

1. Introduction

Why do people obey the law? And why do states abide by their international commitments? The concept of compliance has attracted increasing interest among political scientists in recent years. The debate relates to political processes at various levels involving many types of subjects. At the international level, the focus is on how states comply with international treaties and regime obligations; at the national level, on how lower-level bodies deal with decisions made at higher levels; and at the individual level, on how specific individuals comply with rules aimed at regulating their behaviour. This literature builds on explorations and findings from economics, psychology, criminology and other social sciences. It generally has two main aims: to explain *why* subjects comply with certain regulations, and *how* the relevant authorities can enhance compliance. Why do drivers sometimes follow traffic rules, and fishers (again, sometimes) keep their catches within quota limits? Is it a matter of personal ethics, of economic calculations or of the legitimacy of political institutions? What types of political action can best nurture a person's inclination to comply? Why do states sometimes abide by the agreements they conclude with other states, and sometimes not? Do states have a moral or ethical sense? Do they fear shaming or retaliation from other states if they fail to keep their commitments? What strategies can states apply to get other states to stick to their promises?

This book looks into these questions by focusing on the management of one international fishery, examining compliance at both the state and the individual levels. In the process, we touch on issues like East–West communication and coordination in the European High North, where Russia is enmeshed in a web of collaborative networks with its Nordic neighbours. The setting is the Barents Sea, home to some of the most productive fishing grounds on the planet, including the world's largest cod stock. Since the 200-mile exclusive economic zones (EEZs) were introduced in the mid-1970s, Norway and the Soviet Union/the Russian Federation have managed the major fish stocks in the area together, through the Joint Norwegian–Russian Fisheries Commission. Some three and a half decades later, this bilateral management regime would appear to be a successful exception to the rule of failed fisheries management: stocks

are in good shape; moreover, institutional cooperation is expanding, and takes place in a generally friendly atmosphere. Both parties present their accomplishments in the Barents Sea as an example for emulation.

Compliance with the bilateral agreements and the national fisheries regulations has, on the whole, been acceptable. Nevertheless, unsatisfactory compliance by Russian fishers has been a main topic for the Joint Commission since the early 1990s. Norway has repeatedly claimed that the Russians have overfished their quotas, and has employed a range of negotiation strategies to induce Russian fishers to comply with the agreed quota levels, and to get the Russian authorities to take the problem seriously. Norway has also continuously pressed Russia to agree on regulatory measures that can increase the parties' compliance with the internationally recognized precautionary approach to fisheries management. What kinds of strategies has Norway employed in this pursuit of compliance, and how has the Russian side perceived them? Can we find empirical support for theories of compliance in the encounters between Norwegian inspectors and Russian fishers, and, more broadly, in fisheries relations between the Eastern great power Russia and the Western small state Norway? This is a study of compliance at both the individual level and the state level, with a focus on how post-agreement bargaining can enhance compliance.

THEORETICAL POINTS OF DEPARTURE

In the economic literature, compliance with the law has largely been viewed as the result of cost–benefit calculations on the part of individuals, and of deterrence on the part of the public authorities: basically, people comply because they see it as being in their best interest, and because they fear punishment if they are detected in criminal acts.

In his influential book *Why People Obey the Law* from 1990 (re-issued in 2006), Tom R. Tyler provides compelling evidence that this is not necessarily the case, building on a long tradition in sociology. He holds that personal morality and the legitimacy enjoyed by the public authorities account better for compliance than does self-interest. People comply with the law when they feel that the law is fair and just, or when they feel obliged to follow the regulations made by a political system that they trust. In practice, people obey laws even when the probability of punishment for non-compliance is close to zero; and they break laws even in cases involving substantial risk. People may comply with a law that reflects their personal convictions, but violate laws that make less sense to them, economic calculations aside. For the public authorities, Tyler argues (2006, pp. 25–6), legitimacy provides a far more stable base for compli-

ance than does morality. Such legitimacy rests on the feeling of obligation to obey any commands that an authority issues. It is 'a reservoir of loyalty on which leaders can draw, giving them the discretionary authority they require to govern effectively' (ibid., p. 26). In his own 'Chicago Study', analysing the experiences, attitudes and behaviour of a random sample of Chicagoans as regards everyday crime, Tyler finds legitimacy more influential than the risk of being caught and punished for breaking the rules. As he argues, 'people's motivation to cooperate with others, in this case legal authorities, is rooted in social relationships and ethical judgments, and does not primarily flow from the desire to avoid punishments or gain rewards' (ibid., p. 270). Tyler contrasts the instrumental (deterrence-based) approach to compliance to what he terms the normative perspective.

The motivation to cooperate is at the heart of the literature on how to regulate common-pool resources – or 'the commons'. These are resources where the acquisition of resource-units by one user takes place at the expense of other potential users – typically grazing lands, fish stocks, groundwater basins, irrigation canals and other bodies of water. In his seminal article 'The Tragedy of the Commons', Garrett Hardin (1968) describes a situation in which actors behaving independently and in the pursuit of self-interest will eventually bring a shared resource to extinction, even though that is not in the long-term interest of any of the actors. To avoid this situation, he recommends 'mutual coercion, mutually agreed upon by the majority of the people affected' (ibid., p. 1247). Later, Nobel Prize laureate in economics Elinor Ostrom has argued, in her acclaimed *Governing the Commons* from 1990, that the tragedy is not a *necessary* outcome of a common property situation. Ostrom documents several cases of successful management systems for shared resources, most of them of a local, traditional, unintended and spontaneously developed character. Her main argument is that, under certain conditions (we return to this in Chapter 2), local users of a relatively limited common-pool resource may agree among themselves on regulatory principles, making external intervention – as Hardin prescribed – superfluous, or even potentially harmful.

A few years before Ostrom's book, Bonnie McCay and James Acheson (1987) introduced the *co-management* literature with *The Question of the Commons*. Taking state involvement as a possibility (unlike Ostrom in her choice of empirical cases), they hold that the prospects for successful regulation of common property are improved if user groups can influence the formulation of rules and public management procedures (*co-management* rather than *self-management*). Compliance is not a main issue for Ostrom or the co-management writers – but legitimacy is. And at least implicit is Tyler's assumption that people are more likely to comply with rules that they consider legitimate – because the rules are 'good', because they as

users have contributed to the production of the rules or influenced the process, or because they have trust in those who produced the rules. The literature on compliance in fisheries has tended to focus on the dichotomy between deterrence and legitimacy-induced compliance.

Compliance became an issue in the study of international relations (IR) largely as a reaction against the realist school that had dominated the field in the first decades after the Second World War. In the realist tradition, state compliance with international agreements was not an issue, because states were not believed to enter into agreements not in their interest. Moreover, for the realist, state behaviour is likely to conform to treaty rules because both the behaviour and the rules reflect the interests of powerful states. More recently, in line with the institutionalist criticism of the realist school that emerged in the late 1960s, the literature on compliance in IR has claimed that 'institutions matter'. The way an international agreement or an international regime is structured affects the propensity of states to comply. In their much-cited book *The New Sovereignty: Compliance with International Regulatory Agreements*, Abram and Antonia Chayes (1995) argue that transparency in the workings of regimes or treaties, mechanisms for dispute settlement and technical and financial assistance are all factors that enhance state compliance with international agreements. Moreover, decisions about compliance are not made once and for all. States have continuing relationships with each other over a range of issues, and questions of compliance arise in an environment of diffuse reciprocity. Negotiation does not end when a treaty is concluded: it is a continuous aspect of living under the agreement. Securing compliance with a treaty becomes a matter of 'bargaining in the shadow of the law' (Mnookin and Kornhauser, 1979; Cooter et al., 1982) or 'post-agreement bargaining' (Jönsson and Tallberg, 1998).

The various perspectives offered in the compliance literature emphasize the need for empirical investigation somewhat differently. The rational-choice approaches to the study of common-pool resource management – like those inspired by Hardin's 'tragedy of the commons' – place limited emphasis on empirical investigation, at least as regards testing that involves their basic assumptions. A shared resource is, for analytical purposes, assumed to be doomed to extinction unless state coercion is introduced. In its classical type, this is also the case with the realist perspective in IR: the most powerful state is believed to always have its way. Alternative perspectives take one step back, so to speak, and ask whether this is in fact the case. Can common-pool resources be successfully regulated by other means than strict state control? Are there other factors than a state's location in the inter-state hierarchy that can explain its behaviour? In the broader compliance literature, focusing on individu-

als' compliance with the law, this division is less clear, but it is still evident. The deterrence-oriented approach, which Tyler (2006) calls the instrumental perspective to compliance, in its purest form assumes that individuals always act out of self-interest in deciding whether or not to obey a law. By contrast, the normative perspective does not hold that individuals will necessarily base their behaviour on morality or legitimacy. It is open to the possibility that deterrence may be an important source of compliance, perhaps even the most important source, but it calls for a wider investigation of all possible sources of individual compliance with the law. So while the 'traditional' perspectives also welcome empirical analysis, the scope they prescribe is more limited. Instrumentalists may inquire into the workings of deterrence in various empirical settings – for instance with the aim of prescribing more effective deterrence. Likewise, rational theorists may study resource management with a view to finding the most suitable level and form of state coercion. Realists in IR *do* study world politics, but they explain events in terms of power relations. None of these scholars would question the basic assumptions of their respective research programme, for instance why actors behave the way they do. On the other hand, the 'alternative' approaches to common-pool resource management and compliance at individual and state levels all prescribe the empirical testing of all thinkable explanations of individual and state behaviour, including those preferred by the 'traditionalists'. This will be further elaborated in Chapter 2.¹

THE EMPIRICAL SETTING

The Barents Sea (see Figure 1.1) lies north of Norway and north-western Russia, bounded in the north by the Svalbard archipelago and in the east by Novaya Zemlya. The rich fish resources of the Barents Sea have traditionally provided the basis for settlement along its shores, especially in northern Norway and the Arkhangelsk region of Russia. Since the 1917 Russian Revolution, the city of Murmansk on the Kola Peninsula has been the nerve centre of Russian fisheries in the Barents Sea.

The first steps towards international collaboration in managing the marine resources of the north-east Atlantic came as early as 1902, with the establishment of the International Council for the Exploration of the Sea (ICES). The European Overfishing Convention of 1946 introduced the first regulatory mechanisms in the form of minimum mesh size and minimum length of fish brought to land. In 1959, fourteen countries, among them Norway and the Soviet Union, signed the North-East Atlantic Fisheries Convention. The mandate of the North-East Atlantic

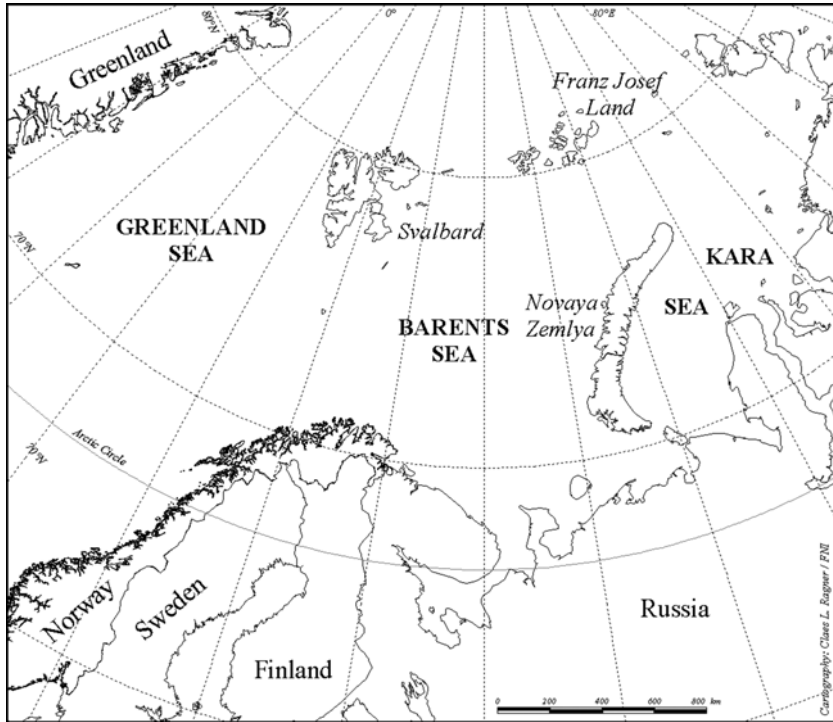


Figure 1.1 The Barents Sea

Fisheries Commission (NEAFC) was to provide recommendations on technical regulations, which could be done by simple majority, and fish quotas, which required a two-thirds majority. NEAFC did not succeed in introducing quotas until 1974–75. At the same time, agreement was reached on 200-mile EEZs at the Third United Nations Conference on the Law of the Sea, and Norway and the Soviet Union began negotiating bilateral management of Barents Sea fish stocks.

When Soviet Minister of Fisheries Aleksandr Ishkov visited Oslo in December 1974, the two countries agreed to establish a joint fisheries management arrangement for the Barents Sea.² The agreement was signed in Moscow in April 1975 and entered into force immediately. It is a framework agreement, in which the parties state their willingness to work together for the ‘protection and rational use of marine living resources’ in the NEAFC area. The agreement also established the Joint Norwegian–Soviet (now Russian) Fisheries Commission, which was to meet at least once every year, alternately on each party’s territory. At the time, the

details of the commission's work were not clear, but when the first session took place in January 1976 the parties had agreed to manage jointly the two most important fish stocks in the area, cod and haddock, sharing the quotas 50–50. In 1978, they agreed to treat capelin as a shared stock, and split the quota 60–40 in Norway's favour. When Norway and the Soviet Union declared their EEZs in January and March 1977, respectively, the bilateral cooperation agreement from 1975 was supplemented by a separate agreement on mutual fishing rights.³

During the 1980s, a specific quota exchange scheme developed between the parties, whereby the Soviet Union gave parts of its cod and haddock quotas in exchange for several other species found only in Norwegian waters. These species, especially blue whiting, were found in large quantities but were of little commercial interest to Norwegian fishers. In the Soviet planned economy, volume was more important than (export market) price, so the arrangement was indeed in the mutual interest of both parties.

This changed with the dissolution of the Soviet Union and the introduction of the market economy in Russia. Now cod and haddock, both high-price species on the global fish market, attracted the interest of not only Norwegian but also Russian fishers. Transfers of cod and haddock quota shares from Russia to Norway were reduced, and Russian fishing companies began to deliver their catches abroad, primarily in Norway. For the first time, Russian fishers had a real incentive for overfishing their quotas, while Russian enforcement authorities lost control of Russian catches, since quota control had traditionally been exercised at the point of delivery. Norwegian fishery authorities in 1992–93 suspected that the Russian fleet was overfishing its quota, and took steps to calculate total Russian catches, based on landings from Russian vessels in Norway and at-sea inspections by the Norwegian Coast Guard. Norway then claimed that Russia had overfished its quota by more than 50 per cent. The Russian side did not dispute this figure, and the two parties agreed to extend their fisheries collaboration to include enforcement as well. This involved exchange of catch data, notably the transfer by the Norwegian authorities to their Russian counterparts of data on Russian landings of fish in Norway. The successful establishment of enforcement collaboration was followed by extensive coordination of technical regulations, and joint introduction of new measures throughout the 1990s.

Around the turn of the millennium, a new landing pattern emerged. Russian fishing vessels resumed the old Soviet practice of delivering their catches to transport ships at sea. Instead of going to Murmansk with the fish, however, these transport vessels now headed for other European countries: Denmark, the UK, the Netherlands, Spain and Portugal.

Norway again took the initiative to assess the possibility of overfishing, but now encountered a less cooperative Russian stance. Thereupon Norway took unilateral measures to calculate overfishing in the Barents Sea, and presented figures that indicated Russian overfishing from 2002, rising to nearly 75 per cent of the total Russian quota in 2005, gradually declining to zero in 2009. The Russian side never accepted these figures, claiming they were deficient at best, and an expression of anti-Russian sentiments at worst. ICES, however, used them in its estimates of total catches in the Barents Sea during the 2000s, thereby providing these figures with some level of approval. Other issues of contention were disagreement about quota levels around the turn of the millennium and (to a lesser extent) about methods for estimating stocks in the mid-2000s.

QUESTIONS TO BE ASKED

Since the dissolution of the Soviet Union, claims of overfishing in the Barents Sea have come largely from the Norwegian side and targeted Russian fishers.⁴ The Norwegians were not content merely to document the state of affairs and let the Russians take care of any problems that might exist. Instead, they engaged in active bargaining to induce Russian fishers to comply with fisheries regulations in the Barents Sea, and to persuade the Russian state authorities to take seriously their commitment to sustainable fisheries management – as a treaty partner in the Barents Sea, and as signatory to all the main global fisheries agreements. In this book we will look more closely into these negotiation efforts, employing the theoretical framework of post-agreement bargaining.

The focus is on the bilateral management arrangement as a communications channel for negotiating the practical terms for good fisheries management according to the bilateral agreements between Norway and Russia, as well as the global fisheries agreements the two countries have adopted. The question is not to what extent the Norwegian–Russian fisheries management regime has been effective (in solving a problem, improving a situation or generally making any difference).⁵ Nor do I examine it as a location for spontaneous learning for the actors involved. No, I focus on Norway's deliberate efforts to influence Russian behaviour in a direction it considers to be in compliance with national law (regarding the behaviour of individual fishers) and international obligations (for Russia as a state). This involves asking the following questions:⁶ What form have the Norwegian negotiation efforts taken? How have these efforts been perceived by the Russian actors? Is there an indication that the efforts have had any effects on Russian behaviour?

At the individual level, the focus is on encounters at sea between inspectors of the Norwegian Coast Guard and the captains of Russian fishing vessels, usually during inspections. How do the inspectors try to induce the captains to comply with regulations?⁷ How do the captains perceive the Norwegian inspections? Is there reason to believe that the Norwegian inspectors make a difference for compliance among Russian fishers? If so, does this happen through deterrence, or by influencing the captains' ethical reasoning, or the legitimacy of the rules or of the management system? At state level, I examine how the Norwegian fishery authorities, through the Joint Fisheries Commission and its Permanent Committee (see Chapter 3), as well as in day-to-day communication with their Russian counterparts, attempt to influence Russian compliance with the bilateral fishery agreements and global fishery treaties.⁸ Focus is on the two instances when Norway accused Russia of overfishing, in the early 1990s and the mid-2000s. I also discuss Norway's attempts (i) to involve Russia in harmonizing a range of technical regulations between the two countries, and jointly introduce new regulations in the second half of the 1990s, (ii) to persuade Russia to keep quotas as close as possible to ICES's scientific recommendations in the first years after the turn of the millennium, and (iii) to prevent new methods for estimating fish stocks, proposed by the leading Russian federal fisheries research institute in the mid-2000s (but not considered by ICES to be precautionary), from being officially adopted by the Russian fishery authorities. To the extent that Russia has complied with obligations to conduct sustainable fisheries management – which, to a large extent, it actually has in the Barents Sea, later if not sooner – can this be attributed to Norway's endeavours to influence Russian practice?

In asking these questions, I place myself in the 'alternative' perspective on compliance. As noted above, the 'traditional' approaches are less inclined to encourage empirical investigation of why subjects comply, or how the public authorities best can ensure compliance. People are believed to obey the law because they see it in their best economic interest, and the authorities provide surveillance and sanctions to ensure deterrence. States, in turn, are seen as behaving according to the will of more powerful states, whether prescriptions are encoded in international agreements or not. The 'alternative' perspectives do not deny that this might be the case, but they want to see it empirically tested. They also point out that empirical testing has shown the world to be different from that presented in the rationalist models. People do comply, even in the absence of economic self-interest or threat of punishment. Users of a common-pool resource do ensure successful management even without state coercion. State compliance is determined by institutional aspects of the treaty or regime, or by post-agreement communicative action.

The focus here is on the communicative aspects of the 'alternative' perspective, but I take the role of legitimacy and morality into account in assessing what makes Russian fishers follow the guidelines of Norwegian inspectors (to the extent that they do). Likewise, institutional structure is relevant when I discuss why Russia complies with Norwegian requests under the bilateral fisheries management cooperation arrangement (to the extent that Russia does so). When bargaining is successful, is that a result of the bargaining itself (does it, for instance, perhaps take a particularly suitable form)? Or would the subject (Russian fishers, or Russia as a state) see compliance as the preferred alternative anyway? Would it be in their long-term, if not short-term, interest? Have the Russians been convinced by the Norwegians' substantive arguments? Or is the decisive factor that the negotiations have taken place in this particular institutional setting?

Finally, a note on the terms 'compliance' and 'post-agreement bargaining'. In line with Young's definition (1979, p. 4), I understand compliance to mean 'all behavior by subjects or actors that conforms to the requirements of behavioral prescriptions or compliance systems' (see Chapter 2 for more on these concepts). In discussing individual compliance here, it is fairly simple to state what constitutes compliance: behaviour that conforms to the established fisheries regulations in the Barents Sea. At the state level, however, things are less straightforward. Our point of departure is the bilateral fisheries agreements between Norway and Russia, negotiated and signed in the mid-1970s. However, these are framework agreements that began with little prescriptive substance and have continuously been filled in at the annual sessions of the Joint Commission. Hence, what I analyse is whether the parties have complied with the measures fixed in the protocols from these sessions. This also involves drawing into the discussion the parties' obligations according to the law of the sea. To a large degree, the obligations emanating from these various levels merge into the overarching demand to conduct sustainable fisheries management, and, since the mid-1990s, fisheries management that is in accordance with the precautionary approach (see Chapter 4). The discussion will not be limited strictly to compliance bargaining, which can be understood as a sub-group of post-agreement bargaining. Jönsson and Tallberg (1998, p. 372) define post-agreement bargaining as 'all those bargaining processes which follow from the conclusion of an agreement', as we shall see in Chapter 2. They understand compliance bargaining as 'a process of bargaining between the signatories to an agreement already concluded, or between the signatories and the international institution governing the agreement, which pertains to the terms and obligations of this agreement' (ibid.). As noted, in discussing the state level I include Norway's efforts to influence Russian views on scientific recommendations and technical regulation. That point

is normally seen as related not to the law-abidingness of a fishery, but to fisheries management more widely. It is a matter of interpretation whether this can still be understood as ‘pertain[ing] to the terms and obligations of [the] agreement’. To indicate the slightly broader approach taken here, I generally employ the concept of ‘post-agreement bargaining’ rather than ‘compliance bargaining’. On the other hand, following the standards set for precautionary fisheries management by ICES and the Joint Commission is also a matter of compliance with international fisheries law, as we will see in Chapter 4.

METHODOLOGICAL CONSIDERATIONS

The study builds on various qualitative research methods: observation, interviews and textual analysis. Fresh empirical data were collected through interviews with Russian fishers (most of them captains) in 2009–10. The interviews were conducted by myself and my colleague Anne-Kristin Jørgensen (some by Anne-Kristin alone) in various Norwegian ports⁹ where the Russian fishing vessels had come to deliver fish or have repairs done. We would get in touch with some of the captains through their Norwegian agents (who handle practical matters for them while they are in Norwegian port) or mutual acquaintances; some we would contact directly – on the docks, in the streets or by simply climbing on board their vessels. We had conducted similar interviews with Russian captains in Norwegian ports in 1997–98; these interviews also are used here.¹⁰ It proved far more difficult to get the Russian captains to talk to us this time than in the late 1990s. In fact, most of those we approached refused to speak with us, saying that the shipowner had forbidden them ‘to talk with journalists’. In order to get a good amount of interviews, we therefore instigated a separate round of interviews, to be carried out by a Russian researcher in Murmansk.¹¹ She sought out captains and other crew members on fishing boats from acquaintances and business contacts in the city’s fishing industry. All in all, around fifty people in this category were interviewed. Approximately the same number of scientists and civil servants (including representatives of Russian fisheries enforcement bodies) were consulted during the period 2006–09.¹² As follows from the description of how we found our interviewees, the sample was not randomized. That would not have been practically possible; nor is randomization a requirement in qualitative interviewing. A general guideline in qualitative research is to continue interviewing until you reach theoretical saturation (Glaser and Strauss, 1967) – that is, until each new interview does not add any new information to what you already have. In our interviews in the

late 1990s, we felt that we reached saturation point rather soon; most of our Russian respondents produced quite similar stories. A decade later, practical obstacles restricted the number of interviews. The stories that we heard differed more, although certain trends were discernible. A typical interview lasted for about an hour; some went on for a couple of hours. Interviews were semi-structured and open-ended. The objective was to acquire as good an understanding as possible of the interviewees' experiences (see limitations in this aim below) instead of merely collecting factual information. Hence, we encouraged respondents to speak at length on topics that spurred their interest. Since both my co-interviewer and I speak Russian, all interviews were conducted without interpreter.¹³

In addition, I build on (partly participant) observation in the Norwegian Coast Guard, and in the Joint Norwegian–Russian Fisheries Commission and its Permanent Committee. I acquired my 'cultural competence' (Neumann, 2008) about the Barents Sea fisheries while engaged as Russian interpreter and fishery inspector in the Norwegian Coast Guard from 1988 to 1993.¹⁴ My presentation of the encounters between Norwegian inspectors and Russian fishers in Chapter 5 builds largely on observations from this engagement.¹⁵ After leaving the Coast Guard, I continued to work up till 2000 as an interpreter for the Norwegian fishery authorities. I participated regularly in the Joint Commission's Permanent Committee as well as at joint Norwegian–Russian seminars for fishery inspectors, and on occasion in the Commission itself. In the mid-2000s, I was engaged to write an anniversary publication for the Joint Commission's thirtieth anniversary in 2006, and attended sessions in the Commission as (non-participant) observer formally included in the Norwegian delegation. On these occasions, I was free to report my observations, except from internal meetings of the Norwegian delegation. As to my participant observation, I have used my best judgement in choosing what to report, following the general guideline of not reporting incidents or practices that have not been – or at least could not have been – referred to in the media or in other public form. Finally, I use protocols from the sessions of the Joint Commission and its Permanent Committee, as well as articles from Norwegian and Russian media.¹⁶

As to the research questions outlined above, I use mainly my own observations, combined with written materials, to describe Norway's efforts at negotiating Russian compliance. In part I employ observation and textual analysis in describing Russian perceptions of these efforts, too, but here my interviews serve as the main source. All this is fairly straightforward in methodological terms, although care must be taken to ensure thorough interpretation and avoid unfounded generalization. More contested is the possibility of saying something about *why* actors

actually comply. I can report what captains of Russian fishing vessels say in my interviews with them, but cannot really know what goes on in their heads when they make decisions about compliance. I can describe Russian political action in the country's fisheries relations with Norway, but I cannot state exactly why a particular choice of action was made. Implicitly, I cannot prove causal relations between Norwegian negotiation efforts and Russian 'response'. Criticism of the tendency to focus on actors' motives has come from the *narrative turn* in sociology (see, for instance, Gubrium and Holstein, 2009) and other social sciences, including IR (see, for instance, Ringmar, 1996). Since we cannot say anything about the true motives of actors, we should focus instead on how they frame their arguments and how this influences the political choices that are available to other actors.¹⁷ I do not claim to know my interviewees' genuine experiences or motives – but this book is not intended as a narrative analysis.¹⁸ In scrutinizing the statements made by my interviewees – realizing that their statements could, for instance, reflect the dominant stories in the interviewees' community or what they expect the interviewer wants to hear, more than their 'genuine experiences'¹⁹ – I follow the tradition in the compliance literature of treating as relevant what people say about their behaviour and perceptions. We can never know exactly what motivates individuals: what they say is the best indication we can get. On a more general note, I follow the qualitative research standard of triangulation, viewing information from different sources – texts, interviews and observation – in relation to each other.

Furthermore, there is the 'big question' – with both theoretical and methodological connotations – of what determines the foreign policy of a state. Since Graham T. Allison's classic 1971 study of the Cuban missile crisis (re-issued as Allison and Zelikow, 1999), the internal political processes of a state have received due attention in foreign policy analysis.²⁰ In this study, it would be too facile to ascribe Russian compliance with a Norwegian request to Norway's negotiation efforts. Whether related to these efforts or not, Russian foreign policy can be interpreted as the result of Russia assessing its best interests and behaving accordingly, or the more 'accidental' result of political bargaining or decision-making procedures in the Russian political system. Norwegian negotiation efforts can, in principle, have had an influence on Russia's calculated interest equation at the state level, on the perceived interests of specific groups in Russia and on Russian bureaucratic procedures as well. We will explore these alternative explanations, although the book relates mainly to the compliance literature and not the wider foreign policy tradition. In methodology, I follow the rather pragmatic approach (using different methods and different theoretical perspectives) often applied in the literature on

the interface between domestic politics and state behaviour in international regimes, such as in implementation studies (see, for instance, Underdal, 2000).

THE BOOK

The theoretical and empirical views provided in this introductory chapter are fleshed out in more detail in the next two chapters. Chapter 2 provides a broader overview of the literature on compliance, the management of common-pool resources, compliance in fisheries and states' compliance with their international commitments. While searching for similarities in these various bodies of literature, I also indicate differences in substance and scientific ambition. Chapter 3 outlines the fish resources and jurisdiction of the Barents Sea, and the general traits of the bilateral fisheries management regime in the area, as well as the national fisheries management policy of Norway and Russia. Chapters 4 and 5 go on to describe and analyse Norwegian negotiation efforts and Russian responses at the state and individual levels. I give a chronological account of relevant events since the dissolution of the Soviet Union, starting in Chapter 4 with Norwegian allegations of Russian overfishing in the early 1990s, followed by various further attempts on the part of Norway to persuade Russia to harmonize technical regulations and jointly introduce new measures in the late 1990s, to get the country to follow scientific recommendations about quota levels in the years around the turn of the millennium, and most recently to reduce overfishing and refrain from introducing new methods for the assessment of fish stocks in the 2000s. Then in Chapter 5 I focus on how the Norwegian Coast Guard has tried to talk Russian fishers into compliant behaviour throughout the period, and how this has been perceived by the Russian side. Chapter 6 presents a summary of the findings, analysing them in relation to my theoretical points of departure. Above all, I ask whether we can draw some common lessons from my empirical discussion of post-agreement bargaining and compliance at the state and the individual levels.

NOTES

1. The terms 'alternative' and 'traditional' are not quite precise, which will also follow from the more thorough presentation of these theories in Chapter 2.
2. 'Avtale mellom Regjeringen i Unionen av Sovjetiske Sosialistiske Republikker og Regjeringen i Kongeriket Norge om samarbeid innen fiskerinæringen', in *Overenskomster med fremmede stater*, Oslo: Ministry of Foreign Affairs, 1975, pp. 546–9.

3. 'Avtale mellom Regjeringen i Kongeriket Norge og Regjeringen i Unionen av Sovjetiske Sosialistiske Republikker om gjensidige fiskeriforbindelser', in *Overenskomster med fremmede stater*, Oslo: Ministry of Foreign Affairs, 1977, pp. 974–8.
4. This is not to say that Norwegians have never overfished their quotas in the Barents Sea. Until well into the 1980s (see Chapter 3), Norway was in fact allowed to – and regularly did – overfish its total quota with traditional passive gear. During the 2000s, some (limited) Norwegian overfishing took place, since the authorities could not halt the fishery for a specific group of vessels fishing on a 'competitive' basis once the total quota had been taken. Nor is this to say that the Russians actually *did* overfish their quotas in the early 1990s and during the 2000s (or that they did *not* do so in the late 1990s). Assessing Norway's claims of Russian overfishing is beyond the scope of this book.
5. Stokke (2010a, forthcoming) is the authoritative source here.
6. Again, this is not to say that there is an *a priori* reason to assume that Russia should learn from Norway, on whatever empirical or moral grounds. I simply start from the empirical observation that the Norwegians have sought to influence Russian behaviour in their dealings with Russia in the Joint Commission and in encounters between Norwegian inspectors and Russian fishers at sea.
7. The Norwegian Coast Guard enforces Norwegian fishery regulations in areas under Norwegian jurisdiction in the Barents Sea (see Chapter 3). Indirectly, the Coast Guard also contributes to the enforcement of Russian regulations. Many technical regulations have been harmonized between the two countries (see Chapters 3 and 4). And when the Norwegian Coast Guard checks the amount of fish on board a Russian fishing vessel at the time of inspection, this also provides information that can be used by the Russian enforcement authorities in their quota control. The Norwegian Coast Guard can charge a Russian vessel for underreporting of catch if more fish is discovered on board than documented in the catch log. Formal charges of *overfishing*, i.e. of taking more fish in the course of a year than one is entitled to, can be made only by the national authorities of the vessels in question, in this case the Russian authorities.
8. Again, this is not to imply that the Norwegian position is necessarily more 'correct' than the established Russian practice that Norway tries to influence. My empirical focus is on the behaviour of Norway, for two reasons: First, most proposals for change in the bilateral management regime after the dissolution of the Soviet Union have come from Norway. Second, empirical data on state policies are more readily available from the Norwegian side than from Russia.
9. To ensure the anonymity of our Russian interviewees, the exact locations are not specified.
10. These interviews were conducted for my Ph.D. dissertation, which was published in revised form as Hønneland (2000a).
11. We decided against going to Murmansk to interview Russian fishers there ourselves, since Norwegian allegations of Russian overfishing had become a very sensitive issue in north-western Russia at the time. In order to get a proper Russian visa, we would have had to state the aim of our research and name the institutions we planned to visit. There is a chance that we would not even have been granted a visa to interview members of the Russian fishing industry about possible overfishing. If we had acquired a visa, it might have been difficult to preserve the anonymity of the interviewees, since representatives of security services (or other Russian authorities) might follow us. Given the sensitivity of the issue, we do not identify the Russian researcher who conducted the interviews either.
12. This figure includes interviews I conducted during this period for other research projects and consultancies of relevance to this book – in particular the interviews carried out for my anniversary publication on the Joint Norwegian–Russian Fisheries Commission to its thirtieth anniversary (Hønneland, 2006) and those that I conducted together with Bente Aasjord from Bodø University College on knowledge disputes in Russian fisheries science (Aasjord and Hønneland, 2008). Prior to that, I had

- regularly interviewed Russian civil servants for a monograph about Russian fisheries management (Hønneland, 2004).
13. We did not use tape recorders in the interviews, but took care to note down what was said as accurately as possible and compare our notes immediately after the interview. For the pros and cons of using a tape recorder, see Rubin and Rubin (2005, pp. 110–12). Among students of Russian politics and society, there is a clear tradition of not using a tape recorder, so as not to intimidate interviewees; see, for instance, Ries (1997, p. 6).
 14. I started as interpreter and was also used as a witness at fishery inspections. Then I was trained as a fishery inspector, and for the two last years of my engagement I was allowed to conduct inspections on my own.
 15. I lean on my own reports from the time, submitted to my superiors on shore after each trip.
 16. I have chosen a ‘medium-level’ reference style. Since my primary aim is not documentation, as for instance a historical or legal text would be – my aim is more in the field of theoretical discussion – I do not provide the specific source for every single event that is presented. However, I indicate the source of direct citations – and of course any fact that I build on secondary sources. Apart from that, I state the main source used in the different sections of the book, like observation, interviews or protocols from the Joint Commission. The protocols are published in Norwegian and Russian; English translations are mine. Primary sources are cited in the chapter notes, not in the reference list.
 17. See, for instance, Krebs and Jackson (2007, p. 42): ‘We cannot observe directly what people think, but we can observe what they say and how they respond to claims and counter-claims. In our view, it does not matter whether actors believe what they say, whether they are motivated by crass material interest or sincere commitment. What is important is that they can be rhetorically maneuvered into a corner, trapped into publicly endorsing positions they may, or may not, find anathema.’ See Jackson (2010) for a more thorough discussion.
 18. However, I myself am familiar with and positively disposed to narrative analysis. In Hønneland (2010), I investigate the narrative practices of Kola Peninsula residents and the room for manoeuvre these practices leave for foreign policy action in the region.
 19. A major claim of narrative analysts is that people draw on a limited reservoir of narrative resources when they tell stories. These resources, which vary with time and across space, do not only reflect who people are: they *make* them who they are. See, for instance, Somers (1994) and Gergen (2001). Similarly, the literature on qualitative interviews is full of guidelines for interpreting how respondents talk. Rubin and Rubin (1995), for instance, single out various mediation forms by which information can be conveyed from interviewee to interviewer: narratives, stories, myths, accounts, fronts and themes. I will explain these concepts in Chapter 5.
 20. Briefly stated: Allison and Zelikow (1999) claim that, besides treating a state as a ‘rational unitary actor’, researchers should analyse a state’s foreign policy as the result of bureaucratic processes and negotiations between and among interest groups (or individuals) within the state.