheless, it seems that this certainty exists as an impossible potential for everything apart from God as long as to reach that means 'I' might reach to the same level of Super Being. And that would have been considered very much a blasphemy.

¹⁴ Descartes was surprised to realise that in his dream there were things happening as if they were real. The experience of dreams and the experiences when one is awake raised the question of truth. Which one of these experiences was real? He thought that the only common thing in the two experiences was himself. So, the subject who dreamed and the subject who acted were combined in 'I'. Therefore, truth about the experiences was not important any more; the only established truth was about the existence of 'I' who thinks.

¹⁵ The reasoning which proved the existence of soul is based on his methodology which was set to reach a clear and simple truth. The way through which that methodology was evolved was Geometry and Mathematics. So, as a result both the existence of God and soul were proved subjectively on the grounds of 'I' through a nearly mechanistic inference.

¹⁶ As noted by Dennis L. Sepper, this move to leave the misunderstandings of senses behind seems to be a very dominant orientation in Descartes. His analysis of *Regulae ad directionem ingenii* (abandoned 1628-29) shows that, for example, geometric style was aimed to strip everything "inessential" to formulate the simplest possible discussions. According to Descartes, 'to distinguish the simplest things from the involved and to follow them out in order, it is necessary, in each and every series of things in which we have deduced certain truths directly from others' (1993 p.150). Here, Sepper argues that Knowledge comes through comparing things to one another rather than considering their natures as such.

cannot come from God.¹⁷ Then, doubt can only derive from deceitful things we encounter in our experience with corporeal things.¹⁸ Here one arrives at a clear distinction between actual outside and one's mode of thinking as different plains of which the latter is considered to be more true on the basis of clear apprehension.¹⁹ The examples of the clear and distinctly true, about which I cannot be deceived are established as arithmetic and geometry. So, as long as one experiences the body through the sense it means that it's existence is doubtful. He argues that

I thence concluded that I was a substance whose whole essence or nature consists only in thinking, and which, that it may exist, has need of no place, nor is dependent on any material thing; so that 'I', that is to say, the mind by which I am what I am, is wholly distinct from the body' (Descartes 1992, p.26).

We are deceived by outside things if our process of judgement by '[my] judging that the ideas which are in me resemble, or conform to things located outside me' (Descartes 1994, p.26). The reiteration of this point comes with the meditation four where wrong judgement is proved to be caused by 'I' passing judgement about a thing of which it has no substantial understanding. Here, understanding seems to be referring to the clear truth. So it is accepted that there are errors if 'I' judges those on the basis of the senses, it makes a mistake. This is an important step, the claim is strongly 'soul' centric in the sense that 'I' cannot be wrong as long as it acts with clear ideas derived from itself. This is clear move towards abstracting 'I' from sense experience, in other words from the experience based understanding of the outside world. Nevertheless, Descartes realises that he can not trace the origins of some ideas, such as heat, to himself unless it was given to him by someone.

¹⁷ Because it was established that God is what 'I' is not, in the manner of not having negative aspects, the doubt should not derive from God (MED I). It is argued that the universal method processed in Descartes is based on clarity and distinctness. And these two respectively mean presence and difference (Beysade 1993, 91). So, certainty provided by God, is actually about 'I' discovering itself i.e. 'presence to oneself', and since this happens through 'I' itself process excludes everything. In the process 'I' become the only certainty through which God is certain. But God's certainty is about 'the idea of it not about the object'. So, the only certain thing about God is its certainty within the self-distinctness of 'I'.

¹⁸ As argued by Hatfield '[the eternal truth doctrine] explained the ability of the human intellect to perceive the essences of things by appeal to the alleged fact that both the mind and the essences were mere creatures of God, placed in harmony with one another' (1993, p.277).

¹⁹ Descartes convinced that objects of his senses have no existence out of him as long as they are 'mode of thinking' (Descartes 1994, p.24). It allows the formulation of the grounds on which most of the analyses are based 'whatever I

This reasoning follows from *Discourse* that 'I' depends or necessitates some superior being. The obvious next step is to establish the nature of God. Descartes asserts that *less perfect* cannot be the reason of *more perfect* and this statement is true for appearances and for ideas as well. It follows that an objective real idea cannot be derived from a less perfect idea. It is an amazing argument through which the objective reality²⁰ of ideas is accepted without any requirement of substantiation through actuality. It is, nonetheless, accepted that the objective reality of ideas means there are ideas whose objective reality do not derive from 'I'. So, one arrives at a higher being in order to receive these ideas in the soul-thought. According, to Descartes although we do not need to substantiate our ideas with their actuality, it does not mean that they do not have one. Their actuality derives from the fact that God is the creator of these ideas and it cannot be reasoned that *It* created those out of nothing insofar as it means deceit from which God is immune. Therefore, the ideas 'I' perceive as clear and distinct but not derived from me are objectively true and have ipso facto actual reality.

This is far more than just finding out about the existence of God. At this point, if one brings in how the idea of God is elaborated, it becomes clear that 'I' is somehow candidly located in the middle of things despite the fact that God seems to be implied as the location of essences. This is a moment of new beginning where 'I' becomes the basis of objective reality as well.²¹ The method used in this could be seen as an inference from ones own existence.²² God exists because 'I' has to rely on a perfect being, as there are other things that depend on 'I' as superior to them to exist. He equates the geometric proof of a square to the existence of a super being 'that consequently it is at least as certain that God, who is this Perfect Being, is, or exists, as any demonstration of geometry can be' (Descartes 1992, p.28).²³ So, it might be a fair inference to say *I believe, and necessitate,*

perceive very clearly and distinctly is true'(Ibid.).

²⁰ Descartes asserts that those images 'represent substances are something more...and contain in themselves more objective reality' (1994, p.28). It is important to emphasise that those ideas have such objective reality that for their actual reality to exist it is enough to derive a reference from our thought, things with that property do not have to 'transfer'(Descartes 1994, p.28) any actual reality to our thought.

²¹ Also see, Wagner 1993, p.120.

²² He argues that the existence of a naturally superior being in him is not possible through him as long as a naturally superior being cannot depend on an inferior being. Therefore, 'it had been placed in me by a nature which was in reality more perfect than mine, and which possessed within itself all the perfection of which I can form any idea' (Descartes 1992, p.27) and that is God.

²³ From a different perspective it seems that the subtle argument is actually trying to formulate a rather formal justification for Descartes main works in the area of arithmetic, geometry and physics at the time of dominating Church dogma. See Hatfield 1993, p.260.

*Hence God exists.*²⁴ This allows Descartes to ground his scepticism on a certainty of 'I' which is the only assured truth.

As a result, to know that God exists and 'I' depend on it, creates the ground for all knowledge that is certain and true.²⁵ And, once 'I' is aware of that, 'it is possible me to achieve full and certain knowledge of countless matters...[including] the whole of that corporeal nature which is the subject-matter of pure mathematics' (Descartes 1994, p.49).²⁶ As a result of this reasoning the knowledge claim has become a subjective ground in the sense that differentiation of the truth from the outside. Although Hatfields argues that '[m]etaphysics and physics were to proceed without claiming any special knowledge of God's purpose and without presupposing comprehension of God's creative power' (1993, p.278), it is clear that the subjectivity of 'I' presupposes all those within itself. Put differently the intentionality of God becomes located in the possibility of pure perception by 'I'. Therefore, any metaphysical outside subjectivity becomes redundant. This locating of the truth about outside into the pure truth claims of 'I' creates an ecological emptiness in terms of the existence of outside, reflected as truth in other beings, which becomes ignored as deceitful. At this point without analysing the anthropocentric subject by way of concentrating on the important aspects of Cartesian methodology, it has become clear that nature is grounded within possibility of being perceived in 'I'. After this exclusion of nature a question about other beings i.e. animals arises.

Animals (and Humans) in Cartesian Thinking

One of the most revolutionary aspects of the Cartesian science/philosophy is 'the explanations of animal and human physiology and human physiological psychology on a mechanical basis', within

²⁴ According to Descartes, God possessed no 'doubt, inconsistency, sadness, and such like ... since I (Descartes) myself would have been happy to be free from them' (Descartes 1992, p.27).

²⁵ Genevieve Rodis-Lewis argues that the Cartesian project is about 'the progress of moral certainty aims at enlarging the domain of laws established with metaphysical certainty. Science liberated from all reference to divine exemplarism' (1993, p.242-43).

²⁶ The argument is about the fact that the existence of God has 'at least the same level certainty as I have hitherto attributed to the truths of mathematics' (Descartes 1994, p.45) therefore the things which 'I' am certain of have the same level of truth on the fact that God exists.

this, his goal of 'reducing all animal (and human) functions to machine-like actions was perhaps his boldest innovation in the sciences' (Cohen 1985, p.157).

Jean-Pierre Seris shows that Descartes classifies or differentiates human and animal on the basis of language that is taken to be the sign of thinking(1993, p.178). But this is not the only category Descartes uses. He also claims that animals do not see properly (Henry 1993, p.43) because they are not aware of what they see. Furthermore, as discussed by Marleen Rozemond (1993), Descartes uses animals to define or describe the human condition and possibilities, as a result of which animals become mechanistic automata. Although he seemed to consider the human body in mechanistic terms as well, the differentiation of mind/body in human existence qualifies the distanced locations of humans and animals 'this difference counts in favour of the immortality of our soul, because it allows us to see better that our soul is completely independent of the body' (Ibid., p.100). It is clear that animals are robbed of their souls and become the defining Other for humans insofar as we can not understand their behaviour in terms of *our reason*.

According to George Canguilhem (1994-Delaporte ed., p.227) Descartes devalues animals in order to be able to use them. He adds that 'this attitude is typical of Western man'²⁷ The theoretical mechanisation of life is inseparable from 'the technological utilisation of the animal' (Ibid.). What Canguilhem brings to the discussion is very important. He argues that a machine or conceptualisation of a machine presupposes a teleology:

the Cartesian explanation fails to get us beyond teleology. This is because mechanism can explain everything once we assume the existence of machines constructed in a certain way. There is no machine for building machines, so that, in a sense, to explain the workings of an organ or organism in terms of mechanical model is to explain it in terms of itself (Ibid.,p.231).

But an interesting dilemma arises from this. One knows that animals are machines on the basis of what one thinks of the sort of functions animals fulfil while one does not know why they are machines at all. Obviously through this reasoning it becomes clear that the Cartesian approach

²⁷ Canguilhem refers to a letter from Leibniz which seems very interesting, in which Leibniz wrote 'if we must look upon animals as something more than machines, then we should become Pythagoreans and give up our dominion over the beasts'. Also see Delaporte ed.1994 Notes p.471, #6.

makes animals machines on the subtext of God's will. As discussed above this will is only intelligible to the mind of 'I' as a pure truth. It is not possible to have something like God's will 'out there'. It is clear that in relation to animals 'I' becomes further distanced. The possibility of understanding animals as machines is premised on the, methodologically arrived at, dualism between mind and body. As it is already discussed, anything but thinking 'I' is doubtful.

The argument about the mind body separation opens with the assertion that as long as my mind doubts *I am, I exist*. Here the question is not what am I; rather it is about existence because it does not matter whether I am deceived or not. In both situations it is necessary to be deceived or not for something to exist, no-one could argue that, that something is nothing. Descartes decides he cannot know 'I' through images created in his mind such as the body parts.²⁸ He asserts that he 'seemed' to see, to hear and to be warned. All these different situations might be the result of sense imagination, but one thing is permanent that is 'I' who is the subject of all these different situations which are the result of thinking (Descartes 1994, p.19). Through the wax experiment (Descartes 1994, p.22) he establishes that the mind has a better understanding of things without the help of the senses, including bodies. Taking the understanding in terms of its Cartesian content, it is obvious that this point is a point of distancing of things that used to be together, i.e. the mind and the body.

Descartes' rejection of the sense perception is not absolute. He has a lengthy analysis of what 'I' seemed to receive from senses.²⁹ Even, he goes on to say that the senses might come first in understanding and thought follows them. In the same way he accepts that his body exists and is surrounded by other such bodies. Through dreams and visual illusions, nonetheless, he is soon convinced once more to doubt his senses and sense perceptions. He asserts that '[f]or since I apparently had natural impulses towards many things which reason told me to avoid, I reckoned

²⁸ The qualities of 'I' are the parts of body such as 'a face, hands, arms and the whole mechanical structure of limbs which can be seen in a corpse, and which I called the body' (Descartes 1994, p.17). The other qualities are considered to be received through the senses. However, it becomes clear that actually what is received through the senses, for example in dreams, is not perceived through senses but thinking.

²⁹ Margaret D. Wilson, demonstrates the persistence of contrast between senses and so-called physical realities within Descartes thinking. She argues that in the *Dioptrics* he connects perception of position and distance with the natural institution of brute correlations between body and mind, as well as with imagination, judgment, and reasoning. Nevertheless, the connection she exposes, this mind/body relation with the action of non-human beings and the way they are treated in the texts, suggests that the former relationship can be perceived only according to the human mind and the way its capacity is articulated by Descartes himself (Wilson 1993). So, it seems there is a relationship insofar as it is situated within Cartesian human.

that a great deal of confidence should not be placed in what I was taught by nature' (Descartes 1994, p.53).

It is already established that 'I' understands things that are clear and distinct and that are supposed to be created by God. It, at the same time, means that 'I can clearly and distinctly understand one thing apart from another is enough to make me certain that two things are distinct' (Descartes 1994, p.54). This leads to the conclusion that so long as 'I' can think myself as a thinking thing, 'I' exist as a thinking being in essence and nothing more belongs to me. At the same time, it is true that 'I' have a distinct idea about my body. '[a]nd accordingly, it is certain that I am really distinct from my body and exist without it' (Ibid.).³⁰

This argument does not mean that Descartes is totally rejecting the existence of corporeal things. Descartes is more than happy to give them existence and the potential of truth so long as they are apprehensible through the means of pure mathematics. He accepts that nature taught him that the mind and body form a unit. However, he argues that what God has bestowed on 'I' leads me to act in the unity of mind and body such as to react to things that induce either pain or pleasure in different ways. 'But it does not appear to teach us to draw any conclusion from these sensory perceptions about things located outside us without waiting until the intellect has examined the matter. For knowledge of the truth about such things seems to belong to mind alone', (Descartes 1994, p.57) not to unity.

The connection between the possibility of analysing animals as machines and the existence of the same method for human body concludes the abstraction of 'I'. It becomes even abstracted from its own body, so long as 'I' experiences its body through the pure concepts given by God rather than immediate senses. Ted Benton argues that 'the contrast between persons and animals implies a contrast within the person between spatially extended bodily mechanism and a self-conscious "thinking" substance' (1993, p.33).

Cartesian Dualism seems, as a consequence, more about the differentiation of 'I' from nature in the sense that both are created by the same God but the former is located in a different position in relation to the rest on the basis of its self-conscious.³¹ This is central to the ecological

³⁰ Wagner argues that Descartes' thinking does not necessarily rule out mind-body interaction (1993, p.126).

³¹ Bruno Latour observes that 'Descartes was asking for absolute certainty from a brain-in-a-vat'(1999, pp.4-5).

discussion.³² As the separation is completed, it becomes clear that it is not only between mind and body but also between human and nature. Therefore, what is happening is actually dual separation and thus Double dualism. It is a differentiation from nature and through those parts of human beings that are readily recognisable as animalistic, hence mechanistic, from the mind. By extracting 'I' at two steps from what is described ecological today, Cartesian subject moves beyond nature. This happens 'at the cost of rendering unintelligible the connections both between humans and the rest of nature and, within persons, between those aspects which are and those which are not distinctively human' (Benton 1993, p.33).

Furthermore, it seems the relation between 'I' and the possibility of God makes all arguments of animals and their machine-like existence depend upon 'I' and its clear and distinct idea of itself.³³ Nature becomes only accessible through our thought, based on pure concepts in mind. The body follows these pure thoughts and locates itself accordingly in nature. The experience does not lead to thinking but becomes possible as a result of thinking.³⁴

Here, one can see the importance of Cartesian method.³⁵ His inference of God as the responsible super being for ideas which 'I' finds in itself is only possible through its method.³⁶ Central to this methodology, after relationship between God and 'I' is established, is the concept of objectivity. This objectivity is defined in a very peculiar way because if one thinks what is objective is not about the existence of nature out there, which is waiting to be explained, but rather that there

³² It would be clearly unhelpful to expect Descartes to be ecologically concerned or sensitive. It is nonetheless possible to consider his philosophy in terms of its compatibility with ecological concerns today.

³³ All this can be stretched further and, it can possibly be argued that the mind/body dualism even makes the human body somehow the locus of technological utilization as well.

³⁴ Descartes by his dualism both dislocates the human subject from its location in nature, at the same time by his doubt and scientific methodology nature itself becomes deterritorilised. At the end Nature becomes reterritorilised as perceived through pure concepts in the mind of abstract 'I'.

³⁵ John A. Schuster argues that Descartes' doctrine was 'that the spiritual or intellectual component of our human make-up is a *vis cognoscens*, a thinking power, which literally sees and inspects patterns and figures mechanically impressed in various *brain loci*' (1993, p.218).

³⁶ Gaukroger argues that Descartes' main concern in his thinking was to 'provide, above all, is an account of how our perceptual image of mechanistic world is formed, and how the process by which this perceptual image is constructed can itself be accounted for in mechanistic terms' (1995, p.146). Moreover in this aim he realised 'I' needs to depend on some being distinct from myself. According to Gaukroger this path of thinking in terms of God 'is nothing but his[Descartes'] theory of motion according to which action or ability to move from one place to another comes from an external agent' (1995, p.226-247). This theory of motion only explains change from one place to another so it is reduced to purely descriptive analysis derived from geometrical procedures (Gaukroger 1995, p.243) that is totally incapable of talking about decay or growth of a being. Also see Schelling, 1994, p.42-63

is a nature in the mind of 'I' on the basis of which 'I' can explain the possible reality of the nature, then it is fair to say that this is a case where subjectivity is elevated to objectivity. Through this, nature becomes dependent on 'I' as a super being as 'I' depends on God. This distanced subjectivity represents the being of human subject through pure concepts rather than being in nature that is in the ecological system.

In this context, understanding animals is not related with our experience of animals as they are, but through the possibility of analysing them according to their perceived functions in our mind. Thus, animals become *objectively* functional components of outside thought through pure concepts in the mind. It is then possible to argue that Cartesian dualism and its methodological basis creates a humanised nature as it suits 'I'.

By prioritising the soul/mind over the experience of body/feelings, Descartes unites these two parts in an attempt to justify reterritorialisation³⁷ of nature on the basis of pure, hence certain, concepts. Initial dualism between mind and body becomes 'the unison of the soul and the body, or feeling, guaranteed in a complex way by the *cogito*' (Deleuze and Guattari 1996, p.128). This unison reterritorialises the nature into a new relationality. It is in this, that one can observe the powerful claim of Cartesian method in opening a new domain for human knowledge on a infinite horizon.³⁸ Nature in this new domain becomes overdetermined in order to serve to 'I' 'which is incomplete and dependent on another and which aspires without limit to ever greater and better things' (Descartes 1994, p.35).³⁹

³⁷ See Deleuze and Guattari 1996, p.128.

³⁸ Descartes argues that 'even if my knowledge always increases more and more, I recognise that it will never actually be infinite, since it will never reach the point where it is not capable of a further increase' (1994, p.32). Although this statement sounds negative in the context of his times, it is obviously a statement which says no authority could say that we have reached a final point in our quest for knowledge because it is infinite. If an authority claims that we reached to an absolute it is in sin insofar as absolute belongs to God. Also, this statement is full of suggestions for the scientific quest undertaken in the following history. The emphasised limitedness is not about *finiteness* but, with a twist, about *infiniteness*.

³⁹ As 'I' is created in the image of God so there is an infinite development of 'I', though it is impossible to reach the level of God. What is happening here is that 'I' is located in nature differently from other beings.

A Total Break With The Past, IMMANUEL KANT

The Kantian critique...marks the threshold of our modernity; it questions representations, not in accordance with the endless movement that proceeds from the simple element to all its possible combinations, but on the basis of its rightful limits. Thus it sanctions for the first time that event in European culture which coincides with the end of the eighteenth century: the withdrawal of knowledge and thought outside the space of representation. That space is brought into question in its foundation, its origin, and its limits.(Foucault 1992, p.242).

In this section the three criticisms expressed at the beginning of the chapter, that is, anthropocentric subjectivity, its impact on nature, and the consequences of this subjectivity on method, will be located within Kantian philosophy. The intellectual journey that was inaugurated by Descartes for the escape of man from the dominance of nature which imposed order and rules reached its zenith in Immanuel Kant's thinking. Descartes was not able to go as far as to claim the full autonomy of the subject. However, his scientific methodology was the way towards it. On the other hand, Kant removed virtually all obstacles to the autonomy of humankind through his critique. This process, though, is not as straightforward as it sounds.

The consequences of the Kantian critique are multi-faceted. If the critique as a methodology is considered, it was, at the moment of its formation, probably the most important development in the history of Western philosophy for a long time. Step by step the subject was freed from *its chains*. It was no longer a passive subject who obeys its destiny which was decided out of its control. Throughout this process the scene seems quite in havoc. It is sometimes difficult differentiating what belongs to which part. The claim for subjectivity is one of the clear pieces which comes through this clash. However, as a result of the clash between the critique and the previous system, it is not clear whose subjectivity is freed.

Although the Kantian tradition in International Relations⁴⁰ is focused on Kant's political writings, in this section I will focus on his first critique, *the Critique of Pure Reason*. For without considering foundations of a particular constitution of subjectivity as the grounds of his science it is

⁴⁰ For an analysis of this tradition, see Hurrell 1990. Also, Wight 1987.

difficult to understand the ethical formulations which are adopted as an important cosmopolitan perspective through his political writings.⁴¹ Furthermore, it is his grounding of subjectivity in the first Critique which establishes the pre-ontological distancing of human from nature which is deployed through the political formulations as discussed at the end of the last chapter in terms of sovereignty.

I will discuss the construction of a particular human subject and its impact on nature through two steps. In the first instance I want to portray the relevance of the three critical points, that is method and anthropocentrism in general, to the first Critique in what it has set out to achieve. In other words in its aim as defined by Kant. For this will demonstrate that from the beginning the issue is the autonomy of human being. Then I will engage with the way this aim is carried out. This will be located around Kant's 'Copernican Revolution'.⁴²

Why Critique?

Kant states that his interest in metaphysics is based on the decline of this science as 'the Queen of all sciences' (A ix). From the very beginning it is clear that the Critique is about metaphysics as science. In order to reverse the decline in this science Kant attempts to set up a tribunal to

⁴¹ For example, see Linklater 1998. In this work the cosmopolitan ethics has been employed through a certain reading of *Perpetual Peace* without paying attention to the larger philosophical grounding. The connection between political and philosophical texts, nonetheless, has been widely recognised. For example, Isaiah Berlin suggests that 'the seeds [of it] are there, not, indeed, in his[Kant's] political writings, but in his more significant ethical works. For it was his ethical views, with their uncompromising moral imperatives, that made the deepest impact on human thought. In the first place idealisation of nation or State derives, however illegitimately, from his doctrine of the autonomous will' (1996, p.244). Also, see Walker 1993, p.137. Some others either inform the relationship but take the conditions of Kantian universalism as an *a priori*, as a natural truth claim or do not inform the relationship and analyse the political writings in themselves. Martha Nussbaum (1997) seems to allude to the relation between moral philosophy and political writings. But she seems to analyse this relationship without problematising Kantian moral philosophy. Jürgen Habermas in his *Kant's Idea of Perpetual Peace, with the Benefit of Two Hundred Years' Hindsight* (1997) seems to argue focusing on international law and shifting relations as regards to international without problematising the conditions of the possibility of a divisive system at all. And James Bohman in his *The Public Spheres of the World Citizens* (1997) seems to be in the same boat.

⁴² Cohen argues that Kant has never claimed to have a Copernican revolution the 'Myth' about this is the work of other scholars and therefore, he rejects the importance of this discussion. See Cohen 1985, pp.237-253. In this he seems to be missing the point that the importance of Kant's discussion — that is, what is come to be known as Copernican revolution — is as important as the Copernicus reversing the perspective about the sun in its impact over the way following centuries considered human subjectivity. This way of analysing the relationship between Copernicus and Kant was also suggested by Kant himself in the Preface to the Second Edition (Bxx iii-a).

‘undertake the most difficult task of self-knowledge and assure to reason its lawful claims, and dismiss all groundless pretensions’ and he calls this ‘tribunal the *critique of pure reason*’ (A xii). It is safe to argue that here we have the idea of critique as a new genesis of metaphysics. Therefore, the critique is not merely *criticising* the past fortunes of metaphysics as an epistemological variation. Nonetheless, before going further, it is important to see how metaphysics is described. Kant takes metaphysics to be ‘a completely isolated speculative science of reason, which soars far above teachings of experience, and which reason is indeed meant to be its own pupil’ (B xv). This speculative science of reason is about a ‘science which follows nature is called metaphysics’ (as cited in Heidegger 1997, p.9).⁴³ Through the Critique the possibility of science will be revealed as a self-knowledge of itself. Then the question becomes what is the object of this science before it is grounded as science (B x). Put it differently, for science to be possible its object has to be decided, in other words has to be objectified,⁴⁴ beforehand and it is this perspective which allows Kant to analyse mathematics and physics. Of particular interest is his summary of Thales:

The true method...was not to inspect what he discerned either in the figure, or in the bare concept of it, and from this...to read off its properties; but to bring out what was necessarily implied in the concepts that he had himself formed *a priori*, and had put into the figure in the construction by which he presented himself (B xi).

The critique as organ⁴⁵ then is about trying to find *a priori* possibility of metaphysics as science which would reverse the method in metaphysics so far (B xxiii). Therefore, to secure the path of this science by adapting the above method⁴⁶ ‘we can know *a priori* of things only what we

⁴³ See Heidegger 1997, pp.8-13. Here Heidegger explains the journey of *metaphysics* after Aristotle. He argues that the object of metaphysics is the totality of beings in general and this includes God, the world, and human beings. It is this science which ‘determines beings of beings’ by considering beings in general. It is true that Kant is functioning with this metaphysics but he is trying to overcome this by locating the possibility of experience in human being. To this I will touch later in the section.

⁴⁴ ‘The Genesis of a science originates in the objectification of a realm of beings, that is in the development of an understanding of the constitution of the *being* of the respective being’ (Heidegger 1997, p.20). So, in this there is a priori ontological constitution of beings which also presupposes certain relationality.

⁴⁵ See B xxxvii.

⁴⁶ See B xvi where Kant is talking about imitating the procedures of mathematics and natural sciences. According to Heidegger ‘mathematical natural science gives an indication of the preliminary understanding of the constitution of Being, ontological knowledge, as the possibility of comporting toward beings (ontic knowledge)’ (1990, p.3).

ourselves put into them' (B xviii, B xix). The critique of pure reason then is a method for grounding the new science 'it is a treatise on method, not a system of science itself. But at the same time it marks out the whole plan of the science, both as regards its limits and as regards its entire internal structure' (B xxiii). As it is about the whole structure of science, the Critique is necessarily about the object of this science as well.

As a science it will mark out or determine its object, translating a thing into an object of scientific inquiry. In this objectification, the relationship between the inquirer and the object of inquiry are necessarily related; and this relationship is based on how the object is decided as a pre-ontological condition of science. Considering the fact that Kant is trying to set his science up through the method of natural sciences,⁴⁷ Heidegger argues that 'in the sciences of beings something is fixed about the object before they are given to us... This preposition presents a knowledge of what belongs to the being called nature *as a being*' (1997, pp.32-33). In this attempt to have metaphysics as a science of beings, Kant is trying to change what metaphysics has become, that is, where its *a priori* understanding comes from. As I have shown in the case of Descartes, the God provides the possibility of *a priori* or as pure concepts. Therefore, metaphysics was about supersensible and how it mediates our knowledge of nature.⁴⁸ If Kant's definition of metaphysics as 'the science which enables us by means of reason to proceed from the knowledge of the sensible to that of the supersensible' (Kant as cited in Heidegger 1997, p. 11) one can observe a clear distancing from Descartes where supersensible was underpinning the sensible (if one can trust to senses at all). In this the location of human being is implied. At the end of the first Critique Kant poses three questions. He states that:

all the interests of my reason speculative as well as practical, combine in the following three questions: 1) What can I know? 2) What ought I to do? 3) What may I hope? (A 805, B833).

⁴⁷ Heidegger shows that in establishing *a priori* given such as the principle of permanence (B 224) and the principle of causality (B 232) we are 'given what belongs to nature as nature' as a priori, as an experience-free-knowledge (1997, p.32).

⁴⁸ According to Heidegger, Kant is still taking supersensible as 'the final goal' (Kant as cited in Heidegger 1997, p.11).

These questions are seen as Kant's orientation for metaphysics of supersensible. The questions are taken to be in the order of freedom, God, and immortality for the orientation of theoretical [speculative] reason (Hutchings 1996, p.19). These concerns attached to each question are the grounds which regulate understanding. Hutchings argues that the importance of these questions comes with the practical. By the shift to practical reason the critique 'moves from the question of how cognitive synthetic judgements are possible a priori to the question of the possibility of the moral law' (Ibid).

I argue that this reading of the above questions is misleading insofar as Kant expresses that both reason 'speculative and practical' are focused on the questions, therefore, it is in the constitution of pure reason where the possibility of moral law rests.⁴⁹ In the light of the discussion about science, it is not correct to consider the first Critique only as dealing with questions of 'cognitive synthetic judgements'. As it is applied for setting up the grounds of metaphysics as the science of beings, the first Critique establishes the limits of this science by establishing the limits of reason, self-knowledge of reason. Having said that it is also true that reason has a double role both as determining the limits of metaphysics, and becoming the tool of judgement within metaphysics itself. It is in this process Western metaphysics gets its new genesis. What is implicit in the questions, with which metaphysics is determined, rests on the grounds of possibility of these questions as the framework of the science of beings. These questions carry implicit focus on 'I' and its relationship with other beings. Kant clarifies this point in his lectures on logic by explicitly adding the fourth question.

[t]he field of philosophy in this cosmopolitan sense can be reduced to the following questions: 1) What can I know? 2) What ought I to do? 3) What may I hope? 4)What is man?

Basically one can consider all this as belonging to anthropology, because the first three questions refer to the last one.(Kant, *Vorlesungen uber Logik* as cited in Heidegger 1997, p.48).

It is, then, possible to see Kant as trying to establish the *man* as the legitimate ground of his metaphysics as science. The first Critique, as a result, becomes a discussion about the limits and

⁴⁹ See A 842, B 870.

extent of knowing by *man*/human reason. This involvement with *man* and the limits of *him* shows that the discussion of freedom, God, and immortality as the subject of Metaphysics is located onto a new ground. It is through the double movement of reason that man becomes the measure of things. It is this ground which makes Heidegger's argument about Kant and his take on metaphysics rather misconstrued.⁵⁰ Yes, Kant might, still; be interested in these supersensible subjects in his metaphysics but this is hardly the point.

The location of knowledge about these supersensible is the point; what explains nature as being is not anymore something like supersensible of which we have pure concepts given to our mind. This point distances Kant from the previous metaphysics (from Descartes as well), now the possibility of knowing is located in the experience of 'I' (B xxx).⁵¹ Moreover, it is in this establishing the limits of reason in terms of human being where the pre-ontological ethics is to be found. Within this the relationship between nature and human being is severed, hence the human being is abstracted from nature. By using *the critique of pure reason* as a method of setting grounds for new science, Kant establishes the reason as the determining factor in understanding nature; and by the critique of metaphysics of supersensible as determining factor he locates the possibility of sciences within human reason. It is this subjectivity which rests at the basis of ecological problems.

Human Being and Nature

In the Preface to the Second Edition, Kant states that:

[hitherto] it has been assumed that all our knowledge must conform to objects. But all attempts to extend our knowledge of objects by establishing something in regard to them a priori, by means of concepts, have, on this assumption, ended in failure. We must therefore make trial whether we may suppose that objects must conform to our knowledge. This would agree better with what is desired,

⁵⁰ See note 41. And *ibid*.

⁵¹ This also shows that not acknowledging the centrality of Kantian concern with *man* and its limits of knowing allows the Critique to be interpreted as a text to answer What can I know? and its possibilities through the discussions of judgement. This limited interpretation does not realise the importance of the first Critique in terms of its role in locating human being in the centre of Western thinking. For example see Hutchings 1996.

namely, that it should be possible to have knowledge of objects a priori, determining something in regard to them prior to their being given (B xvi)⁵².

This methodological statement is made in order to show how new metaphysics as science should work. Although this articulation is about the new science, it necessarily states something about the metaphysics against which Kant is articulating his new science. The objection is clear it is argued that there is danger in the applications of Pure Reason. It is assumed that Pure Reason could extend knowledge beyond given material by aiming to settle in heavens (A 707-B735). Kant considers this to be an insecure situation. The argument, then, is about the grounds of knowledge. As discussed previously Cartesian system grounded itself in connection to the God given pure concepts. Put differently, reason established cosmological premises such as existence of a primordial being in order to secure the grounds of knowledge.⁵³ It is against this idea of having external determinant Kant is building his Copernican Revolution which is expressed above. It is a move to replace the determining dominance of supersensuous with the determining power built in the faculty of knowledge.⁵⁴ What seemed to happen, therefore, is that, while Kant proved the possibility of *a priori* knowledge he relocates the sources of order, reason, into the subject (Actually he might have declared the death of God himself).⁵⁵

According to Heidegger 'what Kant discovers is that underlying this correspondence [all perception corresponds to beings] of experience to objects, to beings, there is already a priori knowledge upon which each empirical measurement depends' (1997, p.39). In Kant, thus, what is being limited is the possibility of knowledge of objects in-themselves. Insofar as objects cannot be known, their meaning derive from the experiencing subjects understanding of them. As argued by

⁵² The standard N.K. Smith translation is used *Immanuel Kant's Critique of Pure Reason* Trans. By Norman Kemp Smith, Macmillan Press Ltd., 1926[1995]. The notation follows the established convention of using 'A' for the first and 'B' for the second editions.

⁵³ According to Deleuze 'in dogmatic rationalism the theory of knowledge was founded on the idea of a correspondence between subject and object, of an accord between the order of ideas and order of things....in itself it implied[sic] a finality; and it demanded a theological principle as source and guarantee of this harmony' (Deleuze 1995, p.13). This condition is clearly observed in Descartes.

⁵⁴ Deleuze in this context uses the concept of 'legislative' power changing hands, he argues that 'the rational being discovers that he has new powers' (1995, p.13). This is a more accurate rendering considering the use of juridical language through the text by Kant, for example 'trial' in B xvi which is important in terms setting up the Critique both as the mean and the source of legislating. For the use of 'juridical metaphors' by Kant, see O'Neill 1989, pp. 9-8 and 17-20.

⁵⁵ This move shifts the question about ontic knowledge to a question about the possibility of ontology which

Deleuze knowledge implies two things a) consciousness, belonging of representations to a single consciousness, and b) a necessary relation to an object (1995, p.15). Then the question focuses on this single consciousness, 'I think', in other words on how the subject understands and what this means in terms of the subject's existential location. This is also a query about the location of *a priori* knowledge which is *synthetic*. It is this knowledge a priori 'which is already in each case necessarily presupposed by all knowledge of beings as the ground which enables the experience of beings as well as empirical knowledge' (Heidegger 1997, p.56). This can be considered parallel to what Kant expressed himself as a 'study of our inner nature' (A 703, B731).

The major components of the process of knowledge, according to Kant are 'intuition is that through which it [mode of knowledge] is in immediate relation to them [objects], and to which all thought is directed... The capacity for receiving representations through the mode in which we are affected by objects, is entitled sensibility' (A 19). The important point here is the way we perceive the objects seems to be located empirically in the object. Kant, however, qualifies this situation. It is argued that 'all appearance is given to us *a posteriori* only, its form must lie already for the sensations *a priori* in the mind, and so must allow of being considered apart from all sensation' (A 20).⁵⁶ It is clear that sensitivity for appearances is conditioned *a priori* therefore it is possible to argue that objects are measured according to their *a priori* forms in the mind rather than things in themselves. This is connected with the main ground of knowledge that is intuition which grounds *a priori* forms as the possibility of perception. It is obvious that Kant is arguing for the sensibility which connects intuition to an object whereby it creates appearances/empirical intuition. The argument, then, arrives at the existence of pure intuitions in the subject which allow sensibility without the help of the senses. This is the first step where links with the outside begin to become loose. This pure sensibility based on *a priori* intuition is called 'transcendental aesthetics'. It is based, and the principles of, on *a priori* intuition which are space and time.

The discussion about space and time establishes that they are the species of the subject, particularly space is nothing more than the sum total of appearances of the outer senses (A 26, B 42). However, when the subject is presented with an object by the senses, it at the same time

produces such knowledge. See Heidegger 1990, pp.9-12, 24-30

⁵⁶ The intuition which is related to an object is called appearances (B 34, A 20).

establishes the empirical reality of space where that object exists. This can be temporal connected to the possibility of the experience of an object.⁵⁷ This argument is fundamentally important insofar as it introduces the idea that since space is transcendental it does not exist out of itself, 'nothing intuited in space is a thing in itself....that objects in themselves are quite unknown to us' (A 30). This fact establishes that whatever we sense as objects are by definition appearances. Time, in this connection, does not exist in itself, because time exists if something exists in space and through the alteration of that time can be observed, which is empirical. Nevertheless, considering the fact that nothing exists in itself what is empirically presented to the senses is an appearance based on *a priori* intuition. This is followed by the fact that every appearance necessarily requires a space and its motion indicates a time. Therefore, space and time are *a priori* intuitions existing in the subject which become empirically dependent upon the perception of an appearance.⁵⁸ As a result, space and time have no objective reality outside the subject.⁵⁹ According to Kant

the things which we intuit are not in themselves.....[nor] their relations so constituted in themselves as they appear to us, and that if the subject, or even only the subjective constitution of the senses in general, be removed, the whole constitution and all the relations of objects in space and time, nay space and time themselves, would vanish....(A42).

and he adds that appearances cannot exist in themselves but only in the subject and this way of perceiving is 'peculiar to all beings, though certainly, by every human being' (B 60). The existence of the outside then becomes possible only with reference to the subject in an abstract space and time relationship which does not exist in itself and in this existence things are only appearances derived from *a priori* judgements of the subject. In this step the human subject does not only become the centre of the process of knowledge, but also, outside/nature has become non-entity.⁶⁰ It becomes a part of time as an appearance of human interest. The changes in it can be observed on these basis. This is an important abstraction when observed from the ecological perspective. As the first step the

⁵⁷ See B44,A 28.

⁵⁸ In *Opus Postumum* Kant expresses that '[s]pace is not a being, nor is time, but only form of intuition: nothing but the subjective form of intuition' (1993, p.224; 21:18).

⁵⁹ See A 33,B51, B52, A 39, and B56.

⁶⁰ In this connection existence of God is also become dependent on this intuition: '[n]ot that the world is God, or God a being in the World.; but the phenomena of causality are in space and time, etc.' (Kant 1993, p.224; 21:18). In

discussion of intuition establishes the pre-ontological, and nature becomes automatically assumed in the discussion of metaphysics as a science of beings through the Copernican Revolution. The long and very detailed proof of how the appearance of objects refer to their *a priori* knowledge in the subject is based on this relationship. I want to keep my engagement with the first Critique limited to the abstraction of the subject from nature, therefore, I shall not say anything about the very detailed analysis taking place through the text. But, I will briefly discuss the connection between intuition and knowledge in order to justify my position, that is, discussing the first Critique in this subject oriented manner.

Boldly put, essence of knowledge is the synthesis⁶¹ of intuition and thinking that is expressed as judgement, or pure understanding.⁶² This judgement is ‘the unity of the act of bringing various representations under one common representation’ (A 68, B93). Kant argues that understanding is discursive which relies on concepts rather than intuitive, in other words it does not rest on senses (A 68).⁶³ Understanding judges with these concepts which are ‘based on spontaneity of thought’ (B 83). Therefore, concepts are not related to the objects immediately (Ibid.). So what happens is that they mediate the knowledge of an object which becomes ‘a representation of a representation’ (A69) object of which is initially presented by intuition to the subject. Then thought becomes ‘knowledge by concepts’ (B 94). It is the union of intuition and understanding which allows the thinking to become the ground of knowledge. It is a path which starts with the intuition’s perception of an object that becomes a thing through abstract concepts, this is a total detachment from the outside if one considers the relationship between object and intuition discussed above.

other words God exists/exits as appearance just like other objects.

⁶¹ Kant expresses that ‘space and time contain a manifold of pure a priori intuition, but at the same time they are the receptivity of our mind-conditions under which alone it can receive representations of objects and which therefore must always affect the concept of these objects. And yet, the spontaneity of our thought requires that this manifold first be gone through in a certain way, taken up, and bound together in order to produce knowledge. This act I name synthesis’ (B102, A77).

⁶² ‘The mind’s power of producing representations from itself, the spontaneity of knowledge’, is called ‘the understanding’ (B 76).

⁶³ In the introduction to Transcendental Doctrine of Elements (A50) Kant locates our knowledge on to ‘two fundamental sources: a) capacity to receive representations, b) power of knowing an object through these representations’ (B75, A51).

Kant insists that for knowledge one needs this union but it is clear that without intuition there would be no object for concepts to understand, to produce the knowledge.⁶⁴

This location of knowledge located in a human being changes the possibility of infinite possibilities when located in a supersensuous being with a finitude of human existence. Through this move the limits of pure reason are located in the finitude of human subject, thus becomes related with 'humanness of reason' (Heidegger 1990, p.15); the mark of this finitude is discussed on the basis of thinking which is contrasted with basis of infinite knowledge based on all intuition (B 71). This might be interpreted as self-intuition of finitude of human intuition, which then requires concepts to overcome this finitude based on existential limits leading to the perception of appearances. The question about the existence of objects then is more related with whether the human subject can perceive objects in-themselves or not. The reply to this is no, they can only be perceived as appearances through the finite knowledge.⁶⁵ In *Opus Postumum* Kant expresses that

[a]part from (logical) consciousness of myself, I have to do objectively with nothing other than my faculty of representation. I am an object to myself. The position of something outside me, itself first commences from me, in the forms of space and time, in which I myself posit the objects of outer and inner sense, and which, therefore, are infinite positings.

The existence of things in space and time is nothing but *omnimoda determinatio*, which is also only subjective (that is, in representation) and whose possibility in experience also rests only on concepts. We can know only what is formal, thinkable *a priori* (Kant 1993, p.195; 22:97).

The finitude of human knowledge has become the source of infinite positings of outside. In other words, by locating the limits of reason in human being nature and beings have become dependent on the posited concepts within the human consciousness for their existence. This nonetheless, does not mean that Kant totally ignores the existence of beings, his argument is that insofar as our knowledge is limited with concepts we posit we would not know whether there are such beings out there.⁶⁶ The human consciousness⁶⁷ in its unity is subject matter of *Transcendental Apperception*

⁶⁴ This also pointed out by Heidegger. See Heidegger 1997, p.57. Also Kant himself repeats more than once that 'all thinking(must)... relate ultimately to intuitions' (B 33, A19).

⁶⁵ As the knowledge of things in themselves is the subject of absolute intuition of supersensuous kind.

⁶⁶ In empirical intuition Kant argues that sensation 'presupposes the actual presence [Gegenwart] of the object' (B74,

(A 107). It is this transcendental quality which provides the 'pure unchangeable consciousness' (Ibid.). It is this unity which underpins the concepts of objects and possible synthesis of appearances in relation to these concepts⁶⁸ as the manifold knowledge of an object (A 109, A 110). Hence, the possibility of object rests in the self-knowing unity of 'I'. Through this Kant finalised the abstraction of human subject from nature. The conditions of possibility of object are established as categories which are ground in apperception itself (A 402). These categories(which are presented by reason) are the unconditioned possibility of a thinking being.

Thus the soul knows in itself:

- 1.the unconditioned unity of relation, i.e. that it itself is not inherent but self-subsistent.
- 2.the unconditioned unity of quality, that is, that is not a real whole but simple.
- 3.the unconditioned unity in the plurality in time i.e. that it is not numerically different at different times but one and the very same subject.
- 4.the unconditioned unity of existence in space, i.e. that it is not the consciousness of many things outside it, but the consciousness of the existence of itself only, and of other things merely as its representations (A 404).

With this Kant might be seen as declaring the freedom of thinking being. He argues that 'the single representation, "I am", governs them all' (A 405).⁶⁹ At the grounds of this a setting up of the grounds for metaphysics as the science of beings rests the transcendental human subject.⁷⁰ According to Kant 'I think' represents the vehicle of all concepts which is always included in observation (B 399, A 341).⁷¹ The unity of consciousness represented in the apperception then establishes the unity of knowledge according to the limit set in 'I think'.⁷² It is argued that this

A 50). Also see A92, B 124.

⁶⁷ According to Heidegger, Kant uses consciousness in a specific way. It means 'a known knowledge of unity' (1997, p.243). This allows us to see the way the unity of 'I' is presupposed.

⁶⁸ Which is expressed as to be 'objective reality' (A 110).

⁶⁹ Also see B 407, B 413.

⁷⁰ Kant in *Opus Postumum* expresses that 'transcendental philosophy bears this name, because it precedes metaphysics and supplies the latter with principles' (1993, p.247: 21:81). Also see Kant 1993, pp. 248-50; 21:83, 21:84.

⁷¹ "'I think'" accompanies all representations and goes along with the acts directed at extant beings, which thus would be a reflective act directed at the first act' (Heidegger 1988, p.158).

⁷² Kant argues that '[t]he "I think" expresses the act of determining my existence' (B 158, note).

position leads to establishing of self standing of self in turn, which brings the discussion of self-hood, freedom and action as important categories of self-hood (Heidegger 1997, pp.258-59).

Thus far, I tried to establish that the science that is the one established by Kant changes the locus of reason from the supersensuous to the limited human being. The self-knowledge of reason as a faculty of a limited 'I' is the pre-ontological condition of this science. This condition, at the same time, presents the space where the retreat of 'I' from nature to itself is observed. The revolutionary Kantian formulation of ever limited subject as autonomous results in the withering away of nature. It becomes an object, that is appearance, based on the horizon provided in 'I think'. Its being can only be thought of as a relation of judgement position of which in terms of 'I' gives meaning to its being.⁷³ Furthermore Kant argued that:

[That] nature should direct itself according to our subjective ground of apperception, and should indeed upon it with respect to its conformity to law, sounds very strange and absurd. But when we consider that this nature is not a thing in itself but is merely an aggregate of appearances, so many representations of the mind, we shall not be surprised that we can discover it only in the radical faculty of all our knowledge, namely, in transcendental apperception, in that unity on account of which alone it can be entitled object of all possible experience, that is, nature (A 115).

It would be argued that there is a recognition of nature as object of all experience, but then all possibility of experience is established by the transcendental apperception. Therefore, something like nature in general can be discerned but, nature as being in itself becomes impossible to know. This is expressed in a much clearer fashion in the Preface to *Metaphysical foundations of Natural sciences* (1786).⁷⁴ Kant explains the word nature:

[I]f the word 'nature' is taken merely in its formal signification (internal principle of everything..), then there can be as many natural sciences as there are specifically different things, and each of these things must contain its specific internal principle of the determinations belonging to its existence (1970, p.3).

⁷³ See Heidegger 1988, pp. 177-80.

⁷⁴ Translation James Ellington 1970.

This definition is differentiated from nature as the sum-total of all things. Within this sense of the word, Kant qualifies it even further 'the sense-world with the exclusion of all objects that are not sensible' (Ibid.). It is in the first form that Kant takes it as the basis of natural sciences, his query is about 'the systemically ordered facts regarding natural things (which again would consist of the description of nature as a system of classes of natural things ordered according to similarities)' (1970, p.4). What is recognised as nature, then, is the formal nature as the possibility of an object's inner principle of being which is posited by 'I think'. Therefore, it can be argued that nature becomes dependent on the transcendental ontology, that is, the pre-ontological constitution of the subject in order to be able think in terms of metaphysics of beings.⁷⁵

Implications

This points to the fact that the possibility of 'Copernican Revolution' clearly rests in reversing nature/human relationship from human beings located in pre-ordained nature to a situation where the order is coming from human being toward what cannot be known as *a priori* existence that is nature. Put differently, human being becomes *a priori* condition of knowledge upon which empirical measurement depends. It is argued that to understand organisms and their functions one has to consider them 'as if they had a purpose and see whether in this way we can understand them better' (Paton 1967, p.149).⁷⁶ Here I am making a passage from the possibility of the Kantian science on the basis of pre-ontological establishment of subject as *a priori* to the next level, that of moral discussion which pervades this science. The peculiarity of making this passage through the discussion of nature is important because it allows me to show that in the later analysis of human morality or cosmopolitan ethics, of political writings, are always already located in the pre-ontological establishment of human beings as abstract from nature. As argued above, the discussion

⁷⁵ H.J. Paton argues that for Kant 'nature is the totality of phenomena governed by law.... This law primarily causal law... Even in the understanding of physical nature we may have to use another concept besides that of causal law, namely of purpose or end' (1967, p.149). It is safe to argue that this purpose or end is related with the intentionality of the human being therefore, what is explained as nature intimately linked to what human purpose in considering a particular phenomena.

⁷⁶ According to Paton, Kant 'calls this "purposiveness without purpose" that is, without a conscious purpose' (1967, p.149, note 2).

of natural law as reflection of all purposive nature which is considered to have a final end⁷⁷ is already located in a framework of a relationship between gazing human being and something out there. The purposive gaze of the human subject creates the connection between abstracted self and nature. Through this link something like nature becomes comprehensible. Here, the ethical relationship between a purposive gaze and a thing, which *becomes* in connection to this gaze, is only possible through a pre-constituted moral standpoint as a pre-ontological possibility. The implication of theorising all purposive nature is that, through the Kantian framework, the gaze would know *synthetically* what this purpose is in terms of nature, that is inner principles of things. Therefore, when the discussion of nature takes place this pre-ontological moral significance does not come into the scene as it is the implicit possibility of the discussion. As a result, when the morality in terms of human beings is discussed it takes place in the abstracted realm of being human. In this, nonetheless, human nature, nature as inner principle, is considered to be all purposive as well.

Albeit, at a different level, ‘a good man[sic] is...seeking to obey a law valid for rational agents as such, binding upon him and upon others even in the absence of generous emotions, and indeed even in the presence of natural dislike’ (Paton 1967, p.151). Two points take us to the direction of understanding the impact of moral discussion on a larger framework. First, this is clearly a community of *rational* beings, implicitly, humans are singled out as the members of this grouping if we consider the discussion of *apperception*. Second, obedience to a general law in this group is established as the inner principle of a good man which becomes the moral law. Human beings abide with this law because these laws ‘are in themselves good and because they are our duty’ (Paton 1967, p.152).⁷⁸ According to O’Neill the moral action prescribed in the Categorical Imperative is targeted for ‘agents who act freely, and so may start with various proposals for action...which agents can filter these initial proposals to check whether they are morally

⁷⁷ See B425.

⁷⁸ Clearly this formulations are commonly known in the Kantian philosophy as the Categorical Imperative. I shall not discuss this very complicated concept, but I want to stress that the Categorical Imperative guides action through two main formulas: a) Formula of Universal Law and b) the Formula of the End-in-itself

a) Act only on that maxim through which you can at the same time will that it should become a universal law

b) Act in such a way that you always treat humanity whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end. For a detailed discussion of the Categorical Imperative see Paton 1967 and O’Neill 1989, pp.126-62.

acceptable' (O'Neill 1989, p.128). It is also reiterated by Paton that *we* are acquainted only 'with men[sic] as rational beings therefore we are bidden to respect men as men, or men as rational beings' (1967, p.165). It is in this manner that 'humanity' becomes comprehensible as the collective of agents that are carrying 'characteristic of possessing reason and rational will' (Ibid.). As discussed by Stephen Mulhall, the emphasis of possibility of the Categorical Imperative through rational will does not stop Kant to consider the human nature as being 'split between an animal part and a rational part' (Mulhall 1998, p.50). The split is, however, used to differentiate human beings as a species that are controlled by their rational side which is unique to human nature as they are 'capable of setting and achieving *their own* ends or purposes' (Mulhall 1998, p.52), that is, will.⁷⁹

The importance of Mulhall's discussion is in the way he shows how Kant brings reason in and gives it the dominant position as the inherent natural purpose of overcoming the sensuous/animalistic nature of human beings (1998, pp.53-54).⁸⁰ It is clear that the Kantian discussion is based on taking reason, again, as the functional human nature purpose of which is overcoming the animal side within human beings. By being able to set ends in itself and trying to perfect its autonomy by its nature, human subject's moral life becomes framed within natural purposiveness of achieving human fulfilment of its capacity 'rational agents must will the development of and perfection of their physical and intellectual powers as well as their freedom from sensuous inclination' (Ibid. p.53). If one conceives sensuous/animal side as related with outside world the real nature of human beings, then, is an attempt to overcome this dependence to outside in other words an aim toward a more autonomous existence.⁸¹ It is clear that the human nature is established as internally and externally sovereign subject. As a matter of fact, its external independence is the pre-ontological condition for the internal sovereignty expressed in the discussion above in relation to animal/sensuous side. The moral imperative set in the human nature is built on the possibility of reason independent of outside that is nature. Therefore, when the mechanic purposiveness of animals is compared with the dynamic moral purposiveness of human

⁷⁹ Mulhall further argues that the differentiation based on will allows Kant to show that through the capacity of will human beings set 'purposes independently of the dictates of sensuous needs' (1998, pp.52-53).

⁸⁰ According to Mulhall the categorical Imperative 'operates upon the material, the content, provided by Kant's conception of the nature of any organic being' (1998, p.53).

⁸¹ Kant argued in *Metaphysics of Morals* that 'the power to set an end is the characteristic of humanity (as distinguished from animality)' (As cited in Mulhall 1998, p.53). Here the argument no doubt is related with the

beings, animals are presented on already-decided-criterion based on human perception, and as long as animals are perceived as such they fit the human *a priori* concepts.

One of the most important implications of these theoretical steps, and the way discussion unfolds, is related with the possibility of taking human being as an object of scientific query. The query then establishes humans as a group of species. In terms of human purposiveness(teleology) the above discussion represents a moral blueprint for humanity and establishes internal/natural relationality among humans. Therefore, the realisation of systemic whole where all ends are united becomes an 'empirical purpose (the preservation and development of species[of human])' (Mulhall 1998, p.54).⁸² The analysis of human nature is focused on understanding the inner principles of being human similar to Kant's description of natural sciences. Through this move it may be argued that the beginnings of a science of human beings is articulated. The *telos* established in human nature connects human beings on an a-historical path deriving from human nature. In this path of sovereign subject, the interest is perfecting further autonomy through moral imperative for the species in general.⁸³ As a result of this, perceiving something like nature, even as outside, is permeated with freedom from nature on the way to perfect autonomy.

In other words, I argued that the Kantian metaphysics as science is based on a pre-ontological abstraction of human beings from nature and this allowed Kant to establish the possibility of his 'Copernican Revolution'. The sovereign human being in this science becomes the pre-ontological condition of understanding relations among human beings. It is conceivable, then, to argue that the collective relations of human beings understood as society is preceded by the idea of sovereign/autonomous human beings. In this understanding of society, nature is located as

autonomy of setting ends independent of nature.

⁸² Mulhall adds that this empirical purpose is imposed by 'reason as a duty because its neglect would amount to a neglect of an aspect of human animal nature' (1998, p.54).

⁸³ From the structure of the Categorical Imperative its clear the aim is universal moral teleology. The sovereignty of the subject is sovereign so far as it functions by its true nature that is based on the moral imperative. Here, one can also observe the background of what R.B.J. Walker notes as '[t]heories of international relations express a historically specific account of what political life is all about. They do so by affirming a familiar understanding of where it can occur' (1995, p.306). The Kantian recognition of individual ends and universal moral imperatives gives us the initial conditions of inside/outside where theories of IR located themselves. In other words the scientific level provided by the Kantian discussion in terms of human relationality is taken without questioning. This does not only exclude nature but inherently deploys inside/outside differentiation irremovably into any discussion.

constitutive excluded.⁸⁴ In the moral relations among people in perfecting their ends for systemic whole nature, that is what is perceived to be nature since as the condition of this stage nature has already disappeared, is set as the obstacle for this aim. Therefore, within the morality established the moral duty is about overcoming nature; or put differently is about humanising the perceived possibility of nature. The ecology, thus, becomes not only invisible but non-existent realm of relations. There is only the society of humans among themselves, non-humans i.e. those that cannot be considered as persons, as discussed by Chappell (1997), are excluded from *life*. The society considers non-human nature as material to be used in its general purpose. In this there is no moral contradiction to exclude non-human life from the social consideration. The limit of existence for non-human nature is set by the way they serve to the general aim of humanity. Therefore, by introducing ecological life in the previous chapters in the context of oceans I have demonstrated the possibility of life in excess of *life* as foreclosed, as human life in society. This excess presented by the ecological life allows a transgressive move to expose the limit set by human moral purpose. Even the consideration of *life* in excess supposes some quality of being in itself. This in-itselfness is not possible through the human subjectivity coming from Kantian formulation.

Foucault suggests that 'transgression carries the limit right to the limits of its being,...forces the limit to face the fact of its imminent disappearance, to find itself in what it excludes' (1998, p.75). By introducing nature as *life* in excess, the ultimate referent, human beings, as the limit is being stretched and questioned as the locus of the possibility of nature. Ever enforced forgetting of nature by the sovereign human subject becomes untenable. The enforced idea of *life* at the expanse of how that life is possible becomes exposed.⁸⁵

The social context of life and being excluded from this as bare life was discussed. I argued that the move between two locations presents the political within the social relations. I also argued that this move, related to creating inside/outside, ignores nature in its entirety. Richard Beardsworth

⁸⁴ I want to point out that this term is used in order to differentiate the position unfolded here from the concept of '*constitutive outside*' formulated by Chantal Mouffe to capture the way identities are formed or constructed through difference (see Mouffe 1992, p.379). In the case of human/nature relationship, it is at the pre-ontological level that nature loses its possibility as outside which then moves onto the level of sciences where morality is discussed in terms of outside constituted on the basis of abstract human existence. Therefore, it is difficult to consider nature as the constitutive outside where it does not exist in itself.

⁸⁵ I have demonstrated this in the previous chapter in connection to how concept of life/bare life does not include nature, and thus excludes ecological relationality.

differentiates between two concepts of politics '*la politique*' and '*le politique*': the first 'as designating the domain or practice of human behaviour which normativises the relations between subject and its objects' and the second 'is the instance that gathers or founds such practice as practice' (Beardsworth 1996, p.158). In this way it can be argued that the politics '*la politique*' of life is itself political. I would further argue that the possibility of political '*le politique*' — that is the ontological condition of '*la politique*' — rests in *a priori* possibility of agents and the demarcation of their realm of existence. In *Perpetual Peace* Kant expresses that state 'is a society of men whom no one else has any right to command or to dispose except the state itself' (1991, p.94). It is clear that in order to understand this formulation of state one needs to bring the philosophical discussion of human beings. As Latour points out, 'the meaning of politics has been restricted to the values, interests, opinions, and social forces of isolated, naked humans' (1999, p.290). It is possible to argue that pursuance of human nature, in its autonomy, aimed at the 'Kingdom of ends' (Kant 1948, p.95) mediated by moral imperatives, is the ground of *le politique* and therefore the possibility of *la politique*. At the end, in the politics of human society nature is not one of the concerns.

The politics of a society or of societies in terms of international relations derives from this position. Put differently, various political proposals that agents can articulate, as suggested by O'Neill (1989, p.128) through their free will, can only derive from the initial position provided under human purposiveness in perfecting their aim while abiding with universal moral imperatives. Therefore, in these proposals nature becomes implicitly excluded as the condition of these political negotiations. The position of the study of International Relations must be considered in the same vein. Kimberly Hutchings argues that two main theoretical arguments within IR, Realism and Idealism, 'are tied together by the same fundamental conception of the terms of international politics' enshrined in 'Kant's concept of perpetual peace' (1996, p.151).⁸⁶ Both in these traditions⁸⁷ and in their critical counterparts (for example Critical Theory and Post-modern theories of international relations) the ideals or the theoretical formulations of the space where the discussion of perpetual peace takes place is uncritically accepted. For the realists and idealists it is not surprising to see the extent to which they have already committed themselves within the Kantian

⁸⁶ This is also noted by Hurrell as an ambiguity (1990, p.204).

⁸⁷ Kant's criterials for cosmopolitan ethics are well known. Allen W. Wood shows the possible communitarian

realm by combining their political analysis with ethical proposals⁸⁸ deriving by and large from universal moral imperatives. With the counterparts, the legacy of Kantian tradition⁸⁹ and the methodological problem inherent becomes apparent. By responding to the frames provided in the traditional theories, the arguments of Critical and post-modern theorists *state, the international and the international relations become inescapable concerns*.⁹⁰

Here, I am not suggesting at all that these discussions would have been adopted or agreed by Kant himself.⁹¹ The suggestion is about the fact that the political tradition encapsulated in *Perpetual Peace* is adopted without due regard to its philosophical commitments and ethical conventions in relation to the larger whole.⁹² The political and ethical proposals,⁹³ dealing with the moral questions arising from human relations, are trying to articulate new ethical frames within already normalised space of *le politique*, or *life* as indicated in the human society. The moral action

lineage in Kant through his concerns for the inhabitants of newly discovered territories. See Wood 1998, p.63.

⁸⁸ Although this particular discussion is much more complex, few names would allow me to show this situation. John Charvet combines his particularistic political proposal with the possibility of universal, cosmopolitan ethics, see Charvet 1998. Also, Mervyn Frost is notable in his universalist ethical claims on the basis of *being human*, see Frost 1996. Charles Beitz also talks about moral cosmopolitanism which would be based on an impartial consideration of the claims of *every* person, see Beitz 1994, p.124.

⁸⁹ As suggested by Michael J. Shapiro the idea of state in Kant is 'analogues of ethically autonomous person' (Shapiro 1998, p.701). Therefore, the ethical foundations of individual arguably applies to state as well. In other words states are supposed to set ends in themselves while doing so must bare in mind the universal moral obligations.

⁹⁰ For example for the former see Linklater 1998, where a possibility of post-Westphalian citizenship is discussed. For the latter see David Campbell 1998, where the disintegration of Bosnia is discussed with post-structuralist ethical commitment to an analysis of the situation as constructed, and deconstructed human communications. He, however, concludes his *deconstruction* with *prescriptions* for action — in that by and large state action. Even Walker's most important discussion about inside/outside(1993), by only showing us possibilities of shifting boundaries at each deployment of concept of sovereignty, becomes trapped within the Kantian science. The idea that inside/outside differentiation is constantly constituted suggests a very dynamic relationship but the formulation suggests that we are in the presence of a sovereign subject in terms of an autonomous entity reflecting an outside. Clearly this implicit understanding of sovereign subject does not question the possibility of the binary in terms of the constitution of human subject, and arguably assumes this inside/outside as being the natural human condition. As I tried to unfold, the autonomy of inside in terms of human subject is constructed on a pre-ontological definition of the human subject. It is, therefore, possible to argue that Walker, by the virtue of not moving beyond the autonomous subject, cannot move beyond the ethical constraints within the sovereign subject in relation to nature.

⁹¹ As Pierre Laberge suggests Kant's own understanding of international relations would have been different from that of later Kantians, but this precisely points to the fact that later Kantians take *Perpetual Peace* without its philosophical possibility which is implicit in the ethics therein. Having said that, Laberge falls into the same mistake in the discussion of 'Kantian Conceptions of International Justice'. See Laberge 1998, pp.82-102.

⁹² In debt analysis of this fact is given by Wood. He argues that, Kant's intended audience was humanity at large. And shows the relationship between philosophical discussions about humans and the political project outlined in *Perpetual Peace* in order to argue that the text still remains as the locus of hope. See Wood 1998, p.59-76. Clearly this hope can only make sense as a result of thinking about human subject as defined in the Kantian science.

⁹³ For various manifestations of this see, Mapel and Nardin 1998.

which is the free will of the moral agent is based on the initial formulation of human beings as abstracted from nature. The free rational action based on free will is philosophised firstly as freedom from nature and the possibility of a thinking subject independent of nature. Therefore, all the moral philosophy discussed implicitly carries this most important constitutive abandonment of nature. As a result, they are functioning in an already established universal space of human relations based on the moral exclusion of nature.

What I have been observing here is the fact that Kant's ethical constitution of human subject and the moral obligations in it (in relation to nature) has permeated into the study of understanding political relations among human beings as the methodological imperative to be able to understand these relations. Intellectual activity, then, is premised on the original ethical position between human subject and nature. The discussion of ethics that takes place today is a labour within the space formulated by this original position. The normality of human subject as the pre-ontological possibility is always asserted, that does not allow ethics of ecological relationality to be perceived. In order to be able to talk about ecology and ecological problems, the original position between human subject and nature has to be altered.

Therefore, the reasons and solutions of perceived *environmental* problems cannot be found at the level of analysis provided by the study of International Relations. By the nature of its structure, IR is immunised from perceiving the problems from an ecological perspective. What is being perceived as political only involves autonomous human subjects and their ends, or autonomous states and their ends. In either case, nature does not exist in itself to be brought into the discussion as a party to the political process. It is clear from the Kantian genesis that, in order to be able to bring nature into the political debate and, thus, move into an ethics of ecology, a new constitution of human subject must be thought. By this rethinking at the pre-ontological level, possibility of a politics as an ecological relationality can be argued for. In this, relational ethics of belonging to the same space would challenge the politics of the abstracted autonomous human subject.

According to Latour the idea of humanity exists in a position from where it becomes 'detached mind gazing at an outside' (Latour 1999, p.7). It is this gaze which creates the outside, the possibility of outside embedded in the gaze. In other words, in order to have an ecological

understanding one has to think, first, in terms of the possibility of gaze, that of a gazing subject; and, second, to think in terms of how abstractedness implied in the gaze can be located back to nature, whereby the gazing subject becomes an ecological witness.

The first of these two points has been articulated in this chapter when I discussed the possibility of gazing subject and its implications for ecology and politics. Now, in the next chapter, I turn to the rethinking of an ecological witness.

Chapter 5

Being a Phoenix:

An Ecological Existence

In the previous chapter, I discussed the sources of three criticisms developed through the thesis. The constitution of an anthropocentric subjectivity, its impact on understanding nature, and the methodological consequences of this particular conceptualisation on thinking about nature are located in the Cartesian/Kantian framework. It is argued that the Kantian attempt to establish metaphysics as a new science establishes the grounds of the anthropocentric human subjectivity that is abstracted from nature. Therefore, possibility of thinking about nature is permeated with this anthropocentric subjectivity. I also argued that the philosophical bind provided with the pre-ontological establishment of human subjectivity becomes the ground of scientific understanding. Ecology, thus, becomes impossible to conceptualise within this framework.¹

In what follows I will present an alternative conceptualisation of human being which constitutes a space by thinking human as a part of nature on earth. It, thus, forms an ecological space. The focus of the chapter is Martin Heidegger's thought in relation to Being (*Sein*) and Being-in-the-world-with-others.² Heideggerian philosophy represents one of the major ruptures in the western thought in this century. By questioning the western metaphysics, he dislocates the abstracted-sovereign-subject based thinking. Through this, objective gaze of human subject³ over nature is dislocated.

¹ It would be argued that ecology can be discussed in the Kantian philosophy by the way of trying to establish, for example, rights and moral responsibility in terms of nature. I agree that the Kantian philosophy is a very complex and sophisticated structure. Nonetheless, as I discussed in the previous chapter, even the attempt to thinking about nature in terms of right based relations nature, or parts of it, has to be considered in terms of some attributes that belong to personhood. Put differently, the possibility of ecology within this framework can only be located in an already established anthropocentric space.

² This term is derived from two parts of Heideggerian terminology: Being-in-the-world (*in-der-Welt -sein*) and Being-already-alongside (*Schon-sein-bei*). See, Heidegger 1995, for the former H 13, 41, 52-56; and for the latter H 54, 141, 194, 329, 365.

³ Heidegger attempts to distance himself from a discussion of subjectivity and the idea of subject as it has been constituted in the western metaphysics by Descartes and Kant. Therefore avoids using subjectivity both linguistically and as an ideational tool. On this see Janicaud 1996.

This might seem to be leading to a contestation of the possibility of nature *tout court* which in turn would allow poststructuralist perspectives to take sway. Nonetheless, particular Heideggerian emphasis on the possibility of existence, only if human being is located in the world by recognising the existence of other beings, has a thorough philosophical grounding, important bearing on the ecological discussion. It also keeps the poststructuralist perspectives in control. The finite existence of *Dasein*,⁴ that Heidegger allows to be located in a given time/space juncture can be seen as its *world*.⁵ In this world *Dasein* experiences nature and its manifestation. Through the etymological unfolding of the meaning of ‘nature’ as *physis*⁶ the fixed idea of nature as something out there waiting to be discovered, is challenged. At the same time, nature as appearance, as emergence from concealment or manifestation of itself when it comes to being, allows us to attempt to see things in themselves as they are. Nonetheless, it can be argued that the finitude of *Dasein* allows only for a certain interpretation of nature and this is not all that different from a static relationship with nature albeit one based on temporality. This challenge can be responded to through the analysis of the term *alethia* in connection with *physis*. Heidegger argues that *alethia-unconcealment* has been wrongly translated as *truth* (Heidegger 1987, p.102). He argues that this interpretation can only be correct if truth means ‘the essent is true as long as it is’ (Heidegger 1987, p.102). Therefore, whatever the essent’s being is, has to be true as long as it is unconcealed in itself. This argument clearly is an attempt to counter objective *truth* about nature while allowing a possibility of nature being in itself open. Heidegger further argues that, in appearing, essent reveals one aspect of its being. Although this appearance can be realised in a given time/space juncture by the finite *Dasein* — therefore contextual — , it does not mean that the being of whatever has appeared is limited with that particular manifestation. Heidegger argues that ‘both truth in the sense of unconcealment and appearance as a definite mode of emerging self-manifestation belong necessarily to being’ (Heidegger 1987, p.109).

The response through rethinking of both nature and human being, then, is an important one. It argues that we cannot talk about nature on the basis of fixed truth claims. At the same

⁴ This term will be discussed in detail later, here, it can tentatively and cautiously be referred as human being’s existence. ‘Being-there’ see translator’s note in Heidegger 1995, p.27, note 1.

⁵ ‘[o]f course Being-in-the-world is a state of *Dasein* [Verfassung des Daseins] which is necessary *a priori*’ (Heidegger 1995, p.79).

time it does not agree with the idea that nature is a text and beyond it we cannot know, *pace* Jacques Derrida.⁷ This framework can be taken as contrary to both what has been discussed in the previous chapter in terms of Cartesian/Kantian juncture and a certain poststructuralist tendency of considering everything as textuality.⁸

It argues that nature can be comprehended in a given context as it reveals-unconceals itself, but in this, a given appearance — unconcealment — must be thought of as always already located in a larger existence and therefore unconcealing but a part of it. This cautions human beings against arriving at quick truth claims about an appearance. The idea of fixing truth about an appearance is always related more with the perception of the human subject rather than what is really reflected in the appearance.

By reformulating the existential condition of human being, Heideggerian thought builds the larger existential context into the human beings' possibility of Being. Therefore, in perceiving an appearance, human being is always already connected to the larger existence which is partially reflected in the appearance. Stated differently, the existential condition of being human, internally underpins the possibility of thinking in terms of a larger existential context with an understanding of other beings' existence in themselves. This existential ethics gives an important role to the responsibility of the human being within its immediate context, as one reflects about an appearance.

The possibility of locating the ethical responsibility into the human being's action within the context of the action, changes the abstract ideas of responsibility based on referent external to the context. Heidegger argues that

[t]he evolution of being-human as arrogance and presumption in the pejorative sense takes man out of his essential need as the in-cident. To judge in this way is to take man as something already there, to put this something into an empty

⁶ Heidegger 1987, p.14-22.

⁷ This position can be best observed in Derrida's *of Grammatology*. See, Derrida 1976.

⁸ At the same time I don't want to exaggerate the difference between Derridian reading and Heideggerian philosophy. It is clear that in Derrida there is a Heideggerian thread and constant dialogue with Heidegger. Therefore, this criticism is more directed to those postmodern interpreters who are not paying attention to nuances of *textuality* with its ontological roots traced back to Nietzsche and Heidegger. This lineage discussed in depth by Spivak in her *Translator's Preface to of Grammatology*. See Spivak in Derrida 1976.

space, and appraise it according to some external table of values (Heidegger 1987, p.164).

In terms of abstracted human subjectivity, this is an important challenge located in what I have been arguing as ecological being, expressed in Heidegger as being, located essentially in a larger whole as *the in-cident*. The definite article might raise some questions in terms human being's location and arguments about anthropocentrism within Heidegger. For some his work, indeed, presents anthropocentrism of a sort while others might argue that he is fundamentally anti-human. And in this initial ambiguity the challenge of his thinking lies. Michel Haar elaborates this enigma very explicitly:

What is sometimes rashly termed Heidegger's antihumanism is basically a radical rupture with the anthropocentrism that has been dominant since the dawn of modern times.. Man does not produce himself. He does not create being. He does not hold the ultimate condition of possibility of his own possibilities. He controls neither the provenance nor the secret necessity of the structures of the world. He can merely administer them. Only rarely and obscurely does he perceive the possibility of the Earth, which is embraced in art (1993, p.184).

The tension, the paradox, which is present, depends greatly upon the fact that it presents something about humankind that contradicts the dominant metaphysics. Therefore, it is seen as counter intuitive. In order to understand this argument of paradoxical being one has to remove, suspend or even better, abandon the normalised normalities and naturalness created by the dominant metaphysics in Western thought from the understanding of what being really is. In this rethinking about human being, the main aim is to located it to where it belongs, to its essential home; after all as Rilke says 'After the first home the second seems hybrid and windy' (Duino Elegies VIII).

The main focus, then, is Heidegger's book *Being and Time* from which I discern a possibility of an ecological being. There are two outcomes from this chapter. The first is the substantial discussion about ecological formulation of human being as relocated in nature. In this relocation, first, nature becomes comprehensible as *life*, hence the possibility of politicising nature. Neither nature nor human subject within it have fixed roles, definitions, or fixed relationally. Second, it gives a methodological reorientation. This new perspective underpins the

methodological approach applied in the thesis as a whole. The questioning is conducted on the basis of the ethical concern for the others that exist in the eco-system. The observer of the situation is included in the questioning. In other words an objective researcher is replaced with an ethical concerned locator or with an ecological witness. The chapter, through its workings of ecological being, aims to point toward a methodology of existence that is ethically located within the relationality of beings in the world. In this move, the human being's decontextualised⁹ position is reversed. The concept of ethical through the context of ecology becomes an ethics of existence rather than an 'ethical approach to environment' where 'ethics' is considered to be externally decided moral values i.e. procedures for good life or rights that are supposed to be applied by human beings in their intervention to nature. This existential ethics is based on the ontological location of human beings in nature rather than an epistemological variations perfected to assert anthropocentric politics in which human beings superiority in the larger whole is implicit. Through this reversal understanding of an issue becomes a dynamic thinking process within a context. The aim is to change the perceptions in the way we think and try to see the grounds of what we perceived to be environmental and political problems by denaturalising concepts based on human progress without considering it's 'finality' (Guattari 1995, p.119).

It is useful to relate the Heideggerian path in terms of ecology with the ecological perspectives discussed in chapter 2. This aims at demonstrating the dissimilarities between perspectives as well as establishing a response to the question: what can Heidegger contribute to the discussion?

Ecology

Mary Midgley poses a big moral question, she asks that 'what attitude creatures like ourselves ought to take towards the cosmos within which we are so small a part?' (1997, p.98). The question, here, can be paraphrased by asking what ought to be the ground of our attitude? The question and the possible responses can be put into the category of Deep Ecology in the sense Arne Naess used the category. According to Naess it was the depth of thinking and questioning

⁹ Toulmin, 1992 p.21.

which determined the characterisation ‘supporters of the deep ecology movement would argue from ultimate premises, philosophical or religious’ (1999a p.444). In this manner, the Heideggerian path may be considered under the generic of deep ecology. It is, nonetheless, problematical to consider this path under the rubric of the Deep Ecology¹⁰ as a substantive philosophy.

Naess argues that the deep ecology movement ‘is not defined through “asking deeper questions” and it would be very naïve to say that if you question deeply enough you inevitably end joining the ecology movement’ (Ibid., p.445). Here, he critically differentiates the mode of questioning as a procedure that follows a prior state of ecological concern. The concern leads to the questioning at which level one can classify the endeavor henceforth. At the level of definition, how that definition is arrived at in a Heideggerian path presents a different formulation.

Naess argued that the Deep Ecologist standpoints or values ‘are intuitive, as are all important views, in the sense that it can’t be proven’ (Naess 1982, pp.11-12).¹¹ The main intuition is argued to be the unity in the cosmos as opposed to dualist approaches that flourished within the western philosophy.¹² According to Naess, this intuition arrived at a platform of deep ecology. He argues that it is a process of deriving fundamentals from many different philosophical traditions and religions at the end of which the platform must be distinguished from these roots (1984 201-203). He further argues that ‘[t]he fundamentals are mutually more or less incompatible....The incompatibility does not affect the deep ecology adversely’ (Ibid.). The location of the intuitive approach is described as ‘[e]cological knowledge and life-style of the ecological field-worker have suggested, inspired, and fortified the perspective of the deep Ecology movement’ (Naess 1973, p.98). The wonderment in the face of nature seems to bring people together in the platform.¹³ This attempt is aiming to capture principles of deep ecology in varies world views.¹⁴

¹⁰ The substantive discussion is formulated into 8 central points. See Naess and Sessions 1999.

¹¹ See the discussion of intuition in Naess 1999. On this also see chapter 2 notes 10 and 11.

¹² See Devall 1980, Bohm 1980, and Capra 1997.

¹³ Peter Anker (1999) argues that the substantive Deep Ecology discussion is more related with other people such as Warwick Fox than Naess. He argues that Naess tries to leave the discussion open in terms of solutions and the way one arrives at self-realisation. Naess (1999a) nonetheless, strongly disagrees with him that there is a strong

Naess argued that his own deep ecological ground rests in 'natural mysticism, oneness with nature and in nature' (1999a p.447). The attempt of transpersonal ecology by Warwick Fox (1995) reflects this perspective as a self-realisation.¹⁵ The central discussion is based on the idea of 'things are' (Fox 1995, p.251) and our amazement in the face of things. A discussion of how this is possible, or of what motivates individuals for self-realisation, needs to fall back on Naess' argument of intuition.¹⁶ The framing of intuition in turn must be related to the perspective about natural mysticism. Jon Wetlesen traces the mysticism in many others among which he also names Heidegger (1999 p.416, note 12).

At this point the dissimilarity between the deep ecology as a substantive philosophy and the Heideggerian path can be discerned. In the former a question about why human beings, or what kind of human beings, as a source of intuitive action, stands unanswered. Therefore, ecological consciousness seemed to reflect an understanding as an aspiration based on appreciation of nature which leads to a self-realisation of locatedness in nature.

On the one hand, in the first sense of the deep ecology, as related with levels of questioning, the discursive space remains open to understand issues from many perspectives at many layers. The second, substantive discussion of deep ecology as a possibility of ecological intuition, on the other hand, seems to suggest a species¹⁷ based relationality with nature that might not acknowledge social historical context of particular way of relating to nature. The intuitive relationship between nature and human beings, thus, can be productively employed to

individualistic emphasis in his work.

¹⁴ According to Andrew Brennan this is an attempt to 'deepen our grasp of the situations in which these maxims apply' (1999, p.179).

¹⁵ According to Peter Reed this self-realisation argument is confusing on an operational level. He argues that as suggested by Naess and indeed by Fox this perspective suggests 'diminishing of individual self for realisation of ecological self'. This stems from identification of human with nature and vice versa. Reed proposes his own understanding that is based on *I and Thou* radical othering based on Martin Buber's theology. He argues that only when we are radically different from nature we can have an ethical relationship with it. See Reed 1989, pp.53-69. This is an interesting argument, nonetheless, it carries the religious understanding of primacy of human implicitly through the discussion.

¹⁶ Naess talks about self-realisation through identification with nature. His discussion carries the implicit argument of intuition. He, for example, argues that '[t]he feeling of one's own nothingness and insignificance may occur consistently with feelings of nature awe' (Naess 1989, pp185-192).

¹⁷ This particular issue can be related to Naess' roots in Spinoza and the discussion of ethics by Spinoza. See Lloyd 1980, Naess 1980 and Clark 1999.

arrive at issues that can be deeply questioned.¹⁸ The dignity of nonhuman species and nature in general become related to the morality discerned from the intuitive relationship.¹⁹

The ontological implication of the process of intuitive mode presents a problem deriving from the vagueness of the articulation. The process defined, by Fox as 'the deep-seated realisation of the fact that things are' (1995 p.250). The only hint given is that it belongs to consciousness. Here lies a danger or confusing prospect which derives from the question of whether things are because we realise them or things have been even before our realisation. If the answer is affirmative for the first part, there is nothing different from the existing-Kantian-cosmology and as it is, that would not further the ecological thinking.²⁰ The ethical relationship in this context seems to suggest that morality is preceded by compassion in the face of nature (Naess 1999b, p.430). The implicit meaning arguably suggests an act by the human subject.²¹ Naess argues that '[m]an may be the measure of all things in the sense that only a human being has a measuring rod, but what he measures he may find to be greater than himself and his survival' (Naess 1984, p.270).

The assumption in this statement assumes a realisation which would nearly *just happens*. The relationship between nature and the individual seems to be considered at a primary level that

¹⁸ A polemical interpretation of Naess' perspective on environmentalism might point in species based relationality, albeit implicitly. He argues that 'environmentalism is a form of activism passionately concerned not only with life conditions today, but with the state of the planet several generations from now' (1980 p.324). The intergenerational perspective can be interpreted, arguably, as coming from a view where nature human relationship posed a-historically without considering dynamic social relations which are always mediating the context of relationality.

¹⁹ It is clear that the way human beings are relating to nature is permeated through historical and social experience, Naess' thinking seems to suggest an a-historical relationship. Even if there is one it is important to realise that in order to recover such connection one has to go through the social relations. For example see Kirkpatrick Sale 1999, p.217-18.

²⁰ Ariensen raises important reservations about the relevance of intrinsic value and morality attached to this value implied and ascribed to nonhuman nature in the deep ecology platform. He argues that 'it is clear that nonhumans cannot be offended in the moral sense...this is supported by the fact that we do not hold non humans morally responsible for their acts and we would not blame them morally' (1999, p.424-25). His discussion is based on morality located in the Kantian tradition which recognises moral status of some beings on what they are. Thus, distinguishes morality as a human matter. Its inherent anthropocentrism notwithstanding it points out a methodological weakness within the deep ecology thinking. Namely unclarified discussion of an ethical relationship between human beings and nature that is established as a moral stand point. In this no ontological discussion tries to dislocate the view supported by Ariensen.

²¹ Naess addresses the location of the individual as follows, 'Self-realisation breaks in and reinstates the central position of the individual' (1999a, p.447). It is important to realise that Naess is relying on Mahatma Gandhi's philosophy. He applies certain principles of *Satyagraha* understanding (Naess 1974). *Self* according to Reed in Naess corresponds to 'the Hindu *Atman* that is the notion of Absolute in Western philosophy-something completely beyond ordinary description but somehow basic to both God and world'(Reed 1989, p. 54, also see Naess 1974, p.41). Then the individual is considered to be *self*(small s), within the larger Self. From the citation it is clear that Naess is arguing

can be seen as biological.²² Although the discussion on the level of *bios* is an important one, the suggestion that in measuring things human being may find the greatness of the ecological unity ignores the mediation of relationality by social context.²³ A human being might realise something about nature but this would not necessarily be related with what Naess seems to be suggesting in the context of an ecological space.

On a deeper level the emphasis on the necessity of human realisation for things to *be* remains untouched.²⁴ First, as also observed by Ariensen (1999 p.428, note12), why the supposed biological links contribute to the individuals' moral relationship with nature is not answered.²⁵ Second, the process from realisation to the moral stand point is not dealt with.²⁶ Put differently, the reasons behind the suggested motivation to realise while measuring remains ambiguous if not vague. In short, it is not clear what it (morally) means to have biological connections. On all these accounts, the Heideggerian path differs by locating its discussion in a framework, the end result of which can be seen as an ecological reconstitution of human being.²⁷ The path I will discuss through Heidegger radically challenges the constitution of human being. It attempts to locate the relationality between human being and the larger context to something like 'realisation of the fact that things are and have been'. It distances itself from discussions of biological nature and of those

that Self reconstitutes the self as the center again.

²² This stand point as biological egalitarianism has been clear since the beginning in Naess' thinking. See, Naess 1973, pp.95-100.

²³ An important result of not considering social context is discussed by Karen J. Warren. She discusses the conditions of women in the developing world and the equation of anthropocentrism with patriarchal social action patterns. See, Warren 1999, pp.255-69.

²⁴ William F. French delivers an important critique of *biological egalitarianism*. He argues that the stand point of equal inherent moral value of all beings is untenable. It ignores the moral problem between for example animals and human beings. He further argues that actually Naess and other deep Ecologists revise this principle when there is a conflict of interest 'it is acknowledged that vital human interests may legitimately override vital interests of nonhumans'. See French 1995, pp.29-57. The suggestion of inconsistency between the theory where equality is recognised and action where the moral ground of the human being is asserted points to an important lack in the deep ecology thinking. By not discussing the constitution of human being and value vested within the person Naess and the deep ecologists in general become vulnerable to this critique because they remain or seem to be remaining within the conventional conceptualisation of human subject. An interesting manifestation of this problem can be observed in the Greepeace action against Genetically Modified plants during July 1999 in Norfolk, Britain.

²⁵ One impact of this theoretical gap is discussed by Ariel Salleh in terms of Feminism and women's conditions in the developing world. The ignoring sociohistorical context, she argues, the biological equality debate has an adverse effect on women within the system. See Salleh 1993, pp.225-244.

²⁶ Overview provided by Baird Callicott witness to this point. See Callicott 1999, pp. 150-152.

²⁷ Naess suggested with some dismay at a discussion with A.J Ayer that he was 'quite near Heidegger in certain sense'. He said 'Yes. We are *Geworfen*. I feel very much that I have been thrown to the world, and that I am still

based on sharply human consciousness at the same time. It grounds what is taken to be intuition into an existential state of being.²⁸ The philosophical discussion, then, rigorously establishes a relational ethics which would reflect an ecological responsibility invested in human beings. It articulates necessarily social understanding of ecological context. Therefore, it thinks in terms of why and how a biological relationship is related with the moral relations. By doing so, it distances itself from the substantive deep ecology framework.

HEIDEGGER, A New Path?

In this discussion I am doing two things at the same time. First, I am giving a summary of Heideggerian thinking through the formulation of *Dasein* and its relationality.²⁹ Second, I am constantly eluding to an ecological understanding. It is important to realise that the ecological aspect of Heideggerian thinking can only be exposed if the understanding of *Dasein* is demonstrated in its inbuilt constitutive relationality, it is the ecological aspect. The relationship between *Dasein*'s structure and ecological context are interwoven. Therefore, I will distill the ecological discussion towards the end of the chapter after the structure of *Dasein* is clear. In his reversal of being autonomous human, Heidegger constitutes his understanding on a level which might seem very distant from the political concerns that are expressed in the present study. Nonetheless, it is the pre-ontological importance of this reconstitution of distinctive human being which allows me to conclude by politicising nature, thinking the political in terms of ecological ethics.

The homeless and ever-forgetful being is at the heart of Heideggerian thought. The being, i.e. humankind defined and totalised by the modern age, is no doubt considered to be the final point in the long evolution of being. This standpoint is questioned by Heidegger as missing the real

being thrown'. See Naess, Ayer, and Elders 1999, p.21.

²⁸ The Heideggerian thinking begins with the location of human being and attempts to rethink this position. While the possibility of intuition and self-realisation which grounds a certain morality, based on intrinsic value in relation to nature, is not explained in terms of relational human constitution (insofar as the view [individual centered] that the deep ecologists are objecting establishes itself on the level of constitution).

²⁹ My reading of Heidegger will diverge from the, all too common interpretation of him as nihilist. My contention will be that there is an important reversal of human being's existence, the ethical consequences of which are too important to ignore.

essence of being, which cannot be historicised. It is an attempt to find out the essence of being which is hidden, concealed, and cannot be reduced to an understanding of an epoch, from the modern human being in the age of technology.³⁰ One of the important components of this problematisation is a call for thinking which is different from the thinking that is eventually geared to control and managing things.

that thinking is concerned unceasingly with one single happening: In the history of western thinking, indeed continually from the beginning, what is, is thought in reference to Being; yet the truth of being remains unthought, and not only is that truth denied to thinking as a possible experience, but Western thinking itself, and indeed in the form of metaphysics, expressly, but nevertheless unknowingly, veils the happening of that denial (The word of Nietzsche p.57,).

The potential implication of this new suggestion on the established concept of thinking is profound. It suggests that thinking is an experience, and in order to reach a truth through thinking it must be experienced. Therefore, it is not 'thinking of something' anymore but 'thinking through' something as in living through, being involved with. It is a call to understand being by turning to it, getting into it rather than objectifying, distancing it.³¹ Surely, here, a process is deeply implied in which the other sides involved in the process have to 'be' as well. As argued by Ladelle McWhorter, Heidegger sees this thinking as one which 'disciplines itself to allow things to show themselves on their own terms' (1992, p.2). The question of self-disciplined thought indeed sounds rather frustrating, as compared to modern 'free thinking'.³² This frustration is actually the challenge and eventually the threat of Heidegger to western metaphysics and the modern man created therein. Moreover, it implies an ethic which is different insofar as it cares³³ about the others in their being.

³⁰ This attempt can be seen as a rhetorical move about 'real' if one considers the entirety of Heideggerian enterprise. It is clear that real does not entail an external, extra- existence.

³¹ This Heideggerian move is clearly in opposition to the Enlightenment logic of science as well as being. The idea of the possibility of Knowing through objectification and removing the impact of senses somehow indicate, this method would not be about understanding things in relational terms. The observing subject always stands at a distance so it philosophises something which is outside.

³² It might be suggested that the idea of free thinking is related to the free human being without any limits but the categorical, universal, moral imperative.

³³ The concept of care in Heidegger differs from the dictionary meaning of the term in English. I will discuss this later in the chapter.

In this process of thinking about the possibility of self-disciplined thinking rests the path for a new understanding of being and belonging. What is to be overcome is the 'new epoch of the withdrawal is one in which being adapts itself to the objectness of objects, but which, in its essence as being thereby withdraws. This epoch characterises the innermost essence of the age we call modernity' (Heidegger 1996,p.55). The withdrawal is referring to the condition of the modern 'I' which completed its abstraction through Descartes and finally with Kant, by arriving at an extra-natural stand as the ultimate truth. In order to dislocate this extreme anthropocentrism, Heidegger shows that 'something that man himself is, and yet which exceeds him and extends beyond him, in each case comes into play for the purpose of determining entities as such as a whole' (as cited in Haar 1993, p.xxiii).³⁴ Heidegger attempts to understand the essence and conditions of being human, and so turns to the beginning of the Western tradition and tries to understand the origins of the essence of being in Greek philosophy, where *man* is understood as being that pertains to something from within that is common to all beings in their connectedness and which binds it with the whole.

In the next section, the essence of being as articulated by Heidegger is examined.

Frustration and disbelief are the two dominant senses as one goes deeper into Heidegger because he seems to suggest powerfully, and passionately, that nothing can be done in the face of problems. One could only watch what is happening within a social time frame in which s/he is located.

Nonetheless, behind this facade is suggestion of a possibility of action that comes from the deep potential of human being. This potential has its grounds in belonging to Being. The existential condition of being opens up a new ethics/relationality with nature, within nature. The thinking process is not only about allowing things to reveal themselves, but also about human beings realising their own existential condition within nature. Therefore, it is a possibility of action presenting itself through consciousness of human being.³⁵ The action is the process of realisation of self and its location in the greater existence which is supposed to result in the realisation of tension

³⁴ This can be related to Foucault's argument to which I referred earlier in chapter 4 about transgression. See, Foucault 1998, p.69-87.

³⁵ The action here must be thought larger than the immediate limits of this study within *the environmental* concerns in oceans as expressed earlier on. The action creates a particular outlook which would translate our relationship to oceans different than it is implied in *the environmental* problems. The possibility of considering oceans as political agents can be realised. To this I will return at the end of the chapter.

between the time-based existence of being and its ahistorical attribute of belonging to a specific time and place. Here the obvious dichotomy and existential condition of being is revealed.

Being & of Being & Fulfilment

In this section, I will discuss how *there* in *[Da]sein* and *Being in* of the Being-in-the-world are used as constitutive bricks for *Dasein*'s existence. They implicitly, quietly, and concretely demonstrate the contextuality, and arguably, at this stage, social contextuality,³⁶ within Heidegger's understanding of primary Being of *Dasein*. This is an early gesture toward the discussion of ecology. It is clear that one can glimpse at the possibility of relational ethics implied in *thereness* and *Being in*.

Heidegger through the introduction of the concept *Dasein* and its articulation dislocates the established understanding of the human being in Western philosophy, particularly that of 'Enlightenment man'.³⁷ *Dasein* is depicted as an entity belonging to Being, and it is 'this entity which each of us is himself and which includes inquiring as one of the possibilities of its Being' (Being and Time, p.26).³⁸ As well as 'in each case it has its Being to be, and has its own, we have chosen to designate this entity as "Dasein", a term which is purely an expression of its Being' (p.33). Here, 'Being' is considered to be all-encompassing, that is in each and every entity. 'Being is the transcendence pure and simple' (62). The path to understand being is established through the understanding of its mode in an entity's being. As a result of the intricate relationship between Being and its presence in each and every entity, the question of Being becomes an inquiry into *Dasein* and its possibilities.

It is imperative to state that *Dasein* etymologically means 'being-there' (27, notes 1). Therefore, *Dasein* as it is, implies a concept of time, space and as being a potential to be. In considering all these configurations *Dasein* understands its essence within a certain existence (67),

³⁶ A cautionary remark is in order. Here, I am using 'social contextuality' loosely. The suggestion is not about 'social' as in the study of Sociology. Heideggerian idea can only be considered as a philosophical argument which leads, may be, to something like a sociology. But, in this pre-ontological stage the only aim is to suggest *Dasein* exists in relationality, in the world without any implications coming from Sociology.

³⁷ Arguably abstracted and autonomous human being.

³⁸ Unless otherwise is stated, hereafter, all the numbers in parentheses are references to *Being and Time* by Martin

and as possibilities it has within that existence. Thus, *Dasein* presupposes a certain understanding of Being in its existence as given with its potentialities. It is stated that *Dasein* has Being in itself as such, but it does not change the fact that how *Dasein* understands that Being is dependent upon the ontological existence of *Dasein* i.e. 'in its own understanding of Being, the way the world is understood is,..., reflected back ontologically upon the way in which *Dasein* gets itself interpreted' (37). What happens here is that Being and its mode of being are differentiated according to the subjectivity of *Dasein*. Being is interpreted by *Dasein* as something parallel to its subjectivity. By this process Being as it is becomes hidden, covered or veiled within *Dasein* without disappearing.

The state of being of *Dasein* and its relation to Being is considered on two states, 'authentic' and 'inauthenticity'. They imply two states of approaching, or being of Being (68). Put differently, they are the mode of Being of *Dasein*. By being in these states, possibilities, *Dasein* faces choices, deriving from the existence of *Dasein*. The decision about choices is actually a decision about *Dasein* to 'win itself or lose itself' (Ibid.). In this decision, authenticity and inauthenticity are not related to more or less of Being for *Dasein*. Being is not something that might be abandoned as such. *Dasein* is in its possibilities of Being in either case. The concepts are rather about the level of awareness of Being that *Dasein* embraces through its choices. Nevertheless, in this embrace, inauthenticity is underpinned by the forgetfulness (69; also see 220-223) of *Dasein* which implies a certain ontology which presents *Dasein*'s image of its existence, not the existential condition of *Dasein*'s being.

Without further ado, the concept of 'Being-in-the-world' should be included in the discussion.³⁹ 'Being-in-the-world' is the constitutive element of *Dasein* (78) but it is not the property of *Dasein* which can be disposed of at will (84). As shown previously, *Dasein* exists in different modes with regard to authenticity, and all these modes are grounded and only possible in a state which is expressed as Being-in-the-world. Moreover, Being-in-the-world is presented as the

Heidegger; Translated by J. Macquarrie and E. Robinson (1962)1995, Blackwell Publishers, London.

³⁹ The concept of 'world' is explained in reference to 'to exhibit the Being of those entities which are present-at-hand within the world' (Heidegger 1995, p.91). Here, it seems that to be present-at-hand (Ibid., p. 121) manifests things with certain invested value. The things are invested with values because of their 'Being of Things of Nature' (ibid.). At the same time it is also asserted that Nature is something encountered within the world (Ibid., p. 92).

essential state of 'Being of Dasein' (80). The concept of 'world' is not clear in this context.⁴⁰ It is not expressed overtly whether 'Earth' is implied as in nature. Although entities supposed to be in a space and that space, supposedly, is 'world', the entitiness of 'world' is implied as well. In a way what is implied is the necessary existence of Being-in-the-world for a 'world' to be. However, this remains to be seen in later works of Heidegger that will be discussed in a later section.

The primary concern at this point is *Dasein* and its experience of Being by Being-in. What is strongly stressed is the fact that Being-in-the-world implies a state of physically Being-in something (79), being absorbed. At the same time Being-in is essential of Being from this entity itself (170). With this any misunderstanding that might derive from common usage of 'by' implying alongsideness is cleared up. It is expressed that such alongsideness requires prior understanding of Being-in-the-world (81). It is argued that the entity which is constituted by Being-in-the-world is itself in every case its 'there' (171).

The 'there' is the fundamental condition of *Dasein*. This means that *Dasein* in each case 'there' discloses itself to itself. Therefore, *Dasein* carries 'there' at every instance which indicates a disclosedness of a 'world' at each instance. And in each instance of disclosedness, 'there', *Dasein* is. 'This disclosedness we have called understanding' (182). What is being understood at each 'there' of *Dasein* is Being-in-the-world. Because this understanding of Being-in-the-world, and hence the world as such, is something that happens at each 'there' of *Dasein*, it is an existential rather than a conventional concept of understanding as grasping at will. This almost instantaneous understanding presents *Dasein* with its potential of Being (183). This potentiality derives from the 'thrownness' (*Geworfenheit*) of *Dasein* through itself by its state-of-mind i.e. mood. Thrownness means 'the facticity of its being delivered over' (174).

Considering the fact that every mood has its understanding and every understanding has its mood, there is a possibility of Being conceived on the basis of not one 'there'. By this, the mutability of *Dasein* in its possibilities can be discussed. The contextuality implied in 'there' also

⁴⁰ The articulations of 'world' do not clarify the meaning of the concept. They rather form an ambiguous understanding of 'world' based on the concepts 'ready-to-hand' and 'present-at-hand'. See, Heidegger 1995, pp.97, 99-100. In the middle of this obscure deliberation with 'world' there is an unpronounced concept of being not alone, but with other things. Heidegger in his preliminary discussion of the 'Being-in' section of the Being-in-the-world expresses that: 'By this "in" we mean the relationship of Being which two entities extended "in" space have to each other with regard to their location in that space' (Ibid., p.79).

indicates possibility of change, motion; in other words, possibility of moving away from fixed referent, for example in understanding nature. In its thrownness *Dasein* is being delivered to 'there' and conceives 'that is and has to be' (173) in which 'whence' and 'whither' becomes either an enigma or a mis-interpretation (175). What is important to see at this point is the fact that *Dasein* found itself in its thrownness and conceives 'that is' on the basis of this 'there' which is understood on the basis of a mood. Therefore, once more one has to deal with the concepts of authentic and inauthentic which become disclosedness as a result of understanding's involvement with Being's possibilities at every case.

Understanding can devote itself primarily to the disclosedness of the world; that is, *Dasein* can, proximally and for the most part, understand itself in terms of its world. Or else understanding throws itself primarily into the 'for-the-sake-of-which'; that is, *Dasein* exists as itself. Understanding either authentic, arising out of one's own Self as such, or inauthentic (186).

In this process of understanding, the critical concept is 'projection' (*Entwurf*) (185) through which the process reflects *Dasein* either on itself or upon significance (as one of Being's possibilities) as Being 'in its current world' (Ibid.). But again this projection is different from the conventional one, i.e. projecting something from an already thought-out concept. What then is this new projection? It must be seen in relation to *Dasein*'s being. *Dasein* is already reflected on itself as *Dasein* within its worldliness. Therefore, projection is not a process posterior to *Dasein*'s being but rather coincides interiorly with *Dasein*'s becoming in its world at 'the disclosedness of the "there"' (187).⁴¹

Heidegger argues that *Dasein* has two reflective possibilities through which it can reveal its many possibilities of Being and insofar as it is all wrapped by *Dasein*, to differentiate those two modes seems not to be reasonable. Or is it?

The two modes of reflection must be put into the context of the everydayness (*Alltaglichkeit*) of *Dasein*. Considering the fact that *Dasein* is in a 'world' at every 'there' in which experience of ready-to-hand and present-at-hand are constitutive elements of *Dasein*. Also, the

⁴¹ Within the becoming 'Dasein is in every case what it can be, and in the way in which it is its possibility. The Being-possible which is essential for Dasein, pertains to the ways of its solicitude for Others and its concern with the "world"' (Heidegger 1995, p.183).

other entities in their *Dasein* are encountered within 'world'. None of these encounters are happenings of 'Being-by' them. They are the result of Being-with-others (156) reflected by *Dasein* into its world by Being itself. Nevertheless this does not mean the others are mere reflections. Heidegger asserts that these encounters are possible within the process of work (ibid., also 148), through which the others reveal themselves according to *Dasein*'s — being 'there'. Thus, Being-in-the-world is required as a precondition of such disclosing, and only in such a structure is *Dasein*. The everydayness is *Dasein*'s 'fascination with its world' (149). This fascination, at the same time, is its road to leave or forget its authenticity (*eigentlich*).

Dasein's everydayness, fascinated *Dasein*, is considered as 'falling' (*Verfallen*) characterised by 'idle talk, curiosity and ambiguity' (218). This fallenness is about the inauthentic (*uneigentlich*) being of *Dasein* as one of its possibilities.⁴² In this condition *Dasein* is fallen from Being-it-Self in authenticity. It has become involved only immediate 'there' by forgetting its possibilities of Being, it becomes fixed. In the state of fascination *Dasein* is absorbed in its world which becomes its reason of being.

The concept of Being-there-with-others requires communication of some sort. In this case this requirement seems to be fulfilled by 'talking or discourse' (203). Insofar as talking is communicating, *Dasein*'s understanding of it presupposes a certain state of mind as well as a certain Being 'there' that is naturally internalised in the talk. Therefore, 'talk' might be seen as the encapsulated knowledge about a *Dasein*, its world and how it is articulated. The aim of the talk is 'bringing the hearer to participate in disclosed Being towards what is talked about in the discourse[expressed]' (212). However, Heidegger suggests that in its fascination with its world and Being-with-others *Dasein* becomes more interested in what is talked about rather than what is expressed in relation to Being and Being-in-the-world in those communications (212). In this context, arguably, the condition of human being thought and, thus, asserted as autonomous by which the understanding of nature is mediated through, can be observed. By so doing *Dasein* distances itself from oneSelf and Being-in-the-world.

⁴² Heidegger explains extensively that this term does not have any negative evaluation. See Heidegger 1995, section 38.

Such a Dasein keeps floating unattached;...To be uprooted in this manner is a possibility-of-Being only for an entity whose disclosedness is constituted by discourse as characterized by understanding and states-of-mind-that is to say, for an entity whose disclosedness, in such an ontologically constitutive state, is its 'there', its 'in-the-world' (214).

However, this distancing is not about becoming devoid of those possibilities but only about a hiddenness of those as a result of a process through which *Dasein* closes them off. Moreover, the closing off period creates an impression of false grounding for communication, and results in 'groundless floating' (221) within the understanding process of *Dasein*. In this process 'idle talk' (211) is not alone as its being is connected with the genuine attempt to perceive things, i.e. curiosity, that are encountered as well (214). It must be clear by now that this has an ontological base. Insofar as 'idle talk' has a decisive influence on curiosity, what is to be perceived becomes confined to the world of *Dasein*. This surrendering to idle talk causes curiosity of its Being-in-the-world, that is its orientation based on 'concern' (216) about the Being in what is disclosed at each 'there'. Any attempt to question the grounds of *Dasein*'s everydayness is permeated by this.

It is safe to say that curiosity becomes obsessed with the world through the uprooted *Dasein* and floats within groundless idle talk by enhancing the hiddenness of Being-in-the-world. Also in the process, possible-Being of *Dasein* within Being-in-the-world is diminished to *Dasein*'s world by the false impression of understanding everything without perceiving any closedness, veiling, or hiddenness therein. It is possible to argue that in abstracted being, the state of abstractedness becomes *the* normality by the closing of other possibilities of Being and being-with. This can also be seen as a methodological closure as discussed in the previous chapter, in Kant a relationship with nature is possible only at one level of human interest (according to fixed 'there'), after human subject is established as the moral agent. Heidegger by pointing out this normalising process also demonstrates what is at stake in this process which can be described as the 'fleeing of Dasein in the face of itself-of itself as an authentic potentiality-for-Being-its-Self' (229).

In this falling what happens is that *Dasein* is tamed not to question the possibility of Being in Being-in-the-world; it is the fascination with its world that 'turns away from itself' (ibid) that Heidegger calls 'tranquillising' (222). It is imperative to consider this condition as one in which the

activity of *Dasein* becomes more seduced by itself-in-its-world rather than as a state of no action. Clearly human beings do function in the world, in nature, but the action, the politics, do not consider nature as a political component and as such, nature hides ever more. Hence, the transformation from ecological to environmental. Actually, idle talk and curiosity based on the assumption of understanding everything they are involved with, enhances the *Dasein*'s intercourse with the world for more Knowledge, a knowledge mediated by *das Man* (they).⁴³ Although this is the everydayness of *Dasein*, a level of inauthenticity is implied, Heidegger takes *das Man* as one of the important conditions of *Dasein*.⁴⁴ Thus, even inauthentic *Dasein* is located among others. Nevertheless what is understood in the idle talk, via *das Man*, has nothing to do with the relation between Being and what is understood as its existential condition.

When *Dasein*, tranquillised, and 'understanding' everything, thus compares itself with everything, it drifts along towards an alienation in which its ownmost potentiality-for-being is hidden from it. Falling Being-in-the-world is not only tempting and tranquillising; it is at the same time alienating (222).

At this juncture, consideration will be given to what has been discussed so far and why it has been discussed. In locating *Dasein* within 'Being-in-the-world' as an essential condition of *Dasein*'s existence, Heidegger presents a new unitary ground for human being to be within. Moreover, by attempting to understand the Being through *Dasein* which is 'is' only in Being-in-the-world where other entities exist, may be in a present-at-hand, ready at or not involved but still be there, he enhances the existential unity among all that exists.

Nonetheless, in this unity *Dasein* exists in the middle of tensions; tensions which come from the depths of *Dasein*. It is perhaps here that *Dasein*'s strangeness is explored for the first time (what is later depicted as 'the strangest of all', in the *Introduction to Metaphysics*, explored into its

⁴³ Heidegger pp.166-68. The larger discussion about *das Man*-they will be pursued later in the chapter.

⁴⁴ It is argued that '[a]uthentic Being-one's Self does not rest upon an exceptional condition of the subject, a condition that has been detached from the "they"; it is rather an existentiell modification of the "they"-of the "they" as an essential *existentiale*' (Heidegger 1995, p.168 original emphasis). The strong emphasis in the last *existentiale* clearly indicates that *Dasein* exist among other beings if it has to exist at all, authenticity in no way means nihilistic self-realisation. It rather implies a reconstitution of ethical relationality. Frederick A. Olafson renders this nuance by emphasizing the fact that Heidegger considers *Das Man* to be an ontological condition rather than an ontic one. See note 22 in Olafson 1998, p.36.

strangeness for the first time). The existence of *Dasein* is possible as being in its potentiality-for-Being as it-Self within Being-in-the-world. This authentic self-oriented becoming is always in opposition to *Dasein*'s being 'there' to its world. In this instance, a unity of opposites is achieved as a structure of *Dasein* which is involved with its Being in both conditions. Through this structure *Dasein* is recognised as having the potential to reach within itself to potential-of-Being. It sounds very individualistic and subjective, and indeed it is. It argues that, in order to become, *Dasein* has to turn into its Self by distancing itself from its 'world'. Here, Heidegger somehow presents the beginnings of a new understanding of 'Being' as 'potential-of-Being' together with a new concept of subjectivity which could only reach to the unity of Being through itself. So this is a subjectivity which tries to transcend *Dasein*'s 'there' to reach the constitutive existential structure of *Dasein*. But this overcoming of 'there' should not be mixed with the Kantian 'subject''s abstracted existence presented in the previous chapter. Because, here, *Dasein* is trying to overcome idle talk of 'there' and locate itself to its existential condition i.e. 'being-in-the-world' so this is necessarily a 'descending' step rather than an 'ascending' one. At this moment it seems that the discussion is becoming a new ground for being in opposition to the Kantian understanding of constituting human being, initially as an abstracted self, then locating it in a moral environment where no outside and hence no moral relation outside humans is perceivable. *Dasein* in its constitution, and possibility, is, has to be, located in-the-world.

As for the new concept of 'Being', what seems to be emerging is a concept of an ongoing process, in a way of *becoming* in continuum. Therefore, the implied beingness seems to be best associated with 'fluidity' which is all-encompassing but not rigidly dictating how to become; rather it is 'potentiality-of-Being'. So far, *Dasein* has been discussed in the context of its potentialities of authenticity or inauthenticity as always becoming as potential-of-Being. The human being discussed in connection to Descartes/Kant represents a fixing of Being in the structure of Human being (some would argue that as a replacement of God, as a referent). Human being has arrived at 'Being' in Kant-Being is human being. By doing so the ethical relationship between nature and human being is fixed on a permanent basis without any possibility of change. It is implicit in this ethical state that change has become possible only for human beings (and this change is not a change in the understanding of what the Beingness of human being is at all) in the abstracted state while nature is

preserved as a 'tool box'. So change is not-becoming. Therefore, the discussion of becoming/Being presents an important opening for an ecological discussion. The question 'does *Dasein* ever become Being?' will unravel the importance of temporality for ecological thinking by grounding a concept of responsibility. The next section will explore this issue.

Humanity and Finitude-Finitude

Does *Dasein* ever become Being? Yes, according to Heidegger it does. *Dasein* only becomes Being at its death. But is it not death that implies something like ceasing to be in its very factuality? It does; something that is death is no more.⁴⁵ Life, as it were, is a continuous becoming in various potentialities, and it is difficult to realise one's being while one is still becoming.⁴⁶ *Dasein* is in an existential state of uncertainty about its Being until facing its death. Heidegger presents the concept of 'care'. It is the totality of 'Dasein's structural whole' (279). In this totality in each case *Dasein* exists for it-Self which means turning to its potentiality-for-Being. Therefore, in every case *Dasein* is turned toward its potentiality i.e. *Dasein* is never itself, is not Being, but always is in its potentiality-for-Being. And this is described as *Dasein*'s being 'ahead-of-itself' (ibid.). By Being 'ahead-of-itself' in its potentiality-of-Being *Dasein* is never Being as an entity, because there is always a potentiality of Being. This would not be so when *Dasein* is no more i.e. when there is no potentiality-for-Being as is the case in death. Also, insofar as potentiality-for-Being belongs to *Dasein*'s existential structure, unless death belongs to the same structure *Dasein* cannot be⁴⁷. So,

⁴⁵ However, the very common feeling expressed by those who have survived a grave illness or accident 'O! all my life passed through my eyes as if I was in a movie' is the articulation which happens existentially in the face of an imminent threat of dying. The threatened person takes a pause and tries to understand what s/he has been in his/her life. What is more s/he tries to assess what s/he is at the very last moment of their becoming, because death sets a limit at which there is a last chance to see for *Dasein* to its Being as Being-in-the-world before it actually ceases to be. This experience is very much in tune with what Heidegger tries to argue with the concept of potentiality-of-Being.

⁴⁶ John Baylis expressed a similar thinking. He says 'You don't really know until it is over, what it has been like'. See interview with Baylis in the Guardian August 31 1999.

⁴⁷ This point seems to be missed by Luce Irigaray and O'Brien. Barbara Adam in her reference to Irigaray's (1983) 'L'oubli de l'air. Chez Martin Heidegger' and O'Brien's 'Resolute Anticipation: Heidegger and Beckett' in *Reproducing the World: Essays in Feminist Theory* argues that 'Heidegger's "Being unto death" best signifies the masculine approach to time which is rejected by these scholars as an inappropriate perspective on human temporality and the human relationship to nature. ..because it excludes birth and the *time-generating capacity* of procreation' (1996). All this discussion misses the main point of considering birth-death as one process, as a necessary condition for meaning in either side's possibility. So, to analyse this process as expressing a binary exclusionist concept is most

Dasein, by turning to its potentiality-for-Being actually turns to death. This also means that *Dasein* carries Death in itself as 'ahead-of-itself'.⁴⁸

Jacques Derrida provides an useful interpretation of this state. He calls it 'keeping-vigil-for' (1995, p.14). He argues that keeping vigil for one's own death 'constitutes the relation to self of that which, in existence, relates to oneself' (Ibid.). The originary, existential relation to one's self, then, derives from death. By the awareness implied in *vigil* human being recovers its temporality as the ground of its life experience.⁴⁹ *Dasein*'s potentiality-for-Being rests in its temporality.

The experience of the death of others is not a substitute for *Dasein*'s understanding of its own death.⁵⁰ In other words, death cannot be represented as a reflection of others' experience in *Dasein* (283). Since in death *Dasein* through its possibility-of-Being faces its wholeness, in every death the issue is the being of the one experiencing. Therefore, since each one has to experience it in its being, it is a non-representational state (284). Death is represented as the irreplaceable character of *Dasein*. In death there is the promise of Being, one's life in one's world.⁵¹ Simon Critchley emphasises that in Heidegger 'death is something that one has to project freely in a resolute decision... the human being must *become mortal*—"werde was du bist"' (1997, p.25

inappropriate.

⁴⁸ This can be related to the discussion of transcendence in Heidegger's 1928 treatise *On the Essence of Grounds*. Here Heidegger gives a new meaning to transcendence by relating it to the 'subjects' — *Dasein*'s essence as subject. He argues that '[c]ertainly, human *Dasein* as existing "spatially" has the possibility among others, of spatially "surpassing" a spatial boundary or gap. Transcendence, however, is that surpassing that makes possible such a thing a existence....What is surpassed is precisely and solely being themselves, indeed every being that can be or become unconcealed for *Dasein*, thus *including precisely* that being as which "itself" exists' (Heidegger 1998, p.108). It is important to see the relationship between being-ahead-of itself in Death and this new definition of transcendence as a condition of approaching to other beings. In both cases *Dasein* reaches out to others by indicating that 'the surpassing in each case intrinsically concerns [also] beings that *Dasein* "itself" is *not*' (Ibid. emphasis in original)

⁴⁹ Derrida argues that '[p]hilosophy isn't something that comes to the soul by accident, for it is nothing other than this vigil over death' (1995, p.15)..

⁵⁰ In *Dasein*'s 'being-with-Others' it experiences death through others as termination to be 'there' of others (Heidegger 1995, p.281). However, as a result of being-in its 'world' *Dasein* can experience those others that might be represented as Being-no-more-in-the-world in representing them in its world. That is creating a sense of Being-in the same space despite the factual absence of the deceased (Ibid., p.282). This state reveals the impossibility for the *Dasein*, that is left behind, to experience the Death as such in others.

⁵¹ Heidegger argues that '[n]o one can take Other's dying away from him. Of course some one can "go to his death for another". But that always means to sacrifice oneself for the Other "in some definite affair"' (1995, p.284). Even if one dies for someone it is still ones death and ones dying which would not replace that someone else's death as its existential condition. One has to face it in any case. Therefore, turning to one's own death can be seen as taking one's own responsibility in becoming.

emphasis in original).⁵² It is in turning to this, authentic potentiality for Being can be approached. It is, therefore, possible to consider care, *Dasein*'s structural totality, as care of self that becomes the ground of responsibility of one to recover one's being-ahead of one's self, face one's temporality. In this irreplaceable condition of one's death, one's potentiality-for-Being, *Dasein* faces an irreplaceable responsibility to itself as care '[i]t is thus also the very context of the *Eigentlichkeit* that, by caring, authentically relates me to my own possibility as possibility and freedom of the *Dasein*' (Derrida 1995, p.44).

Particularly in the everydayness of *Dasein*, death remains something generally happening within-world. It is considered to be something 'indefinite, which above all, must duly arrive from somewhere or other, but which is proximally not yet present at hand for oneself, and therefore no threat' (297).⁵³ The everydayness, in idle talk, *Dasein* distances it from its potentiality-for-Being by representing death as something which is not *Dasein*'s existential.⁵⁴ Death is more related to non-being i.e. non-life in the context of 'world', than Being. Therefore, '[o]ne knows about the certainty of death, and yet "is" not authentically certain of one's own' and as a result, everydayness evades the certainty of Death 'this very evasion attests phenomenally that death must be conceived as one's ownmost possibility' (302).⁵⁵ Heidegger by relating the possibility of Being both to *lived life* and to *death*, without which lived life has no meaning, attempts to remedy the attribution of Being to lived life. This move opens up a space where life becomes a process where human being is not equated to Being, and therefore, the abstraction of human being from nature becomes untenable. The ethical certainty based on 'reason and the will' of the human being as a permanence in thinking about other

⁵² Critchley also shows that this way of understanding is argued for by Maurice Blanchot. He quotes from Blanchot's 1949 *La part du feu*. Blanchot argues that 'death is the greatest hope of human beings, their only hope of being human' (Critchley 1997, p.66). For the larger discussion on Blanchot see Critchley 1997, pp.31-83.

⁵³ *Dasein* tranquillised in its everydayness through the experience of Other 'flees in the face of death' (Heidegger 1995, p.298) by objectifying death through idle talk in which dying becomes something actual (Ibid., p.297) and a rather inconvenient (Ibid., p.298) happening.

⁵⁴ Clearly, the experience of death as Being-no-more is not experienced in the way it is experienced by the deceased. *Dasein*'s experience is limited with being-alongside (Heidegger, p.282) in the sense of being an observer in a change rather than the subject of the change. This change represents a loss from *Dasein*'s life in its 'world' whereas for the one that is no more it is an existential state which can only be considered in relation to Being-in-the world.

⁵⁵ Nevertheless, this does not mean that *Dasein* in its inauthenticity does not experience death. Both as authentic and inauthentic *Dasein* dies. In the latter, *Dasein* arrives at Death as something that terminates life, 'there', in other words, death is approached in its outsideness, whereas, in the former, death has been within *Dasein* at every case all through its becoming as Being-towards-the-end through which potentiality-of-Being is experienced. In this experience what is always reminded by death is Being-not of *Dasein*, just-yet.

beings is replaced with the idea of constant becoming which challenges foreclosed ethical relationality. Put differently the discussion of morals, located at a level of abstracted human being in Kant, is relocated back to an existential level of relations with nature in a process of negotiating rather than ordering.

It has already been suggested that by death or towards to be death, it is in no way an actual death, or pondering about how it would arrive in its all possibilities, that is implied. As for Being-towards-death the suggestion is about understanding it 'as a possibility,cultivated as a possibility, and we must put up with it as a possibility' (306). Heidegger suggests to approach this possibility as 'anticipation' (*vorlaufen*) (ibid.).⁵⁶ What is anticipated is the possibility of death generated from *Dasein*'s possibility as potentiality-for-Being. In other words, if *Dasein* is potentiality-for-Being, it is, at the same time essentially, potentiality-for-Death. With this step, *Dasein* comes closer to death as a possibility.

The step taken by anticipating Death opens up the potentiality-for-Being to *Dasein* in its 'ownmost' (*eigenst*) possibility. As long as Being-towards-Death means *Dasein* is open to its potentiality-for-Being authentically, *Dasein* is able to gaze at something like the possibility of authentic existence (307). Also, the fact that the possibility of death belongs to each being in itself, can not be transferred or substituted, *Dasein* seems to be individualised (308) in the sense that it realises it has to reach its own possibility alone. This, however, does not imply a nihilistic withdrawal from 'there' at all; 'there' is the constant threat for *Dasein* as an utter impossibility out of which *Dasein* has to emerge as its ownmost potentiality-for-Being, not by concealing that impossibility, but by constantly staring at that motivated and constantly presented as 'that is there' by anxiety (310) i.e. its own state of mind.

Also, the constitutive structures of *Dasein* as concerned Being-alongside and solicitous Being-with are also required for *Dasein*'s authenticity. Through this, *Dasein* has 'some understanding of the potentiality-for-Being of Others' (309) by having been projected itself on its ownmost potentiality-for-Being in the first place. In all this, what seems to be the fundamental point is that *Dasein* has to involve with itself as it-Self. The possibility of an end reveals *Dasein* as possible but, *Dasein* has to anticipate the possibility of Death to start with. By anticipating Death,

⁵⁶ On the translation see note 3 in Heidegger 1995, p.306.

the anxiety created is about the state of the possibility of *Dasein* within its utter impossibility, so once more it is all about revealing potentiality by an individual. In its engagement with itself for its ownmost potentiality-for-Being *Dasein* obtains a certainty of Death, certainty of its ownmost possibility and with these certainties it faces another existential certainty 'it is certain of Being-in-the-world' (ibid). The *world* of this Being-in-the-World indicates *Dasein*'s location, whatever the particular 'thereness' might be as the constitutive element of *Dasein*. Temporaryness implicit in Death and being-toward-Death allows the human being to escape from the location given to him/her by the idle talk, *das Man*, Knowledge. Through this the human being can realise a life beyond what is being described as life under its abstracted state.

The concept of death that has been explored is not about the final point of life but about the essentiality of death for the possibility of life. Moreover, it is not so much as an essential in its factual (*faktisch*)⁵⁷ happening when it happens, but in its existence within ourselves as a possibility of happening in our lives. In other words it is the internalisation of Death as something which makes life possible, by being there so long as we are. This, also, indicates the fact that finiteness (*endlich*) is the original state of *Dasein*. And it is not finiteness that is being forgotten in everydayness but finiteness staring in our face as long as we are.

What, then, is the importance of knowing one is finite? To know existence in life is a passing state rather than a constant state, which has to be expanded, unavoidably in some approaches, beyond that in the facticity of death, means one could fulfil its passing, temporal life, more by approaching its ownmost potentiality. Otherwise, the image of infiniteness results in unfulfillment while you are, but the possibility of fulfilment projected to when you are not, in other words, after death. This concept of extension takes different shapes in different discourses. For example, most of the monotheistic religions promise a life after death which depends on our being-of-a-certain-kind-of-Being; in otherwords, we have to fit a definition of Being. This definition varies, in the discourse of Modernity, as demonstrated in the previous chapter, our possibility of Being is defined as belonging to 'Humanity' which requires a certain kind of Being through 'reason'. In this, Humanity as the common ground of humans acting in universal imperative

⁵⁷ It is related to facticity (*Faktizitat*) as different from factual (*tatsächlich*). For this differentiation see sections 12 and 29 in Heidegger 1995.

(Paton 1967, p.165)⁵⁸ is considered to be the reflection of Being human being and transforms it into species of Being which extends towards the future as an overarching, never-ending possibility of becoming for individual's, within which the concept of Humanity's becoming is arguably more important than the individual's. Zygmunt Bauman argues that '[d]eath is the scandal, the ultimate humiliation of reason. It saps the trust in reason and the security that reason promises' (1992, p.15). Death is established as a point of biological-end which is not an issue for the human-reason.⁵⁹ The attempt of human being, hence humanity, is to transcend this through its reason and carry itself beyond mere death, thus overcoming finiteness. Bauman argues that

[n]o wonder that the legal and political order, which founds the only human togetherness recognised by the Law and serviced by Politics, has neither time nor place for [it]. Burdened with the greatest gifts, 'the human' stands outside the Law and Politics; in the legal and political sense, the human (the truly human, the moral human) stands outside *society* (Ibid., p.200).

In other words, the existential possibility of human is obliterated. The life at the base of the political does not address the human condition of becoming, or address it by constantly turning it to a life based on obligatory freedom under the law of human *reason*. The very *reason* in which nature escapes us relentlessly. Therefore, by creating a potential which is infinite, the ownmost potentiality-for-Being of individuals is eradicated by the illusion, that by not realising their potential and factually dying unfulfilled, they are becoming part of everlasting Humanity — and its success is projected as their becoming. Also, with this the existential Being-in-the-world is suspended, abandoned, and forgotten. The ethics of being, the relationality, is articulated according to the contribution of 'subject' to the hope of Humanity's becoming in future — one can read universal imperative here. Put differently, the ethical life is defined according to life established as human beings' concern. By paraphrasing Massimo Cacciari, the story of human being's Being is the death

⁵⁸ Paton locates Kant as a philosopher 'of humanity' (1967, p.198).

⁵⁹ It is important to remember in this context what I have discussed as biopolitics in relation to *life/mere life* in chapter 3. It is precisely this point that allows us to see how biopolitics actually distances death or life as *becoming* from the political. Life as becoming is reduced to procedures of dealing with issues. Therefore, existence in the space of Being a certain kind.

of potentiality-for-Being, *becoming*.⁶⁰ Also, in the story of autonomous human being, the account of death of nature is explicit as a subservient to the former. By facing its own death, *Dasein* is relocated within-the-world, into its relationality with time.⁶¹

Dasein in its realisation of its potentiality in the face of death, in the face of *its* time, ‘it makes *Dasein*, as Being-with, have some understanding of the potentiality-for-Being of Others’ (309). This articulation of a realisation is very different from the Kantian articulations about ‘subject’, whose possibility of freedom and existence are recognised under civilised law based on reason, which in turn is guaranteed by the possibility of universal categorical imperative that underpins the general moral law. In other words, in an argumentative gesture I would argue that, the existential possibility of being is brought under the moral law. Here in Heideggerian discussion what is important is to realise Other’s as being in the same path of temporality and potentiality-for-being underpins a different concept of responsibility, hence a morality that is not a law — which will be discussed in next section. In facing death, *Dasein* in its authenticity is structured by concern (*Besorgen*) as Being-with and solicitude (*Fursorgen*) as Being-alongside (308).⁶² In a way it becomes disillusioned from the idle talk of ‘they’ *das Man* i.e. thriving to elevate itself to infinity. So it is possible to suggest that in this state *Dasein* could get closer to something like ‘knowing’ Others, whereas in a state in which each *human being* exists in infinity, by trying to become something defined, one would never know Other as expressed so profoundly by Rilke:

Lonelier, now, wholly dependent
on one another, without knowing one another,
we no longer lay out the paths as lovely meanders,
but straight... (Sonnet 24).

⁶⁰ Cacciari argues that ‘[e]xperience takes place before the story begins. The story (or narrative) is singularly the account of the death of experience’ (1996, p.94).

⁶¹ Clearly this stand point might create a question: does this mean that in finiteness *Dasein* in its individuality becomes so involved with itself that it does not care what it encounters? The second one follows that: does it suggest that to fulfil one’s potentiality one could do anything within its individuality. I will respond to these in the following sections, it is suffice to state here that one needs to think of the individuality of *Dasein* in the way it is constructed as relationality.

⁶² It is imperative to realise the warning by the translators of Being and Time that there is an important connection between ‘*Sorge*’ (care), ‘*Fursorge*’ (solicitude), and ‘*Besorgen*’ (concern) which is clear in German etymology but cannot be rendered in English. See note 4 in Heidegger 1995, p.57). This relationality can be seen as used intentionally by Heidegger, who seems to suggest that both solicitude and concern as practical active modes are the

Although the positive location of *Death* has created the finiteness, we are originally in our lives *das Man*, it is still important to understand how *Dasein* comes to anticipate and, thus, becomes anxious about dying, and therefore reveals its potentiality-for Being to itself, thus showing a way to fugitive *Dasein* to come *home*.

Jumping into Chaos

According to Heidegger, *Dasein*'s Being arrives at a state of anticipation as a result of 'voice of conscience' (313). Conscience (*Gewissen*) discloses a state as a result of which *Dasein* comes to anticipate Death and thus potentiality-for-Being. Obviously *Dasein* in its disclosedness is its 'there', in its 'world' where Self is diverted from itself to 'they-self' by public discourse of idle talk. In other words, Self is concealed. In order to be conscious of this state, *Dasein* has to be conscious, somehow, of this everydayness in which *Dasein* escapes from it-Self as well.

According to Heidegger, this 'voice of conscience' is a 'call (*Ruf*)' (314) to *Dasein* in its thrownness, to the Self that is lost in they-self (319) to turn its-Self into its own most potentialities (318). Here, the important issue is to understand the origin of such a call. It is argued that the call originates from *Dasein* itself and reaches *Dasein* in its everydayness. So long as *Dasein* is not a free-floating existence but is its factuality (321), the call is from within, from *Dasein*'s Being thrown existentially Being-in-the-world. Heidegger argues that '[t]he call points *forward to* *Dasein*'s potentiality-for Being, and it does this as a call which comes *from* uncanniness' (325, emphasis in original).⁶³ The call, then, is related to (the)world but it can be heard because of its contrast to what is being perceived by *das Man* as normal, *heimlichkeit*. As argued before, within this thrownness *Dasein* flees its potentiality-for-Being which implies its impossibility of existence. Therefore, both who appeal (*anrufen*)⁶⁴ and who are appealed to are the same, it is *Dasein*. Here, once more this Heideggerian twist between the story of idle talk and that which is *Unheimlichkeit*

conditions of care, hence, located in *Dasein* as essential conditions of it.

⁶³ 'Der Ruf weist das *Dasein* *vor auf* sein Seinkönnen und das als Ruf *aus* der Unheimlichkeit' (1995, p.325 emphasis in original). I think here I want to draw attention to the word *Unheimlichkeit*. Arguably, by thinking through its components, it expresses a fact that does not common within a given established relationality, *not close to home*. It is more expressive in German in terms of the intentions of the text than the English uncanniness conveys. .

⁶⁴ As 'to call to' see note 1 in Heidegger 1995, p.314.

provides an ethical relationality for *Dasein* to turn to its own potentiality-of-Being. The *Unheimlichkeit* represents a potential for *Dasein* to be different than it is, whereby a new ethical relationality is implicated. Nature, therefore, as an *Unheimlichkeit* in human society and the political, can provide us with a possibility of thinking in terms of an ethical that is not fixed to the *human being*.

What is being communicated is not something verbal as in talk; it is a silent communication which motivates the understanding that 'summons *Dasein* into its reticence' (318).⁶⁵ The call, by appealing to Self that is concealed within 'they-self', makes possible *Dasein*'s involvement with itself as Self. It challenges *Dasein* to move to a different level, *provoking* for its potentiality. It also represents an exclusion, an existential exclusion from *das Man*. Nevertheless, there is always a high possibility of absorption of the call into 'they-self' which necessarily represents the factual existence of *Dasein*.⁶⁶ Thus, understanding stands as the important determinate in perceiving the call. Voice of conscience as call for *Dasein*'s ownmost potentiality-for-Being summons *Dasein* 'to its ownmost Being-guilty' (314). The anticipation of an existential 'guilt (*Schuld*)', in the understanding, in the face⁶⁷ of *Un(heim)lichkeit* creates a space where the idle-talk of *das Man* and *Dasein*'s potentiality-for-Being meet. The question about being-not-belonging to home as described by 'they' becomes an issue. I argue that nature and the ecological relationality within it summons human being to this space where human being's ecological existence meets the idea of ever progressing autonomous human being. It breaks up the eschatology of Human's Being.

Although formally Heidegger defines 'Guilt'⁶⁸ as 'Being-the basis for a lack of something in *Dasein* of an Other, in such manner that this very Being-the-basis determines itself as "lacking in some way" in terms of that for which it is the basis' (328), he distances this definition from the directly implied Being-with-Others.⁶⁹ The definition in its appearance seems to imply that *Dasein*

⁶⁵ Here again, summon (*aufrufen*) as 'to call up', as 'challenging him or "calling" him to a higher level of performance' (Ibid.). It must be noted here that all these forms are related with call (*ruf*).

⁶⁶ This understanding which negates the call in itself presents 'a definite kind of *Dasein*'s Being' (Heidegger 1995, p.324).

⁶⁷ Here I am not suggesting a 'face to face' relationship used by Emmanuel Levinas for his ethics of responsibility.

⁶⁸ Guilt should not be necessarily equated to something like committing a crime. The word in German as *schuldig*, *Schuld*, has many other derivatives to say 'indebtedness' and 'responsibility'. All these nuanced meanings seems to be lost in translation to guilt. See translators note, note 1 in Heidegger 1995, p.325).

⁶⁹ *Mitsein*. The particular discussion of *Mitsein* can be found in Olafson. Although his account is very interesting, he seems to read philosophical treatise with a touch of sociological analysis of human relationality. See Olafson 1998.

within its world, by causing a lack of something in Other, is guilty; in other words, it is guilty in relation to Other within an accepted set of rules, 'ought' or certain laws, knowledge. Nevertheless, in the 'guilt' what Heidegger is trying to establish is existential. It derives from *Dasein's* being in a 'there' as a result of which *Dasein* is always in its *this* possibility, not *that* one.⁷⁰ Therefore, there are always other beings, which are not in this 'thereness', but still by the fact of Being-in-the-world, are in the potentialities.⁷¹ It is a guilt that is *Dasein's* Being.⁷² It might be true to argue that this guilt is necessarily related to *Dasein* in its fallenness as a Being 'there' where *Dasein* has become the entity of the ground.

By becoming aware of the exclusion of other beings from its there *Dasein* realises his potentiality and impossibility of it at the same time. It is impossible so far as in every 'thereness' it realises some beings will be but, nevertheless, excluded but it is the fact of realising that puts *Dasein* into constant questioning of *das Man*.⁷³ In the other being's Being, in themselves, *Dasein's* potentiality of Being is reflected, the relationship represents the close relationship between *Dasein's* becoming for its potentiality of Being and the being of others. *Dasein*, is *indebted* to other's existence. The indebtedness(guilt) is to the other being's being as transformed into a responsibility. The responsibility(guilt), then, represents an existential ethical relationship whereby *Dasein* can only be as long as other beings are in themselves, beyond *das Man*. It is clear that the Heideggerian discussion is an analysis of a guilt deriving from *Dasein's* everydayness which, at the same time, is the existential condition of *Dasein*.

By being tranquillised through *public* idle talk most of the time in its world, this guilt remains closed off from *Dasein*. In order to realise this guilt consciously, *Dasein* has to understand its state of Being-guilty. In other words, it has to understand the call. Heidegger argues that 'the call

⁷⁰ As *Dasein* is in fallenness and creates its own basis without looking at its possibility before such a basis, existentially it becomes null. In choosing, *Dasein* always leaves something behind 'in having a potentiality-for-Being it always stands in one possibility or another: it constantly is not other possibilities, and it has waived these in its existentiell projections' (Heidegger 1995, p.331).

⁷¹ Here, the analysis nearly sounds Kantian, but this is because I have not introduced the conceptualisations of earth and existence of other beings in themselves. After I introduce these in the rest of the chapter, it will become clear that here an ethical responsibility different from that implied in Kantian morals is grounded.

⁷² So, he defines this as 'Being-the-Basis for a Being which has been defined by a "not"' (Heidegger 1995, p.329). and this 'not' is qualified as 'Being-the-basis of a nullity' (Ibid.).

⁷³ They questioning of as that which 'has already restricted the possible options of choice to what lies within the range of familiar, the attainable, the respectable — that which is fitting and proper' (Heidegger 1995, p.239).

is the call of care' (332). It is possible to locate the discussion in relation to Death. By Being toward death, by caring for itself, *Dasein* realises, it is in one of its possibilities whereby care dislocates the dominance of human's Being as only one possibility. In this move one can observe the recovery of the indebtedness(guilt), responsibility, within. In the context of the present study, this juncture arguably brings the possibility of considering other beings within an ecological context.

The structural whole of *Dasein* described as 'care' implies that 'Being of *Dasein* means ahead-of-itself-Being-already-in-(the-world) as Being-alongside (entities encountered within-the-world)' (237). *Dasein* is always concerned with the issue of Being. In that care in its being-ahead-of-itself presents freedom to become through possibilities of potentiality-for-Being. Heidegger considers care(*sorge*)⁷⁴ within the concepts of 'carefulness (*Sorgefalt*)' and 'devotedness (*Hingabe*)' (242-243) as the 'primordial' (244) essential condition of *Dasein*. These concepts are the yardsticks of *Dasein* in its concern and solicitude, either with itself in its authenticity, or with its world in its inauthenticity.

Therefore, it is important to consider the call as the call of care. It means that *Dasein* in its Being is concerned with itself, calling *Dasein* to come to its-Self in its potentiality-for-Being from its lostness in 'they' (333). Hence, the call of care tries to summon *Dasein* to its disillusioned state of thrownness, to its disclosedness (342). This enables *Dasein* to see its potentiality-for-Being. Then, *Dasein* could reflect itself as its ownmost possible existence. It understands its Being-guilty that is not closed-off by the manipulative measures of 'they' from itself. It is guilty(indebted) and responsible by being only one of its potentialities as its existence (that can be remedied by constantly disclosing one's thereness). The guilt does not derive from Being in a higher moral imperative, *Kantian*, but experiencing another being's Being in the temporality of becoming.

Nevertheless, in this summoning to Being-guilty, the call has to be acknowledged by *Dasein* to be heard by itself which is usually engrossed in 'they'. Only as a result of such a will to have a conscience allows *Dasein* to understand the call, 'wanting to have conscience is rather the most primordial existentiell pre-supposition for the possibility of factually coming to owe something' (334). This is also meant to be 'readiness for anxiety' (342) *Dasein* allows itself to face the anxiety of facing its nullity, and hence the real state in which it exists as thrownness.

⁷⁴ Heidegger locates care as *cura* as discussed by the ancients. See Heidegger 1995, pp.241-244.

The disclosedness of Dasein in wanting to have a conscience, is thus constituted by anxiety as state-of-mind, by understanding as a projection of oneself upon one's ownmost Being-guilty, and by discourse as[silent] reticence. This distinctive and authentic disclosedness, which is attested in Dasein itself by its conscience — this reticent self-projection upon one's ownmost Being-guilty, in which one is ready for anxiety — we call 'resoluteness' (343).

In resoluteness (*Entschlossenheit*) Heidegger arrives at the authentic possibility of Dasein within its impossibility. Resolute Dasein discloses its whole possibility of Being-in-the-world. Resoluteness is 'resolution (*Entschluss*)' (345) and also it should be considered as 're-solution'. Dasein can only disclose its authenticity in resolution which is the 'projection and determination of what is factually possible at the time' (ibid.). This indicates that resoluteness exists always within a given time determined by Dasein's 'thereness'. Nevertheless, the timely possibilities do not indicate some choice on the basis of determination of 'they' in 'there' but, on the contrary, an indefinite possibility which might exist despite 'they' either as closed off or disregarded. So, resoluteness summons *Dasein* from its lostness in 'there' without disregarding its location in 'there' and its relations, and considers the authenticity of *Dasein* within the actualities of its world. This space of authentic *Dasein* within 'there' is called 'Situation' (346) which is not comprehensible for 'they'. The formulation of Situation points to the fact that the call is not for some potentiality-for-Being detached from *Dasein*'s world as floating ideal existence 'but calls us forth into the Situation' (347). It is there which is presented to the re-solution. The presentation of *Unheimlichkeit* in which 'there' is implicitly exposed. Here, once more, timeliness of authentic Dasein and its resoluteness as potentiality-For-Being is stressed as opposed to some transcendental existence.

The anxiety of Death, care of self, is transformed into an anxiety of experiencing nothingness in nothing as a consequence of *Dasein*'s lostness in 'they'. Therefore, anxiety communicates nothingness to *Dasein*. The awareness of this anxiety comes to *Dasein*'s view through the voice of conscience which is considered at the same time to be the call. Heidegger re-defines the concept of conscience. Conscience, as shown in the articulations, is about one's being. It belongs to the existential condition of *Dasein*. Therefore, it is ahead of *Dasein*'s factuality and by

that it is already in each case of *Dasein*'s factuality as well. Therefore, at each case conscience relates *Dasein*'s Being to its origin as Being-guilty.⁷⁵

Heideggerian conscience is the call, as *care-cura*, which is the structural totality of *Dasein*'s Being. The understanding of conscience summons *Dasein* to its Being-guilty, and on the face of it to its anxiety which allows *Dasein* to turn towards its ownmost potentiality-for-Being-in-the-World-with-Others within its time, and this is resoluteness. This might sound like an extreme individuality, a flight from one's own 'there', but, it is not. If conscience is seen as the important determinant of one's moral standpoint in the world, it is obvious that a conscience that is referred back to one's existentials presents a very deep concept of conscience which does not relate itself to some definite deed in its lostness but to its potentiality-for-Being-in-the-world-with-others. It is a relationship between self and other in one's own possibility of existence; it is, in other words, a flight towards other through one's own self. As a result of such morality, *a certain* transcendence as going over to⁷⁶, *Dasein* resists tranquillisation and persists in the state of anxiety for the resolution of each Situation, rather than applying a neutral *out there* definition to others according to the common concept which does not consider Situations but perceives a general situation within the everydayness of 'they' without 'reaching the authentic potentiality-for-being' (335).

Dasein's temporality, discussed in relation to Death in its becoming, is the possibility of resolution as *Dasein*'s disclosedness (*Erschlossenheit*). The re-solution is based on time and space, it is not possible to have an overarching a-historical resolution. The time-frame implied is represented in each resolution insofar as each resolute decision takes *Dasein* to its past, to its thrownness, where *Dasein* faces its Being-guilty, and at the same time as ahead-of, as being toward death, it also presents the future. So, the time is limited by Death in the future and by thrownness in the past. This existential state, expressed in relation to time, is existential finiteness. This finitude

⁷⁵ This concept is fundamentally different from the common understanding of conscience that requires an experience of *a priori* fact to have conscience. The common understanding follows the act to have some sort of conscience. Moreover, because it is *post facto* acquired conscience, it is conditioned and has to submit itself to 'they'. In doing so, conscience becomes 'the' conscience which is out there as something 'encountered as an arbiter and admonisher' (Heidegger 1995, p.339). Therefore, conscience is differentiated from Being and has become something like a formalised social justification, a reference point.

⁷⁶ This is discussed in relation to transcendence and surpassing in Heidegger's *On the Essence of Ground*: '[t]ranscendence [then] means: belonging among the other beings that are already present at hand, or among those beings that we can always multiply to the point where they become unsurveyable' (1998, p.110).

reveals itself as limits in resoluteness. By realising its extreme limits, *Dasein* arrives at a resolution about Situation. As Haar argues, 'resoluteness reaches out to recover the whole stretching of time between birth and death' (1993, p.45).

As a decision, resoluteness is about the present. But, as anticipatory resoluteness on the basis of anxiety, it summons the past expressed as Being-Guilty, Being-with-others and its death in the resolution which is about the future. In resolute decision *Dasein* arrives at a view of its becoming in a given Situation, *at present for the sake of future*. In the anxious *Dasein*, a decision about something to come, hence the death of itself is observable, at the same anxiety implicitly Being-guilty(indebted) is included as the condition of being anxious. Therefore,(the) present is only possible through (the)future that is reflected from *Dasein*'s thrownness i.e. (the)past. The present situation opens up an opportunity for *Dasein*'s potentiality-for-Being which indicates a process of becoming. The process at the same time is only possible by the realisation of authentic *Dasein* in relation to death. This leads to temporisation of the present as a result of the constant nature of Being.⁷⁷

Present as temporised means that in each Situation, *Dasein* as resoluteness presents a new present resolution-re-solution. As being so, *Dasein* is exposed to its possibilities of potentiality-for-Being-in-the-world. In its anxiety in each Situation, *Dasein*'s decisions are made through a process in which *Dasein*'s being is the issue as it is toward death at each case. Therefore, each resolution is the reflection of *Dasein*'s approach to its existentiality as potentiality-For-Being through which the idle talk of *das Man*, a knowledge claim is being pushed away. Questions about how far there is a repetition of a past resolution can be raised. It is true that there is a repetition, but it is not about the *re-solution*. What seems to be repetition is the permanency of Being-Guilty,⁷⁸ in other words, the permanent referral to the existential structure of *Dasein* i.e. care. Therefore, resolutions are always different according to the Situation of *Dasein* but the ground on which those resolutions are built is the same, existential possibility of *Dasein* itself — not a grand resolution expressed in universal morality...*the men who exhaust fish, a life form in the oceans, must think according to their own*

⁷⁷ As authentic through death, *Dasein*'s being is temporised (Heidegger 1995, pp.376-78) and by facing this as a reflection in its finite future resoluteness temporises the present.

⁷⁸ Olafson argues that '[b]y virtue of being the kind of entity we are, we do constitutionally owe something - something is due from each of us' (1998p.47).

relationship with the sea not according to what is legislated as the law in which fish is the thing to be used for development...a life form which escapes us constantly by showing a possibility of a different being, being ethical...

Responsibility

The implication of these arguments is realised within the considerations of 'responsibility', as every decision carries moral grounds with itself. The Heideggerian approach seems to create a concept of morality which is not empty in the sense that one cannot escape it or justify oneself through public discourse by giving the account of his/her behaviour accordingly. According to Reiner Schurmann 'responsibility means response' (1990, p.263). In this understanding 'to be responsible means to be able to "respond to"...the ever new modality in which the world unfolds things and in which things give configuration to or "bear" the world' (Ibid.). It would be argued that every action becomes a response and hence a responsibility in facing the world.

Now it is established that in responsibility, responding to, the past of *Dasein* as its existential and its facticity as its 'thereness' where the situation arises are assumed. The implied concept of responsibility is arrived at in each case through making one's 'being' the issue, in other words in each Situation *Dasein*'s becoming its potentiality-for-Being is called for. Derrida argues that

if decision-making(responsibility) is relegated to a knowledge that it is content to follow or to develop, then it is no more a responsible decision, it is the technical deployment of a cognitive apparatus, the simple mechanistic deployment of a theorem (1995, p.24).

This is related with the case of facing⁷⁹ the Other in one's own being or escaping to the fixed morality, escaping to become in taking the challenge presented by the *Unheimlichkeit*. Insofar as one's being is only possible by the being of other, to be able to respond to one has to think about one's own possibility of Being. Therefore, one cannot differentiate an action, that is justified on the

⁷⁹ Here, I repeat my caution again. See note 65 .

basis of public discourse, *das Man*, and its Being as human, to escape a moral responsibility anymore. So, at each response one carries the responsibility of Other within itself there and then, *I am indebted(guilty), and responsible*. Responsibility must be free of dominating claim as to what is it to be responsible. It has to become responsible according to each Situation in each 'thereness'. If it becomes ready made applicable theorem, it leaves existential responsibility behind which becomes *irresponsibility*.⁸⁰ I observed this tension in deep ecology, in the way that moulded responsibility based on a foreclosed idea of human being's Being, overrides the vital interests of nonhumans in the cases of conflict.⁸¹ It is therefore, the responsibility expressed in existential terms represents an ecological responsibility that is not foreclosed by the definition of Being.⁸²

It is also through resoluteness that *Dasein*'s action represents a deep identification with one's existence and, thus, full responsibility for the action which makes the false morals of 'they' redundant. By locating responsibility on existential grounds, as in Heideggerian terms, something like a personal (not person as in personhood) responsibility for the future, an ontological responsibility, that is prior to the action or decision, is established as well.

Furthermore, through the analyses, something like 'freedom' emerges as an intelligible concept. It might be seen as freedom 'to be' without being intimidated by a normative tribunal, *perhaps Kant's scientific tribunal*, to give an account of one's actions according to 'they' of *human beings framed in the Categorical Imperative*. This articulation seems to suggest that resolution is the only possibility of something like freedom, as freeing oneself from tranquillised and normalised public discourse. Through this, *Dasein* freely decides about a Situation in its Being as an existential responsibility-to-Other rather than applying what is required, or given as only possible in the idle talk, which reflects a false image of its Being *human whose nature expressed as reason and will to aim represents a-historical ethical relationality*. Therefore, this is to be free from being melted in a

⁸⁰ Derrida argues that 'thematization of what responsibility is or must be is also an irresponsible thematization...In order to be responsible it is necessary to respond to or answer to what being responsible means'(1995, p.25). Here, it can be argued that Derrida is pointing out the importance of experience in responding according to the experience rather than understanding the experience according to our responsibility. To be able to ask what is my responsibility/response to this relationality here and now.

⁸¹ See note 23 and French 1995, pp.29-57.

⁸² In the case of Naess, it is clear that his orientation owes a lot to Spinoza's idea of things and their relation to God. See Naess 1980.

public discourse, which means being free from becoming a part of and lost in a public discourse by losing one's existential possibilities.

Also, it implies that freedom is possible within one's potentiality-for-Being in its temporality. Any objection to such freedom on the grounds that such subjectivity is an invitation to a state of chaos would be ill-founded considering the existential structure of *Dasein*'s Being as care formulated as ahead-of, along-with and with-in its concerned solicitude.

In order to understand the impact of the Heideggerian approach, *Dasein* as explained so far has been considered in itself by silencing its existence with others within-the-world. In doing so I attempted to show that *Dasein*'s constitution is the condition of an ecological thinking. In order to see the whole vision of the above arguments such as responsibility, action, and freedom in an ecological perspective, it is imperative to see the holistic approach of Heidegger in relation to Earth and the things in it. Although in locating *Dasein* back to world in the middle of other beings a gesture towards a larger context is made, the understanding of earth, and other beings therein gives the full-scale of Heideggerian approach both as a critique of Cartesian/Kantian understanding and a way of thinking about ecology. This is considered in the next section.

Earth or World?

In *Being and Time* Heidegger does not explain clearly his understanding of Earth, in other words, he does not openly articulate what is indicated by World, as in 'Being-in-the-world'. Nevertheless, it becomes clearer in the general context of the text that when *Dasein*'s world is mentioned something like its social environment is thought of, so by differentiating its world from the 'world' as the totality he implies that the latter is more than what is seen as social *environs*. Moreover, by explaining other things around *Dasein* on the basis of present-at-hand, ready-for-hand or Other in the sense of other *Dasein* for whom their being is issue, the world in Being-in-the-world becomes intelligible. It is not based on the natural world as a biological earth. He is implying a World that is there at *Dasein*'s thrownness just before its falling, perceived in its relations at *Dasein*'s thrownness as possibilities before it becomes lost in idle talk.

Within this structure nature is seen as 'Nature is a limiting case of the Being of possible entities within-the-world. Only in some definite mode of its own Being-in-the-world can Dasein discover entities as Nature' (94). Here, argument implies that objective nature, which is usually applied in ecological discourse, is impossible, if similarly a deep ecology perspective is taken into consideration nature and human being relationship suggested carries a certain permanence, an a-historical relationship, that becomes untenable through Heideggerian perspective. This perspective adds a new depth to the discussion about nature. This is important for two reasons, while recognising the existence of nature as such, human relationship to it is established as becoming. Thus dynamic, not only in its use it but in meaning, leads to a realisation of potentiality-for-Being, where a relationship, a communication between the two becomes perceivable.

It is now established that nature is in the possibilities of *Dasein*; therefore in Being-in-the-world without necessarily meaning nature corresponds to the world in this. What nature seems to be is just one of the possibilities of *Dasein* as Being-in-the-world. Therefore, nature is not something permanent and always there as it is perceived. On the contrary, nature is temporal and thus, historical and subjective to *Dasein*'s world. Moreover, the perception of nature is only possible through the mediation of *Dasein*'s world which makes it always a derivative of present-at-hand or ready-for-hand(99-101). Remember here that *Dasein*'s world as its 'thereness' is always related to its Being-in the-world. This indicates that even nature expressed within 'thereness' implies something larger. The only access to this than becomes the issue of *Dasein*'s realisation of its potentiality-for-Being that is becoming.

The new dimension created by the above argument creates a curiosity about the possibility of a common ground within something like all-encompassing nature. Such a possibility emerges from Heidegger's work *The Origin of the Work of Art*. It is argued that:

World and Earth are essentially different from one another and yet are never separated. The world grounds itself on the earth, and earth juts itself through world (1996, p.174).

So, every world is necessarily a representation of earth but it is only 'a' representation. In order to understand, the essentiality of earth for world is imperative as long as world is only one of the

possibilities of earth. Considering that nature is always about *Dasein*'s world and therefore somehow subjective, how is it possible to detect the earth as the ground of world in the subjectivity of it? Or, how is it possible to consider a wider grounding for a seemingly obvious world which does not seem to have any grounding apart from itself? According to Heidegger 'it is through the work of art as essent being that everything else that appears and is to be found is first confirmed and made accessible, explicable, and understandable as being or not being' (1987, p.159).

The realisation and the understanding of something like earth is only possible within the context of a work of art. The earth communicates itself towards *Dasein*'s world through the work of art. The process of this communication is central to the understanding of Heideggerian thought in general. Heidegger in his work *An Introduction to Metaphysics* (1959/1987) establishes that in translating the Greek word *physis*, which by today's understanding negates the concept of nature given through the Latin translation as *natura* indicating what is physical out there, the possibility of understanding the essence of being itself is eroded (Ibid., p.13). The word in its original Greek form 'denotes self-blossoming emergence, opening-up, unfolding' (Ibid., p.14). Heidegger emphasises the 'self' of the emergence as 'rising in-itself' (1996, p.168). But this is not an emergence which should be seen as a process of nature, in other words a process that is recognised within nature as an already established fact; Heidegger argues that 'the Greeks did not learn what *physis* is through natural phenomena, but the other way around' (1987, p.14). They discovered that in emergence what is coming out is about the essent of being, it is showing itself through unfolding. At the same time, this emergence implied that before the discovery they were hidden 'whereby the hidden is first made to stand' (Ibid., p.15). This concept of *Physis* is the manifestation of the concept of earth as well. *Physis* 'illuminates also that on which and in which man bases his dwelling. We call this ground the earth...Earth is that whence the arising brings back and shelters everything that arises as such' (1996, p.168). In order to comprehend this earthiness of every arising, the concept of appearance must be brought into the articulation; 'the realm of emerging and abiding is intrinsically at the same time a shining appearing' (1987, p.101). The essential possibility of being, its essence, is appearance; unless it appears it is difficult to talk about being. Here, it is imperative to understand *alethia*. As long as the essence of being is emergence, unfolding i.e. *physis*, the manifestation of unfolding is appearance. It is probably safe to take this as how this manifestation is perceived by

Dasein, in that what appears is a way for something to emerge from its hiddenness and this unconcealment is *alethia* (Ibid., p.102). In other words, *alethia* is ‘the emergence of being into the unconcealment of its Being’ (1996, p.161).

What *alethia* indicates is called truth. In the attempt to establish this unconcealment as truth Heidegger is distancing himself from the common usage of truth in relation to correctness. Truth is about unconcealment but at the same time it is about what is concealed in that unconcealment as well (Ibid., p.177-79).⁸³ If unconcealment is considered to be related to truth as the knowledge of something that has unfolded, the above discussion guarantees that it is not the full story; there is always something more which is inaccessible, concealed. In order to unconceal this concealment, there is a never-ending strife between earth and world (Ibid., p.180). This state of strife also implies that any truth is temporal or it is as long as unconcealment stands, ‘*in each unconcealment of beings there already lies in each case an unconcealment of their being*’ (Heidegger 1998, p.105 emphasis added). It is in this move that one can observe an argument against the Kantian understanding of nature as inner principle of things. Contrary to Kantian nature, here being of things in themselves can be observed. It is also methodologically diverting by understanding nature as within itself revealing rather than a teleological assumption of functions reflected as inner principle of a thing.

After touching on these central concepts of *physis* and *alethia*, it is appropriate to see earth and how it is in *physis* through the work of art. Every work, in reference to producing, uses some material to shape it into a certain form. Therefore, in every work there is an inescapable communication between material and form. If the form is identified with the aim of the work, it means that matter has to be formed into something defined by ‘world’. Therefore, the identity of the matter, or what it might reveal as a formed matter is subsumed under the aim. These forms are usually categorised as equipment or utensils. Would these reveal earth; do they unconceal something about earth?

⁸³ Heidegger differentiates between ontic and ontological truths. The former he argues ‘occurs in our finding ourselves[Sichbefinden], in accordance with our attunement and drives, in the midst of beings and in those ways of comporting ourselves toward beings in accordance with our striving and willing that are also grounded therein’. Ontological truth, the latter, he argues ‘*Unveiledness of being first makes possible the manifestation of beings*. This unveiledness, as the truth concerning being, is termed *ontological truth*’ (1998, pp.103-107 emphasis in original). He then argues that *Dasein* in its comportment to things can understand this distinction as a result of its own essence (Ibid.). The indication here is *Dasein*’s ontic and ontological existence as its ‘thereness’ and being-toward-death.

Utensils obviously have earthly grounding, which Heidegger calls 'the silent call of earth' (1996, p.159). Nevertheless, this silent call gets lost most of the time in their usefulness. Before they reveal their origin, they are melted into their equipmentality. In contrast to this, the work of art stands alone without any relatedness to usefulness as in equipment. Therefore, it reveals, brings out a knowledge 'brings about being in an essent' (1987, p.159). Furthermore, the work of art is about truth in relation to the essent of being. It discloses the truth about the piece under consideration, then it is 'the truth of Beings setting itself to work' (1996, p.162). The real difference seems to be about the attitude that is taken towards the process of making equipment an art form. Equipment is the result of production, in which the issue is not about truth as to what is disclosed but is about the use of it. No matter what the truth is in equipment, it is released to be used up without finding that truth (Ibid., p.189). The work of art is the result of creation in which something is allowed to emerge as from itself which means bringing forward a knowledge in relation to the essent of Being. One should not confuse the concept of creation with God's creation out of nothing. The creation here is related to the work; it is not creating what is disclosed or emerged from the work i.e. earth. In the process of creating a work of art a space is opened up for earth to emerge. Therefore, creation is opening up a space or enabling earth to emerge in unconcealment as truth (Ibid., p.186-87). In this openness 'each being emerges in its own way' (ibid.).⁸⁴

In all these discussions, earth emerges as the essent of being manifested in all truth and, including in a state of being an equipment, in its silence. Also, with the concept of non-subjective preservation,⁸⁵ Heidegger elevates earth to a position of the ahistorical i.e. a state from which all work derives and on which all 'world's are grounded. As such earth than is the common ground of existence where the ecological relationality is grounded.

Earth appears as the dwelling (1996, p.172) on which *Dasein* establishes its world, *worlds*. The dwelling is 'the way in which you are and I am, the manner in which we are on the earth as a

⁸⁴ This creative activity is not confined to the term 'art' in the modern sense. Heidegger brings the Greek understanding of *Techné* which covers all making that brings forth knowledge (Heidegger 1987, p.159 and also 1996, p.184). *Techné* is about having a relationship with the process which does not hide 'the being that surges upward, growing of its own accord' (1996, p.184), so work is the medium between the being as unfolding and its unconcealment as truth.

⁸⁵ The other important component of the work attributed to it is 'preservation' (Heidegger 1996, p.192). It means standing-within the unconcealment; in other words, it is knowing, realising what is unconcealed as truth. Here, the crucial point is about knowing, what is known is not about the world and worldliness of truth but its relation to earth as the original essent of being.

mortal' (Ibid., p.349). It means that with the truth of earth, *Dasein* grounds its world on that truth. Heidegger describes earth as 'Earth is the serving bearer, blossoming and fruiting, spreading out in rock and water, rising up into plant and animal. When we say earth, we are already thinking of the other three — sky, divinities and mortals — along with it' (Ibid., p.351). Before concluding this journey into Heideggerian thought, it is imperative to go back to *Being and Time* and see the possibility of truth and earth as the possibility of *Dasein* defined as care.

The primordial relationship established between *Dasein* and the concept of Care is very important for the whole discourse. Care is seen as the primordial structural totality of *Dasein* (1995, p.238). This means that care is existentially present in all the possibilities of *Dasein*. The important thing about care as a structural totality is that, by definition, it is in every state of *Dasein* and by being present as concerned solicitude it enables *Dasein* to reach its resolution. What then does care imply?

Care signifies a *Dasein*'s being as 'ahead-of-itself-Being-already-in[the-world] as Being-alongside [entities encountered within the world]' (1995, p.237). And this state is not a special condition but the essential of *Dasein*'s being. As a result, in each case *Dasein*'s being exists within and alongside others.⁸⁶ Resoluteness as authenticity in 'they' does not change the content of 'world' or things in 'world'. As concerned and solicitous Being '[they] are given a definite character in terms of their ownmost potentiality-for-Being-their-Selves' (Ibid.). In their-Selves they allow *Dasein* to become in its potentiality-for-Being. The connection here, is what I have been referring to as ecological relation throughout the thesis.

This is fundamentally important. Considering the fact that in resoluteness *Dasein* faces its potentiality-for-Being and in that *Dasein*'s existential state, as care, is represented which means that, in order to become *Dasein* has to face being-in-alongside-with as the essential condition. In other words,

when Being-in-the-world has been disclosed to itself and understands the Being of that entity which it itself is, it understands equiprimordially the Being of entities discovered within-the-world, even if such Being has not been made a

⁸⁶ This means that *Dasein* is concerned even in its authenticity as 'concernful lostness in the they' (Heidegger 1995, p.344). In this, *Dasein* can become conscious of its lostness through resolution.

theme, and has not yet even been differentiated into its primary modes of existence and Reality (1995, p.371).

Therefore, *Dasein*'s becoming itself is not something which is isolated in itself at all. Its Being is essentially its 'belonging'. *Dasein* is a being for whom its being is an issue for itself, and this being is only possible as being-already-in and being-alongside. Therefore for *Dasein* the issue is also this being-already-in-alongside-with which implies something like earth as the all-encompassing totality. In each resolution what is disclosed is *Dasein*'s being belonging to 'already-in-alongside-with' as well as *in* earth. In other words, in becoming anxious in its lostness what is at stake is Being without belonging without which Being cannot be. So anxiety is about the absence of the sense of Belonging; in other words alienation from the totality of Being. *Dasein*'s being is always in earth by virtue of the fact that world cannot be without earth. Therefore in its experience *Dasein* constantly experiences earth even as its unconcealed truth represented by 'they' in *Dasein*'s everydayness, as conflated in 'a' world. As a result, Cartesian/Kantian assumption of human existence based on human beings *cogito*⁸⁷ is replaced with existence connected to belonging, to an ecological relationality.

If resoluteness is considered to be self-emergence of *Dasein*'s being potentiality-for-Being through the process of anxiety, then what is questioned is the communicated truth by 'they' about its world to *Dasein*, for example, *thematization of Being as human being reflects a world where human being exists alone*. In questioning this truth *Dasein*'s being turns towards it-self which is about belonging to what is disregarded in its world reflected by 'they'. So, in resolution, *Dasein*'s Being is able to understand, becomes conscience of, its belonging and the location, or temporality of its world on something permanent and most of the time withdrawn.

Heidegger argues that 'truth essentially occurs only as the strife between clearing and concealing in the opposition of world and earth' (1996, p.187). This means that world tries to unconceal earth while each unconcealing is a concealing of earth as well. If world is considered to be the space of *Dasein*, firstly, unless it is in its state of resolute worldliness, it would not go so far as to attempt to unconceal earth because it would not perceive or understand a possibility of

⁸⁷ Critchley argues that 'Kant is methodologically, but not metaphysically, Cartesian. The Kantian subject is a *cogito* without an *ergo sum*' (1997, p.88).

something like earth; secondly in its resolute worldliness, *Dasein*'s being is in one of its possibilities, therefore there are other possibilities in which *Dasein* is not, and thus earth is concealment in its unconcealment.

What this constellation indicates is the importance for *Dasein* to be in its resolute worldliness, in other words, in its readiness to be anxious about itself and its world about the truth of them. In its resoluteness *Dasein* could perceive itself as dwelling on earth and its world as grounded on earth. The concept of dwelling is important because, in that, Heidegger establishes or rather enhances the concept of the belonging of human being to earth and its position in it. Heidegger considers the position of mortal's dwelling as 'character of dwelling is safeguarding' (1996, p.352).⁸⁸ He further qualifies this:

Mortals dwell in that they save the earth — taking the word in the old sense still known to Lessing. Saving does not only snatch something from danger. To save means to set something free into its own essence. To save the earth is more than to exploit it or even wear it out. Saving the earth does not master the earth and does not subjugate it, which is merely one step from boundless spoliation (Ibid.).

In order to safeguard in the above sense, *Dasein* has to understand its being as belonging to earth with everything therein *as opposed to be interested in things as a result of conscious intentionality expressed in the Kantian science*.⁸⁹ Obviously this comes with the resoluteness of *Dasein*. Therefore, through resoluteness *Dasein* comes to its home as well. The understanding of locating human being in earth establishes a relational contract based on affirmation of human being's 'whereness'. In responding to a question human being implicitly acknowledges a relationship with *somewhere* which allows the question to be asked at all. By paraphrasing Derrida,⁹⁰ the question

⁸⁸ Opposite of which expressed as Flesh, brutality of 'they' in the face of that which is *Un(heim)lichkeit*, 'flesh is a loss of contact with Being' he says it is the 'unbecoming of the world.... Flesh is what becomes of us when we are deprived of Being, world, language, and truth. Flesh is... brutal unbecoming' (Caputo 1993 p.211). The theme clearly suggest how being that which is not in 'world' is brutalised. His usage of 'us' must be taken as a reference to a larger context of nature in the light of his previous suggestion. Also, the resonance with potentiality-for-Being, that is lost in not *responding*, with the loss of heteronomy is interesting '[t]he disappearance and destruction of species in which the modern world is engaged is an undoing of flesh and of its heteromorphic possibilities' (Ibid., p.210).

⁸⁹ Simon Glendinning observes this point in relation to the concept of everydayness. He argues that 'everydayness is precisely not a context in which an isolated subject has an intentional consciousness of some object present-at-hand' (1998, p.63).

⁹⁰ See Derrida 1994.

about/according to human being can only be legitimated, authorised by the 'whereness' and the ethical relationality expressed within it. I argued in the previous chapter that human subject's 'whereness' in the Cartesian/Kantian framework is established in the abstract, in its detachment from nature. The questions asked by human subject reflects this abstract space, the responses also legitimated implicitly by this space. By shifting existential 'whereness' of human subject from the abstract to earth that is experienced in every 'thereness' — authentic or inauthentic, Heideggerian path allows the questions of ecology to be posed by the acknowledgement of ecological relations of human being. Earth becomes the possibility of responding with concern to the homelessness of Un(heim)lichkeit. For there is no homelessness but Un(heim)lichkeit in 'they'.

Conclusion: 'Ecological Being/Witness'

The constitution of *Dasein* as discussed in its temporality together with its location on earth frames the Heideggerian contribution to ecological thinking. It is a reversal of abstracted human being. This reversal provides a possibility of an ecological existence. It is nonetheless by understanding the position of human being in relation nonhuman beings which allows an ethics of ecological relationality to be observed. It also, responds to the claims of anthropocentrism of Heideggerian thinking.

Heidegger throughout his thought establishes a new way of understanding what the human being is all about. Through this approach he might be seen as anti-humane or as a different sort of anthropocentric according to one's perspective, particularly through the perspective of the Cartesian/Kantian human being. This is the crucial point in understanding Heidegger — his attempt is not about trying to innovate the concept of human — humanity within the dominant metaphysics of the times. Yes, he is anti-human insofar as the understanding of humanity is based on Cartesian/Kantian premises, and he is also anthropocentric, but this orientation is not about the centrality of humanity for the rest to exist.

In his *Letter on Humanism* he argues that '[b]ut if man is to find his way once again into the nearness of Being he must first learn to exist in the nameless' (1996, p.223). Here, Heidegger's question is manifested in a coherent way. His question is about Being, and human kind is able to

become near to it but this becoming is not possible through claiming to be Being. It is rather possible through becoming located within many other things which are parts of Being as well.

In *Being and Time*, and also in his later thoughts, Heidegger establishes that Being is always out of reach: in *Dasein*, Being is only realised through becoming but it is never possible to reach Being; in works of art one becomes aware of Being but it is always incomplete in the sense that Being is always more than what it seems. This means that Being for humankind is becoming⁹¹ which cannot be reduced to one possibility of it. Therefore, to define Being in its entirety as something comprehensible is an illusion which uproots humankind from its becoming and reduces it to a state of non-humanness.

It is very clear that, in Heidegger, Humankind is considered to be the only entity which experiences becoming, which means its own Being is an issue for humankind. He reiterates this understanding in his *Letter on Humanity* (1946)⁹² on various occasions. Also, his lecture series of 1929-30 under the title of *The Fundamental Concepts of Metaphysics: World-Finitude-Solitude* 1995[1983] has the same inclination. Nevertheless, this does not necessarily imply that he was another anthropocentric as claimed by Simon Glendinning, “[m]an”, for Heidegger, remains the entity that is absolutely privileged: the centre of the “being there” of the world as world’ (1998, p.70). This interpretation seems to be ignoring the main assumptions I discussed in the context of *Being and Time*. It is clear that if the ontological framework is ignored, as he accepts,⁹³ for an epistemological interpretation this would contradict the aim behind the whole Heideggerian project.

⁹¹ According to Martha C. Nussbaum this becoming process is ‘to wait somewhat passively for the revelation of Being, the way a poet waits for the voice of inspiration or believer for the voice of God’. See, Nussbaum 1997. Also, according to Dominique Janicaud, the politics of later Heidegger is “une politique de l’attente”(a politics of awaiting), that is a politics based upon the realisation that human action cannot transform the world and that we must wait for the transformation to come from within Being itself’ as cited in Simon Critchley 1993, p.85. Both views seem to have a very problematic approach to Heideggerian understanding. For Nussbaum, it seems very interesting to locate something like becoming at each situation to a passive mode which practically reflects a contradiction in terms. For Janicaud, it seems the stand taken is an interesting interpretation of how Heidegger concludes his essay on ‘The Question Concerning Technology’(1977). He writes that ‘The closer we come to the danger, the more brightly do the ways into the saving power begin to shine and the more questioning we become’. This is obviously about the possibility of change through questioning. And it would not be misinterpretation to take this questioning as the questioning of mode of being; in other words, a process of becoming through the angst of technological existence.

⁹² Whose target was mainly Jean-Paul Sartre and his way of interpreting humanism, as he combined some parts of Heideggerian existentialism with strong Cartesian/Kantian understanding of human being. Heidegger was trying to clarify his position and distance himself from this particular interpretation as existentialism. See Sartre 1948.

⁹³ Glendinning argues that in ‘*Being and Time*, Heidegger presents the epistemological problematic and skeptical questioning which characterize the modern philosophical inquiry’ and suggests that Heidegger ‘is trying to reframe

According to David F. Krell (1992) the *Letter on Humanism* in which Heidegger talks about the separation of human beings and other animals with an 'abyss' (Heidegger 1996, p.230) indicates a failure or rather strongly emphasised anthropocentrism in the thinking of Heidegger⁹⁴. He argues that 'Heidegger is careful to reserve selfhood to Dasein. Indeed, the bulk of his analysis set the selfhood of human Dasein in relief against the realm of mere animality' (Krell 1992, p.9). And he tries to show that Heidegger fails to bridge the gap created by this abyss earlier in his attempt through the lecture course '[w]hen Heidegger tries to separate Dasein from the animal, or to dig an abyss of essence between them, he causes the whole of his project to collapse back into the congealed categories and oblivious decisions of ontology' (Ibid., p.105). But clearly in the lecture course Heidegger qualifies the possibility of abyss:

it is not simply a question of qualitative otherness of the animal world as compared with the human world, and especially not a question of quantitative distinction in range, depth and breath — not a question of whether or how the animal can apprehend something as something, something as being, at all. If it cannot then the animal is separated by an abyss (Heidegger 1995, p.264).

Here, it seems that Heidegger is attempting to see animality as being within itself. There is no attempt to define their being or having a world according to some ontological definition of human being and its world as an established animal world. Nevertheless, the discussion which continues about being in a circle or ring, poverty-deprivation and captivation (Ibid., p.201-70) in relation to the animal world, seems to create a misunderstanding which he clarifies through

[thus] our entire preliminary investigation suddenly takes on *a new function*. The task is to reveal the significance of what we acquired there in its entire import for the question concerning the manifestness of beings as such, a manifestness which was indeed supposed to constitute one moment of the essence of world. In this connection we should remember this: animality no longer stands in view with respect to poverty in world as such, but rather as *a realm of beings* which

this skepticism' (1998, 43-47). By ignoring the ontological aim and the approach of the questioning in *Being and Time*, and elsewhere in the Heideggerian writings, Glendinning is starting his analysis with a misreading (*misleading*) which then allows him to claim that Heidegger's aim was to clarify the concept of *Dasein* — man in the general structure of metaphysics.

⁹⁴ See, for example, p.130 in Krell 1992.

are *manifest* and thus call for a *specific relationship* toward them on our part, one in which at least initially we do not move (Ibid., 276 emphasis in original.)

and he describes that

the ring that encircles the sea-urchin is quite different from that of the bee, and that of the bee different again from the great tit, and this different from that of the squirrel and so on. But these encircling rings belonging to the animals, within which their contextual behaviour and instinctual activity moves are not simply laid alongside or in between one another but rather intersect with one another....When we consider that in every case of such encircling struggle the living being in turn adapts something from nature itself into its own encircling ring, then we must say: *What manifests itself to us in this struggle of encircling rings is an intrinsically dominant character of living beings amongs beings in general, an intrinsic elevation [Erhabenheit] of nature over itself, a sublimity that is lived in life itself*'.(Ibid., p.277-78 emphasis in original.).

One of the most important aspects of the recognition of *sublimity that is lived in life* is, as also agreed by Krell, that Heidegger opens up the possibility of death and therefore recognises 'the capacity to be' (Krell 1992, p.105).⁹⁵ In this space, nature and things in nature can be considered as life and a move toward including those lives in the political *life*. It is the possibility of *life* recognised in its own way, and located within the political, which seems to respond to what John D. Caputo⁹⁶ argues in terms of *Flesh*, 'brutal unbecoming' (1993, p.211)....*the flesh of marine life choking to death in waters poisoned by oil and toxic chemicals is no less flesh than human flesh...*(Ibid., p.210).

This possibility of recognition is not very clear in the Heideggerian text (1995, p264-70) and it led Krell to conclude that '[m]ind equine tears, the watershed — the water shed over the impossible, impassible, abbysal watershed that Heidegger, like most philosophers before him, hopes will segregate human beings from the animals' (1992, p.134). Although the insistence of Heidegger on the different 'rings' would justify this pessimistic ever existence of a watershed, his thinking about the different rings in terms not only of death but 'the question concerning the

⁹⁵ Also see p.128-129 in Krell 1992. Here, Krell seems to argue that Heidegger's effort to disprove the poverty of the animal world is a failure which, it seems to me, is a rather rushed opinion about the discussion put forward in the lectures of 1928-30.

⁹⁶ See note 87 .

essence of life in relation to the question concerning the essence of death is just as essential as the question concerning the essence of life in relation to the essence of organism' (Heidegger 1995, p.266) elevates the whole argument to a different stage. The question of life, he seems to suggest, is related with the essence of organism that is reflected through itself not as an attributed to it in relation to humans. So, in this sense it is not about a discussion to exist in watersheds and mourn for not becoming together, but it is rather about recognising and trying to understand the essential differences of organisms and take them as in themselves, not comparing them to human beings and measure their *potential* qualities according to a definition of 'personhood'. One could still accuse this perspective as being anthropocentric, for example, Jacques Derrida seems to go in both directions — for and against:

The Difference he is talking about between poverty and wealth is not one of degree. For precisely because of a difference in essence, the world of the animal — and if the animals poor in world, and therefore in spirit, one must be able to talk about a world of the animal, and therefore of a spiritual world — is not a species or a degree of the human world. This poverty is not an indigence, a meagreness of world. It has, without doubt, the sense of privation [Entbehrung], of a lack: the animal does not have enough world, to be sure. But this lack is not to be evaluated as a quantitative relation to the entities of the world. It is not that the animal has a lesser relationship, a more limited access to entities, it has a other relationship⁹⁷,

and he adds that '[i]t respects a difference of structure while avoiding antropocentrism. But it remains bound to reintroduce the measure of man' through 'this meaning of lack of privation' (Derrida 1989, p.49).

At this point it is central to see all this discussion about the 'animal' and anthropocentrism in relation to the move Heidegger makes in articulating the possibility of *Dasein*. The structure of *Dasein* as discussed earlier in the chapter shows that it no longer exists in the conventional binary location, in opposition to nature. In this, the concept of 'care' and the conceptualisation of 'death'

⁹⁷ Wittgenstein suggests in his *Philosophical Investigations* that '[i]t is sometimes said that animals do not talk because they lack the mental capacity. And this means: "they do not think, and that is why they do not talk". But they simply do not talk. Or to put it better: They do not use language-if we except the most primitive forms of language-commanding, questioning, recounting, chatting, are as much a part of our natural history as walking, eating, drinking, playing'(1997, p.12e-paragr.25).

are very important (Also, by bringing the death as the necessary condition of caring *Dasein* to be. The whole existence and the relational possibility of *Dasein* is fixed into an existential ethics of other that is in *Dasein*). It is the existential possibility of being as thrownness which might safely be translated as one's state at its birth as grounded in care. Here, humankind, in order to be at the beginning, has to be already-within-alongside-with, which means that, when human is, it carries all these things with itself. So, existentially, it belongs. There is no way that human existence can be thought of without these essentials of its being. They are not attributes. It is not that because it exists it is in relation, but rather in order to exist it has to belong. What this belonging achieves is existential identification with others as belonging to the same Being.

Having these existential essentials in the cement of its being, the human is able to find out its belongingness even if it is lost. In resoluteness by becoming anxious about the standing truth of its being in each Situation the human being discovers this belonging. Therefore, in each resolution the human being is conscious of its origins as belonging and also conscious that it is becoming, not Being, which indicates, further, that its own being is an issue for itself through which his belonging is questioned as the anxiety about truth in one's own world. Caputo argues that '[b]eing touched is a transformation from autonomy to the heteronomy, a reconfiguration of an autonomous agent into a heteronomous one' (1993, p.217), *it is the openness to Unheimlichkeit that brings the Dasein's potentiality-for-Being...*

In becoming, humankind is facing its past and its future in which its own way of being is projected. In other words, it becomes through itself at the glimpse of *Unheimlichkeit*. Through this process the human being realises that it only understands itself through its becoming from itself as having other in one's self. Therefore, the others become understandable as well, insofar as they manifest their being from themselves. The implication of this argument is that the truth humans attribute to themselves as the location of Being for themselves and by that ordering of others become untenable as the only truth. It can be only one of the possibilities in 'they' where the idle talk of Being expunges the other possibilities at the expense of other being's, nonhuman being's unbecoming.

Therefore, in order to understand others, human beings refrain from attributing things to them that are not reflected by them. This manner of being human is nothing more than being a

member of all beings. As all beings have differences apart from their existential essentials, humans differ in their ability to question their being. They realise their becoming and by being conscious of their being they choose from their possibilities of potentiality-for-Being. This seemingly human-centric view within the general framework of Heideggerian thought suddenly becomes the possibility of conscious ecological being.

The rethinking of human being is about a being whose interest with its surroundings is not based on utility of things for itself.⁹⁸ The interest of 'ecological' being comes from its belonging. It is not totally based on possibilities for its own and own kind's sustenance for generations. Ecological being's consciousness is working through the fact that we are because they are, rather than we are and therefore they are. This difference is very important, ecological being in each Situation retreats into its own consciousness of belonging which implies a state of responsibility in each decision about understanding the other entities involved in themselves as the truth which is one of the components of one's being. Put differently it locates itself within the context as a witness rather than above the context as an authority that gives order to things. As a witness, it does not compare other entities to itself and measure them according to itself, the measure of things is in themselves for ecological being. In making a choice about a Situation through this process, it comes realise a possibility of potentiality-for-Being enriched by the feeling of truth about belonging with others. This condition also makes human being at home.

Does this Heideggerian reinstitution of human as an ecological being help to approach ecological problems in the real sense? Or does it give us a romantic reflection on antiquity where people lived in the harmony of chaos?

In a way of conclusion there are two main points to make. The first one is related with the importance of time and space in this approach. The second one has two levels a) the importance of reconstitution of human within ecological understanding for politicising ecological life, and b) the methodological consequences deriving from the way the discussion is built.

⁹⁸ Attfield argues that '[I] believe that the conclusion that species lack interests is correct, at least if it means that a species has no interests over and above those of its member' (1991, p.150) and discusses the possibility of moral standing for such non-human species. According to this classification of non-human is a *being interested in only its own species*, the humans' approach to nature puts them into the category of non-human species as well.

First, although Heideggerian thought draws on pre-Socratic thinking, it is in no way a suggestion about recovering the past into the present. Heidegger is very aware of the time and space based (in which something like social can be observed) existence of human beings. By being grounded on Earth and, then, located within a certain *there-world*, human being is infinitely time and space based. In this particular finite time and space it encounters nature and other beings. It is in this encounter that it realises potentiality-for-Being. Therefore, human being becomes, in its authenticity, within a certain time and space according to which it exists, *Da-sein*. The discussion of potentiality-for-Being does not imply an originary past, *Arcadia*, which if recovered would solve the problems here, today. The insistence on *Dasein*'s relation to 'there' both authentically or inauthentically presents that the thinking about Being is related with one's time and space. This locatedness is strongly argued in *The Question Concerning Technology* (Heidegger 1977).⁹⁹ The argument is about how in technology beings become things and what is being revealed is a process of unbecoming.¹⁰⁰ Therefore, it is an attempt to take how discourse on technology establishes *there* in this age and try to see its essence in terms of beings rather than things. This is not an anti-technology stand but rather a conscious thinking/questioning of how we become in the age of technology without losing sight of becoming in the midst of beings rather than things. As a result, the thinking about Being or becoming warns or works as a methodological corrective that reminds human being that it exists in the midst of other beings on earth so that other beings existence can be accommodated in this age.

Second, I argued that the Heideggerian move locates human being back into its location as an existing being among other beings. This reverses the Cartesian/Kantian frame where human being is abstracted to a space where things exist as a result of conciseness of human being. With the

⁹⁹ Heidegger argues that '[t]he question concerning technology is the question concerning the constellation in which revealing and concealing, in which coming to presence of truth, comes to pass' (1977, p.33).

¹⁰⁰ 'As soon as what is unconcealed no longer concerns man even as object, but does so, rather exclusively as standing-reserve, and man in the midst of objectlessness is nothing but the orderer of the standing-reserve, then he comes to the point where he himself will have to be taken as standing-reserve' (Heidegger 1977, p.27). Here, the idea of what is important in technology is questioned. To take technology as one of the abilities of human essence is challenged. It is argued that humankind no longer encounters its essence, because, technology has claimed his own reason that is not related with the essence of *Dasein*. This seems very suggestive of Jean Baudrillard's discussions of *Simulacrum* developed as an important variation of postmodern social critique. Having said that, the relationship must be considered as far as motif of changing essence of technology goes. In Heidegger, the question is grounded in his general ontological investigations. For example see Baudrillard 1983.

move, beings attain possibility of their existence in themselves. It is true that one can observe the existence of nature within *Dasein*'s world. It is possible argue that this fact still locates the nature into *Dasein*'s gaze. The crux of the discussion is not about the absolute nature that exists.¹⁰¹ Even if it does *Dasein*, human being, cannot experience it a-historically.

The crux, then, is the fact that *Dasein* encounters nature in its world. It is not anymore a 'spectator, even a constituting spectator, *Dasein* is in world as someone taking part, as a party possibly challenged by that which it meets' (Marion 1996, p.86). Put differently, nature and *Dasein* are located on the same ground, they share it. This would result in considering nature and other beings as party to *Dasein*'s, human being's, existence and *vice versa*. It is with this realisation that the importance of *Dasein*'s difference from animals and their differences themselves become clear. The *Dasein* contains concern and responsibility as its own condition of becoming. Its becoming follows its concern. Therefore, it is *Dasein* who must be concerned about other beings Being in themselves. It does not have to see qualities of personhood in nonhuman beings to care for their being. The discussion of rights and the impossibility of granting rights to nonhuman beings because rights means obligations in terms of nonhuman relations to humans, becomes untenable. Rights and obligations must be related with every beings becoming in itself.¹⁰² Here, I am gesturing toward the political where nature has a voice and a party to the discussion. It is the possibility of this gesture which is the most important contribution of the Heideggerian path. *Life* becomes all inclusive, it gives voice to life which has been biological fact, *flesh*.

This active responsibility for *life* deriving from existential state of being goes beyond the concepts of aesthetics or 'awe' discussed by deep ecologists. It disagrees with the fact that in nature

¹⁰¹ Which seems to be one line of discussion to counter Cartesian/Kantian frame. It fails so far as it assumes a fix relationship between nature and human beings over time therefore carries a tone of recovering the times of undisturbed nature that have never existed in terms of ecological relations. Some level of biologism is expressed by Glendinning in his discussion of animality. He tries to counter a Heideggerian stand point by introducing equality based on biology. See 1998, pp.73-75. But clearly existential argument, as it brings the issue of responsibility seems to be more persuasive.

¹⁰² Luc Ferry documents such relationship between people and animals, insects in France around 16th and 17th centuries. See Ferry 1995. In which he observes that tiny beasts were considered in their way of life and judgment based on this rather than considering them as pests and damaging beings *per se*. There is a clear resonance between this and contemporary discussions of 'fox hunting' in Britain. Having said that the latter argument seems to be based an anthropomorphic understanding of a fox rather than what it is in itself

everything is the same.¹⁰³ It accepts human beings are in nature which become through an ecological communication. In this, the ecological is the recognition of a process of active relationship/shaping between each and every agent, a dynamic relationship. Earth is the location therefore, the relationship turns to the possibilities of different ecological communications, potentiality-for-Being. In short, it refutes the ever existing, constantly similar, relationship between nature and human beings, either as implied in the transcendental human being of Kantian thinking or mystical deep ecology's human being. It is this refutation *via* becoming that allows us to address changing ecological questions and problems. It is not only this relation to Earth as home, on which beings dwell that makes ecological problems comprehensible. The structure of the thinking and questioning as a methodology is an important part of the process. The thinking approaches *Dasein* as its in its 'there'. I would argue that Heidegger understands this initial 'there' as the state of abstracted human subjectivity which reached its zenith in Kant's thinking. Therefore, questioning by trying to understand the conditions of this existence is an attempt to establish a relational understanding of human being.

By bringing human being's Beingness under questioning, an important step is taken toward uncovering its relationality with other beings. By questioning the Beingness of human being the grounds of present 'normal' or 'tradition' is brought under scrutiny. Within this questioning the importance of Death, temporality of human being, comes from its temporalisation of thinking in terms of any given a-historical discourse. The temporalisation of thinking keeps methodology away from becoming a substantive core of what is being questioned. Put differently, the correctness of questioning is not related with 'the truth'. *Truth* of a relationality derives from the context.

In this the ethical orientation can be observed. Critchley points out that 'Heidegger reconceives ethics in terms of *ethos*, that is, as human dwelling thought of openness to the event of the truth of Being' (1997, p.90).¹⁰⁴ The challenge of *ethos* to the traditional ethics of 'ought' comes from its structure as a methodological relationality. It questions traditional ethics as located within certain 'there' as a result of which it has become blind to becoming other than what is established as 'ought'. It expresses a dynamic responsibility in the face of *Unheimlichkeit*, rather than an ethical

¹⁰³ That is either because of their biology or an idea based on theological equality as being part of God's creation. Both of these can be observed within deep ecology movement as I discussed earlier in the chapter.

that has become *closed*. The question posed by *ethos* allows light to be shed over what is being expressed in the ethical as relationality. It, thus, contradicts the idea of objectivity insofar as *ethos* of the ethics shows subjective location of human beings. Put differently, *ethos* questions the ethics in terms of a relationality implied in *dwelling thought*. Caputo argues that '[a]n obligation is a call we receive to which we must respond, a prescriptive to which we must keep an open mind' (1993, p.26). *Ethos* is this existential obligation to ecological relationality. The questioning of Beingness of *Dasein* allows this *ethos* to become operational. With this one can see the dynamic active side of this thinking in terms of a political as well as in relation to the study of this political. This ecological both as a substantive relationality to Earth and other beings in it and as a methodology becomes active as a result of questioning the location of human being. By establishing its position through ecological thinking, it aims to overcome the position of abstracted human subject and deriving understanding of relations — social, international, or otherwise.

It does not put the structure discussed so far as a blueprint for a new configuration, or immediate replacement by a stroke of a pen. What is asked here of human beings is to become a Pheonix, to lose themselves in the face of their anxiety and become once more within themselves dwelling in the world with others. This appeal is about taking action which is based on one's existential possibility and responsibility. Therefore, it is the most profound action that one could possibly project on its world. The consequences of being an ecological witness who asks fundamental questions in the face of 'they' is profound. Particularly in terms of the subject of present study. The closed thinking process of International Relations in terms of its understanding of environment becomes untenable. The discussion of ethics within the discipline also becomes destabilised if not deconstructed. I will conclude the study by turning to these profound consequences in the Conclusions.

¹⁰⁴ Heidegger clarifies this in his *Letter on Humanism*. See Heidegger 1996, pp.213-66.

Conclusion: *Ecological Ethics and Existential Method*

The best that I could write would never be more than philosophical remarks; my thoughts were soon crippled if I tried to force them in any single direction against their natural inclination.—And this was, of course, connected with the very nature of the investigation. For this compels us to travel over a wide field of thought criss-cross in every direction ('Philosophical Investigations', the Preface Wittgenstein 1997).

This thesis has sought to respond to the question posed in the introduction: Can International Relations understand and address the ecological call? In doing so the thesis has gone through three stages. From the initial empirical case of ocean management in the South Pacific it moves to the possibility of understanding ecological problems, or producing knowledge, in general, in IR and then locates this possibility of knowing to the larger philosophical framework. By doing so, it responds to the original question in the negative: IR cannot understand and address the ecological call. The reason for this is given at the philosophical level. I argued that in order to respond to the question, the philosophical rethinking of the human nature relationship is required in order to consider an ecological ethics as the ground of *the political* and the methodology of understanding.

In this study 'thinking' means to locate oneself within the question, rather than to exercise an abstract control of the issue as the objective enquirer in questioning. Therefore, the thinking process does not prioritise one of the parties, rather it takes everyone as part of a multiplicity that is being faced. To be able to think about an issue within its complexity, one has to unfold the complexity without being inhibited by the habitual necessity of exclusionist categories. Within this process, the second dimension of questioning, then, tries to reflect on, and eventually bring together, 'what is near that has been lost in the naturalness of the common' (Heidegger 1968, p.129). The biological life of ocean species, their habitats and their life dynamics are now important components of thinking about international ecological problems presented in the oceans. But, at the same time, this is an unfolding of what is being disregarded in what is seen as

'common' or 'natural' at present. It also follows that by including these components of ocean life into the consideration of the political, the process that disregarded them so far cannot be, anymore, presented as natural or common. Therefore, this process deconstructs¹ the apparent naturalness of the stand taken by International Relations in the face of ecological challenge through building a dynamic thinking about the present in its complexity. At the same time, this process of bringing ecological concerns into the analysis creates a philosophical outlook in which ethical and epistemological concerns are grounded through this ecological understanding.

In conclusion, two questions might be asked. The first is how this analysis can inform studying IR/environment? The second is how this analysis can help to address the actual problem of environment articulated?

The first question goes beyond the immediate question about the particular environmental problem. It allows the study to articulate the problem on an ontological level, as a question of methodology. At the level of methodology the empirical question becomes a question of understanding and conceptualisation within IR.

It is at this level that I have discussed the inefficiency presented by the discipline. The empirical study is employed to show that responding to the initial question of ecological call, answered in the empirical framed in the disciplinary understanding, would remain silent to the call. The response adopts the question to the limits of understanding within IR whereby ecological problems are persistently reduced to the question of management of regimes. Therefore, rather than formulating a response as a policy formulation and concluding the study within the ontological limits of IR, considering the problem as an ethical issue, the ethical position implied and deployed through IR is questioned.

The ecological ethics is a challenge to the study of International Relations which, in its different *schools*, considers a world *a priori* that can be understood and thus, as a given area to

¹ The dynamic thinking is not a linear process where the idea of deconstruction implies a vindictive process of annihilation. The concept in this study indicates a process that deconstructs through building a new possibility in the process of de-legitimising the common one. In this process, 'why' questions are central to each step, insofar as they relate the issue to a larger whole; at the same time they deepen the level of thinking about the question of the possibility of the 'common' in the present circumstances.

be studied.² In their differences, nonetheless, most of the schools consider the *world*, that can be understood, according to the overarching international/sovereignty based framework, in which a fundamental ethical position is implicitly applied.³ In its different variants either as a ‘problem solving theory’ or a ‘critical theory’ IR also remains within the boundaries of anthropocentric ontology.⁴ This pervasive ethical position then becomes the guarantee for the method used in understanding international relations. By arguing the question of environment to be foremost an ethical question and not a managerial one, the grounding ethical assumption of International Relations is questioned.

The morality of the abstracted sovereign individual in relating to the other is scrutinised. As the location of first abstracted, and then radically individuated, human being is questioned,⁵ the possibility of a fixed delimitation of a disciplinary locus can be contested as well. In rethinking an ethical relation between nature and human being, in terms of *belonging*, a new space is opened up. This rethinking contests the ideas of fixed ‘the international’ and the agents of action within it. The ecological ethics by introducing a larger relationality shows that the world that can be studied in IR, as the domain of knowledge in international politics, is deceptive. Therefore, in unsettling the grounds of justification of the conceptual plain that can be studied, the ecological ethics does not only address the environmental issue but targets a problem within IR as a discipline.

² The structure of IR based on states, sovereignty and the international reflects a knowledge claim which in turn underpins the methodology of studying international relations. Creating the concepts as the ground of thinking about international allows the discipline of International Relations to privilege ‘the procedure for obtaining knowledge itself’ (Szerszynski 1994, p.114).

³ The methodological framework through which IR produces knowledge is justified and validated through the epistemology of the ‘state’ and ‘the international’ (Booth 1996; p.333).

⁴ As I discuss in Chapter 4, different schools in the discipline can be observed in their explicit or implicit adherence to the ontological IR framework of international/sovereignty which is underpinned by the anthropocentric outlook. The epistemological differences prevalent in the discussions about the nature of the International or about the role of states in the international do not go beyond the ontological framework of IR. See for example Keohane 1994, Krasner, 1983, Kratochwil, 1995, Adler 1997, Wendt 1999, Linklater 1998, Campbell 1998. For the typology of ‘problem solving’ and ‘critical’ theories see Cox 1981.

⁵ This context is best represented by Descartes and Kant. Ferry talks about ‘the Cartesian position, according to which nature, including the animal kingdom, is entirely deprived of rights in favor of the human subject, the unique pole of meaning and value’ (Ferry 1992, p.28). This position has been augmented by the Kantian elaboration on the conditions of Human being. According to Ronald W. Hepburn in this Kantian understanding there is an invitation ‘to accord unconditional value only to the bearers of freedom and reason, and to downgrade phenomenal nature save as it hints at a supersensible..’ (Hepburn 1997, p.69).

Ecological Ethics and IR

The possibility of the political as an ecological process can be grounded on the position of human being. The ethical responsibility of being with others obliges human being to think ecologically and think about the claims of those beings whose lives are not necessarily clear to us, the *Unheimlich*.... It locates human being as a part of the ecological context *in contact with beings*.... The meaning of 'ecological', then, is not strictly limited to the issue area of so called *environment* but to a larger relationality where human beings are located with *others*. It is in the relationality of being-in-the-world that human beings face each other and *other* beings. The discussion of *Dasein*'s being constituted as being *there*, as always situated within a certain context, and by locating its potentiality for Being, in other words its becoming, to the concept of care, *responsibility...to other beings with which Dasein is in-the-world-on earth*, establishes the pre-ontological condition of understanding relationality and morals constituted for epistemic disciplines, *sciences*.... The original *ethos* as an ecological relationality is based on an unprivileged location of human being on earth in the midst of other beings. Nonetheless, this *ethos* does not reduce the natural human capacity to influence its surroundings. By recognising the human ability to change, it attributes human beings with the responsibility of care for other beings. In doing so, the being of others becomes an existential issue for *Dasein*. It is in responsibility, *in responding to the ecological call*, that *Dasein* faces its potentiality for Being.

The tension between *Da*, there, of *Dasein* and its ecological being, *Dasein's authenticity as its potentiality-for-Being*, can be seen as the location of the political. It is in the overcoming of the limits established by everydayness, *thereness*, that *Dasein* politicises its being. Judith Butler observes that 'to claim that politics requires a stable subject is to claim that there can be no political opposition to that claim' (Butler 1992, p.4). The decision about who is the subject of the political forecloses the political space. In its everydayness, *Dasein* is then constituted among agents that are already established, *human subject*. *Dasein's* ecological relationality is reduced to the relationality limited by the everydayness, *the political that is foreclosed*. The constitution of *Dasein* as the subject of politics robs it of its ecological context. In other words, in the

everydayness *Dasein* is excluded from the larger context in which this thereness is located. Within it, politics is restricted with the boundaries of a foreclosure. As the limits of the political are represented in the agents, political contestation remains within the foreclosure. Those who are disqualified or ignored in the constitution of the political cannot become parties to the discussion. Problems related with those identities are either ignored or reduced/translated to the problems of the agents of political. By thinking in terms of an ecological context and *Dasein*, as located in this context, the methodological bind represented in the *human subject* as an agent of the political is unsettled.

By attempting to realise its potentiality for Being, its authenticity, *human being/Dasein* recovers its place as a contingent being in the larger ecological context. This recovery, then, contests the limits of politics established as the normality. It tries to relocate the abstracted human subject back to its ecological location. It attempts to overcome the idle talk *of the normal*. In its relational structure, anxious *Dasein* recognises its responsibility to the other that is ignored within the foreclosed political space. As a result *Dasein* is forced to transgress its limits deployed by everydayness, *as a state of unquestioned normality*. Through an existential relationship with *Unheimlich*, the foreclosed political is forced to its limits. The established agents and their political discussion are problematised by the ecological relationality. Here, a methodological turn can be observed.

By understanding the political according to the relations implied within the ecological context of a question, this move breaks the bind of analysing a problem according to the foreclosed space of the political where already decided concepts reformulate the problem. In other words the political does not dictate the definition of what is political in terms of agency. But, it becomes a dynamic process where what is political is decided according to a given situation and ecological relations reflected within it. Since political contestation is taken out of the closure of normality the political can be questioned in terms of its *ethos*. As a certain political settlement and the ethical relations within it might, it become contested by an ecological context. The political is secured by the ecological ethics rather than an abstracted resolution that fixes the possibilities of *political* to limited subject positions. At the end, this turn shows a methodological

move where a question that is analysed within an ecological context might come up with a new configuration of *the political*.

The methodological contention of the study of international relations (IR) in explaining the political through 'the international' as the space of politics and, states and other institutions as agents of this politics, has foreclosed the discussion of politics within IR. Since political has been articulated as a matter of relations between states⁶, possibility of political objection to this framework within IR is limited to the discussions of the role of states and international organisations. By deciding the subject of the political IR ignores those issues that cannot be accommodated within its structure. It also means that it ignores the impact of these politics on those areas that are structurally ignored such as the subject matter of the present study. Since those identities are not in the domain of the politics, a question about the *ethos* of 'the international' as a political space cannot be brought within the discourse, *no political opposition* (Butler 1992, p.4) to 'the international'. 'The international' is established as the everydayness that creates the boundaries of the thinking. The limits of the space combined with the stable subjects of the political give substance to what is political. The substance of the political is always considered according to the stable subject positions. The relationship between the stable subjects represents the ethical relations and the political concerns.

The ecological context presented in this study unsettles this stable internalised perspective of IR. It shows that what is being ignored is, nonetheless, implicated in the discussions of 'the international'. The foreclosure of the political and subsequent indifference to the context does not invalidate the existential relationship. By revealing this connection and showing the limited understanding prevalent in IR, the political cohesion represented in 'the international' is questioned. The definitive authority of 'the international' on the political has been delegitimised. What is political becomes an issue related with a particular question and the relations presented in it.

The *ethos* of questioning within the foreclosed political sphere of IR is criticised. In so doing the ecological ethics systematically counters the grounding assumptions of IR. In locating

⁶ The objection to this can be made in terms of international organisations and institutions but, one has to be careful in considering these identities separate from the general statecentric structure of the international.

the political in relation to the attempt of recovering the ecological relationality, the method of understanding and questioning becomes a dynamic process. This points to a politics of becoming and contestation rather than an affirmation of a foreclosed space. Therefore, a disciplinary boundary as an essential, secure, ground of understanding represents an impasse.

This attempt, also, questions various critical proposals to discuss ethics within the discipline. The renewed interest in ethics within the discipline⁷ suggests a turn for IR. Nonetheless, as the discussion of normative questions are aimed at the political defined within IR, the *ethos* of IR as a framework becomes obscured. Ethics seems to be considered as a prescriptive performance in which certain political behavior is established as correct, without considering the general perspective of the political within which this prescription is located. From a philosophical point of view, an ethical discussion presents a new relationality between the subjects as well as introducing new subjects and the resulting political proposal may not necessarily resemble to the political expressed in the international. Attempting to keep the political resolution of the international intact and to discuss ethics therein represents an questionable method. A plethora of philosophical positions is imported into the discipline without considering the ontological assumptions of these concepts necessary to reformulate the conceptual frameworks. Put differently, ethics expressed as relationality is not allowed to reformulate the questions but applied to explain already posed questions within the international as a *posteriori* analytical tool. The problem is not only that this *a posteriori* approach bans the mutability of thinking, but the problem is also related with the issue of how far the ethical positions imported are compatible with the ethical position implicit in the formulation and the problematique of 'the international'.⁸

The method of existential/ecological questioning exposes this methodological bind within the discipline. It shows that the understanding of IR represents an ontological bind that is reiterated constantly through its application of international/sovereignty binary. The method of understanding both in conventional and critical variance perform a thinking based on the permanence of everydayness without questioning the fundamental assumptions implicit in the

⁷ For some examples see Frost 1996, Neufeld 1995.

location of subject in its thereness, in *'the international'*. The subject of the political exist in the idle talk of the international politics where the codified positions obscure the possibility of vigilance for those identities representing the limits of the political. The inability for vigilance, the loss of political imaginary represents the abandonment of existential responsibility. The disciplinary method exercised as a boundary maintenance mechanism overdetermines the possibility of thinking. The ecological ethics, discussed as an existential method, on the other hand, remains as a method based on the philosophical thinking of relations through ecological ethics rather than a method based on a foreclosed domain of politics.⁹ By pointing out a relationality, by being vigilant to the *life* of *Unheimlich*, it remains a methodological tool of resisting the closure of the political to contestation.¹⁰ This position represents the political that is both transformative and ethical.¹¹

Fish

It is important to go back and see the methodological importance of discussing marine ecology and the introduction of fish as party to the problem beyond the considerations of stock management. This will constitute a way of concluding in terms of the empirical study while demonstrating the limits of this approach in an empirical study. It is also a gesture to the fact that empirical/existential questioning, a question about being, is a necessary condition of thinking, *thinking different than it is given in the normal....*

The conventional analysis of the South Pacific fisheries regime has shown that the institutional innovations and the efficiency of the cooperation among member states reflect a

⁸ Most important example of this can be observed in the discussions of post-positivist approaches and those discussions related with the debates of foundations.

⁹ The formulation of this point through thinking in terms of the existential location of being *pace* Heidegger can also be observed in Michel Foucault. In his formulation of ethics that is 'the kind of relationship you ought to have with yourself, *rappor a soi,...*' (Foucault 1983, p.238) the existential lineage is noticeable.

¹⁰ This philosophical lineage can be seen in Jacques Derrida's discussion of a *democracy to come*. His attempt is to keep the boundaries of democratic settlement open to contestation by those identities that were not originally parties to the settlement. The ethical concern here can be seen in concordance with an existential ethics. In his case the migrants and refugees in France exemplify the importance of this move. See Derrida 1997.

success story. In this success story, however, the ecological context, that is the relationship between what is considered to be the stocks and between stocks and human beings beyond their market value for the party states, remain hidden. The indifference to the ecological relations creates another aspect of the problem, but this aspect is beyond the concerns articulated as efficiency and sustainability of resources for global markets under the label of environmental concerns, hence politics. In the international environmental politics, the natural components of the ecological equation is politically considerate insofar as a human interest can be established in terms of resources. The 'political' of the international environmental politics is more about human beings and the way they incorporate nature as resources than the political that can be seen in the larger context of ecological.¹² It, rather, represents a large depoliticisation of ecological relations where the components of the system transformed into things without rights, existential relations and prospects.

The methodological style of the study can be seen as a way of questioning, thinking, *wondering* about an existential relationality implied in the initial question about the ecological call and the responsibility. The structure of questioning represents a transgressive¹³ methodological move.¹⁴ The limits of understanding what the environmental issues involve in oceans and how they can be thought of are reached, in the empirical study, by introducing those beings/'agents' that are excluded from the formal method of thinking in IR, *famillia Thunnus, mare* This move disrupts the limits of understanding environment within the given framework of IR. The discussion can be considered as a process of unconcealment which recovers those identities *fish, Thunnus alalunga, ecological human being...* and spaces, *oceans, eco-systems, habitats...*, which are disqualified from being the subject of ethical consideration, even that of 'ethics of exclusion' (Walker 1995).

¹¹ By being vigilant to the existential context, *Dasein* realises its becoming in different possibilities of its Being. It is through this attempt of *Dasein* to realise its ecological relationality in each position that the political space is kept open for other beings and at each position the possibility of losing oneself in the idle talk of *thereness* is resisted.

¹² A parallel point is made by Donna Haraway in the larger scientific research context. She argues that 'the appeal to other organisms ' inviolable, intrinsic natures aims to limit turning all the world into a resource for human appropriation' (Haraway 1997, p. 218).

¹³ John D. Caputo argues that '[t]ransgression is a passage to the limit (*passage a limites*), the crossing of a well-drawn border that we all share, giving something straight a new bent or inclination or twist' (Caputo 1997, p.81).

¹⁴ It questions the post-Cartesian epistemological and metaphysical assumptions that underpinned 'the Western ethical attitudes toward environment'(Chappell 1997, p.2).

The impact of this study on *nature* in general and the ocean ecology in particular can be seen in its politicisation of the members of ecosystem as they become party to the political contestation in which their rights to life should be considered as worthwhile as those of human beings. Furthermore, the domain of the political is expanded from *life* as the social life of human beings abstracted from nature, where the codes of moral relationality are located, to an existential space where life means existence and the moral relations are based on ecological ethics of existential responsibility. In discussing the aspects of marine ecology as a salient location of the environmental politics, fish are transformed from merely a material resource to a *life* that exist in a system of relations. Elaboration of the ecological context and exposition of it from the perspective of ocean life reveals that the life of fish is interactive and dynamic. Besides, that it is not necessarily or merely a material source for human sustenance. By introducing the perspective of marine ecology in which individual fish species and their larger ecological relations are considered a) the constitution of fish(nature) as *life* and b) the reversal of depoliticisation are accomplished.

As I argued in relation to *life/mere life* as the representation of the political, the ecological context of nature first has to be conceptualised as a form of *life* before it appears as a political agency. The way I approach to this can be observed in the introduction of *fish* and its ecological location. The claim for *life* is represented in the existential condition of species by the fact of their living. This step is a political one, both on the methodological level as it disrupts the conventional analysis, and on the practical level as the aspects of an ecological system become political agents with claims deriving from their existential position in the ecological system. This politicisation is furthered by the discussion of the specific ecological condition of different species, *Thunnus* in particular. It has revealed that the ocean ecosystems present interactive and fluid relations. Each species has different ways of life and these lives present many different dimensions.

Through this exposition, nature, the large singularity that is taken to be the subject matter of international environmental politics can discard the uniform cloak put over it by the inherent

illusions of human being and its abstract location.¹⁵ The process of combining marine ecology and IR has pointed to a rupture in the structure of ethics in which the latter is located. The appearance of natural life prompted the question of how is it possible to have a methodology that does not ignore the ecological context. It is in responding to this question that the conditions of ecological understanding is grounded in the ecological ethics.

It is in this particular point that one can also locate the limits of the study in addressing the actual environmental problem that is articulated. It can be argued that the method works at the level of questioning, and in rethinking the issue within a larger space which then, according to a given context, would be expected to develop a contextual rethinking and restructuring, either as solutions, or as a rethinking the reasons for constituting it as a problem. In other words, this method tries to break the methodological foreclosure in questioning and the fixed location of agencies within a discussion, it does so by engaging with the empirical issues, *phenomenon*. Nonetheless, this engagement does not mean that the method produces a solution at the empirical level. It only creates a dynamic thinking process, out of which, the given context could produce a relevant conclusion for a given empirical issue. Therefore, the present empirical study allowed me to question grounds of constituting a question about South Pacific fisheries in terms of regional cooperation based on UNCLOS III within IR. By questioning in this way, it has become possible to articulate a new space for a discussion in which certain new identities are included in the discussion, though the questioning has refrained from prescribing any *ex cathedra* political solutions.

not about concluding...

In this study, then, I observed the international and IR as the thereness, everydayness, of the subject. The philosophical discussion and the methodological move have questioned the ethical, implied in the area, without observing the limits put by thereness of 'the international'. In this,

¹⁵ With the politicisation of fish, the species of *Thunnus*, the institutions and international regulations such as UNCLOS III can be questioned from the perspective of the species of *Thunnus* as they are party to these regulations. The ecological context of their *life* juxtaposed with the institutional arrangements delivered by the political divisions

the questioning located itself in the ecological ethics and the concept of responsibility implicit in this ethical argument, *being-with-others-in-the-world*. The move revealed that the discipline cannot consider the *ethos* of its own formation and guarantee its legitimacy through its methodology based on *a priori* knowledge of what can be studied. The philosophical constitution of human being as a becoming within ecological context, *an ecological witness*, does not foreclose the relationship between human beings and other beings. An ecological relationality remains dynamic, and thus, political and thinking about political are connected to a perpetual thinking process about an ecological context. As grounded in this existential ethics, the method remains a methodological tool for both thinking politically and acting politically without being foreclosed. It keeps the political discussion open without overdetermining the substance of it. Therefore, it does not try to arrive at a ground/tribunal from which the substance of the ethical and of the political can be legislated. Although this method arguably becomes limited with its language, it provides an important way of looking at those questions which are foreclosed under the concepts used in a way of intellectual “commonsense”, such as refugee, international health, security, by demonstrating the impact of the limits imposed on those beneficiaries of the policies defined by these concepts. Thus, a new space is opened. Since this move of looking at an issue opens up a new process of questioning, it is far from being a romantic reflection on a theme of a metaphysics.

In this spirit, the study concludes as a discussion of an existential methodology, which leaves the political open to be determined by a given ecological context, constituting itself as a perpetual methodological move in resistance to normality.

among human beings creates the ecological call whereby the salience of regulations to the ecological context of the target species is contested.

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