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FISH FIGHT IN EUROPE: A PROCESS-ANALYSIS OF THE CAMPAIGN FOR A DISCARD BAN PROVISION IN THE EU'S CFP REFORM 2013

Figure 1: *Fish Fight* **Logo**

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ABSTRACT

Most recently, the EU's Common Fisheries Policy was subject to reform. In an early phase of the reform negotiations, the highly mediatized campaign *Fish Fight* led by British celebrity chef Hugh Fearnley-Whittingstall pressurized European decision-makers to establish a ban on the practice of discarding fish at sea, which refers to throwing back edible fish, mostly injured or dead, to the sea due to EU legislation or lacking economic benefit for fishermen. While the European Commission highlighted issues such as overfishing as the core priority of the reform in its Green Paper, the discussion on a discard ban provision made it to become one of the most important topics during and after the reform. With a lack of political will of most actors involved, it needs to be researched how a previously irrelevant issue succeeded to gain sufficient attention becoming a key concern of a broad public as well as of European politicians. Following a norm research approach, the process analysis shows that changing ideas and values of actors involved in international negotiations might lead to policy change. By analyzing the (social) media coverage of the latest CFP reform, it will be demonstrated that the *Fish Fight* campaign succeeded in influencing key politicians at the European level and convinced them of end discards. While the issue of a discard's ban was not even prominently mentioned in the 2009 Green Paper, it is later assessed as being one of the key results implemented with the 2013 CFP reform.

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TABLE OF ABBREVIATIONS

CFP	Common Fisheries Policy
CMO	Common Market Organization
Council	Council of the European Union
EC	European Commission
EMFF	European Maritime and Fisheries Fund
EP	European Parliament
EPP Group	European People's Party; Group in the European Parliament
EU	European Union
ICES	International Council for the Exploration of the Seas
IR	International Relations
MEP(s)	Member(s) of European Parliament
MS(s)	Member State(s)
MSY	Maximum sustainable yield
NFFO	The National Federation of Fishermen's Organisation
NGO(s)	Non-governmental organization(s)
RAC	Regional Advisory Council
SFF	Scottish Fishermen's Federation
STECF	Scientific Technical and Economic Committee for Fisheries
TAN(s)	Transnational advocacy network(s)

1. INTRODUCTION[1]

Most recently, the European Union's Common Fisheries Policy (CFP) was once more subject of discussion among environmental non-governmental organizations (NGOs), different non-state actors at Member State and international level, among Members of the European Parliament (MEPs), the European Commission (EC), the Council of the EU (Council) and other stakeholders from the fishing industry. With the CFP reform adopted in 2013, major changes came into effect regarding instruments and control mechanisms to ensure a more sustainable fisheries management in Europe. Scholars (Cotter 2010, Khalilian *et al.* 2010, Salomon *et al.* 2014, Wakefield 2012) claim that the great majority of the species in European waters is overfished and that the CFP had failed to attain sustainability in the fish stock conservation in spite of previous reforms in 1992 and 2002. In preparation of the most recent reform, the Commission itself recognized that fishing fleets were too large and that, as a result of current policies, there were several problematic issues within the CFP, including poor economic efficiency, high environmental impact, high fuel burn and low contribution of European fisheries to food supply (European Commission 2008). Hence, the main objective of the latest reform was to tackle structural failures from the past and "to ensure that fishing and aquaculture are environmentally, economically and socially sustainable and that they provide a source of healthy food for EU citizens" (European Commission 2015).

When the basic regulation was to be reformed this time (once in ten years), discussion arose about the practice of discarding fish at sea. Discarding refers to the practice of throwing back edible fish (mostly injured or dead) to the sea because of different legislative provisions (e.g. quotas) or because of a lack of economic benefit through the fish caught. Both of these reasons oblige or incentivize fishermen to discard parts of their catch. Even though there are few studies on the amount of catch which is being discarded and its consequences for the ecosystem (e.g. biodiversity and mortality rate), in some areas, selected species are being discarded at rates up to 70% of the total catch (Salomon *et al.* 2014: 78). In the run-up to the CFP reform, an EU-wide movement initiated by the British celebrity chef Hugh Fearnley-Whittingstall, called for an end to this wasteful practice and urged European decision-makers to include a provision on a discard ban in the upcoming reform (see chapter 5.1). In no time, the *Fish Fight* campaign was able to raise awareness and to mobilize massive political support across Europe (ibid.).

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[1] N.B.: This thesis is written in American English; citations in British English will not be adopted, so that differences in spelling throughout the text might occur.

Interestingly, even though this highly technical and complicated policy field is mostly unknown and regarded as irrelevant for the vast majority of European citizens, that movement seems to have succeeded in pushing forward the issue, putting it on the top of the agenda of decision-makers in the EU. With great medial presence and lobbying at EU institutions, the activists put pressure on the Greek Commissioner Maria Damanaki, the British government (ergo its position in the Council) and selected MEPs from different political groups. Accordingly, in the formulation of the reform, the discard ban was one of the central points discussed in the reform. Hereby, scholar Borges (2013) fears that focusing on the issue of discarding forced by a publicly promoted and biased discussion on one single symptom of the current political framework deviated the EU's attention from the essential questions of a long-term sustainable fisheries management in Europe.

The controversial discussion on discards and the role of non-state actors in influencing the design of the recent reform of the CFP is of particular interest for political scientists. The EU's CFP provides a clear example of the tragedy of the commons, where short-term benefits dominate long-term interests for all actors involved. Interestingly, in this context, neither EU Member States (MS), nor the EC, nor the fishing industry pushed the issue of a discard ban forward, as it involves high costs due to monitoring and control activities, losses in total (economically useable) catches and last but not least investments in equipment. The question that follows as a consequence is: How could the single issue of a discard's ban become one of the most important outcomes of the latest reform? In contrast to the EU's institutions with MS' governments involved, non-state actors pursue different objectives and are not dependent on democratic time structures (elections, legislative period). By that, they are able to act more independently and are capable of approaching issues regarding long-term (sustainability) policies. In the latest reform then, one can observe an enormous involvement of different civil society actors trying to lobby primarily in favor of resource conservation, a discard ban provision, regionalization efforts and a reduction of vessel size. Especially the case of the (initially) British *Fish Fight* campaign which attained an enormous dimension and appeared to have a huge impact on the decision-making processes at the European level and thus the outcome of the latest CFP reform, is a very interesting example to research. While a ban on discards was not even a topic dealt with and discards in general only a matter briefly mentioned in the EC's Green Paper in 2009, the issue became one of the central and most outstanding results of the reform in no time. The crucial question to answer within this thesis is thus the following:

"In how far and by which means was the *Fish Fight* campaign with its aim of banning discards throughout the EU able to influence and to shape the recent EU's CFP-reform process?"

In order to answer the research question, a brief overview of the history and the main characteristics of the EU's CFP afore the latest reform in 2013 will be given in chapter 2.1. Thereafter, the reform process with its different actors and positions will be traced, particularly focusing on the issue of discards (chapter 2.2 and 2.3). In a third chapter then, the theoretical framework of norm research shall help to understand theoretical assumptions on norm emergence and diffusion and especially non-state actors' power in influencing international policy making. By looking at the constitutive nature of ideas in international politics, their influence on multi-level governance structures could be understood more easily. In order to be able to answer the research question adequately, it will be important to find out about transnational advocacy networks' strategies for effective norm diffusion. In a fourth chapter on the methodological approach, information on how data was collected (sources) and operationalized will be provided. Further, possible limits of research will be discussed briefly. In chapter 5, the empirical case of the *Fish Fight* campaign shall be analyzed. Here, the theoretical model of a *norm life cycle* (Finnemore and Sikkink 1998) and assumptions of constructivist norm research will be transferred on the empirical case. In all, it will be shown to what extent and by which means the campaign was able to influence and to shape the recent EU's CFP reform process. Further, constraints and risks of non-state actors' involvement in EU policy making will be reflected critically. To conclude, I will present results of the analytical part, bringing them together with preassigned hypotheses and reflect on possibilities for future research.

2. EU's Common Fisheries Policy

In this chapter, I will present the European Union's CFP. First, I will give a brief overview of the CFP's history and its characteristics. The main focus then will be on the latest reform (2013/2014), starting with first discussions on the reform process as well as the publication of the highly influential Green Paper of the EC in 2009. Thereafter, the actors' constellation and the agreed reform shall be identified. In all, I will pay special attention to the topic of discards, its role in neogtiations and the final outcome in the reformed Basic Regulation. This overview will help when it comes to matching milestones of the CFP reform to the empirical data during analysis.

2.1 History and characteristics of the CFP

Today, the European Union defines the aims of the CFP as ensuring "that fishing and aquaculture are environmentally, economically and socially sustainable and that they provide a source of healthy food for EU citizens" (European Commission 2015). Yet, first steps for a Common Fisheries policy date back to the year 1970, when a common market for fishery products was set up. As a second pillar, also in 1970, a structural policy was introduced, aiming at "eliminat[ing] excess fishing capacity by giving financial assistance to restructuring and modernizing the fishing fleet of EU member states" (Da Conceiçao-Heldt 2004: 17). After setting principles for the external dimension of the CFP in 1976, a new package of structural policies including measures to protect fish stocks (conservation) was set in 1983. Since then, European institutions dispose exclusive competences in the fisheries policy, which until today consists of four main policy areas, namely the (1) fisheries management, (2) international policy, (3) market and trade policy, and (4) funding of the policy (see European Commission 2015). In legal terms, it is noteworthy that the CFP is integrated in the provisions on the Common Agricultural Policy of the Treaty on the Functioning of the European Union (Art. 38 TFEU), which "does not contain a single competence title for fisheries" (Khalilian *et al.* 2010: 1180).

European fish stocks and biological maritime diversity are protected not only for ecological sustainability reasons, but especially since the fishing industry is dependent on healthy fish stocks in order to run business profitably. However, in CFP history, short-term economic and political interests conflicted with long-term sustainability principles. The EU's CFP provides a clear example of the tragedy of the commons, where short-term political and economic benefits dominate the development of long-term policies favorable to the conservation and the sustainability of the environment that are also economically more sustainable for all involved actors in the long run. Economic growth, industrial and Member States' interests still seem to dominate the social and ecological approaches to a sustainable fisheries management (Khalilian *et al.* 2010: 1182).

One of the policy's basic sustainability principles is the so called *precautionary principle[2]* which "aims at ensuring a higher level of environmental protection through preventative decision-taking in the case of risk" (Europa 2015). Further, CFP's Basic Regulation lies down an ecosystem-based approach which "is concerned with ensuring that

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[2] In fact, the precautionary principle is one of the most central principles in international environmental policy.

fishery management decisions do not adversely affect the ecosystem function and productivity, so that harvesting of target stocks (and resultant economic benefits) is sustainable in the long-term" (JNCC 2015). Besides these underlying principles, various policy instruments have been introduced in past decades in order to control fishing practices and to prevent stock collapse, ranging from technical measures to rules on access and fishing effort. Yet, more than 80% of European fish stocks were considered to be overfished before the 2013/2014-reform (Salomon *et al.* 2014: 77, European Commission 2009: 7). Most scholars agree that the CFP prior to the latest reform failed in ensuring sustainable fish stock management in Europe (Borges 2013, Cotter 2010, Daw and Gray 2005, Khalilian *et al.* 2010, Linke and Jentoft 2013, Markus 2010, Payne 2000, Raakjær 2011, Renn and Köppel 2005, Symes 2009, Wakefield 2012) and that "the mismanagement of European marine biological resources [was] […] widely deemed a consequence of the Common Fisheries Policy" (Salomon *et al.* 2014: 76). Especially five problematic issues were identified by the EC (2009) as being major challenges for a sustainable fisheries policy in Europe, namely (1) "a deep-rooted problem of fleet overcapacity; (2) imprecise policy objectives resulting in insufficient guidance for decisions and implementation; (3) a decision-making system that encourages a short-term focus; (4) a framework that does not give sufficient responsibility to the industry; [and a] (5) lack of political will to ensure compliance and poor compliance by the industry" (European Commission 2009: 8). In consequence, fishing fleets too large (=overcapacity) caught a too large portion of fishing resources available (=overfishing). Additionally, direct or indirect subsidies (in form of tax exemptions or financial support for fleet modernization) through Member States and the EU incentivized fishermen to expand their fleets and to overexploit fish stocks (Khalilian *et al.* 2010: 1180). As a result, "88 % of Community stocks are being fished beyond MSY[3], […] [and] 30 % of these stocks are outside safe biological limits" (European Commission 2009: 7). However, great differences in numbers can be found depending on marine region or species. In all, scientists are concerned that the status of 60% of European fish stocks are unknown and insufficiently covered (Salomon and Holm-Müller 2013: 626).

In the course of time, the CFP was subject to reforms and constant change. The highly technical policy field is to be reviewed once in ten years, i.e. in 1992, 2002 and 2012 respectively. The CFP reform process is complex as it involves various actors at different

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[3] MSY = Maximum Sustainable Yield: "According to the new Basic Regulation, MSY is the highest theoretical equilibrium yield than can be continuously taken on average from a stock under existing average environmental conditions without affecting significantly the reproduction process (Art. 4 (7))" (Salomon *et al.* 2014: 77).

levels (regional, national and supranational) and different stages during the reform process. Both reforms in 1992 and 2002 were criticized as being unsustainable as they could not introduce effective measures to end overfishing and to decentralize policy making. Further, these reforms could not bring about fundamental change as the basic approach was not altered towards sustainable fish stock management. In its Green Paper from 2009, the EC states that "the objectives agreed in 2002 to achieve sustainable fisheries have not been met overall" (European Commission 2009: 7). In spite of previous reforms, the EU's CFP has failed to attain sustainability in the fish stock conservation. In all, the EC warns that "European fisheries are eroding their own ecological and economic basis" (ibid.).

2.2. CFP reform 2013/2014[4]

In the recent reform process, critiques and discussion on the state of the CFP arose already in 2007, five years ahead of the planned reform date (Salomon *et al.* 2014: 77). Various actors gave their opinion on structural failings of past policies. The EC itself issued its highly influential Green Paper in 2009 (European Commission 2009) evaluating the CFP and recognized main failures of past reform ambitions. In the Green Paper, the Commission declares that it would expect the upcoming reorganization of the CFP not just to be "another piecemeal, incremental reform but a sea change cutting to the core reasons behind the vicious circle in which Europe's fisheries have been trapped in recent decades" (European Commission 2009: 5). Yet, scholar Symes (2009: 99) alerts that "the Commission's Green Paper […] recognises the symptoms but not the causes of poor implementation". After public consultation which was open until the end of 2009, the EC published an ambitious reform proposal for the new Basic Regulation (European Commission 2011) in July 2011. Three different areas were subject to reform, namely the CFP Basic Regulation, the European Maritime and Fisheries Fund (EMFF) as well as the Common Market Organization (CMO). Adjacent to the Commission, the European Parliament (EP) as well as the Council of the EU (including thus Member States' interests) were involved in the negotiations on the new reform. Noteworthy, since the adoption of the Lisbon Treaty in 2009, "the Parliament, subject to some exceptions, became co-legislator regarding the most important decisions to be adopted under the CFP, except those listed in Art. 43(3) TFEU" (Salomon *et al.* 2014: 76), which changed the power constellation dramatically. Before, the consultation procedure obliged the Council to consult the EP for its opinion but was "not bound to act upon it"

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[4] The article by Salomon and Holm-Müller (2013) provides a good overview over the run-up to the 2013/2014-reform.

(Hegland 2012), whereas since the introduction of the co-decision procedure the EP acts as co-legislator. Only in hearings and public consultations, the fishing industry and non-state actors were heard actively. In the middle of 2012, European fisheries ministers (the Council) agreed on a future CFP which was way less ambitious than the Commission's initial proposal. Scientific literature on the recent reform process as well as the EC's Green Paper agree that the Council blocked EP's and the Commission's aspiring efforts to reorganize the failed CFP to a sustainable fisheries management (Salomon *et al.* 2014, Salomon and Holm-Müller 2013, Khalilian *et al.* 2010, European Commission 2009: 10). In the past, the Council had set the total allowable catches (TACs), which is to be considered the core management instrument of the CFP and which underlies Council competencies, to systematically exceed scientifically based recommendations by the EC, the *Scientific Technical and Economic Committee for Fisheries* (STECF) as well as the *International Council for the Exploration of the Seas* (ICES) (Salomon and Holm-Müller 2013: 627, Khalilian *et al.* 2010: 1180). "The unwillingness to incorporate scientific advice into CFP policies is partly due to the discretionary decision process within the EU and due to electoral politics of fisheries ministers, who are concerned about their popularity at home" (Khalilian *et al.* 2010: 1181–1182). As a consequence fisheries ministers do not have any incentives to regulate TACs strictly and to take decisions which are sustainable in the long run.

On March 19th, 2013 then started the Trilogue negotiation with the Council of Ministers which finished on May 30th, 2013 with a political agreement between the EP and the Council on the main points of the new Basic Regulation. On December 10th, 2013 the CFP reform was approved in a final plenary vote in the EP. The European Union's new fisheries legislation took effect at the beginning of 2014.

The main results of the 2013/2014 CFP reform were the introduction of the maximum sustainable yield aim, the prohibition of controversial fishing practices, specifically the discarding of large amounts of catch as well as a reform of the structural policy such as shifting governance towards regions.

2.3 Discard ban

For a long time, the high level of unwanted bycatch has been subject of discussion among scientists, fishermen, environmental activists and politicians. Yet, "the amount of catch being discarded is dependent on a number of factors such as the targeted species, the catch area, the fishing gear used, the trawling speed and the fishing time" (Salomon *et al.* 2014: 78). As discards are economically considered as a waste of future fishing opportunities and

ecologically as a harm to the marine ecosystem (Salomon *et al.* 2014: 78), European policymakers introduced with the latest CFP reform a discard ban (=landing obligation of all catches) as one of its major results. By that, the EU hopes to set incentives for fishermen to optimize their fishing practice and to avoid unwanted bycatch. Interestingly, the EC only briefly mentions discards in its Green Paper in 2009. However, the adoption of the discard ban by the EP and the Council represents a disproportionate priority in the agenda of the latest reform. "At the end of 2010, a public campaign […] highlighted the issue of discards and successfully prompted […] a strong public reaction" (Borges 2013: 3). However, attention was primarily paid to symptoms rather than to the underlying causes of discarding.

One point of critique with regard to the new policy is that the implementation of the discard ban was decided to gradually phase in which makes discarding after five years still possible up to a rate of 5% of the catch. Other critiques target the exemptions[5] of the newly introduced provision so that the impact of the discard ban remains questionable. Further, compliance and especially monitoring will be complicated or even impossible (Salomon *et al.* 2014: 79, 83) due to insufficient control mechanisms. Apart from that, scholar Borges (2013: 6) assesses that "a diverse set of traditional management measures used to limit fishing mortality, correctly implemented and associated with innovative monitor, control and enforcement programmes are likely to be more effective" and criticizes a discard ban its lack in efficiency and efficacy. "The two key elements of the CFP for sustainable management of the biological resources are the management target MSY and multiannual plans" (Salomon *et al.* 2014: 77). Further, critiques argue that a ban on discarding only shifts the problem of bycatch from the sea to the land, instead of effectively tackling the problem of unwanted bycatch and overfishing (Hickman 2012).

3. THEORETICAL FRAMEWORK: NORM RESEARCH

For a long time, political order in International Relations (IR) was seen as the result of negotiations between rational, profit-seeking actors pursuing personal, often conflicting interests and preferences (March and Olsen 1998: 949). Following this logic, rational choice scholars would look at the actors' (economic) interests and possible changes in their constellation in order to explain policy change. Yet, in the case of the EU's CFP except the

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[5] "There are three exemptions from the obligation to land the whole catch foreseen in the agreed Basic Regulation (Art. 15(2)): species in respect of which fishing is prohibited, species that have high survival rates after being discarded and catches falling under de minimis exemptions" (Salomon *et al.* 2014: 78). Yet, the formulation of the article on discards remains vague and open for interpretation.

EP which gained co-legislation power, all different stakeholders involved remained in the same position within the political system (EC with its right to initiative legislation, the Council with its power to negotiate, industry and non-state actors lobbying for their own interests). Further, from a cost-benefit ratio, the policy measure of banning discards is not desirable for most of the above mentioned actors: It implies high costs of implementation and monitoring for the MS; the quota system makes it difficult for small-scale fishermen to compete with industrial fishing vessels (Khalilian *et al.* 2010: 1181, Channel 4 2011, Salomon and Holm-Müller 2013). Subsequently, a rational choice approach would not be able to fully explain how the topic of banning discards gained influence, making it among the highest priority topics in the EC's reform proposal in 2011.

Similarly, other approaches such as functionalism theory, coming from a liberal tradition, are not helpful when it comes to explaining the dramatic policy shift of the latest CFP reform. "They [note author: functionalists] would concentrate on commonly experienced needs initially, expecting the circle of the non-controversial to expand at the expense of the political, as practical cooperation became coterminous with the totality of interstate relations" (Haas 1964: 6). On these grounds, political cooperation occurs when consensus is reached within the political system, while critical or controversial issues have no grounds for diffusion. Functionalists would explain the rising awareness of the discard problematic by pointing to the mutual agreement and unity among EC, MSs and Council. However, the initial attitudes of EU's institutions were rather against changes in the complicated and costly problematic of discards and therefore the institutions paid little attention to the issue in the early reform phase. The necessary condition for policy change in the functionalist approach is therefore not given.

Hence, both of the above mentioned theoretical approaches "link […] action exclusively to a logic of consequences [and] seem […] to ignore the substantial role of identities, rules, and institutions in shaping human behavior" (March and Olsen 1998: 951). At this point, the relatively young approach of norm research gained influence and reputation: "In a wide variety of issue areas, norms researchers have made inroads precisely because they have been able to provide explanations substantiated by evidence for puzzles in international politics that other approaches had been unable to explain satisfactorily" (Finnemore and Sikkink 1998: 890, see also Rosert 2012). By looking at the constitutive nature of ideas in IR, multi-level governance structures could be understood more easily. Changes in the prioritization of the discard problematic over time might be possible to explain using this

constructivist approach, focusing on actors' norms, ideas and values. The genesis of norm research, its emergence and influences from different research perspectives are explained exhaustively in the highly influential paper by Finnemore and Sikkink (1998). Using a constructivist perspective, norm researchers are interested in explaining policy change by looking at changes in actors' values, ideas, perceptions and ideologies. Even if some concepts in norm research remain an issue of discussion, a general agreement on the definition of a 'norm' was reached among scholars: A norm is considered "a standard of appropriate behavior for actors with a given identity" (Finnemore and Sikkink 1998: 891). Payne adds that "norms […] constitute a community's shared understandings and intentions; [and that] they represent 'social facts' and reflect 'legitimate social purpose' (Payne 2001: 38, accentuation made in original). In order to better research and analyze the impact that norms have, scholars differentiate between the domestic and the international level of norm expansion, the different stages or rather the development of a norm (emergence, norm cascade, and internalization), the power constellations between actors and the strategies of so called *norm entrepreneurs* among others (Rosert 2012, Kratochwil 2000, Finnemore and Sikkink 1998: 891). Non-state actors, such as the *Fish Fight* Campaign, aim at changing policies and behavioral rules in accordance with their interests, convictions and ideational notions. Rosert (2012) stresses the necessity to understand these underlying actors' interests in order to properly analyze their strategies to set norms.

But how and when do norms emerge? What are the conditions for a norm to expand its influence? And what is the potential of an actor's idea to change another actor's interests and preferences? In the following, I firstly describe the different stages of the norm emergence as well as its development (sometimes) leading to final internalization. In a second step, the role of non-state actors and their capacity to induce new behavioral standards shall be the focus of attention. A final theoretical section provides further insights on the merits and functioning of transnational advocacy networks such as the *Fish Fight* campaign.

3.1 Norm emergence, expansion and actors

In this section, I will mainly focus on the concepts and ideas of Finnemore and Sikkink (1998) who describe the norm emergence (genesis) and the process of norm diffusion exhaustively. They define the norm cycle as consisting of three different stages, namely the norm emergence, a norm cascade (they use the term defined by Sunstein in 1995) and last but not least the internalization (Finnemore and Sikkink 1998: 895).
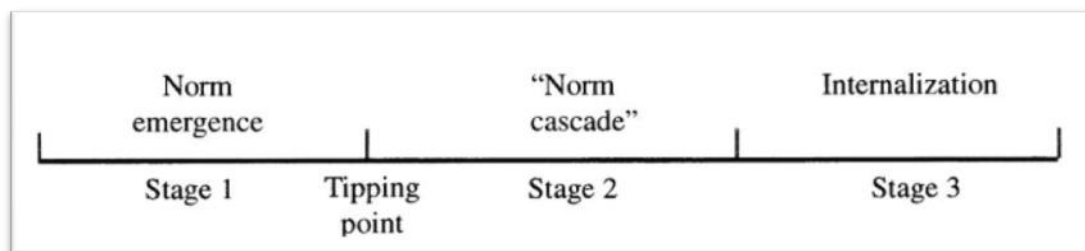
Figure 2: Three stages of the norm life cycle (Finnemore and Sikkink 1998: 896).

As Figure 2 shows, "the first two stages are divided by a threshold or "tipping" point, at which a critical mass of relevant state actors adopt the norm" (Finnemore and Sikkink 1998: 895). In a first step, however, it is crucial for political actors to detect – in their eyes – a problematic issue and to feel the necessity to alter a certain practice. The process of raising awareness among a group of people who care about the same issue is indeed highly normative (Rosert 2012: 602). According to Finnemore and Sikkink, norm entrepreneurs are those agents who push forward the desired behavioral standard, "attempt[ing by persuasion] to convince a critical mass of states (norm leaders) to embrace new norms" (Finnemore and Sikkink 1998: 895). Yet, new norms "emerge in a highly contested normative space where they must compete with other norms and perceptions of interest" (ibid.: 897). Once a norm reaches the tipping point, at which (key actors) adopt and promote the new norm, the norm cascade begins to develop self-perpetuating dynamics so that more and more states (or actors)[6] in a political system (e.g. in the EU) incorporate, implement and act upon this behavioral standard. It is argued that actors become norm followers due to "a combination of pressure for conformity, desire to enhance international legitimation, […] the desire of state leaders to enhance their self-esteem" (ibid.: 895) and imitating ideologies and values of other often leading actors. As characteristics like pride, identity, popularity, expectations and reputation shape the process of a norm cascade, this second stage can be described as a process of socialization among new norm followers. At the point where a norm is widely accepted and "no longer a matter of broad public debate" (ibid.: 895), Finnemore and Sikkink (1998) speak of internalization, i.e. the completion of the *norm life cycle*. However, norm internalization does not occur compulsorily as some new norms fail to diffuse. Besides, it is noteworthy to carefully "distinguish between policy change and change in behaviour; official policies may predict nothing about how actors behave in reality" (Keck and Sikkink 1999: 98).

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[6] Finnemore and Sikkink (1998) employ 'the state' as research entity. However, I will use their theoretical approach more broadly including non-state actors, as well.

3.2 Agenda-setting power of non-state actors

While initially scholars in norm research focused on states as research entities, special attention shall be paid to non-state actors and their power to exercise political influence in international politics, in order to connect these findings with the political process of the campaign.

Unlike states' governments or supranational institutions, non-state actors and presumably even less NGOs or political movements do not possess sufficient authority to access political negotiations in order to promote their concerns and bring them to the political agenda of the respective decision-makers. Yet, as "international lawmaking is a state-dominated area whose procedural and interaction rules mainly address the relationships between nation-states and/or intergovernmental organisations (IGOs), favoring those with the greatest material wealth[,] […] comparatively wealthy international NGOs find themselves in the weakest material position […]" (Holzscheiter 2005: 725). This major difference makes non-state actors require other but material resources in order to influence policy making. The use of expertise and information politics of a non-state actor related to its reputation and standing within a certain community is a crucial factor for its ability to foster or to block norm diffusion (Finnemore and Sikkink 1998: 899). Further, *moral leverage* (Keck and Sikkink 1999) or *moral authority* (Holzscheiter and Hahn 2005: 6) might be helpful if not essential when it comes to internationally shaming a target actor of a certain behavior with high international value (Keck and Sikkink 1999: 97, Wiener 2004: 196). "By exerting leverage over more powerful institutions, weak groups gain influence far beyond their ability to influence state practices directly [, which makes] identifying points of leverage […] a crucial strategic step in network campaigns" (Keck and Sikkink 1999: 97). Advocacy groups construct knowledge in a way that they contribute to the creation of identities and to the formation of legitimate and credible advocates (Holzscheiter and Hahn 2005: 7). However, different to state actors, most nongovernmental organizations do not work on democratic and transparent procedures, consisting of elected members who fear damage in reputation and thus an endangered re-election.[7] Most importantly, members of an advocacy group aim at raising public awareness around a certain issue, to provide well-researched information (expertise) and to lobby in favor of their ideologies and convictions. "Although their coordinated activities fall short of transforming negotiations into a kind of rational discourse, [non-state

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[7] A discussion about their legitimacy and accountability is therefore inevitable and will follow in section 3.2.3.

actors] […] have the potential to decisively alter the course and outcome of negotiations" (Deitelhoff 2009: 35). But which strategies do they use in order to successfully diffuse norms?

3.2.1 Strategies for norm diffusion

Above all, literature of norm research suggests having a look at efforts by norm entrepreneurs to frame ideas (Payne 2001, Rosert 2012, Keck and Sikkink 1999). Framing in this context means that (problematic) issues are embedded carefully in a context of interpretative and normative structures (Rosert 2012: 604–605, translation by author). Framing describes the process when norm entrepreneurs stress the importance of an issue, render something important and meaningful, which is actually similar to marketing and the commercialization of a certain product or practice. In order to reach the respective target group effectively, frames need to be chosen carefully by norm entrepreneurs. "Framing, in fact, is viewed as a central element of successful persuasion" (Payne 2001: 38–39). In a first step, framing is especially about raising awareness among a critical public (and thus to be located in the first stage of a *norm life cycle*), often beginning at the domestic level. In order for a norm to spread, i.e. "to persuade people and to stimulate them to take action" (Keck and Sikkink 1999: 96), a frame often identifies the problematic situation (*naming and shaming*) and proposes feasible solutions (Payne 2001: 39, Keck and Sikkink 1999: 96). "This requires clear, powerful messages that appeal to shared principles, and which often have more impact on state policy than the advice of technical experts" (Keck and Sikkink 1999: 96). Especially targeting and shaming designated actors "who are reluctant to comply [to norm adoption]" (Wiener 2004: 197) is seen as strategic feature. Though, shaming implies that one needs the authority to condemn another actor's behavior, shifting the guilt from the individual level to an entity such as a government (Broussard 2008: 40). In sum, messages by norm entrepreneurs need to be simplistic, clear, widely accessible and innovative. "A carefully crafted interpretive frame therefore constitutes a social power resource with relative autonomy from material power resources" (Payne 2001: 39).

Additionally, the use of language is another key element for successfully shaping identities around a certain issue: In the sphere of political advocacy through non-state actors (mostly NGOs), constructed knowledge (that also involves the exclusion of other positions) as symbolic capital leads to biased information allowing to manipulate the audience (Holzscheiter 2005). In terms of discourse theory, language and communication are to be understood as being "an indispensable – if not the most central – dimension of political life as well as something that is neither innocent nor neutral but laden with power relations, social

exclusion and ideology" (Holzscheiter 2005: 734). In sum, the capability of non-state actors to persuade key actors by choosing the way to frame an issue carefully and by giving great attention to the use of language does not depend on materiel resources. "Socialization is thus the dominant mechanism of a norm cascade […]" (Finnemore and Sikkink 1998: 902).

3.2.2 Effectiveness and success of norm diffusion

At this point, it is important to know in which environments norms are expected to spread more easily and under which conditions they are likely to reach the stage of *internalization*. Even if there is not *the one* formula of how a norm diffuses best, one can identify different factors that are certainly interconnected and contribute to changing actors' behavior at domestic or international level.

In a first step (*norm emergence*), it is important to see in how far the norm entrepreneur (e.g. NGO) reaches an internal mobilization level capable of attaining enough norm followers to evoke a norm cascade. Keck and Sikkink (1999: 97) show that large membership organizations with a high level of solidarity of their members are more likely to have the potential to influence policy change. In the second stage (norm cascade) then, one highly important condition is *who* (e.g. which state) adopts a norm. Hence, some states are considered to be critical to norm adoption, "without which the achievement of the substantive norm goal is compromised" (Finnemore and Sikkink 1998: 901). Besides that, due to their lack of material resources, domestic and international NGOs "usually initiat[e] actions and pressur[e] more powerful actors to take positions" (Keck and Sikkink 1999: 92). Once materially wealthy or key actors in a specific policy field become a norm follower, a norm reaches the decisive *tipping point* and diffuses easily (Finnemore and Sikkink 1998: 901, Holzscheiter 2005: 730–731). Holzscheiter sums up that "the strong exclusionary dimension of political processes and the fact that every decision-making is based on 'non-decisions' and that every 'inside', every consensus, is not possible without shunning those views or voices [note author: of materially wealthy actors] that greatly threaten that consensus" (2005: 730-731, accentuation made in original).

Another criterion for strong norm diffusion was identified by Keck and Sikkink (1999) who showed that "issues involving physical harm to vulnerable or innocent individuals appear more likely to resonate transnationally […] [and] are more likely to lead to effective transnational campaigns than other kinds of issues" (ibid.: 99). It was observed that especially campaigns in the field of environmental policy were more successful in promoting their ideas

and the issues in question when norm entrepreneurs connected the environmental issue to a humanitarian one, aiming at reaching the emotional level of the audience (ibid.).

Besides the above mentioned conditions, Rosert mentions four key elements for effective norm diffusion: "the de-normalization of an existing practice, the emotionalization and dramatization of the issue, the clearness and the simplicity of the message as well as the connectivity to existing norms (*grafting*)" (Rosert 2012: 604–605, translation by author, accentuation in original). Keck and Sikkink (1999) further argue that, in order to campaign successfully, a 'causal story' is necessary, identifying clearly who bears responsibility or guilt. Further, within that story a causal chain "needs to be sufficiently short and clear to make a convincing case about responsibility or guilt" (Keck and Sikkink 1999: 99). In the opinion of Payne, "the communicative environment, in fact, almost certainly matters more than the content or framing of specific messages" (Payne 2001: 39). Thereby, non-state actors have made inroads into the state-dominated sphere of decision-making, using "expertise, knowledge and representation of public opinion as power resources" (Holzscheiter 2005: 740).

3.2.3 Risks of non-state actor involvement

While some authors assess more non-state actors' involvement in domestic and international negotiations and decision-making processes as being a positive influence, critical voices are not far. Most critiques focus on questions of legitimacy and accountability of these actors. While non-state actors' legitimacy mainly has its source in the actor's nature, i.e. non-profitable aims, especially NGOs remain highly dependent on external funding from influent economic players who have their own ideologies, values and policy aims. Regarding accountability, it is argued that advocates might not know what is best for their constituency (Holzscheiter and Hahn 2005: 8). Especially when the constituency comprises animals or plants (i.e. in general environmental issues), it depends very much on the level of professionalization and knowledge of the respective advocates if information is reliable or not. Here, due to a lack of material resources and to time windows for action that are too short, imprecise and badly researched information could lead to manipulation and negligent misrepresentation of the issue. Further, it is questionable if non-state actors are capable of researching and communicating highly complex and technical issues adequately to a broad mass of uninformed people. Besides, as mentioned above, dominant messages and constructed knowledge imply the exclusion of other positions (Holzscheiter 2005) resulting in biased information, leaving space for subjective interpretation. By lobbying (seemingly) in the

interest of a certain species, human beings or "mute clients" (Holzscheiter and Hahn 2005: 3) like plants or animals, non-state actors exercise power towards their own constituency and manifest power relations through the construction of the constituency's identity without – dependent on the nature of the constituency – the need to fear opposition (ibid.: 24–25). This, however, poses the question of equitable representation and accountability of the advocates.

3.3 Transnational advocacy networks

In this section, it will be briefly shown how international or transnational advocacy networks (TANs) as part of the way non-state norm entrepreneurs function and which strategies they use for transnational norm diffusion. This differentiation will be important when analyzing the *Fish Fight* campaign which extended its range over time reaching a European dimension.

Keck and Sikkink who wrote the highly influential paper on transnational advocacy networks in international and regional politics define these networks as "forms of organization characterized by voluntary, reciprocal and horizontal patterns of communication and exchange" (Keck and Sikkink 1999: 91), "working internationally on an issue, […] bound together by shared values, a common discourse, and dense exchanges of information and services" (ibid.: 89). In terms of accountability, Dingwerth (2003: 73) shows that advocates of global policy-networks see them "as the possibility to strengthen transnational governance's effectiveness and legitimacy". The sharing of common ideas and values as motivation for their action is at the heart of each and every transnational network. In their seminal paper, Keck and Sikkink identify five different types or stages of networks' influence, namely "(1) issue creation and attention/agenda setting; (2) influence on discursive positions of states and regional and international organizations; (3) influence on institutional procedures; (4) influence on policy change in 'target actors' which may be states, international or regional organizations, or private actors […]; (5) influence on state behavior" (Keck and Sikkink 1999: 98, see also Dingwerth 2003: 72). In a first step, media presence and the creation of wide public attention for an issue are of major importance. Equally to other non-state actors, TANs are highly dependent on their ability to do information politics in the form of expertise, professionalization and the use of powerful discursive strategies. "The ability to generate information quickly and accurately, and deploy it effectively, is their most valuable currency; it is also central to their identity" (Keck and Sikkink 1999: 92). With an increasing impact on the process of policy-making, i.e. the debates, negotiations, and public communication, and less the formal outcome, TANs have succeeded to act as important players at the regional and at the international levels (ibid.: 89–90). However, as especially international networking is

costly with its challenges to overcome geographical distance by using fax, telephone, e-mail, internet and air travel, TANs are in need of material resources to function (ibid.: 92). Further, nationalism and the multiplicity of languages and cultures are factors to be taken into account when it comes to the internal communication of TANs. Lacking material resources, advocacy networks' "influence often depends on securing powerful allies" (ibid.: 97), with the aim of convincing key actors in the respective policy field in order to gain material and moral leverage for their actions. Similarly, "the success of elite learning processes depends on the prescriptive force of a particular type of norm" (Wiener 2004: 196). As these key actors play a dominant role in a certain political system and are able to strongly influence the negotiations, weaker actors are likely to follow, i.e. to promote and to adopt the issue of discussion. Besides information politics and leverage politics, other strategies employed by TANs include symbolic politics which is the "ability to call upon symbols, actions or stories that make sense of a situation or claim for an audience that is frequently far away [as well as] […] *accountability politics,* or the effort to oblige more powerful actors to act on vaguer policies or principles they formally endorsed" (Keck and Sikkink 1999: 95, accentuation made in original).

As another strategy for transnational norm diffusion Acharya (2004) mentions the process of *localization*. "Localization describes a complex process and outcome by which norm-takers build congruence between transnational norms (including norms previously institutionalized in a region) and local beliefs and practices" (ibid.: 241). Following this approach, *localization* is a very important condition for a norm to diffuse as "local agents reconstruct foreign norms to ensure the norms fit with the agents' cognitive priors and identities. Congruence building thus becomes key to acceptance. Localization, not wholesale acceptance or rejection, settles most cases of normative contestation" (ibid: 239). A norm that diffuses transnationally challenges the already existing normative and social order within that specific local context, and may therefore vary in its acceptance depending on the recipient. Acharya assesses that "the success of norm diffusion strategies and processes depends on the extent to which they provide opportunities for localization" (ibid: 241).

To sum up, the ability to create and to spread information systematically, the ability to influence key actors' positions on an international level and its success of providing opportunities for localization are TANs' major merits which contribute to their legitimacy and success around particular policy targets at the same time.

3.4 Hypotheses

Following the theoretical framework, I make the following assumptions with regard to the empirical case:

Influence on legislative process:

- In a first stage, *Fish Fight* pressurized powerful actors in order to better diffuse the norm.

- The norm 'in favor of a discard ban' reaches its tipping point, when the most central actor in European law-making, the EC with its right for legislative initiative, recognizes its importance, promoting itself an end to discards.

- At the time where important policy processes (meetings or votings) take place, norm entrepreneurs are especially active in norm diffusion practices.

- If one can observe a change in policies (discard ban appears prominently in adopted reform), it is expected that the norm reaches the final stage of internalization in public debate.

Criteria of success for the Fish Fight campaign

- The *Fish Fight* campaign is successful when it succeeds in winning support of important allies, such as big NGOs, NGO networks or MS.

- If *Fish Fight* manages (to appear) to reach expertise and professionalization, it will contribute to its credibility, legitimacy and to its (inter-)national reputation.

- The *Fish Fight* campaign achieves success, when campaigners use a 'naming-and-shaming' strategy, making use of a clear causal story, identifying the culprit as well as the solution for the discard problematic.

- *Fish Fight* is expected to conduct the campaign successfully when localization of the issue happens.

4. METHODOLOGY AND OPERATIONALIZATION

4.1 Choice of research design

Following the topic described in chapter 1.1, the research design chosen was a single case study. On the question about what a case study is and what its characteristics are, Gerring answers that the term *case study* must be seen as a "definitional morass"(Gerring 2004: 342)

as there exist numerous definitions. In this thesis, however, I would like to lay down the definition Gerring gives later in his article where he describes "the case study as an intensive study of a single unit for the purpose of understanding a larger class of (similar) units" (ibid.: 342). The single unit analyzed in my research will be the latest reform of the EU's CFP, receiving a natural treatment (see ibid. and McDermott 2007), i.e. the occurrence of the *Fish Fight* campaign. The case study can be classified as a longitudinal comparison (see Gerring 2004), exploiting only temporal variation: Its starting point is the EC's Green Paper in 2009 and it finishes with the final taking of effect of the new CFP in January 2014. In addition, this single case study aims at theory testing, i.e. testing the above presented hypotheses on the grounds of empirical data. The study of this single case could contribute to a better understanding of similar non-state actor involvement in EU's policy making. In terms of internal validity, it must be noted that different factors (which could not be analyzed in this thesis) could also have contributed to the campaign's popularity and success. The significant anti-Brussels sentiments among the British population need to be mentioned as one of the factors that surely contributed to the campaign's performance at national and European level. However, according to the opinion of many scholars and stakeholders, *Fish Fight* convinced a huge number of people by using well-chosen communication strategies. This happened independently from the recipients' pre-existing stance to the EU. External validity concerns "the extrapolation of particular research findings beyond the immediate form of inquiry to the general" (Riege 2003) and can be checked by using the UTOS scheme (Cronbach 1982). The scheme looks at the potential generalization of units (U), treatments (T), outcomes (O) and settings (S). In this case, external validity is given as one could think of any other public campaign (T) on a reform (U) of a policy field in EU's politics (S) with a high degree of influence of the public opinion (O). The reliability, i.e. "the demonstration that the operations and procedures of the research inquiry can be repeated by other researchers which then achieve similar findings" (Riege 2003: 81), is given as the study follows a clear theoretical framework with a subsequent chronological analysis of open source material.

4.2 Data

The analysis will be conducted using empirical sources such as primary literature as well as secondary literature. First, it will be especially interesting to see how the campaign itself communicated its actions and exercised influence throughout the reform process. Furthermore, direct statements from key actors in the EC, the EP or the Council will be employed to detect a possible shift in attitude and opinion. When it comes to secondary literature, (online) newspaper articles, different video contributions (YouTube and news

channels among other), the homepage *CFP Reform Watch*[8] and NGOs' publications enable to put the campaign and stakeholder data in context. As *Fish Fight* was launched in the UK by a British chef and only over time expanded finally reaching a European dimension, primarily British newspaper (mainly *The Guardian*, *The Grocer*, *BBC*, *The Independent)* shall be used for the content analysis. Most articles were found in *The Guardian*, a leftish British newspaper, which registered the highest media-coverage of the event. Here, the question of impartiality looms as Fearnley-Whittingstall acts as food writer for *The Guardian*. As a result, there might have been a special interest from side of the newspaper to cover Fearnley-Whittingstall's campaign elaborately. The secondary literature sources were chosen following a snowball approach where one source mentioning another led the research. On the *CFP Reform Watch* platform, all news on the discards' negotiations were chronologically led and analyzed. In all, 51 articles or video contributions, fourteen primary sources (*Fish Fight* and EU documents) and various academic literature were analyzed on the different stakeholders' attitudes to the policy measure 'discard ban'. As the campaign was especially active on social media platforms, all *facebook* (Hugh's Fish Fight) and *twitter* (@hughsfishfight) communication (i.e. posts and tweets) by the campaigners, starting from the campaign's launch until today was analyzed. Further, interview transcripts[9] of the research project *Time Horizons in International Environmental Policy*, conducted by researchers of the Chair of International Relations and Sustainable Development at the University of Muenster, give deeper insights in the course of action of the latest CFP reform.

4.3 Operationalization

In order to find out about the impact of the *Fish Fight* campaign on the formulation of the most recent EU's CFP reform, a process analysis will be conducted, reconstructing the political process of the campaign's involvement in the reform. Material will be analyzed starting with the campaign's launch in October 2010 until the final adoption of new CFP reform in 2013, the self-declared end of the *Fish Fight* campaign. By looking at the political

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[8] "The CFP Reform Watch website was founded in 2010 by the green members of the Fisheries Committee in the European Parliament during the 2009–2014 legislature […].The aim of the site has been to provide simple access to information on the reform of the […] CFP which took place during the 2009–2014 legislature, in order to facilitate news reporting and extend stakeholder involvement. The website has set out to ensure a transparent and open CFP reform process by publishing relevant key information, publications and positions" (CFP Reform Watch 2010a).

[9] N.B.: As student assistant at the Chair of International Relations and Sustainable Development, I was allowed access to the interview material. However, the sources are not published yet, so that all rights remain with the Chair.

process, I will try to find out about the genesis of the campaign, its development, its aims and strategies and its final achievements.

The analysis will be conducted in a step-wise, chronological manner. A proper classification of the campaign, a division into different stages as well as an identification of the most important incidents during the time of the campaign will be needed. In the analysis, it will not be possible to give equal importance to each and every step of the campaign, as it might be necessary to analyze some events more exhaustively than others. A focus will be on the campaign's start, its momentum and possible turning points, based on the theoretical assumptions by Finnemore and Sikkink (1998) on the *norm life cycle*. The norm 'in favor of a discard ban' shall be observed in its different stages; its emergence, tipping point, the diffusion and internalization. All campaign incidents will be linked to the ongoing policy processes at EU level. By connecting the different steps of the CFP reform at the EU's institutions with the campaign development, it will be possible to understand its dynamics more properly. In order to measure the wider public agreement with the campaign, I will present the number of signatures of the online *Fish Fight* petition over time graphically. Using this curve, it might also be interesting to see whether the heights coincide with important meetings/votings at EU institutions. Special attention shall be given to the communication strategies of the *Fish Fight* campaign.

4.4 Limits of research

First, the data collection was subjectively influenced, being a process with limitations: Voices from *Fish Fight* movements of other important EU MS such as Germany or Spain could have been heard in order to provide a better overview of the whole campaign. Because of limited time and space, the analysis will be focusing on British media, where the campaign had its origin.

Second, the interview material used is based on interviews that were held by a researcher of the Chair of IR and Sustainable Development and not by myself. Consequently, answers were given only with regard to the asked questions and the researcher's interest of study. However, information of the interviewee was only used when it is clearly connected to the development of the discard policy and the influence of the *Fish Fight* campaign.

Third, it is questionable if the focus on the *Fish Fight* campaign as a major event throughout the reform process can exhaustively explain the prominence of the issue in the

outcome of the final reform. Other factors which are not mentioned might have contributed to the rise of the idea of banning discards, as well.

Fourth, this case study might not be enough to extract insights on non-state actors' involvement in EU's policy making for other cases likewise. All results, matching with the theoretical assumptions or not, may occur in this single case only. Insights gained might therefore have one-case validity without having the potential to contribute to an understanding of a larger class of (similar) units.

Fifth, most of the *Fish Fight* internet addresses referred to on *facebook* or *twitter* do not function any more. Many firsthand statements on key events by Fearnley-Whittingstall or information on 'emergency actions' could therefore not been accessed. Additionally, the influent channel 4 broadcast of 'Hugh's Fish Fight' is not accessible in Germany, so that no analysis of this important primary source could be done. It is noteworthy that *Fish Fight* did a lot more of campaigning regarding sustainable fisheries, especially on a national level, which will not be included in analysis.

Sixth, various events at the policy level that are important to the course of the reform cannot be dealt with at all due to limitations in time and space. Nevertheless the analysis at hand will be able to show the campaign's strategies and influence on the recent reform process.

5. PROCESS ANALYSIS: FISH FIGHT IN EUROPE

In this chapter, I aim at retracing the political process of the *Fish Fight* campaign, led by the famous British TV chef, broadcaster and food writer Hugh Fearnley-Whittingstall. The chapter will be divided chronologically, analyzing the campaign's strategies to promote the norm 'in favor of a discard ban' as well as its conditions for successful norm diffusion. In the last part of the analysis, special attention shall be given to the aspects of legitimacy and accountability. Chapter 5.1 will cover the time frame from the campaign's launch in November 2010 until the publication of the CFP reform proposal by the EC in 2011. The range was chosen because this time span is assessed as being the most important and active time of *Fish Fight* (tipping point). Chapter 5.2 will describe the phase of the norm cascade that reaches from the EC's proposal respectively until the final adoption of the new CFP reform in December 2013. By looking at *Fish Fight's* activities after adoption of the new policy, chapter 5.3 will analyze if the new norm could reach the final stage of *internalization*.

5.1 From norm emergence to tipping point: 11/2010 – 07/2011

In the forefront of *Fish Fight*'s launch in November 2010, campaigner Fearnley-Whittingstall "spent […] months travelling around the UK meeting fishermen, marine conservationists, politicians, supermarket bosses and the fish eating public" (FISHupdate 2010) in order to prepare his campaign and to record video material for the later broadcasted TV series 'Hugh's Fish Fight' on *Channel 4*. Yet, no detailed information about the preparation phase and the campaigner's motivation for his project could be found. The *Fish Fight* campaign launch took place on November 15th, 2010[10] by Fearnley-Whittingstall[11] with the upload of a "viral video" (Hugh's Fish Fight 2011) on the platform *YouTube*. The video shows in a dramatic way that there is an enormous amount of edible fish being discarded (dead) in the North Sea each year. Campaigners address and involve the audience directly by asking rhetorical questions about how "you" (ibid.) would call such a practice. Further, they query whether it was "madness, an environmental crime, [or] a senseless waste of good food" (Hugh's Fish Fight 2010). The campaign argues that fishermen hated discarding, but "EU laws say they have to" (ibid.). This simple message is supported by the use of scary music at the beginning of the video. At the end, they invite the spectators to join the "protest" (ibid.), signing up for the campaign[12] on its website. On the same day, *Fish Fight* accounts were established in social media networks such as *facebook* (Hugh's Fish Fight) and *twitter* (@hughsfishfight) with thousands of supporters sharing and promoting the video. In no time, the internationally well-known and popular NGO *Greenpeace*, here *Greenpeace UK* (see *twitter* on November 15th, 2010) backed the cause. Other NGOs such as *fish2fork* (see *twitter* on November 17th, 2010), *Oceana Europe* (see *twitter* on November 19th, 2010), *Client Earth* (see *twitter* on November 15th, 2010), the *Marine Conservation Society* (see *twitter* on November 18th, 2010), *WWF* (Seton

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[10] On the campaign's website, it is said that the campaign was launched "back in October 2010" (Fish Fight 2010). Yet, in no newspaper article, publication, personal statement of involved actors, posts or tweets, I could find information on a launch in October. All data (except the proper website) speak of a launch in mid-November via *YouTube*.

[11] Interestingly, Fearnley-Whittingstall already conducted a public-oriented campaign against intensively farmed chicken in 2008 (Vaughan 2008).

[12] The petition to the Commissioner, MEPs "and all member state governments that people [were] […] asked to sign states only that: 'I understand that the current Common Fisheries Policy leads to discarding on a vast scale; for example, half of all fish caught in the North Sea are being discarded because of the current quota system imposed by the CFP. I want this senseless waste of food to end. I want you to use your influence to stop this unacceptable and shameful practice'" (Murray 2011).

2011), *Ocean2012*[13] (Radio Times 2012) and *Bird Life International* (Fish Fight 2010) followed the example and showed support for the idea to ban discards. Within twelve hours after launch, the message made 12,000 people sign up for the campaign. Two days later, on November 17th, signatures reached 24,000; on November 23rd 31,000. All signatures were added to a letter to Maria Damanaki, the European Fisheries Commissioner, demanding the end of discards (Smith 2010). The campaign's successful start was fostered by Hugh Fearnley-Whittingstall's appeal to get more people to sign as there was an important meeting of the Regional Advisory Council (RAC)[14] scheduled for November 17th in Brussels. The website *CFP Reform Watch* explained that Fearnley-Whittingstall aimed at making "the elimination of discards a 'primary objective' in the reformed Common Fisheries Policy" (CFP Reform Watch 2010b, accentuation in original). He directly accused and shamed the EU CFP's quota system for being the cause of the discard practice (see ibid.). The fact that the petition was addressed solely to the European Fisheries Commissioner, exactly at the moment when the CFP was subject to reform, shows that Fearnley-Whittingstall saw the exclusive guilt for discarding in European policies. Interestingly, the campaign was launched more than half a year before the EC issued its proposal on the new CFP. Thereby, the self-proclaimed *fish fighters* had several months time to pressurize *the* only European institution with the right to legislative initiative.

Only few days after its launch, the campaign made it on the cover page of the British daily newspaper *The Independent*, titling "North Sea fisheries madness: Outcry grows at 'ridiculous' waste of fishing catch" (Smith 2010, accentuation in original). On November 23rd, a public event outside the Houses of Parliament in London was held with the support of famous chef Jamie Oliver. On this day, thousands of signatures were added to the petition. In December 2010 then, the campaign's website[15] with the latest news on the campaign, facts on the CFP, video footage, and interactive editorial content went online. This step as part of the

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[13] "The OCEAN2012 coalition was created in 2009 to support a fundamental reform of the European Union's […] CFP. It was launched by The Pew Charitable Trusts, the Coalition for Fair Fisheries Arrangements, the Fisheries Secretariat, the new economics foundation and Seas At Risk, which were later joined on its Steering Group by Ecologistas en Acción. Within five years, the coalition grew to 193 member groups in 24 EU member states and beyond. The coalition included fishermen's organisations, leading marine scientists, development agencies, environmental non-governmental organisations, aquaria, consumer and development organisations, restaurants, and groups that shared an interest in sustainable fisheries." (The Pew Charitable Trusts n.d.).

[14] The RACs were established in the 2002- reform as a consequence of fishing sector stakeholders' demand of more involvement in EU fisheries management and decision-making.

[15] www.fishfight.net

campaigners' information politics boosted *Fish Fight*'s image of a credible, professional and informed actor. The use of expertise, especially through the supporting structure such as *Greenpeace*, needs to be seen as crucial factor to foster norm ('in favor of a discard ban') diffusion in an early stage of the campaign. Further, right from the beginning, campaigners framed their ideas in a very striking way: They presented the discard problematic as being *the* issue of interest of the new CFP reform and as a focus of interest of the general public. However, even if there were efforts from both the fishing sector on the one hand and from European policy makers on the other hand to reduce the amount of bycatch and thereby the quantity of fish being discarded, there was no concrete formulation on a wish to ban discards from either side. While other stakeholders such as the fishing industry, scientists but also NGOs such as *WWF* had called for a package of various measures to tackle the problem efficiently (BBC 2011, Borges 2013, WWF 2011), it is remarkable that a ban as a policy measure was presented as the one solution for the discard problematic. Bertie Armstrong, chief executive of the Scottish Fishermen's Federation (SFF) highlighted: "It is a knee-jerk response to populist TV coverage which has accurately described the problem, but which offers no solutions. The European industry despises discards, but there must be a more sensible and coherent approach" (BBC 2011). In terms of language use, it needs to be stressed that the campaigners put the issue on a very emotional

Figure 3: *Fish Fight* merchandise level by using words and expressions such as fish fighters, fish fighting army, environmental crime, crazy EU laws, 'save some fish for me' (future generation's demand, see figure 3) and 'half wasted' (see figure 4), among others (see *Fish Fight* website).

Figure 4: "Half wasted!"

In a first reaction to rising public awareness, Damanaki stated that she hoped to introduce an intelligent stock management system for the 21st century by 2013 and that the discards will get special attention during the reform: "They have to be, wherever possible, avoided" (Damanaki quoted in CFP Reform Watch 2010b). Besides the EU's Fisheries Commissioner, Richard Benyon, the UK Fisheries minister identified the discard problematic as "one of the biggest failures of the CFP" (Benyon quoted in Smith 2010) and declared that he was, together with Hugh Fearnley-Whittingstall, "working to end this disgraceful practice that is forced on the fishing industry through a CFP that is clearly no longer fit for purpose" (ibid.). As mentioned in chapter 4.1, the anti-Brussels sentiments among the British

population might also have contributed to Benyon's position towards the campaign and his quick avowal, which made diffusion at national level going easily. In the UK, it might have been more important to frame the campaign's message as an anti-Brussels campaign ("crazy EU laws (Fish Fight 2010)), whereas later at EU level, the message to end an unethical practice and a waste of natural resources was more likely to be followed.

While skeptical of the effectiveness of the measure of banning discards, SFF called "the discarding of fish a 'madness' that underlines the need for urgent regulation reform in the CFP, the core of the problem" (CFP Reform Watch 2010b, accentuation in original). Already at this early stage of the campaign (after less than a week!) it is noticeable that key actors (Damanaki, Benyon and several NGOs) supported *Fish Fight*'s objectives.

In January 2011 then, Fearnley-Whittingstall pushed the issue of banning discards to broader public attention broadcasting a TV series titled 'Hugh's Fish Fight' on UK Channel 4. The newspaper *The Guardian* stated that "Fearnley-Whittingstall and others have taken a straightforward approach and launched a campaign on three very accessible fronts" (Susan Smillie 2011), i.e. internet, TV and out on the streets. In three TV series aired on January, 11th, 12th and 13th, the famous chef exposed first the discard problematic, second the practice of aquaculture and salmon farming and third the implications of catching tuna by purse seining[16]. The first day of transmission evoked a tremendous success in making the campaign more popular. On January 13th, the online team of *Fish Fight* "was challenged to undertake and handle enormous flow of sign-ups and unique visits, reaching 1 million impressions between 8 o'clock p.m. and 11 o'clock p.m." (MTR Design n.d.). The simple design of the website with its various cross references to related data played a central role in promoting the goal of the campaign: rising social awareness by "get[ting] visitors involved in the mission by signing-up for supporting the campaign" (ibid.). Here, the accessibility to a broad public was a core element of the campaign's online profile. During the three days of TV transmission, the website registered two million page clicks (ibid.), an "unprecedented traffic […] at the very start of the campaign" (ibid.). Further, the media coverage of this highly influent series was enormous: A huge number of newspaper articles from different publishers could be found from the days before, during and after transmission, illustrating the problematic state of the CFP, the campaign's aims and ongoing negotiations at European institutions (Smillie 2011,

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[16] Purse seining is a fishing technique for tuna, which "involves surrounding tuna schools with a net, impounding the fish by pursing the net, and drying up the catch by hauling the net so that the fish are crowded in the bunt and can then be brailed out" (FAO 2015).

Murray 2011, The Telegraph 2011, Whitby Seafish 2011, Landshare 2011, Deans 2011, among others). While sign-ups for the campaign prior to the three days series were around 40,000 in December 2010, the number rose explosively from 200,000 signatures on January 11th (after the first transmission), to 400,000 on January 15th and to 500,000 on January 17th (compare Figure 5). The increase in signatures in January 2011 was the most striking increase of sign-ups throughout the whole campaign. Afterwards, only slight increases in signatures
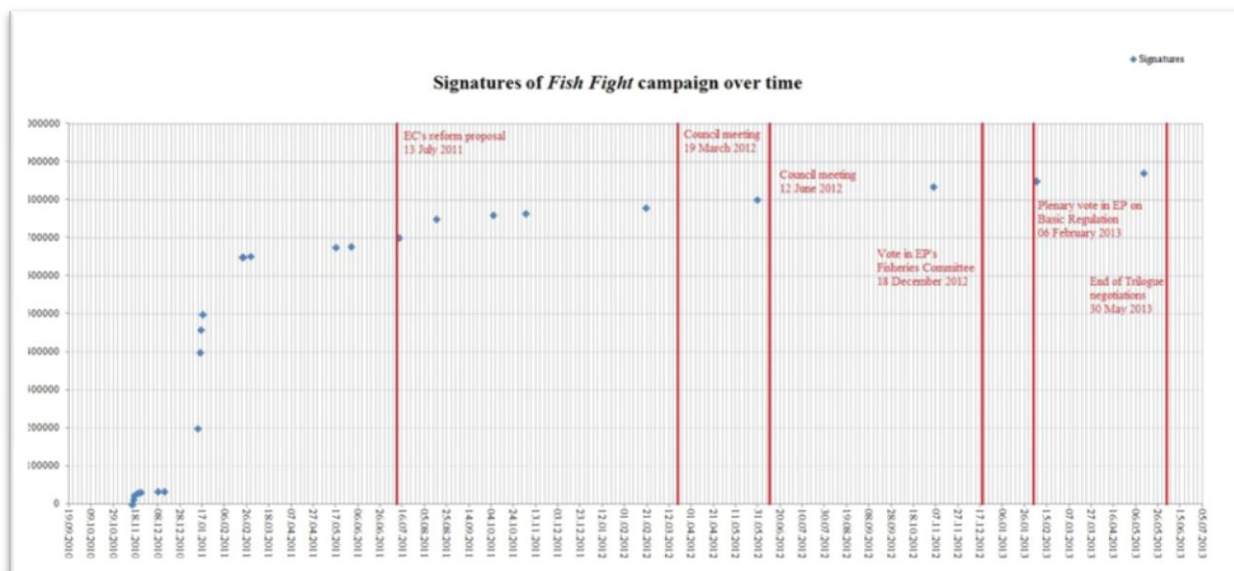
Figure 5: Signatures of the *Fish Fight* campaign over time (representation by the author)

could be registered. While the campaign gained 650,000 followers in only three months, a comparatively little number of 220,000 signed up to the campaign in two and a half years after that. Besides the support for the online petition, "the striving for change cascaded into the compelling number of more than 200 thousands Facebook supporters of the Fish fight community" (ibid.).

In a promotional video in April 2011, the campaign's *YouTube* channel recapitulated: "The Fish Fight multiplatform campaign represents the gold standard in using TV and online media to inspire change in the real world. It's a model of how moving pictures, interactive media and social networking combined to create highly engaged users; and together have the power to bring about significant results" (Hugh's Fish Fight 2011).

Yet, from the very beginning of the campaign there was criticism on its exact aims connected to its proposed solutions; reaching from voices such as the SFF (see above) stating that *Fish Fight* simplifies the issue and that a more complex approach is needed in order to solve the complex problem; to voices such as *businessGreen*, an online platform promoting ecological sustainability, arguing that: "In fact, for all its undoubted effectiveness Hugh's Fish

Fight has broken one of the first rules of campaigning: know precisely for what you are campaigning" (Murray 2011), as *Fish Fight* does only ask for an end of the practice of discarding without proposing feasible solutions. Recognizing the importance of a need to change the discard policy, Murray from *businessGreen* states "that people supporting the campaign are not precisely clear on what they are lending their name to" (ibid.).

In response to the high-profile campaign, Damanaki pledged in an interview with *The Guardian* that "we can't go on like this, with this nightmare of discards. […] We need a new policy" (Damanaki quoted in Harvey 2011a). She clarified that "the weight of public opinion was behind the move" (ibid.) and that she was very optimistic to bring about policy change due to public support. After more than 100,000 signatures were added to the petition in February, the EC invited MEPs, EU's fishery ministers as well as the Court of Auditors for a high level meeting on banning discards in Brussels on March 1st, 2011. On the same day in the early morning, Fearnley-Whittingstall gave an interview on BBC Radio Scotland (BBC Radio Scotland 2011) and was streamed at night in TV *Channel 4* news, talking about the *Fish Fight* campaign. In the meeting, fisheries ministers from Denmark, France, Germany and the UK "stood firmly behind the Commissioner as they […] signed a joint declaration in which they call for a system of "'genuine catch quotas', where all landed fish is counted against quotas" (Naver 2011a, accentuation in original). On March 2nd, *fish fighters* announced via *twitter* for the first time that the campaign shall be expanded to EU wide action, including civil society from other EU countries. Action followed on May 31st, when *Fish Fight* websites were launched in eleven EU languages (Polish, Swedish, German, Danish, French, Greek, Spanish, Italian, Dutch, Flemish and Portuguese) (see *facebook*), which was one of the first concrete steps to spread the campaign beyond UK borders. The Commissioner's new position on discards, with the firm conviction to banning discards in the reform, as well as the support from important nations such as Denmark, France, Germany and the UK represents an important interim result of the campaign (Naver 2011b). Without any doubt, the shift in Damanaki's position can to be attributed to the effort of the British movement. At the end of February, 600,000 out of 650,000 signatures were from supporters from the UK and Ireland which makes Damanaki conclude: "The UK in particular has been a champion on this issue [note author: discard ban], and across Europe there is growing awareness" (Damanaki quoted in Harvey 2011a). In a hearing in Brussels in May, where Damanaki attended fishermen's representatives, green groups and consumer groups, "she credited the UK 'Fish Fight' campaign […] as a key factor in persuading the commission of the need to eliminate discards" (Harvey 2011b, accentuation in original).

The most decisive moment of the latest CFP reform was probably the day on which the EC published its ambitious reform proposal, which was on July 13th, 2011. While previously the EC did not assess the discard problematic as a core problem of the CFP but only as a symptom of broader issues such as overfishing and overcapacity (European Commission 2009), the idea of banning discards became a key element of the reform (proposal) in two years. Right on the first page of the reform proposal, the EC mentioned among the main problems of the CFP as second priority "unacceptably high levels of discards" (European Commission 2011: 1). Later in the proposal, the EC identified "a second core element of the conservation proposal [, which] is ending the practice of discards and reducing unwanted catches. The proposal introduced the obligation to land all catches of specified stocks, with a precise timeline for implementation […]" (ibid.: 7). For the first time, the term of ending discards was employed in an official EU document. From the Green Paper in 2009, in which discards were mostly irrelevant, to the *Fish Fight* launch in November 2010 when Damanaki spoke of ending discards wherever possible, to an opinion in February 2011, insisting on the practice of discarding to end, up to finally publishing a proposal with a discard ban as being the second most important priority of the upcoming reform: Damanaki made a complete shift in her policies. A representative of an environmental NGO network underlines that since the *Fish Fight* campaign launched, the issue of a discard ban got on Damanaki's agenda whereas prior to that, it was not one of her main claims (Interview No. 1 #00:13:42). Fearnley-Whittingstall himself, who encouraged people on social networks to take last-minute action by signing the petition was "very happy to see that the proposal specifically includes measures to end discards [and even if] not perfect […,] we should applaud Commissioner Damanaki for ensuring discards are firmly on the agenda" (Fearnley-Whittingstall quoted in CFP Reform Watch 2011). From the theoretical perspective presented in chapter three, I assess the publication of the proposal the tipping point of the *norm life cycle*. I argue that the norm 'in favor of a discard ban' reaches the tipping point when the most important (key) actor (=EC) became a norm follower, i.e. when it publically and officially avowed itself to sympathizing with the idea of banning discards. Even if the EC stated in several moments prior to the publication of the reform proposal that it wanted to end discards, the document from this moment on passed to the EP and the Council as a first basis for discussions on the future CFP. Further, the number of signatures until that moment increased rapidly, whereas afterwards, only smooth and steady increases could be registered. Even if lacking in extensive sustainable measures for catch management as well as tools (other than a

ban) more effective for eliminating discards, campaigners most importantly succeeded to put the issue on top of the agenda of the reform.

In sum, at this early stage, the campaign seemed to have pushed especially the UK (thus its position in the Council) as well as the EC to promote themselves an end of discarding. Right from the beginning of the campaign, *Fish Fight* used strong allies in order to spread the message. It gained support by key politicians and popular NGOs who promoted the cause, too. By framing the issue as dramatic, emotional and by assigning a clear culprit, favorable conditions for the norm to diffuse were created. The strong anti-Brussels sentiments in the British population helped to reach acceptance of the new norm at national level. While the campaign successfully created the idea to ban the practice of discarding throughout the EU (norm emergence) in November 2010, the new norm reached the decisive tipping point when the EC included this policy measure in its reform proposal in July 2011.

5.2. Norm cascade: 07/2011 – 12/2013

In this section, the phase of the norm cascade (second stage in *norm life cycle*) will be analyzed. The question of the conditions of successful norm diffusion, i.e. the rising consensus among European citizens on the necessity to ban discards, and on norm entrepreneurs' and norm followers' strategies to promote this accordance shall be answered. The chapter will cover the time span from the publication of the EC's reform proposal until the final adoption of the new CFP reform[17].

In fact, no important policy events related to the reformed basic regulation took place in European institutions in 2011. Due to that, *Fish Fighters* had time to organize themselves, promoting the cause nationally and transnationally. On a domestic level, Fearnley-Whittingstall continued to broadcast TV programs ('The Battle Continues' on Channel 4, August 8th, 2011), speaking to reporters and offering the possibility for Q&A-sessions after the series via social networks. Besides, the *Fish Fight* team developed a free *iPhone* application which provides information on buying, cooking and eating sustainable fish (see *facebook* August 8th, 2011). On a weekly basis, the *fishyfriday* was established by Fearnley-Whittingstall, presenting recipes and inviting the broad public to share cooking experiences with sustainable fish. By launching websites on eleven European languages in May 2011 (see above), *Fish Fight* demonstrated its ambitions to diffuse the campaign transnationally. In

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[17] As the discard ban provision was discussed in connection with the new basic regulation, it will be focused on this part of the CFP reform, disregarding the other two parts, namely the European Maritime and Fisheries Fund (EMFF) as well as the Common Market Organisation (CMO).

August and September of the same year, Fearnley-Whittingstall then boosted the campaign by broadcasting in Portugal and later in Australia[18], respectively. Little action was promoted before a meeting between Damanaki and MEPs on October 27th, 2011. Instead of calling on *fish fighters* to pressurize the politicians to promote changes on the discard policy, the campaigner rather invited his supporters to only observe and follow the debate in a web stream. Later in December, Fearnley-Whittingstall asked the *Fish Fight* community to send e-mails to "their MEPs who sit on the relevant committees in Europe, to remind them how strongly we all feel about the future of our oceans, and the need to end discards" (*facebook*, December 13th, 2011). In two days, more than 50,000 e-mails were sent to British MEPs (*facebook*, December 15th, 2011).

In 2012, a decisive year for the reformulation of the basic regulation, *fish fighters* became more active in influencing European decision-makers. Compared to the first phase of the campaign in 2010 and 2011, sign-ups registered a relatively small increase throughout the whole year, reaching from around 780,000 in February to 834,000 in November (increase of ~54,000).

In January, Damanaki backed the *Fish Fight* campaign, claiming that "the issue of discards that has made more than 770 thousands citizens across Europe sign a petition to end discards […] [and that it] is a top priority in the reform of our policy" (Damanaki 2012). Further, Damanaki agreed with the arguments of the campaigners, who attribute the entire guilt to the EU's decision-makers, stating "that discarding is not something the fishing industry has invented out of mere pleasure. It is, and I hate to say it, the brainchild of EU legislation" (ibid.). Remarkably, Damanaki barely addressed other important issues of the upcoming CFP reform, but focused extremely on the question of banning discards, while speaking to a British audience.

When it became publicly known that some MS opposed the progressive commitments by the EC and many other MS, especially by the UK, Fearnley-Whittingstall encouraged his followers to increase pressure on EU's fisheries ministers. Before a crucial meeting of the fisheries ministers on March 19th, 2012, where the proposed discard ban was subject of discussion and which some even called "make or break time for the policy" (Harvey 2012a), *fish fighters* got active calling on ministers to end the practice of discarding (see *facebook*). In the two days before the meeting, "there's been almost a tweet every 10 seconds to the EU

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[18] Even if not in the EU, *fish fighters* gained support from Australian activists.

fisheries ministers" (*facebook*, March 18th, 2012). "Campaigners have been vociferous on the internet" (Harvey 2012b), so that finally, with over 135,000 tweets beforehand the meeting, opposing nations like France and Spain backed down. These had called the planned obligation to land all catch "unrealistic and too prescriptive, and [that] a pragmatic approach [was] […] needed especially in the context of mixed fisheries, particularly in the Mediterranean [and] support instead the inclusion of a significant reduction of discards on a fisheries-based approach" (Harvey 2012a, Naver 2012a). Fearnley-Whittingstall arrived at the conclusion that ¾ million *fish fighters* "made a real difference" (*facebook*, March 19th, 2012).

On April 23rd, 2012 the German and Polish *Fish Fight* campaign launched in public events outside the parliaments in Berlin and in Warsaw respectively. The German campaign was led by the local celebrity chef Tim Mälzer, the Polish '*Ryba Za Burtą*' (Fish Overboard) by Robert Makłowicz, journalist, TV personality and celebrity chef. On that day, Mälzer offered a 'discard fish menu' to a broad public as well as to politicians, including the German federal food and agriculture minister Ilse Aigner. While Mälzer appeared on talk shows and in the national press discussing the issue of discards, Makłowicz made a short film highlighting discards, which was shown in the constituencies of key Polish MEPs. Both campaigns received strong support from national politicians, especially both fisheries ministers. A little later, on May 23rd, 2012 the Spanish *Fish Fight* ('*Ni un pez por la borda*') was launched in Madrid by top chefs who cooked a sustainable tapas fish menu. Only in September of the same year (on the 12th), the French campaign was launched in Paris by the actress Mélanie Laurent and the two celebrity chefs Francois Pasteau and Pierre Sang Boyer. The French *Fish Fight* received high media attention, official communications from the French minister of fisheries, as well as acknowledgements from the offices of French Prime Minister Jean–Marc Ayrault and French President François Hollande (Fish Fight 2014a). While *Fish Fight* websites in many different European languages were launched a year before (May 2011), the initiation of national campaigns in Germany, Poland, Spain and France demonstrated further political ambitions of the originally British movement and the localization of *Fish Fight*. In this regard, local agents such as Mälzer or Makłowicz reconstructed the norm 'in favor of a discard ban' to ensure that it fits with local identities (compare Acharya 2004). The Polish Robert Makłowicz for example "demonstrate[d] - by cooking on site [note author: public event in Warsaw) - that it is possible to enjoy eating discarded/unwanted catches, as long as they are not undersized/juvenile fish or protected species" (The Fisheries Secretariat (FISH) 2012). In fact, activities from European activists were not too different from Fearnley-Whittingstall's events throughout the UK. However, by addressing the topic from their

positions, being popular and famous personalities in their home countries, the celebrities contributed to better 'selling the story' in the respective context. By transferring the campaign to the German, Polish, Spanish and French context, congruence, which is key to local norm acceptance, was built among the local population. As described in chapter 3.3, the process of localization is very important for effective norm diffusion. Its success "depends on the extent to which they [note author: norm diffusion strategies and processes] provide opportunities for localization" (Acharya 2004: 241). As the campaign aimed at changing European (and not British) policies and as fish is appreciated food in the other MS, too, the *Fish Fight* message is likely to meet favorable grounds in the other MS. Different to the UK however, Germany and Poland are no traditional fishing nations, so that the consumer perspective and not the fishing industry's perspective should dominate the debate.

Different to the presentation of the draft report of the EP's Committee on Fisheries (European Parliament 2012a) on May 21st, 2012 which passed without greater public interest, the important meeting of the EU's fisheries ministers on June 12th, 2012 was extraordinarily paid attention to by the *fish fighters*. A day before the "make or break meeting on the future of Europe's fisheries" (*facebook*, June 11th, 2012), campaigners called for intensified pressure on EU's fisheries ministers, especially UK fisheries minister Benyon: "Let them know we're watching them!" (Benyon quoted in ibid.). The social media campaign was particularly successful with regard to the UK minister's stance on the discard policy, who promised "to continue to press for robust commitments to ensure discards are eliminated quickly" (ibid.). Finally, the enormous (social) media coverage (e.g. Fearnley-Whittingstall talking together with Benyon on BBC radio, posting and tweeting in social networks, etc.) of the event brought about concrete results: After 24 hours of negotiations, the Council reached an agreement on a discard ban. However, "the agreement is just provisional and has many loopholes. Important parts of the text on discards are still in square brackets, and a special group in Council will deal with the details at a later stage, a presidency official said" (Naver 2012b). Campaigner Fearnley-Whittingstall however reacted positively to the agreement reached in Luxemburg. He underlined however that "there is more work to be done. We can't say we're at the finishing line, but we've just cleared a massive hurdle. And all your social networking and campaigning on facebook and twitter has played a huge part in this" (River Cottage 2012).

Until the end of 2012, no major events and *Fish Fight* activities pressurizing directly European politicians took place. The campaigner Fearnley-Whittingstall basically continued

to be active in public events, such as on July 26th, where he taped a simple message for his new TV series: He asked fishermen to discard their over-quota catches near the beach, where people could collect it easily. At close range, the audience experienced the practice of discarding live. Fish that otherwise would have died out in the sea was distributed at no charge to the spectators, making it an extremely emotional and touching event.

After having been postponed several times, the decisive voting on the new basic regulation of the Fisheries Committee of the EP was scheduled to December 18th, 2012 (Naver 2012c). Prior to this, *fish fighters* distributed *Fish Fight* DVDs along with letters to hundreds of MEPs across Europe (Fish Fight 2014b). Additionally, the campaign reminded Committee MEPs via *twitter* of the importance of voting 'yes' to amendment 32, which contains the obligation to land and record all catches of harvested and regulated species (see European Parliament 2012b). In the end, the 25 members of the Fisheries Committee voted (13 against 10, with 2 abstentions) on the reform of the CFP (Naver 2012d). Among others, they agreed on a ban on discards with a clear timetable. Fearnley-Whittingstall presumed that "5 British MEPs in that room […] couldn't ignore the hundreds of thousands of you who asked for an end to discards" (*facebook*, December 18th, 2012). An environmental NGO's policy advisor assessed that agreement to the policy of banning discards diffused easily once the UK acts as norm follower and supports policy change at EU institutions (Interview No. 1 #00:14:06). At the end of 2012, "another huge step along the way" to ending discards (ibid.) for the *fish fighters* was made.

The campaign's efforts to influence the last year (2013) of reform negotiations began ten days before the final plenary vote on the basic regulation in the EP. At this stage, campaigners urgently asked their supporters to pressurize all MEPs to vote on an end of discards, sending e-mails to their MEPs. One day before the vote (February 5th, 2013) and on the voting day itself, *fish fighters* campaigned outside the EP building, setting up a *Fish Fight* counter and distributing free coffee and sandwiches covered with a clear message on it: "End discards!" Additionally, they "also build an online tool allowing Fish Fighters everywhere to contact MEPs in their native language – [with] over 174,000 emails […] sent in total" (Fish Fight 2014b). Fearnley-Whittingstall's discard campaign counted 849,487 signatures on the day of the vote. Finally, "the Parliament rejected an amendment (AM 297) tabled by the EPP group (note author: Group of the European People's Party) intended to weaken the discard ban. The plenary further strengthened the discard ban by removing an allowance to discard five percent of the catches (split vote 4 on AM 119)" (Naver 2013a). Fearnley-Whittingstall

assessed: "There's now going to be weeks of negotiation to reach a final deal, and we will be fighting to strengthen those details and support our MEPs who want to see a discard ban that does the job it is supposed to" (*facebook*, February 27th, 2013).

While the campaign after the EP's plenary vote in February was most active in creating a new (national) focus, namely calling for marine protected areas (MPAs) around the UK (see *facebook* February 11th – 25th, 2013), further negotiations on the reformed CFP were held in March 2013. When it became public that some European fisheries ministers were about to dilute the ambitious reform intentions of the EP (Harrabin 2013a, Harrabin 2013b), *Fish Fight* published an open letter to them, reminding the ministers of their duty to finalize the new CFP (*facebook*, May 7th, 2013). However, observers agreed that the Northern EU countries and above all the UK called for a discard ban, strongly shaping the Council's position on the issue (Harrabin 2013b, The Guardian 2013). As seen before, key actors, such as – in this case – the UK, are needed for successful norm diffusion. After a Council meeting, the UK fisheries minister stated: "The scandal of discards has gone on for too long and I'm delighted that the UK has taken such a central role in securing this agreement" (Benyon quoted in The Guardian 2013).

Final Trilogue negotiations between the EP and the Council started on March 19th, 2013. While a "good atmosphere" (Naver 2013b) was observed, various NGOs and the *CFP Reform Watch* platform remained skeptical and concerned especially with the Council's stance (Naver 2015). Surprisingly, *fish fighters* began their activities only shortly before the final compromise on May 30th, 2013. Fearnley-Whittingstall continued to pressurize particularly the British position, urging British MEPs as well as the British fisheries minister to take the lead in Trilogue negotiations (Fearnley-Whittingstall 2013). "It's not just 850,000 Fish Fighters who should give Benyon the confidence to push for a real end to discards. No one is pretending it's an easy task to change a fishery policy to eliminate discards, but the British fishing fleet is leading the way in showing that waste at sea can be hugely reduced" (ibid.). In the end, after nearly three months of negotiations and with lots of compromises along the way, the EP and the Council reached political agreement on the reformed basic regulation. Yet, "the deal still needs formal approval of Coreper and the European Parliament plenary. There are also several articles in the basic regulation where technical details remain to be sorted out" (Naver 2013c). The final adoption of the new CFP reform (basic regulation) took place on December 10th, 2013, when a huge majority of MEPs voted in favor of the new

CFP. No further action was taken by *fish fighters* between the political agreement at the end of May and the vote in December in order to influence the outcome of the new policy.

As shown above, the conviction to ban the practice of discarding diffused easily after it had reached the tipping point in July 2011. While key actors such as the EC and the British fisheries minister Benyon supported the cause quite early, the *Fish Fight* campaign gained support across Europe. Celebrities in other MS (Germany, Poland, Spain and France) launched national campaigns, successfully localizing the issue in the respective context. Besides that, campaigners' efforts of translating the website fostered transnational (European) norm cascade. As expected, *fish fighters* were most active around important policy events, pressurizing European politicians with emergent actions (last minute tweets and e-mails) to support the cause. However, only a slight increase in sign-ups (compared to the initial phase of the campaign) could be observed. In all, Fearnley-Whittingstall's campaign influenced the negotiations of the CFP reform, finally including a provision on a landing obligation of all fish caught.

5.3 Internalization: 01/2014 onwards...

The EU's new fisheries legislation took effect in 2014. Assessing possible future activities on the part of the campaigners, Fearnley-Whittingstall estimated that "implementing the discard ban and ending overfishing in Europe will need hard work from our fishermen, administrators, scientists and politicians. We can all play our part through the choices we make when we buy fish, and by continuing to tell our politicians that we care about how our seas are managed" (Fearnley-Whittingstall quoted in Fish Fight 2014b). However, from May 2013 no action was taken by the *fish fighters*, neither on the website, nor in social networks. While the efficacy of a ban long remained a topic of discussion among the actors involved in fisheries policy, Fearnley-Whittingstall and his supporters did no longer care (in public) about how implementation occurs. No *facebook* or *twitter* posts were made by campaigners, showing that they did not accompany the process of implementation of the new policy. In an interview on *Channel 4*, however, the campaigner said that they had not won when the EU Commissioner banned discards since it needed to be seen how the policy played out over time (Channel 4 2011). Many NGOs and scholars felt that various loopholes and little probability of effective monitoring could occur in a long run (Friends of the Earth Germany (BUND) n.d., Borges 2013). As seen in chapter 3.1, it must be clearly distinguished between policy and behavioral change, so that "official policies may predict nothing about how actors behave in reality" (Keck and Sikkink 1999: 98). In this regard, the discard ban may be implemented successfully, but a long term evaluation still needs to assess its performance. Following the

theory, internalization of the norm 'in favor of a discard ban' was expected when it "acquire[s] a taken-for-granted quality and [is] […] no longer a matter of broad public debate" (Finnemore and Sikkink 1998: 895).

From the side of the EC, Damanaki stated at the moment of issuing the reform proposal that "from now on, fishermen organisations must be and feel responsible for managing fish stocks jointly with us and with the national regulators" (The Guardian 2011). However, after adopting the new CFP, responsibility for implementation of the new policies including the choice of instruments (or instruments' mix) lies with MS (The Guardian 2011).

In sum, the *Fish Fight* campaign managed to call attention to the highly controversial practice of discarding in the EU's CFP. After norm emergence, i.e. the campaign's launch in 2010, the tipping point was reached when the EC published its reform proposal in 2011, prioritizing the problem of discards and concluding that a ban as policy measure to solve the problem is needed. Since the campaign's launch, the cause received support from the UK fisheries minister Benyon, not least because of anti-Brussels sentiments in the British population. Benefitting from the assistance of strong allies such as the EC, Benyon but also popular NGOs and NGO networks (*Greenpeace*, Ocean2012, among others) made *Fish Fight* appear a credible and legitimate actor. The strategic use of social media networks together with influential broadcasting of the UK *Channel 4* TV series contributed to the campaign's perceived expertise and professionalization. Fearnley-Whittingstall used a 'naming-and-shaming' strategy with a clear causal story, identifying the EU as clear culprit and proposing a ban as an (apparently) simple solution to the discard problem. The analysis showed that norm entrepreneurs (*fish fighters*) were especially active around important EU meetings. *Fish Fight* was successful in localizing the issue in other European contexts as campaigners launched national campaigns in four different MS, having national celebrities as leaders. Last but not least, it could not be shown if the norm reached the final stage of internalization. Even if the discard ban provision became a major result in the reformed CFP, it is not clear if implementation occurs successfully. While Fearnley-Whittingstall and his followers stopped to campaigning on the issue and thus its successful implementation, the policy measure continues being controversially discussed among stakeholders from the fishing industry and the MS.

5.4 Legitimacy

When observing *Fish Fight*'s influence on European policy making, it needs to be asked in how far their action as a non-state actor was legitimate. Without having been elected as a

legitimate leader, charismatic Fearnley-Whittingstall used his fame and popularity in the UK in order to convince a broad public. Without any prior experience in fisheries policy, fish stock management or sustainable fishing, he succeeded in no time to persuade people of his expertise on the topic. On this, the chief executive of the Scottish Fishermen's Federation raised objections: "It is very easy to have the luxury to commentate and criticise from the outside, without actually being involved in the practical implementation of the measures" (The Guardian 2013). The chief executive officer from the National Federation of Fishermen's Organisations' (NFFO) Barrie Deas assessed that the reform outcome was the result of "a toxic mix of political opportunism, misinformation, and cynical manipulation of legitimate public concern" (Deas quoted in Brown 2015). It can also be seen that the arguments of the necessity of introducing a discard ban by the campaigners were to some extent emotional and neither objective nor scientifically proven, as commissioner Damanaki herself said that "[in] the end, we need a discard ban. Because we cannot throw fish back to the sea since our stocks are declining and since fish is such an excellent food!" (Channel 4 2011). This statement shows once again that claims that were made during the reform process by European politicians were either contradictory or without any logical coherence, as overfishing is a sustainability problem for fish stocks regardless of discards.

Additionally, different stakeholders felt that the dominance of the issue of discarding shifted the EU decision makers' attention away from the most central problems of the past CFP. While the EC initially focused on issues such as "overfishing, fleet overcapacity, heavy subsidies, low economic resilience and decline in the volume of fish caught by European fishermen" (European Commission 2009: 3–4), discards made it to being a key issue in the adopted CFP reform (European Union 2013). Yet, different voices assess that: "Regardless of how, why, when or where they occur, discards are undoubtedly a vital fisheries management issue and usually a symptom of over-exploitation and lack of compliance but also of market choices […]" (Borges 2013: 5). While the MCS (Marine Conservation Society) recognizes that "a discard ban may be seen as an extreme and heavy handed measure, however, considering the current state of the European fishing industry it is a necessary one, […] it is essential that we address the root of the problem, not just the symptoms and stop these unwanted fish being caught in the first place" (Hickman 2012). Relatedly, different organizations (NGOs and fishing industry) warn that a ban on discards solely could not sufficiently address the problem of overexploitation of European fish stocks (ibid., Harvey 2013, Friends of the Earth Germany (BUND) n.d., Borges 2013, University of East Anglia 2013) and that "without strict limits on how much of each species can be caught, the ban will

be ineffective" (Harvey 2013). Researchers see that a discard ban will force fishermen to land economically unusable fish, resulting in damages on the fishing industry's profitability, without contributing to the conservation of fish stocks (BBC 2015). In consequence, a ban should be accompanied by other policy measures, e.g. measure to increase the selectivity of fishing gear used in order to avoid bycatch in the first place (Hickman 2012). Further, a group of MPs said that they were "concerned that, by deciding to implement a discard ban swiftly and without full engagement with stakeholders, the commission risks creating a scheme that will be unworkable, or worse, will merely shift unwanted fish in the sea to unwanted fish on land" (ibid.).

On different occasions, Fearnley-Whittingstall assured that *Fish Fight* did not want to dictate solutions to Brussels since it was the job of European policy-makers to develop feasible solutions (Murray 2011). At the same time however, campaigners reminded the politicians that they could not ignore their voices and public desire to ban discards. Contradictorily, *fish fighters* thus blamed the EU on allowing discards to happen, while they insist on participating themselves in the formulation of feasible policy solutions. Critiques argue that "It [note author: ending food waste] is an admirable goal and a justifiable letter [note author: *Fish Fight* petition], but the problem with this approach is that people supporting the campaign are not precisely clear on what they are lending their name to" (ibid.). However, the *Fish Fight* campaign managed to appear a legitimate actor as it could win the support of important allies. Its level of expertise and professionalization as well as the strategic use of social media contributed to the campaign's (perceived) legitimacy.

6. CONCLUSION

To sum up, the *Fish Fight* campaign with its aim of banning discards throughout the EU deployed different means in order to successfully shape the recent EU's CFP reform process. The use of the word 'fight' in the campaign's name or 'army', as being martial vocabulary, already shows the campaigners' determination to change policies. The later declared *fish fight army* managed to keep the pressure on European politicians high during the whole negotiation process. While the norm emerged half a year before the EC issued its reform proposal, *fish fighters* had enough time to influence the key actor in legislative initiative. It could be observed that especially the early phase of the *Fish Fight* campaign was shaped by a rapid rise in sign-ups to the online petition and by declarations of famous norm followers to support the cause. The stage of the norm cascade was characterized by *fish fighters'* continuing information politics, provision of informative material on discards on their website, in social

networks such as *facebook* or *twitter* and on the video platform *YouTube*. The importance of information politics was further underlined through the campaigners' activities in public events, seeking direct contact with a broad public. Their aim to end discards was fostered by a mediatized strategy, having a short and clear message, naming and shaming the responsible for the practice and proposing feasible solutions. Moral authorities such as key NGOs and local celebrities were crucial factors for localization and transnational norm diffusion. Besides, as *Fish Fight* put the issue on a very dramatic and emotional level, showing physical harm done to the fish, they managed to involve an enormous number of people. In addition to the objective arguments for the discard ban, an EC's spokesman added that "it is just unethical to throw back large quantities of unwanted dead fish. It should not have been fished in the first place" (Harvey 2013). The *tipping point* was reached when *fish fighters* had convinced the EC to push forward a provision on a discard ban. Afterwards, the norm cascade developed self-perpetuating dynamics, so that finally the EP and the Council agreed on an ambitious CFP reform. The newly gained co-decision power of the EP through the Lisbon Treaty opened up the possibility of effectively influencing MEPs. *Fish Fight* summed up that "by harnessing the power of television, interactive and networked media in a creative fluent combination, the *Fish Fight* has emotionally engaged its audience and inspired them to take action and to push for change in the real world" (goodpitch n.d.). Altogether, the campaign that was supported by 870,000 signatories from 195 countries (Fish Fight 2010) succeeded in being one of the key actors in shaping the latest reform. Damanaki summed up: "It's not often TV chefs change the course of EU politics, but Fearnley-Whittingstall's programme really was a game-changer" (Damanaki quoted in Ford 2012). The campaigner "was cited by the European Commission as a key factor in winning the battle" (Harvey 2013). From a civil society perspective it is interesting to see that a high-profile campaign is actually able to influence EU decision making. However, it must be seen that politicians' attention has been deviated from the most central aspects of fisheries policies of overfishing and overcapacity to an initially dispensable symptom. Even if the campaign can be regarded as a good step to promote sustainability of fish stocks, the biased presentation of the discard problematic and the little flexibility to accept other solutions but banning the highly controversial practice need to be mentioned as critiques. Focusing on one of the most popular fish eaten in Britain (cod, salmon and tuna, see Brown 2015), Fearnley-Whittingstall himself admitted to have found a good starting point for his campaign (ibid.): "When we saw first-hand how it was being thrown away, tonnes at a time, along with coley, hake, whiting and other prime fish, we knew

we had a big story" (Fearnley-Whittingstall quoted in ibid.). It will remain interesting to see in how far the new European legislation could contribute to fish stock conservation over time.

The study has shown that future research on the influence of non-state actors on European decision-making, especially in co-decision procedures, is needed. Only with the newly gained co-decision power of the EP after the Lisbon Treaty, non-state actors such as the *Fish Fight* campaign could directly address MEPs with their concerns. While it was expected that the industry as well as MS with a great fishing fleet were most active during negotiations of that highly technical policy, public pressure and non-state actor involvement predominated the latest reform. It should therefore be of special interest for future research, to what extent complex institutions take up concerns from unconventional non-state actors such as the *Fish Fight* movement. Further, research should be conducted about the theoretical concept *tipping point*. Even if this study determined a tipping point of the norm life cycle, the question if the UK fisheries minister's avowal could be seen as the tipping point, too, arose. Here, I agree with Finnemore and Sikkink (1998: 901) that future research needs to show "why norm tipping occurs, […] [and] where, when, and how we would expect it". In all, the theoretical approach used in this thesis helped to understand the campaign's course more properly, as the norm life cycle could be traced easily (except from the lastly mentioned tipping point).

Even if the research could have included more empirical material (documentation from international media (and not exclusively British), information on the campaign in different MS or the TV series on UK *Channel 4*) as referred to in chapter 4.4, the study clearly shows the influence of the *Fish Fight* campaign on the latest EU's CFP reform. There is empirical evidence that the campaign changed the focus of the initial reform plans, including in the reform proposal and more importantly in the finally adopted reform a discard ban provision. Albeit highly controversial, without a final scientific assessment on the efficacy of a landing obligation of all catch and with many loopholes in the final text, *Fish Fight* succeeded by its mediatized campaign with its strategic use of social media to call attention to the wasteful practice of discarding. The simplistic campaign gained large public support across the EU and demonstrated impressively the non-state actor's ability to shape EU's decision-making.

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7.1 Interviews

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