

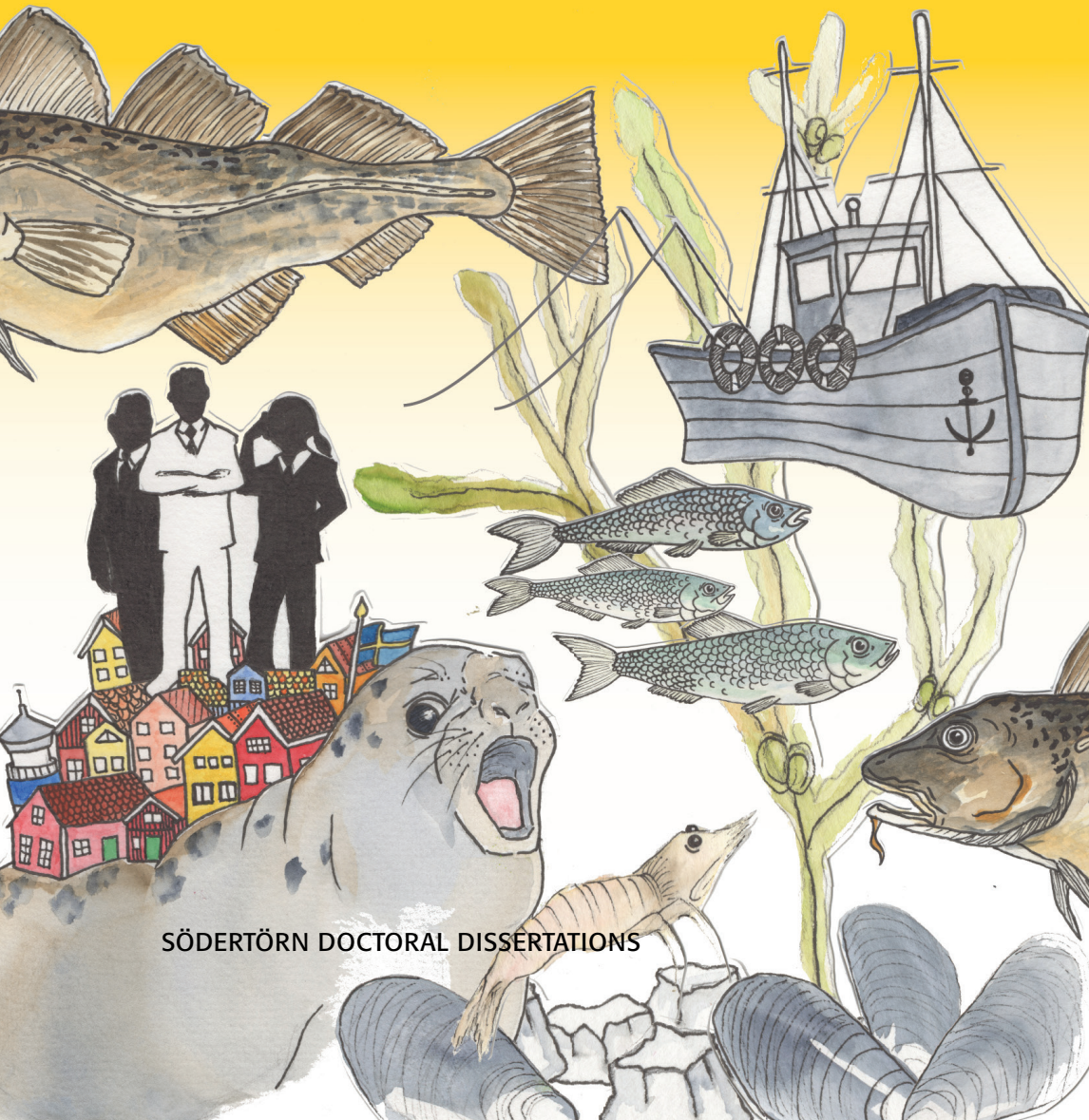


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Participation and Legitimacy

Actor Involvement for Nature Conservation

Linn Rabe



SÖDERTÖRN DOCTORAL DISSERTATIONS

Participation and legitimacy

Participation and legitimacy
Actor involvement for nature conservation

Linn Rabe

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Tänk själv!

To my father, Per Rabe, who told me to think independently.

To my mother, Pia Rabe, who inspired by example.

Abstract

This PhD thesis in environmental science aims to contribute to the theoretical and empirical understanding of the relation between participation and legitimacy in multi-level environmental governance.

It is widely assumed that actor involvement has great potential to improve the legitimacy of nature conservation through long-term acceptance and target achievement. However, local resource conflicts problematize the way a relation between participation and legitimacy is depicted on other administrative levels. Studies exploring the effect that participation has on legitimacy are relatively rare, especially in multi-level arrangements of coastal conservation. In this thesis the relation between participation and legitimacy on the local level is examined, as well as how this relation is conditioned by multi-level governance and power. The relation is empirically studied with two local implementation processes of the Helsinki Convention's network of marine protected areas (HELCOM MPAs). The cases are located in Sweden.

Sweden and the Baltic Sea region are in the forefront of participation in nature conservation, and therefore act as a strong case for the exploration of institutional participation. However, despite apparent political will and international support, the efficiency of actor involvement for nature conservation has been questioned, also for the HELCOM MPA and especially on the local level.

Based on the results of this study, I question the assumption that weak legitimacy predominantly is an issue of insufficient information sharing. The findings show that involving actors to legitimize the adoption of strict adherence to a pre-established model of conservation likely fail to create long-term support for conservation. Instead, relocation of power to the affected actors seem essential in order to make participation establish legitimacy. It appears important to create room for local influence in the design, management and implementation of a particular conservation area in the particular place/context. In both examined cases, there are elements of participation that support legitimacy, for example the development of a shared vision. There are also elements that hamper legitimacy, such as, for example, the high expectations different actors have on participation to reach consensus on protective values. These unmet expectations seem to fuel conflicts of interests among actors on different levels.

Keywords: Participation, legitimacy, multi-level, governance, actor involvement, marine protected areas, coastal management, public consultation, locals, nature resource conflict, public-private relations, HELCOM, Baltic Sea, Sweden.

Contents

List of tables and figures.....	13
List of Abbreviations and Acronyms.....	15
Acknowledgement	17
PART 1.....	21
CHAPTER 1	
Problematizing the relation between participation and support in multi-level environmental governance.	23
1.1 Aim and research question	29
1.1.2 Motivations	30
1.2 The structure of this book.....	32
CHAPTER 2	
From “tragedy” to “success story” – a contextual background of Baltic Sea management	35
2.1 Marine Protected Areas.....	37
2.2 Helsinki Convention and HELCOM.....	39
2.2.1 HELCOM MPA.....	42
2.3 Aarhus Convention.....	45
2.4 To realize the HELCOM MPA recommendation... ..	47
2.4.1 ... in Sweden	50
2.5 Background summary	55
CHAPTER 3	
The theoretical relation between participation and legitimacy	57
3.1 To increase the legitimacy of decision-making systems.....	59
3.1.1 Legitimacy in multi-level governance	61
3.1.2 Legitimacy through participation	63
3.2 Participation.....	66
3.2.1 Actors.....	67

3.2.2 Levels of participation	68
3.2.3 Institutional participation.....	69
3.2.4 Access to participation	72
3.2.5. Recognition and representation.....	74
3.3 Social and institutional relations.....	76
3.4 Bringing the theoretical discussion together in a conceptual framework.....	80
PART 2.....	85
CHAPTER 4	
Research design and methods.....	87
4.1 Case study.....	87
4.1.1 Regional level	88
4.1.2 National level	88
4.1.3 Local level	90
4.2 Methods.....	91
4.2.1 Texts and interviews	95
CHAPTER 5	
Exploring participation and legitimacy in the implementation of two Swedish HELCOM Marine Protected Areas.....	103
5.1 Conservation values of Gräsö and St Anna-Missjö archipelagos.....	104
5.2 Case: Gräsö HELCOM MPA	112
5.2.1 Narrative Gräsö HELCOM MPA Planning Process, 2003–2012	118
5.3 Case: St Anna-Missjö HELCOM MPA	148
5.3.1 Narrative St Anna-Missjö HELCOM MPA Planning Process, 2005–2012.....	155
PART 3.....	201
CHAPTER 6	
Comparing the way participation was organized	203
CHAPTER 7	
Analysis of participation.....	215
7.1 Acts of Participation	215
7.2 Swedish, middle-aged and older men with resources predominated the consultation	220
7.3 The skill to participate	223
7.4 Local power dynamics	225
7.5 Tension between the role of participation and the role of experts.....	227

CHAPTER 8	
Analysis of legitimacy	231
8.1 Legitimacy in the two cases	231
8.2 Three dimensions of legitimacy	233
8.2.1 Law	233
8.2.2 Belief.....	234
8.2.3 Act	237
8.3 Limited support from other institutions hampers legitimacy	238
8.4 Multi-level governance has a negative effect on local legitimacy-making.....	240
CHAPTER 9	
Conclusion	245
9.1 Hierarchical organization of actors	245
9.2 Conditions of participation affect aspects of legitimacy	249
9.2.1 Recognition	250
9.2.2 Representation.....	251
9.3 Local interpretations of regional perspectives	254
9.4 The impact of multi-levelness	258
9.5 Back at the kitchen table	261
Populärvetenskaplig sammanfattning på svenska.....	265
References.....	271
Södertörn Doctoral Dissertations	285

List of tables and figures

Figure 2.1: Orientation map HELCOM MPA 2016.	43
Figure 3.1: Conceptual framework.	83
Table 4.1: Content analysis.	93
Table 5.1: Basic data for cases.	110
Figure 5.2: Orientation map Gräsö HELCOM MPA.	112
Figure 5.3: Orientation map St Anna-Missjö HELCOM MPA.	148
Table 5.3: Planning process of St Anna-Missjö HELCOM MPA.	153
Table 6.1: Comparison och the two cases.	207

List of Abbreviations and Acronyms

Aarhus convention	The Aarhus Convention on Access to Information, Public Participation and Access to Justice in Environmental Matter
BSAP	HELCOM's Baltic Sea Action Plan
BSPA	Baltic Sea Protected Areas, now known as HELCOM MPA
CAB	County Administrative Board
CBD	United Nation Conference on Environment and Development's Convention of Biological Diversity
CMP	Conservation Measure Partnership
Helsinki convention	The Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea area
HELCOM	Baltic Marine Environment Commission, is the secretary of the Helsinki Convention
HELCOM MPA	Coastal and Marine Protected Areas, in the HELCOM initiated System of Coastal and Marine Baltic Sea Protected Areas
EU	European Union

ENGO	Environmental Non-Governmental Organisations
IUCN	International Union for Conservation and Nature
LRF	Federation of Swedish Farmers
MPA	Marine Protected Areas
NRM	Natural Resource Management
NGO	Non-Governmental Organisations
SwAM	Swedish Agency for Marine and Water Management (<i>Hav och Vatten Myndigheten</i>)
SEPA	Swedish Environmental Protection Agency (<i>Naturvårdsverket</i>)
UCAB	Uppsala County Administrative Board
ÖCAB	Östergötland County Administrative Board

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This book marks the end of a very interesting journey. Writing a PhD thesis is a solo voyage, aiming to foster the PhD candidate's development into an academic researcher in her own right. At times, I have thought of this process as the most self-absorbed thing I have ever done (despite arguing that it is driven by noble motives such as "saving the world"). Needless to say, there is a large group of people who stood by me in this process and whose support was indispensable. I thank all of you who in large and small ways enabled and contributed to my work. Your rewarding ideas, critical reflections and thought-provoking remarks were essential to the development of this PhD, even if I am alone responsible for the content of this thesis.

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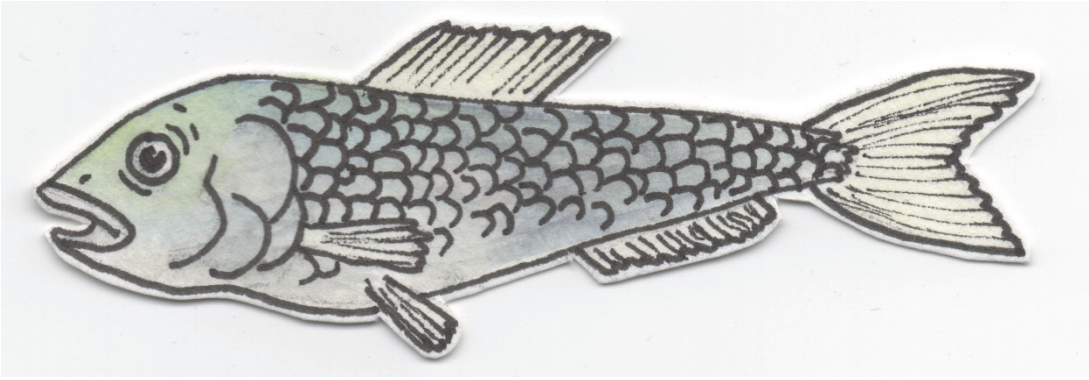
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Tack!

December 2016, Flemingsberg

PART 1



CHAPTER 1

Problematizing the relation between participation and support in multi-level environmental governance

In the end, it all comes down to me and my sheep.

(Interviewee A9, 2014)

The aim of this thesis is to contribute to the theoretical and empirical understanding of the relation between participation and legitimacy in multi-level environmental governance. To explore this relation, this thesis investigates local actor involvement in implementation processes of regional nature protection agreements. The following chapter will introduce the voice of three different actors involved in such processes to illustrate the purpose of this study.

The woman with the sheep seems flustered but also proud of her work. We are sitting in her country-style kitchen on a small farm on a small island in a small sea, talking about international commitments to biodiversity conservation. In the above statement about her sheep, she is saying that in practice, local actors such as herself carries out the action plans and secure fulfilment of international agreements.

She and her partner is probably the last in a long line of small-scale farmers on this island. Her son has a good job in the city and rarely comes home to visit. “He has no interest in the cattle. Why should he? There is no profit in agriculture these days, so I, as do most others in my position, maintain the farm on agricultural grants from the European Union. My livestock are grazing the islands to preserve the open landscape and biodiversity in the archipelago. We are cultural workers, my sheep and I”, she says. “We are working for cultural heritage to maintain the beautiful archipelago”. On her walls, there is mounted flotsam and romantic art picturing seascapes of the local archipelago. In the pictures, the archipelago is portrayed as peaceful and indeed as very beautiful. This same archipelago

has been identified as a particularly valuable habitat in the Baltic Sea and internationally been recognized as an area that needs to be conserved to secure the environmental values of the sea.

She is serving home baked bread and an apple cake straight from the oven. I marvel at this hospitality, but she turns down my gratitude saying that it is a matter of necessity rather than ambition. There is no grocery store around to provide her with this type of fresh produce. “The beauty of the archipelago”, she argues, “seems to be mainly for tourists and summer house owners to enjoy. With decreasing public services, low profitability and an ageing population, there will soon be no archipelago dwellers, nor sheep, left in this area”.

The radio can be heard in the background. The Swedish election campaign for the 2014 European Parliament is at its climax, and nature resource management is a hot topic. While I enjoy the moist apple cake, the radio is broadcasting a debate on wolf hunting. The licensed hunting of wolves has been stopped in Sweden because it was considered to be in conflict with the European Union’s (EU) Habitat Directive. The Centre Party, with a strong tradition of support among Swedish farmers, are particularly vocal in the debate, arguing that the EU should show greater respect for national autonomy. The spokesperson states that the EU should not interfere in details regarding wolf hunting and that decisions should be left to those affected. In this European Parliamentary election, wolf conservation has become symbolic of the relation between the EU and the national state. The debate also airs tensions between urban and rural areas within the nation itself, for example, raising arguments about issues such as environmental policies being centrally decided with little knowledge or concern for how they affect the everyday lives of the local actors. “It is the same kind of fuss about the seal and the cormorant as the wolf”, she says while reheating the tea water. “I do not really mind them, they live here as well – but many out here are furious about the protected status of these species. It may be because I was born and raised in the city that I think differently about this matter...”

The cat jumps up next to me on the kitchen sofa. It makes itself comfortable on a stack of newspapers. Its fluffy tail almost covers a headline saying that the Swedish Green Party proposes more marine protected areas with no take zones. The Green Party argues that Sweden is falling behind on its international commitments and needs to establish both more and bigger marine reserves in order to secure the environmental status of the Baltic Sea. “In the end, it all comes down to me and the sheep”, she says again.

In another kitchen, on another small island, but in the same little sea, I am served crisp bread without an expiration date and a home baked Silvia cake. Local sea charts and photos of past generations of fishers and their handmade boats covers the walls. My host is telling me the story of how a wolf came to the island and was shot by a farmer. I have heard the story before, different actors on numerous of occasions have told it to me. However, the story always captures my attention, as every new storyteller tells it differently. The actors involved in the story differ each time, as do their motivations and the rationale behind the actions. Even the course of events varies depending on the storyteller's position and perspective. In this version of the story, the farmer is a hero protecting his property from a wild beast that claws its way through the sheep herd. Despite doing what anyone would do who cared for their cattle, the story goes, the farmer is punished by the authorities for killing a wolf without a license and outside of the nationally agreed quota. In this version of the story, the islanders get together and fundraise to cover the charges imposed on the farmer for killing the wolf. To this storyteller, the point is that the islanders banded together to protect one of their own from the inflexibility of the authorities. The storyteller also stresses the "unreasonable meddling" and "arm-twisting" performed by the EU and other international actors in this matter. According to this storyteller, the wolf and the authorities basically joined forces to plot against the islanders. Another storyteller claims that there even are islanders with bumper stickers saying things such as "No to the EU and the wolf".

In this household, the authorities will find no praise. "Ever since Gustav Vasa, the state has been messing with us archipelago dwellers", my host claims. He argues that the wolf and the marine protected areas are examples of how local actors loses entitlement and capability in their relation to the state. "We are also an endangered species, but for some reason, we have not received protection status" my host claims. "Things such as the Marine Protected Area are killing all chances of development in the archipelago. It is expropriation, but we are not getting any compensation at all for losing our property. They said we would be consulted. That we could participate in the planning. However there was no real consultation. They did not listen to us. We need to fight the state in order to survive. I will fight them until I die!" My host is clearly upset and flaps the butter knife around while talking. His partner is watching him silently; after a while, she softly says that she almost feels sorry for the County Administrative Board officers as

they probably did not know what they were getting themselves into when they undertook the mission to discipline the “rospiggarna”¹.

With these two kitchen talks, I am trying to illustrate something abstract using the concrete: the relationship between participation and legitimacy in multi-level systems of decision-making. Environmental policies are increasingly part of international relations and multi-level governance (e.g., Bache and Flinders, 2004). The two kitchen talks are local testimonies to the relational dynamics in the multi-level system of environmental protection regimes. Local experiences are intertwined with the interests and decision-making of numerous actors on different levels. International agreements, regional initiatives and national authorities directly and indirectly shape the management of local resources. These local actors argue that they will lose independence within these complex interrelations. AS these two conversations indicate, the spatial distance between decision-making and implementation is perceived to compromise any context-specific consideration in policies.

Governance, as it is understood today, is a complex undertaking carried out by a wide range of actors in polycentric and multi-level interactions (Bavinck et al., 2015). This intricate system for decision-making, implementation and management requires legitimacy. A dominant argument at the international level is that the successful participation of affected actors is a driving force to establish legitimacy and to secure effective implementation (e.g., Adams, 2009). “Successful” here refers to the long-term acceptance of the decision and sustainable effects on the management objectives (Stenseke, 2009; Hovik et al., 2010). Many scholars have studied how to design effective international environmental agreements, but less attention has been given to the implementation of these agreements (Hassler, 2016). Contrasting the international position on participation with statements made in the kitchen talks, I argue that there are diverging expectations among actors on different levels with regard to actor involvement. The relation between actors and levels, and hence neither is involvement of local actors in institutional arrangements for marine protection, is not without problems. In the coastal zones, there are many diverse interests and user-groups, which complicates the organization of collective actions for the

¹ “Rospiggarna” is a term used for people living in the coastal region of Uppland. The name comes from the Norse geographical area Roden located in the archipelago of “the land of the Swedes”. At its largest Roden reached from what presently is Gräsö in the north to St Anna in the south (Nationalencyklopedin, 2016).

implementation of nature protection (Jentoft, 2000a). One of the main challenges in coastal governance is to create an integrated and holistic perspective on how to address the many competing human uses of resources and space (Kooiman, 2003).

“The little sea” that creates the setting and focal point of both kitchen talks is the Baltic Sea. The Baltic Sea is a highly polluted semi-enclosed, brackish sea in the north of Europe (Elmgren and Hill, 1997; Zillén et al., 2008). Intense maritime transport and a large catchment area of some 85 million inhabitants pose heavy anthropogenic stress on the marine ecosystem (see Zillén et al., 2008; Tynkkynen 2014; Hassler et al. 2015; Gilek et al., 2016). The Baltic Sea suffers from toxic substances, eutrophication and biodiversity loss (e.g., HELCOM 2010). Despite the heavy pollution, the Baltic Sea’s environmental protection regime is internationally celebrated as a very successful collaboration platform coordinated by the Baltic Marine Environmental Protection Commission, known as HELCOM (e.g., Joas et al. 2008; VanDeveer, 2011; Tynkkynen, 2014).

The two homey kitchens are both located on islands in coastal areas considered important for their representativeness of the Baltic Sea’s marine ecosystem. Both areas are designated marine protected areas (MPAs) and parts of HELCOM’s network of coastal and marine protected areas (HELCOM MPA) (HELCOM, 2010). To secure long-term acceptance of the conservation objectives, HELCOM promotes actor involvement in the development of management plans. The HELCOM MPA project co-ordinator at the HELCOM secretariat in Helsinki explained in a 2015 interview the importance of incorporating actors. S/he identifies actors as those who frequently visit the targeted areas.

We want them on board and involved in the process. If the HELCOM MPA were to be presented from above and the locals just were told, what to do in their everyday environment the MPA would unlikely be received well. It would be harder for [the local actors] to make the MPA their thing. [...] It is important to incorporate local actors in the early stages of an implementation process as they often contain a great knowledge base. This of course depends on who the local actor is. Fishers, as an example, are often very knowledgeable about the habitat. They are especially knowledgeable if they are the latest of many generations of fishers. They often possess a good insight into local conditions, stocks and breeding habits. This type of knowledge planners should really use. When the actors’ knowledge is incorporated in the planning process the actors become much more receptive to compromises and fishing restrictions. (Interviewee H1, 2015)

The project coordinator gave an example of local actor incorporation in the management of MPA in the Baltic States. In one location, the fishing community bordering a designated MPA became so committed to spawning protection that they now self-monitor the spawning bay. The project coordinator deemed early local involvement in the planning process to have been a crucial factor in this development, especially because the process created a platform for the fishers to learn about the protection values. “It’s important that people know about the great natural values in their everyday environment”, the project coordinator said. “The fishing community was really happy about HELCOM being involved. The MPA seemed more important to them, as it was part of a trans-national network and not just any ad hoc national protection initiative. They have greater pride in protecting the bay, as it was recognized by HELCOM”.

HELCOM argues that institutionalized participation is a way to increase the localized legitimacy of nature conservation. Abstract, technocratic decisions about conservation are made in regional agreements and require implementation through actor participation or ‘community engagement’ in specific area. If local people are involved in the planning, they will better understand, support and comply with decisions. However, the HELCOM MPA guidelines offer little direction on how to use participation successfully. The guiding documents only briefly mention potential conflicts of interests and address issues of justice in terms of the law. It is up to the member states to find a good approach to implement actor involvement and secure legitimacy.

To prevent actors from disobeying or even revolting against the management system, the system must have legitimacy (Jentoft, 2000a). The requirement to secure the legitimacy of governance systems highlights issues in how democracy is organized and validated (see, e.g., Schlosberg 2004; Arora-Jonsson, 2013; Dahl and Nordström 2014; Bavinck 2015). The kitchen talks indicate that these local actors do not fully support the system. The talks are also interesting in the way they address the challenge of making one’s voice heard in complex systems of decision-making. The two hosts both argue that stricter and less relevant regulations are together putting their way of life in the archipelago at risk. According to the hosts, resource conflicts, in their experience, relate to place-based identity, social loyalty and opportunities to maintain collectively valued life styles. Conflicts further seem to mirror historical relationships between the state and its citizens in these area. Failed efforts to institutionalize actor involvement may trigger, rather than solve user-conflicts in the coastal zone

(Jentoft, 2000a). It is interesting to see what role participation plays in establishing legitimacy in such complicated situations.

In the kitchen talks, the relationship between different levels in the administrative system is problematized. My two hosts perceive the rhetoric around local participation as a means to discipline citizens. They perceive the hearings and consultation processes, which are common in Swedish institutional participation, to include a great deal of acting and charade. They argue that the governance system is designed in a way to delude local actors into agreement. At the same time, as the two hosts doubt the institutional arrangements of participation, they also want to protect the environmental and cultural values in the archipelago. Whereas the two hosts argue that they see through the diversion of participation, they are still attracted by the possibilities that appropriate and accountable actor involvement could create.

1.1 Aim and research question

This doctoral thesis examines and problematizes the relationship between institutional participation and legitimacy in nature conservation. The interest is to explore how institutional participatory experiences affect local views on the legitimacy of the implementation of nature protected areas. Leaders of the world have accepted that environmental problems do not obey national borders, and they are therefore increasingly seeking international platforms to reach environmental protection agreements, which makes decision-making more international. At the same time, the local implementation of environmental agreements has been highlighted as a key factor in reaching environmental goals. This simultaneously internationalizes (the state's) decision-making and decentralizes implementation and planning through, for example, local participatory arrangements. There is a strong political emphasis on the relation between participation and legitimacy, but the relation itself has not received much scholarly attention and needs more analytical exploration (see, e.g., Birnbaum et al., 2015). The aim of this thesis is to contribute to the theoretical and empirical understanding of the relationship between participation and legitimacy in multi-level environmental governance.

To achieve this aim, the thesis examines how regional environmental protection agreements are implemented to establish legitimacy among public and private actors (such as landowners, interest organisation, busi-

ness holders, local authorities and central authority representatives) on the local level, through the following questions:

- How is participation organized in practice?
- How does the regional understanding of participation apply in practice for the designated protection areas?
- What conditions of the participatory planning arrangement affect the local actors' perception of the governance system's legitimacy?
- How is the structure of multi-level governance arrangements conditioning local participation and in turn affecting legitimacy?

1.1.2 Motivations

Why is it relevant, in the scholarly field of environmental studies, to explore the relationship between participation and legitimacy in a multi-level context? Environmental issues generally present complex systems in relation to scale. The work with environmental health and sustainable development involves decision-making at numerous of levels and concerns several actors. The involvement of multiple actors is causing an increased need for bureaucracy to secure platforms for participation and decision-making (e.g., Jones, 2009; Deacon and Baxter, 2012). Nevertheless, by making the processes highly bureaucratic and technical, environmental governance has been criticized for disguising normative aspects and for viewing dominating practices as neutral. This normalization leads to the depoliticization of environmental decision-making (e.g., Goodwin, 1998; Adams, 2009; Turnhout et al., 2010). Depoliticized environmental governance may be problematic if it creates situations where issues of ethics and justice are obscured or even avoided (as argued by Zeitoun, 2013; Deacon and Baxter, 2012). Empirical observations show that environmental protection measures may produce unequal outcomes in terms of costs and benefits (Agrawal, 2005; Adams, 2009; Agarwal, 2010; Jagers et al., 2012; De Santo, 2013; Myers and Muhajir, 2015). Scholars argue that democratic processes that fail to address issues of legitimacy weaken the entire democratic system and that inequalities therefore need to be more visible on the policy agendas for conservation and sustainability (Agyeman, 2003; Schlosberg, 2004; Adams, 2009; Agarwal, 2010; Östling-Gunnarsson, 2011). If the democratic legitimacy of environmental institutions is challenged due to inequality, this will likely have negative consequences on the long-term success of policy implementation (e.g., Jones, 2009; Deacon and Baxter, 2012). By exploring the relationship between participation and legitimacy this study basically

contributes to a discussion about whether the dominant approach to nature conservation has the potential to achieve its long-term goals. Further, the relationship between legitimacy and participation is itself analytically intriguing, but to date not thoroughly explored.

Why should these questions be explored through Baltic Sea coastal and marine protected areas? Marine governance, in general, was relatively recently identified as a field of inquiry by the social sciences (see, e.g., Allison et al., 1998). More knowledge is needed on a range of different social aspects within coastal and marine protection. Broadly, this is a study on local actor involvement and participation in the design and implementation of nature conservation in coastal environments. More specifically, it is a study about how regional environmental agreements are shaped locally, and how participation conditioned by the multi-level governance approach may lead to or prevent public support of decisions.

Further, this is a study of regional governance of the Baltic Sea. The regional collaboration on the Baltic Sea environment offers important lessons to practitioners of international environmental politics elsewhere (Haas, 1993; VanDeveer, 2011). The Baltic Sea region is considered to be particularly interesting as it can be seen as a “microcosm for a wider Europe where East and West work together” (Tynkkynen, 2014:675). During the Cold War, the scientific and apolitical frame of HELCOM enabled continuous collaboration around environmental concerns, even if the region was separated into two competing ideological and political-economic systems. HELCOM still serves as an important interaction point between the EU and Russia, and the East-West contexts still shape the conditions and capacities in which the member states address marine environmental impacts. However, the implementation of this institutional design plays out contingently in different local settings. Sweden plays a dominant role in the organizational development of HELCOM (VanDeveer, 2011). The participation model promoted by HELCOM is inspired by the type of institutional participation institutionalized in Sweden (Dahl and Nordström, 2014). If they are successful anywhere, the implementation of HELCOM MPAs should be successful in Sweden and two Swedish MPAs are therefore used as local examples.

1.2 The structure of this book

This introductory chapter has illustrated the divergence between the international policy to use participation as a method to establish legitimacy, and the experiences of participation at the local level. The chapter stated the aim of this PhD thesis, which is to contribute to the theoretical and empirical understanding of the relationship between participation and legitimacy in multi-level environmental governance. This quest will be guided by four research questions highlighting aspects of local organization in a multi-level governance context.

This PhD-thesis has nine chapters divided into three parts. The first part, including Chapters 1–3, presents the theoretical problem and its contextual background. A conceptual framework is developed to support the analysis. The second part, including Chapters 4–5, presents the method and the empirical material from the comparative case study. The third part, including Chapters 6–9, offers an analytical discussion and conclusions.

The following chapter, Chapter 2, gives a contextual background to marine protection in the Baltic Sea region. The chapter presents the regional collaborations, international agreements and national policies of importance for marine protection and institutional participation in Sweden.

The third chapter engages with the theoretical discussion of actor involvement and legitimacy in nature conservation. The chapter explores key concepts that are relevant for the research questions. Important connections between the concepts of participation, legitimacy, governance and power are revealed and brought together in a conceptual framework.

The fourth chapter provides an account of the research design and methods used to extract the empirical material. The study uses a comparative case study method for the two cases Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPA. Archive material and semi-structured interviews are the main sources of information.

Chapter 5 gives an in-depth description of the planning process for Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPA. The two cases are presented separately in chronological order to show the development and dynamics in the processes. Each case is introduced with a summary of key events and key actors.

Chapter 6 compares the two cases, with a special focus on the organization of actor involvement. The comparison outlines similarities and differences between the cases and therefore lays a foundation for the analysis

in Chapter 7 and 8. The main findings of the comparison are presented in Table 6.1.

Chapter 7 focuses on participation. I analyse the consequences of the differences in actor involvement between the two cases for local actors' experience of participation. The theoretical review of conditions for institutional participation guides the analysis.

Chapter 8 focuses on legitimacy. I analyse how the different acts of participation affect the establishment of different aspects of legitimacy. Local support of decisions in a multi-level context is given special attention.

Chapter 9 is the concluding chapter. Here, I discuss the analytical findings in relation to the ongoing discussion in the research field. By which I mean the discussion about the relation between participation and legitimacy focussing on the organization of participation, local interpretations of regional perspectives, the conditions of participation that affect aspects of legitimacy and the impacts that multi-levelness has on local processes.

From “tragedy” to “success story” – a contextual background of Baltic Sea management

In this Chapter, I present the contextual background for this study. I will discuss the institutional architecture operating at various scales that informs and affects the design, establishment and implementation of HELCOM MPAs. This includes the way “participation” is discussed and understood at the different institutional levels.

The foundation of institutions for formal international nature protection began in the nineteenth century with an international congress and treaty on bird protection (Adams, 2009). Since that time, various efforts to conserve the wild have been made, motivated by diverse political agendas. From the 1990s, the ideas of “sustainable development” has strongly influenced the management of natural ecosystems (e.g., Adams, 2009). Sustainable development has many definitions, the most commonly known is that from the United Nation report *Our Common Future* (WCED, 1987). In this report, sustainable development is defined as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” (WCED, 1987:43). This phrase has proven compelling to diverse groups of actors, as it bridges conflicting agendas of nature protection and development by promoting a win-win rhetoric (Adams, 2009). The idea is to find a balanced path that secures socioeconomic development and protects natural values at the same time.

Most of the earlier reserves in Europe, North America and colonized countries were linked to the sport hunting of game animals (Adams, 2009). The ethos differed between hunting as the upper classes gentlemen’s sport and the poaching by the poor and natives. Due to this perception that local actors were seen as a threat to the ecosystem, local actors have frequently been denied access to areas in the name of conservation. Every so often, restrictions in the access to nature resources have led to humanitarian

catastrophes (such as famine), cultural collapse and poverty for the affected communities (Adams, 2009). This legacy has contributed to conflicts between development and environmental protection. Advocates of sustainable development argue that the inclusion of local actors in nature resource management can potentially reduce these social consequences.

The sustainable development agenda's domination on the international level has had a great impact on national environmental politics worldwide. At the Swedish national level, the sustainable development agenda has manifested itself not least through the articulation of national environmental quality goals (SEPA, 2016c). Sixteen environmental quality goals¹ direct the national efforts to achieve national and international environmental objectives. Participation at the local, national, regional and international level is argued to be key to accomplishing this mission. The Swedish efforts are organized around the approach that parliament, the government, all of the national state agencies, the County Administrative Boards (CAB), municipalities, civil society and the public must engage in environmental efforts and share the responsibility (SEPA, 2016c). Actor involvement is presumed to reduce conflicts of interests and to secure the long-term achievement of the environmental quality goals (SEPA, 2016c).

Actor involvement was certainly discussed prior to *Our Common Future*, but the dominant view was that too many actors would complicate conservation practices. Hardin's (1968) *tragedy of the commons* denotes how common sources are doomed to overexploitation, and his theory is popularly simplified with the example of a common sea: without institutions of governance, the fishers around the sea would compete to harvest the fish stock. The fishers would not economize with the catch due to the risk of someone else taking the resource. The race to harvest the resource results in depletion. According to Hardin (1968), a lack of governance over common resources causes a 'tragedy of the commons'. In this way, seas have been perceived as basically unmanaged and fisheries as driven by chaos until governments

¹ There are 16 general environmental goals in Sweden. They are: 1) reduced climate impact, 2) clean air, 3) only natural acidification, 4) Non-Toxic Environment, 5) protective ozone layer, 6) safe radiation environment, 7) zero eutrophication, 8) flourishing lakes and streams, 9) good-quality groundwater, 10) balanced marine environment with flourishing coastal areas and archipelagos, 11) thriving wetlands, 12) sustainable forests, 13) varied agricultural landscape, 14) magnificent mountain landscape, 15) good built environment, and 16) rich diversity of plant and animal life. The overall goal of Swedish environmental policy is to solve the major environmental problems in Sweden within this generation's life time (SEPA, 2016c).

became involved to bring order. However, this view of resource management overlooks numerous formal and informal management systems within fishing and coastal communities. The introduction of bureaucratic, science-based management systems has not always filled an institutional void. Quite often, different management systems have been layered on top of each other and on top of pre-existing practices, frequently resulting in conflicts of interests as result (Jerntoft, 2000b).

Conservationist have also had experiences that challenge the approach to exclude all human activities, especially in relation to cultural landscapes. One such example is the Ängsö National Park in Stockholm Archipelago, Sweden. The park was established in the beginning of the 20th century because of its beautiful flowering meadows. According to contemporary conservation practices, human activities were prohibited and the meadows were left untended. Forty years later the meadows were overgrown and the protected values had vanished (Ihse and Lindahl, 2000). This type of experience encouraged the Swedish Ministry of Environment to apply new conservation strategies in 1995. The new goal is to conserve the structure of plant and animal communities and therefore also to secure the direct and indirect maintenance of biodiversity² (Ihse and Lindahl, 2000). Actor involvement is here further acknowledged to have instrumental value for nature conservation.

2.1 Marine Protected Areas

One of the Swedish national environmental quality goals is to have balanced marine environment with flourishing coastal areas and archipelagos (SEPA, 2016c). SEPA (2016c) argues that the transboundary nature of seas makes cooperation essential to improving the marine environment, and therefore an important step is to secure international agreements. For Sweden, the most prominent marine agreements are the EU's Marine Strategy and Water Framework Directives, the Convention for Protection of the Marine

² SEPA's Action Plan for Biodiversity (report 4463, 1995) and the Protection of Biotopes (general advice 1995:4) addresses these goals. However, the goals appears difficult to achieve. Grazing animals are needed to do the work, and there is just too little livestock in Sweden today to graze all the valuable pastures (Ihse and Lindahl, 2000). There is not enough market value or sufficient government instruments to secure the agricultural practices, as expressed in the frustration of the sheep herding host in the introduction when she talked about biodiversity conservation.

Environment of the North-East Atlantic, and the Helsinki Conventions. These agreements include mechanisms aiming to reduce the dilemmas that the individual actors face in Hardin's illustration of common resources. Increased collaboration among actors is assumed to motivate individual rational utility seeking towards outcomes other than those of the tragedy of the commons. Different forms of governance research have aimed to identify mechanisms that reduce the danger of the problems that accompany collective action, including free-rider problems and overconsumption, through institutional design (see, e.g., Ostrom, 1990; Jentoft, 2000b; Delmas and Young, 2009).

Seas are ecosystems that have historically had relatively few international governing regulations. Due to extensive activities, humans have caused significant changes in practically all major marine and coastal ecosystems in the world (e.g., McCauley et al., 2015). The EU Blue Growth strategy and other similar strategies aim to ramp up the socio-economic use of the sea even further through windfarms, aquaculture etcetera (see, e.g., EU COM 2012, 494). Human activities have badly damaged wildlife populations in the global oceans causing many ecological, commercial and local extinctions. There is, however, still a chance that rehabilitation of affected populations is possible on the global level (McCauley et al., 2015). A common denominator among most international marine protection agreements is the promotion of MPAs. MPAs are seen as one of the most prominent tools to mitigate the effects of marine exploitation (Agardy et al., 2010; Costello, 2014; McCauley et al., 2015).

MPAs come in many forms (e.g., closed areas, no-take zones, restricted use, planned use and zoning) and have many different names (e.g., parks, reserves, sanctuaries) (Jentoft et al., 2007). The International Union for Conservation and Nature (IUCN) states that protected areas are clearly defined geographical space dedicated and managed to achieve the long-term conservation of nature, ecosystem services and cultural values (IUCN, 2008). MPAs aim to protect, restore and preserve functions and the integrity of marine and coastal ecosystems by protecting habitats for biodiversity and endangered species. If correctly designed, MPAs have the potential to increase both total biomass and biodiversity in the targeted area (Bennett and Dearden, 2014; Costello, 2014; Miller and Russ, 2014; Rossiter and Leinen, 2014). Further, it is argued that MPAs have spillover effects by increasing the wealth of surrounding habitats. The spillover effect is considered to be positive for human societies as it has the potential to increase the chances of sustainable food supply and more diverse livelihoods. In the spirit of

sustainable development, it has even been argued that inclusive planning and management of local MPAs will lead to improved local health, wealth and empowerment (e.g., Bennett and Dearden, 2014). The appeal of MPAs is strong within the scientific community and among policy-makers alike, to the point that they are frequently described as a “required” measure to save the sea (e.g., Caveen et al., 2014; Costello, 2014; Lövin and Romson, 2014). Measures to support the status and prosperity of MPAs are, for example, enacted in the United Nations Conference on Environment and Development’s Convention on Biological Diversity (CBD). The Convention stated that 10% of the world’s marine resources should be protected by 2012. Despite strong support for MPAs, effective implementation and signs of environmental improvement remain low (Chuenpagdee et al., 2013). The CBD target was, for example, not met in time.

The primary reasons that MPAs fail, according to several scholars, are that they are inappropriately planned, designed and managed (Steel, 1985; Suuronen et al., 2009; Chuenpagdee et al., 2013; Agardy et al., 2010; Mora and Sale, 2011; De Santo, 2012; Jagers et al., 2012). A core problem is argued to be that the tools developed for terrestrial protection are often used on marine ecosystems with unsatisfying results. Due to terrestrial guidelines, MPAs are often made too small with weak connectivity to related habitats. With small or absent buffer zones the MPAs remain negatively affected by the pressure placed on the area from the unprotected surrounding ecosystems. Conflicts of interest and affected actors violating the management rules also have negative consequences for the implementation of MPAs. Even if the Baltic Sea is one of the few marine regions³ where the CBD targets were achieved in time (HELCOM, 2010), the effectiveness of the protective measure is still in question for to the abovementioned reasons.

2.2 Helsinki Convention and HELCOM

The Helsinki Convention on the Protection of the Marine Environment of the Baltic Sea area is argued to be a major reason why the Baltic Sea region manages relatively well with marine protection. The Helsinki Convention (as the convention is commonly known and hereafter called) was the first of

³ Regions are used in a number of different ways within academia. For an overview of the usage, see Petrogiannis and Rabe, 2016. In this thesis regions refer to a geographical scope comprising regional institutions.

its kind to include all sources of pollution in and around the sea in a single convention. The Helsinki Convention was first agreed upon in 1974 by the Baltic coastal countries – Denmark, Finland, East Germany, Poland, Sweden, USSR, West Germany (HELCOM, 1993). At that time, the Baltic Sea region featured divergent political, economic and ideological systems, opposing military alliances, and East-West political tensions. The Convention emerged in a poor strategic climate, to say the least. The general suspicion and desire to protect sovereignty even prevented the badly polluted coastal zones being mentioned in the Convention (VanDeveer, 2011). Still, the member states agreed to establish a commission to facilitate regional cooperation and to act as the governing body of the Helsinki Convention. Since 1947, the Baltic Marine Environmental Protection Commission or the Helsinki Commission (hereafter HELCOM) has coordinated the management efforts of the member countries. At the time, HELCOM positioned itself as a science based collaboration forum and took a technical approach to protection measures. The focus on scientific collaboration seemed essential in the frosty political climate (Tynkkynen, 2014; VanDeveer, 2011).

After the Cold War, many actors declared that they wanted to prevent destructive national protectionism from ever again emerging (Rai, 2004; Barnett and Duvall, 2005). The post-war era was full of optimism and high ambitions to create global institutions supporting cooperation. Different forms of international collaboration and governance approaches started to flourish. Also in the Baltic Sea region, the opportunities for regional cooperation improved dramatically (Hassler, 2016). Diverse activities began to connect cities, business and civil society organisations across the sea. The activities mixed private and public actors and coordinated independent units without a central authority (Dahl and Nordström, 2014). These type of network-based collaboration are often seen as the core character of modern governance organizations. In these networks, the state has a less hierarchical role. Some scholars argue that this development gives more actors opportunities to get involved in decisions that affect them, and therefore see it as a radicalization of democracy (see, e.g., Delmas and Young, 2009). Critiques, on the other hand, argue that this type of network collaboration allocated decision-making power outside of democratic institutions, consequently lowering the opportunity to secure accountability (see, e.g., Dahl and Nordström, 2014).

To reflect the new political situation for international environmental collaboration, the member countries revised the Helsinki Convention in

1992. The bordering countries of the Baltic Sea and the European Community agreed on a new manifestation of the Convention, which now also included the coastal waters (UNEP, 2015). The updated Helsinki Convention covers the whole of the Baltic Sea: the full body of water, inland waters and the seabed. It even includes measures to reduce land-based pollution in the extended catchment area (UNEP, 2015). The dominant framing of the pending problems in the Baltic Sea emphasizes the regional scale and argues the most appropriate solution to be an ecosystem approach on the level of the entire sea (Tynkkynen, 2015). Tynkkynen (2015) argues that the scale of the framing to some extent directs attention away from local concerns and pollutants related to the sea environment and that local actors are further excluded from the scope of the problem due to the heavy emphasis on science in the planning for solutions (Tynkkynen, 2015).

HELCOM continues to coordinate collaborations among the member countries after the revision of the Convention. HELCOM's relatively small staff in Helsinki coordinates hundreds of meetings all over the region with different actors. State actors on the level of official state representation come together in a joint policy-making capacity. Other actors, for example, NGOs and private and international organizations, participate based on their expertise in order to share and analyse substantial quantities of information and by this support recommendations (VanDeveer, 2011). HELCOM's main policy instrument is non-binding recommendations for protection activities. All efforts are organized as voluntary cooperation with shared responsibilities (HELCOM, 2016a). The member states are assumed to convert the recommendations into national programmes. The recommendations reach legal status when they are incorporated in national legislation and policies. HELCOM recommendations are generally highly scientific and technocratic in nature, often including both emission standards and process standards (VanDeveer, 2011). HELCOM has issued some 200 recommendations since 1974, including HELCOM MPAs (HELCOM, 2016b).

Another important step in the development of the Baltic Sea's regional management occurred when the member countries adopted a strategic plan in 2007. The plan is called HELCOM's Baltic Sea Action Plan (BSAP), and it aims to more strategically organize the regional efforts towards good environmental conditions in the Baltic Sea by 2021 (HELCOM, 2016a). The BSAP includes ten categories organized around eutrophication, biodiversity, hazardous substances and marine activities. One of the action areas

is the HELCOM MPA⁴. According to HELCOM, the BSAP incorporates the latest scientific knowledge and innovative management approaches. This, HELCOM states, is needed to support strategic policy implementation and to stimulate goal-oriented multilateral cooperation (HELCOM, 2016a). The Swedish Agency for Marine and Water Management (SwAM) presents BSAP as “the currently most comprehensive international rescue operation for the Baltic Sea” (SwAM, 2016). SwAM also highlights links between HELCOM’s action plan and other international initiatives. The BSAP has been a role model for EU initiatives such as the EU’s Marine Strategy Framework Directive and the EU Strategy for the Baltic Sea Region⁵ (Jouanneau and Raakjær, 2014).

2.2.1 HELCOM MPA

HELCOM MPAs is an ambitious agreement to establish a cohesive network of protection measures around the Baltic Sea coastline.

⁴ The system of Coastal and Marine Baltic Sea Protected Areas original abbreviation was BSPA, but to avoid confusion with the action plan’s abbreviation BSAP, it was changed. To gain better recognition internationally, it was decided that the network should use IUCN’s abbreviation for Marine Protected Areas – resulting in HELCOM MPA.

⁵ These regional strategies more firmly brand the Baltic Sea region as a region within the EU. The EU uses the idea of regions to coordinate transnational actions under the same banner (Petrogiannis and Rabe, 2016). The Baltic Sea region is often seen as an example of successful macro-regional cooperation and as a pioneer in creating new regional structures for governance (Jouanneau and Raakjær, 2014).

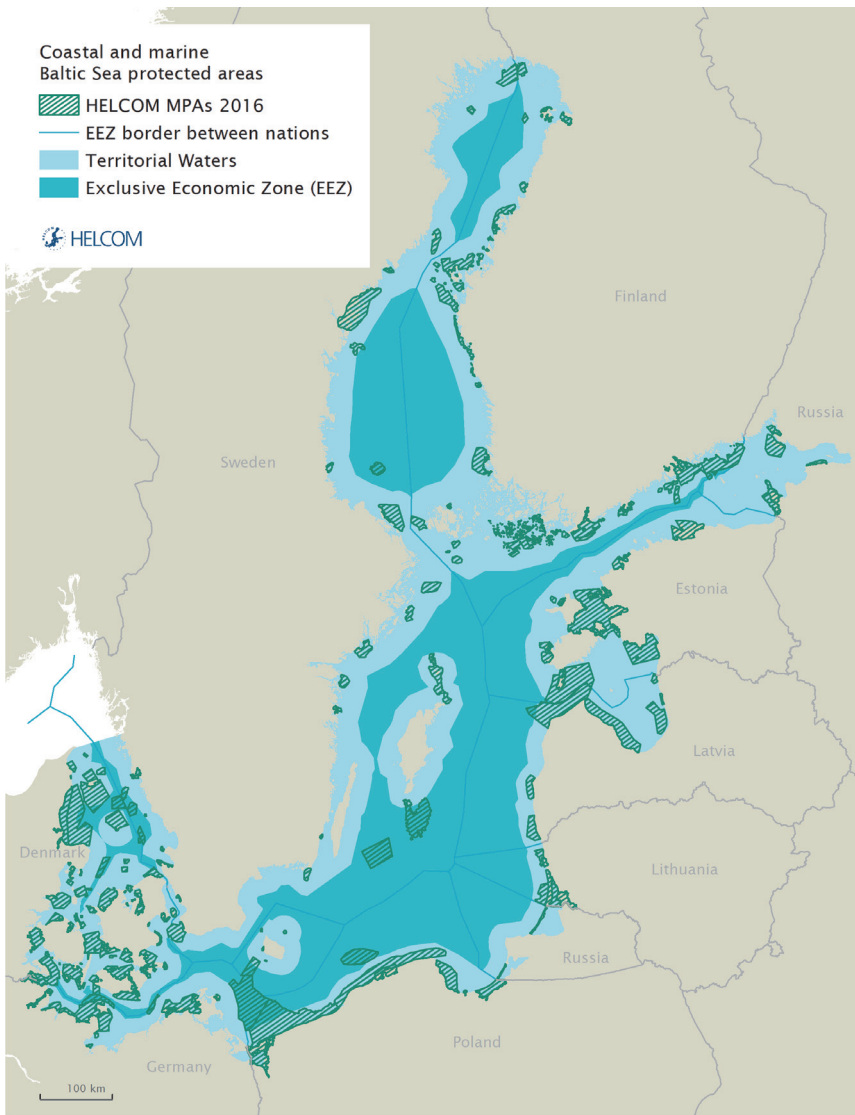


Figure 2.1: Orientation map HELCOM MPA 2016. (HELCOM, 2016d)

In 1994, a list of 62 national MPAs was initiated as the base of the HELCOM MPA network. HELCOM applies IUCN’s wide definition of MPAs, saying that an MPA should cover an area of at least 1000 ha and have an individual management plan. The member country has to recognize the area as a protected area, but the level of restriction is up to the

respective country to decide. During the subsequent 20 years, more than 100 sites were continually added to HELCOM's list⁶. Together the protected areas cover more than 10% of the Baltic Sea and make the region one of the few that managed to reach the CBD target in time. HELCOM MPAs aim to support fulfilment of the Helsinki Convention, the Baltic Sea Declaration (1990) and the United Nation's Convention of Biological Diversity (1992)⁷ (HELCOM, 1994). These conventions are strongly embedded in the sustainable development discourse and the win-win ambitions linked to actor involvement can therefore also be detected in HELCOM's documents about the HELCOM MPA. In the *BSEP105 Planning and Management of Baltic Sea Protected Areas: Guidelines and tools*, HELCOM addresses job opportunities and economic benefits for local people as a win-win example. The guidelines describe access to new facilities and services, the training of local tourist guides and the involvement of local user groups in conducting surveys and monitoring as opportunities for the local community created by MPAs (HELCOM, 2006). This is an example of how MPAs are argued to satisfy conservationists, governments, businesses (such as tourism operators and fishers) as well as local communities, while at the same time securing environmental protection (see, e.g., Bennett and Dearden, 2014).

However, as argued in Chapter 1, there are still challenges to navigate among conflicting interests of affected actors in each local case. Suuronen and colleagues (2010) have examined Baltic Sea cod fishers' attitudes about MPAs and found that the fishers are generally sceptical, arguing that MPAs are unsuitable for protecting stocks of migrating fish. Their study was conducted during the same period as the HELCOM member states mustered to reach the deadline of the CBD 10% target. Unrealistic management objectives, inaccurate baselines and poor locations are, according to the fishers, making MPAs inappropriate and ineffective. The Polish fishers went as far as to say that practically *all* management measures enforced in

⁶ In 2016 there were 174 designated HELCOM MPAs, covering a total of 54 367 km², of which 90% (49 107 km²) is marine area. To the date, the marine area of all HELCOM MPAs equals 11.8% of the total surface area of the Baltic Sea (HELCOM 2016d).

⁷ The CBD introduced the Ecosystem Approach, a "strategy for the integrated management of land, water and living resources that promotes conservation and sustainable use in an equitable way". The ecosystem approach is today strongly embedded in the discourse on nature resource management around the Baltic Sea (CBD, 2016).

the Baltic cod fishery⁸ have been unproductive and unrealistic, as they ignored fishers’ knowledge. If fishers’ knowledge had been better incorporated into the planning, the result would not have been as poor, they argued.

The guidelines state that MPA proposals should be communicated early and carefully introduced to the affected parties. The guidelines lay down the need to educate local actors on the benefits of the protection. “Resource users who understand the need for conservation and its objectives are more likely to support the concept in the long run” (HELCOM 2006: 52-53). The guidelines claim that when local actors have given evidence for the conservation objectives, they will show support and dedication to the protected area rules. Even so, environmental NGOs in Poland and the Baltic States claim the possibilities for participation are very limited and that it is difficult to access relevant information (Boström et al., 2015). Representatives of environmental NGOs in Poland and the Baltic States claim that they hardly ever get invited to attend consultation meetings, that they are given the shortest possible time frame in referral rounds, officers avoid meeting them face-to-face and official documents are hidden away where no one can find them (Boström et al., 2015). Polish environmental NGOs have even made queries to EU suggested that their government is violating the Aarhus Convention (Mason, 2010; Boström et al., 2015).

2.3 Aarhus Convention

The Aarhus Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters (Aarhus Convention) was articulated to improve information sharing among affected actors in environmental matters. The United Nations Economic Commission for Europe declared the Aarhus Convention in 1998 and was translated into EU law by Directive 2003/35/EC on public access to environmental information

⁸ After substantial investments and governmental subsidies contributing to an over-capitalization of the fishing fleet the high catches of Baltic codfish (*Gadus morhua callarias*) collapsed in the 1980s. A number of temporal and seasonal fishing bans were introduced to protect the resource, while simultaneously annual total allowable catches were pushed beyond the precautionary limits to calm, what was understood as, a desperate industry. By 2005 the cod stock was still declining, and fishers argued that even the larger closures network (for example Bornholm-Gdansk-Gotland Deeps) performed poorly (Suuronen et al., 2010).

and appeals. The Aarhus Convention can be seen as a direct call for a more responsive relation between governments and its citizens (Mason, 2010). The Convention addresses the duties nations have to their citizens and civil society to provide access to information, public participation and access to justice (UNECE, 1998). It has become an important complement to previous agreements shaping the work with environmental protection in the Baltic Sea. The Convention is often praised as a unique example of an international agreement integrating environmental and human rights and of an effective implementation of procedural rights to establish conditions necessary for realizing the substantive human rights to adequate environmental quality (Mason, 2010). The Directive states that the public should be enabled to express opinions and concerns relevant for environmental decision- and policy-making and that these opinions should be taken into account by the decision-makers. By doing so, the Directive argues to ensure 'effective public participation' (2003/35/EC para. 3). The Directive states that accountability and the transparency of decision-making will increase on the back of effective public participation. Further, the public will become more aware of environmental issues through participation, and therefore the public support of decisions will be higher (2003/35/EC, para. 3).

The EU had a minimum standard of public access to information and participation prior to the Aarhus Convention, and the Convention amplified this pathway, with a particular focus on actor involvement in governance approaches (Zaharchenko and Goldenman, 2004). For the post-socialist and post-communist states, the challenges of implementing the Convention were somewhat greater (Cherp, 2001; Zaharchenko and Goldenman, 2004; Mason 2010). Elements of environmental assessment existed in the socialistic planning before the process of transition, but almost all planning and decision-making around environmental matters were an internal governmental procedure completely closed to actors other than the state (Cherp, 2001; Zaharchenko and Goldenman, 2004). The rights and obligations stated in the Aarhus Convention were in strong contrast to how governmental institutions shared information in the former Eastern bloc (Zaharchenko and Goldenman, 2004; Mason, 2010). In the late '80s and early '90s these countries implemented reforms to incorporate public opinions into environmental management, nevertheless extensive dismantling of the former regimes was required to correspond to the Aarhus Convention. The implementation of the Convention became an important part of preparation for EU membership in, for example, Poland and the Baltic States. It was seen as a necessary demonstration of their

commitment to the EU’s understanding of democracy (Zaharchenko and Goldenman, 2004). By ratifying the Aarhus Convention almost all post-socialist and post-communist countries committed themselves to aligning with west European practices of environmental governance. The Russian Federation has not signed or acknowledged the Aarhus Convention (UNECE, 2016)⁹.

The complex history of competing ideological and political-economic systems in the Baltic Sea region makes it relevant to question how the access to information, public participation and access to justice are incorporated into the regional environmental protection regime. How much do the conditions of access to information and right to participation differ between HELCOM’s member states? The Aarhus Convention demands substantial changes that are intended to strengthen public participation, but it is vague on how to accomplish this. The Convention, the EU Directive and HELCOM leave interpretations of undefined terms such as ‘early’ and ‘effective’ participation to the discretion of member states (Hartley and Wood, 2004). The Conventions open up space for both member states and regional actors to create their own terms for public participation. The conditions and qualities of participatory platforms consequently vary between contexts. Mason (2010) concludes that information disclosure and public participation within the Baltic Sea region is generally used as a means of legitimizing existing policy rather than for developing governance institutions.

2.4 To realize the HELCOM MPA recommendation...

The HELCOM MPA network aims to protect valuable marine and coastal ecosystems by restricting human activities. To secure compliance, HELCOM promotes actor involvement in the development of the designated areas’ specific management plans. HELCOM’s guidelines for the implementation of MPAs state that actor involvement in planning and management increases awareness and support of marine conservation (HELCOM, 2006). Humans are declared a part of the ecosystem, and ecosystem management therefore has to consider social, cultural, economic,

⁹ A total of 13 out of the 15 former Soviet republics have ratified the Aarhus Convention. Only the Russian Federation and Uzbekistan have neither signed nor acceded to the Aarhus Convention.

and historical dimensions (HELCOM, 2006). Furthermore, the guidelines state that most designated ecosystems are a mosaic of privately held and publicly managed land, which requires collaboration between state actors and private actors (HELCOM, 2006). Some member states have better domestic conditions to apply actor involvement than others.

In the Baltic Sea region, there is a complex history of competing and varied ideological and political-socio-economic systems. The member countries have different histories and traditions, as well as different governmental conditions, resources and administrative systems. Generally, the difference in governmental conditions is between the traditional governing approach, with hierarchical administrative and legalistic regulatory structures, and the more contemporary western ideas of governance, which emphasize actors' participation, deliberation and transparency (Hassler, 2016). These differences may have noteworthy effects on how nations can and choose to implement regional agreements.

HELCOM's recommendations are reached through consensus-oriented discussions among member states. The recommendations are intended to influence state law and regulations, but research on the domestic implementation of international recommendations (rules and norms) makes it clear that the implementation of international agreements is anything but simple (see, e.g., VanDeveer, 2011, Hassler, 2016). There are numerous factors that may facilitate or inhibit implementation, such as agreement design, organizational capacities and constraints at various levels of the involved institutions and the existence of implementation review mechanisms. Implementation efficiency is also linked to the cost nations are expected to pay in order to reach the international targets (e.g., Hassler, 2016)¹⁰. A common practice in the Baltic Sea region is to combine all related international commitments under the same, already existing policy umbrella (Nömmann and Pädam,

¹⁰ Hassler (2016) examines the implementation constraints of the BSAP for the case of nutrient leakage and shows large differences in cost and willingness to pay among the member countries. For example, Russia and Poland together have to cover a majority of the total cost, whereas the Scandinavian countries can rely on previous investments. The HELCOM calls for collaboration and cost-sharing mechanisms, but the BSAP is almost exclusively based on national implementation. It is likely that the same goes for the implementation of HELCOM MPAs, also a BSAP action area, and that the quite costly process of consultation is resistance in less resourceful states.

2016)¹¹. Existing jurisdictional and administrative arrangements, as well as national interests and constraints, may therefore have a great effect on the national implementation (Hassler, 2016).

Sweden, for example, has a long tradition of institutionalized participation (e.g., Moltin and Hedlund, 2009; Dahl and Nordström, 2014), whereas the post-socialist and post-communist states are newer to actor involvement in institutional decision-making (e.g., Zaharchenko and Goldenman, 2004; Mason 2010). Since Poland and the Baltic States became members of the EU, they have undergone a transformation of their governmental administration to narrow this gap. For example, they have implemented performance management, where they assess the quality of the administration through the level of citizen participation methods, and public-private collaborations in the implementation of initiatives such as the HELCOM MPAs. The performance management reform has increased the similarities between the Baltic States and the Scandinavian countries (Hammerschmid and Löffler, 2016). The overhauling of historical regulatory structures was largely motivated by the importance of complying with EU directives. The EU integration tends to overshadow specific BSAP commitments in the Baltic States and Poland (cf. Hassler, 2016 on National Implementation Programmes of nutrient leakage). Even if the BSAP was explicitly designed to harmonize with existing, relevant international agreements, prioritizing implementation measures can be quite complex, and priorities may differ among member countries depending on the institutional setting (Hassler, 2016). The EU initiative of Natura 2000 is often combined with HELCOM MPAs in the Baltic States and Poland, and due to its binding nature, EU structures often dominate the implementation (Interviewee H1, 2015).

Sweden and Finland have played a central role in the development of HELCOM by basically offering the design blueprint for environmental governance (Tynkkynen, 2014). Sweden and Finland can often rely on previously implemented strategies and additional investments to fulfil HELCOM (cf. Hassler, 2016 on National Implementation Programmes of nutrient leakage). Both nations stress their interests in protecting national archipelagos and point to these areas as specifically important for recreational interests in their countries (Hassler, 2016). Still, the Swedish

¹¹ The governments seem to prefer techniques that address more than one target, as it is perceived to be more efficient to address multiple targets simultaneously - even if other techniques may have a higher success rate with individual issues (Nömmann and Pädam, 2016).

government has faced challenges to mobilizing the governance and enabling actor driven conservation in the archipelago (see, e.g., Sandström, 2008).

2.4.1 ... in Sweden

Marine conservation is one aspect of nature resource governance that has historically not been actively targeted in Sweden. Earlier efforts to establish protected areas have mainly focused on terrestrial ecosystems (Wramner and Nygård, 2010). By 2016, Sweden had approximately 4000 terrestrial nature reserves but only 60 marine reserves (SwAM, 2016b). The increased international interest in marine protection has likely contributed to increased attention to Swedish marine and coastal environments. The first Swedish Marine National Park was established in 2009 and a majority of the existing marine nature reserves were established after 2002 (SwAM, 2016b). In 2011, SwAM was constituted as a new national institution with responsibility for water management and marine special planning. Before this, the Swedish Environmental Protection Agency (SEPA) was in charge of implementing all nature protection-related policies and a majority of the national environmental quality goals. Leading up to the deadline of the CDB target, all implementation of Swedish HELCOM MPAs was done under the review of SEPA.

SEPA's, and later SwAM's, work related to marine and coastal protection was directed by the Swedish government's national marine strategy (in Swedish: *En nationell strategi för havsmiljön*, Regeringskansliet, Skr 2004/05: 173) and the national marine environmental regulation (in Swedish: *Havsmiljöförordningen*, Regeringskansliet, 2010:1341). The national marine environmental regulation incorporates more than ten regional agreements (mainly EU directives, such as the Marine Directive, 2008/56/EG) on actions and restrictions relating to marine environmental health. The overall aim of the strategies is to secure a good status for the Swedish marine ecosystems. The strategies allocate responsibilities to central governmental agencies and other actors, and a major part of the responsibility was assigned to SEPA (and later SwAM). The strategies, however emphasized that the agency should plan and conduct their work in a way that enables and encourages participation of affected actors (e.g., 2010:1341, §10). It is argued that the involvement of actors will increase the acceptance of decisions. For example, in the national marine strategy, it is argued that it is important to enable involvement and shared responsibility, as a broader

commitment among actors establishes acceptance of the protection values and selected management approaches.

The importance of shared responsibility is also highlighted in the Swedish Environmental Code (in Swedish: *Miljöbalken*, 1998:808) that regulates the legal boundaries of nature conservation. The Environmental Code gathered new and existing laws under a new rubric in 1998. The purpose of the Code was to facilitate use and to promote sustainable development, in the spirit of the Aarhus Convention. More responsibility was put on individual actors to make sure that they had the required knowledge and acted appropriately, not to defeat the purpose of the Environmental Code with their activities (SEPA, 2003). The increased responsibility was imposed on citizens without expectation of compensation requirements. The laws about nature conservation from 1964 were incorporated in the Environmental Code with some clarifications but no noteworthy alterations.

The dominant form of nature protection in Sweden is nature reserves (SEPA, 2003; Wramner and Nygård, 2010). According to the Environmental Code chapter 7, 4§, a nature reserve can be established when there are particularly strong interests supporting protection. Such interests are to support biodiversity; secure areas for recreation; conserve, restore or create valuable nature, landscapes and ecosystems; and to conserve, restore or create habitats for valuable species. To determine if a nature reserve is an appropriate measure, the decision-making authority should examine different interests and balance the restrictions in relation to the purpose of the reserve. Protective measures with less intrusive effects on landowners' access may be different forms of management agreement between affected actors. In addition, in regards to nature reserves, it is perceived to be important that the decision-making authority collaborates and reach agreements with the affected actors (SEPA, 2003). In the handbook for the establishment and management of nature reserves (in Swedish: *Bildande och förvaltning av naturreservat - handbok*), SEPA emphasizes the importance of collaboration among affected actors to secure good local support. Shared as well as specified responsibilities, and dialogues achieved this.

The strategic implementation of nature reserves is assigned to the County Administrative Boards (CABs). There are twenty-one CABs in Sweden, of which twelve border the Baltic Sea and therefore play a more prominent role in the management of this sea. The CAB are the government's representative closest to the citizens. They are responsible for the local adaptation, implementation and evaluation of the national environ-

mental goals. The CABs' field of responsibilities is nature protection, cultural landscape preservation, fishing and sustainable community planning, among other areas. In the establishment of a new nature reserve, the respective CAB is in charge of the development of the proposal and management plan, as well as the decision-making, implementation and operational supervision (SEPA, 2003). The CAB is responsible for the communication with and education of affected actors, commonly organized through a consultation process. If a reserve is established, the CAB can make agreements for compensation with affected landowners according to the Environmental Code.

To some extent, the CABs' responsibilities overlap with the tasks of the municipalities. There are 290 municipalities in Sweden. The municipalities are a local administrative unit with an elected local government. The Swedish municipalities maintain a high degree of autonomy and independence within the Swedish state, particularly regarding local planning. Among other things, the municipalities address planning and building, energy, cleaning and sanitation, environment and health protection. Sometimes municipalities initiate nature protected areas, but generally, the CAB is in charge of nature conservation. The CAB and the municipality are required to coordinate their protection efforts (SEPA, 2003). The CAB has the power to impose nature protection even if it goes against the will of the municipality, such as if the municipality had planned to build a harbour in an area where CAB wants to secure protective status.

The standard procedures for the establishment of a nature reserve are listed in SEPA's handbook for the establishment and management of nature reserves (2003):

1. Initiation. In general, the establishment formally starts with the relevant CAB initiating a reserve process, often on the back of well-documented nature values and national or international recognition of the specific area.
2. Dialogue. The CAB should as early as possible initiate dialogue with key affected actors, primarily landowners. SEPA (2003) argues that it is important to have a good relationship with the affected landowners and that a good start for the dialogue is crucial to the subsequent process. Landowners may also have important information about ongoing management that affects the procedure.
3. Background. The CAB compiles baseline surveys and relevant material and suggests suitable borders for the proposed area. The

report should examine historical and ongoing management and uses of the area, as well as historical, current and possible threats and disturbances. The report should describe the area and its values, for example, by listing the characteristics of the habitats, key biotopes, key species, red listed endangered or threatened species, support functions, cultural values, production values (e.g., forestry, fishing) and recreational values. The boundaries of the area should be in balance with and support the purpose of the reserve.

4. Consultation. The CAB should consult affected actors. The CAB should strive for an “open process with good participation” (SEPA, 2001:37), for example, by providing affected actors with as comprehensive a set of information as possible. The CAB should establish contact with affected actors, such as local NGOs, other state authorities, the municipality and stakeholders, at an early stage to secure relevant information sharing. SEPA should refer to the Environmental Code’s definition of stakeholders stating that they are actors with specific rights to the area through tenure or user rights, such as owners, community right holders, leaseholders or holders of access quotas.
5. Proposal. The CAB presents a preliminary proposal for the design and management of the nature reserve. The proposal should be as concrete as possible to legally support and locally anchor the plan.
6. Interest review. The CAB reviews private and public interests in relation to the plan according to the regulation in the Environmental Code. Restriction of individual actors’ rights should never be stricter than the purpose of the reserve supply.
7. Compensation. The CAB negotiates with individual actors on terms of compensation. If the proposed reserve plan would have a substantial impact on ongoing management and use, economic loss can be compensated according to the Environmental Code. In some cases, it may also be viable for the CAB to buy or even expropriate the land.
8. Referral round. The CAB proclaims the proposed nature reserves and awaits comments from affected actors (e.g., stakeholders, interest organizations, other state authorities, and municipalities) and actors with specific interests (national and international NGOs, general public) on the proposed plan. The deadline should be fair and never shorter than a month. The CAB reviews the com-

ments and responds to them. If deemed reasonable, the proposed plan should be adjusted to accommodate the new insights.

9. **Decision.** If no information is presented during the referral round that alters or prevents the establishment of the nature reserve, the CAB is now ready to proceed to a decision. The ambition is that all possible conflicts of interest should have been negotiated and resolved during the consultation process. With support by the Environmental Code, the CAB can enforce a reserve even if affected actors have not given their consent. The county governor, the official head of the CAB, decides whether to establish the reserve.
10. **Announcement of the decision.** The CAB is assigned to communicate the decision to all affected actors and to the general public. The procedure for the announcement is regulated by the law and is often done through advertisements in the local newspaper.
11. **Appeal.** The decision to establish a nature reserve can be appealed to the government. The Environmental Code states the grounds on which stakeholders and NGOs can appeal decisions they do not approve. In general, procedural aspects are examined.
12. **Legal force.** The decision achieves legal force three weeks after the announcement of the decision. This means that regulations linked to the reserve now apply and that violations can be punished by law. The CAB must ensure that the area is properly mapped, marked and registered, for example, in national land registers and national land surveys. It should also be clear who the responsible authority in charge of management is. If the nature reserve was established by the CAB, the CAB is generally the authority responsible for the future management.

The standard procedure, as described in SEPA's handbook for the establishment and management of nature reserves, has been applied to most Swedish HELCOM MPAs. After the reserves received legal status, the Swedish government reported them to HELCOM, who adds them to the HELCOM MPA database.

2.5 Background summary

MPAs are internationally recognized as being a prominent tool to mitigate the effects of marine exploitation. To reach their potential, MPAs must be implemented with caution by considering the ecosystem’s context-specific conditions, such as the relation between the resource and human activities. The Baltic Sea states have attempted to increase the environmental status of the Baltic Sea through a network of MPAs. The efforts of the Baltic Sea states to protect the Baltic Sea are motivated by a number of regional and international conventions. The concepts behind of these conventions are firmly rooted in the discourse of sustainable development and emphasises local actor involvement as a way to increase compliance and support. Consequently, institutional participation is argued to secure regional ambitions through local implementations.

The efforts in the Baltic Sea are coordinated by HELCOM. HELCOM’s work has been essential for the development of marine protection and regional collaboration in the area. However, it can be questioned whether the regional platform offers enough support and flexibility to national authorities so that they can sufficiently translate regional agreements to local conditions. The conditions for actor involvement differ among the Baltic Sea states. In Sweden, most HELCOM MPAs have been established as nature reserves following standard procedures regulated by the national Environmental Code. Sweden is perceived as a front-runner in regards to institutional participation and has therefore been selected as a strong, or even successful, case for this study (see further motivation in the method chapter), although Sweden also certainly faces challenges in regards to ‘effective participation’ in coastal and marine conservation.

The theoretical relation between participation and legitimacy

This chapter provides a theoretical discussion about participation and legitimacy. The discussion combines concepts and conditions into a conceptual framework that will be used to analyse participation in relation to legitimacy within the scope of multi-level governance (for illustration, see Figure 3.1: Conceptual framework). The chapter sources material from a number of different fields and subject areas relevant to the aim of this study to contribute to the theoretical understanding of the relationship between participation and legitimacy in multi-level environmental governance and to empirically explore the relation between concepts. To this end, I explored literature on participation with a focus on nature conservation and governance of natural resources (i.e., political ecology, common pool theory, socio-historical approach). A common point between the different fields is that they put the local level in focus and examine decentralization in management of resources. Decentralization is a transformation of power from central to local levels within a public institution. A particular focus has been given to governance of *marine* and *coastal* resources, where so far fishing governance dominates the field. Fishing governance is a slightly different situation than marine protected areas, but still contributes to an understanding of participatory processes in coastal areas.

Legitimacy has also been explored in the context of the governance of natural resources. There is much research within political philosophy and the social sciences concerning how relations in society ought to be arranged to obtain the required support from affected actors. Some level of agreement is necessary for democratic decision-making to proceed into long-term implementations (Bond, 2011). Even if legitimacy has been explored

in classic works by authors such as Weber, it remains one of the most contested¹ concepts in the social science literature (Hurrelmann et al., 2007). The literature on legitimacy covers a range of different arenas and situations. For the purpose of this study, I am interested in examining legitimacy in the local implementation of multi-level governance. This goal directs me to two different bodies of literature that are not normally integrated – the legitimacy of multi-level policy systems and legitimacy through social relations. These two focus on different scales and directness of power (see the section about power in this chapter), but for this study, their combination allows a better understanding of how types of legitimacy on different levels in the governance system relate to and affect each other. This chapter will also include discussion on governance, power and to a lesser extent justice, in order to understand different aspects of participation and legitimacy.

The ambition of this theoretical review is to develop a conceptual framework to examine the relation between participation and legitimacy in the implementation of HELCOM MAPs in Sweden. This undertaking will bridge the large bodies of participation and legitimacy literature and bring elements of them together. The selection and delimitations of this literature review have been driven by the research aim and the research questions of this thesis.

The outline of the theoretical chapter is as follows. The chapter starts by exploring how the concept of multi-level governance denotes the institutional setup to establish legitimacy in the examined cases. Legitimacy is then defined and explored in relation to regional discourses that emphasize participation. The theoretical discussion proceeds to address the concept of participation in order to scrutinize different aspects of and conditions for participation. The review covers institutional aspects of participation, categories of actors, and different forms of access and recognition. From this discussion, power emerges as an underlying condition that shapes different actors' capabilities in the governance process. The chapter concludes by bringing the theoretical discussion together into a conceptual framework.

¹ The greatest division is between researchers that understand legitimacy as based on universal, predictable normative criteria and researchers that argue that legitimacy is contextual (Johansson, 2013). This thesis relates to the later cluster, as it applies an empirically oriented approach to study the legitimacy of decision-making.

3.1 To increase the legitimacy of decision-making systems

Nature conservation policies in most, if not all, of the Baltic Sea states have undergone a transition from vertical, expert dominated policy-making to a more horizontal mode with stronger elements of democratic deliberation (Engelen et al., 2008). Nature conservation is presently being conducted in an institutional context of *Governance*. Governance is an umbrella term for a broad spectrum of steering practices that connects actors to decision-making and implementation in public society. The introduction of the term in the 1990s popularly denotes a transformation from the centrally organized decision-making of public affairs (stated as traditional government) to more inclusive and directed decision-making (Moltin and Hedlund, 2009). One of the motives for this transition is to increase the legitimacy of the decision-making systems (e.g., Scharpf, 2009), perhaps stemming from an increasing awareness that nature conservation policies often hit the ground as strongly politicized matters (Engelen et al., 2008). Issues that are perceived as being merely technical in policy-making often have strong consequences for outcomes. Governance is argued to have the potential to legitimize even those decisions with significant effects on socio-economic activities by involving the affected actors in processes to dissolve conflicts of interest (e.g., Bache and Flinders, 2004; Engelen et al., 2008; Turnhout et al., 2015). In governance theory, scholars often argue that the state should have an enabling role rather than the more traditional role as a hierarchical decision-maker (e.g., Hooghe and Marks, 2003).

There are various conceptualizations of governance. For example, Arora-Jonsson (2013) defines governance as a generic term for a decentralized institutional design where diverse actors and conflicting interests are managed through a process of deliberation. Johansson (2013) states that governance is the inclusion of multiple social and political interests, represented by actors both within and outside of the government. Efforts to achieve common objectives set governance apart from other forms of governing. Moltin and Hedlund (2009) present governance as a mixture of steering by hierarchies, market forces, networks, and discourses. As a model of decision-making, governance generates institutions, structures and processes that provide a policy frame for implementation (Bennett and Dearden, 2014). For this study, governance is relevant as the institutional organization of actor involvement to establish the local legitimacy of regional conservation objectives. This means that governance as used here

relates to the interdependency among actors in the context of decision-making and policy implementation.

The focus on MPAs motivates a distinction between governance and management, as MPAs can be perceived both as a platform for governance and as a nature conservation management tool. Management is often perceived as a technical issue –bureaucrats, experts and planners ‘manage’ when they apply a set of tools to solve a concrete task with clear goals and measurable outcomes (Jentoft and Chuenpagdee, 2009). In this study, governance represents a process of interactive decision-making, whereas management is the enactment and implementation of these decisions. The two approaches are blended in practice: local public agencies can use a management approach to planning processes², and decisions can be made as a management task (e.g., only including professional, technical or scientific expertise). If a management approach dominates decision-making, it is unlikely that the process will allow different actors to deliberate on conflicting interests or explore the ordering of values, norms and principles to support and rationalize project goals (cf. Jentoft and Chuenpagdee, 2009). For the focus of this study, it is interesting to explore whether the relevant public agency mainly uses a governance approach or just a management approach to the MPAs. The different approaches affect the organization of participation, with possible consequences for legitimacy.

One of the concepts behind governance is that it brings decision-making closer to affected actors, with the expectation of more legitimate, effective and appropriate outcomes (Scharpf, 2009). A side effect of decentralized and interconnected decision-making is, however, that it can be difficult for citizens to hold policy-makers accountable in processes where the responsibility for decision-making and implementation is disseminated to different actors (Pierre and Peters, 2005; Johansson, 2013). Demanding accountability may be further complicated by the fact that civil society, which formerly held this role, is largely embedded in decision-making and policy implementation through governance interconnections (Amnå, 2008; Smith, 2008; Boström et al., 2015). Civil society actors increasingly act as consulting experts, process coordinators, co-managers and even heads of implementation (Amnå, 2008). The “inside-position” may affect the actors’ chance to review, challenge or claim accountability from the state. The legitimacy of the political process

² It can also work the other way around –the inclusive features of governance decision-making can be featured in implementation, for example, through co-management of natural resources.

may be in question if it is not possible for citizens to judge whether the authority has fulfilled its responsibilities or not and, if not, to impose sanctions on the responsible actor (Pierre and Peters, 2005).

Governance means more than connections between the national state and actors on the lower level. Environmental problems tend to cross national, jurisdictional and sectoral boundaries, which means that the scope of environmental governance often features a complex web of interdependence among actors on different levels (Bache and Flinders, 2004; Evans, 2012). The type of governance required when many national and international administrative levels are involved in a certain political area is popularly termed 'multi-level governance' (Bache and Flinders, 2004; Moltin and Hedlund, 2009). The prefix 'multi-level' indicates that governance, in addition to horizontal and vertical interdependence between governments and non-governmental actors within a territory, operates beyond national borders. It is important to match the social and ecological scales and the jurisdiction of governance with the problem it aims to handle (Olsson, 2003). For example, to govern the entire drainage basin of the Baltic Sea, transnational collaboration is required (Petrogiannis and Rabe, 2016).

The collaboration in the Baltic Sea region organized by HELCOM is an example of multi-level governance. Supranational, national, regional and local governments are interrelated in territorially overarching policy networks to manage the common sea. The more complex, dynamic, diverse, and large scale an environmental system is, the more challenging it is to govern (Jentoft and Cheupagee, 2009). The concept of multi-level governance is used in this book to capture the complex features and organizations of decision-making. However, it is important to remember the strong normative use of multi-level governance in the EU discourse and accordingly not to confuse the theoretical concept with normative usage. The EU draws on the norms of effectiveness, decentralization and participation in the format of governance to ensure legitimacy for nature conservation policies.

3.1.1 Legitimacy in multi-level governance

Legitimacy in this study is defined as the will to accept governance by acknowledging the order of power and to show compliance with rules and regulations. Those affected generally understand the decisive power of governance as legitimate when it is acquired and exercised according to justifiable rules (Beetham, 2003). Legitimacy is a relevant concept for nature

conservation as it is assumed to lead to order (subjects obey rules and regulations), increase the stability of management (the conservation values become less sensitive to trends and changes in society) and uphold efficiency (goals are more easily achieved with general support) (e.g., Jentoft et al., 2012; Birnbaum, 2015).

European multi-level environmental governance is often criticized as suffering from a legitimacy deficit (see, e.g., Turnhout et al., 2015). The criticism is based on the limited success of decision-making in upholding traditional democratic standards. As a response, European institutions of multi-level governance have emphasized the principles of decentralization, efficiency and participation to establish legitimacy (see, e.g., Scharpf, 2009; Turnhout et al., 2015). The principle of *decentralization* enables member states to implement requirements according to national and regional conditions and motivates them to develop scale-appropriate flexibility in their administrative jurisdictions to better match ecological and economic systems (e.g., Petrogiannis and Rabe, 2016). HELCOM uses this approach for the implementation of HELCOM MPAs (HELCOM, 1994).

The second principle is *effectiveness*. This principle can result in the coordination of different activities to fulfil a combination of conservation and sustainability goals (Turnhout et al., 2015). A consequence, for example, is that marine and coastal conservation under the EU's Natura 2000 can also be identified as HELCOM MPAs (HELCOM, 2016c). The principle of effectiveness includes cost-effectiveness, which is preferably optimized by including socio-economic benefits to create win-win situations (Turnhout et al., 2015). Since scale-appropriate administration is argued to potentially maximize advantages and minimize costs, effectiveness further support the concept of decentralization (see, e.g., Bache and Flinders, 2004).

The last of these principles to secure legitimacy is *participation*. It is argued that the participation of affected actors in planning legitimizes decisions, especially when conservation objectives can be affected and have effects on socio-economic activities (Turnhout et al., 2015). The idea that procedural aspects secure legitimacy has grown with the popularity of governance within Europe since the 1990s and has been emphasized, not the least through the Aarhus Convention. Procedural legitimacy is now a dominant argument in nature conservation policies in Europe (see, e.g., Engelen et al., 2008; Turnhout et al., 2015). Scharpf (2009) even argues that the EU presents an international extreme case in terms of procedural legitimacy for multi-level governance. Legitimacy that is based on procedural aspects relates to the inflow of opinions leading up to a decision,

focusing on an ideal that those affected by policies are the most vocal in the decision-making (Scharpf, 2009). A contrasting opinion is that legitimacy is justified on content with reference to the common good (Engelen et al., 2008). The tendency towards procedural legitimacy affects the organization of the entire system.

The EU offers a clear example of how the tendency towards procedural legitimacy has shaped an institution. The EU institution has several ways of incorporating pluralistic standpoints but few, if any, platforms to create common views around content or outcome values (Scharpf, 2009). Instead, the national states are expected to secure legitimacy based on both procedural and outcome values. Despite the increasing argumentation that the regions hold the upper hand in regard to addressing complex problems, it is up to the member states to ensure citizen compliance and support through decentralized and participatory planning for implementation (Scharpf, 2009; Turnhout et al., 2015). Baltic region environmental actors have been shaped by the EU's substantial involvement in the region, so the same mechanisms of multi-level legitimacy can be seen in HELCOM (VanDeveer, 2011; HELCOM, 1994). The member states organize local planning and implementation with the ambition that participation will create legitimacy for the multi-level governance system as well (cf. Scharpf, 2009 exploration of the EU). Given the interest of this study, it is relevant to explore how the organizational efforts made on the regional level affect the ways in which legitimacy is developed on the local levels. The emphasis on participation to secure the legitimacy of multi-level governance in Europe further motivates this study.

3.1.2 Legitimacy through participation

The discourse of participation in European conservation projects states that affected actors ought to be consulted and engaged in policy practice (e.g., Zaharchenko and Goldenman, 2004; Turnhout, 2015). The participation of key actors is argued to be a central requirement to improve the level of legitimacy in conservation (Engelen et al., 2004; Scharpf, 2009; Birnbaum, 2015; Turnhout et al., 2015). It is therefore relevant to explore how local participatory planning establishes legitimacy, including in the context of legitimacy for multi-level governance. In this section, I will discuss how acts of participation may establish aspects of legitimacy. The following section will further examine participation as an event and the important conditions needed to enable participation in institutional arrangements.

Legitimacy is in this study defined as the will to accept governance, shown by acknowledging the order of power and compliance with rules and regulations. This definition means that the study explores legitimacy from the subjective perspective of the social agent involved in the power relations. The interest in the legitimacy of social relations for a particular situation and in a given context directs this study towards a social scientific understanding of legitimacy. Scholars interested in the legal, moral or political philosophical understandings of legitimacy instead view legitimacy in universal ways independent of context. The key to understanding legitimacy in a given situation, according to Beetham (2003), is understanding that legitimacy has a multi-dimensional structure. Beetham (2003) argues that three different dimensions constitute and secure legitimacy: law, beliefs and action. Therefore, for a conservation objective to obtain local legitimacy it must relate to the laws, beliefs and actions of the affected actors.

Let me elaborate on Beetham's (2003) reasoning. The first dimension is that of rules and relates to justification in terms of legislation. For example, one question is whether the state has the legal right to enforce protection measures on privately held resources. If the legal system does not justify certain measures in particular situations, it is likely that the affected actors will resist. However, legal validity is not sufficient for legitimizing nature conservation. The legal system itself needs justification. Beetham (2003) argues that justification of the legal system is grounded in commonly held beliefs about the rightful sources and qualities of authority. It is important that local actors involved in coastal management believe that decisions affect them in a just, appropriate and equal manner, that the responsible actors are trustworthy and that all are treated with respect (Lind and Tyler, 1988; Jentoft and Chuenpagdee, 2009; Smith and McDonough, 2010; Surronen et al., 2010; Jentoft et al., 2012; Jagers et al., 2012).

As previously discussed in this chapter, actor involvement through governance increases the possibility of adjusting implementation according to the actors' perspectives. These adjustments will lead nature conservation to become anchored in commonly held beliefs through participation. Beetham (2003) argues that most authorities with power are legitimized by the societal need that the system of power aims to satisfy. For nature conservation, this would mean a commonly held belief that governmental interventions to protect nature is required and just. This kind of reasoning relates to the outcome values. As discussed, the dominant discourse of legitimacy in European conservation policies privileges procedural aspects by designing organizations around the process leading up to decisions,

rather than by evaluating the content itself. Further, the European regional discourse prioritizes the affected individuals, arguing that the government should establish the basic security of individual freedom (Scharpf, 2009). Protection values may motivate the redistribution of resources to benefit the common good; such measures are often perceived as problematic from an individual freedom perspective. Accordingly, tensions may exist among procedures and outcomes in nature protection (Gunnarsson-Östling, 2011).

Beetham's third dimension of legitimacy is action. Actions demonstrate consent. The expression of consent contributes to legitimacy because it increases actors' feelings of commitment. By taking action (e.g., voting, attending a public hearing or consultation process), the actors acknowledge a relationship between themselves and the authorities and are exposed to a sort of moral commitment to engage (see also Johansson, 2013). Even if the original motive of participation was self-interest, the now established relationship with other actors creates a form of commitment to uphold the purpose of the relationship, hence acting to sustain the project goals (Beetham, 2003; see also Scharpf, 2009). In this way, it can be argued that actors, by the act of participation, are given moral grounds for compliance with the nature protection project. Through the act of participation, actors are signalling to the community that they legitimize the governance intervention because their action symbolizes support (Beetham, 2003). If the process manages to steer a wide range of actors towards shared learning, collective goals and values, the process will support the evolution of shared beliefs (see also Johansson, 2013).

Actors who disagree with the proposed plan or system could potentially find themselves in a dilemma: could their participation increase legitimacy for the conservation objective they want to challenge? According to Beetham (2003), it quite likely will. So, what actions do actors generally take when faced with disagreement and disappointment with management? Jentoft (2000a) argues that there are two plausible reactions to disappointment in regulatory interventions: either actors disobey the rules and rebel against the system, a so-called "exit" response, or the actors air their disappointment in the institutional arrangement and try to obtain support for their criticism, a "voice" response. Those advocating the participatory approach hope that actors will choose the latter and, through the process, become morally committed to the decision.

To make feasible the voicing of concerns within a process, the institutions must allow it to happen. The system must offer ways for actors to express criticism (Jentoft, 2000a). On a minimum level, the authority must

acknowledged the criticism. If an actor's claims are not recognized, the actor will likely not participate and therefore become detached from the political process. This can create a negative spiral of remoteness. Scholars argue that such a spiral generally is core in unjust conservation situations (e.g., Adams, 2009; Myers and Mhagir, 2015).

Negative experiences of conservation interventions are likely to influence how new conservation policies are perceived. Strong unfairness-based reactions over seemingly minor decisions are often rooted in bad experiences, previous disappointments and mistrust in authorities (Jentoft and Chuenpagdee, 2009; Smith and McDonough, 2010). For example, the Bornholm MPA was resisted by cod fishers as its location affected the national fleets differently and hence was perceived as unfair (Surrønen et al., 2010). If regulatory measures are perceived as unfair, the fishers' will to comply is severely reduced (Jagers et al., 2012). In contrast, positive experiences of participation are shown to positively affect the justifications for rules (Jagers et al., 2012). In the next section of this chapter, I will explore what factors can generate such "positive experiences" of participation.

3.2 Participation

Participation is an act of engagement or social commitment (Amnå, 2008). Examples of participation are voting, political consumption and activism through civil society. A citizen's individual social commitment is developed and expressed through the different spheres of her social context. This study focuses on participation as an act of commitment in the public arena: actors using their civil rights to engage in different stages of policy development and implementation. The definition intentionally leaves open what it means "to act". Through the texts, varieties of more or less organized acts are introduced, from commentaries in official referral rounds to public debate. The acts are all unified by their purpose: to affect decision-making and policy implementation. This section will delve into the "who" and "how" of participation. As discussed previously, participation is seen as a tool to make management better and more efficient by anchoring the conservation objective in the local context, resolving possible conflicts of interest and identifying commonly held beliefs in support of the conservation objectives (e.g., Hurrell, 2005; Moltin and Hedlund, 2009). Participation also involves the opportunity to provide meaningful input to decision-making – meaning

that the actor's contribution is respected, valued and considered when the decision is made (George and Reed, 2016).

3.2.1 Actors

'Actor' is a broad term used to indicate any individual or collective entity that acts within and in relation to institutional arrangements. Actors are generally clustered as governmental agencies, research networks, non-governmental organizations, media, business associations and individual citizens (Hedlund and Montin, 2009). However, these are usually very heterogeneous categories. Depending on the level and purpose of participation, the categories of actors vary. Coastal areas often hold a different constellation of actors than terrestrial and marine conservation areas because coastal areas feature both coastal and marine conditions. In the case of coastal nature conservation, many different interests and activities exist that create actors. For example, there are different forms of ownership and user rights, such as private, state owned or community commons. Further, ownership may not yet be officially established, so that the conservation project causes or aggravates tenure conflicts. There are a number of different practices performed in coastal areas, such as fishing³, hunting, agriculture, livestock keeping, forestry, excavation of sand and minerals, sewage plants, power plants, wind power stations, industry, research field stations, entertainment businesses and transportation with powerboats, sailing boats, shipping and ferries. Coastal areas often host summer guests, tourists and recreational visitors such as canoers, campers, swimming, hikers, bikers, ice skaters, skiers and water-skiing. In addition, the values that motivate protection are diverse and may include, but not be limited to, biodiversity, other ecological and geological values, cultural heritage, recreational values, economics or a scientific interest in natural resources. In turn, these values relate differently to different actor groups and interests.

The term actor is often used interchangeably with the term stakeholder. However, stakeholder is often defined more narrowly and embedded in the institutionalized arrangements of participation. 'Stakeholderiness' is determined by planners and is often intimately connected with property rights ("to own the stake"). In the empirical material, both County Administrative

³ e.g., small-scale professional and semi-professional fishing with differently sized boats, recreational lure fishing with or without boats, seine fishing, ice fishing, large-scale national fishing and international fishing fleets

Board officers and landowners use the term stakeholder, intentionally or unintentionally, to narrow the range of relevant actors in the process. The rationale behind this exclusion will be discussed later.

3.2.2 Levels of participation

There are many different forms of participation internal and external to institutions. The theoretical literature on participation has worked to distinguish between different forms and levels of participation. Arnstein's (1969) ladder of participation is a classic example. The ladder illustrates stages of participation within institutional arrangements based on the relation between actors and the state, with a particular focus on the features of participants' power to determine the final decision. The ladder has eight rungs: 1) manipulation, 2) therapy, 3) informing, 4) consultation, 5) placation, 6) partnership, 7) delegated power, and 8) citizen control. Generally, the two first rungs are defined by Arnstein as non-participation, as they lack intention to enable participation but rather aim to "educate" or "cure" the participant. Rungs three to five are described by Arnstein as degrees of tokenism. Planners may consider citizens' opinions, but citizens are not involved in the decision-making. As the citizens have no way of ensuring that their views are incorporated in the decision-making, existing power relations remain intact. Arnstein argues that degrees of actual citizen power exist from rung six up. Partnership, at rung six, enables citizens to negotiate and engage in trade-offs with powerholders. At the top of the ladder, on rungs seven and eight, citizens hold the majority of decision-making or full managerial power. At these rungs, Arnstein argues, citizens have control over the policy and managerial aspects of a programme and can negotiate conditions with the state representatives. Arnstein only gives example of state supported processes and she does not discuss revolution or similar situations where citizens take control over decision-making by force.

The typology is placed along a ladder because Arnstein (1969) wanted to illustrate her criticism of the lower forms of participation. She warned about using participation solely as an instrumental means of legitimizing already established ends, which is a criticism often levelled at nature conservation arrangements (e.g., Cook and Kothari, 2001; Adams, 2009; Saunders, 2011; Jagers et al., 2012; Myers and Muhajir, 2015; George and Reed, 2016). Arnstein argued that "real" participation is only to be found on the higher rungs of her ladder. Bearing in mind that Arnstein's ladder disregards those multi-dimensional characteristics of participation that can shift over time, the

distinctions can still be useful for analysing the organization of participation in a given setting. Relevant to note is that the academic debate on participation is increasingly moving away from questions of different types of participation and the organization of such categories. Scholars are now focusing attention on the effects of participation on practice. Scholarly attention has led to a wide range of critical studies investigating intended, divergent and unintended consequences of participation (Turnhout et al., 2010). It is increasingly known that participation does not always play out as the public authority intends with regard to actors' support, shared learning and mobilized activities (see, e.g., Agrawal, 2005; Turnhout et al., 2010).

3.2.3 Institutional participation

Both normative and instrumental approaches to actor participation build on the argument that the involvement of key actors or representative actors has the potential to limit conflict and increase the legitimacy of environmental protection (Reed, 2008). The idea of institutionalized participation is that if different groups of relevant actors are heard in advance, the conservation objectives will be contextually adapted and possible conflicting interests will be sorted out prior to a decision.

Kelleher (2015) states that planners have rightfully acknowledged participation as an important component of MPA establishment. He states that no MPA has ever been successfully established anywhere without general and local support. In situations where users can avoid sanctions for rule breaking with relative ease, such as in peripheral coastal and marine areas, voluntary compliance by a majority of the users is of essential importance (Kalleher, 2015; Jager et al., 2012; Jentoft et al., 2012). Kalleher claims that the local community must "own the MPA intellectually and emotionally (2015:3)" in order for the MPA to succeed. A parallel can be drawn from this statement to major conclusions drawn by the research field addressing the co-management of common pool resources (CPR). The CPR literature presents a number of advantages from community oriented actor involvement, such as reduced conflicts and the increased legitimacy of protection measures (Zachrisson, 2004).

The CPR literature pays significant attention to the institutional arrangements that support effective common pool management. Elinor Ostrom (1990), who is central to CPR research, has identified the institutional

design principles⁴ underlying effective collective action. She argues that the design principles create the conditions for communal management of CPR. Critics, as well as Ostrom herself in later works, emphasize the importance of contextualizing the design principles through participation and adaptation to local conditions (Delmas and Young, 2009). Ostrom's design principles emphasize the importance of self-organization, but they also acknowledge the significance of top-down stimulus to secure the bottom-up development of management (Stenseke, 2009; Hovik et al., 2010). This stimulus may be important to generate conditions for participation and may bring the long-term acceptance of decisions and management objectives through other forms of governance arrangements as well. Ostrom (1990) argues that the institutional setting must support local involvement through the institutional design. The local level, furthermore, must be interconnected with other levels. Interconnection and support should occur through institutionalized participation arrangements, such as those for the HELCOM MPA.

As I discussed in Chapter 2, Sweden has a long tradition of institutional participation through consensus-oriented dialogue (Dahl and Nordström, 2014). Consensus occurs when the affected actors develop and agree to support a decision in the best interest of the whole. When referring to consensus, it often means both the decision itself and the deliberative process to reach such agreement. In Sweden, the practice emerged from labour rights struggles; the underlying idea was that in order to manage conflicting interests, the factors in the conflict had to be known by the parties concerned (Moltin and Hedlund, 2009). In practice, consensus often means that actors have to compromise with their initial standpoint in order to reach a decision that all actors can accept. Acceptance – or the process of giving consent – is strongly emphasized in the discourse of participation on the national Swedish level (Dahl and Nordström, 2014) and within HELCOM on the regional level (VanDeveer, 2011). Reasonably, the long tradition of processes developed to obtain consent would mean that Swedish institutions are well organized for implementing international

⁴ The principles are 1) clearly defined boundaries for the resource and users; 2) a match between management rules and local needs and conditions; 3) user participation in the modification of rules; 4) a governing body recognized by outside authorities; 5) a monitoring system maintained by users; 6) graduated sanctions; 7) accessible dispute resolution; and 8) a local organization that is interconnected with other management systems on different levels. Ostrom (1990) developed the principles by identifying common rules applied across a broad range of CPR user communities.

governance agreements through participation. However, as discussed in Chapter 2, Swedish institutional participation is not without flaws. One significant difference between the Swedish tradition and the governance model promoted since the early 1990s is that the latter does not focus on visualizing resource differences. Instead, consensus is assumed to be reached despite conflicts in political, economic and social interests. Fraser (2009) argues that this assumption⁵ creates views of governance processes as being neutral and of all actors as having equal access to institutional arrangements. Instead, she argues, the development promotes bureaucratic leadership and expert knowledge. Planners increasingly shape the understanding of the environment and frame both problems and solutions. Presumably, this understanding of consensus decision-making now dominates the multi-level governance of the Baltic Sea region.

Scholars warn of a risk that the arbitrary implementation of actor involvement is putting more responsibility on individual planners (Fraser, 2009; Hovik et al., 2010; Hysing, 2013). Depending on the capability and focus of the particular planner, it is likely that public participation is differently organized. Hysing (2013) addresses the problem of growing complexity in the role of nature resource managers. The officers are expected to consider and promote democratic values and citizen participation through legally regulated processes of public consultation. At the same time, they are supposed to handle everyday environmental issues and the long-term implementation of sustainable objectives. This puts high requirements on the officers in charge of nature resource planning to be up to date with various fields of expertise. Swedish CAB officers dominantly have a natural scientific background, mainly in biology (Westberg and Waldenström, 2016). Interaction between public planners and other actors are seen as an important part of governance. In Sweden, more actors get in

⁵ Fraser (2009) claims that modern governance contributes to a depoliticized and neoliberal view of nature conservation. Neoliberal, in this context, means that resources to a greater extent have become commodified, privatized and exposed to marketization. An example of such development is the nature conservation policy introduced in Sweden in 2001 (Reg. skr. 2001/02:173). This policy features strong ideas about sustainable resource use in combination with continuous economic growth. The policy also pushes for deliberative ideas. Even so, the policy offers very limited directives on how the relevant authorities should implement the emphasized participatory element. Through the bureaucratic platforms, nature conservation appears to be neutral. There is a rather strong scientific debate about the depoliticization of nature resource management. See, for example, Agrawal (2005) and Adams (2009) for an overview of this argumentation. Some of these points are indirectly addressed by this thesis.

contact with a public servant, officer or politician to negotiate their position, give feedback or comment on a particular issue than the European average (Eurobarometer, 2013). However, according to Amnå (2008), it is mostly the resourceful citizens who participate in this way. Only actors who believe they have the capability to influence decisions or situations by developing direct contact with decision-makers initiate direct communication.

Not all acts of participation are conducted within institutions. Demonstrations, engagement in civil society organizations and the use of mass and social media are examples of acts performed outside of the institutional platforms for participation. Non-institutional modes of citizen participation, protests and self-management have the potential to produce impact on decision-making and policy implementation (e.g., Amnå, 2008). Actors may choose to act outside of institutional participation for different reasons: to promote claims and mobilize better support for an argument, in reaction to limited access to the institutional platform and in an attempt to carve alternative space for the establishment of claims and debate, or from a desire to avoid becoming embedded in the process and unintentionally legitimizing decisions by participating (Boström et al., 2015). Some environmental NGOs, such as Greenpeace, actively avoid institutional participation, as they argue that it would ratify decision-making platforms and decisions they find problematic.

3.2.4 Access to participation

In this section, I will discuss access to participation within institutional arrangements for nature conservation by exploring aspects of participation that other scholars deemed relevant in their case studies. A typical participant involved in nature conservation is a middle-aged man who owns, or has a livelihood directly based on, the resource (e.g., Suuronen et al., 2009; Dalton et al., 2012). He is a member of community organizations and has some previous experience of governance processes. The prevalence of these characteristics may be because actor involvement is often organized by norms and values that reward existing local institutions and social relations, and certain characteristics grant access more easily (Cleaver, 1999; Busca and Lewis, 2015). Social relations, norms and values are never neutral, and some of them might be counterproductive to supporting local participation (Busca and Lewis, 2015). An example of a norm that excludes is the masculinity norm. For example, masculinity norms can deprive women of recog-

nition, representation, participation, decision-making power and ultimately access to nature resources (Arora-Jonsson, 2013). This norm may be the main reason why most participants in nature conservation arrangements are men.

Agarwal (2010) argues that better representation of socio-economic sections in decision-making increases the legitimacy of decisions. She argues that this type of participation can develop supportive behaviours even among those who disagree with the final decision (Agarwal, 2010). She also argues that different forms of resource dependency must be recognized to avoid further depriving vulnerable groups and to effectively achieve the targets of nature resource management. Her investigation of seemingly neutral or participatory friendly cases of community forestry in India and Nepal shows that norms, such as gender divisions, still prevent particular actors from having a say in formulations of rules.

Agarwal (2010) uses the term ‘participatory exclusion’ to talk about groups of people who are excluded from representation in decision-making bodies. Without representation, marginalized groups will be unlikely to benefit from participation. Instead, existing privileges will be reinforced. Scholars have found that the institutions of participation in nature conservation and nature resource management tend to favour the existing elite (e.g., Cook and Kothari, 2001; George and Reed, 2016). Conditions of domination and subordination may hinder the potential for mutual benefit, or so-called win-win situations. An example: when actors resist a conservation programme because it is perceived to threaten their privileged position. Resource owners may resist the inclusion of actors without property rights, as their inclusion would mean recognizing claims made on bases other than ownership. Nature protection may require some groups to abandon practices that they perceive to be crucial for their culture and identities. For example, specific fishing practices may be restricted in an MPA due to the way they affect species regeneration. However, if these specific practices are linked to ideas of adulthood and masculinity, the fishermen’s identity may be challenged if protection demands that these practices be abandoned. Cornwall (1997) found it unreasonable to believe that people with dominating positions would abandon practices important to their identity without something else to replace them. She notes that people often resist change because “behaving differently can raise all kinds of anxieties and threats, especially [when] identities might be compromised” (Cornwall, 1997:11). These examples highlight that efficiency and quality of nature protection result through legitimacy.

To enable the meaningful participation of marginalized actors, the process must address conflicts of interests, values, identities and norms. This may result in a process that reveals, challenges and requires the alteration of existing power relations among involved actors. The power-sharing aspect of participation is seldom addressed in the European nature conservation discourse of participation. For example, Turnhout et al. (2015) exemplify how participatory discourses are mobilized in relation to implementation rather than the design of Natura 2000 areas; this study links participation with information sharing rather than with more active forms of engagement. This statement aligns with the critique that participation is often used as a technique to 'map local knowledge' in order to aid the aims of project goals (Saunders, 2011). The technocratic implementation of actor participation is criticized for depoliticising environmental issues, with the risk of obscuring issues of power and justice (e.g., Kurian and Munshi, 2003).

A common critique from participants in institutional arrangements for conservation is that the consulted actors do not feel that they have been heard by the authority's representatives (e.g., Surronen et al., 2010; Jagers et al., 2012; Jentoft et al., 2012). Participants want to know that they have been heard and that their opinions have been seriously considered by the decision-makers (Smith and McDonough, 2010). Lind and Tyler (1988) argue that satisfaction with and support of decisions largely rest on whether actors feel that they have been treated fairly or not. If the participants get the impression that decisions were made prior to the consultation, they tend to judge involvement as a meaningless formality (e.g., Smith and McDonough, 2010; Saunders, 2011; Jagers et al., 2012; Myers and Muhajir, 2015). Actors may feel ignored if their statements do not receive the requested support, if their concerns are not addressed satisfactorily or if the requested assistance, answers and outcomes are not provided (Smith and McDonough, 2010). Ignoring someone is generally understood to be a sign of disrespect. As mentioned, a lack of respect will likely have consequences for how actors judge the legitimacy of the process (e.g., Lind and Tyler, 1988).

3.2.5 Recognition and representation

To participate, actors need to be recognized as affected or relevant. Recognition in the context of institutional participation means that the authority acknowledges the rights of individuals or social groups to participate by offering them a seat at the table (George and Reed, 2016). However, recognition is clearly a complex matter affected by issues of social status and

power relations (Fraser, 2009). For example, Arora-Jonsson (2013) shows how women's particular interests are often lost within the standard organizations of institutional participation for forest management. The women in Arora-Jonsson's study claimed that they had to organize outside of the institutional arrangements to discuss gender specific needs and experiences related to the forest. Even when the women were invited, they said they were unable to make their voices heard *as women* due to public (e.g., class and public position) and private (social relationships and family bonds) power relations. Just having a seat at the table did not create actual dialogue about gender specific experiences in these cases.

Participatory platforms are not just a neutral place where citizens can make themselves heard and have their claims represented. For example, the times and locations of meetings may have large consequences for participation based on their convenience for different actors (Smith and McDonough, 2010). In a setting where consensus is idealized, dissenting opinions may be perceived as disruptive, causing conflicts to be smoothed over and opportunities to air concerns limited (Turnhout et al., 2010; Bond, 2011). Therefore, representation is also relevant in institutional arrangements that are presented as inclusive and consensus-driven (Fraser, 2009).

Agarwal (2010) argues that hierarchies affect representation, not only between groups of actors but also *within* groups of actors. She argues that hierarchical power relations can undermine the ability of individuals in a group of actors (e.g., landowners) to represent individuals of another socio-economic status in the same group (Agarwal, 2010). The ability to represent is believed to rely on the ability to create common interest, shared experiences and values (Lind and Tyler, 1988; Agarwal, 2010). There is a risk that the act of participation in itself alter the conditions for representation, as the process leads participants to behave in particular ways and to adopt different perspectives due to the experience (Schlosberg, 2004; Turnhout et al., 2010). If the participant fails to translate the new knowledge to the group that they represent, the group as a whole may feel misrepresented. Thus, there are challenges involved with using representation to establish legitimacy through participation. On the one hand, the representative is expected to obtain the standpoint of her group; on the other hand, the process is intended to lead her to negotiate and compromise to reach an acceptable decision. The strength of the representative's act of participation may found in its symbolic value (Beetham, 2003) or it may be within the skills of the representative to narrow the gap between conflicting opinions just enough to maintain the integrity of the original idea.

Fraser (2009) notes that for governance to be pragmatic, some limits within the process are inevitable. However, as argued earlier, it is important to reflect on the bases of exclusion: who, why and how? Determining *who* is essential for the legitimacy of actor involvement, but *how* to be involved is an equally important concern filled with ethical considerations (Smith and McDonough, 2010). It is important to acknowledge that actors will likely have different perspectives on legitimacy depending on their place-based experiences. Status and power relations may affect legitimacy by creating conditions for recognition and participation and eventually also the distribution of resources (Schlosberg, 2004). Depending on positions, the consequences of decisions may be very different. The above discussion relates to resources, positions and capabilities – concepts that can commonly be defined as power. In the next section, I will further explore why participation is not a neutral and level playing field.

3.3 Social and institutional relations

Actors have power when they have the organizational and/or discursive capability to achieve an outcome in social practices, similar to its role in participation processes (Arts and van Tatenhove, 2004). In this study, I focus on power as the capability to act and the capability to shape or restrict other actors' ability to act in nature conservation arrangements. Capability relates to resources, skills and social connections that enable action and enhance the probability of controlling outcomes (Boström et al., 2015). Power relations may be one reason why participation can have unexpected or contradictory outcomes (see, e.g., Turnhout et al., 2015). It is not given that participants will share belief in the conservation objective. Different interests and wills may collide and cause power struggles that affect the potential to reach the objectives. Resourceful actors with conflicting agendas may even influence the agenda in opposing directions. It is a risk, therefore, to assume that participation will always deliver 'good' results (Gunnarsson-Östling, 2011).

Capability is affected by the socially constructed order in which the actors are embedded. This order may be expressed through social hierarchies based on categories – such as class, ethnicity and gender – but it is also affected by the institutional and historical context that conditions the development of hierarchies (Barnett and Duvall, 2005). There are a number of institutional regulations and relations in nature conservation that affect

actors' ability to act. Different access to attributes and resources, which can shape outcomes and steer interactions, implies stratification among actors. Barnett and Duvall (2005) argue that social relations constitute actors' capabilities and that they shape their interests. Power can therefore not be reduced to single attributes and actions of specific actors but must be viewed in each particular context.

Barnett and Duvall (2005) argue that power is the production of effects in and through social relations. They present categorical distinctions between four different forms of power depending on the kinds and specificity of the social relations through which power works. Specificity refers to the degree of directness within the social relation. Barnett and Duvall (2005) distinguish between relationships as, on the one hand, direct and socially specific (e.g., spouses, employer-employee), or on the other hand, indirect and socially diffuse (e.g., class, citizenship, sex/gender). Power can be direct and open, as when the CAB makes decisions about fishing regulations in a specific MPA. However, it can also be indirect and diffuse without tangible senders or receivers. In multi-level governance acts, experiences of power can be enigmatic. I will illustrate this by discussing Barnett and Duvall's four different expressions of power: compulsory, institutional, structural and productive.

Compulsory power is direct control over others that works through interactions of specific actors. A uses its resources to get B to do what A wants (even if B is unwilling). A's power rests on its resources, which allow it to exercise power directly over B. The previous example of the CAB enforcing conservation directives is an example of compulsory power. Compulsory power relations can also be present between actors, such as if one actor forces another to take sides or to act in certain ways throughout the process. Arts and van Tatenhove (2004) suggest looking for compulsory power in the substance of planning processes, for example, by asking how participants were selected as representatives to the consultation committees. By exploring the motives behind participation, access to resources or experiences of compulsory power may be revealed (e.g., "I'm good with [skill/resource], so I was asked by [A] to attend").

Institutional power is indirect control over socially distant actors' through specific interaction within institutions. This form of power is exercised through the rules and regulations of institutional arrangements. Formal and informal institutions direct social relationships and the ability of others to work through these relationships. Long-term institutions may contain uneven structures of privileges and biases that shape the roles and

conditions for present and future actors. In this way, the institution may create winners and losers. A and B have an indirect relationship through institutions, which expresses itself in the roles that they are given. In an uneven institutional power relation, A will be reinforced as the winner while B repeatedly loses in the institutional process. Examples of institutional power show how actors are recognized and included as decision-makers, representatives and participants by the institution. One example is the Swedish Environmental Code's definition of a stakeholder, which recognizes actors primarily based on ownership. Other types of actors who lack stakeholder status may be excluded and even removed from entitlement to the nature resource. Agenda setting is an act where institutional power and productive power (see below) in combination affect environmental governance. A common critique of participatory platforms, when they are seen as neutral, is that institutional power relations still operate through the 'neutrality' of the policy. Empirical institutional power can be explored through the 'rules of the game'. Questions to ask to explore institutional power are about the institutional organization of participation: Who is playing and how? How is the relationship between islanders and outsiders determined? Who is entitled to resources, participation and recognition?

Structural power directs the constitution of actors' capability. This type of power concerns the structures that define what kind of social beings actors are, hence determining their social capabilities and interests in relation to a resource in a particular setting. The relational specificity is direct but works through social relations of constitutions. Internal relations construct subjects and the capability is directed by the position they occupy. The structures are typically constituted unequally in relation to social privileges and capabilities. Mainly, structural power is what limits the ability of lower status members of society, such as working class or women, to make their claims heard in the process. The section on participation gives a number of examples where structural and institutional power combined affect the conditions for participation. The women in Arora-Jonsson's (2013) study of forest management face structural and institutional power in the institutional arrangements for conservation, because they are not recognized as having the right to pursue claims based on group-specific experiences. Institutional arrangements are criticized for being organized in ways that may disregard points of conflict, limit opportunities for action or be biased towards some interests (see, e.g., Adams, 2009). An example of structural power is when the strategy for reaching a given objective is

decided prior to actor involvement; other understandings, experiences and knowledge are of risk to be excluded.

Productive power produces subjects through indirect diffuse social relations. There are overlaps between structural power and productive power, as both are attentive to constitutive social processes that produce the capabilities of actors. The two concepts differ in their relational specificity. Structural power produces and reproduces the relations between positions. Productive power is the constitution of all social subjects through systems of knowledge. Productive power works through perceptions of knowledge and through systems that generate significance and meaning. This means that if subject A embodies the dominant knowledge systems and values – A's viewpoints and preferences are preferred – subject B differs from the norm by not being A. B is embedded in a discourse that maintains A's domination. It may be that B tries/is expected to be the same as A or that B must act in ways that are sanctioned by A. The identity of A may even be the only recognized identity, and B's entire existence would then be neglected by society. Productive power in marine governance arrangements can relate to specific ways of understanding the resource at hand. It can be exemplified by the domination of the nature sciences in nature resource management. Actors who base claims on other knowledge systems may struggle to be understood. Productive power strongly relates to the discourses of society. The dominant understanding controls the process – opposing views, experiences and knowledge may not be given consideration or any role in the negotiation. Productive power can be understood as the “right way” of doing things, manifested through the norms and assumption of classifications embedded in social institutions (e.g., Arts and van Tatenhove, 2004). Terms used in policies should therefore never be understood as neutral (Adams, 2009). The words used in policies influence how planners rationalize their work (Cornwall and Brock, 2005). Words are always filled with meaning, and sustainable development is certainly no exception. Words loaded with positive values are used to classify the practice and its practitioners, for example ‘sustainable’, ‘development’, ‘rational’, ‘democratic’, ‘communicative’ or ‘effective’. Opposing opinions are consequently non-rational, non-democratic, and non-efficient and so forth. In wicked problems with variety of wills and interpretations, the pluralist understanding of worlds can be used by policy-makers to discipline opponents and deviants (Cornwall and Brock, 2005). Productive power determines the correct understanding of things and provides consequences when policies and decisions are implemented, as the discourses

affect different societal groups and natures in different ways (Gunnarsson-Östling, 2011). To explore productive power in the empirical material, Arts and van Tatenhove (2004) suggest exploring how the project is articulated and justified.

Direct and indirect, as well as specific and diffuse, power relations shape the conditions for how actors act in governance arrangements. Compulsory, institutional, structural and productive aspects of power shape recognition, participation and distribution. Therefore, an analysis of actors' perceptions of legitimacy must include how decision-making processes manage power relations.

3.4 Bringing the theoretical discussion together in a conceptual framework

The ambition with this theoretical review is to develop a conceptual framework to examine the relationship between participation and legitimacy in the implementation of HELCOM MPAs in Sweden. The concepts of participation and legitimacy each has its own extensive body of literature, but the relationship between the concepts has not received as much scholarly attention. The quest to explore the relation between participation and legitimacy guided the literature review, which in turn presented the building blocks to construct a conceptual framework. The relations between concepts are presented in figure 1 – a link between participation and legitimacy, conditioned by the context of governance and power.

Participation, as actor involvement in planning processes, is step one of the framework. Acts of participation are assumed to support aspects of legitimacy. In the theoretical review, I have explored how the organization creates conditions for participation and how participation in turn may establish legitimacy. From my review, I can abstract four different conditions that appear to be important for participation in institutional arrangements to establish legitimacy: 1) top-down institutional support to enable actors' access and recognition, 2) actors' establishment of claims and development of capabilities, 3) communication channels and feedback loops ensuring shared learning, and 4) the ability to influence and contribute to outcomes through participation. To approach participation and explore it in relation to legitimacy, I will examine these conditions in the empirical material. A strong critical comment in the literature review is that the process needs an actual relocation of power – from centralized to

decentralized governments, as well as from governance to civil society – to make participation meaningful.

There are many different actors with diverse interests in nature conservation, including landowners, state agencies, the government, fishers and tourists. ‘Actor’ is a broad term used to capture any individual, group or unit that act within, and in relation to, institutional arrangements. The review also discussed actor categories with broader, overlapping characteristics such as gender, age, ethnicity and socio-economic status. These characteristics may affect the actors’ positions in a planning process, even if the actors themselves do not primarily identify as belonging to these groups. In institutionalized participation, it is assumed that actors have equal access to platforms, when access to participation differs in reality based on positions and characteristics affected by power. Actors have different skills, capabilities and resources to act – factors that may be constrained by or used as attributes of power in different relations. Recognition and representation are two important conditions that enable (or hinder) access to participation. How institutional arrangements for conservation address recognition and representation is therefore a tricky matter that needs attention. If groups of actors are ignored, the actors’ ability to participate will be affected, which will likely lead to the misrepresentation of interests and consequently affect the distribution of outcomes. This may have negative consequences for the legitimacy of decisions and possibly hinder conservation intervention targets. Furthermore, power dynamics determine actors’ capabilities to act and therefore underlie the development of legitimacy. Different actors’ access to participation, how actors and claims are recognized, and the power dynamics affecting the planning process are therefore interesting factors to consider when exploring the cases and analysing the empirical material.

Legitimacy – as the will to accept, justify and comply with governance – is the second part of this theoretical framework. In the chapter, legitimacy is explored as a subjective and context-dependent phenomenon that has been attributed with high relevance for the long-term success of European nature conservation. The dominant understandings of legitimacy on the regional level shape the organization of participation on the local level, with the hope that participation will increase legitimacy. Beetham (2003) argues that participation can support legitimacy by creating shared learning situations that lead to a common perception of protection measures as desirable and proper. It is also argued that the act of participation represents a recognition of legitimacy by the involved actors. The argument comes full circle by

stating that legitimacy making is more likely to occur if actors are recognized and involved in meaningful participation, where responsive decisions distribute outcomes equally. To empirically ground the concept, I will look for aspects and attributes of legitimacy within the cases. Do the local key actors show support through words and actions? How well do their motivations resonate with the decision-making actors at different levels?

Multi-level governance gives the constitutional context for nature conservation around the Baltic Sea. Governance is an umbrella term for a broad spectrum of steering practices used to make and implement decisions in society. The context of multi-level governance shapes the organization of power. One relevant feature to explore in relation to the particular cases is whether the power to make decisions and to act on these decisions remains with the public authority, or if responsibilities and accountability have been transferred to other actors. The selected approach to organization will affect participation. In the literature review, I presented a distinction between governance and management. Governance is seen as interactive forms of decision-making, whereas management is the implementation of pre-established decisions. The dividing characteristics are in theory, for example, the different approaches to involving local actors in a discussion on sense making and the preferences involved in environmental concerns. In practice, the separation between governance and management is not complete. There may be an overlap between governance approaches to planning for actors' interactions and the management approach to implementation. Broadly, governance includes elements of management and the management features of governance. For this study, it may be interesting to reveal whether the implementation of HELCOM MPAs is primarily seen as a governance process or a management task. The local authority's interpretation of the mission and their approach to participation (management or governance) could shape the conditions under which local actors are involved and consequently affect the establishment of legitimacy.

The aim of the thesis is to contribute to the theoretical understanding of the relation between participation and legitimacy in multi-level environmental governance and to empirically explore the relation of concepts. The conceptual framework brought together in this chapter will provide the analytical tool for this inquiry. To investigate the relation between participation and legitimacy, the empirical endeavour is to focus on how participation was organized and how attempts of legitimacy making were experienced. The analysis will first explore the acts of participation in the empirical material. I will examine who acted in the local cases and how and

in what ways these acts of participation had an impact on other actors and the outcomes. The different acts of participation will then be related to aspects of legitimacy. I will scrutinize how the acts of participation affect the actors' support of the decision and legitimize the decision-maker, the actors' recognition and legitimization of other actors and their claims, and the support of institutional arrangements.

Multi-level governance: Decision-making in cross-border and complex administrative settings. Institutional organization of actors to increase legitimacy -> interdependency among actors on different levels in decision-making and policy implementation.

Participation: actor involvement in institutional arrangements for nature conservation.

Conditions for institutional participation:

- Top-down institutional support to enable actors' access and recognition.
- Space for actors to establish claims and develop capabilities.
- Communication channels and feedback loops for shared learning.
- Enforcement of participation efforts into outcomes.

Critical comments: Effective participation requires the relocation of power and possibly the deconstruction of social hierarchies, norms and values.

Not all participation is within the institutions.

Legitimacy: will to accept governance, compliance behaviour and justification beliefs.

Conditions for legitimacy:

- Recognition of interests
- Effective involvement of affected actors, and
- Substantial impact on the distribution of outcomes.

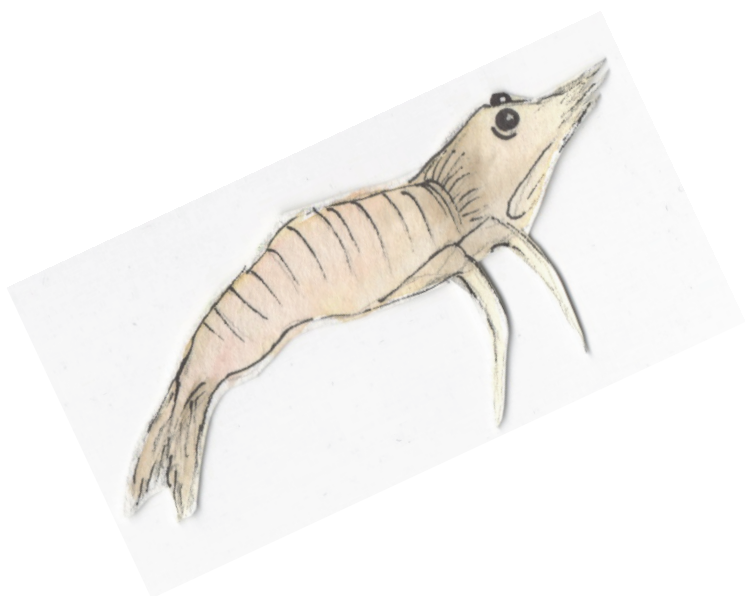
Assumption: Actor involvement develops a generalized perception that interventions are desirable, proper and rightful. Legitimacy creates behavioural changes.

Critical comment: A bias towards procedural legitimacy in the EU may ignore outcome values of importance for legitimacy. Negative experiences of participation have negative effects on legitimacy.

Power: Capability and resources to achieve outcomes and the conditions that shape these capabilities. (Compulsory, institutional, structural, productive.)

Figure 3.1: Conceptual framework. Illustrates the relation between the concepts of participation and legitimacy within multi-level governance. Power dimensions underlie all social processes.

PART 2



Research design and methods

In this chapter, I describe how the study has been conducted and explain my motivations for the decisions taken around the research design, cases and methods. First, the selection of approach, context and cases are explained. Second, the methods used to collect the empirical material are presented. In short, this is a qualitative study with two comparative cases. The cases were selected based on the assumption that the actors' implementation was a well-incorporated part of the institutional arrangement for these processes and that they would provide a good opportunity to study participation in relation to legitimacy. The methods used are document analysis and semi-constructed interviews.

4.1 Case study

The case study approach has proven to be helpful for uncovering complex causal mechanisms (Gerring, 2007). The possible relation between participation and legitimacy is incontestably an example of such complexity. The previous chapter argues that the experience of participation appears to hold variegated causal pathways; hence, an in-depth case study approach is appropriate. This approach, in particular, has significant advantages when exploring different perspectives and identifying multiple unknown factors. More details and elaborations of within-case variation and causal complexity can be achieved in such case-study than is possible with a large number of cross-cases (Gerring, 2007). Further, the cases can be used as examples of a larger phenomenon (Hammersley and Atkinson, 2007). For example, the two MPA cases are instances of the larger phenomenon of multi-level environmental governance in the Baltic Sea. In October 2016, there were 174 registered HELCOM MPAs (HELCOM, 2016c). UNEP's statistic from 2014 shows that 3.4% of the global ocean, 8.4% of all marine

areas within national jurisdictions, and 10.9% of all coastal waters are covered by protected areas (UNEP, 2014). Only 0.25% of marine areas beyond national jurisdiction are within protected areas. In global terms, many more MPAs will need to be created to reach the United Nations Convention on Biological Diversity (CBD) target.

4.1.1 Regional level

The Baltic Sea macro-region has been presented as the context for this study in Chapters 1 and 2. Indeed, the main motivation for using this particular area is the Baltic Sea region's prominent position as a regional environmental protection regime. The relative success of this regime in a complicated political climate makes the region an interesting microcosm of West-East interactions in Europe at large, or even the world at large. The Baltic Sea is one of the few marine regions that achieved the CBD 10% protection targets on time (HELCOM, 2010), and has therefore been perceived as a role model. Even so, the effectiveness of the protective measure is still in question and needs some further scholarly attention. Not the least from a social perspective. The HELCOM MPA was presented as the specific example due to the limited empirical reviews of multi-level governance arrangements in general and marine conservation, such as MPAs in particular.

4.1.2 National level

The study focuses on the Swedish implementation of the HELCOM MPA. The local implementation in any of HELCOM's nine member states would provide an interesting setting, but there were many reasons for choosing Sweden. Compared to other Baltic Rim countries, Sweden has the longest coastline facing the Baltic Sea and has, in aggregate, the greatest number of HELCOM MPAs (HELCOM, 2014). Sweden is also among the countries reporting the highest number of established management plans, a process that has yet to be implemented for many designated HELCOM MPAs (HELCOM, 2014). Sweden has, together with Finland, long been a driving force in the development and financing of HELCOM (Tynkkynen, 2014), inevitably influencing the general setup in doing so. The model for actor participation used in HELCOM is further known to be based on a Scandinavian blueprint. Moreover, there is external and domestic pressure on Sweden to lead by example. Sweden has been criticized by environmental organizations for its relatively low percentage of marine protection

(e.g., WWF, 2010). The Swedish Green Party, among others, have been stressing the importance of Sweden doing more in terms of marine and coastal protection (e.g., Lövin and Romson, 2014).

Given this context, the institutional arrangements of participation in Sweden give decent conditions to explore the relation between participation and legitimacy. As discussed in the contextual background, actor involvement in general is not an entirely new approach to Swedish institutional decision-making. Swedish institutions have developed approaches to address public participation in numerous policy arenas, not the least in environmental concerns (Moltin and Hedlund, 2009). Similar approaches are less developed in the Baltic States and Poland (Cherp, 2001; Mason, 2010; Boström et al., 2015). As the interest of this project is in exploring the relation between participation and legitimacy, I select a case where actor involvement could be easily identified. Sweden seems very suitable.

Sweden has a well-established civil society with the capacity to provide actors in public platforms, whereas civil society on the eastern side of the Baltic Sea has had less opportunity to assume this role (Boström et al., 2015). The Swedish principles of public access to official records is an advantage for actors wanting to engage in policy implementations for nature conservation (Boström et al., 2015). The official records also offer an extensive dataset for research, with the additional advantage for me that all documentation is in my first language.

Despite its tradition of actor involvement, there are few situations where a case study approach has been adopted to compare governance practice in Sweden (Pierre, 2009), which gives this thesis an empirical contribution. Sweden is often identified as a state with a population that has relatively high trust in institutions compared to, for example, other EU countries (e.g., Hudson, 2006; Eurobarometer, 2013). However, as witnessed in the stories included in the introduction, there may be reasons to explore a divergence from this view within the field of marine conservation.

It is also interesting to explore if Sweden really is as good on actor involvement as it has been claimed. Hovik and colleagues (2010) say that leading up to the deadline of CDB's 10% target, Sweden had not fulfilled their commitment to the principles of public involvement in nature conservation as stipulated by Aarhus, Agenda 21 and CBD. Commitments to such strategies were affirmed in various national documents, but only a few examples could be found where power was effectively decentralized to local actors and community-based organizations (Norrby et al., 2011). According to Norrby and colleagues (2011), the Swedish authorities were reluctant to

engage local actors and participation were only used instrumentally to secure implementation of existing nature conservation policy. In all, Sweden do offer an interesting context for this study.

4.1.3 Local level

Sweden has committed to the region's fulfilment of international agreements and to establishing a coherent network of MPAs. The Swedish government has committed to securing protective status for a number of prioritized areas. Within HELCOM's original list of prioritized areas, thirteen are located within Sweden's national borders. Eight of the Swedish sites had protected status already at the time of the first HELCOM MPA agreement in 1987 – making them unsuitable for the purpose of this study, which is concerned with the multi-level aspect of governance. Another four were relatively advanced in their establishment processes, so HELCOM's involvement does not appear to have shaped the outcomes to any great extent. However, the remaining two had not yet fulfilled the expected goal of developing a management plan. The rhetoric on both the regional and international level express high expectations for the target to be fulfilled, but it was left to the remaining two prioritized coastal areas, Gräsö and St Anna-Missjö, to match these expectations on behalf of Sweden before the year 2012. These two remaining planning processes shared the multi-level governance context and therefore offer conditions for a comparison with a similar governance arrangement. The key actors involved were similar in the two cases, and the two planning processes both had a negative start due to local key actors' prior experiences of nature resource management. The cases further showed interesting differences, as the authorities in charge of the planning processes took significantly different approaches to actor involvement and the organization of participation. The Gräsö case offered a textbook format for actor involvement in nature conservation according to contemporary Swedish standards. The St Anna-Missjö case, by contrast, used an experimental approach to adaptive management; in the planning process they explicitly adopted a participatory approach. The CABs of Uppsala and Östergötland were responsible for the local implementation of these MPAs. The CABs are the local decentralized authority of the state.

4.2 Methods

To explore local participation in a multi-level institutional arrangement for nature conservation, I have investigated public participation in the implementation process of Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPA. The aim of the thesis is to contribute to theoretical understanding of the relation between participation and legitimacy in multi-level environmental governance and to empirically explore the relation between these concepts. Therefore, the research approach needed to be explorative and able to capture the complex perceptions and experiences of heterogeneous groups. A qualitative approach was deemed most appropriate. Qualitative approaches try to capture insights of actors' motivations, intentions and how they reason and rationalise their actions (Gerring, 2007). By examining the official correspondence among actors and conducting interviews with key actors, I get a better insight into the perspectives, arguments and agendas of the involved actors. Some cautiousness has to be given to the fact that actors express and promote their opinions, sometimes quite strategically, rather than an 'objective truth' during these events. The power relations among actors and in relation to myself as researcher has to be considered in the analysis, more on this later.

In-depth investigation was needed to explore the ambiguous role of participation in multi-level governance and of legitimacy. However, empirical generalization involves a trade-off with depth. This study does not aim to make generalized claims about how HELCOM MPA planning processes work in the Baltic Sea region. Rather, the empirical material serves as a base for analytical generalizations about the relation between participation and legitimacy, which are developed in subsequent chapters. To obtain a thick description of the processes, I performed a documentation analysis and an interview study. The international and national documents directing the implementation of the HELCOM were also explored. Key policy documents, guidelines, information folders, outreach material and reports with relevance to the commitment to and establishment of HELCOM MPAs were analysed with a focus on actor involvement and legitimacy. The text analysis included both quantitative and qualitative elements.

The most important documents for the implementation of Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPA were HELCOM's regional guidelines, the national strategy of marine protection and the Swedish Environmental Protection Agency's (SEPA) strategy for implementation. These three documents correspond and connect the regional to the national level. Further, the national guidelines for nature reserve implementation were essential to the organization of Gräsö HELCOM MPA. The products of the two processes, the two management plans, have been analysed and are components in the empirical presentation in next chapter.

In the Table 4.1 below, I list the policy documents, strategies and reports that has been key for these two processes on regional, national and local level.

Title of document	level	type of document	count	example of use "participation"
"Planning and Management of Baltic Sea: Guidelines and tools". HELCOM, Baltic Sea Proceeding No 105 (2006).	regional	Guidelines on the outline structure of a management plan for a HELCOM MPA, based on the IUCN mode. 88 pages.	stakeholder 59, legitimacy 0, support 56, consensus 6, participation 26	"Participation by different groups creates in each a sense of pride and "ownership" of the site, ensuring continuity, and creating new socio-economic opportunities and partnership". P. 32
"Towards an ecologically coherent network of Well-managed Marine Protected Areas – Implementation report on the status and ecological coherence of HELCOM BSPA Network". HELCOM, Baltic Sea Environment Proceeding No. 124B (2010)	regional	Project evaluation and status update. 148 pages.	stakeholder 4, legitimacy 0, support 12, consensus 0, participation 0	"It is highly recommended that the use of decision support tools [...] can be complemented by the inclusion of stakeholder and expert input to the planning process". P.111
"National Marine Strategy" (<i>En nationell strategi för havsmiljön</i>), Regeringen, Skr 2004/05:173 (2004)	national	Central government strategy. E.g., on relation to HELCOM. 40 pages.	stakeholder 41, legitimacy 1, support 28, consensus 0, participation 20*	"A broader commitment establishes acceptance to the ecosystem approach, it is therefore important that different actors can impact and take responsibility for decisions made through participation." p. 17.
"The National Marine Environmental Regulation" (<i>Havsmiljöförordningen</i>), Regeringskansliet, 2010: 1341 (2010)	national	Central government regulation. E.g., on relation to EU marine Directive. 12 pages.	stakeholder 2, legitimacy 0, support 10, consensus 0, participation 12*	"The [responsible agency] shall conduct their work relating to this regulation to enable and encourage participation of actors affected by the marine management." p.4

"Establishment and management of nature reserves – handbook" (<i>Bildande och förvaltning av naturreservat -handbok</i>), SEPA, (2003)	national	SEPA's guidelines for nature reserve implementation and management. 169 pages.	stakeholder 58, legitimacy 3, consensus 0, participation 24*	"In management, regardless of form, the work shall be characterized by openness, constructive dialogues and participation of different actors. Through a good dialogue, including landowners as well as the public, there are good opportunities to convey the core message of the protection." p. 30
"Action plan for the marine environment". (<i>Aktionsplan för havsmiljön</i>), SEPA, report 5563 (2006)	national policy	SEPA's action plan. In reaction to 2004/05:173. 109 pages.	stakeholder 21, legitimacy 0, support 29, consensus 0, participation 3*	"The aim is to establish a broad and active participation among affected actors in all planning and decision-making processes affecting the marine environments." p. 85.
"The Nature Reserve Gräsö Eastern Archipelago", (<i>Naturreservat et Gräsö Östra Skärgård</i>), ÖCAB (2012)	local	Decision and management plan. 26 pages.	stakeholder 22, legitimacy 0, consensus 0, participation 7*	"The ÖCAB invited different actors and particularly affected stakeholders to represent or individually participate in a contact group, with the purpose to supply the demand of information and dialogue between the most important actors and the authority." p. 20
"Acta St Anna – cooperation plan of the BSPA St Anna-Missjö" (<i>Acta S:t Anna - samverkansplan för BSPA-området S:t Anna-Missjö</i>), ÖCAB (2011)	local	Adaptive management plan. 164 pages.	stakeholder 64, legitimacy 1, support 41, consensus 0, participation 1*	Local participation and opportunities to impact [decisions] increases the acceptance among those affected, so that interventions and regulations will be implemented and observed." p.18-19

Table 4.1: *Content analysis of institutional key document. Content analysis of institutional key document, including content analysis of key documents for implementation of MPAs in Sweden 2005-2012. *) Swedish translations of key words for documents in Swedish: Stakeholder = deltagare, sakägare, aktör (and lists of actors). Legitimacy = legitim, legitimitet, acceptance, förståelse, förankring. Support = Stöd. Consensus = Konsensus, samförstånd, samtycke. Participation= deltagande. For English I have also tried tested synonyms such as Justice, fairness, equitable, without any effect on the result.*

The empirical material mainly spans from 2005 to 2012. In 2005, the HELCOM Ministerial Meeting revised the original list of prioritized areas and presented a shorter list of coastal and marine areas that needed a management plan in place no later than 2012. The timeframe was set to reach the UN Convention of Sustainable Development and United Nations Convention on Biodiversity targets in time (HELCOM recommendation 15/5). Both local planning processes officially ended in 2012; however, some comments about the implementation of the management plans are presented in the empirical chapter. In both cases, earlier interactions and management events affected the planning processes, so some incidents prior to 2005 have been highlighted in the presentation.

4.2.1 Texts and interviews

The main sources of information for the empirical chapter on the two local cases are public records from open access official archives and semi-structured interviews with key and representative actors. The document analysis includes official documents, reports, letters and minutes from the consultative process as well as other archival material from related authorities, media coverage and popular scientific publications discussing the processes.



Picture 1: *Public record of the planning process for Nature reserve Gräsö Eastern Archipelago.*

In process of establishing the Gräsö HELCOM MPA, there were more than 400 text artefacts archived by the Uppsala County Administrative Board (mainly correspondence, minutes and official notes). The St Anna-Missjö consultation process did not include as many letters and contained just under hundred documents. The document analysis provided an overview of the processes and revealed argumentation patterns and the development of claims and strategies over time. A content analysis of all of the approximately 500 documents involved in this process was conducted to explore the actors, arguments and actions of participation. I grouped the letters from actors to the official authorities according to key arguments and discovered five clusters of types of arguments. Based on these discursive clusters, a characteristic sampling of interviewees for semi-structured interviews was made.

The content analysis revealed five basic types of argument: 1) the state should not interfere/ we do it better, 2) no need for protection/disagreement with either problem formulation or suggested solution, 3) the cultural heritage is at risk of being extinguished, 4) support of MPA problem framing and suggested solution, and 5) advocating for a different multi-stakeholder format to support participation. At times, the arguments interrelate and the boundaries between clusters overlap. Initially, I selected interviewees based on the five different positions identified in the content analysis. Furthermore, I linked these different positions to key characteristics, such as ownership and

place of primary residence. Additionally, the actors' different strategies for influencing the decision were taken into consideration – whether the actor was organized in a group or acting alone, as well as whether she/he was working within or outside of the official process. The intention behind sampling different action strategies was to represent the likely diversity in actors' capacities and resources. The sampling contained at least four interviewees representing each discursive cluster across both study locations. In addition, a number of non-active landowners affected by the respective plans were approached, but it proved difficult to motivate these actors to participate in the study. A few short, informal conversations when I approached them to schedule an interview revealed that they had no interest in participating in the institutional arrangements of nature conservation (e.g., “I do not want to get involved in that”, “it does not affect me”, “why bother?”) and therefore could not be convinced of the relevance of their participation in this study. Another approach is seemingly required to study these non-active affected actors and the motivations behind their decision not to engage. Such research would be interesting in relation to the recognition of claims and access to participation.

4.2.1.1 Interview procedure

The potential interviewees selected in the sampling process described above were invited to participate in the study through an invitation letter, followed up by an initial phone call. In both the letter and during the phone call, the purpose of the study, the reasons I selected them as potential interviewees and the relevance of their contribution was explained. With this initial contact, I tried to make communication as effortless as possible for the potential interviewees. A few invitations were declined due to limited interest or what they perceived as limited participation in the original consultation process. Despite encouragement, these people argued they had no information or experience of relevance to the process. An additional few could not be located with official records or simply did not answer the phone. Eventually, thirty interviews in total were conducted. The interviews were scheduled by phone. The interviews with Gräsö local actors (n=12) were conducted between November and December 2013. The interviews with St Anna local actors (n=11) were conducted between April and May of the following year. For both cases, interviews with the respective CAB officers (n=3) in charge of the process were conducted at the beginning of the fieldwork period and follow-up questioning occurred after all other local interviews were completed. Interviews with representatives from the SEPA (n=1), the Swedish Ministry of the Environment (n=2),

HELCOM (n=1) and a process consultant collaborating with SEPA on the St Anna project (n=1) were conducted separately from 2014 to 2015. For all interviews, a semi-structured interview guide was used; the guide was, however, adapted to suit the subject's respective position. I conducted all interviews but one; a graduate student composing her bachelor's essay under my supervision conducted this interview.

Swedish was the most familiar common language and therefore used as interview language for all interviews but the one with the Dutch process consultant. This interview was conducted in English. The interviews took in average one hour. Some interviews were shorter because the interviewees indicated that they lacked the knowledge, experience or interest to elaborate their answers. However, more often the interviews took considerably longer time, as the interviewee were engaged by the issue and seemed to appreciate the opportunity to talk about their experience. Interviews of nearly two hours were more common for Gräsö but also occurred with some St Anna-Missjö actors. All interviews were audio taped and transcribed.

Interviews are an essential source of evidence for studies on behavioural events (Yin, 2009), as they can provide important insights into actors' narratives. Effective interviewer strategies to collect narrative data include establishing and maintaining a connection, demonstrating responsiveness to interviewees' content and concerns, and communicating respect for the interviewee and her contribution (Drabble et al. 2015). To make the interview situation a positive experience for the interviewee as well a high-quality source of data for the purpose of this study, I tried to make the interviewees as comfortable as possible and to treat them as respectfully possible. I was, within my professional role, friendly and personable. I was an active listener who used supportive vocalization and orienting statements. I acknowledged disclosure and made statements of appreciation. I also tried to formulate the interview questions in a "friendly", "non-threatening" and open-ended way.

The semi-structured interviews were conducted in order to obtain further inside knowledge about experiences and perceptions, context, possible hidden agendas and personal interests. The interviews were guided conversations rather than structured queries, meaning that the stream of questions was quite fluid (Yin, 2009). The interview guide was organized around thematic questions exploring perceptions and aspects of participation and perceptions and interpretations of legitimacy. The questions were clustered around the participatory process, relations to other actors, and interpretations of results. The theme of participatory processes allowed

me to investigate the interviewee's perceptions of the process and its design. Examples of questions are as follows: Can you describe the process? How did you participate and why did you use this strategy? What were your presumptions about the process and were your expectations met?

The theme relating to actors and relations among actors, aimed to explore perceptions of rightful claims, possible collaborations and conflicts. Examples of questions are as follows: Who were the actors in this process? Do you think these actors had rightful claims to the area and the process? Were there any group of actors who did not have a rightful claim but participated anyway? How did you motivate and justify your own participation? Did you discuss the matter with anyone in particular, and did you join forces to mobilize support? Was there anyone who disagreed with you, and how did you respond to this actor?

The final theme investigated the interviewee's interpretation of results to explore their support of the decision. Examples of questions are as follows: What do you think about the decision? Do you accept the MPA? If the process were to be done differently, what would you change? Is the decision fair? Can you identify any winners and losers? The structure and use of the guide provided a more dynamic interview situation, allowing the interviewer to accommodate probing questions, manage transitions and determine when it was appropriate to proceed to the next question.

It is important to note that the interviews are verbal reports, even if I have proceeded with caution in this collection of data. The interviewees' responses are subject to the common problems of bias, poor recall, misunderstandings or inaccurate articulation (Yin, 2009). To reduce at least some of the risks of miscommunication between the interviewee and myself, I intended to conduct all interviews face-to-face. Conversations in person allow nonverbal communication to increase the understanding of a message. The interviewee chose the location of the interview, and they often chose their home or workspace. This glimpse into the everyday environment of the interviewee contributed to the contextual understanding of the spoken word (Hammersley and Atkinson, 2007). Some observations, such as the use of interior design with relations to the coastal environment and cultural heritage, has been used as evidence for the place-based identity of these actors.

The agrarian practices in remote locations of the archipelago made it difficult for some interviewees, especially at St Anna-Missjö, to accommodate time for a face-to-face interview: a visitor represented a major disruption to their daily activities. To offer greater flexibility in the scheduling

of interviews, I suggested phone interviews in these cases, and many of the more hesitant subjects agreed based on the less intrusive character of a phone call. According to Drabble et al. (2015), phone interviews can increase the sense of anonymity and of respect for privacy. Additionally, the phone may mediate power dynamics that might otherwise occur in the relation between researcher and subject, such as pressure to accommodate an interview that suits the interviewer's schedule. Furthermore, Drabble et al. (2015) argue that a phone interview makes both the interviewer and the interviewee more precise and explicit, as neither can rely on nonverbal cues in the communication. I found that I more often asked for clarifications and confirmations during the phone interviews. In total, a third of the interviews were conducted by phone, and I evaluate the quality of these interviewees to be sufficient.

A content analysis of all 30 interviews was conducted to explore the perception of participation in relation to aspects of legitimacy. The analysis was guided by the theoretical framework, which argues that assuring four different conditions of participation is important for institutional participation to establish legitimacy: 1) top-down institutional support to enable actors' access and recognition, 2) actors' establishment of claims and development of capabilities, 3) communication channels and feedback loops ensuring shared learning, and 4) the ability to influence and contribute to outcomes through participation. I systematically examined these conditions in the empirical material. I also explored how each interviewee perceived their experience of access to participation, how they and their claims were recognized and how they perceived social relations and power dynamics to have affected the planning process.

I explored the interviewees' perception of legitimacy through the way they articulated their will to accept, justify and comply with the project in words and actions. Beetham (2003) argues that participatory situations can support legitimacy by creating shared learning situations that leads to a common perception of the protection measures as being desirable and proper. The context of multi-level governance is argued to shape the organization of power. I therefore focused on features of multi-level governance in the specific cases. Did the power to make decisions and to act on these decisions remain with the public authority, or was the decision-making power, along with responsibilities and accountability, transferred to other actors? I scrutinized how the practised approach to decision-making affects the legitimacy of the process and the nature conservation.

I maintained connection with the actors after the interviews. All of the interviewees were updated about the research process by mail and received a summary of preliminary results. Interviewees were also offered the opportunity to review personal statements and the use of quotations. Two interviewees asked to see the transcriptions of their interviews. One of the interviewees was worried that her/his relationship with the CAB would be negatively affected by participation in this study. Due to the characteristics of some actors, this actor was concerned about her/his anonymity in the study. I have done my best to anonymize participants while preserving the relevant markers of actor groups.

The empirical chapter presents a combination of material from the interviews and the archival study. This combination of sources provides a comprehensive and in-depth description of the process and its actors (see, e.g. Hammersley and Atkinson, 2009). To limit the possible exposure of interviewees, I have primarily used official data (e.g., letters and reports). However, in the St Anna-Missjö case, the interviews have been used to a greater extent, as the official documentation of the case is less comprehensive. I have, to the best of my ability, produced a text that corresponds accurately with what was observed during the interviews and in the archival material. However, it must be acknowledged that there is no natural or correct way to write about processes such as the one under examination here (e.g., Alvesson and Sköldberg, 2009). The empirical presentation is based on my interpretations of the situation, which is in turn based on the overall material. I have selected and emphasized those events and arguments with relevance for the research questions, while paying less attention to dynamics and actions that appeared to fall outside of the scope of this study.

Exploring participation and legitimacy in the implementation of two Swedish HELCOM Marine Protected Areas

This chapter presents the empirical material of Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPAs. The presentation starts with a short introduction of the two cases and their historical context. Some basic data for the two cases are presented in a table. Next, I give a thick description of the Gräsö HELCOM MPA planning process followed by a similar presentation of St Anna-Missjö HELCOM MPA planning process. The section dedicated to each case starts with a summary of key events and a short introduction of the key actors involved in the planning process. The planning processes are described in chronological order, but within events, such as the referral rounds, issues are thematically presented in order to obtain a comprehensive review.

Nature resource management never occurs in a vacuum. Interventions should be seen as steps in a chain of historical events that affect the natural resource as well as the actors' relationship with the resource, each other and the state. The Swedish history of nature protection has been shaped by a constant lack of resources (Wramner and Nygård, 2010). The state has repeatedly struggled with financial resources to implement the policies of large-scale schemes for nature conservation, and these implementations have therefore been both fragmented and ad hoc. Efforts have focused on terrestrial habitats, and attempts to protect the ecosystem under the surface is a relatively new phenomenon (Wramner and Nygård, 2010). The handful of examples of coastal protected areas prior to the 1990s focus on the islands and habitat above the surface (SEPA, 2016). However, conflicts of interest and negotiations related to the use of marine resources existed long before the concept of MPAs appeared.

5.1 Conservation values of Gräsö and St Anna-Missjö archipelagos

Gräsö and St Anna-Missjö archipelagos are located in the Baltic Sea on the east coast of Sweden. St Anna archipelago is in the Northern Baltic Proper and Gräsö archipelago is on the ecological border between the Baltic Proper and the sub-basin of Åland. The archipelagos are located north and east of the Swedish capital Stockholm¹. Both archipelagos have early signs of human activity after the last ice age but are considered to have played a fairly peripheral part in Swedish history. Both areas had a population peak in the late 1800s, but in recent times, the archipelagos have become more sparsely populated, with approximately 800 inhabitants each (figures from Sweden Statistics, 2010). The limited development and low level of human activity have been favourable to Gräsö archipelago and St Anna-Missjö archipelago from an environmental perspective.

¹ Compared to the high rate of human activity in the Stockholm archipelago, Gräsö and St Anna-Missjö archipelagos are still in good condition (see, e.g., UCAB, 2016; Gezelius et al., 2011). However, given their relative nearness to the quickly expanding urban region of Stockholm, it has been deemed likely that the archipelagos are at risk of facing more destructive development in the future. Both CABs state preventing over-exploitation as a motive for nature conservation.

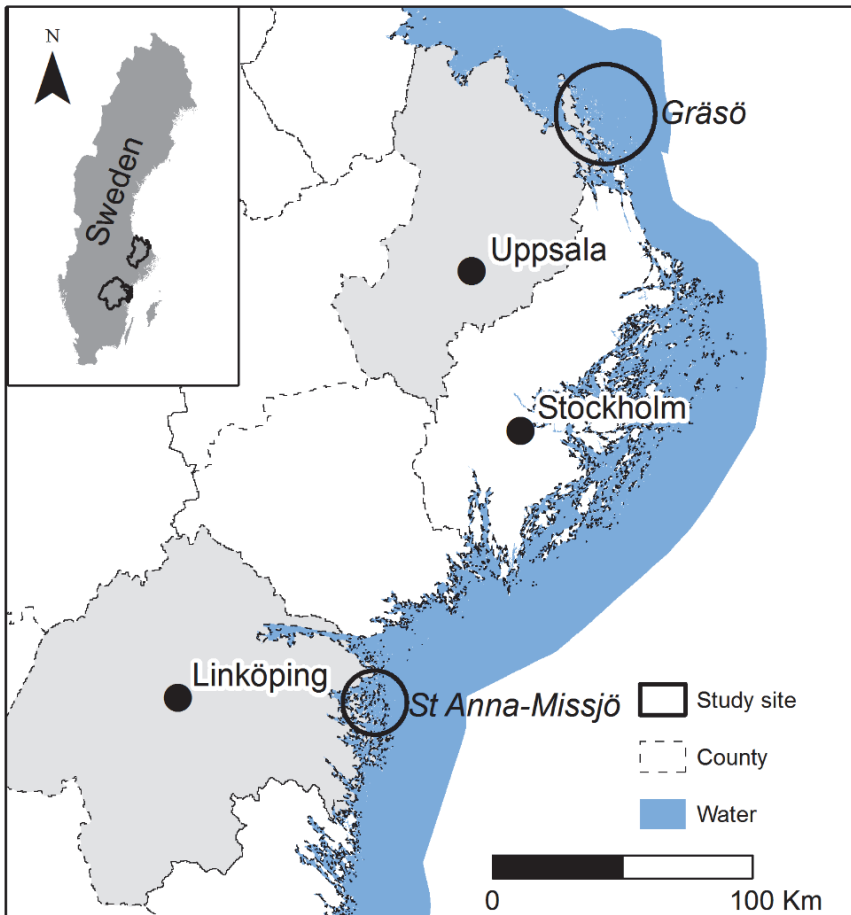


Figure 5.1: Orientation map for the study sights Gräsö and St Anna-Missjö.
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Gräsö archipelago is a shallow coastal area with thousands of small islands and islets as well as open sea. The shallow waters offer ideal conditions for spawning and nursery habitats for many fish and sea living spaces (UCAB, 2016). Seabirds thrive in the area, and threatened species are numerous. The white-tailed eagle (*Haliaeetus albicilla*) and grey seal (*Halichoerus grypus*) have recovered in the area. The inner islands have a strong biodiversity due to the remaining traditional agrarian practices. Numerous shore meadows, lop trees and forest glades sustain rare vascular plants and insects (UCAB, 2016). The islets in the outer archipelago have rock pools that simmer with life such

as the (in Sweden) very rare pool frog (*Pelophylax lessonea*), which can only be found in the northern parts of Uppland (Sveriges Herptiler, 2016).

St Anna-Missjö archipelago is among the most valuable coastal areas in Östergötland County. Its terrestrial values are rated as high to very high, whereas its marine values still are under exploration (Gezelius et al., 2011). Valuable habitats such as shallow bays, lagoons, islets, shore meadows and reefs can be found here, as well as spaces such as the grey seal, the narrow-mouthed whorl snail (*Vertigo angustior*), the osprey (*Pandion haliaetus*), the black woodpecker (*Dryocopus martius*) and three different varieties of terns, among others.

The County Administrative Board of Uppsala (UCAB) and County Administrative Board of Östergötland (ÖCAB) identified the Gräsö and the St Anna-Missjö archipelagos, respectively, as ecosystems worthy of protection many years prior to the HELCOM MPA. The CABs had done earlier attempts to initiate dialogues with landowners about the possibility of establishing nature reserves but had confronted severe local disapproval. At that point in time, the authorities decided to postpone the implementation of their plans. There were many conditions leading up to this decision, but the local actors perceived their disagreement as being the ruling factor. However, increased political pressure to achieve international protection targets led the CABs to resume their plans in the mid-2000s with renewed vigour. With the HELCOM MPA, interest conflicts between the islanders and the state concerning natural resources were again in the spotlight. The planning process for both of these HELCOM MPAs should be seen as part of a greater struggle for control between the authority and the affected local key actors.

Following, I will give a brief background for each case:

Gräsö

In the 1950s, Gräsö Island became linked to the mainland with a ferry line. Thus, the previously isolated island, small-scale agrarian cultural landscape and small fishing communities at that point became accessible to summer guests and tourists. The Swedish scientific community² acknowledged Gräsö archipelago for its aquatic values relatively early and now became worried that the development would impair the natural values. A discussion

² Mats Waern published a dissertation in 1952 on the rich flora of rocky-shore algae in the archipelago, which subsequently received a reputation as something of a classic.

among scientists and planners commenced about undertaking protective measures. The proposal to establish a nature reserve was first raised in the mid-1960s (Tirén, 2006). There has been an on-and-off conflict with apparently incompatible public and private interests ever since. A complicated dance with landowners, summer guests and the authorities as unwilling dance partners took place, with international environmental agreements serving as the musical director.

In the 1980s, Gräsö archipelago and the neighbouring Singö³ archipelago were designated as a HELCOM MPA. The SEPA argued that a nature reserve was the best way to protect the archipelago from pollution and other disruptions (SNV PM 1297). The UCAB was assigned to establish a nature reserve in Gräsö eastern archipelago. The plan was strongly resisted by local landowners, and so it took three decades until the governor, in February 2012 announced the establishment of the reserve. Its aim of the reserve was to protect and preserve a large continuous section of the archipelago and to maintain its biodiversity (UCAB, 2012a).

The HELCOM MPA of Gräsö was established as a 54 785-hectare nature reserve in the Gräsö eastern archipelago, including 4600 islands and islets with a total land area of 1344 hectares (UCAB, 2012). When established in 2012, the reserve was the second largest nature reserve for marine and coastal habitat in Sweden. During the consultation process, approximately 400 landowners were identified, along with a number of interest organizations, associations and agencies that were involved in different ways. The area is located in Östhammar municipality.

St Anna-Missjö

The largest island of St Anna-Missjö archipelago, Aspöja, is much smaller than Gräsö, with only 2.4 km² and just twenty year-round households. Even with a low population, local sources proudly identify St Anna-Missjö archipelago as the area in Sweden with the highest number of entrepreneurs and associations per capita (e.g., Sankta Anna Portalen, 2014), pointing out that they still have public services (such as a school, grocery store and public transportation) that many other sparsely populated areas in Sweden cur-

³ This HELCOM MPA was originally the BSPA Gräsö/Singö. When HELCOM later revised the list of prioritized areas, Singö was removed. Large sections of the Singö archipelago were shielded from the public, as it was as a closed military zone. Stockholm County Administrative Board, which had been assigned to investigate Singö's status, argued that Singö had sufficient protection due to the military zone.

rently lack. Some of the bigger islands, such as Aspöja and Missjö, have a taxi boat line to Arkösund. Still, private boat communication is needed to access most islands in the outer archipelago, even those with permanent inhabitants.

In the case of St Anna-Missjö archipelago also, there were a number of encounters between the local community and the state concerning management of the area prior to the HELCOM MPA. The documentation shows that tenure conflicts between islanders, the crown and the nobility have existed since the early eighteenth century (Sandell, n.d.). Internal conflicts increased with the decrease in external ruling. In 1903, the use of fishing water at St Anna-Missjö changed significantly due to fishing water consolidation (in Swedish: *laga skifte*). The new laws dissolved the previous arrangements of common user rights and harvest shifting practices. Conflicts between public and private interests emerged during this redistribution process. The new property rights caused imbalances in terms of access to important fish stocks, such as roach and bream, which traditionally was common resources (Sandell, n.d.). The restricted access to previously common fishing waters created problems and tensions among those whose livelihood depended on the catch.

In the 1980s, the opportunity to sustain livelihood on fishing received yet another blow in the area. A new law (9§ appendix to the Fishing Law 1993:787. In Swedish: *Det fria handredskapsfisket*⁴) now allowed anyone to fish with hand gear, such as rod or reel, in the Swedish Baltic Sea archipelago without any licence being required. The new law was met with anger from former right holders who perceived that the law basically dissolved private fishing property rights in the archipelago.

The fishing policies together with declining catches have made it difficult, if not impossible, to make a living out of small-scale fishing in modern times. This has put additional pressure on alternative incomes. Limited employments have decreased the population regeneration at both

⁴ The law regulates lure fishing on the East Coast from the Östhammars municipality of Uppsala (e.g., Gräsö) down to Blekinge, around Gotland and in the five largest lakes in Sweden. This law allows for free fishing in private waters, provided that the fishing method does not require the use of a boat. Fishing can indeed be done by boat, but the boat must not be operational while fishing. This means that fishing methods such as net and trawling are reserved for the water owners. On public waters (state owned), net and trawling is also free. The introduction of this law makes lure fishing free, with some limitations, along the entire Swedish coast and in the five largest lakes, both in private and public waters. This law applies to both Swedish and foreign citizens (§ 13).

Gräsö and St Anna-Missjö, since the 1990s. Without a younger generation to maintain the agriculture, many farms have been sold to outsiders who use the properties as summerhouses. Deprived of grazing animals, the characteristic landscape of the islands are at risk of being covered by brushwood (see, e.g., Gezelius et al., 2011). The UCAB argued the HELCOM MPA as an opportunity to halt this developments destructive consequences on the biodiversity.

With the HELCOM MPA UCAB together with SEPA aimed to explore new more inclusive forms of adaptive nature resource management and ways to coordinate existing protection. Natura 2000 already protected half of the appointed St Anna-Missjö HELCOM MPA.

The HELCOM MPA of St Anna-Missjö is located in the outer archipelago of the attached areas St Anna and Missjö and covers a total area of 16 610 ha, of which of 94% is marine habitat. Within the borders of the HELCOM MPA are 60 privately owned and two state owned properties. Two of these are year-round residences. The planning process invited all 140 people who live near the protected area, along with the interest organizations and the affected public. The area is mainly located in the Söderköping municipality, but Norrköping municipality was also involved in the planning process (Gezelius et al., 2011).

Comparison

In the Gräsö case, the implemented protection measure was a nature reserve, which means that its establishment was accompanied by much more rigid regulations than the St Anna-Missjö HELCOM MPA project. Still, the CAB had similar aims, trying to anchor the plans in the local community and to ease implementation through a participatory approach. The main actors in these two planning processes are those land and water owners that the CAB identified as being directly or indirectly affected by the reserve. The CABs describe this group as stakeholders (in Swedish: *sakägare*). Occasionally, the CABs use the term ‘actors’ to also include users and organizations with other types of interests in the archipelago.

At Gräsö, the identification of stakeholders has been topic of harsh debate. The UCAB tried to narrow the number of stakeholders to a number that they considered more manageable by using a strict definition of ‘affected landowner’. Many local actors, especially these in direct opposition, wanted to expand the definition of stakeholder to include multiple

forms of (year-round residence) use. Summerhouse owners⁵ were not perceived as legitimate stakeholders by either the UCAB or year-round residents. In the St Anna-Missjö HELCOM MPA process, the definition of stakeholders was more generous, probably because no legal claims could be made in that process. Further, the total number of affected actors was less than at Gräsö.

The basic organization and figures for the two processes are here presented in a Table 5.1.

	Gräsö HELCOM MPA	St Anna-Missjö HELCOM MPA
HELCOM policy agreement	HELCOM Marine Protected Areas (former BSPA)	HELCOM Marine Protected Areas (former BSPA)
Formal of protection	Nature reserve. Official protection status	HELCOM MPA with management plan. No official protection status. Approximately 50% of the area had other forms of protection, e.g., Natura 2000.
Executive body	County Administrative Board of Uppsala	County Administrative Board of Östergötland
Type of environment	Brackish coastal ecosystem. Archipelago with small islands and skerries	Brackish coastal ecosystem. Archipelago with small islands and skerries
Total area	54 785 ha, mainly water	16 610 ha, mainly water
Conservation values	Botanical, zoological, habitats (sea beds), outdoor recreation, hydrology, cultural landscapes	Zoological, botanical, habitats (sea beds), cultural landscape, forest, fishery
Main threats to the area according to the CAB	Change of use and higher exposure, e.g., refurbishment of boathouse	Absent or inappropriate management, e.g., reduced grazing

⁵ If summerhouse owners and summer guests were included in the population statistic, the number would increase significantly for the two archipelagos.

Protection goal	"Now and for the future, protect and conserve a large contiguous part of the archipelago and its biodiversity as it is."	To secure high biodiversity with viable populations, traditional and sustainable management, and low unwanted exploitation (author's summary)
Number of individual respondents	23%: Approx. 130 respondents out of the UCAB's total 550 identified affected actors	35%: Approx. 50 respondents out of the ÖCAB's total 140 identified affected actors
Ownership ratio	State owned, private, community commons, the Swedish church	State owned, private, the Swedish church
Type of actors	Owners, users, community associations, a few local interest organizations, local businesses, the municipality	Owners, users, community associations, some local interest organizations, local businesses, 2 municipalities
Platforms for participation	A resource group of representatives from interest groups selected by CAB Formal consultation round with written communication	3 theme-based working groups, open to any participant. Chaired by CAB Formal consultation round with written communication
Open meetings	2 intro meetings, 1 open forum mid-way	2 intro meetings, 1 summary meeting
Economic compensation	Three landowners qualified to obtain encroachment allowance according to Swedish law. The law only pertains commercially managed terrestrial land.	No landowners qualified to obtain encroachment allowance according to Swedish law. The HELCOM MPA does not have legal protection status, so encroachments are out of the question.
Process period	Official consultation 2009-2012. The process has been and off since the 1960s, with increased intensity since 2002. Contact groups and open meetings 2006-2010.	2008-2011. In 1989, the area was proposed as a national park, but this effort was discontinued due to local opposition
Time of decision	February 2012	May 2011
Appealed	By 115 landowners (24 rejected). Appeal denied	Not applicable due to the status of the management plan

Suggested management organization	<p>The CAB is in charge. Role of the locals is vague. Add hoc organized meetings with invited land owners</p> <p>Three local conservation tenders with payment</p>	<p>Local management committee with representative owners/users (n=4), NGO representative (N=1), CAB (N=2). Own project budget financed by the ÖCAB. Compensation for labour to committee members</p>
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Table 5.1: Basic data of the organization of Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPA.

5.2 Case: Gräsö HELCOM MPA

In this section I will present the participatory process of Gräsö HELCOM MPA, starting with a summary of key events and key actors followed by a more extensive presentation of the process in chronological order. Same thing will be done for St Anna-Missjö HELCOM MPA in section 5.3: *Case: St Anna-Missjö HELCOM MPA*.

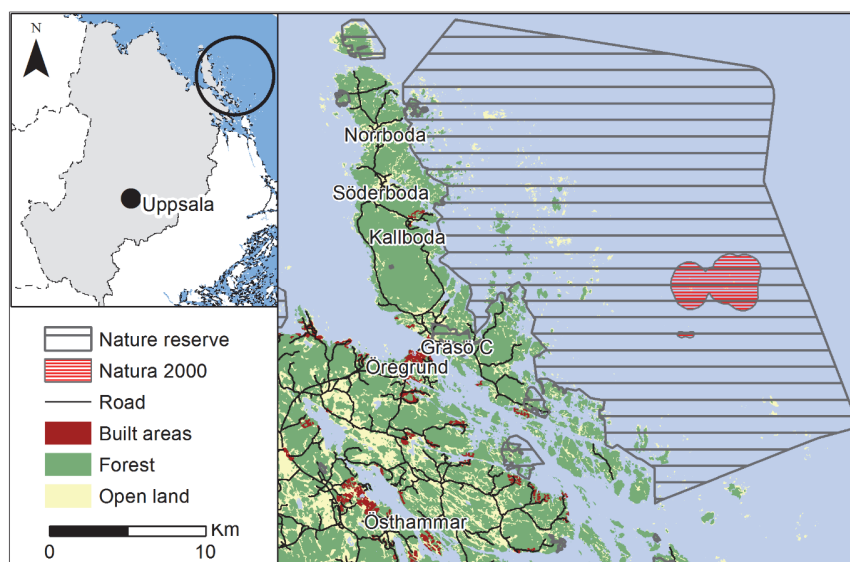


Figure 5.2: Orientation map for Gräsö HELCOM MPA. Map data from Lantmäteriet, 2016 © Lantmäteriet Gävle. Permission I2014/00599, and the Swedish Environmental Protection Agency, 2016.

Chronological summary of the Nature Reserve Gräsö Eastern Archipelago planning process:

1994 The System of Coastal and Marine Baltic Sea Protected Areas (HELCOM MPA) is initiated. A list of 62 prioritized areas with vulnerable marine habitats is compiled, and Gräsö/Singö is identified as one of these areas.

1999/2001 The sixteen Swedish environmental objectives are established to direct all national environmental efforts, including visions of a balanced marine ecosystem with a flourishing coast and archipelago (environmental objective 10). The management of the objective is delegated to the Swedish CABs. The UCAB is assigned to secure protection for Gräsö HELCOM MPA.

2002 The UCAB invites a smaller number of parties to discuss how to secure protection and sustainable use of the Gräsö eastern archipelago. The committed parties are the Gräsö Archipelago Community Council (*Skärgårdsrådet*), the Gräsö Fund (*Gräsöfonden*) and Östhammar Municipality. The committee appoints the Gräsö Archipelago Community Council to invite affected local actors to an information meeting, which is held November 5, 2002, at Norrboda Heritage Centre (*hembyggsdsgård*). Approximately 100 people attend the meeting. The participants are overwhelmingly negative about the suggested plan; in particular, the Fishing Community Association of Norrboda and Söderboda strongly object to a nature reserve.

2003 The UCAB decides upon a local implementation plan for the national environmental objectives. This plan states that the long-term protection of the Gräsö eastern archipelago should be made clear no later than 2005 – a goal, which is not met.

2005 In August, the UCAB invites local actors to a second open information meeting about the progress of the plan to establish a nature reserve with a marine focus east of Gräsö. Opinions against the plan dominate the discussion.

2006 To meet the increasing need for information and dialogue, the UCAB establishes a “contact group” with representatives from local actor groups.

The contact group has twelve meetings before the official consultation starts in May 2010, at which point the group is dissolved. The Fishing Community Associations are originally not invited, but after protest, they are included in the contact group. Summerhouse owners are not represented in the contact group.

2007 New boundaries of the Gräsö/Singö HELCOM MPA are reported to HELCOM. The new borders exclude considerable terrestrial area, such as Gräsö Island. Singö archipelago is completely removed from the list as it is argued to have sufficient protection in the form of military zone.

2007/2008/2009 The national and international focus on marine protection continues to increase. MPAs are included as a strategy in the HELCOM Baltic Sea Action Plan, the EU Framework Directive of Marine Strategies (2008/56/EG) and the Swedish government's Act for Living Seas (Skr 2009/10:213).

2009 In August, the UCAB sends an information letter to approximately 500 potentially affected local actors. On December 18, 2009, the UCAB complements this information by sending maps with the suggested borders to land and water owners who could be affected by the plan. The UCAB invite the landowners to have a dialogue with them about the borders. Of the 390 who receive maps, 131 respond, and over the next few months, the borders are continuously altered.

2010 Critical voices begin sending protest letters to the UCAB, questioning the motives, aim and legitimacy of the plan. In June, the UCAB distributes a management plan to the 111 landowners with more than one ha of land inside the proposed reserve. Three landowners reply with comments and suggestions for the plan. Meanwhile, the critique from other actors intensifies, especially concerning who should be recognized as stakeholders. The UCAB agrees to add the 73 members of the two Fishing Community Associations of Norrboda and Söderboda to their send list. In August, the UCAB invites the public to an open forum.

2011 June 17, 2011, the UCAB invites the public to join the official consultation. The deadline for the referral reply is October 3, 2011. The UCAB receives 62 statements: 22 statements from 28 individual land and water owners, two from the Fishing Community Associations, 18 from

authorities, five from local businesses, twelve from non-profit organizations, two from “non-stakeholders” (meaning that they do not own qualifying properties according to the UCAB’s criteria) and a protest list signed by 117 “Gräsösians”. According to the UCAB, all forms of communication are encouraged. However, a number of local actors claim that they have not been properly heard. The opponents also use mass media to mobilize support for their cause.

2012 The Governor of Uppsala County announces the decision to establish the Nature Reserve Gräsö Eastern Archipelago; 139 landowners appeal this decision.

Key actors in the Gräsö HELCOM MPA planning process in order of appearance:

The Uppsala County Administrative Board (UCAB) – The UCAB is the state representative in the county. The UCAB is the administrative body in charge of nature protection. The agency has delegated responsibility by the SEPA and occasionally directly by the government. It is headed by the Uppsala governor and located in the county town, Uppsala.

The need to establish some sort of protection for the Gräsö archipelago had been recognized by the UCAB for several decades. However, due to the costs of establishment, the project had not been prioritized. With increased political interest (and financial support), the plan was prioritized in 2009. Three officers were appointed to manage the project, with hands-on support from the head of the department. The three male officers had experience in nature resource management and were all trained in the natural sciences.

Gräsö Archipelago Community Council (Gräsö Skärgårdsråd) – The council is a politically independent organization monitoring the interest of year-round islanders. The local organization is a member of the National Association for Swedish Archipelago Councils (*Skärgårdens Riksförbund*). The council was the official link between the authorities (e.g., Östhammar municipality and the UCAB) and locals as well as a regular consultative party in plans relevant to the lives and livelihood of the Gräsö islanders.

The Gräsö Archipelago Community Council was involved early in dialogue with the UCAB. The council also provided information to the locals and initiated informational meetings. However, the council’s board

was internally divided in relation to the reserve plan. The chairperson and the representative in the contact group were particularly questioned because of their positive attitude. The conflict affected the council's ability to monitor the issue, and the board eventually decided to back away from the process. Consequently, the community lacked a formal, well-established contact between themselves and the UCAB. The Fishing Community Associations and later the protest network wanted to assume this role themselves.

Individual land and water owners – The UCAB identified 111 affected landowners with more than 1 ha land in or on the border of the reserve and addressed these as “stakeholders”. This category causes debate as it excludes actors with less land or just fishing rights.

This group of actors are, of course, very diverse, and any form of generalization results in the reduction of complexity. However, a common factor is a feeling of place as identity. Most of these actors have had a connection to the area for several generations, either through ancestors who were small-scale farmers or as summer visitors. There is a tendency for summer visitors to represent people from the cities with capital and resources, while year-round islanders belong to the working class. The number of jobs on the island is limited, making the average age of the year-round islanders quite high. Those able to move to the island often have jobs where they control their own working hours. In particular, the term ‘newcomers’ notes a cultural distinction being made between ‘islanders’ and ‘outsiders’, in particular that ‘islanders’ have a specific kind of ‘do-it-yourself’ mentality that must be respected.

The main worry expressed by individual landowners was the fear of an unknown future – they wondered what the reserve would mean for them and their children's ability to manage the area in the spirit of their ancestors. Would they be able to fish, hunt, and transport themselves as before? The landowners were to a large extent unsympathetic to nature conservation, or at least to the reserve's ability to prevent destructive development. Local key actors argued that a reserve would attract tourists, which would defeat its purpose. Local land and water owners believed that the UCAB observed them, the locals, as a threat to the environment. Through the nature reserve, they perceived the UCAB as declaring that the owners were incompetent to manage their own land. All this was very upsetting to the local key actors, who argued that they took good care of the area.

The landowners were also organized and involved in different types of interest groups and NGOs. A relatively small group of landowners could be found holding multiple seats in the process. Some of these also had external affiliations.

The contact group – To meet the demands for information and dialogue, the UCAB established a “contact group” that included representatives from different actor groups. Participating in the group were the Gräsö Fund, the Gräsö Archipelago Community Association (see below), the Östhammar local chapter of the Swedish Society for Nature Conservation (SSNC), Östhammar municipality, the Fishing Water Owner Federation, the Östhammar Hunting Association, Gräsö Tourism, Söderboda and Norrboda Fishing Community Associations (see below), as well as the UCAB officers and some hired expert consultants. The contact group had twelve meetings between April 2006 and May 2010. When the official consultation started, the group was dissolved, as the UCAB stated that it had played out its role.

At the contact group meetings, the UCAB informed participants about the work progressing at regional, national and international levels that would affect the nature reserve plan. The UCAB officers presented the baseline for natural value, and the UCAB lawyers answered questions concerning property rights, legal status, accountability and so forth. Each meeting had some room for feedback and discussion. The meetings ended with a turn around the table where every participant could raise their opinions and concerns. The discussion appeared to be open and permissive; participants and the UCAB found some common ground but also agreed to disagree when they had strictly opposing views.

The UCAB claimed that the contact group was vital for the development of the plan and contributed to a more informed decision. Participants, however, criticized the UCAB for using the contact group as “hostages” or as an alibi in an already decided process and giving it no actual chance of influencing the outcome.

The Fishing Community Associations of Norrboda and Söderboda (in Swedish: *Samfällighet*) – These associations represented the strongest remaining part of the traditional fishing community and a form of shared holding of fishing rights. The associations commonly care for fishing-related activities and gear such as the wharfs. In a relatively dissolved community, the associations still have a fairly important role in connecting neighbours and has high local status as a self-regulating institution of the

fisheries. The Fishing Community Associations argued that they were not identified by the UCAB as stakeholders and did not receive initial communications or invitations to the contact group. After protest, both associations were represented in the contact group throughout the entire period that the group was active. The representatives criticized the UCAB for using a too narrow definition of “stakeholder”, arguing that many more people were affected by the reserve than what UCAB recognized. Both associations demanded access for their members, who were added to UCABs send list in 2010.

Both associations repudiated outside interventions in the management of the archipelago, especially in the form of a nature reserve. Separately, the associations mobilized their members against the reserve, encouraging them to sign protest letters. However, it was not until the very end of the process and later, during the appeal, that the key actors of both associations made common cause against the UCAB. Representatives of the two Fishing Community Associations were the backbone of a loosely organized network of protesters.

Representatives of this network raised their concerns in the local media. They also approached the governor, who was the official decision-maker. Representatives met with the governor when the consultation was officially over. They appealed to the governor to not establish the reserve but were unsuccessful, as the governor shortly announced the decision to establish the reserve. As a response to the decision, the protest network went door to door, collecting signatures for an official appeal. When the appeal was denied, a key person in the network decided to privately finance further court action. Some other actors argued that the harsh tone and the opponents’ approach created an atmosphere where it was difficult to express support for the reserve.

5.2.1 Narrative Gräsö HELCOM MPA Planning Process, 2003–2012

This description of the Gräsö HELCOM MPA planning process starts at the end, with a letter from a landowner at Gräsö sent to the county governor of Uppland⁶. One of the larger landowners at Gräsö, who had been a

⁶ The county governor is known as *Landshövding* in Swedish and it chief of the County Administrative Board and the chairman of its board. The county governor is the government’s representative. The position is a commission of trust appointed by the Swedish government for a period of six years.

prominent opponent of the nature reserve, wrote the letter. The letter summarized many of the arguments raised by opposing landowners during this extensive planning process. The letter referred to a meeting that had recently taken place between, as the writer puts it, “representatives of the political power” and “representatives of the people”. The meeting was a late attempt by a protest network of landowners at Gräsö to convince the governor to reject the plan to establish a marine nature reserve in Gräsö eastern archipelago. The writer was clearly not satisfied with the outcome of the meeting and aired his/her disbelief as follows:

You [the governor] set the stage by explaining why a nature reserve is needed in the most honest and clear way we have ever heard. It is just a pity that we have not heard it earlier; it would have saved us many frustrations.

You said that necessary forms of protection for the Gräsö eastern archipelago already are in place. The motive [to establish a nature reserve] is purely to fulfil the HELCOM Baltic Sea Action plan during the Swedish presidency, which will end in June 2012. Gräsö eastern archipelago is a pawn in a larger political game. The Swedish political leaders have promised to make Gräsö eastern archipelago a nature reserve without first asking the land and water owners. To give away someone else’s land and water without asking is usually called anything but democracy, justice and protection of property rights.

[...]

You [the governor] argue that a reserve will give somewhat better protection, since politicians will be reluctant to change its status in the future, even if they are tempted to allow further expropriation. Conclusively, the nature reserve is being established to protect the area from future generations of politicians.

[...]

At numerous previous occasions, you have claimed that there will be no reserve since there is no need for such. This has also been stated as the opinion of the lawmakers and the Swedish Environmental Protection Agency. So who’s desire [to create a reserve] are we satisfying?

You illustrate your dilemma by asking us to play the “governor’s game”. If we put ourselves in your position – how would we have done? Would we meet the wishes of the commoner at Gräsö or would we rather stay friends with those higher up in the political hierarchy than us? However,

it was never suggested that you play “the game of the commoner”, putting yourself in our position to understand our feelings as well.

[...]

Eventually you tried to persuade us with grants and some influence over the management plan. But since you are not calling things for what they are – a political promise fulfilled with someone else’s property, taken without compensation – I don’t understand why we would cooperate with you on your terms. You don’t want to cooperate with us on our terms, namely: No reserve but voluntary agreements between the County Administrative Board and individual landowners, as those agreements we already have today [...]

Mr. Governor – think as the commoner at Gräsö! Our petitions show that approximately 95% of the land and water owners at Gräsö are against [the reserve] but still want to protect the archipelago for coming generations. (Holmström, 2012)

The letter was sent the very same day that the governor of Uppland announced his decision to establish the 54 785 hectare Nature Reserve Gräsö Eastern Archipelago. At the time, the reserve is the largest nature reserve in the county and the second largest marine nature reserve in Sweden (UCAB, 2012b).

As already indicated, the news about the nature reserve did not only receive praise. The local newspaper Upsala Nya Tidning addressed the decision by publishing an article with the title “Do not want the reserve”. In the article, local residents who also are members of Norrboda Fishing Community Association, describe the decision as a death sentence for the development of the area and emphasize that they would appeal the decision (Gustafsson, 2012). Indeed, shortly after, a total number of 139 appeals were sent to the Swedish government auditor (24 were dismissed because they did not have or could not prove a legal stake through ownership). The appeal denoted strong local opposition to the reserve. In the appeal, local actors argued that the need for a reserve had been exaggerated. They stated that existing and alternative measures would be sufficient. The local actors therefore argued that the nature reserve violated the principle of proportionality. The Swedish government auditor, however stated that all appeals and further requests of compensation should be declined, as they found the decision reasonable and the UCAB’s investigation consistent and just (Ministry of Environment, 2013). A private person appealed this decision to the Administrative Court on behalf of all affected opposing parties.

The UCAB perceived this critique and opposition as being severely exaggerated. The UCAB officers claimed that the consultative process had been extensive, reflexive and flexible to the actors becoming involved. For example, the reserve borders have been adjusted according to the participants' suggestions. The UCAB claimed that they had worked hard to minimize the negative effects of a reserve to local society, for example, existing hunting and fishing rights were not affected at all by the new regulation. As the UCAB perceived the effect on the local community as being minor, they were slightly surprised by the heated wording of the opponents' arguments. However, they concluded that a marginal group of actors caused the fuss. The UCAB officer emphasized that resistance quickly faded and that several of the opponents subsequently involved in the management of the reserve. Overall, the UCAB officers perceived this consultative process as having been successful. How had the UCAB and these local actors come to such different conclusions?

5.2.1.1 The beginning of the planning process for the Nature Reserve Gräsö Eastern Archipelago

To appoint the start of this planning process is a bit challenging in itself. The UCAB had twice before attempted to establish a dialogue with landowners on Gräsö about a nature reserve for Gräsö's east shore and its archipelago. Due to strong resistance among the landowners and limited resources at the UCAB, those attempts had been short-lived. The landowners considered this evidence of their strength against the weakness of the UCAB. The UCAB, by contrast, viewed this as 'speed bumps' on the way towards an inevitable goal.

Those previous experiences did affect the subsequent planning process. On February 28, 2003, local and regional branches of the Federation of Swedish Farmers (LRF) called for a meeting with the UCAB. LRF was worried about the rumour of another attempt at the reserve and demanded first-hand information about the plan. The LRF's representatives were especially worried about how the most recent version of the plan would affect hunting and fishing rights. The UCAB met the request for a meeting. At the meeting, different ways of limiting rumours and the spread of incorrect information were discussed. It was concluded that direct and continuous communication would be the best approach. According to the UCAB's minutes, the LRF representatives were pleased with the information and looked forward to further cooperation (UCAB, 2003). However, years later, representatives of the Norrboda Fishing Community Association recalled this meeting as being

the first of many unpleasant gatherings where UCAB officers rudely made it clear “that the reserve will occur whether the locals’ approve or not” (referral letter from Lindqvist et al., 2011).

Some interviewees recall that one of the UCAB officers often made harsh and condescending statements. However, most interviewees, regardless of stance, found the officers to be professional and correct, although bureaucratic and nonspecific. Many local actors argued that it had long been unclear how strong the political determination to establish a reserve was. Some said that they only understood after the decision was made how politically unavoidable the reserve was. Many said they did not know about the HELCOM marine protected agreement from 1974. They also believed that information was kept from them and that the UCAB was dishonest about the conditions for decision-making. For example, as one landowner in the protest network puts it:

This process has been a bit of a charade. The UCAB was given a mission by the government to establish this reserve, and so they did. The state of things became clear to us only after some private investigation in the UCAB’s documentation in 2011. [...] Before that, we did not realize how real the situation was. [...] The reserve was the deal they give us, take it or leave it. We had been hoping to get rid of the whole thing, but the government had made the decision [to establish a reserve] years earlier. The UCAB officers have avoided telling us the truth. (Interviewee G1, 2013)

The public was invited to two information meetings in mid-2000. Those meetings quickly turned hostile, with actors standing up and shouting at the UCAB officers. According to testimonies from local actors one of the meetings had even ended with the officers being chased off the island. The meetings had a somewhat legendary status in the process. First-hand witnesses and newcomers alike remarked on the hostility present during those meetings. The opponents told this story with pride, the proponents with regretful indulgence and the UCAB officers with mixed emotions. After those two meetings, open discussions in large groups were kept to a minimum. The fact that the local archipelago community council *Gräsö Skärgårdsråd* had basically been put out of play probably strengthened the limitation of public meetings. The association was a respected actor and channel for information and discussion. However, in this regard, the board was split on how to handle the task in hand. Internal conflicts and reduced confidence eventually led the council to take a less active role.

A landowner supporting the idea of a reserve was provoked by how personal opinions fragmented and affected the association:

Since [a particular board member] was personally in favour of a reserve, the opponents did not trust him/her in her official role. They did not find him/her to be legitimate to speak on their behalf in the communication between the association and the UCAB, even though the association was to stand as a neutral part. The distrust was so severe both within and outside of the board that eventually the council had to stop monitoring the process. Opponents instead created their own little groups, which they expected the County Administrative Board to negotiate with. (Interviewee G2, 2013)

Opponents and supporters alike talk about this process as if small, informal meetings and negotiations of different constellations were being conducted in parallel throughout the process, but these claimed meetings cannot be confirmed by any first-hand source. Rather, there appears to be a common perception that someone else was carrying and controlling the negotiation elsewhere, which arguably needs to be understood as part of an atmosphere of general mistrust. In fact, apart from the two information meetings at the beginning and the twelve contact group meetings prior to the consultation, very few meetings were held.

The contact group was established by the UCAB to air concerns and issues with a smaller group of interest representatives before the official consultation process began. The UCAB invited representatives from different interest groups with well-established networks and a few actors with prominent claims (such as the only forestry actor⁷) to be members of the contact group. A UCAB officer said about the design of the contact group:

The contact group was not designed to represent all actors. Rather, we wanted a good discussion among different interests. We also had members of the contact group who were not stakeholders, like the municipality. (Interviewee G14, 2013)

⁷ The owner, the manager and the contracted receiver of the forest goods were all represented in the contact group, at least to some degree. They also repeatedly tried to establish contacts with officers and the governor in parallel to the official process. The trustee who represented the owner and the management was also a stakeholder in his/her own right as a landowner.

The fishing associations were not originally intended to participate, but as the groups themselves strongly argued that they should, the UCAB invited them. This initial lack of recognition led the associations hold a grudge against the UCAB.

For example, this representative of Söderboda Fishing Community Associations expressed dissatisfaction with the composition of the contact group:

There was no representative ratio of actors in the contact group. For example, the sport fishing association had a seat even if their influence should be minor. Only the landowners had some actual interest to protect, there was nothing at stake for the rest. The County Administrative Board invited many actors with questionable claims, but the Fishing Community Associations had to force their participation. The County Administrative Board seemed to think that the associations were full of agitators and troublemakers. They must have been scared of us since the uprising on open meetings in 2002. Many felt that the contact group was an attempt to give the illusion of participation, but that the County Administrative Board already made all the decisions. (Interviewee G6, 2013)

Representatives of the two fishing associations referred to the omitted invitation over the subsequent years, as an example of how the UCAB excluded actors based on strict definitions of ownership. The UCAB officers stated that the Fishing Community Associations were not technically stakeholders. If individual members' private properties bordered the reserve, those people were invited, the UCAB argued. However, the members argued that their shared waters and fishing rights would be affected by the plan. The UCAB failed to see how the Fishing Community Association could have such a strong claim to be part of a management process as it did not affect fishing, but welcomed the associations' engagement in the process anyway.

One primary purpose of the contact group was to provide the relevant actors with information. The UCAB gave thorough presentations on HELCOM regulations and agreements, EU declarations, national goals and regional plans with the idea that the participants would pass on the information. From the minutes, it is clear that the protection of Gräsö eastern archipelago was internationally prioritized and that the area was bound by HELCOM agreements for future conservation. The UCAB spent considerable time at the contact group meetings trying to explain to the participants that a nature reserve was the only practical solution for the given task, with the intention that the representatives should spread the word. The contact

group was not flawless as an information channel. For example, almost no interviewees said that they had understood the status of the project from the meetings, while many actors claimed after the decision that they had never been informed about the HELCOM agreement or about the extent of the determination on the international level.

Many of the participants argued for other forms of protection and promoted other areas that, according to them, would be better suited as nature reserves. One of the members in Norrboda Fishing Community Association expressed frustration about their representative's limited opportunities to negotiate with the UCAB:

We never got the chance to contribute with anything. They [UCAB] only wanted us to listen the whole time. That is, they just told us that it would be so damn good when they steal our land. 'It will be great for you', they said. However, we were never allowed to say anything. We would – of course – have told them that we had no interest in getting ripped-off. They have been stealing our user rights. (Interviewee G1, 2013)

Many participants clung to the UCAB's statement that *if* natural values were not threatened or could be sustainably preserved without formal protection, a reserve would not be established. An established reserve could be removed in the future if the conditions were improved. A majority of the statements expressed in the contact group challenged the purpose of the reserve, the need for protection and the suitability of the suggested measures.

To summarize, the similar types of arguments were raised in the contact group as were later presented in the official consultative process. Roughly, the main points, ranked by frequency, were as follows:

- 1) The area is already well taken care of and appropriately protected.
- 2) The reserve hampers the way of life that is the premise of the archipelago's high value.
- 3) Landowners should be offered financial support for civil counsel in order to determine the validity of the authorities' claims about, for example, proportionality and compensation.
- 4) Fishing and hunting rights should not to have any restrictions added. The protection status on seal and cormorants should be reversed and hunts allowed to manage the populations.

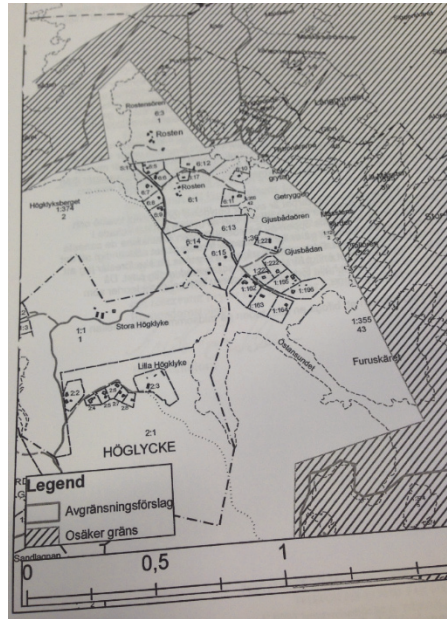
- 5) A nature reserve attracts tourists, hence increased pressure on the archipelago due to more visitors. The reserve would have an adverse effect in terms of preserving natural value.
- 6) Procedural issues around access to the process, the recognition of claims and transparency of information and strategies has not been met in the process and must be improved.
- 7) A reserve is too permanent; as conditions in the archipelago will change, its management must change as well. How can the UCAB assure us that they will not increase regulations behind our backs and, for example, include land uplifts? It would be better to have a test period of ten years to see if the conservation plan works at all.

When all arguments had been raised and the UCAB had provided detailed answers, the discussion returned full circle, to “we do not want a reserve”. Many of the actors in the contact group expressed feelings of being wronged by the reserve plan and were provoked by the UCAB’s attempt to present the plan as a benefit to the locals. Some claimed that a status quo emerged in the contact group. A supporter argued to be unable to have a productive discussion about the reserve due to the climate:

I find it so tragic that a group of people could block the whole process such as this. The UCAB wanted to have a dialogue, but some people just replied ‘NO’. No is not an answer; it inhibits all kind of dialogue. We could not even discuss factual questions due to this ‘no’. It is such a strange reply that constrained all negotiation. (Interviewee G2, 2013)

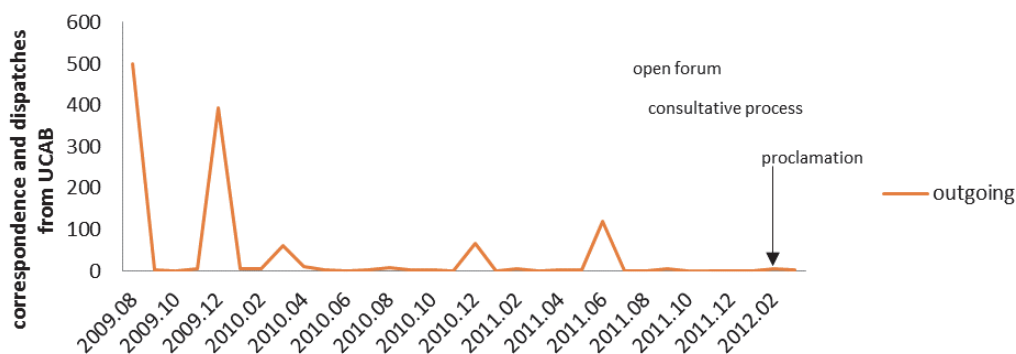
5.2.1.3 The pre-consultation planning process, 2009.08–2011.06

Before the official consultation, in which anyone was allowed to comment on the plan, the UCAB had a consultation round with a closer group of affected landowners. The UCAB sent an information letter to likely and possible stakeholders in August 2009. The letter briefly presented the plan and welcomed feedback and questions. In December of same year, the UCAB sent maps and images to landowners with the aim of informing them about how their properties would be affected by the nature reserve. The maps resulted in the first wave of correspondence between the UCAB and local actors.

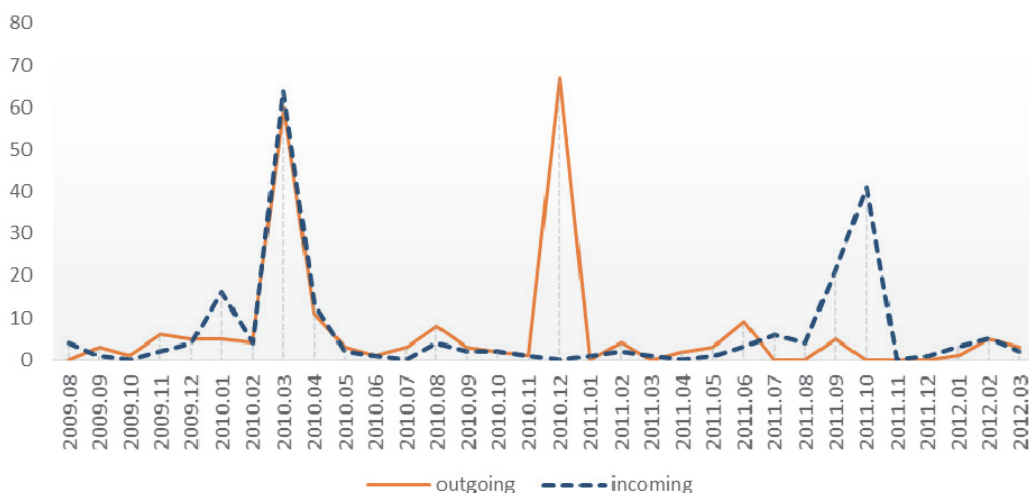


Picture 2: Sample of map images with proposed borders sent to stakeholders in December 2009.

The UCAB opened the official referral round with a call for comments on the plan in June 2011. A second, but not as strong, wave of letters was sent to the UCAB close to the end of the consultation in October 2011. Some actors argued that they were provoked by the UCAB's tendency to send important information in direct relation to holidays (Christmas and midsummer). The complaint was that this timing affected the actors' ability to relax and enjoy their vacations, but mainly because they said it felt as if participation was overloading the UCAB and that the officers were just "cleaning their desks" before they went on leave.



Graph 1: Official communication from the UCAB. Outgoing information and correspondence from the UCAB sent to individual stakeholders, starting with the letter of intention and ending with information on how to appeal. The call for participation in the official consultative process, the invitation to the open forum and the proclamation were made through the news and the UCAB web site, not as individual communications, and are therefore not depicted in this graph.



Graph 2: Replies to official communication to the UCAB. Comments from actors and the UCAB's replies. The correspondence flow between the UCAB and actors during the period from the letter of intention to the proclamation. The graph excludes mass mailings (see graph 1) from the UCAB and focuses on written communication with individual actors.

Most correspondence was submitted by mail and email, although there were a few phone calls and an occasional meeting.

By the end of 2009 and in early 2010, the incoming letters were mostly requesting further information about how the reserve would affect specific practices and activities, such as fishing and means of transportation. The letters were also clarifying ownership relations and making suggestions for border adjustments. A number of letters wanted to support the idea and remarked on the reputable exercise of authority. In the beginning, the UCAB officers sent immediate replies to every letter, appeared very flexible to suggestions, and largely accommodated landowners' requests.

Occasionally, the UCAB received letters and phone calls from aggravated local actors that argued that the whole project was "completely unnecessary, a waste of tax money, undemocratic, and theft of fishing ground" (official note by the UCAB officer Törnblom, 2010). Some letters expressed infuriation that the state, represented by the UCAB, wanted to interfere with long-held and apparently sustainable practices. One stakeholder argued that the Gräsöians would continue making use of the archipelago as they pleased, regardless of the UCAB's decision. Another stakeholder extensively explained the Gräsöians' special pride and emotional connection to the archipelago, characterizing it as a place-based identity that no outsider could comprehend. The sender feared that outside intervention would harm this special relationship (referral letter from Arneklint Edin, 2010). Another letter concluded that it would be much better if the Gräsöians were completely left alone to care for the area as they always done, without any interference at all from the UCAB (referral letter from Wingårdh, 2010). Long letters described customs and management, referring to decades of experience when arguing about their ability to take care of the archipelago. One even referred to Elinor Ostrom's Nobel Prize and her contribution to the common pool theory, to support his/her argument about the locals' capabilities (referral letter from Lagerholm, 2010).

LÄNSSTYRELSEN UPPSALA
 Ink 2010-03-29
 Der 571-9323-09

Det behövs inget
 Reservat på Östra sidan
 Gräsön. Då skydd redan finns
 svaret e Nej

Var vänlig Lyssna på
 våra åsikter
 Vi är många Nu som säger Nej

Norrboda 25/3 -10

Picture 3: Letter of comment sent to the UCAB March 25 2010. "No reserve is needed at the east side of Gräsö. Protection is already there. The answer is No. Please listen to our opinion. We are many now who say No".

Länsstyrelsen
 Miljöenheten
 758 00 UPPSALA

LÄNSSTYRELSEN UPPSALA
 Ink 2010-03-30
 Der 571-9323-09

SYNPPUNKTER till 511-9323-09

Beskrivning av syftet och avsikten med att bilda naturreservat är tydligt och inte stridande. I det inbäddade stycket står att Gräsöns östra skärgård är variansat brukad och har hög grad av anslutet och utvecklat.

Vad finns då för skäl att göra skärgården till ett reservat?

- Vad ser för risker i nuvarande och kommande vatten- och markanvändning mot historisk hantverk? D.v.s. vad finns för risker för att Gräsöborna skall upphöra att bruka sin skärgård variansat?
- Vidare står att skärgården är naturlig och ostörd. Vad finns för belegg för att skärgården skall komma att störs? Vilka hot finns?
- Vad skall utformas för att syftet med reservatet skall uppnås? Det som finns uppsett i punkterna i texten är så tydligt och tydligt beskrivet att det inte går att kommentera. Ex. Störningar på växt- och djurliv skall minskas? Vilka växter och djur gäller det? Vad är det för störningar? Hur skall det minskas?

Vi tolkar lagtexter och handböcker i ämnet att syfte, skäl och avsikt skall vara tydligt och väl beskrivna. Det är en grundförutsättning, för att kunna bilda reservat. Som det är beskrivet nu förefaller det obegripligt för oss!

Att det skall finnas skäl är också något som Länsstyrelsen själva understryker i sina egna anteckningar från sammanträdet 7 april 2006. I stycket med rubriken: Länsstyrelsen får inte bilda naturreservat om det inte behövs, står bl.a. "Om det å andra sidan inte behövs några restriktioner för markägare eller allmänhet utöver generell lagstiftning för att värdena långsiktigt ska bestå får inte reservat bildas".

Vi tog för stort 4 år sedan över Monica's föreläsning på Gräsö. Vi ser det som ett stort och ärofyllt uppdrag att ta över och förvalta fastigheten för kommande generationer. Ett ställföreträdarskap har gett uppgifter att gåden har tillhört samma släkt sedan minst 1500-talet. Då bodde nämligen Monica's farfars farfars farfars farfars farfar i Kallboda. Känslan för bygden och gården är obeskrivlig. Det är en anda, stämning och stulhet över hela ön, inte bara för oss i Kallboda. Vi lever nära naturen och mår av den. Våra barn i dag 14 och 16 år har redan anammat detta. De visar en stor upprepethet över att det som vi gör med varandras händer i dag kan tas ifrån oss utan vidare.

För kändis är så. Vi försöker inte syfte, skäl och avsikt enligt vad vi försökt beskriva ovan. När man läser i lagtexten 1998:308 angående naturreservat:
 Om det senare visar sig finnas nya skäl eller behov av ytterligare inskränkningar för att uppnå syftet med skyddet, får länsstyrelsen eller kommunen meddela beslut om detta.
 Då vi inte försöker de skäl som nu föreligger så blir man orolig över vad som kan komma med, nya skäl. En stor uppgiftsbekräftelse börjar ta plats. Vad vi än gör och säger så kommer vi att få så tillbakå, är det så? Bygger vi upp detta medvetet med falska och luddiga argument för att "vissa" och få en "guldstjärna" hos olika politiska organ såväl nationellt som

Picture 4: Letter of comment sent to the UCAB 30 March 2010, questioning the aim of the reserve. The argumentation is backed up with quotes and paragraphs from the UCAB's reports and the relevant laws. The letter challenges the ethical aspects of the reserve, arguing that the reserve breaks the bond between the islanders and the archipelago, destroying their sense of belonging and devaluing their ancestors' life work.

The tone in the letters gradually hardened. In March 2010, statements commonly expressed worry, feelings of exclusion and an inability to understand the UCAB's point of view. "Why, what, who and how" were common questions, often followed by additional questions concerning "how much". People were worried that a nature reserve would attract tourists and that the increased pressure could have a negative effect on the area. Overall, this form of management seemed costly, they argued.

Questions concerning personal compensation occurred but appeared to be secondary to issues of intact property rights and power relationships. When questions of compensation were raised, the UCAB noted that ownership remained intact and that the reserve would not affect property rights. Regardless, some stakeholders strongly believed that the reserve would affect their rights. "To me and my posterity, as well as most other affected land-owners, this proposed reserve is an act of condemnation" (letter from af Ugglas, 2010). One owner even proclaimed "cannot anyone protect me from this insidious theft of property?" (Referral letter from Wik, 2010).

As the number of letters increased, the UCAB officers started to reply with a form letter saying that they would respond after they had gotten an overview of all comments. Even if a majority of the letters were critical, not all letters were negative: "Anonymous Gräsöians" wanted to show their strongest support for the reserve and expressed concerns about the process being one-sided and petty (referral letter from Anonyma Gräsöbor, 2010). Another "large group of anonymous summer house owners" wanted to support the reserve, but argued that two opinionated permanent residents that dominated the debate hindered them to do so.

Two different pre-written protest letters were submitted on approximately 50 different occasions between March 19 and April 1, 2010. Members of Norrboda and Söderboda Fishing Community Associations originally wrote these letters. The letters expressed strong concerns about the effect that a possible nature reserve would have on the area. The letters highlighted several, as perceived by the senders, severe flaws in the content of the plan and the level of participation in the consultative process. The letter from Norrboda Fishing Community argued that the errors were so gross concerning the aim, presumed threat and the quality of the consultative process that the only option was to redo the whole thing. The basic idea presented in the protest letter was that a reserve was neither preferred nor possible to establish in the area due to proportionality. According to the senders it would be against national law to proceeding with the plan:

Our conclusion is obviously that the process – with strong emphasis on participation – has to be redone. It has to clarify everything from why protection is needed to what regulations are required in case proper protection does not already exist. We claim that management agreements (Chapter 7 3§ of the Swedish Code of Land Laws) would be a much more appropriate form of protection. Management agreements would likely get better acceptance among landowners, and hence provide better local long-term support. (referral letter from Lindqvist et al., 2010)

The three parties involved in the forestry at Gräsö argued that the laws that regulate marine reserve expropriation and compensation is inadequate. According to Swedish law, marine habitats are not entitled to compensation for encroachment. Only land managed in particular ways entitle economic compensation (e.g., forestry or agriculture). The forestry actor strongly questioned the remuneration principles (Miljöbalken Chapter 31 refers to the expropriation law), arguing that the applicability of the general principle was unfavourable to cautious, small-scale harvesting in this type of area. The level of remuneration relates to the value of ongoing activities in larger quantities. According to this legislation, only three out of all affected actors would be in question for compensation.

The forestry owner argued that the point of protection for this area was its low exploitation-level, which mean that the landowner could therefore not receive any actual economic compensation. How could the area be invaluable and have no economic value at the same time? To be fair, s/he argued, the compensation should at least be in proportion to the economic value of commercialized felling. The UCAB's chief lawyer replied that the regulation of compensation was a political decision that the UCAB could not control or affect. Further, the direct implementation of this law were to be reviewed by the environmental courts and not the CABs. The measures that the UCAB could undertake were to further investigate which landowners met the conditions for compensation according to existing laws. A consultant was hired to do so (NAI Svefa, 2010).

Still the forestry actor was unsatisfied and wrote to the governor begging to stop the plan. S/he argued a concern that the UCAB did not have the finances to sustain the long-term management of the reserve. By experience, s/he argued that reserves were neglected by the authority, regardless of good intentions, due to the lack of resources; it would be better to leave management in the hands of the owners, especially when the support for a reserve was alarmingly low, as it was in this case. The governor never replied to the

forestry actor's letter, who in turn complained to the UCAB about this neglect.

The UCAB, however, seemed to share the forestry actors concern about long-term funding. Prior to the official consultation, the UCAB contacted the SEPA and the Board of Fishery to request economic support for a possible nature reserve. The UCAB argued that it would be irresponsible to decide upon a reserve before ensuring a financial plan and asked for a long-term financial commitment from the two agencies. The UCAB built their argument on the point that the Gräsö eastern archipelago was assigned to be a HELCOM MPA and that the normal budget could not handle a project of such magnitude. The UCAB found the existing management grants to be unfavourable for marine and costal protection, as they focus only on terrestrial area. Consequently, only a small percentage of the Gräsö eastern archipelago was entitled to funding, even if the reserve tripled the UCAB's economical commitment. Few, if any other CABs had similar projects, the UCAB officers argued. They also recalled the significant costs that the UCAB and SEPA already put into the project. The UCAB officers requested an addition of 725 000 SEK a year to its budget in order to proceed with the plan (UCAB, 2011). SEPA agreed with the UCAB and assured them that a process to evaluate and upgrade the distribution model would be done shortly. However, as no other CAB had previously stated additional costs related to coastal and marine management, SEPA asked what the UCAB would need the extra funding (Callermo and Lindahl, 2011). Further, SEPA officers argued that they was not in a position to promise anything. They encouraged the UCAB to prioritize within its existing budget, SEPA however also approved an additional support of 350 000 SEK a year until the distribution model had been updated (Callermo and Lindahl, 2011). This correspondence between the UCAB and SEPA would later be used as a key evidence in the local argumentation against the procedural aspects of the nature reserve.

5.2.1.4 Open meeting

During the summer of 2010, the UCAB made an effort to inform and attract a wider audience. They published a short folder named "Gräsö eastern archipelago – Information about the ongoing nature reserve establishment", which they distributed at libraries in Öregrund and Östhammar. The folder covered the key points supporting a reserve and that values that the reserve would protect. It further explained the concept of a *marine* nature reserve and why the present forms of protection were deemed insufficient. The

folder noted that hunting and fishing for private use would not be effected by the new regulations.

Furthermore, the public was invited to meet with the UCAB officers at an open forum organized for a weekend in August. The UCAB was pleased with attendance at this event but did not keep any official record of the questions raised and issues discussed. In interviews from 2013, local actors recalled the officers as being professional and correct, but not always addressing concerns. The discussion was at times tense, and actors' emotions ran high. Some interviewees even recalled that it was difficult to approach the officers because they were occupied with aggressive opponents. One interviewee said s/he had many questions concerning formalities, having never been involved in a consultative process before. S/he wanted to know how to voice opinions and concerns in a correct manner but, due to the aggressive opponents, never got the chance to approach the officers:

We had those big meetings [to raise issues], but it was really tricky to make oneself heard. So many people who wanted to speak their mind. [...] It was rancorous. [...] I wanted to know how to officially state concerns and ask about our formal rights, this type of things. However, people were so pissed off we never got to it. [...] Since I am not a landowner yet, I was not part of the consultation anyway. (Interviewee G12, 2013)

One interviewee found the behaviour of another actor so repellent and "non-Gräsöian-like" that s/he decided to be active in the process solely to take an open stand against this person:

I really reacted against this one person. S/he was the kind of person I perceive as dangerous – very wealthy, newcomer at the island, originally from Stockholm. S/he had just bought a large piece of land and thought the nature reserve would restrain his/her chances to exploit its resources. A newcomer who neither had knowledge about the area nor the natural values; only interested in profits. S/he demonstrated so much power in the way s/he spoke and acted with the County Administrative Board officers. S/he threatened the officers, saying s/he would stop the whole thing if s/he was not to be part of every decision. If the plan was not exactly according to his/her standards, s/he would prevent it from being implemented. [...] I wrote to the officer saying that if they needed anyone to represent other types of opinions opposing this person, I volunteered. (Interviewee G4, 2013)

In the interviews from 2013, a number of local actors argue that the experiences of public meetings at Gräsö must have made the UCAB to limit the number of big meetings in order to reduce the risk of mobs. The UCAB officer did not confirm this as a deliberate strategy, but did agree that it was much easier to address individual actors or smaller groups than full assemblies:

Since there were so many [actors], we did start with open meetings to inform and then we pursued with contacting specific interest groups. The idea was that it should work better to contact hunters separately, fishers separately and so forth. (Interviewee G14, 2013)

5.2.1.5 The UCAB's replies, 2010

By December 2010, 115 individuals had been in contact with the UCAB to comment on the plan. The letters of communication were often signed by more than one actors (e.g., partners, siblings, neighbours), and actors often submitted several letters with similar content (e.g., one individual, one co-written with a partner or neighbour and one together with an association) – especially those who did not find the UCAB compliant to their ideas. The UCAB replied to each and every actor that contacted them with a comprehensive response, sometimes up to eight pages long, referring to the overall interaction between the officers and that particular actor. In the replies, the UCAB officers responded to factual arguments, but they were to some extent also acknowledging worries, anger, fear and mistrust:

To start with, we unreservedly apologize for the lack of dialogue so far. We hope that this can somehow be repaired and resumed by this reply. (UCAB, 2010a)

[...] But why is the County Administrative Board proposing, as you say, almost provoking measures when the present protection is sufficient? You find [the proposal] to be in an adverse manner targeting the ones that are caring for the archipelago today. The County Administrative Board did not intend to provoke; we try to manage an uncertain future for a large common area with a very weak protection status, and its connecting mainly privately owned archipelago that only are protected by the restricted access to the coast line. [...] The County Administrative Board assesses that a reserve, as the one now being discussed, provides a greater, long-term protection from settlement than what other forms of regulation can offer. (UCAB, 2010b)

“You ask if we [the UCAB] want this reserve only to get appreciation from national and international actors and that local actors will have to stand back no matter what. Just that you feel required to ask this is serious. We think that this is an expression of the frustration and powerlessness you, among others, feel when the authority proceeds with a plan you find unnecessary. As the County Administrative Board, we want to do what we can to ease this perception of powerlessness (considering that we have interpreted the situation correctly). [...] We might come to different conclusions, but you should have no question concerning how we are reasoning.” (UCAB, 2010c)

The three UCAB officers in charge of this process referred to something they called the ‘early consultation dilemma’ to confirm and normalize the frustration many actors expresses in the letters. As it was a work in progress, they argued, some questions had not yet been answered. They were striving to find a balance between providing clear answers and needing consultation in order to create these answers. Most of the UCAB’s replies ended with a wish to meet up in person for further discussion.

We hope that the [forthcoming] consultative process will give an understanding of the UCAB’s reasoning that concludes this proposal. Our ambition is that all landowners should be well versed in the background and motives of the UCAB’s position. We are pleased to meet up [...] if you wish and will answer any emerging issues with our best ability. (UCAB, 2010d)

The UCAB closed this section of the preparatory work by conducting a survey asking landowners if they were satisfied with the amount of information they had received to date. The response rate was low, less than 5%, this compared with a 60% response rate for a survey on fishing conducted by UCAB in the same area 2007. Of the responses, 22 landowners were pleased with the amount of information, and four wished to receive more information. The UCAB interpreted this response as good enough to proceed to the next phase of the process. The UCAB had communicated with 115 actors at this point. Of those actors, the UCAB identified 93 as potential “stakeholders” since they had properties included in the suggested reserve. The UCAB found it challenging to identify these stakeholders, as tenure in the archipelago was complex and in some cases – especially for property boundaries in water – not even investigated by national cadastral survey.

5.2.1.6 The official consultation, 2011.06–2011.10

The UCAB opened the official referral round on June 17 by sending the formal proposal for the Nature Reserve Gräsö Eastern Archipelago to the affected actors and related agencies. On the send list, the UCAB had 537 stakeholders and potential stakeholders as well as 60 other actors who could be interested – for example, governmental agencies, the municipality, interest organizations, and local businessperson. The invitation to participate in the consultation was also published in two local and one regional newspaper. The deadline for comments was October 3, 2011. An extended deadline was granted to SEPA, Östhammar municipality and, after some discussion, the Norrboda Fishing Community Association. According to the UCAB's officer report, they received a total of 62 remarks: 22 remarks were signed by 28 land owners, two were from community associations, 18 from governmental agencies, five from businesses, twelve from interest organizations and one petition was signed by 117 Gräsösians (UCAB, 2012a).

Some local actors and national interest organizations were impressed by the extensive preparatory work and consultation process. For example, two previously sceptical landowners stated that they now felt recognized by the UCAB and approved of how the UCAB had considered their opinions. The Uppland Foundation expressed concern that the proposal had been watered down and that high natural value was being sacrificed to reduce the number of stakeholders. Regardless, the Uppland Foundation wanted to commend the process (referral letter from Upplandsstiftelsen, 2011).

Other governmental agencies offered minor suggestions, but mainly saluted the plan. For example, the government of Åland was very positive about the plan, as they could see their archipelago greatly benefitting from the neighbouring reserve (referral letter from Ålands landskapsregering, 2011). The Stockholm County Administrative Board, which was the administrative authority in charge when Gräsö first recommended a HELCOM MPA, found the process to be comprehensive and the proposal to be substantial and balanced (referral letter from SCAB, 2011).

Most comments submitted by landowners were still negative: One landowner described how s/he feeling exhausted by the process and asked if the UCAB even cared for his/her opinion and if their participation mattered at all. Other wrote that all trust in the authority was long gone, that they felt violated by the process and that the process was undemocratic. Others claimed that the process had wounded the society of Gräsö; the wounds would need time to heal before the UCAB could expect any cooperation at

all from the locals. A local fisher wrote that s/he would not be able to sustain his/her business due to the reserve. Some local actors also argued that the reserve was a declaration of no confidence from the authority and that the reserve was a confiscation of property. A handful of landowners simply posted that they already had said no and that nothing had occurred to make them change their minds.

A landowner said in interview that the consultation process was a way to convince local actors to let go of their rights in order to meet the requests of regional actors:

If I understood it correctly, the EU pressured Sweden to establish more nature reserves. Sweden was accused of having too few in relations to our big territory. The EU wanted us to have more. Swedes may think that it is a bit extreme with reserves. It is not so applicable here because we already have so many rules regulating what one can do. We have the right to public access, and we want people to experience nature. Well, the EU said we have to have more because the numbers are too low. Therefore, the authorities make an inventory and find a damn large area. Thousands of hectares! They are super happy and appoint it as a nature reserve. Then they have to have a consultation process to convince the landowners to agree. That is what we have here. A process to convince landowners. It is not a democratic process. It is a process to convince landowners to give away what is theirs because the state wants it instead. They manipulate rather than consult and involve actors in decision-making. (Interviewee G9, 2013)

The term “cultural value” was frequently used to describe the Gräsöian’s activities and life style. Many indicated or directly argued that the reserve would be counteractive and even destructive for the cultural values that had shaped the landscape for generations. An interviewee involved in a process to take over his/her parent’s farm emphasized how difficult it would be for outsiders to understand the labour involved in good coastal management:

It is hard for outsiders to understand. We have managed this in a particular way. I cannot really explain... We are very specific about our management. It is hard to transfer this management into strict rules and regulations. We have done it for generations. It is so hard for outsiders to understand what it means to us. So many years we had it... Outsiders just think that it is a beautiful place, but they cannot comprehend all the time we put into it. Such huge amount of time we put into caring for this area. It is not about money, it is all about time. [...] I manage this area for the generations to come. I want to be able to pass on something I am proud over. This is really a strong feeling. It is not about the economic

value. I mean, I know that the property has an economic value, but it's just a number on paper. It does not matter. The most important thing is that I can be proud to pass it on to my children. (Interviewee G12, 2013)

A very upset fishing rights holder said in an interview that instead of punishing the islanders for the care they had put into the management of the archipelago, the UCAB should make an individual agreement with land-owners as equal partners:

I wanted a real consultation process. Now the UCAB just told us that since we had managed the area so well, they now had to take it from us. That is what they said! If we managed it into such damn valuable place, would it not be much more reasonable to make us equal partners? We could have a dialogue about protection. No one here is against protection of this archipelago, but we cannot stand the conditions the UCAB gave us. They want us to stand in line and obey orders. They should have made us equal. We could have discussed how to deal with the fishing and how to protect the islets. We could have agreed upon everything. But it didn't turn out that way, did it? No! They had to take the right [to negotiate] away from us. (Interviewee G5, 2013)

More than ever, local actors started to distinguish between those with and those without "proper claims" to the archipelago. A landowner with strong opinions against the reserve said in interview that the UCAB invited actors based on the actors' likelihood to agree:

Only landowners should be involved. They are the only ones affected. If one asks people in Skåne if they want a reserve here [in Gräsö archipelago], they surely say yes. That's why they started with such wide-spread invitation. Told us everyone was so positive towards the reserve. It is obvious that people who don't have a stake can be positive to this shit. Everyone on the west side of [Gräsö] island is not affected at all by the reserve, so they can easily be positive. Everyone who isn't a stakeholder can be positive. That is why they ask anyone but us in the consultation. (Interviewee G8, 2013)

However, considering the response rate, the UCAB estimated the criticism to be within reasonable limits. Nevertheless, an opponent claimed that the relatively low response rate should be seen in the light of a long and confusing process rather than as an act of support:

A final draft of the reserve proposal was circulated for comments from the end of June to mid-November 2011. At the time people were so tired

about this process they just could not care less about authority's documents. No one had understood that the outcome of this round of consultation actually would be used as a base for decision. We did not understand the importance. (Interviewee G1)

5.2.1.7 The protest network

When the reality of the situation became apparent, the strongest opponents mobilized themselves into a loosely linked network with some key members of the Fishing Community Association as the inner circle. The actors involved in the network reviewed the entire process and argued that it had been flawed from the beginning. For example, they claimed, only one landowner (the forestry actor) was a member of the contact group. They argued that Gräsösian landowners alone should decide this matter. An actor involved in the protest network said in interview:

I do not know on what criteria people were chosen to participate in the contact group. The Gräsö Archipelago Community Council was there. Why? They were internally divided. [...] They did not have the support of the people and could not represent us. I do not feel that I was represented by any participant. I read the minutes from the contact group's meetings years later when I realized that the situation started to become real. Going through the minutes, I found out that the CAB officer at the first meeting in 2006 said "a reserve cannot be made if it is not needed". [The officer] was going through the rules of how a reserve can be established and explained some kind of proportionality clause in relation to common versus private interests. Such a proportionality assessment has never been done! No one has asked how many people want a reserve and how many do not. The stakeholders are best suited to assess if a reserve is needed, and we have never been asked if a reserve is necessary here. The UCAB has had their blinders on going through with the reserve no matter what we said. (Interviewee G2, 2013)

Key actors from the protest network voiced their concerns in the local media, invited the UCAB to visit their homes and requested an audience with the governor and the head of natural management at the UCAB. Although the governor argued that these actors had received extensive opportunities to air their concerns, he agreed to meet. A meeting between the governor, the head of natural management at UCAB and a number of landowners representing the protest network was held February 10, 2010. According to the UCAB's minutes, the governor opened the meeting explaining the international obligations, including the HELCOM MPAs among others, which had led to this proposal. The participants criticized the

way in which the UCAB had managed the consultation. They were very unhappy with the dialogue, which lacked “genuine conversation”. They criticized the construction of the focus group because it did not sufficiently represent the landowners’ interest. The UCAB was accused of not having listened to the concerns that were raised in the contact group and even of having excluded inconvenient comments and remarks from the minutes (UCAB, 2012c). The governor said that he found it regrettable that the locals perceived the consultation process this way. He asked the attending actors to, as soon as possible; send him a list explaining how their interests would be impaired by the reserve.

The next Monday, the participants emailed the head of nature management, complaining that the authority had not taken their case seriously at the meeting. “You did not seem to acknowledge that we are representing a majority of the Gräsösians and that we have been appointed by the community to voice our concerns. To complete the list of concerns for the governor, they requested 11 more days” (letter from Adén, 2012). The chief replied that their frustration and dissatisfaction had been abundantly clear at the meeting and that it saddened him that the feeling remained despite their best efforts. He assured that they were heard – at the meeting as well as throughout the process. The chief hoped that the actors now would grant the authority the same type of responsiveness. As the governor was presently considering the last pieces of information before his final decision, the chief argued that the offer of submitting an additional list was more than generous – especially since the official consultative process was over, and no other actor received this opportunity. Hence, no additional days were granted. The representative was disappointed in the reply and claimed it was wrong to consider politicians and other agencies as being equally concerned about the archipelago as the locals. It was not fair, s/he stated, to give everyone equal access when the stakes were so different.

The group never sent any additional list of concerns to the governor. Instead the very same letter that opened this description was sent to the governor the following week. The same day as the letter was received, 21 February 2012, the governor declared his decision to establish the nature reserve Gräsö Eastern Archipelago.

5.2.1.7 The decision to establish Nature Reserve Gräsö Eastern Archipelago, February 2012

The final decision to establish the Nature Reserve of Gräsö Eastern Archipelago differs somewhat from the original proposal. In its entirety, the

goal of the reserve is to protect the area from large-scale exploitation, such as wind turbine parks and extended building on pristine islands. Only to a small extent did the nature reserve change the regulations that shaped the landowners' activities. As strongly requested by the local actors, hunting and fishing was not included in the general decision (although it could potentially be added to the management plan later on).

An UCAB officer stated in interview 2013, that the consultation had an important impact on the plan:

I think [the consultation] contributed very, very much. It primarily affected the way we presented the plan. In the first version, the proposal was very detailed. A lot of information, actually quite messy. We made a more condensed second version. So yes, the consultation process definitely improved the result. (Interviewee G14, 2013)

It appears as if the consultation process inspired the UCAB's work in developing the proposal, as claimed by the UCAB, but it is quite difficult to distinguish when ideas arose. Were the ideas developed through the consultative process, or had the officers already planned them? Eventually, the plan could be the UCAB's pragmatic result from a difficult task. For example, the UCAB has on a few occasions limited the original area in order to minimize the number of affected landowners, making the process more efficient even if it made the reserve less so. The UCAB adjusted boundaries upon request. Only by looking at the maps of the original plan and the final decision could one argue that the consultative process had a high impact. For example, the reserve does not include the shore of the main island and shallow bays, although it was initially argued that those particular areas had significant value. The UCAB removed the shore and shallow bay to reduce the effect on landowners. However, the landowners thought that the UCAB's plan was flawed: with the shallow bays removed, the main purpose of the reserve was lost, and hence the UCAB should revoke the plan altogether.

Some of the islanders also observed the changes as evidence of the UCAB's untrustworthiness. Respected characteristics are, according to island tradition, to state your opinion and stand your ground. A Gräsö landowner who had accused the UCAB officers of being biased and therefore as unqualified to manage the process said in interview:

Well, we focused on the things we thought would most disturb and postponed the decision. [...] We could fight about it, but I was pretty sure it would happen anyway. But it's an old custom we have out here

that one has to state dissatisfaction as long and as hard as one can. (Interviewee G11, 2013)

Another interviewee expressed frustration with the UCAB for “changing their minds all the time” and with passive actors for not making a clear stand:

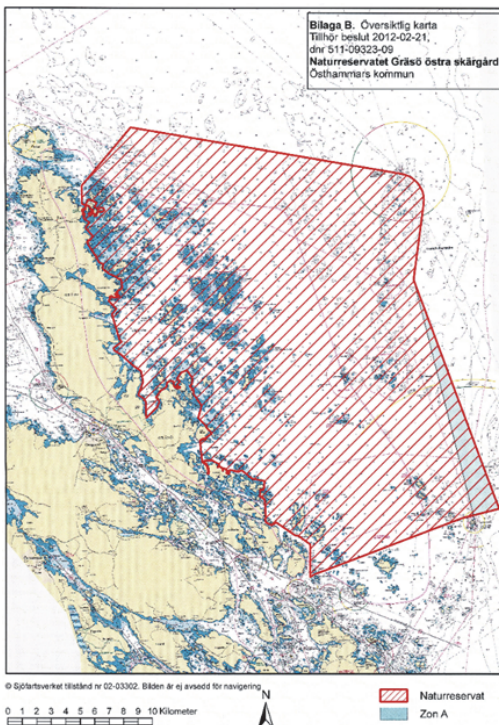
They [the UCAB officers] should have been clearer from the beginning, not changing things back and forth all the time. They lost all credibility. Their inconsistency did not help their case at all. It just made people confused. [...] Not so many people cared [about meetings] anymore. They remain at home and curse the whole thing instead. They curse, but are too lazy to attend meetings. They should attend meetings instead of being pissed off at home. Instead, they want me to keep them informed. (Interviewee G8, 2013)

A landowner who had participated in the contact group representing one of the Fishing Community Associations said that the UCAB officers would have gained much more if they had been honest about their position and the chances of the actors’ affecting the decision:

They could have been more open. [The participation] was not on the level we expected. [The UCAB officers] proceeded with their monologues without really explaining anything. Sometimes it is an advantage just to say “my hands are tied, I can’t do anything else than what I have been assigned. But I can listen to what you have to say, I will take it on board, I will reflect on it and come back to you.” They have to open up for dialogue. Now... well, they opened up for conflict. There was already mistrust towards the UCAB officers. None of this gave conditions for good relations. (Interviewee G7, 2013)



Picture 5: Map with the reserve borders as originally proposed by the UCAB in early 2000, including the whole eastern shore of Gräsö and all islands northeast and southeast of Gräsö, as well as Singö and Singö east archipelago in Stockholm County.



Picture 6: Map with the reserve borders according to the decision in 2012, not including Singö, Örskär and many small islands southeast of Gräsö. The reserve also does not include the main island's shore or shallow bays.

Throughout this chapter, it has been shown that a group of actors were dissatisfied with the level of participation and transparency, as well as with the distributive outcomes of the planning process. This group decided to honour the Aarhus Convention and appeal the governor's decision to the government auditor. They argued for abrogation of the reserve based on procedural issues. A relatively new and large landowner, living part-time at Gräsö and part-time on another estate, privately hired a lawyer to collectively represent the appealing landowners. Members of both Fishing Community Associations loosely organized a protest network and went door-to-door in order to collect signatures for an appeal. The appeal was compiled by a lawyer and argued that the UCAB overstated the natural value of the area, making the protection out of proportion. The government auditor, however, found the reserve to be justified by the high natural value and found the UCAB's regulation to be balanced and appropriate to achieve the object. The government auditor rejected the appeal on all grounds January 24, 2013 (Ministry of Environment, 2013).

5.2.1.8 To be continued

One of the three officers was still working at the UCAB in 2013. The officer stated in interview that he believed that the locals had unrealistic expectations about their ability to influence the final decision. The officer believed that the open-ended and unprejudiced manner of the initial meetings gave the locals a false impression about their role in the decision-making. He said that maybe some of the locals thought that the UCAB would back down once again if the protests were loud enough. However, this time, he argued, the national and international pressure to achieve a HELCOM MPA and to support other national and international environmental agreements was higher than it had been before. The threats to the area had become somewhat larger and the resources at the UCAB to complete their mission had grown, the officer concluded (interviewee G14, 2013).

In November 2013, the UCAB officer stated that most of the former opponents were relieved that the process had ended. He argued that most of the landowners were now ready to proceed with more constructive collaborations. He said he looked forward to a management meeting with the landowners to be held on the following day. One landowner also said that he was excited about the upcoming meeting; however, he was also hoping that the UCAB would lower its guard and hopefully be more responsive to the needs of local actors because this landowner assured me that he and his peers were preparing for a new battle in the war against the UCAB.

The meeting at hand turned out to be a status quo. A participant claimed that the meeting was a repetition of earlier meetings and yet another example of the UCAB's pushover method. Since the participants did not trust the UCAB to tell the true story in its protocol, they kept their own records of the meeting. When I compare the two documents, it is clear that the two positions are colouring the description of the meeting. It is, however, obvious from both documents that some actors questioned the legitimacy of the authority. For example, a landowner stated that CAB had wrongfully conducted fishing for exploratory purposes on private property. In UCAB's protocol, the UCAB denied that any activity occurred without landowners' consent, but in the actors' notes, the UCAB should have admitted this mistake.

From both documents, one can see that the issue of access to the continuing management process and invitations to the meetings remained a hot topic. Actors claimed that they were not invited and only learned about the meeting second or third hand. The UCAB officers assured them that they would update the contact list.

The UCAB left out a remark of significant importance to the landowners in their minutes. In the local actors' record, a fisher voiced criticism of the UCAB's post-decision statements. The actor spoke bluntly about how he felt betrayed by the UCAB and especially by the head of natural management. The actor referred to the chief's statement in the local paper on March 18 (see the statement in the opening section of this chapter): "To claim that the opposition was small and that most agree with this decision is a lie", the actor said, arguing that he had lost all trust and respect for the UCAB and its head of natural management. The local actors' record stated that the community commonly shared this perspective was.

A loosely organized network of opponents was still active in May 2014. The Supreme Administrative Court accepted the appeal for review in May 2014. The Supreme Administrative Court was to evaluate if the government auditor was correct in dismissing the appeal. The prosecution gave an account mainly on behalf of the one landowner who hired the lawyer. The claim was that the reserve was unnecessary, that the local actors were overruled and that the UCAB had ordained the reserve prior to the consultative process. The local actors supported their claim about unofficial establishment by the written conversation between the UCAB and SEPA about the financial plan dated March 18, in which the UCAB asks for a larger budget if they are to proceed with the plan. The decision is an official record, and

UCAB attached the correspondence to a reply in order to show that they were taking the landowners concern about finances serious.

The UCAB has not been involved in the court process. The UCAB officer said that the court's review concerns whether the government auditors treated the appeal correctly and that the UCAB neither should nor would make statements in the case. The officer was not surprised that the case had proceeded, as some of the key actors involved in the appeal had told him that they would proceed as far as they could. A landowner claimed they would proceed as far as the European Court if they had to, as long as that one landowner was willing to pay, of course.

A member of one of the fishing associations who had not been involved in the protest group said the following in an interview:

We wanted to have LRF to represent us. We were a bunch of inexperienced amateurs. Incredibly unbalanced exercise of power within the process. We were completely unequal parties. The UCAB never recognized this imbalance among actors or attempted to see this situation in a historical context of access struggles. The only thing the locals had to fall back on was their owner's right. If we had a community-based natural resource management plan, the negotiation position would have been completely different. I presented such a proposal in 2004, but other locals dismissed it entirely as they considered it to be a concession to the state. Now the remaining opponents try to refresh the idea. Silly fools – it is too late. This war is over, why appeal and force another battle they cannot possible win. (Interviewee G6, 2013)

5.3 Case: St Anna-Missjö HELCOM MPA

In this section I will present the participatory process of St Anna-Missjö HELCOM, starting with a summary of key events and key actors followed by a more extensive presentation of the process in chronological order.

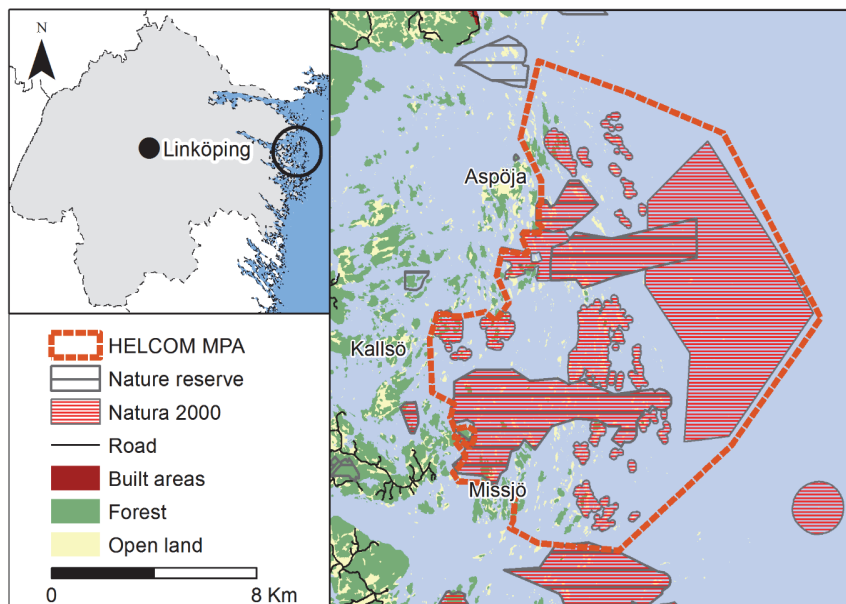


Figure 5.3: Orientation map for St Anna-Missjö HELCOM MPA. Map data from Lantmäteriet, 2016 ©Lantmäteriet Gävle. Permission I2014/00599, and the Swedish Environmental Protection Agency, 2016.

Key events of the St Anna-Missjö HELCOM MPA planning process in chronological order:

2008 – Open invitation: The ÖCAB invite to an initial information meeting. The participants are critical because the invitation had a too short notice and did not reach all affected actors. The ÖCAB decides to have a second meeting. They use existing local institutions and structures of self-regulation, for example the Village Community (*byalag*), to reach more actors and encourage participation.

Second invitation meeting – The ÖCAB and the Village Community make personal invitations to mobilize more participants. The locals are not at ease and argue that they have to participate to protect their interests from

a state intervention. Many participants are suspicious that the HELCOM MPA is a “back door” to enforce a marine reserve despite local disapproval. The ÖCAB officers says that this motive is as good as any and that without actor involvement the ÖCAB officers will have to decide about the plan on their own.

Late 2008 – The vision: The SEPA did not state any particular goals for the outcome of the pilot process, apart from a HELCOM approved management plan. For SEPA, the procedure with a participatory approach and the use of the Conservation Measure Partnership (CMP) Open Standard programme and MIRADI Software is of primary interest. The ÖCAB follows this programme to structure and visualize the process of identifying a vision, the values to be protected, impact assessments, strategies and actions. Step 1 is to formulate a vision. At the early meeting, participants are encouraged through small participatory activities to state their individual priorities and hopes. The ÖCAB officers then synthesize the main points into a common vision for the St Anna-Missjö HELCOM MPA. The participants agreed on a vision and used this vision as a guideline for the process as a whole. In this way the ÖCAB wants to disconnect the planning process from earlier protection plans (such as the daunting reserve proposal) and to involve the participants.

2009 to 2010 – Thematic groups: The participants identify themes of interest that need to be discussed in relation to the vision. Three themes emerge from the brainstorming activity: cultural landscape and natural resources, agricultural practices and physical planning. Depending on interest, the participants join one or more of the three thematic groups for further discussion. The groups have 18–24 members each. Each thematic group holds four meetings in 2010. Both participants and the ÖCAB officers perceive the discussion climate to be productive and inclusive. The ÖCAB officers however sensed that the trust in the institution is low among the participants and uses transparency as a way to manage the institutional mistrust. Throughout the process, the trust in individual officers and eventually also the institution increases. However, the relationship between the participants and the authority remains fragile, and if anyone starts to articulate suspicions that the ÖCAB is withholding information, the level of trust drastically decreases throughout the entire group.

2010 to 2011 – The plan: The ÖCAB officers compiled the outcome of the thematic group discussions into an extensive vision document with a management plan, suggested strategies and measures. The document is called “*Acta St Anna – cooperation plan of the BSPA St Anna-Missjö*”. Some of the participants criticize the way that the ÖCAB summarized and prioritized arguments in the text. They claim they do not recognize their contribution in the text and demand greater transparency. Due to these criticisms, the ÖCAB held an additional meeting with the participants half-way through the referral process to clarify and anchor the plan. Still, some local actors argued that there is inconsistency in how participants’ input has contributed to the final product. The ÖCAB officers encourage the participants to engage in the official consultation process.

2011 – The consultation process: The consultation process targets a wider circle of interested parties and bodies of authority. The consultation process goes through two rounds. In the first round, ÖCAB receives thirty-four responses. Two thirds of the letters are signed by islanders. Approximately half of the participants in the initial planning process also submit a written comment. The letters from local actors are split more or less even between positive and negative comments. Some actors criticize the document for being too long and complicated, arguing that a layperson could not be expected to embrace such extensive material and understand its practical implications. The Village Community of Aspöja hires an external investigator to evaluate the quality of information in the consultation process. With a slight response rate, the survey concludes that information was received, but just partly understood. The ÖCAB reworks the cooperation plan based on this feedback and sends a second version on a referral round. The second round sees fewer submitted letters and a smaller range of actor groups, and issues now mainly focus on the obstacles to actualise implementation.

2012 – Implementation: The implementation is built on voluntary commitments among affected actors. The commitment of some important actors declines. For example, as SEPA’s main interest is in the planning process; their enthusiasm for the project greatly subsides when the thematic groups dissolve. Both the ÖCAB and the participants find the issue of funding the implementation unsettling. The ÖCAB asked but receives no additional funds to finance the implementation the comprehensive management plan. Finances become a major concern for the ÖCAB and for local

actors, as they consider the credibility of the process linked to the ability to execute the plan. SEPA's guidelines for the process state that a collaborative management committee should be in charge of the practical implementation, and the ÖCAB uses this task to request more funds from SEPA.

2012 and ongoing – The collaborative management committee: The ÖCAB establishes a collaborative management committee to be in charge of the implementation and further development of the Acta St Anna Cooperation Plan. The committee constitutes three village representatives (and alternate members) appointed by each of the three respective Village Communities bordering the MPA, one ÖCAB officer and one resource person linked to Söderköping municipality. Some local actors criticise Söderköping municipality for lack of commitment to the overall process. Many key actors argue that the hopes for collaborative management as raised during the process is yet to be met in practice. The ÖCAB argue that the local key actors have unrealistic demands for transparency, speed and compliance.

Main actors in St Anna-Missjö HELCOM MPA planning process, in alphabetical order:

Interest organizations – a few interest organizations active at a district level with links to national networks. These are mainly practice oriented, such as fishing and boating (Kustfiskeförbundet and Östergötland Båtförbund), but also include groups interested in nature protection (Swedish Society of Nature Conservation). The organizations had representatives in one or more of the working groups. The continuity varied among and within the organizations.

Landowners – a very diverse group of year-round residences and summer-house owners that have mixed backgrounds, levels of education and relations to the area and each other. Of the more committed participants, a relatively high number are entrepreneurs and/or private business owners with activities in the archipelago.

Local businesses – A small number of local business and organizations to promote local businesses participated in the activity, mainly to protect business interests and to ensure that the restrictions do not limit further development. The local taxi line, Skärgårdslinjen and the tourist organiza-

tion participated in a number of meetings. Most of the landowners were also local business owners, focusing on agrarian business, but as their businesses were linked to the ownership of land, they held a different status in the process (a position backed by law according to the ÖCAB).

Local development and cultural heritage organizations – organizations such as the St Anna Local History Society, Skärgårdsrådet and Skärgårdsföreningen were very active during the process. Their main argument was that it is important to find a balance between protections of the areas' natural environmental uniqueness while continuing to support the development of the human activities that shaped this landscape.

Söderköping and Norrköping municipality – the MPA is located within of Söderköping municipality jurisdiction. As MPAs lack legal status in practice, the management plan had to be incorporated in Söderköping municipality's local plan to have actual accountability. The municipality was criticized for not committing to the process in an appropriate manner. Norrköping municipality had no official responsibility in relation to the MPA, yet the municipality ecologist took an active role in the thematic group discussions. The ecologist was, according to the ÖCAB officers, deeply appreciated for her extensive knowledge about local ecological conditions.

Östgötland County Administrative Board (ÖCAB) – the ÖCAB was officially in charge of the planning, implementation and management of this project. The ÖCAB answered to SEPA, who initiated and partly financed the project. The lead senior administrative officer had a long experience working in this area and was familiar with the communities. At the ÖCAB, interest and commitment to the St Anna-Missjö HELCOM MPA planning project was slightly higher than usual (in terms of personal), as this was an SEPA pilot project. The lead officer was not overwhelmed by the programme in the beginning but was surprised by how well it worked. Key lesson: Trust is everything!

The Swedish Environmental Protection Agency (SEPA) – the St Anna-Missjö HELCOM MPA was part of a pilot project initiated by SEPA to investigate a new consultative method. SEPA was indirectly involved in the process by assigning the participatory approach used by the ÖCAB and by training and monitoring the ÖCAB's personnel throughout the process.

SEPA also financially supported the parts of the process that were outside of the ÖCAB's budget.

Village Community (in Swedish: *Byalag*) – an historic remnant of a local self-governing democratic institution that still operates in practice, but with less, if any, institutional significance. Membership is based on property rights. The Village Community was incorporated in the process by the ÖCAB as a way to increase local anchoring and distribution of information. The Village Community appointed representatives and ensured feedback mechanisms; however, not all islanders are part of the Village Community, and discussions about the HELCOM MPA were purely based on voluntary interest.

ÖSTSAM – an interest organization among the municipalities working at the county level. It is a municipal association established to enhance cooperation among the 13 municipalities in Östergötland County and from Östergötland County Council. This regional political forum aims to work as a “development engine”, supporting competitive development. A representative participated in the process, taking on what most participants understood to be some type of expert role. Their involvement was appreciated, not the least by local farmers and small business holders. The locals appreciated ÖSTSAM as an ally and encouraged their active participation in the management committee.

Table 5.3 gives an overview of the St Anna-Missjö HELCOM MPA implementation process, the involved actors, key issues and actions.

Phase	Actors involved	Key issues	Outcome
Initiative, year 2005–2008	SEPA, 5 CABs, consultant	How to manage large-scale marine protection to live up to multi-level agreements	Pilot project using CMP as a process method, with the aim of establishing an adaptive management plan
Local process phase 1 (pp1), year 2008–2010: Cooperation	The ÖCAB, landowners, interest organizations, municipality,	Locals: Will the authorities support the lifestyle that upholds the cultural landscape?	Three thematic groups developed: goals, targets and measures. The ÖCAB facilitated

	citizen councils and regional organizations	Expressed in discussions about fishing, tourism, grazing and state grants. Is there a hidden agenda to establish a national park?	the work and composed a unified plan based on the three groups' proposals.
Process phase 2 (pp2) year 2010–2011: consultancy with referral round 1 (rf1), information meeting and referral round 2 (rf2)	<p>rf1: 34 Comments from 7 agencies, 4 regional/local authorities, 4 regional/ local organizations, 19 private people, 10 people who participated in pp1.</p> <p>rf2: 21 comments from 9 agencies, 2 organizations, 10 private people</p> <p>Private contributions are often signed by two or more individuals.</p>	<p>rf1: The plan's structure and purpose. Geographical borders. Legal status. Measures and priorities. Implementation and further collaboration</p> <p>Meeting: physical and substantial delimitations.</p> <p>rf2: Geographical borders. Legal status. Finance and schedule. Implementation and further collaboration.</p>	The ÖCAB added some general clarifications and improved formulations on the back of the comments. The ÖCAB assures people that the HELCOM MPA is not a way to sidestep the locals into developing a national park.

Decision?	The ÖCAB (the individual County Administrative Boards also remain in control of decisions and implementation in the pilot).	Formal status Implementation, e.g., finance and collaborative management committee	<i>Acta S:t Anna – Samverkansplan för BSPA-området S:t Anna-Missjö.</i> 2011:7
Co-management committee (established by the ÖCAB) to further develop and implement the Acta St Anna Cooperation Plan. Year 2012–ongoing	Composed of three local representatives + substitutes, one the ÖCAB official and one resource person linked to Söderköping municipality.	Trust, efficiency and actual outcome. Members argue that the high hopes of collaborative management raised during pp1 are yet to be realized. The ÖCAB argues that locals have unrealistic demands for transparency, speed and compliance.	Local actors perceive things as being at something of a standstill. What is to come out of this project? The management committee has implemented some projects related to grazing.

Table 5.3: *Planning process of St Anna-Missjö HELCOM MPA.*

5.3.1 Narrative St Anna-Missjö HELCOM MPA Planning Process, 2005–2012

The opening lines in the “Acta St Anna – cooperation plan of the BSPA St Anna-Missjö” state as follows:

The County Administrative Board of Östergötland was given the mission by the Swedish Environmental Protection Agency to develop a cooperation plan for the management, care and use of [the St Anna-Missjö.] The [HELCOM MPA] was appointed by the Swedish Government and HELCOM.

The work [to develop the cooperation plan] has taken place in three thematic workgroups consisting of representatives of land owners, interest organizations, municipalities, the archipelago community

council, the Regional Council ÖSTSAM and the County Administrative Board. (Gezelius et al. 2011)

St Anna-Missjö HELCOM MPA, known as St Anna-Missjö BSPA¹, was part of a pilot project initiated and coordinated by SEPA to explore new ways and opportunities to manage the mosaic of different protection measures in the archipelago (Interviewee A13, 2015). To SEPA, it was a priority to find a way to counter the critiques of weak participation and insufficient management (as Gräsö is assumed to be an example of according to an SEPA officer). SEPA argued that grand nature reserves were not a manageable way to secure sustainable protection. According to the SEPA officer in charge of this process, SEPA found it too administratively challenging to handle the big HELCOM MPAs with existing conservation tools. She argued that the nature reserve regulations were insufficient for the large-scale management of mixed biotopes similar to those in the archipelago. SEPA found it neither efficient nor desirable to establish nature reserves covering entire coastlines and archipelagos. “Mostly these areas already contained blocks of protection such as Natura 2000, nature reserves and habitat protection, but lacked coherent management”, the officer said (2015). Consequently, the aim with the pilot project was to explore new forms of management organization that could coordinate the various interests of the archipelago without losing sight of the natural protection value.

5.3.1.1 Introducing the St Anna-Missjö HELCOM MPA to local actors

The officer also argued that it would be difficult to make a compelling argument for the involved actors to motivate a nature reserve of this scale. “The interference in property rights would not be justified. We quickly realized we would never get acceptance for such big reserves”, SEPA’s (2015) representative said. Further, she argued that the planning process for a nature reserve is very resource consuming and that it would be unwise to

¹ BSPA stands for Baltic Sea Protected Area and was the first abbreviation used for the units in the system of HELCOM’s Coastal and Marine Baltic Protected Areas. In April 2014, the abbreviation was changed from BSPA to HELCOM MPA to better resonate with the more commonly used term Marine Protected Area (MPA). The change also aimed to prevent from confusion with the Baltic Sea Action Plan (BSAP); HELCOM’s vision and strategic plan is to reach good environmental status in the Baltic Sea, which HELCOM MPA is a part of. Despite an active rebranding by HELCOM, the St Anna-Missjö project was known by no name other than “BSPA”, even in Swedish, at the time of the field work for this study.

start a process in which the chance of actors blocking the process is as large as it is in this area. Accordingly, the ÖCAB officer in charge of nature conservation argued that the risk of conflict was the main reason that no management plan had yet been implemented for the St Anna-Missjö HELCOM MPA. The ÖCAB officer said that the area had long been recognized by the ÖCAB for its natural value, but that a likely conflict would affect the collaboration between the ÖCAB and actors in other projects as well. The ÖCAB had previously suggested the area as a nature reserve or even a national park, but due to local resistance and the lack of financing, the plan was put on hold. However, St Anna-Missjö was listed as a suitable candidate for national park establishment in SEPA's plan for national parks 2009-2013 (SEPA, 2008).

According to the ÖCAB officer, the Swedish government some twenty years ago asked the ÖCAB to report marine areas of interest for the Baltic Sea as an ecosystem. The officer, much more junior at the time, was not sure what the request was for, but reported the cultural landscape of St Anna-Missjö archipelago as an area of interest. On a fairly arbitrary basis, he identified the area on a map. Later, he determined that the Swedish government had decided to recommend St Anna-Missjö as a prioritized area in HELCOM's network of protection for marine and coastal areas and literally followed his demarcation. The ÖCAB also determined that being appointed as a HELCOM MPA came with expectations.

The officer found the proceeding unfortunate. It verified local actors' stereotype of authorities as making poorly informed decisions based on doodles on a map without considering what these mean in reality. To be frank, he said, the ÖCAB could not really give a strong reason to local actors as to why this particular area with these particular borders was chosen as a HELCOM MPA. The unfortunate start continued to be an issue throughout the entire consultation process.

An actor, a local farmer with grazing animals, had the following to say about the suggested national park:

The plans for a national park received tremendous resistance. This is a living archipelago with functioning generational shifts and a long sustained agriculture and fishing. We even have school children. Just suggesting a national park in this area is a huge infraction. A national park can only be established on state property, and we are very much owning and managing this land. It was a complete uprising! People were really pissed off! I think the neglect of our property rights upset them the most. (Interviewee A1, 2014)

A new landowner referred to the situation at Gräsö when trying to explain why landowners may get particularly upset when nature conservation was put on the agenda:

One of the issues with the BSPA is the initiation, right? The procedure prior to making a decision isn't easy. So, it's like what you have with [the Nature Reserve of Gräsö Eastern Archipelago]. They are out there doing some testing, and then suddenly it is a Nature Reserve. It is clear people will go to the streets and feel it's a rotten move, at least some of them. (Interviewee A2, 2014)

The ÖCAB did not proceed with any plan to establish a nature reserve after the 2000s. One reason was that they could not afford it, but according to the ÖCAC, the main reason was that they valued the existing cooperation and relationships with the locals too much to risk it by imposing strict conservation. SEPA's BSPA pilot project allowed the ÖCAB to establish a management plan that met HELCOM's requirements but did not use nature reserve or national park regulations.

SEPA decided to do a special project on large-scale marine management in 2005. SEPA selected five CABs to be involved in the pilot, including St Anna-Missjö archipelago. "Usually, when SEPA starts similar projects, all twenty-one Swedish CABs are invited and nominated depending on interest, but this time we decided to only approach the five most interesting cases" the SEPA officer said (2015). The five pilot HELCOM MPA's were selected based on the individual conditions and merits – either due to a particular need for management tools, location and/or good existing communication with SEPA (Interviewee A13, 2015). The SEPA officer argued that the ÖCAB had shown a particular interest in participatory methods and that the conditions for cooperation among the various actors was perceived as being good.

However, even if motivation was high and SEPA had received additional funding for the project, the start was slow. Neither SEPA nor the CABs had a clear idea of how to proceed with the project and how to visualize the aim. The project started to gain momentum only when the participatory method CMP² Open Standard was introduced. CMP had a supporting MIRADI

² The method aims to assist the systematic planning, implementation and monitoring of conservation activities. The tool facilitates a structured, participatory approach to the planning's essential component. The tool provides support to define the project scope, design conceptual models and spatial maps, prioritize threats, develop objectives,

Software, and SEPA hired a process coach consultant to train the CAB officers (Interviewee A13, 2015).

CMP Open Standard was introduced as the guiding tool for the pilot projects. This method aims to assist in the systematic planning, implementation and monitoring of conservation initiatives. The ÖCAB officer found it unusual that SEPA was so involved in *how* a process evolves in practice. “Usually, we get *what-directives*. [SEPA] gives us a mission to reach a specific goal, *a what*, but how we get there is up to us. This time we got a *how-directive*, but without a set target on where to go”. The consulting process facilitator argued the lack of direction to be bit of an issue, as it made the distribution of responsibility in relation to the final product unclear. S/he, as well as many other actors in this project, argued the long-term outcome of a project to be crucial in order to motivate and justify the hard work the actors had invested in the participatory process.

The lead ÖCAB officer said he found SEPA’s interest in the CMP Open Standard Method to be the driving force behind the entire HELCOM MPA project.

The mission was process oriented. SEPA wanted to launch a new operation method [CMP open standard]. It is not common that an agency gives us instructions on how to do our work. Usually they just tell us what to do and do not care too much about how we do it, but this time, the how was very important. The main idea was that we should use a number of steps to create dialogue. We got training. Really, the method to ground a project through goals, visions and target reaching measure is pretty classic, but I have not worked with this clear and structured way before. [...] I think SEPA’s great interest in this project and method comes from a general emphasis on procedure and dialogue in environmental care. We [officers at the County Administrative Boards] have previously got training in dialogue for natural resource management, which highlights the way we talk to different actors. It is important that we firmly establish the project goal among those it may concern early on. Preferably, we should reach out and be visible, contribute with knowledge and create understanding. However, it is also important that we let things take their course. We should not rush things and present complete proposals to soon.

In the case of Acta St Anna Cooperation Plan, I think the [CMP Open Standard] method worked pretty well. I was quite surprised at how well

identify and prioritize strategies, determine indicators to assess the effectiveness of strategies, and develop work plans and budgets.

it all turned out. Due to the previous plans to establish a nature reserve in this area, the locals were considerably sceptical to us in the beginning. The locals would never have accepted a conservation tool that compromised their property rights. Their control over the area is essential. Therefore, when we presented this BSPA project area almost identical to the earlier rejected national park proposal, we faced great disbelief. They assumed we had a hidden agenda, using the BSPA as a means to sidestep them in order to establish a nature reserve anyway. We started the process with a steep uphill slope in terms of trust. (Interviewee A12, 2014)

In November 2008 (ÖCAB, 2008a), the ÖCAB invited the affected actors to an informational meeting about the upcoming process. The attending locals criticized the ÖCAB for not having approached all relevant parties. The ÖCAB therefore organized a second information meeting to launch the process. This time, the ÖCAB used the Village Community as an information channel. The Village Community is a traditional self-governing management structure that still maintains a viable function in the St Anna archipelago.

A landowner and Village Community member said the following about the Village Community's role distributing information:

On our island, we have a functioning Village Community, making it a bit easier to distribute information. Through our meetings, we can keep people updated. So on [our island], its commonly known and even people not involved [in the consultation process] may recognize those four letters B S P A and are aware that something is going on. (Interviewee A7, 2014)

Another member of the same Village Community explained how the BSPA was introduced at a meeting:

They brought th is BSPA establishment to our attention. They said there was a number of them in the Baltic Sea and they were about to establish one here as well. However, before they did it, the plan should be discussed in small groups, small working groups for different topics. Business, environmental aspects and such. The UCAB asked us in the in the Village Community who could participate. The interest was quite cool, maybe two or three people said they wanted to. Someone asked [partners name], even if they had shown no interest. So upon this personal request [partner] accepted to attend. (Interviewee A9, 2014)

The attendance at the second info meeting in December 2008 were much higher (ÖCAB, 2008b). At this meeting, as well as the previous one, the ÖCAB explained the purpose, aim and method proposed for this project and requested the local actors for good will and support. Local voices stressed the importance of everyone's right to speak their mind (ÖCAB, 2008b). The ÖCAB insured the entire purpose of using the CMP Method was to facilitate and support local participation. With the help of this method the process could be kept more transparent and it would become easier for all participants to stay on track with the essential parts.

A representative of the local history society recalled the opening meetings. S/he, as many of his/her peers, was unconvinced by the ÖCAB's idea of nature protection. The project design intrigued the actor, even if they disagreed with the ÖCAB and SEPA's reasoning for using the method on St Anna-Missjö HELCOM MPA:

We were initially very sceptical of the aim of this process. As the landowners, we [the local history society] thought there to be a strong connection between the BSPA project and the plans for a nature reserve. We shared the landowners' feelings about these plans. [...] However, the setup of the process was interesting. We could follow the ÖCAB's intentions and thoughts on the matter. HELCOM's investigations were basically behind all the material presented by the ÖCAB. We were told that St Anna archipelago was interesting for the BSPA [pilot] project due to the previous level of conflict in natural resource management. This statement surprised me; it hasn't been that much of a conflict. [...] The locals care for this area is what makes it unique. To maintain this management, the locals wish to remain in control without interference from the authority, so yes, a bit of a conflict can be detected here. (Interviewee A5, 2014)

The locals raised a number of problems and objections during the opening meetings. The ÖCAB officer found the locals generally argued that the ÖCAB was part of the problem rather than the solution. The experience of trying to establish a national park was still an issue affecting the relationships and the process:

The beginning [of this process] is questionable. One can really wonder if this was done right. We were informed that the area has been appointed as a BSPA. Someone draw lines on a map without even asking any landowner beforehand: the very same area that earlier had been suggested as a national park. Also, this without asking any landowner.

Obviously, many assumed that the BSPA was a trick in order to establish the national park. (Interviewee A1, 2014)

The ÖSTSAM's representative also argued that the main problem with the process was rooted in earlier conflicts:

[The greatest issue with this process] was the suspicion against the County Administrative Board of trying to sneak a national park in through the back door. To understand that the process was not about the national park was challenging. I think the County Administrative Board dealt with the suspicion in a good way, but still, being a bit clever, one should not have used the exact same borders as proposed for the national park. It was easily misinterpreted. (Interviewee A11, 2014)

Other concerns raised at this informational meeting were the deregulation of angling and hand tool fishing (in Swedish: *Det fria handredskapsfisket*), economic constraints to maintain cultural value, a destructive tourism industry and the design of the MPA (UCAB, 2008b). The ÖCAB assured attendees that these issues were of utmost relevance to the further development of the project. Indeed, these points were proven to constitute the key points of the discussion, as will be illustrated later in the text.

The ÖCAB officers acknowledged the concerns that local actors put forward, but emphasized that as an authority, the ÖCAB alone had been assigned the task of establishing the HELCOM MPA. The ÖCAB had to comply:

SEPA assigned us to establish a plan for the St Anna and Missjö archipelago. HELCOM had appointed the area to have particular value, and Sweden has undertaken to establish protection for this area as a BSPA. (Interviewee A12, 2014)

To ease possible negative effects from the plan on the local community, the ÖCAB hoped for local participation. At the introductory meeting(s), the ÖCAB officers invited the local participants to engage in the process and contribute to the development of the adaptive management plan. The lead officer said that most landowners were reluctant, acting as if their non-participation could prevent or stop the project from happening:

We approached the locals with what we at the County Administrative Board call the "soft-hard approach". It means that we strive for dialogue as long as we can, but that we also are abundantly clear that we will not

allow any natural value to be destroyed under our watch. [...] Facing the locals' scepticism [about the BSPA project], we explained to them that regardless if they wanted to plan for the future or not, the future happens. We tried to explain the benefits of a management plan, for example, to not let their concerns about an uncontrolled tourism industry come true. We also told them that if they do not want to participate in the planning process, the County Administrative Board would have to proceed without them, and likely they would not be satisfied with that outcome either. Eventually a number of people agreed to participate; I guess they realized we were serious about the project. (Interviewee A12, 2014)

5.3.1.2 Local actor involvement in planning

In the interviews from 2014, both the ÖCAB officers and the local actors argued that "anyone who had an interest" would be welcomed to participate in the consultative planning process. The participating actors were, apart from landowners and summer house owners, a number of interest groups and small business holders.

The representative of the Regional Council ÖSTSAM became involved in the process as part of his/her activities in the region:

First, I found this method [the CMP] interesting. Secondly, it is part of my professional role to make sure things happen; to monitor things and engage in processes, maybe to become an interpreter among authority and archipelago dwellers. Being the natural party, ready to jump in and mediate. I think the role is good. (Interviewee A11, 2014)

In the interviewees, actors express and recall diverse motives for participation. Some wanted to protect their interests, others thought their particular experience or perspective could contribute to the process and some observed this as an opportunity to learn more about the area and to get to know the community better. A summerhouse owner said:

I saw this project as an opportunity to learn more about the area and to connect with the permanent population. [...] I got the impression that some people saw this project as a great opportunity, while others understood it as a new hostage situation. They [the opponents] openly referred to the planning process as a charade and assumed the management plan to be just a paper product. This type of comment became gradually more common as the process evolved. The chair seemed to have identified some individuals as troublemakers and avoided giving them too much attention. Otherwise, the chair was very responsive to our comments and opinions [...] (Interviewee A4, 2014)

Others agreed to participate only because they felt it was expected of them, and they observed no realistic chance to walk away. A farmer with grazing animals claimed that participation in the consultative process was the only way to stay updated and to get the necessary information required for planning their natural resource oriented business, as the ÖCAB generally did not provide much information about its plans and actions (Interviewee A4, 2014).

Most interviewees said that they found the balance among represented actors to be reasonable. Many argued it was correct and just to give landowners with agrarian businesses a more influential role, as they were perceived to be most affected by the BSPA. A couple of actors only identified their own group (landowners) as a category with an actual interest to monitor. Conveniently, they saw most participants as being landowners. An elderly fisher said that the most prominent group of actors was landowners and, “unfortunately”, also the ÖCAB officers:

The purpose of this project is to save the archipelago. As we, the archipelago dwellers, are the ones that made this area unique and worthy of protection, we should be the ones to manage it further. We do not need the authorities to tell us what to do with our own land. It is like they keep us in custody. (Interviewee A3, 2014)

A landowner and spouse of a member in the management committee said:

It is only right that people from out here were involved in the process. I do not think any other categories of actors have been involved. Who else would have an interest in or know about the archipelago? I cannot even imagine who else [other than landowners] would be affected by this project. (Interviewee A6, 2014)

In a couple of interviews, local actors expressed disappointment about that only a few politicians participated, as the discussions revealed that many issues that would need to be dealt with by decision-makers in either the city council or the national parliament. A few local actors also stated that they would have appreciated a more committed attempt by HELCOM and the EU to engage with the process so as “to hear the *actual* actors out”. However, even if the EU and especially EU grants were acknowledged as an important factor to sustain life on the Swedish east coast archipelago, the role of international organizations was argued to be exaggerated in this case of coastal management. One actor claimed that the ÖCAB overestimated

the EU's relevance and was using outside factors as a scapegoat to downplay the local influence over decision-making:

The ÖCAB says that the EU plays a role in the regulation of management. That may be true, but I do not think they bother about this as much as the ÖCAB says. The ÖCAB should listen to the locals instead. (Interviewee A3, 2014)

Another local actor acknowledged the complicated web of policies that the ÖCAB had to relate to when making decisions:

I think the ÖCAB officers listened [to the participants], but there are rules and regulations they have to obey, so they can't just fold and do whatever people in the archipelago want. I do understand that nature resource management is a regulated activity. (Interviewee A5, 2014)

5.3.1.3 The CMP Open Standard

Following the two information meetings, the ÖCAB used the CMP Open Standard Method to organize an interactive discussion. The ÖCAB lead officer said that he was surprised to see how well the method worked:

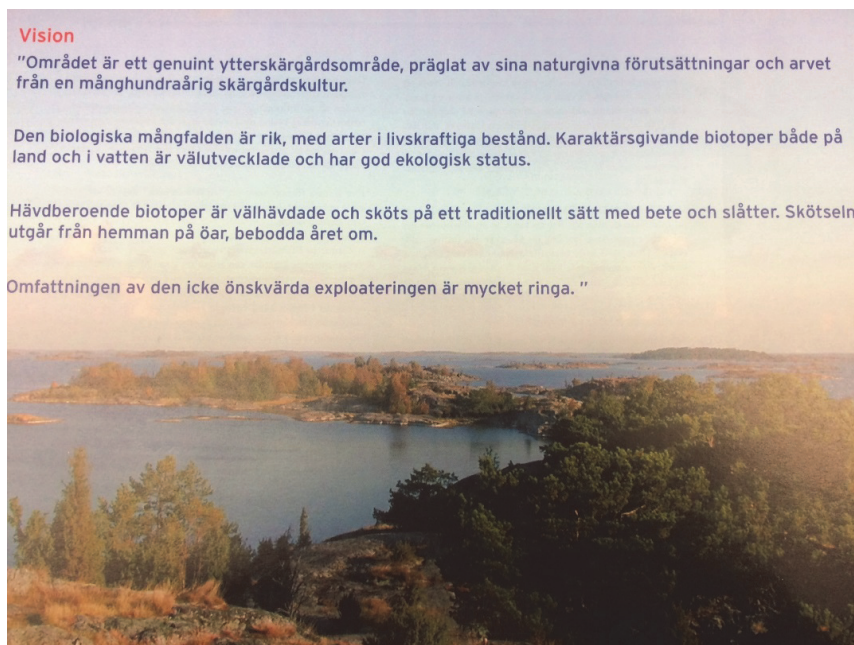
The method gave us a tool to get the discussion going. Usually, when we approach locals, they all want to exit from their own situation and experience, and we are stuck in stories about that one time when a tourist destroyed someone's net. We need to find common ground for the discussion to get somewhere. We are too far apart when the officers want to discuss sustainable development and the locals want to scrutinize what happened in their pen the other day. We need to find a level in between the abstract and the specific, because a declaration on biodiversity will not matter much to someone that is concerned about if an old pine will fall down and block the road. Our role as officers should be to interpret the official language and goals and give it meaning to their everyday lives. This [method] was one way to do that. (Interviewee A12, 2014)

The representative of the Regional Council ÖSTSAM was also in favour of the method:

I have to say this consultative process was very good. This method the [Östergötland] County Administrative Board worked with, it differed from what I have seen with other County Administrative Boards. That is a good thing. I was at these working group meetings with different actors and they were actually successful. [...] Everyone had a chance to

form and express opinions and feelings. Still there is a stiffness in the system. Many of the locals are not used to this tardiness. [...] They were working with a lot of boxes, arrows and columns; at times it became a bit cluttered. Nevertheless, I do think most people actually approved of the process. (Interviewee A11, 2014)

The first step in the participatory process was to formulate a common vision for the management plan. The participants were encouraged to envision the area in ten years' time. The ÖCAB had suggested that the timeline should be twenty years, but one of the elder participants objected, as he would unlikely be alive then; instead, the participants agreed on a shorter horizon. Participants and officers alike appreciated this step, as it gave a good opening to explore each other's positions. Neither the ÖCAB nor locals could not recall a process in which the state ever asked about the locals' hopes and plans for their area in this clear and direct way.



Picture 7: "The vision" Text and illustration on the first page of the Acta St Anna Cooperation Plan (Gezelius et al., 2011).

In the vision-formulating exercise, each participant wrote down his or her vision for the area. The ÖCAB officers collected and merged the visionary

statements into a combined formulation. The participants discussed and modified the formulation once and then agreed upon it. The common vision aimed to guide the long-term management of the HELCOM MPA. Even if the vision had the characteristics of a compromise with universal applications, the formulation established common ground. Whenever participants were stuck in argumentation, the vision was used to resolve it (Interviewee A12, 2014).

Step two, according to the CMP Open Standard Method, was to identify the protected values. In relation to the identified vision, the participants identified seven prioritized protected values (Gezelius et al., 2011). These values were later presented in the Acta St Anna Cooperation Plan in relation to the project vision. The prioritized protected values were 1) marine mammals and sea birds, 2) beach and rocky shore, 3) shallow bays and marine environment shallower than 6 m, 4) marine environment with depth greater than 6 metres, 5) cultural landscape, 6) forest, and 7) fish. The ÖCAB lead officer said that the local archipelago dwellers also wanted to identify themselves as a value in need of protection. The model did not support actors as a value, so the ÖCAB tried to make room for the locals in the model by viewing them as a force for change. According to the ÖCAB officer (2014), the actors responded well to this description, as it characterized them as a more active agent rather than a passive victim in need of care.

The third and fifth steps of the process were to identify influencing factors and forces for change. To manage the discussion, the relevant discussion topics were divided into thematic groups. The ÖCAB suggested three themes – Nature resources and landscape; Agriculture, fisheries and food; and physical planning (in Swedish: *Land och vattenmiljöer inkl kulturmiljö, areella näringar, fysiskplanering*) – which were agreed upon by the participants. The participants selected one or more groups to join based on interest. Each group had fifteen to twenty members and the ÖCAB officers facilitated as chair and secretary. Different officers had the role as chairs but all groups were assisted by the same secretary.

The ÖSTSAM representative commended both the ÖCAB officers and the other actors for their level of contribution:

I think the County Administrative Board officers involved were capable. They have all been working a lot in the archipelago, so most locals knew about them. Being known is always an advantage; compared to if it had been four completely new and unknown guys. Or gals. However, the gender division was strongly towards men, both at the County Administrative Board and among actors in generally. There are some engaged

ladies but they could gladly have been more. I think it has a lot to do with time. [...] Most women commute to work at the mainland and want to be with their children in the evenings. The men work at the island and may see this as an opportunity to get away for a while. Typical gender roles. It is unfortunate, because the women who participated were very good. [...] Engaged, knowledgeable, well prepared, driven in particular issues and very capable in those. Clear and precise, not just gibbering. [...] [Generally] the locals have a lot of knowledge about the archipelago. (Interviewee A11, 2014)

A new landowner, who due to the timing of this purchase did not participate in any of the thematic groups, later reviewed the participatory process and commended the chairs' work. However, at the same time, he questioned the ÖCAB's commitment to the method:

It cannot be easy to be a chair at these meetings and make people elaborate their positions. It is an interesting method, but [...] people who work with these types of participatory processes need to be properly trained. [The County Administrative Board] followed this Dutch management- consultant method, but I do not really think they got it. At least they filled the blanks and ticked the boxes. (Interviewee A2, 2014)

5.3.1.4 The thematic working groups

Three thematic working groups were constituted in May 2009. Each group had five meetings: four in 2009 and one at the beginning of 2010. Additionally, the ÖCAB arranged a joint meeting in April 2010 to discuss issues overlapping the thematic groups. In addition to the ÖCAB personnel, 39 individual actors were involved in the process – representing landowners, entrepreneurs in agriculture and tourism, the municipalities, the Regional Council ÖSTSAM, some concerned interest groups and organizations (Gezelius et al., 2011). The ÖCAB state in their final report that: “The goals, strategies and measures presented in this cooperation plan are in their essence the result of the working groups' effort. The participating actors have been very committed and the discussion intense. The work was characterized by a will to find common ground and unifying solutions despite, at times, different initial views. In short – the working groups have been the core of this project. (Gezelius et al. 2011:10).” The document further states that even if the basis for the identification of values, threats, goals and strategies was provided by the ÖCAB, the process was greatly inspired by the experience and competence of the many participants living and working in the archipelago.

Most of the participating actors were positive about the thematic working groups' discussions. They commented on the open climate and the level of knowledge presented by the group members. A second-generation summerhouse owner who participated in one of the thematic working group discussions highlighted the exchange of local knowledge. He/she argued that the group rapidly reached agreement about the general aim, but needed more in-depth discussion about the best way to achieve that aim. In particular, when it came to grazing and no-take fishing zones, opinions diverged, the informant said:

I could not contribute much when discussing the archipelago's flora and fauna, but the permanent residents and the ÖCAB's officers really got down to details. The locals' knowledge about fishing is high and should be acknowledged by the authorities. I do think the ÖCAB officers considered their input to be valuable. (Interviewee A4, 2014)

An elderly fisher and resident of many generations appears to be in agreement with the summer house owner, but he put it more frankly:

We know as much about the archipelago as those biologists. We have lived and fished here since forever and know exactly when and how to do stuff. When it comes to fish, no one can beat us. To some degree, the ÖCAB has embraced and learned from our knowledge during this process. (Interviewee A3, 2014)

The representative of the local historical society, who had previous experiences of consultation processes with different authorities, appreciated the mutual knowledge development enabled to a certain extent by discussions:

It was a positive experience to see how the ÖCAB worked, how they reasoned with and reflected on our opinions and comments. I think this experience may have contributed to a more positive view of the ÖCAB. (Interviewee A5, 2014)

A landowner who had been very vocal in the argument with the ÖCAB, both within and outside of the organized forum, was also positive to how the officers dealt with the process. However, he was ambivalent towards the institution per se:

It has been a bit slow. [...] The County Administrative Board has requirements saying that the officers have to be so damn correct all the

time. It cannot be easy. Therefore, altogether, I think they are doing a bloody good job. [...] Over all these years, I have only come across one official who really pissed me off. [This officer] lied and made plenty of mistakes. I never reported it because I thought it would only put me in a bad position with the authorities. Apart from that, most officers are great to deal with, pleasant to work with and nice. In truth, it must be a bloody damn job to deal with people such as myself all the time. Unfortunately, we are worlds apart. So many underlying issues set us off. They promise things will be different this time, but what they know about 20, 50 years down the road. Will they be able to keep their promises? If not, can I sue the state? No, I cannot [because they think they don't make mistakes]. (Interviewee A2, 2014)

A committed participant described the relationship between the officers and the actors as complicated, arguing that the relationship had a direct effect on the prospect of participation:

The desire, ability and time ... let me call it resources, the resources to engage and commit to management collaborations is much higher here than what you would get in any random neighbourhood. Even so, there are few people who have the ability, will or confidence to participate in a process such as this. There are so many barriers, such as an exaggerated respect for authority and the language the officers are using. I believe [the language] to be a great obstacle. Even I, as an academician, am struggling to communicate [with the authority] sometimes. [...] Its two different worlds. [The communities] have been interacting much more [with the national state] now than 40 years ago, but it is still two different worlds. There is still a distance, some sort of psychological barrier, between the individual and authority. The officers have really been exemplary, trying to de-dramatize their authority. They have been personal in their interactions – served up homemade pancakes and stuff. Simple things, but just to show that there are regular people behind all those figures and numbers. It is a good thing to do, but it will require a lot of it before we can meet on equal terms. Before the guard is down and there will be a completely open dialogue. You should know, there is an insane amount of knowledge and opinions here in the archipelago. People know damn much about [the archipelago]. They may not have the scientific knowledge, but they have experience.

Interviewer: how has this process dealt with these experiences?

Well, the ÖCAB processed our experiences in a much better way than before. However, it hurts me to see that [the local knowledge] does not get a lasting impression. The officers at the County Administrative Boards and environmental protection agency still seem to think they

know so damn much more than people out in the reality. I think they are making a bloody mistake [by disregarding us]. (Interviewee A7, 2014)

5.3.1.5 Outcome of the thematic discussions and issues of debate

According to the ÖCAB's summary of the document, some particularly significant issues emerged during the discussions in the working groups. These issues were of both general ecological and environmental political types as well as about the economic conditions for working and living in the archipelago. The working groups were, according to the plan, unanimous about the importance of a well-managed cultural landscape to ensure the sustainable development of this area. "A well-managed cultural landscape requires island dwellers, farmers and fishers, who make their living in the archipelago (Gezelius et al., 2011:11)". Therefore, a number of measures to improve conditions for landscape care were highly prioritized in this cooperation plan. The measures in the St Anna cooperation plan aimed to support the agricultural sector.

The cooperation plan listed 80 different measures. According to the ÖCAB, these largely represented the working groups' suggestions (Gezelius et al., 2011:4). About half of the measures aimed to support life and livelihoods in the archipelago and to increase communication between the archipelago dwellers and the authorities. The ÖCAB highlighted ten of these measures as prioritized. They deemed these measures essential for sustainable development in the plan. Some of the points were to establish a management committee (in Swedish: *förvaltningsråd*) for further co-management among actors; to form fishing management areas and no-take zones for spawning season; and to reduce the leakage and emission from the mainland into the coastal area.

The basic conditions for the cooperation plan's success were, according to the ÖCAB, mainly actor involvement and cooperation, a solid anchoring of the plan among actors, and finances. In the cooperation plan, the ÖCAB emphasized the importance of linking the plan to the municipality's physical and communal planning. The plan indicated that some connections were made. However, some local actors questioned the validity of these links and challenged the municipalities' commitment to the plan. At the same time, a few actors were concerned that if the BSPA was to be incorporated in the municipalities' physical planning it would get actual legal status. These local actors (mainly landowners) was worried that if the BSPA were added to the physical plan, it would negatively affect develop-

ment in the area, for example by limiting approval of building permits (Interviewee A2, 2014 and 2015).

Conservation versus development

While the working groups' discussion about prevention of biodiversity loss was hardly controversial (e.g., improving information to the public, get more knowledge and broaden the monitoring), a conflict between ideas of conservation versus development occurred.

For example, the ÖSTSAM representative said in interview:

[Generally] the locals have much knowledge about the archipelago. However, there will always be these clashes when [name of environmental NGO] are involved, especially if they are coming from [the city] – they have a slightly different point of view. [...] Those who live and have their livelihoods in the archipelago will likely prefer more development. However, those who come out here want to conserve. Conservation per se may be good but it cannot be a dead hand, I mean the archipelago has always been under development since the first human settled down [...] Generations of cultivation have created this area, people who live here knows that, while those coming out seems to believe it is a coincidence. They are similar to “God, it is so beautiful! How could it be? We have to conserve it for the future”. This belief may even be dangerous. We have to create conditions for the farmers and fishers to continue and develop their practices. [...] They already know it is a necessity to manage it in a very sustainable way. [...] The County Administrative Board struggles with this [conflict between conservation versus development]: They are much about protecting flowers. However, they actually have fairly dissenting opinions about agriculture. In this case, it has not been too bad; they seem to know what they are doing. At least they have avoided the most harmful formulations in the BSPA plan. (Interviewee A11, 2014)

The Acta St Anna Cooperation Plan formulates a reasonable chance for a win-win between protection and sustainable use within this project. The plan promotes the ecosystem approach, arguing for an integrated, cross-disciplinary management form. In the plan, the ÖCAB stated the importance that the result “acknowledges humans’ rights to make use of ecosystem services and, on the other hand, secure all components in a quantity that supports the system to be persistent” (Gezelius et al., 2011:18-19). The ÖCAB claimed that by including socio-economic and non-biological parameters as factors, it would balance management. Active local participation is a requirement to achieve the goals of the cooperation plan;

without participation the goals will poorly or not at all be met. According to the ÖCAB's formulation: "Without residents and an active, careful wield, many conditions for a sustainable development of this BSPA area will be lost" (Gezelius et al., 2011:18–19).

The cooperation plan expressed concern about decreased agricultural practices, such as grazing, in the area. Instead of being passed on to the next of kin, farms are currently often sold to well-funded people who use them as summerhouses (Gezelius et al., 2011). According to the cooperation plan, small profits and limited opportunities for farm business succession are the reasons behind this development. One of the problems with farms becoming seasonal homes is that the summer house owners seldom invest in land management. Without grazing, islands and islets overgrow. This description of the challenges facing the area appear to be commonly shared in the community. However, the locals argue that the situation has deep roots in adverse rural policies and urban-focused politics, nationally and internationally.

Farmers with grazing animals have been critical for Swedish and European agricultural policies. The farmers argue that the support system is designed in a way that is unfavourable for agriculture in the archipelago. The farmers are critical to how the bureaucracy is generalizing and marginalizing farming:

[T]he archipelago does not fit the format of EU subsidies. No, they are designed for a flat landscape with large fields of grassland—grassland that is truly grassland; we have as much cliffs and rocks as grass. But at the same time [this landscape] needs our animals. Otherwise, no one would be able to come ashore, the island would be covered in bushes. [...] That is the kind of job we do: we are supporting the right to public access, making the archipelago beautiful. Like culture workers. We are culture workers, not really farmers. We should be paid as culture workers, because now when they look at their charts, we are nothing. We do not fit the classifications for grazing livestock. [...] We had an inspection last year, a girl came from the ÖCAB, and she looked around and said: "there are too many rocks here, I have to remove 30% of your eligible land". [...] Removing 30% – that is a lot. Our farm becomes too small, and we lose the farm support. [...] [The ÖCAB officers] said "If you do not like [our solution], the Swedish board of agriculture will review you instead and they will take away everything." Okay, so there's nothing to protest against, we just have to live with it. As a compensation, they classify our land as "mosaic land" to give us a bit more per hectare. [...] Then the extra support for mosaic disappeared as well. For us that is 15 000 Swedish kronor a year, it is notable. Recently, they said we may get it back. It is back and forth like that. It is good if they

reinstate it, but you have to be on your toes with the application. No one will tell you about it. [...]

The conditions for farming are special here. The landscape is special. We cannot, we do not fit the format for EU subsidies. It is not possible to compare this area with a lowland area. It cannot be done; they must look at us with different eyes. (Interviewee A9, 2014)

In the Acta St Anna Cooperation Plan, the ÖCAB expressed concerns about the diminishing agricultural practices in the archipelago. In an interview, the ÖCAB lead officer acknowledged that most agricultural areas in Sweden were facing challenges with profits and farm business succession, however s/he argued that due to poor soil and complicated transportation, the situation is even more challenging in the archipelago.

At St Anna-Missjö, agriculture has traditionally been secondary to fishing. However, agriculture has increased in importance as the fishing stocks in the Baltic Sea have been depleted. In the cooperation plan, the ÖCAB writes that they see “overfishing [to be] a threat against the environment in practically all of the Baltic Sea. The fishing has been so intense that future activities are threatened. Absence of fish can also cause great deviations in the balance of the ecosystems. This is for the large-scale fishing off shore.” (Gezelius et al., 2011:75). Small-scale fishing, by contrast, has an important social and economic role in the communities, and the ÖCAB underlines the importance of an active fishing community. St Anna-Missjö is still inhabited, in contrast to most other parts of the county’s archipelago. A small number of fishers even are in business, the ÖCAB stated. Most actors however found this positive aspect too thin to get excited about:

[Name of partner] was a fisher, fished a lot in his youth. People do not do that anymore. There are hardly any fishers here these days. [...] Before, like 35 years ago, every man was a fisher. They fished Baltic herring at the time. They fished a lot; the catch was good. They could live on it. However, then there were no more fish. That was it. They fished other species for a while. If there were cod – they fished cod. Saying “we are going to fish the crap out of it” until they ran out. [...] As soon as there is fish, every man goes to sea. This applies to the whole coast, you know. The cod ran out; it was gone for years. Now it is back, and everyone wants to fish it. (Interviewee A9, 2014)

One of the few remaining fishers said:

It is not nice to be a fisher no more... Decline in stocks, “ålakråka” [dialectal moniker for the cormorant], anglers and the state. [...] It is insane that we have to share our livelihood with anglers who fish for pleasure³. For example, we fishers tried to convince the authority to ban pike fishing during spawning. They refused, said it would spoil the trolling. A bloody hobby! Now the pike is gone. Not good at all. [...] Yet again, we tried to inform the authorities how their policies make it difficult for us to sustain the archipelago – but they did not listen. (Interviewee A3, 2014)

Access to resources

Even if most actors only fish for private use, fishing was a major topic of debate during the consultation process. Rights, access, quotas and “pests” (seals and cormorants) were under vehement discussion. According to the ÖCAB, the participants “claimed that, among other things, official estimations severely miscalculated the scope of destruction caused by cormorant and seal, hence underrating the economic encroachment” (Gezelius et al., 2011: 12). The local actors also questioned the need for the existing seal sanctuaries. Later, in the cooperation plan, the ÖCAB acknowledged the difficulties of making fact-based regulations due to the limitations of analysis and measuring tools. The limited knowledge considering the complexity in the marine system and the constant change of the environmental conditions complicate analysis and make it difficult to estimate how sustainable the existing practices are.

In the St Anna cooperation plan, the ÖCAB argues that measurements in general tend to be based on common understandings of nature resource management rather than on locally confirmed facts. The ÖCAB said that the reason for this was that they could not afford to conduct local investigations. The consequence would be less strategic planning. For example, nationally fishing is estimated to have little significance for the sustainability of fish systems, but locally specialized fishing practices, such as the spring fishing of pike, can still be deemed unsustainable (Gezelius et al., 2011). In these types of situations, catch-and-release may be a better practice, despite the damage the method causes the fish. The ÖCAB officer hoped that good communication with local fishers could turn attention to these types of local variances on the standard national recommendations.

³ The fisher is referring to the 1985 law on free hand tool fishing.

For example, there was a situation with overfishing of pike. According to both the ÖCAB and local actors, tourism intensified the situation. It was argued that tourists misinterpret the Swedish right to public access. Local actors were worried about the behaviour of tourists, especially non-Scandinavian tourists. Some quotes from local actors on the topic of tourists follow:

A representative of the local history society:

Foreigners do not understand the rights and obligations with public access, while Swedes have it in their genes. (Interviewee A5, 2014)

A summerhouse owner:

They [the tourists] even cut and destroyed the nets of one fisher. (Interviewee A4, 2014)

An elderly fisher:

Tourism is ok as long as they behave. Even if they have the right to access, they cannot just stumble around and take what they want. (Interviewee A3, 2014)

A farmer who let out a cottage to anglers a couple of weeks each summer:

They use to come from Poland and the Czech Republic. They think it is just marvellous to come here because their own fishing waters are completely drained. There are many, and they love to fish. They need the fish as food. They come here and can pull great, big pike. Just wonderful. They freeze the catch and bring it back home. [...] They come here, a couple of lads, and fish for a week. They get approximately 30 pikes. That is ok, we can spare. They take the bigger ones, which otherwise would have eaten the small. Therefore [the anglers] play their part. A good job. However, not everyone likes them fishing. The law of free fishing, you know. We have that. I guess it is alright, with free fishing. I do not mind, as a former city dweller, I cannot really understand how anyone can own the fish. (Interviewee A9, 2014)

The last quote offers a rare statement in the material. Almost all other interviewees were very upset about the situation with the free hand tool fishing, and it was discussed animatedly in the working groups. The ÖCAB

wrote in the final report that “a question that caused tremendous frustration in the archipelago is the free fishing with hand gear, or rather the abuse of the right to fish in someone else’s water. Among other things, actors had claimed that way too many exceed the limit for personal use. [...] The free hand gear fishing is, at least locally, a threat for the resource. It is very reasonable to discuss “the tragedy of the commons” in relation to this situation, meaning a resource, which no one owns is not cared for by anyone. The County Administrative Board agrees with the working groups’ assessment that the free hand gear fishing currently causes problems” (Gezelius et al., 2011:12–13).

Critical voices even challenged the relevance of the Acta St Anna Cooperation Plan, as it is subordinate to the laws of free hand gear fishing, a law that, according to this actor, conflicts with the goal of the project:

The law approving free fishing with hand tools is completely incompatible with sustainable management of the fish stock. Everything that is free and for free is, by definition, misused. Instead [of open access], there should be local fishing management areas. These [areas] could be used much better for the development of tourism. [The local management area] would offer a more distinct product and it would be possible to charge a more reasonable price for it. This would not exclude [outside] people from the resource, but they would have to pay for it. [...] This is one of the things the management plan has not dealt with: access to fishing was identified as a possible conflict area, but has not been discussed any further because resolving the situation would demand legislative changes. Therefore, instead of actually reviewing what causes risk to this area, the authority is backing away and narrows what this process can accomplish. The basic legal conditions regulating the archipelago are wrong. This is not an issue of communication, as they seem to think. As if it would resolve itself if we just talked to each other, some kind of coffee party⁴ principle. Arguing that if those in disagreement sat down and had a talk, they would all come along just fine, disregards that we here have a fundamental contradistinction upheld by law. It is beyond the mandate of this consultative process. (Interviewee A10, 2014)

⁴ “Coffee party” (In Swedish: *kafferep*) is an old-time Swedish social custom, often linked to more formal events such as a church service, where people gather, drink coffee from their best china and eat seven kinds of biscuits. It is currently often used condescendingly for less intelligent conversation or gossip, supposedly done by a group of women.

The law approving free fishing with hand gear was argued to be a great betrayal by the state and a way of undermining sustainable communities in the archipelago. Fishing was perceived by many local actors to represent one of the greatest conflicts of interest between locals and the authorities in this area. One landowner expresses his/her frustration in strong words:

It is pure theft – they robbed us of our rights. (Interviewee A3, 2014)

The question of fishing rights also intensified the concerns about rightful stakes as well as the divisions between ‘outsiders’ and ‘islanders’. In the words of one landowner:

In one of the thematic groups, there was representation of sport fishers and anglers. They came here and... They were a nuisance! [...] They caused a fuss at all the meetings they attended. Their opinions are diametrically different from ours. (Interviewee A9, 2014)

Even if it was not a target of the process, fishing appeared to be a matter of significance in the St Anna-Missjö process. Interviewees often used fishing as an example to illustrate, the sometimes complicated, relationship between local actors and the state. For example, locals argued that the government enabled foreign “assault on the archipelago”, which undermined the local economy. The older fisher assumed that tourism was the authorities’ actual and most prominent interest in the area. He argued that the authorities’ hesitation to enforce fishing protection and no-take zones in the area was due to their interest in fishing tourism:

I tend to turn my back on the authorities since it is apparent that tourism is the greatest price they can see for this area. I have been talking to the country administrative board and the municipality, and they all turn out to be the same. [...] If they had listened to the fisher from the beginning, we wouldn’t be in this acute situation [of fish stock depletion]. I have told the ÖCAB that we need to ban fishing of pike during spawning, but they do not listen. (Interviewee A3, 2014)

However, in the cooperation plan, the ÖCAB acknowledge the problems stated in this quote and were making recommendations to adapt to the situation. For example, “The County Administrative Board shares the opinion presented by the working group that commercial use of public access in its present form and development is not sustainable (Gezelius et

al., 2011:13).” The ÖCAB referred to the evaluation of the Swedish environmental law (in Swedish: *huvudbetänkandet till miljöbalken*, SOU 116:103). They argued that the restrictions to the commercial use of land and water without owner approval were unclear and that they needed to find a better solution. They stated that case law would be too difficult to implement. The alternative, according to the ÖCAB, would be an updated law to adjust for public access. The ÖCAB believed the major fault to be the lack of communication between resource using entrepreneurs (e.g., tourism relating to fishing and water sports) and landowners and hence argued for arrangements to be to some extent approved by the landowner.

State—private relationships and trust

As earlier indicated in this presentation, there was a tension between state authorities and private actors in this area. The ÖCAB officer reflected on the expectations actors had on each other in the participation process and how this may have been further complicated due to this difficult relations:

Interviewer: What does the ÖCAB expect from the individual landowner?

You mean; how an individual perceives all our plans and strategies in relation to their own activities? [Long pause.] Well, we are dependent on their activities for landscape preservation. They have to prevail if we are going to achieve the Swedish environmental goal of a balanced marine environment, flourishing coastal area and archipelago. We have to be a bridge between the individual citizens, the central authorities and higher levels such as the EU. We need to support them in their daily activities. Managing nature is their reality. As officers, we are also working with nature protection, but we are paid at the end of the day regardless of how well it goes. Their livelihood is directly linked to the sustainability of this particular area. We may say Natura 2000 is not such a bad thing, but modifications in the EU grants, etc., may have huge effects on their everyday lives. They become anxious in the face of changes. For example, they ask us what will happen to their fishing if there is to be a wind power station here. They want us, as representatives for the County Administrative Board, to respond to any question and know about every single project and plan the ÖCAB ever been responsible for. However, it's simply impossible for us to know about everything going on at the ÖCAB. (Interviewee A12, 2014)

Even so, a farmer was frustrated about the lack of consideration for everyday life expressed by the officials. The farmer was not personally active in

the consultation process, but claimed to have good insight because his/her spouse had participated in the thematic groups. The farmer claimed that the officers did not really listen to the local actors. At least, the ÖCAB could not fully understand the locals' point of view due to a lack of inside experience:

They [the ÖCAB officers] need to leave their desks and visit the reality. They do not understand the complexity of managing a farm in the archipelago. They need to see how it is to live in the archipelago, not just in May when it is beautiful, but the whole year around. [...] If they made up their minds about something, they will go with that, even if we tell them that it will not work here, because our situation is different. They just overrule us. They do not care. With some few individual exceptions, all authorities run the same way, not just the ÖCAB. (Interviewee A6, 2014)

One landowner attended the SEPA's ending seminar for the conclusion of the five Swedish HELCOM MPAs in the pilot project. A project leader from one of the other projects made what the St Anna-Missjö landowner found to be an interesting reflection. The project leader, according to the landowner, said,

I have learned one particular thing out of this: The three first meetings are just for letting people get things out of their systems. This is the first face-to-face meeting they have ever had with the state, and I am representing the entire state. [...] I did not understand this at the first meeting, why they were so angry. They were all so upset! They were wronged, wronged, wronged! [...] It is fine – they just need to get things out of their chests first. (Interviewee A2, 2014)

This landowner agreed there were many more or less relevant injustices brought to the table during the process. The need to reflect upon the state's shortcoming came as no surprise for the landowner:

The state has such a prominent role in many landowners' lives, but their impact on the state is in return negligible. (Interviewee A2, 2014)

Many interviewees gave the borders of the BSPA as an example of high importance for many local actors, but with minor relevance for the UCAB. An elderly fisher had sections of his property enclosed by the project area. The fisher did not want his property to be included in the BSPA, regardless of how insignificant the project would be to her/his situation. The ÖCAB

referred to the arbitrary identification process and said that the property was included by mistake. Still, as the government had decided about the boundaries, an adjustment would require governmental review. The fisher repeatedly demanded that a request for such review was to be sent to the government, but the ÖCAB was reluctant. Only at the extra meeting 27-11-2010, did the ÖCAB promise to send a request. In 2014, the ÖCAB officer said that a review would maybe take place in the future. The fisher cynically said that he would not live to see the day when the CAB adjusted the boundaries. Eventually, s/he was proven right, as s/he passed away before an alteration occurred.

In the interviews from 2014, many landowners recalled this situation when they wanted to explain what they perceived as the ÖCAB's limited appreciation for individual actors' positions and the authority's inflexibility concerning nature conservation. Here, in the words of a person in the later established management committee:

[Name of fisher and island of origin] used to say to [name of an ÖCAB officer] "You live in a villa, right? I will come and build a cottage on your yard". The officer replied, "You cannot do that!" The fisher said: "Why not?" He kept on pulling the officer's leg like that. It may be silly, but if you take something, like the state is doing now, you have to understand the frustration and take the time to argue. It is important. [...] I think, given a chance to object, most people would have said "no" [to the BSPA]. However, if the ÖCAB really had explained and showed the benefits, then maybe we could have agreed. The inventory, I have actually asked for it, but there is none. Well, there is some, but not much. They found something here, but if they would make an inventory on ten other random islands they would probably find the same things. (Interviewee A2, 2014)

Another example, a fisher refers to the situation when talking about the relationship between actors and the authority:

As a landowner, one should be cautious about the state's empty promises. Some said they did not want to be part of this BSPA project. They did not want to be involved and they certainly did not want their properties to be included. But it turned out to be impossible to do without. (Interviewee A2, 2014)

This quote also indicates some of the resistance in the relationship between local actors and the authority. Even if most actors claimed that they had sympathy for individual officers, they were sceptical about the institutions

ability to be considerate and treat them with the respect they wanted, for example, they argued that things always happened within the multi-level institutions that forced the individual officers to revoke promises (such as the extra support for mosaic land).

Anecdotes relating to the conflict between the fisher and the ÖCAB were often mentioned in passing. Like when this farmer talked about the efforts of the individual ÖCAB officers:

You know the guy [name of an ÖCAB officer], I think he was in charge. The one that [name of the fisher] could not stand, because [the officer] had caused them such a huge problem. S/he said the officer was... well, one could not reason with [the officer]. [Fisher's] property was stuck in this plan, and s/he really wanted it out. (Interviewee A9, 2014)

The ÖCAB officer also discussed the complicated relationship between the state and its citizens, arguing that institutional trust was essential for successful management:

Most of us [the ÖCAB officer] who participated in the initial meetings had already been working in the archipelago for ages, so people knew us and knew they could trust us. It is much more difficult for SEPA and the other central authorities. The locals have no trust in them whatsoever. The importance of trust has no limits. Trust is alpha and omega in this type of process. It is THE thing. If you would summarize these processes with one single word, it would be "trust". When trust is shaken, the process is shaken. When there is trust, it works. However, trust is delicate – it takes a long time to build but seconds to destroy. (Interviewee A12, 2014)

A summerhouse owner argued that the level of institutional trust depended on personal relationships among actors:

I do not trust the authority per se but have great respect for individual officers. If the officers show personal commitment, it is less likely that the locals experience the participation as just a formality. (Interviewee A4, 2014)

Often, the interviewees linked their estimations of the quality and appreciation for discussions to their evaluations of the UCAB officers' performance as process coordinators. The CMP Open Standard coach highlights the process facilitators' ability to create an inclusive dialogue as being of central

importance (Tilders, 2014). The ÖCAB's lead officer also argued that the competence of the officer was an important factor, but stressed that it was the officers' expertise knowledge about the archipelago that helped bring resistant actors around:

It is much easier to come across if you [as a County Administrative Board officer] can prove that you are knowledgeable about the particular area. It is crucial to show you know what you are talking about. [...] It is much easier to discuss management if we have made an inventory first and can point at this and that on a map. At least than they know we are talking about something real. [...] What we say must more or less confirm what they already know; otherwise they will think we are making things up. They will lose faith in us instantly. However, if we can show a nicely made inventory, it is easier for them to accept that we know a thing or two worth listening to. (Interviewee A12, 2014)

Detailed knowledge about the area may indeed be of great importance. However, it is also important to recognize that knowledge can be obtained in different ways. How actors are situated may also affect how they interpret information. A landowner with previous experience of consultative processes from his/her professional life said:

I have met many public servants in my days, and I know they are just trying to do their job. They are serious, and most of them are skilled. In this process, I especially commend the ones who have been involved from the beginning. They are knowledgeable, and I try to learn from them. They have their particular way of thinking, and often there is something to it. However, we also have to make them realize how we think, that we may have a different standpoint. It is important to make them understand that our neighbours, those who maybe are not as articulate, know a whole lot of things too. (Interviewee A7, 2014)

A summerhouse owner with academic training claimed that the ÖCAB officers at times looked past types of knowledge different from their own. The summerhouse owner stated that public servants in general were arrogant, and that this arrogant behaviour severely affected their relation to local actors:

I have previously experienced that public servants look down on archipelago dwellers. As if, they think that those who live on the islands does so only because they cannot manage life on the mainland. Like all islanders are losers who have not accomplished anything or succeeded in life. I could sense this perspective from some of the officers in this

process as well, but the good dialogue facilitator kept it under control. [...] The Swedish Environmental Protection Agency has acted really badly in other cases when they negotiated conflicts of interest with land-owners in this area, saying things such as “you do not have a chance, we will beat you whatever you do.” People remember those things and are now opposing nature resource management due to the authority’s bad behaviour. (Interviewee A4, 2014)

Many local actors identified previous experience of state interventions as a key factor affecting the relation between actors and the state officials. In interviews, local actors argued that the ÖCAB officers failed to comprehend the complex picture of state regulations and involvement that shaped their daily lives. In the interviews from 2014, many local actors expressed a frustration about that the officers themselves had a fragmentary picture of the institutional arrangements that created the actors’ reality. The actors argued that CAB officers, due to this partial understanding, make too narrow decisions in regard to information flow and feedback. Consequently, the actors argued that authorities overlooked what types of information that would benefit actors. A member of the management committee complained about the limited coordination in the coastal management:

We are most frustrated about that there are so damn many things affecting this area going on at the same time. Just at the County Administrative Board, there is a whole bunch of projects. Not to mention all the projects where Östergötland County Administrative Board is a partner. The Environmental Protection Agency has a lot of thing ongoing here, as well as the Agency for Marine and Water Management. We are not informed about any of these things. They think it is not our concern. It is like we are just some silly figures in the background. We are only allowed on stage to legitimize them taking over and running this show. They [the ÖCAB officers] becomes embarrassed when we point this out, and they get upset and say that we are exaggerating. It is just an investigation, they say, it is not that serious. [...] We have a really good opportunity at our hands here, if they just were open about things. It is pretty damn stupid [to keep information from us]. Everything has to be transparent. (Interviewee A7, 2014)

One participant with a background in private business tried to illustrate the frustration s/he felt in relation to the state with a parable. S/he argued that the root of frustration was the incorrect assumption that they could be an equal partner with the state in nature resource management:

Interviewee: If you want to rent my hut in the archipelago, we would sign a contract, including compensation and timeframes. But you cannot make a similar deal with the state. The state would never make a contract with you.

Interviewer: You mean that actors has to trust the state in another way than they would trust other actor they are in negotiation with?

Interviewee: Yes, exactly! At the same time, we should be lucky that the Swedish state is not like many other states. If there is any state one should trust, I guess it is this one. [...] But what worries me is the state's tendency to institutionalize things. Even if they say a measure should be adaptable or short-term, it is very hard to change a decision when it has been implemented, such as the protection of the seal or the cormorant – no one out here would have accepted it if they knew it was irreversible. [...] The BSPA its just step one. Eventually there will be a step two, and then the state will not have to ask us [since the BSPA is already in place]. They will just take what they want. This [BSPA] is a form of socialization. (Interviewee A2, 2014)

The ÖCAB's lead officer reflected on the criticisms directed at the ÖCAB during the process in an interview in 2014: The officer confirmed that many landowners were upset about losing discretion and the right of determination for the resource. S/he believed that the indignation was based on a sense of losing control. The officer said that the archipelago dwellers probably felt lonely sometimes and even powerless in relation to the state. However, the BSPA process merely covered a small part of the state-regulated activities affecting locals' everyday life, and the process did not increase their general influence on coastal management. The ÖCAB officer understood that many locals hoped that this process would be a first step towards co-management between local actors and the state. S/he thought that many of the actors saw the BSPA process as an opportunity to make common cause with the local authorities to show the central government in the capital city that this area had capacity and social capital. The ÖCAB officer saw a determination among actors to prove themselves as an active part of society. S/he said they were fighting for the survival of their community and hoped by this process to show that local communities were as important for the sustainability of the area as any management plan or label of protection. However, it was difficult for the cooperation plan to achieve their expectations.

5.3.1.6 Referral round I, 2010

The ÖCAB sent the plan on two referral rounds. In this section, I will present the content of the comments on the first version of the St Anna cooperation plan (the second referral round is presented in 5.3.1.8 *Referral round II, winter 2010–2011*). A first version of the “*Acta St Anna – cooperation plan of the BSPA St Anna-Missjö*” was sent on a consultation round during spring 2010. A total of 34 comments met the deadline. The ÖCAB divided the replies into categories and found that they received responses from five types of actors⁵: central authorities, regional and local authorities, organizations, the public, and actors involved in the process. The remarks could be summarized in five main topics; 1) the framing, outline and structure of the cooperation plan itself, 2) the boundaries and limitations, 3) the formal status of the plan 4) measures and priorities, and 5) implementation and further cooperation (Gezelius et al., 2011:147). The ÖCAB provided their assessment and consideration in the third and final version of the St Anna cooperation plan.

In summary, the referral letters were positive about the project and appreciative of the vision and the participatory approach. The plan’s greatest challenges were identified as being long-term actor involvement and financial security. The importance of and challenges to islanders maintaining family farms was extensively noted. The referral letters offered suggestions on how to improve the plan. Different authors suggested between a few to full pages of alterations in the measures and priorities, corrected assumed mistakes and typos, and challenged perceived misconceptions with detailed elaborations. The first version of the plan lacked some core sections, such as how to organize the future work. This, of course, did not pass unnoticed. Despite critical comments and room for improvement, the overall tone was positive. For example, one landowner ended his/her quite critical comments on the setting of borders and future financing on a positive note by concluding “to rate the programme in its entirety on a scale

⁵ The ÖCAB states that there were seven remarks from central authorities (e.g., SEPA, the Swedish Board of Agriculture, and the Swedish Board of Fishery), four from regional and local authorities (Söderköping municipality, Norrköping municipality, Regional council ÖSTSAM, the council of Östergötland archipelago), four from regional and local organizations (association of leisure boating, Söderköping local chapter of the Swedish Society of Nature Conservation, local history association, water owner association), 19 from private individuals (either in group or alone) and, finally, 10 from actors who had also participated in the working groups earlier on in the process.

from one to ten seals, I would give the projects design and implementation eight out of ten seals” (Emilsson, 2010).

The interest and tone, however, differed across central authorities, local authorities, interest organizations and individual landowners: *The central authorities* were positive and pragmatic. Their response was exclusively related to the agency’s existing projects and regulations or to the agencies’ ambitions and goals for the future. *The local authorities*, such as the municipalities, argued that the plan demanded too much of them. All municipalities, with support from the national authorities, clarified that they neither could nor would incorporate the cooperation plan in the municipality’s plans without first scrutinizing it in relation to other interests. *The interest organizations* expressed a feeling that their interest had been devalued in relation to the overall aim of the plan. They wanted a more significant role in the implementation, arguing that their competence and networks were well-suited for bigger tasks, not the least for information sharing. *The individual landowners* generally found the plan hard to comprehend and interpret. They were insecure about how the plan would affect them in the future, and they generally feared that the plan would restrict their property rights.

Most of the letters from participants in the working groups were very positive about the process but not fully convinced about how their input had been incorporated in the cooperation plan.

[I]t’s a bit hard to see how the document reflects this learning experience [the working groups]. The document is quite heavy and the language leaves room for interpretations. (Interviewee A5, 2014)

Most of the comments concerned five aspects of the cooperation plan: framing, outline and structure of the plan; boundaries and limitations; status of the plan; measures and priorities; and implementation and further cooperation. The major concerns within each category and the ÖCAB’s response are presented below.

1. *The framing, outline and structure of the cooperation plan:* Apart from minor comments by SEPA about incomplete parts and some clarifying suggestions from the Norrköping municipal ecologist (in Swedish: *kommunekolog*), the comments on the cooperation plan came from landowners.

2. *Language*: Whereas SEPA commended the plan for being comprehensible, about half of the responding landowners criticized the document for being opaque and complicated. For example, “It is in great parts heavy to read and difficult to understand” (referral letter from Månsson, 2010). “The plan is way too long and difficult to read for a non-professional. It has to be summarized into a couple of pages – concrete and legible” (referral letter from Nestor, 2010). “[T]he document is hard to read. It could have been presented in a much easier way. Not everyone is a university graduate, and furthermore, the document contains both typos and grammatical errors, as on page 95” (referral letter from Skärlund, 2010). These three comments were made by members of the same Village Community. Prior to the referral round’s deadline, the island’s Village Community had a meeting specifically to discuss the plan and suitable replies. In the responses to the ÖCAB, individual actors repeatedly referred to this meeting as their source of information. At least twice, landowners who did not attend the working group criticized the ÖCAB for not correctly representing the outcome of the working groups. The Village Community argued that the plan was so complex that they had to seek professional assistance from a lawyer, an ecologist and a communication consultant⁶ to interpret it.

⁶ The landowner who coordinated the Village Community’s reply was new, having bought a property just a few months earlier. The new landowner said s/he had not received any invitation from the ÖCAB and had only heard about the process through the neighbours. S/he said in interview that s/he was motivated to enter the process, despite its stage, as s/he was uneasy with the low level of information that the neighbours had about the project. S/he was also concerned about the limited local mobilization. The new landowner feared that the ÖCAB had misinterpreted the calm nature of the islanders and their limited experience in talking to officials as a state of consensus. The new landowner had previous bad experiences with a Natura 2000 area that had limited the chances of development at another property and therefore wanted to be sure that the St Anna-Missjö BSPA would not dispute her/his plans for the new property.

The actor considered her/himself to be “a real sonofabitch”, scrutinizing everything the ÖCAB had done up to date, dragging out loopholes and hidden agendas. The actor consulted professionals and issued a survey of local satisfaction with the level of information given. The landowner also talked with the media. The ÖCAB officials refer to this event as the “the incident at [name of island]” (corridor talk 2014) and apparently perceived the acts as exaggerated: a parenthesis in an otherwise stable process. The landowner, by contrast, said that these events caused the ÖCAB much more headache than they wanted to admit.

On behalf of the Village Community, a communication consultant conducted a survey with the concerned landowners (90 households) about the version of the cooperation plan sent on the referral round. This survey was answered by 42, of which two had not received the mailing, and three had not read it (one did not have the time and one was not interested). The majority had read at least parts of the consultation plan, and 18 intended to reply to the ÖCAB. The survey showed a low average in terms of clarity (2.6/5) and intelligibility (2.5/5). Above half (18) of the respondents said that they would have appreciated information in another way, mainly by more face-to-face interaction with the ÖCAB. The survey did not only air concerns about the format: 8 out of 18 respondents also criticized the content, for example, hinting that the ÖCAB intentionally complicated the message. One respondent said that s/he was anxious about not understanding what the plan would mean for the future. The survey also found that St Anna-Missjö actors were cost-bearers out of proportion, since, for example Poland holds a larger responsibility for the pollution (El Niño Kommunikation, 2010).

The consultation response from the Village Community argued that the plan was incomplete. They asked the ÖCAB to consult with other CABs in the pilot project as to how to make a reasonable presentation and then to return with a more comprehensive and complete version for consultation (Aronsson et al., 2010). This request, according to SEPA's ambition for the pilot project, was entirely to plan (Hammersland, 2010).

The ÖCAB deplored the challenges faced by private individuals in comprehending the document. However, they decided to stick with the format because the structure captured the comprehensiveness of the process, SEPA's and HELCOM's requirements and the Open Standard method. The second version of the cooperation plan was copyedited and enriched with summaries and a glossary, which the ÖCAB hoped would ease the reading (Gezelius et al., 2011:147). To respond to the criticisms concerning 'modified' or misinterpreted working group statements, the ÖCAB requested more specific information to understand what the critiques specifically referred to.

3. *The boundaries and limitations:* The physical borders of the BSPA were commented on by less than half of the responses, mainly being discussed by the landowners and particularly by members of the Village Community of Aspöja. Some local actors submitted a couple of letters, one individually and one in different constella-

tions of neighbours. A renowned second generation landowners who participated in multiple working groups and the earlier mentioned new landowner jointly held the record with three signatures each.

The comments about the physical boundaries and BSPA area limitations were as follows:

- The landowners had not been involved or consulted during the process of identifying the BSPA area. The landowners were informed only after the government had decided to suggest the area and HELCOM had already announced St Anna-Missjö as a BSPA. For example, “The Swedish Environmental Protection Agency states that the directions of this mission are to be made in cooperation among owners, users and other actors in the area. Unfortunately, the borders were set long before such cooperation was in place” (Johansson and Bergström, 2010).
- The BSPA area was identical to the controversial suggestion of a national park, and so the cooperation plan was assumed to be a backdoor to a national park. Despite the ÖCAB’s assurance that a park establishment was not on their agenda, St Anna-Missjö was irrefutably included in SEPA’s plan for new national parks 2009-2013 (SEPA, 2008). Since there were suspicions that a national park would be established, the few landowners who had land inside of the BSPA wanted to get out. “We will never accept [the suggested border west of Lånjö]. [This border] should be moved a couple of hundred meters east of Lånjö. [...] If we are forced to accept the suggested border, we want the same condition as [name] got when he sold the state parts of his land. [...] At [working group] meetings during 2009, [Name of an ÖCAB officer] said the border was a mistake – no residents should be inside of the BSPA and changes were to be made. This has not been implemented, and yet again we as landowners have not been heard” (referral letter from Nyberg et al., 2010).
- The cooperation plan discussed issues of concern to the entire archipelago. To obtain a holistic picture and sustainable changes, the whole of St Anna-Missjö archipelago needed to be included in the plan. For example, “We would like the plan to include not just the original BSPA’s very strict limitations but a much larger part of

the archipelago. When we are visiting the archipelago by boat, there are no borders but the ones on the charts. Our behavior should be as respectful wherever we are in the archipelago” (referral letter from Mårtensson, 2010).

- The zoning indicated on the project map was confusing. It was unclear which area the analysis in the plan referred to. For example, “We are very positive about a plan being developed for the long-term care of the St Anna area. Unclear if we who are in the project area are to be as affected as those in the BSPA area” (referral letter from Sandell and Mårtensson, 2010).

In their assessment, the ÖCAB explains the national and regional process behind the HELCOM MPA identification. They state that the Swedish government would have to make any decision to alter the borders. Because the affected actors had not articulated a consensus on the wish to adjust the borders, the ÖCAB had not brought the issue to the government’s attention. In regard to the national park, the ÖCAB “yet again and strongly deny the existence of a so-called hidden agenda using this process to establish a national park using the ‘back door’ (Gezelius et al., 2011:149)”. To the contrary, the ÖCAB claimed, a successful cooperation plan and co-management would reduce the incentive for a national park.

4. *Formal status of the plan:* Issues concerning the plan’s status in relation to other plans, strategies and policies were primarily put forward by the authorities. SEPA, the Swedish fishing agency and the National Board of Housing, Building and Planning asked about accountability and the relationships among involved actors.

Both national and local authorities wondered about the responsibilities included in the plan. The plan suggested some measures that the ÖCAB did not have the authority to implement. For example, the ecologist who consulted for one of the village communities stated that it would be inappropriate to add measures to the plan that could not possibly be controlled within the frame of the project. Ultimately, the ecologist pointed out, most of the decisions would be the responsibility of Söderköping municipality. The Swedish National Board of Housing, the Swedish National Board of Building and Planning, ÖSTSAM, Söderköping City Council and Norrköping municipality’s department of city planning all challenged the supposition that the cooperation plan should be attached to the physical

plan. They argued that the ÖCAB's would be overstepping its power, defying the authority of the municipalities and even sidestepping the municipality's democratic process. Further, SEPA and Söderköping municipality questioned a formulation stating that family farms should be prevented from falling into the "wrong hands". They challenged the divergence that this formulation might create between new and old landowners. Another actor asked if a "little country such as Sweden" was really expected to shoulder such a great responsibility as protecting the Baltic Sea on its own. Was not the whole region expected to do its part (referral letter from Skärland, 2010)?

In their assessment, the ÖCAB upheld their previous statements, arguing that the cooperation plan was an orientation plan without legal status of power. However, as HELCOM and the Swedish government assigned the area as a HELCOM MPA, the plan should be considered for resource allocation to realize the goals. The ÖCAB stated that the "ownership" of the plan, meaning responsibility for implementation and evaluation, was theirs.

5. *Measures and priorities:* overall, this was the most frequent type of comment, regardless of actor category. A long list of detailed standpoints and suggestions relating to measures, priorities, responsibilities and performance, finances and costs were sent to the ÖCAB. Some working group participants argued that measures discussed by the working groups had been omitted. These participants would have preferred a complete review of the outcomes from the working groups.

Generally, the response towards the prioritized measures were positive. Most critical comments were based on a concern about what the measures meant in terms of property rights. Actors, for example, repeatedly stated that they preferred local management and partnership agreements over state control. The Aspöja Village Community stated that the suggested measures would eventually lead to restrictions in property rights. The lawyer they hired to review the plan confirmed their conclusion. The Aspöja Village Community criticized the ÖCAB for not discussing the important issue of compensation for appropriation within the plan.

It was argued that some of the measures had internal conflicts of interest. Again, the suggested conflict between environment and development was on display. Different actors argued that the plan avoided, or at least just casually addressed, the tension between development and protection in this

area. For example, “There are different and sometimes opposing interests for the future of the archipelago. [...] There are tensions between users and visitors that have to be dealt with if the plan does not end up in thin air. Example of these tensions are the view on cormorant management, the free hand tool fishing and shore protection” (referral letter from Smedman and Krögerström, 2010).

Söderköping City Council was also troubled by the variety of actors proposed for involvement in the implementation. The council argued that the diverse group of actors represented a wide range of interest that could actually support completely different development schemes for the archipelago.

The ÖCAB broadly agreed with the detailed consultation replies concerning the measures and priorities and said that they would consider the essence of these for further development of the plan. The ÖCAB acknowledged that landowners had requested an active role in the implementation. The ÖCAB was pleased by this commitment and said that they would highlight the landowners’ involvement further in the plan.

6. *Implementation and further cooperation:* These sections were not completed in the first version of the plan. Accordingly, several respondents criticized the lack of preparation and called for a thorough description of the implementation and management organization.

As an example, SEPA observed great potential in the plan but requested more information about the long-term management and management organization. SEPA also wanted the ÖCAB to elaborate the relation between the plan and other previously implemented management tools.

Östergötland Skärgårdsförening also wanted to know how the ÖCAB related the plan to other projects and initiatives. The association was critical of how the aim of the plan was being counteracted by other projects; it noted four current projects that the ÖCAB had or had not supported with negative consequences for the aim of the cooperation plan. The association called these “missed opportunities” and warned the ÖCAB that too many missed opportunities would severely affect their trustworthiness and the legitimacy of the plan.

In relation to further cooperation, most landowners emphasized that they undisputedly had the strongest claim to the area and that they should therefore have ultimate control of the management. Preferably, close

collaboration could be developed between the ÖCAB and the landowners; other actors should only be involved if the landowners deemed it necessary and in proportion to their claims.

The ÖCAB stated that they were in agreement with the respondents about the plan's shortcomings as related to the lack of detail on implementing the organization. The ÖCAB stated that their hope and ambition was to negotiate some form of short-term management agreement with landowners and to establish a management council with representatives from the landowners, the municipality, ÖSTSAM or the archipelago community council and ÖCAB (Gezelius et al., 2011).

5.3.1.7 Final seminar

Between the two referral rounds, the UCAB invited the participants involved in the working groups and some other interested parties to a final seminar. Including seven of the ÖCAB staff members, a total of 36 actors attended the meeting – representing landowners, interest organizations, local businesses, municipalities and the Regional Council ÖSTSAM. The final seminar was held 27 November 2010 with the goal of obtaining some final comments on the cooperation plan, reflecting on the consultation process and initiating the future work. The main issues raised at the meeting will be thematically presented:

The ÖCAB's minutes (ÖCAB, 2010) state that they opened the meeting by thanking the actors for their two-year commitment leading up to that point. The ÖCAB further reminded the participants that the plan was not the goal and that the real work was yet to come. The ÖCAB presented the 34 submitted referral comments, observing that they represented a wide range – from “leave us alone” to very appreciative remarks on the project idea, process and result. The ÖCAB was working on a second version of the plan, which they planned to distribute for a “quick consultation” of just two weeks before handing the plan over to SEPA.

At this final seminar, the ÖCAB wanted to discuss some remaining comments: One recurring comment during the referral round was the suspicion that a national park would be established. The ÖCAB took this opportunity to strongly deny the suspicion, stating that “the cooperation plan is not a backdoor to establishing a national park in St Anna archipelago. Such a hidden agenda does not exist. The County Administrative Board does not give power to this question, and we do not have it on our to-do-list. Can we be any clearer? If we manage to present a strong cooperation

plan, the motives to establish a national park would rather decrease [than increase].” (ÖCAB, 2010)

Still, a great portion of the subsequent discussion related to the issue of a possible national park. The actors argued that the borders of the HELCOM MPA were suspicious, or at least “unfortunate”, as they overlapped with the former plan for a national park. The ÖCAB said that they tried to solve this by creating a larger project area. Many wanted the borders of the HELCOM MPA as well as of the project area to be adjusted, but presented conflicting opinions as to whether it should be bigger or smaller. Those who said the project area should be bigger argued that the plan was of importance for the management of the entire archipelago and not just a small section. Others wanted to reduce the enlarged project area, saying that it was confusing. Other local actors wanted the ÖCAB to ask SEPA to remove St Anna archipelago from the national list of suggested national parks all together. They wanted the ÖCAB to minimize the risk that St Anna-Missjö would ever again appear in discussions about national parks. A number of actors demanded that the ÖCAB provide a clearly written statement of their intention of no legal status and no national park in the Acta St Anna Cooperation Plan.

Some actors wanted careful attention paid to the demarcation so that the project would not divide traditional homesteads (opinion offered by owners of properties that had been kept in the family for generations), while other actors warned the ÖCAB not to give too much attention to the existing homesteads because these properties were being parcelled and sold all the time (opinion presented by first generation and summer house owners). Some actors demanded that the ÖCAB send a request to the government to adjust the HELCOM MPA borders so that the older fisherman’s property would be excluded. The ÖCAB agreed to proceed with these requests.

At the final seminar, the ÖCAB promised participants that it would 1) clarify the ÖCAB’s take on the national park and legal status of the HELCOM MPA, 2) investigate the possibilities and effects of adjusted boundaries and 3) remove the so-called project area from the maps (Gezelius et al., 2011).

The heterogeneous group of participants offered a wide range of sometimes conflicting opinions at the final seminar. For example, some thanked the ÖCAB for inviting them and enabling them to feel supported by the authorities, even arguing that this form of cooperation was “the key to success”. Others were less optimistic and found the consultation plan to be too complex and complicated, claiming that the references to the

working groups were farfetched and an unrealistic depiction of the actual discussions. Suggestions on how to edit and improve the document were offered by a number of actors.

A representative from one of the municipalities criticized the plan for making statements about the development of the local society. Half of the prioritized measures directly or indirectly targeted socio-economic conditions, and this representative emphasized that the St Anna cooperation plan could not be a programme for commercial and industrial life.

In all, participants at the meeting were positive about the list of prioritized measures, but many noted that this required the ÖCAB could live up to expectations and actualize the plan. According to the minutes, the ÖCAB argued that the international recognition of this area would increase the probability of additional funding, resources and support. In an interview from 2014, one of the ÖCAB officers claimed s/he had convinced SEPA's project leaders of the importance of allocating funding to the HELCOM MPA. According to the ÖCAB officer, SEPA's project leaders had assumed that management would be included in existing programme budgets. The ÖCAB officer argued that it was very unlikely that any CAB had such money to spare. The ÖCAB officer was somewhat disappointed in SEPA, as their priority appeared to be the pilot project in itself and not implementing the completed cooperation plans. Without more resources, very few of the prioritized measures would be implemented argued the ÖCAB officers, even stating that a failed conservation project could damage the relation with the locals:

It is super important to have directed funds, so we can continue this programme, otherwise it will be just another pile of paper collecting dust. The level of trust we have gained would be shattered. [...] They will be very angry with us if nothing happens now; they will assume this to be just another project. (Interviewee A12, 2014)

SEPA was very interested in seeing a co-management committee organized within the pilot project, so they approved some additional directed funds. The ÖCAB stated in the plan that the co-management committee was of utmost importance to the sustainable future management of the St Anna-Missjö HELCOM MPA.

The idea for a co-management committee (in Swedish: *partner-sammansatt förvaltnings- och skötselråd*) was presented at the final seminar, when the ÖCAB wanted to discuss how to organize the continuation of the

work. The ÖCAB suggested that the committee should comprise representatives of the municipalities, ÖSTSAM and landowners along with the ÖCAB representatives. The exact role of the committee needed to be discussed, but the ÖCAB assumed that the committee would consult with the ÖCAB in the implementation of the management plan and would function as a communication link in future dialogue between actors and the UCAB. The ÖCAB wanted a working group with representatives to establish the details of the committee and encouraged everyone to send nominations and suggestions to the ÖCAB within the following weeks (to be discussed in 5.3.1.9 *The local management committee of the Acta St Anna Cooperation Plan*). The proposal did not face any objections and the participants named other examples where management groups had been successful, for example a marine national park, the Koster Islands on the west coast, had good experiences with involving creative independent actors.

In connection with the final seminar, three articles were published in the local newspaper, in part challenging the process and the plan. In all three articles, a new landowner represented the critical voice. Main concerns raised was economical effect the BSPA would have on properties and how ÖCAB had invited actors to participate in the process. Prior to these three articles, only four articles in total had been published in the local newspaper. These articles mainly referred to official documents or used quotes from the ÖCAB officers; a few challenges were acknowledged in two of these earlier articles, but overall the HELCOM MPA had been presented mainly as an opportunity.

5.3.1.8 Referral round II, winter 2010-2011

After receiving the suggestions and comments from referral round I and the final seminar, the ÖCAB updated the Acta St Anna Cooperation Plan. The second version was sent on a quick referral round of just a few weeks. In February 2011, a total of 21 additional remarks were sent to the ÖCAB. Almost all of the senders had also submitted comments in the previous referral round, and most of the local actors commenting had also been engaged in the working groups. Ten remarks were sent from landowners (most of these were signed by more than one individual), two from organizations and nine from authorities from the local to the national level.

The ÖCAB were glad to hear that the respondents found the second version more accessible and clear (Gezelius, 2011:152). The second version emphasized the role of the local community more than the first version,

which was appreciated by local actors. The remaining concerns were, according to the ÖCAB's classification, 1) borders and limitations, 2) formal status, 3) funds and timeline, and 4) implementation and continued cooperation. The ÖCAB provided their assessment and consideration in the last version of the St Anna cooperation plan.

1. *Borders and limitations:* Criticisms argued that the essence of the comments from the working groups, referral round 1 and the final seminar still remained. The ÖCAB had not, as promised, sent a request for border adjustments to the Swedish government. In the third and final version of the Acta St Anna Cooperation Plan, the ÖCAB replied to this criticism, saying that they planned to review the demarcation of the area, and if deemed appropriate, they would send a request to the Swedish government. The review would be held in consultation with landowners and the BSPA Management Council.

2. *Formal status:* Suspicion remained concerning increased restraints and restrictions of rights in the wake of the HELCOM MPA. According to the ÖCAB, this issue was extensively discussed in several sections of the plan, but it reasserted that the cooperation plan was an orientation document. Any additional legal arrangements would need a formal agreement between the authority and the affected landowner.

3. *Funds and timeline:* Comments about insecure funding, limited resources and a somewhat optimistic time table became increasingly common as the process approached its final stage. Critics were worried that measures would not be realized and that the credibility of the plan would remain weak until finances were secured. In the assessment, the ÖCAB agreed that a budget with secure finances would have been desirable, but argued that the national allocation system did not allow for such long-term planning. The ÖCAB and the management council would work to find solutions. The ÖCAB also offered to assist all actors applying for external funding for projects within the frame of the cooperation plan.

4. *Implementation and continued cooperation:* many of the referral replies stressed mutual confidence and trust among actors as being crucial for further development of the BSPA. Respect for property rights were argued to be of significance. The ÖCAB was also criticized for not having the co-management council in place by that point in time. In their assessment, the

ÖCAB emphasized that the point of this entire project was cooperation among actors. The management council would be established shortly (spring 2011). The management committee was perceived as a great opportunity, but at the same time, the ÖCAB gave assurance that it would not have any defining power over landowners (Gezelius, 2011:153).

5.3.1.9 The local management committee of the Acta St Anna Cooperation Plan

At the time of the interview, a version of the co-management group had been working for almost three years. The establishment of a local management committee proved to be more complicated than the ÖCAB officer had originally estimated, as representation became a hot issue among local actors. At a special working meetings held to constitute the council, a heated debate about suitable candidates emerged:

It was hard to say who should participate. We [the ÖCAB officers] were eventually about to select landowner representatives, but then there was always someone who disapproved of the suggested candidate, saying things such as, "I don't want him to represent me, he can't speak on my behalf." There were always some personal disagreements getting in the way. Sometimes, the dispute had even originated generations back in time. They are themselves closest, we may think they are a unit, but that is just because we are classifying them from the outside. They themselves, they just know they are so and so from such and such island, and over there is someone else. They don't have any sense of community or belonging. Basically no one was good enough to represent them. Eventually, I had to tell them that they just had to figure this out. The County Administrative Board can't appoint representatives; they will have to sort it out on their own. I suggested using the Village Community as a representative unit, and that is how it was decided. The participants did not want Söderköping municipality to participate in the management council. The municipality had not shown enough commitment during the working group meetings, they argued. (Interviewee A12, 2014)

The management committee consisted of four owner representatives and two ÖCAB officers. ÖSTSAM also had one seat on the committee. The local actors were encouraged by the contribution ÖSTSAM's representative had made to the participatory process and requested his/her presence on the committee. The hope was that ÖSTSAM could offer a somewhat objective voice and possibly mediate between the locals and the ÖCAB.

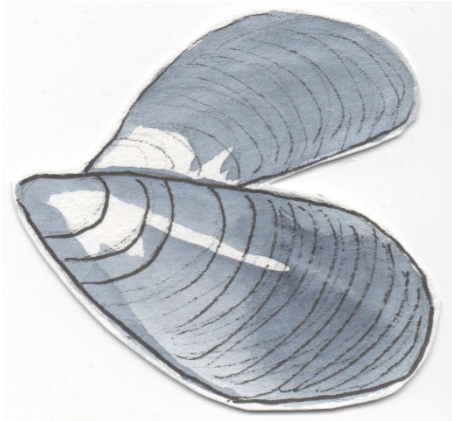
The management committee was given its own project budget financed by the ÖCAB. With relative autonomy, the committee has implemented some of the measures listed in the cooperation plan. The owner representatives in the management committee blame the ÖCAB for the slow development, saying that they felt restrained and even opposed by the ÖCAB officers. The officers did not share as much information as the local actors had hoped, and they in practice controlled the budget. The local actors claimed that they put much efforts and hard work into the management committee but did not feel that the ÖCAB officers took them seriously. The ÖCAB officers, by contrast, said that the locals had unrealistic expectations of them. “They want the information exactly at the same time as we receive it, otherwise they accuse us of withholding information”, the ÖCAB officer said. “We are working with plenty of projects, we do not have time to now and again feed them with information about things that may not even affect them”.

In interviews from 2014, most interviewed landowners know that their representatives in the management committee are dissatisfied with the implementation. Outside of the management committee, actors are disappointed that their efforts have not generated greater changes in the management. Some actors are reconsidering their appreciation of the planning process based on the limited outcomes, and one actor even said s/he regretted being a part of this process: “It took way too much time and in the end, we did not benefit from it at all” (Gunnar, 2004).

Other actors are, however, still very positive about the process and the learning experience the project enabled. These actors are certain that the participatory process will have a ripple effect:

As I understood it, it's pretty hard to implement the plan and to achieve some actual outcome. I still believe the interaction plan to be a tool for future discussions. I don't think this process was a waste of time. I think it was valuable. I believe most actors find the interaction plan to be a valid contribution, but I'm sure some think it was a waste of time. But I can't imagine that anyone actually suffered from this process. (Interviewee A5, 2014)

PART 3



Comparing the way participation was organized

In the previous chapter, I described of the implementation of HELCOM MPAs in Gräsö and St Anna-Missjö archipelago. The chronological presentation illustrates actor involvement in the planning of the two MPAs and the dynamics between affected actors. This chapter compares the two cases, particularly in terms of how participation was organized. The chapter will lay a foundation for the subsequent two analytical chapters, Chapters 7 and 8, which focus on participation and legitimacy. To illustrate the differences in organization, I will elaborate on Table 5.1: *basic data*, which introduced organizational information about the two planning processes, and provide additional comments on organizational differences and similarities in Table 6.1: *comparison*.

I will show the similarities between the cases in order to rule out those factors that do *not* drive the differences between the cases. There are some unsurprising similarities between the two cases:

First, both processes aimed to fulfil the same policy agreement and same overall target in order to fulfil Sweden's commitment to HELCOM by securing the sustainable management of the designated HELCOM MPAs.

Secondly, both cases were implemented through the same institutional arrangements. The government's executive body was the CAB responsible for establishing the two MPAs. The planning, process facilitation, consultation, re-evaluation, final proposal and implementation were performed by the CABs' respective conservation units. The nature resource management officers in charge have similar professions, training and previous experience with nature protection implementation.

Third, the two processes occurred during the same period in time and had similar time frames. Both officer consultations (referral rounds) took three years to complete. Decisions were made and reported to HELCOM before the deadline for the CBD's 10% target.

Fourth, the two processes both started with a negative history related to previous attempts to establish nature reserves: both Gräsö and St Anna-Missjö were involved in attempts to establish a nature reserve prior to the HELCOM MPA process. Due to local resistance and a lack of finances, the reserves were not established at that time. These previous experiences shaped expectations and attitudes in both cases. Local key actors expressed negative feelings about the previous plans and were initially very sceptical about the proposed MPA. Both CABs stated that they found it challenging to convince the local actors of the plans' advantages and suitability. The officers' handling of the legacy of earlier state interventions severely affected the degree of support given to the established HELCOM MPAs. At Gräsö, the new consultative process became a sort of prolongation of the earlier process, inheriting past conflicts and power struggles. In St Anna, by contrast, the authorities tried a new and experimental approach. The new approach allowed for the ÖCAB to step away from previous plans and invited local actors to participate in the process of formulating a new vision for the management area. The collaborative formulation of a new vision was perceived by the ÖCAB as a fresh start. SEPA's support and the use of CMP Open Standard Method appeared to make a difference here.

Now, I will show what these different approaches meant in practice:

The CABs' approach to participation and the way they manoeuvred the process created significant differences between the cases. The UCAB used the standard procedure for the establishment of nature reserves, whereas the ÖCAB used a more experimental approach that emphasized actor involvement. Local actors had a more prominent role in the plan for St Anna-Missjö HELCOM MPA than they had in the plan for Gräsö HELCOM MPA. There seems to be a difference in how the CABs enabled the participation of local actors. In the final decision over the establishment of Gräsö HELCOM MPA, the local actors had no part in sustaining the protected area according to the plan. The UCAB primarily discussed local actors in relation to descriptions of the threats facing the area and to their role in the management of the MPA. The role of the local actors was indicated differently in the two decision documents, hence indicating that the CABs had different approaches to participation in these processes.

The approach to identifying actors and acts of participation contrasted in the two cases. The UCAB primarily approached larger land owners, a relatively narrow definition of "affected actors" even according to the

Environmental Code. The ÖCAB used a more inclusive definition of affected actors and announced that the St Anna-Missjö process was open to any interested party. Consequently, more different groups of actors in the planning process. The limited legal implementations of the Acta St Anna Cooperation Plan (no confiscation or compensation) is a reasonable explanation of why the question of stakeholderhood was less important in this case.

Gräsö

The UCAB had a narrow definition of stakeholders and justified the limitation with arguments of quality: they claimed that they would not be able to inform, and definitely not be able to discuss or negotiate with, hundreds of individual actors. A smaller group of actors would provide more time for those actors present to be heard. The UCAB composed the contact group of actors who they appointed and invited. The UCAB identified affected interests (e.g., forestry, agriculture and anglers) and sent invitations to relevant organizations. The UCAB created a contact group of actors, who they appointed and invited. The UCAB identified affected interests (e.g., forestry, agriculture and anglers) and invited actors from relevant organizations. The UCAB did not originally consider the two Fishing Community Associations as being affected by the nature reserve, as the plan did not restrain fishing rights. The two Fishing Community Associations strongly opposed the UCAB's reasoning and argued that the fishing practices and rights of the associations' members would be very much affected by a nature reserve. Representatives of the two Fishing Community Associations claimed that they had the right to be recognized as key actors. Aggravated local key actors claimed that this delimitation intentionally excluded conflicting interests in order to present a homogenous group of participants. The actors who did not feel recognized by the UCAB stated that they were neither encouraged to establish their claim nor to contribute to constructive discussion or shared learning. The UCAB allowed these representatives to attend all of the contact group's meetings, but a tension among the actors regarding their perception of who had a legitimate stake remained throughout the entire consultation.

Other actors, who were not part of the contact group, were invited to engage in written correspondence with the UCAB. The first round of written correspondence was limited to landowners within the suggested nature reserve area. Even if the UCAB accommodated most suggestions on the demarcation of borders and management details, a reasonable inter-

pretation is that the actors did not develop as much understanding of the process as they would have if they had been invited to take a more active part in the process. The approach to participation as well as the different methods used to enable participation clearly distinguished the two cases. Both cases fulfil the four aspects of institutional participation, which I listed in the Chapter 3: *The theoretical relation between participation and legitimacy*, but to varying degree.

St Anna-Missjö

In the St Anna-Missjö HELCOM MPA process, the local actors played a prominent role in defining the vision for and the management of the protected area. Through the working groups, actors had a hands-on opportunity to contribute to the development of the management approach. The ÖCAB used CMP and MIRADI to enhance the visibility of the planning process. Within this format, it seems that the actors could establish claims and negotiate interests. The direct feedback loops established a level of shared learning. The method also increased the local actors' opportunity to relate personal experiences and practical knowledge together with the figures and models presented by experts. Despite some criticism, the method appears to have increased the transparency of the planning procedure and the development of the argumentation. By doing so, the method enhanced the conditions for institutional participation as listed by the conceptual framework in the St Anna-Missjö HELCOM MPA planning process.

Additionally, the CABs were facing different conditions in terms of the size of the affected area and the number of affected actors. The UCAB struggled with a large number of affected actors and made repeated attempts to narrow the category of stakeholders, which likely had consequences for the actors' recognition of the project. The UCAB received a goal-oriented task from SEPA. Within the existing regulation, the UCAB saw the nature reserve format as the only practical solution to grant protection status to an area as large as the appointed Gräsö HELCOM MPA. The UCAB has fulfilled the basic steps according to SEPA's nature reserve establishment handbook (see section 2.4.1: ... *in Sweden*), but it could be argued that some of the more inclusive steps were accomplished by meeting the bare minimum terms. Local actors tried to contest the arguments supporting a nature reserve by suggesting other forms of protection. In justifying why the protection should be in the form of a nature reserve, the UCAB referred to both the assignment from SEPA and

the HELCOM agreement; these served as an explanation of why they had to reject actors' alternative proposals.

The St Anna-Missjö planning process contained a relatively manageable group of actors and only two private properties were immediately incorporated into the proposed area. The assignment given to the ÖCAB by SEPA focused on actor involvement and the participatory process. A further reason why it appeared relatively easier for local actors to accept the St Anna-Missjö HELCOM MPA was its lack of legal status. In contrast to a nature reserve, the adaptive management plan used for St Anna-Missjö is based on voluntary action and does not impose further regulations. With relative ease, the plan could be reversed or rejected in parts or even as a whole as the situation develops. This fact appears to have been important during the participatory process. The lack of regulatory enforcement levelled the playing field between the ÖCAB and the local actors. However, the nature of the plan later caused frustration in the management group. The management group assumed they would receive greater autonomy, quicker implementation and stronger connectivity between St Anna-Missjö HELCOM MPA and other projects and policies implemented on the east coast than was enabled by the status of the plan. Comparison presented in Table 6.1:

	Gräsö	St Anna-Missjö	Comparison
HELCOM policy agreement	HELCOM Marine Protected Areas (former BSPA)	HELCOM Marine Protected Areas (former BSPA)	The same agreement. The interpretation of assignment varies. The UCAB creates a nature reserve. The ÖCAB develops an adaptive management plan.
Form of protection	Nature reserve, Official protection status	HELCOM MPA with management plan. No official protection status	Different in terms of legal status. The difference severely affects the attitude of actors towards the process. It may also affect how other agencies view the MPA.
Executive body	County Administrative	County Administrative	Same. According to national

	Board of Uppsala	Board of Östergötland	practice.
Type of environment	Brackish coastal ecosystem. Archipelago with small islands and skerries	Brackish coastal ecosystem. Archipelago with small islands and skerries	Similar. Value is based on the conservation principle of representation. Additionally, there are some vulnerable breeding habitats and samples of rare species in both areas.
Total area	54,785 ha, mainly water	16,610 ha, mainly water	Gräsö is a significantly larger area. At the time of establishment, it was the second largest water protection area in Sweden. The size and the number of affected actors shaped the process design.
Conservation values	Botanical, zoological, habitats (sea beds), outdoor recreation, hydrology, cultural landscapes	Zoological, botanical, habitats (sea beds), cultural landscape, forest, fishery	Not a significant difference between the listed values. Slightly different order of priorities. Recreational value is more prominently discussed by the UCAB than by the ÖCAB. Fishing value is not directly designated by the UCAB, but addressed by the ÖCAB.
Main threats to the area according to the CAB	Change and intensified use, e.g., refurbishment of boathouse	Absent or inappropriate management, e.g., reduced grazing	Identification of similar threats, but the role of the local community is articulated differently. At Gräsö, an inflow of outsiders was the root of concern, whereas the risk of dismantled cultural practices and local management are perceived to be

			core threats at St Anna-Missjö.
Protection goal	Now and for the future, protect and conserve a large contiguous part of the archipelago and its biodiversity as it is	To secure high biodiversity with viable populations, managed by old island tradition and low unwanted exploitation	<p>Similar goals, but the role of local management is articulated differently: the goal of the Gräsö HELCOM MPA is in line with conservationist ideas of maintaining its current status through inaction and reducing identified threats.</p> <p>The plan for St Anna-Missjö HELCOM MPA articulates a need to cultivate more engagement locally for management purposes.</p>
Number of individual respondents	23% approx. 130 respondents of the UCAB's total 550 identified affected actors	35% Approx. 50 respondents of the ÖCAB's totally 140 identified, affected actors	The number of affected actors differs, but the share of active participants is not that different. The majority of actors did not engage in the planning process. The CABs were satisfied with participation and assumed that the remaining affected actors supported or were indifferent about the plans.
Ownership ratio	State owned, private, community commons, the Swedish church	State owned, private, the Swedish church	The majority of the designated areas are owned by the state. The property rights offshore are not fully mapped. Ownership is important in relation to recognition, but ambiguous ownership confuses the situation.

Type of actors	Owners, users, community associations, a few local interest organizations, local businesses, the municipality	Owners, users, community associations, some local interest organizations, local businesses, 2 municipalities	<p>In both processes, land owners were the most visible actor group. Actors were recognized largely based on ownership. The relation between islanders and outsiders is discussed in both cases, but appear more conflicted at Gräsö.</p> <p>In both cases, horizontal and vertical (national associations) collaborations among actors emerged throughout the process. In St Anna-Missjö, collaboration was more formalized, and it had practical effects through the functioning of the working groups.</p>
Platforms for participation	<p>A consultation group of representatives selected by the CAB</p> <p>Written correspondence with individual landowners</p> <p>Formal consultation round with written communication</p>	<p>3 theme-based working groups, open to any participant. CMP method. Chaired by the CAB. Formal consultation round with written communication</p>	<p>Similar platforms but significant differences in how the participation played out.</p> <p>The UCAB were criticized for not recognizing all affected actors. The UCAB selectively invited actors to participate in the consultation group. The relatively few open meetings seemed to obscure information sharing and fuel rumours. Writing letters was not perceived as taking an active stand. The sense of participation was low.</p> <p>Opportunities for St Anna-Missjö participation seemed more accessible and concrete. The ÖCAB and SEPA supported the exchange of information and shared learning. Common ground</p>

			was developed through the process.
Level of participation	Consultation	Cooperation	St Anna-Missjö, participants were more actively engaged in the formulation of the goal, vision, problem and suitable solutions.
Open meetings	2 intro meetings, 1 open forum mid-way	2 intro meetings, 1 summary meeting	Different implications and outcomes. Strong criticism at the initial meeting. The UCAB responded to critique by initiating the contact group and the ÖCAB by extending the invitation to a second intro meeting. At St Anna-Missjö, efforts were appreciated more than in Gräsö.
Economic compensation	Three landowners qualified to receive encroachment allowance according to Swedish law	No landowners were qualified to receive encroachment allowance according to Swedish law	Differences were due to regulations for a reserve versus a management area. Demands for economic compensation existed in both cases, but were stronger at Gräsö. The UCAB lawyers

			<p>evaluated these claims. The law does not include water/fishing rights. Actors at Gräsö requested a law change.</p> <p>No entitlements were given to St Anna-Missjö HELCOM MPA, as there were no legal property losses.</p>
Process period	<p>Official consultation 2009–2012</p> <p>Finalized February 2012</p>	<p>Working process 2008–2011</p> <p>Finalized May 2011</p>	<p>Same period. Reported to HELCOM in time for evaluation of the CBD 10% target.</p> <p>Both Gräsö and St Anna-Missjö had a history with plans to establish protection prior to the HELCOM MPA.</p>
Appeal	<p>115 landowners appealed to the government. The government denied the appeal</p>	<p>Not applicable due to the management plan status</p>	<p>Influential Gräsö actors were unsettled by the decision. They appealed both the UCABs decision and the government's evaluation that the UCAB complied with prevailing regulations. The UCAB said that the fuss mostly settled shortly after the decision. A core group of opponents uphold disagreement as an act of local solidarity.</p>

Suggested management organization	The CAB is in charge. Role of local citizens is vague	Local management committee with actor representation	<p>Role of local actors unclear at Gräsö. Ad hoc organized meetings occur with invited landowners. It is unclear how the UCAB selects and invites actors to management meetings. Three local conservation managers are paid.</p> <p>The St Anna-Missjö management committee represents owners/users (n=4), NGOs (n=1), CAB (N=2). Local actors received some level of autonomy over the St Anna-Missjö HELCOM MPA, including their own budget. Compensation for labour is given to committee members. Involved actors are frustrated about the slow pace.</p>
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Table 6.1: *Comparison of the two cases. In the comparison column of this table, the basic organizational information is commented upon in terms of the differences and similarities, with possible implications for participation and legitimacy. This table builds on Table 5:1 basic data introduced in Chapter 5.*

From the comparison made in Table 6.1: *Comparison of the two cases*, some particular concerns in relation to participation emerge. The CABs' perception of the role of local actors in management and their participation in the planning process appeared to have had a significant effect on how participation was organized in practice. The way in which actors felt recognized and invited to participate in the process appears to have been essential to their commitment to and positive reinforcement of the participatory platform. In the following chapter, I will delve into these aspects of participation.

Analysis of participation

In Chapter 6, I showed that the organisation of participation differed between the two cases. In this chapter, I will analyse the consequences this differences had for the experience of participation among local actors, as this is expected to have a consequence for the establishment of legitimacy (which will be further analysed in Chapter 8). In my theoretical review I identified four different conditions that appear to be important for participation in institutional arrangements to establish legitimacy:

- Top-down institutional support enabling actors' access and recognition.
- Space for actors to establish claims and develop capabilities.
- Communication channels and feedback loops for shared learning.
- Enforcement of participation efforts into outcomes.

These are relevant for the reader to keep in mind, as I preside to discuss actors' experiences in relation to the different modes of organized participation in the two cases.

7.1 Acts of Participation

In the theoretical chapter I explored different levels of participation, and in doing so, I made the critical observation that effective participation requires the relocation of power and possibly the deconstruction of social hierarchies, norms and values. This observation mainly relates to the access of different actor groups in relation to participation and their relative influence in decision-making (see, e.g., Agarwal, 2010; Arora-Jonsson, 2013). Both planning processes consisted of heterogeneous experiences and perceptions. A wide spectrum of claims, reflections and justifications based on

situations were discernible in the cases. Still, the empirical material indicates patterns and characteristics that both unifies and separates the conditions of participation in the two processes

To illustrate this findings, here are local voices from each setting reflecting on access to their respective participatory platform:

Gräsö

We got a letter from the County Administrative Board saying they would arrange information meetings at Gräsö. Great, I thought, now I can get some sense of what is going on and get involved in the consultation process. However, there were never such meetings. [...] I really looked for any kind of advertisement of a meeting because I wanted to attend. I never heard anything more of it. One would expect some type of dialogue, but [the UCAB] never arranged any meetings as they said they would. [...] The only meetings were with this contact group that the County Administrative Board put together. [...] I think it was more of a hostage situation really – the representatives were never allowed to say anything. (Interviewee G13, 2013)

St Anna-Missjö

Anyone passing by was incorporated in the thematic groups. Everyone who came to the information meeting ended up in one or more of the groups. They met a number of times throughout the year and talked to each other about the BSPA. The County Administrative Board could not have done it more thoroughly, I think. (Interviewee A9, 2014)

Superficially, it appears that “everyone” was able to participate in St Anna-Missjö and that “no one” was able to participate at Gräsö. This exaggeration gives a hint of the difference between the cases in terms of accessibility according to the perception of key actors. Disappointed Gräsö actor groups claimed that there was no participation in the development of the plan for the Gräsö HELCOM MPA. As discussed in the theoretical chapter, Arnstein’s (1969) participation ladder illustrates stages of participation based on features of power. Providing affected actors with relevant information about the plan, possible options and shared responsibilities is the first step towards conditions for effective actor involvement. The conditions regarding information are, for example, a core message of the Aarhus Convention.

Gräsö

A local key actor at Gräsö said they were only provided information without any proper communication channels to comment, get feedback or, most importantly, raise objections. Based on this evaluation, the level of participation would just reach the third rung on Arnstein's ladder (1969): merely informing. The UCAB made a real effort to deliver comprehensive information. However, a majority of the key actors perceived the information-sharing as one-sided. They argued that the process relied on one-way communication from the officers to the actors. Actors expressed frustration over the limited opportunities to influence the development of the plan, especially towards the second half of the planning process. According to the empirical material, communication channels and feedback loops for shared learning were limited, and many local actors failed to see that their contributions were reflected in the outcome.

As shown in the empirical chapter, some local key actors at Gräsö even claimed that the process had conditions most similar to the lowest rung of Arnstein's (1969) ladder: manipulation. They argued that the purpose of actor involvement was purely to educate the locals on the merits of establishing the nature reserve. Some argued that the authority turned the participation platform into a public relations vehicle engineered to generate local support. The UCAB clearly did take actions to convince the participants of the best way forward, with both the contact group and the through written consultation correspondence. The UCAB did not define the role of the consultations to include negotiating possible solutions, but they were open to suggestions and adjustments within the given frame of a nature reserve.

The UCAB revised the project proposal based on the input they received during the consultation; for example, they adjusted the borders according to the local actors' request and incorporated local actors' management ideas in the final decision. Most of the interviewees appeared unaware of the influence the participation had on the long-term outcome, or they found the effect too small to justify efforts of participation. The actor involvement in the Grösö case featured conditions related to what Arnstein (1969) calls consultation or even placation. These levels of participation take opinions into consideration but without involving actors in the decision-making.

St Anna-Missjö

The perception and experience of the St Anna-Missjö planning process indicate a more inclusive process than indicated for Gräsö HELCOM MPA.

The flexibility had much to do with the experimental approach used in this case. The SEPA officer in charge of the pilot project was satisfied with the high quality of participation in the St Anna-Missjö process. The level of participation enabled the actors to negotiate with official decision makers. In the process, local actors were involved with the formulation of a vision, the problem definition and the also to develop suitable strategies to reach the conservation goals. Within the management groups, local actors were even able to negotiate priorities and trade-offs with the ÖCAB. This level of actor involvement lines with the sixth rung of the ladder Arnstein's (1969): mutual partnership. Still, some key actors challenged the process and claim they had limited impact on the actual outcome. In some interviews, local actors argued that the participation was a smoke screen allowing the ÖCAB to proceed with business as usual. The dogmatism that the ÖCAB showed in relation to the suggested borders adjustments was taken as evidence of how inflexible the process actually was (such as the anecdote on the ÖCAB's inability to comply with the wish of an elder fisher to excise their property from the MPA). Based on these statements, the process would balance on the rung somewhere between information and consultation.

Comparison

The different organisations of participation in the two cases produced different experiences of participation. In general, affected actors evaluated the St Anna-Missjö process as more inclusive than the affected actors at Gräsö evaluated their participatory process. A notable similarity between the two cases is that the local actors underestimated their impact on the planning. The difference between perception of participation and what actually occurred may be caused by unmet expectations. In both cases, there were actors who idealised participation as something that only occurs between equal parties or who argued that the CABs should delegate the power of nature protection to local affected actors. Preferably, they argued, management should be in property owners' complete control outside of the state institutional organization. They basically asked for local autonomy within the state and the ability to arrange nature resource management without outside involvement. Such a level of self-organization would link closely to Arnstein's (1969) final rung on the ladder, citizen control, but would completely marginalize all actors who are not identified as landowners. Arnstein's ladder does not address heterogeneity among affected actors. I will discuss such aspects later in this chapter.

In both cases, local actors who supported the MPAs stated that the CABs enabled participation to an expected level. They perceived that opponents' crusade for stronger participation was driven by personal interests and that those actors would only be placated if their will was followed to the exact wording and intent (see, e.g., quote by interviewee G2 in section 5.2.1.1 on how opposing groups blocked the process). Some local key actors, often with previous experience of top-down initiated nature resource management, argued that the property owners' quest for control over resources was unrealistic. They found it unlikely and even naive to assume that the state would or even could back away from the path embarked upon just because of some local actors' disagreement. The state will eventually get what they want, they argued. In the Gräsö case it was argued that the state used persistence, whereas in the St Anna-Missjö case, the state redefined the way of to reach its goals.

The CAB officers argued that actors involved in conservation establishment processes in general have unrealistic expectations on how their contributions are likely to shape important decisions. They argued that the local actors had only a partial understanding of the situation and lacked information to make a full assessment. They also emphasised that it is not the local community's job to make a full assessment. It was the CAB officers' job to get a reasonable overview and weigh standpoints against each other. The officers argued that this division of labour seemed confusing to some actors. These type of statements suggest that the officers understand themselves to be experts with a mandate and qualifications to judge the value of other actors' contribution (as problematized e.g., by Bond, 2011; George and Reed, 2016). It may also be argued that their interpretation of the Aarhus Convention is restrictive, or at least pragmatic in relation to the MPA implementation. The Gräsö officers in particular argued that, as the target was already set, the room for local influence to shape the outcome was limited. The officers implied that the community had an exaggerated understanding of their role in environmental governance and claimed that the local community, in reality, is a rather small pawn in regional environmental politics.

7.2 Swedish, middle-aged and older men with resources predominated the consultation

The previous section showed how access to participation affected actor's perceptions of the processes. Next, I will address the differences among actors in terms of access to these processes in the two cases. In this section I show some of the characteristics that due to norms ultimately affected access to participation and created differences between actors (e.g., Cleaver, 1999; Arora-Jonsson, 2013; Busca and Lewis, 2015).

The actors participating in meetings in both cases were generally men. The CAB officers were men, as well as almost all experts and most local actors. Of the local actors, most held properties and were prominent in relevant local organizations. This combination of attributes leads to an interaction of structural and institutional power that favours these actors. This category of actors has a greater ability to make use of institutions than other groups of actors. The capability to participate leads to greater chances to secure institutional and structural privileges in relation to those that do not participate. For example, the most common motivation for engaging in the participatory process was to monitor and protect interest. Fishers and farmers claimed that they rarely received any information from the state about plans and management ideas if they did not seek to engage in consultation processes. In this way gaining access to information was an added value with participation. The participants argued the consultative processes as a chance to gain some insight into possible policy changes affecting their personal situation and, if possible, to alter negative developments.

The dominance of men in the processes is a gender imbalance. The few times this gender imbalance was mentioned in interviews, it was followed by explanations of why women did not want to participate (see, e.g., quote by interviewee A11 in section 5.3.1.1.). However, barriers in the participation could have caused the remarkably low involvement of female actors. For example, the structural power that directs the constitution of actors' capacity means that women as a group are less used to participating in this type of process. The organisation of participation may also mean that women to a lesser extent than men were invited to participate in the consultation. In the case of the Gräsö HELCOM MPA, the UCAB predominantly appointed actors to be members of the contact group for the Gräsö process. They approached specific interest groups and recommended influential actors within these networks. These actors were almost exclusively men. One of the aims with the contact group was to spread infor-

mation. If are men primarily connected to other men, which they likely to be, this would result in an imbalance in the information sharing. There were more women participating at meetings in the St Anna-Missjö process than in Gräsö. The general invitation, appeal to inclusiveness and open process without restrictions in numbers may have facilitated more women's participation. Openness seemingly had positive effects on gender equality within the participation processes.

Women are not the only group of actors with conspicuously low representation. In the Gräsö process, both the UCAB and some of the participating actors called for more representation of youth. The argument was that the youth were the future of the area and that they would ultimately be those most affected by the suggested plans. Yet, no particular effort were made to motivate this category of actors to participate in the process. Similarly, as with the women, young people may have felt that they lacked the capacity to participate in a process such as this. As one of the conditions for institutional participation is that the organisation should support actors to develop the required capability, the absence of youth can be argued to be a failure to provide support. Instead, older participants, often but not always parents, claimed to speak on behalf of the next generation. The older spokespersons may, of course, done this with good intentions, but it may also be an example of how more resourceful actors used other actor groups to build support for their own claims.

In both processes, the participants were to a large extent ethnic Swedes. A small number of participants were northern Europeans who had long ago immigrated to Sweden. The tendency to inherit properties may have caused this somewhat untypical grouping of age and ethnicity in both case-study areas that is not representative of Sweden in general. In addition, properties on the open market were sold at startling prices, which means that only a small part of the Swedish population could afford to buy. These parts of the archipelago, or possibly the archipelago as a whole, seem hard to access for newcomers and especially for non-ethnic Swedes. The few times when local actors mentioned other ethnicities it was in order to emphasize presumed Swedish characteristics – such as care and respect for the environment. Non-Swedes, both tourists and immigrants, were implicitly described in a condescending way regarding environmental protection.

In both areas, newcomers to the islands (regardless of ethnicity) claimed that they faced discrimination because they were not 'real' islanders. How long one had lived on the island, how well one connected with the neighbours and how much manual labour one put into running one's property

determined their acceptance by other, more established islanders. One local key actor even accused others of being racists. This claim had no structural racist justification, as the target has no characteristics that makes them vulnerable for structural discrimination on racial grounds. However, the statement implies a belief in a cultural expression favouring people who have spent the majority of their lives on the islands. This type of relations shape systems of significance and meaning in the archipelago, which ratifies the inclusion of some actor groups and the exclusion of others. The islander-outsider narrative can be argued to illustrate the productive power among local actors. Mainly actors who classify themselves as outsiders expressed and discussed the “right way” of doing things.

I also see the distinction between islanders and outsiders as an expression of place-based identity and of a strong sense of local loyalty. Local actors in both cases emphasized the distinction between islanders and mainlanders, especially by arguing that mainland and urban centred politics threatens the islander’s way of life. The upholding of local norms can be seen as a way of protecting what is perceived to be a particularly vulnerable way of life. The expression of place-based belonging was a vantage point for resistance against national and international structures of power. Especially in Gräsö the importance of standing together against “external attacks” was strongly expressed. Evidence of this is that many local key actors had a need to first emphasize that they were against the reserve before giving constructive feedback or detailed comments to the UCAB. In addition, the few comments sent to the UCAB in support of the reserve were anonymous, as if the actors did not dare to express this opinion in public. These two examples illustrate the importance placed on loyalty to the local community, even if this loyalty hampers diversity and the establishment of claims in the participatory process. This section showed that the design for participation affected the diversity of participants and that when participation was limited it excluded women, youth and those perceived to be outsiders. This indicates that some actors felt that they did not have the right to participate. Next section will discuss the skills and capabilities actors argued that they needed in order to participate. The experiences between the two cases in this regard are similar.

7.3 The skill to participate

Many local key actors argued that participation required specific skills and resources. For example, they claimed that those who had previous experiences with similar types of processes, the ability to scrutinize bureaucratic texts and the ability to base argumentation on scientific data, had greater success in negotiating with authorities. Resources in terms of time, network and symbolic values was argued as required for effective participation. Repeatedly local key actors claimed in my interviews and in their correspondence with the CABs that they felt inferior – to the extent that they felt incapable of seizing this opportunity to protect what they care for. The local key actors' expectations of how their involvement would contribute to the process left them disappointed, especially at Gräsö. When these local Gräsö actors understood how difficult it was to have an impact on the reserve establishment, they appeared anxious to maximize the opportunity and started to argue their rights to the resource in contrast to others. The same tendency could be found at St Anna-Missjö related to those for issues with stronger influence on daily activities, such as the law on free fishing for anglers.

Towards the end of the processes, opposing parties built their claims based on arguments of local belonging, cultural practices and historical rights. At Gräsö, the most strongly opposed local actors appropriated rhetoric that, in Sweden, usually only are used by the indigenous population in resource conflicts with the state. It may seem exaggerated and even inappropriate that ethnic Swedes adopt this type of argumentation, but it illustrates the vulnerability local actors must felt in relations to the state. Especially in the Gräsö processes, this type of identity-based argumentation intensified the distinction between islanders and outsiders that pervaded the debate.

The tension between actors in these cases revealed all four different types of power from Barnett and Duvall's (2005) typology. Direct and compulsory power appeared when the CAB decided what landowners could and could not do in the management. Compulsory power was also expressed when individual actors called upon other actors to sign the petition appeal. Some actors claimed that they had no option but to sign, due to the direct approach and the sensitive relationship that they had with the actors who called for their signature. Structural power through ownership meant that some actors needed to collaborate with others to establish claims. For example, ownership as a condition for the UCAB's stakeholder status was a problem for second-generation farmers in the generational renewal process of their family farms. Formally, these actors had no status, and they expres-

sed their sense of dependence' on good will of other actors to obtain information articulate claims. At Gräsö, summerhouse owners were neither recognized as stakeholders nor as members of the community and were therefore not asked to participate in the consultation. The islander-outsider terminology was not as prominent in the St Anna-Missjö case, possibly because the definition of 'affected actors' was more inclusive in this case or because stakeholderhood did not come with regulatory measures as it did in Gräsö. However, there were indications of similar relations between actors also in St Anna-Missjö, for example, this could be seen in relation to the organization of the management group.

Structural and productive power can be seen in the following example: Some relatively well-educated people were motivated by the assumption that their expertise was needed for the process, either self-proclaimed or by their neighbours' request. These actors argued a need to articulate and communicate the islanders' standpoint to the authorities, as other less educated landowners were perceived to lack the proper capacity to formulate their claims. These more resourceful actors often tried to establish direct contact with the CAB officers parallel to the official participatory platforms (see, e.g., Amnå, 2008). These actors apparently expected a more exclusive discussion between the CAB and themselves. In both cases, a number of these actors presumed that they had a particular position within the community and could present an objective opinion. They, therefore, proposed themselves as mediators between local actors and the CAB. The CABs declined this type of offer, usually by stating that the state has to treat all landowners equally or that they were qualified to judge the quality of arguments themselves. In this situation, most of these resourceful actors expressed that they felt brushed off. Some left the process altogether, later expressing that they did not feel needed. Others tried to get support for their position by collaborating with other actors, preferably those with a greater historical claim to the area, and by contacting the media. Most of them did not feel that they were "participating" in the process; rather they saw themselves as assisting their neighbours in a troublesome situation. This type of statements were more common in the Gräsö case, probably because these actors generally perceived the access to participation require a lot of skills.

Barriers to participation that cause resourceful actors to have greater access to processes may result in a biased or distorted representation of actors' opinions. A majority of the identified actors in these two processes were not actively involved (participation rate were approximately 23% at

Gräsö and 35% at St Anna-Missjö). In the two cases, the following reasons should be considered to be motives for non-participation¹:

1. The actor supports the plan and does not feel a need to get involved.
2. The actor expects other participants to speak on his or her behalf.
3. The actor is indifferent to the plan.
4. The actor feels restrained from participating due to lack of relevant resources.
5. The actor does not want to legitimize the process through their participation.

The CABs' officers argued that point one was the most likely reason and perceive non-participation as passive consent. Interviewed local key actors instead suggested points four and two as being the case, for example, as argued by the example of asking more resourceful actors to speak on their behalf as they lacked know-how. The few non-participating actors encountered in the empirical material were indifferent to the plan or sceptical towards the authority. However, it was difficult to motivate actors who were passive in the participatory processes for the planning of the MPAs to cooperate with this study and I can therefore not elaborate on the matter. This previous section showed how skill and resources affected actors' participation and showed some reasons why actors left or declined to enter the process. In the next section I address the way local power dynamics affected and were affected by the process.

7.4 Local power dynamics

The organization of participation for the two HELCOM MPA processes seemed to simultaneously reinforce and create new forces of power. Some local actors used the participatory platform as an arena to challenge existing power relations.

In the Gräsö process, power struggles were constant. The most prominent conflict of interest was that between landowners and the UCAB, but within the efforts to mobilize support and establish rightful claims, actors affected

¹ No official documentation of correspondence with the CAB, e.g., written letters or attended meetings.

each other's ability to act. One such example is the situation with the Gräsö Archipelago Community Council. The UCAB appointed the Archipelago Community Council as their official consulting partner. The association had previously held this position, so the UCAB draw on existing organizations for input – as matter of administrative pragmatism or expediency. The UCAB may not be actively seeking to reinforce existing power relations, but according to my analysis this was the result: The role of the Archipelago Community Council was challenged by other local actors who questioned the council's ability to 'truly represent' the local community. The criticism ultimately paralysed the council and reduced their role to none. Other groups, like the fishing community associations, took a more active stand. Consequently, the UCAB's decision caused a situation that and undermined the role of some actors' while reinforcing the position of others.

The Fishing Community Associations argued for their position in a way that indicated that the UCAB could have misinterpreted the local power dynamics. The UCAB failed to see the role that the Fishing Community Associations had in the local self-regulatory institutions. By this doing, the UCAB, possibly without intention, questioned the organization of the community. The Fishing Community Associations fought to retain what they perceived to be their power and to keep the balance in the local community. It is reasonable to assume that the Fishing Community Associations even tried to take this opportunity to obtain a more powerful position in relation to resource management. Based on the referral round, Gräsö's Fishing Community Associations had good support. However, in the interviews, a number of local actors questioned their representation. These interviewees did not trust the spokesperson's intention to hear and represent all members of the Fishing Community Associations.

The ÖCAB acknowledged the St Anna Village Communities as an information hub and as a platform to secure local participation and elect members to the management group. This acknowledgement generated new power in relation to the CAB. The establishment and design of the management group also relocated power from the ÖCAB to the local community in real terms. The Village Communities were central to selected represent for the local community in the management group. The participating actors apparently supported the role that the Village Community played in the process. However, in the interviews, some actors aired suspicions that the representatives were personally benefiting from their positions. Cook and Kothari (2001) as well as George and Reed (2016) have made critical remarks, arguing that this type of emphasis on existing local institutions tends to favour the

existing elite. The Village Community is a member-based interest organization and does not have to comply with the same democratic standard that the general public would have requested from other representative bodies. By relocating responsibility for implementation to an NGO, the ÖCAB may have made their own accountability less direct (see, e.g., Dahl and Nordström, 2014). This section showed how the two highlighted processes were sometimes disrupted by local power relations.

7.5 Tension between the role of participation and the role of experts

This section will discuss the role of expert versus local knowledge. Throughout this thesis, the role of experts has been addressed. The review indicates a tension between actor involvement and the technical- and expert-oriented implementation of conservation on different levels in the multi-level arrangement. To discuss policy in terms that allow lay actors to engage is a complicated matter. While still giving greater credibility to scientific and expert knowledge, the CABs are also required to negotiate and link to other knowledge-related claims and inputs through dialogue.

According to, for example Schlosberg (2004) and Turnhout et al. (2010), participants learn how the authorities expect them to act and behave in a dialogue with the state through the participatory process. Schlosberg (2004) and Turnhout et al. (2010) mainly discuss the fostering act in terms of being “good participants” according to the state. However, the skill of engaging in a dialogue does not mean that the actors agree with the authorities arguments. In practice, there appears to be a tension between the ideas of articulated and engaged participants and the officers’ wish for participants that agree and justify their role as experts and decision-makers².

Neither the UCAB nor the ÖCAB argued that actor support was crucial for successful implementation of the plan. They stated that the state had the resources and the capability to enforce protection even if the local actors did not offer overwhelming support. The participatory process was not intended to alter the power dynamic or to negotiate the defined environ-

² Westberg and Waldenström, (2016) describes this tension well. Their study on Swedish CAB officers’ attitude towards participation conclude that stakeholders are welcome to be involved with nature management, provided that they understand and appreciate nature in the same way as the officials.

mental protection targets. Consent from local key actors would, however, ease the implementation. The ambition of the participatory process was to inform, educate and preferably convince the local community of the benefits of the suggested plan.

In these two cases, lack of knowledge does not appear to be the main reason for disagreement. Rather, the local key actors were frustrated with the CABs for not properly considering their experience. What “properly consider” would mean is, of course, subjective and seems to be intimately linked to outcome. The local actors wanted to have a larger effect on the outcome. Actors in these cases are critical of consultation where their involvement does not inform the decision (see also Surronen et al., 2010; Smith and McDonough, 2010; Jagers et al., 2012). This observation challenges the assumption that information sharing can overcome interest conflicts.

An ÖCAB officer stated that the main role of the CAB in the consultation process was to translate and interpret the abstract regional agreements into local conditions. The officer said that there was no use trying to refer to a declaration of biodiversity when actors were concerned about old pines falling down and blocking the road. Instead, the officers had to give international goals meaning for the everyday lives of affected local actors. This certainly was a great challenge. Despite both CABs’ sincere efforts to explain and argue their case in lay terms, they faced criticism for being too technical for actors and for generating complicated and inaccessible documentation.

The bureaucratic and scientific language that governmental representatives at all levels use may hinder access to participation. The authorities use this lingo with the aim to minimize the room for confusion, but the language tends to be complex and abstract. To read official documents well enough to be able to scrutinize them demands a certain level of knowledge and experience. Actors at both St Anna-Missjö and Gräsö claimed that they lacked the required skills to communicate with the CABs. They argued that the CAB officers perceived environmental problems as particularly complicated issues and that a high level of scientific knowledge and expertise was therefore required in order to contribute to nature resource planning.

In interviews, representatives of SEPA and the Swedish Ministry of the Environment emphasized the importance of scientifically based reasoning to secure correctness. A ministry bureaucrat involved in the Swedish representation in HELCOM stated that the strength of HELCOM to be its high level of scientific knowledge (Interviewee MD1, 2015). A SEPA officer said that scientific reasoning was the best way to avoid perceptions of injustice

among affected actors (Interviewee A13, 2015). The officer understood that landowners could perceive nature protection as a restriction to their property rights, and that it would only be natural for landowners to question the legitimacy of such restrictions if the decision were based on ambiguous grounds. Therefore, the officer argued, it is extremely important with a transparent and scientifically based process to establish legitimacy. However, a process that relies heavily on scientific knowledge tends to be dominated by experts. A requirement of certain cognitive resources leads to participatory exclusion. The officers' presumption that logical reasoning can overcome conflicts of interest may enforce an understanding of participatory platforms as a way to educate local actors.

The SEPA officer's arguments resonated well with the ideas promoted by HELCOM. HELCOM MPA guidelines state that actors are likely to support the protection goals when they are convinced of their environmental value. This conviction affects how tasks are assigned, how participation is arranged and how actors are invited. There is also a risk that an emphasis on scientific knowledge excludes those actors who base their claims on practical knowledge and experiences. If local actors are excluded from dialogues and consultative processes due to barriers caused by language, this would have negative effects on participation. If this is the case, scientific knowledge is used as a source of productive power.

Summary

Chapter 7 has shown the impacts that the two different approaches taken by the CABs had on participation. I have shown that limited access to participation led to greater dissatisfaction among actors, caused a more homogenous group of participants, and that struggles to be recognised as an actor may reinforce possible conflicts of interests within the local community or have an effect on the local power dynamics. I have also shown similarities between the two cases when it comes to the complexity of the role of participation within the institutional arrangements for nature conservation. Statements made by the CAB officers suggest that they have the mandate to judge the value of other actors' contribution and will do so based on how well the participant's opinions conform to their protection objectives.

However, I have in this chapter also shown how different aspects of participation were secured by the processes, such as the UCAB's incorporation of participants' comments in the management plan and the ÖCAB's effort to include local actors in the formulation of a vision. These

acts stimulated a relocation of power within the institutional arrangement. Did this relocation of power affect the establishment of legitimacy and, if so, in what way? These questions are analysed in Chapter 8.

Analysis of legitimacy

In this chapter, I will analyse legitimacy. As discussed in Chapter 7, the two cases of HELCOM MPA implementation took different approaches to participation. According to the theoretical review, these differences in participation will have consequences for the establishment of legitimacy across the case. The chapter will also analyse how the multi-level arrangement of the HELCOM MPA affected local support of implementation.

8.1 Legitimacy in the two cases

In the two cases, different aspects of legitimacy are discussed by the actors. Here follows a few characteristic examples for each case:

Gräsö

In the Gräsö HELCOM MPA process, the UCAB officers appeared to argue for legitimacy derive from outcome values of common interest, such as a healthy Baltic Sea. The UCAB used a scientific rationale to motivate the nature reserve in terms of public interests. They argued that the values of public interest to exceed the private interests of local actors. In Chapter 5, I presented some of the UCAB's replies to comments from local actors. The UCAB used logical reasoning backed with scientific claims to overcome some of the local actors' objections. The language of science was presented as a neutral and logical form of argument that could potentially be used to pacify political dissent. The aim of their reasoning seemed to be to cool heated emotions. The UCAB officers acknowledged the negative emotional responses to the proposal but reassured that they had everyone's best interests at heart and were qualified to make a justified decision.

My interpretation is that the UCAB's strategy to invite representatives of existing interest organizations to the contact group was an attempt to tap

public platforms of common belief. This could be perceived more as a rapid approach to identifying common beliefs than as an attempt to establish new arenas with the purpose of unifying and articulating these type of beliefs (in relation to Beetham, 2003 and Scharpf, 2009). The local key actors who challenged the legitimacy of the process, to a large extent did so based on arguments relating to procedural aspects of legitimacy. They argued that the Gräsö consultation process did not sufficiently secure legitimacy with respect to both procedural values and outcome values (see, e.g., Scharpf, 2009). The process neither established a platform to develop shared beliefs of common goods, nor create opportunities to negotiate outcomes. This, in all likelihood, had consequences for the overall legitimacy of the reserve.

St Anna-Missjö

In contrast, the consultative process at St Anna-Missjö supported both procedural values and outcome values that affected legitimacy. The consultation process with the three working groups constructed an arena both hear affected actors and develop shared beliefs in relation to the common good (see, e.g., Schlosberg, 2004; Scharpf, 2009). The assignment for St Anna-Missjö HELCOM MPA was, according to the ÖCAB, unusual in that it did not focus on the outcome. The process targets instead requested the involvement of local actors in the formulation of a vision for the management area. Neither local key actors nor the officers could recall a previous situation in which the state had asked inhabitants about their hopes and ambitions for a specific place in this direct manner. In this way, the local key actors were involved in a process to co-identify the problem at hand, and they therefore appeared to be more committed to supporting the process to develop suitable measures to solve these problems. It was apparently important for the local actors to (re)start the process in this way, especially with the previous plan of a nature reserve in mind.

Comparison

The historical conflicts caused most actors in both cases to have a negative initial image of the MPA project and a low trust in state institutions. Conservation had become synonymous with governmental interference and expropriation. The point of controversy concerning conservation values was not whether or not the area was worth preserving for the future; rather, it concerned the control of resources. The point of controversy was whether the suggested management institution was effective and whether the perceived limitations on property rights were reasonable.

Trying to resist the perceived threat of losing access to the archipelago, many key actors, especially at Gräsö, attempted to dismantle the case for the need of protection altogether. Local key actors, not least fishers, wanted to draw attention to threats and issues outside of the CABs' jurisdiction, such as cargo ships, oil spills, wrecks and commercial overfishing. In frustration over their limited influence they also started to downplay their own experiences of ecosystem-changes and pollution in the area.

For a number of actors both at Gräsö and St Anna-Missjö, unmet expectations of possibilities to make an impact fuelled further resistance towards the nature conservation, hence a negative relation between participation and legitimacy. These actors were under the impression that they had the right to say "no". The CAB officers argued that the terms of the HELCOM agreement made refusal practically impossible, so a negative relation between participation and support in these cases was further compounded by the multi-level context.

8.2 Three dimensions of legitimacy

As discussed in the theoretical chapter, legitimacy is a multi-dimensional concept relating to law, beliefs and actions (Beetham, 2003). In the following section, the three dimensions will be analysed through a comparison of the two cases.

8.2.1 Law

I will start with the dimension of law: the MPAs complied with existing regulations in both cases, but the enforcement of the projects related to the existing laws in different ways. The UCAB used existing national laws and legislation to establish a sanctioned form of conservation. St Anna adopted policies and recommendations to make room for new forms of actions. A major difference in terms of law was that the St Anna-Missjö HELCOM MPA does not hold any protection status (additional to the existing Natura 2000 areas) and was not backed by any particular legislation entitling enforcement or sanctions. The St Anna-Missjö HELCOM MPA to a much greater extent than the Gräsö HELCOM MPA relied on shared beliefs to motivate voluntary activities.

In neither case did the MPAs evoked drastically new orders and regulations. It could be argued that the importance of legitimacy to support order was lower in these processes, as in practice, actors are proceeding with their

lives as usual. In both cases some local key actors however argue that the CABs' overstepped their responsibilities. In both cases, vocal groups of actors argued that the nature protection was expropriation of private property and that the state interference in property rights was disproportional to the conservation benefits. Opposing actors at Gräsö are especially critical towards the UCAB for not living up to the expectations of the SEPA handbook for nature reserve establishment. The UCAB and these actors (landowners) drew different conclusions about what implementation should look like. The local key actors argued that the UCAB exaggerated the need for protection and understated the need of actor involvement. Similar arguments were heard among a smaller group of St Anna-Missjö actors.

Private property rights, according to landowners' arguments, were the most prominent societal institution that the system of power should aim to satisfy. The planned enforcement of the conservation goals made landowners fear over the security of these rights. Consequently, parts of the HELCOM MPA legislation conflicted with local actors' beliefs. Opponents among the Gräsöians claimed they would not ratify the reserve and that they would actively disobey rules within the area. Yet, there seem to be no evidence of such actions carried out. Order may however be upheld by other aspects of social relations and beliefs, such as self-respect and unwanted social consequences (see, e.g., Jentoft et al., 2012).

8.2.2 Belief

From a legitimacy-making point of view, the main purpose of actor involvement is to develop shared beliefs. The assumption is that actor involvement develops into a generalized perception that the MPA has desirable, proper and rightful intentions. In neither case was there a consensus about the plan. There was not an explicit commonly held belief that governmental intervention was just and required. The authority of power to establish an MPA was questioned, challenged and resisted. In these particular processes, it seems that the CAB and the participating actors represented different sources of legitimacy. The CAB's central argument was that the outcome of the plan would benefit public interest, whereas the engaged local actors were mainly concerned about the most affected actors' inflow of opinions into the decision. The dominant group of local actors (landowners) emphasized that those most affected by the plan should be the most clearly heard in the decision-making. As recommended by the HELCOM guidelines, the CABs tried to convince actors about the benefits of the plan, but many

landowners that they had been provoked by the CAB's attempts to ratify the measures. They stated that the CABs tried to persuade them with insignificant deals and did not offer them any substantial role in management. Basically, CAB's arguments did not meet their expectations.

The contact group at Gräsö and the working groups at St Anna-Missjö were both tasked to develop a common understanding of the common good as well as to secure an inflow of opinions into the decision-making. There are no other platforms available to develop the local legitimacy of HELCOM MPAs, so the legitimacy-making comes down to the local planning process. The task of securing legitimacy through local actor involvement was difficult, almost precarious. It is possible that the multi-level governance arrangements pushed the local cases into an almost impossible situation of trying to fulfil expectations.

Even if no consensus emerged, agreements were made and shared learning opportunities did occur. For example, the initial step to agree on a vision for the St Anna-Missjö HELCOM MPA was a vital attempt to establish common beliefs in the St Anna-Missjö process. Even if the vision is somewhat patchy and indicates some of the tension between actors' beliefs, it was an important step as it brought actors together. Throughout the discussions, arguments were resolved in relation to this vision. In this manner, the actors were demonstrably making efforts to relate to what was perceived as common beliefs. In both cases participating actors and the CABs made attempts to approach each other. Experiences were shared and arguments were developed based on these interactions. The result of shared learning is detected in the development of a common narrative and in the way that actors incorporated each other's statements to further develop claims.

The lowest level of shared learning was within the group of actors who entered the process very late (second half of referral the round) with a strong opposing claim. In both processes, new actors emerged and new alliances were made just before to the finalization of the decisions. The new actors opposed the development of the plan and established support among existing, recognized actors. The new actors did not share the participatory experience of the other local actors; rather they opposed such practices as they presumed that the original participants were too socialized by the process to notice all the wrongs that had been done to them. In both processes, the late opponents claimed that the proposed plan needed to be renegotiated, as the earlier-involved local actors had not comprehended the seriousness of the situation. Possibly, they argued, the representatives had even been silenced or pacified by the CAB officers. In their argument for

halting the process, they even claimed that the representatives were not entitled to represent any legitimate stake, for example, the statement saying that no landowner was part of the UCAB's contact group, even if basically all representatives were indeed landowners *as well*.

Both cases offer examples of how representation is complicated and may create schisms between the representatives and those they ought to represent. Representation is complicated, especially in consensus-driven processes with strong incentives to ignore conflicts (e.g., Fraser, 2009). In the St Anna-Missjö case, a relatively large segment of the affected actors participated in the process. Potentially, a critical mass was reached during the process and in this way, ideas were disseminated outside of the working groups. It is possible through the process, the Village Community managed to act as an extension of the participatory platform, for example through meetings held by the Aspöja Village Community. In the referral round, the actors referred to those meetings as a source of information and support. The Village Communities in St Anna archipelago shared information, mobilized claims and developed capabilities among their members as their role intended, but when their opinions challenged the ÖCAB, the authority increasingly perceived them as trouble-makers. Similar tendencies were detected with the contact group at Gräsö. The contact group was established to distribute information, but when information was used against the UCAB's position the officers argued that the information sharing was flawed. The UCAB stated that they had "problems with rumours" from sources in the contact group and had to quell those rumours with correcting statements.

The wish to control information may be linked to the ambition of consensus. In interviews, both the UCAB and the ÖCAB officers challenged the idea that consensus is a plausible outcome in negotiations among multiple partners. They seemed to believe that HELCOM and other international actors romanticize consensus. The official standpoint is rather that they can only strive for consensus as a best-case scenario. Still, this ambition to be in agreement appears to have affected how the officers interacted with the local actors. Both the CABs used statements such as "I think we mean the same thing", "we are on the same side" and "we all agree that [very basic statement]" when replying to comments. There is a risk that this type of statement undermines actors' ability to establish contrasting claims, nuance positions and elaborate the motives behind concerns (see, e.g., Cornwall and Brock, 2005).

8.2.3 Act

Beetham's (2003) third aspect of legitimacy, action, argues that participation is important in order to generate commitment from actors. Through participation, such as in the representation groups, actors are exposed to a sort of moral commitment to each other. In both cases, the actors did commit and engage in the process. The actors followed through with their participation to a great extent, even if they found the meetings tiresome and unproductive. For most actors, the original motive for action was self-interest, but as relationships were established they developed a sort of commitment to uphold the purpose of these relations, meaning to the process itself.

A Gräsö landowner's strong statement that "I will fight the state until I die" may indeed be interpreted as a lifelong vow of commitment to the process, even if the underlying beliefs motivating the statement were in conflict with the beliefs motivating the MPA. In relation to this statement, this particular actor challenged most aspects of the Gräsö consultation process, but not necessarily the idea of actor involvement in itself. This actor argued that the consultation process should be redone in a correct manner, hence implying that s/he would legitimize the process and its outcome if it was conducted in a way that meets her/his standards.

The St Anna-Missjö actors expressed a will to carry through the plan. The hands-on exercise to agree upon and prioritize values appears to have been essential for the shared learning and the development of actors' capability to establish claims. The effort of their participation was to be rewarded by the long-term implementation of the plan. When the implementation did not meet their expectations, the actors became disappointed and considered participation to have been a waste of time. Still, it appears that the commitment actors expressed towards their interests, other actors and the process *per se* led them to feel morally bound to proceed with participation even when they saw no use in it. Some interviewees talked about their participation as a hostage situation. They accused the ÖCAB of having used the actors' time and energy in vain. Their moral commitment to the process may be one reason why the actors still participated despite such utterances.

According to Beetham (2003), actors that engage in a process will start to legitimize it and eventually even commit to the fulfilment of its goals. This suggested relation between participation and legitimacy has some empirical evidence through these cases. During face-to-face interaction with other

groups of actors, the local actors claimed they had some learning experiences. Based on the development of events, these shared learning experiences bridged some of the gaps between actors. The bridging of understandings was primarily between adjoining beliefs. The actors tended to support proposals and solutions in the plan to a much greater extent if the statements related to shared beliefs. The opportunity to participate, act and interact offered conditions for an advancement under which decisions based on shared beliefs, and in this way acts, of participation can establish aspects of legitimacy.

In this section, I analysed how different dimensions of legitimacy were affected and possibly established by the participatory processes. Aspects of participation apparently created conditions for legitimacy. Ergo, a lack of participation would hamper the establishment of legitimacy. In the next section I will discuss how institutional arrangements may restrain participation, with consequences for legitimacy.

8.3 Limited support from other institutions hampers legitimacy

In this section, I will analyse the institutional support for participation and how it may affect legitimacy. According to the conceptual framework, it is critical for the quality of institutional participation that the process receives institutional support (e.g., Ostrom, 1990; Stenseke, 2009; Hovik et al., 2010). A ministry bureaucrat involved in the Swedish representation in HELCOM stated that all recommendations made by HELCOM are solid and that the greatest problem for HELCOM to tackle the management of the Baltic Sea is that the member countries do not implementing the recommendations properly (Interviewee MD1, 2015).

The Gräsö process was conventional, in line with stipulated regulations and received solid support from other agencies. For example, other agencies praise the UCAB for their comprehensive consultation process in their referral replies. The SEPA commended the UCAB for pushing the benchmark of expectations in the planning of nature reserves with such large amount of affected actors.

The St Anna process was more experimental and maybe due to this, the product was more challenged. The participatory approach generated support on the local level, but a limited support from other authorities within the institution hampers the implementation of the St Anna-Missjö HELCOM MPA. The problems of implementation and limited realisation

caused disappointment among local actors, with effects on the local key actors' legitimacy of the HELCOM MPA. The ÖCAB was given authority by SEPA to develop a plan together with local actors, but great sections of the plan fell under the jurisdiction of the municipalities. In the referral round the municipalities and other state agencies were critical of the plan's status in relation to other policies and plans. Some prioritized measures suggested in the plan were even argued to contradict the municipalities' established democratic procedure. The interests of a small number of people cannot side-step municipalities planning process, they argued. In order to get support from other governmental actors within the institutional arrangement, it seemed wise to keep in line and follow the dominating practice. This tension between a network of actors involved in adaptive planning and an agency of institutional power illustrates a conflict of interest between "governance" and "government" within the institutional organization (see, e.g., Dahl and Nordström, 2014).

Both the UCAB and the ÖCAB officers addressed the challenge of incorporating local actor involvement within existing institutional practices. They especially addressed the challenges they were facing to gain support from other administrative levels in order to secure local implementation. For example, the CAB officers in both cases described how they struggled with somewhat unrealistic expectations from SEPA. Both the UCAB and the ÖCAB argued that there was no room in their existing budgets for such large management plans and that they would need extra funding to fulfil their entitlements. SEPA did not allocate additional funding for marine protection¹. They even appeared surprised by the CABs' request for additional funding and asked what they needed the money for. In their discussions with SEPA, the CABs, emphasized Sweden's the responsibilities towards HELCOM to enhance the importance of the projects. The regional level was here used as an ally. The CABs criticized SEPA for not understanding the situation they put the CABs in when assigning tasks. Ironically, this critique was very similar to that offered by other local actors about the CABs. Some local key actors managed to use national and regional actors as

¹ SEPA's estimation of the resources economic value (estimation based on production, such as timber in forestry) as well as management costs differs largely between terrestrial and coastal/marine areas. The costs of managing terrestrial protected areas are better acknowledged, as is also the property owners' loss of resources. Neither CAB nor the property owners received compensation they deemed reasonable for the implementation of the HELCOM MPAs.

rhetorical allies to support their claims, for example, in the way a Gräsö actor used Elinor Ostrom's Nobel Prize to enhance the importance of his/her own participation. The interpretation of support from higher levels in the multi-governance institutions was understood as a resource if it was used to support actors own agendas.

8.4 Multi-level governance has a negative effect on local legitimacy-making

Apart from the slight advantage of using HELCOM as a rhetorical ally, local actors expressed frustration about the limited cognitive resources they had to make an impact on the multi-level decision-making. The officers gave examples of how conditions established outside of their control restrained aspects of local participation. For example, the problem was already defined on a regional level and policies adopted nationally to support specific implementation tools. This limited the room the CAB had for local negotiation. Basically, the CAB officers argued that the multi-level system effects what can be done with local participation.

The multi-level organization of environmental governance affected local participation in these two cases. It constrained participants' experience of participation in at least three ways:

1. It affected local actors' establishment of claims and development of capabilities.
2. It limited how local participation could affect outcomes.
3. It altered expectations of the process in terms of legitimacy-making.

First, local actors' establishment of claims and development of capabilities were affected by the complexity that multi-levelness added to the process. In the face of a strong power institution such as the national government, HELCOM or the EU, most actors resign. The perceived limitations to affect the outcome restrained local participation. The anonymity, bureaucracy, lengthy and sometimes absent feedback loops made actors feel insignificant and powerless. This may have also been the case in a completely local process, but the general feeling among local actors was that the multi-level arrangement affected the local participatory process. For example, it is likely that the establishment of MPAs would not have occurred in these two cases

without the HELCOM MPA agreement, at least not at that point in time. Many local actors also assumed that a protection agenda set locally would have been more responsive to local actors' claims and needs. The way that the CAB linked the discussion to international agreements, national policies and other MPAs led local actors to express the feeling that other levels of governance were influencing outcomes without addressing their claims. The struggle to receive this recognition appeared as one of the more volatile points of contention, especially in the Gräsö planning process. HELCOM tended to resemble a distant, faceless "other" in the decision-making. At times, the CABs used the absent decision-making power on a higher level to shift the focus resistance from themselves. However, in some cases, resourceful actors threatened to use the higher levels (preferably the European Court) to discipline the local officers. Horizontal and vertical connections within the multi-level structure were used as power expressions in the processes. However, the CAB was much more capable than the other local actors in using their network. The links to the international level supported their authority to prioritize unpopular decisions in favour of protecting conservation values.

Second, the multi-levelness of the governance arrangement clearly affected whether local actors had opportunities to have a substantial influence on outcomes. The aim of establishing MPAs was already articulated and agreed upon by HELCOM, and thus the local actors could not alter the overarching outcome. The lack of influence linked to participation was specifically criticized in the Gräsö case, where local key actors particularly challenged the limited opportunity to say "no". Actors argued their "right to consent" and, when this was missing, that the CABs should "back off". The UCAB did not see "backing off" as an option in these situations, and one of the officers argued in interview that this was due to the international interest.

In the St Anna-Missjö case, the actor involvement had a relatively large impact on the development of the plan. However, as the plan was not recognized at other institutional levels its implementation lost momentum. The plan was not implemented with the speed and manner local actors had assumed and the efficiency of the participatory efforts came into question. At the time of the interviews, locals participating in each case made arguments in relation to their sense of losing control and not being able to affect the outcomes. These perspectives influence their perception of the decision's legitimacy.

Third, in the cases of Gräsö and to some extent St Anna-Missjö, the level of participation did not meet the existing expectations for the consultation process. As previously discussed, unmet expectations may have a negative effect on supportive acts and eventually on the support of the MPA *per se*. Both the ÖCAB and the UCAB acknowledged this risk when they negotiated with SEPA for greater funding. The ÖCABs argued that a failure to enforce the plan would be devastating for the trust and legitimacy of local participatory processes.

The recognition of different interests at the local level was in practice limited by the multi-level arrangement due to the way that the multi-level governance arrangement conditioned the participation in Gräsö and St Anna-Missjö (e.g., in relation to how much impact the local participation could have on the decision). The projects were assigned from above, and decisions about the outcome were to a large extent already made elsewhere. Many local actors involved in the consultation processes for the two cases had an ambition to influence the decision. To many of these local actors, the impact that local involvement had on the outcome was significantly less than they had hoped for.

Summary

In Chapter 8, I have analysed how legitimacy is established and concluded that aspects of participation creates conditions for legitimacy. When actors engage in a participatory process they tend to legitimize it and eventually even commit to the fulfilment of its goals. However, a lack of participation can decrease or hinder the establishment of legitimacy. The two cases revealed that unmet expectations that local actors had on their participation further fuelled their resistance towards the nature conservation. These actors were under the impression that they had the right to say “no”, but that this opportunity was compounded by the multi-level context.

The results of this study show that the aim of the consultation process needs to be clearly communicated to the affected local actors. If the participants are not clear on the purpose of the process, there is a greater risk that they will have unrealistic expectations. If the effort they put into the process does not pay off in expected impact, the chances are that participants will be dissatisfied with the outcome.

Multi-level governance arrangements, for better or worse, shape possible outcomes for local management. In the two examples studied here, local key actors mainly perceived the multi-levelness as a negative factor. The results

show that the hierarchy within the multi-level governance arrangement did not favour local participation in a way that convincingly led to legitimacy at the local level.

CHAPTER 9

Conclusion

In this chapter, I link my key findings with a wider scholarly discussion in order to build upon and challenge the conceptual framework. This study theoretically and empirically explores the relation between participation and legitimacy. Based on the results of this study, I question the assumption that weak legitimacy is due to lack of knowledge and that more information enhances the legitimacy of nature conservation. The findings show that involving actors to legitimize the adoption of strict adherence to a pre-established model of conservation likely fail to create long-term support for conservation. It appears important to create room for local influence in the design, management and implementation of a particular conservation area in the particular place/context. The potential for participation to establish legitimacy is found in: aspects of actor recognition, power sharing, procedural inclusiveness, transparency, representation, justification of the organization, and in how well the management outcome resonates with the actors' beliefs.

In the discussion, I argue that contextual features of multi-level governance have relevance for the relation between participation and legitimacy in general, and in particular, in coastal areas. The study found that the multi-levelled character of nature conservation affects the local actors' participation and thus affects the legitimacy of the MPAs. For example, there is a risk with apparently neutral platforms that they pay little attention to actors' arguments or the asymmetries of power between actors as they seek to influence the way MPAs are enacted.

9.1 Hierarchical organization of actors

The two cases show differences in the organization of participation. The differences in how the contrasting CAB participatory approaches (e.g., the

ÖCAB invited the participants to formulate a vision whereas the UCAB did not) directed the participatory processes down very different paths. It can be argued that the UCAB addressed the project as a management interpretation of a policy goal and that the St Anna-Missjö process took more of a governance approach. By comparing an implementation process mainly featuring management approaches with a process mainly featuring governance approaches, this study underscores the complexity of actor involvement in nature conservation. Nevertheless, both cases reveal a complexity within the role of local planners, such as the CAB officers, as they try to balance the “right way” of doing nature conservation, whilst enabling actor involvement.

Hysing (2013) sees this as an inherent problem of nature conservation: nature management officers are expected to consider and promote democratic values and citizen participation through legally regulated processes of public consultation, and at the same time, they are supposed to handle everyday environmental issues and secure the implementation of long-term sustainable objectives. Scholars argue that the state’s increasing role to enable decision-making, rather than enforcing it in a hierarchical manner, falls heavily on the shoulders of individual planners (Hooghe and Marks 2003; Franser, 2009; Hovik et al., 2010; Hysing, 2013). In the institutional arrangements for participation, there appears to be tension between keeping control and enabling involvement.

Westberg and Waldenström (2016) has studied the gap between demands of participatory approaches in Swedish nature conservation policies and the lack of such participatory approaches in practice. The study shows that Swedish CAB officers in general argue their primary responsibility is to make the right decision for nature conservation, while mitigating actor resistance through information (Westberg and Waldenström, 2016). The empirical findings of this study show that the organization of participation remains hierarchical among actors. Especially at Grösö, the routine implementation of actor involvement looks very much like a management interpretation of the implementation of political/policy goal. The CMP Open Standard method did encourage the ÖCAB officers to explore new ways of organizing participation, nevertheless the CAB officers controlled the information flow in a way that the management committee perceived to sustain the power relations. Not the least in the face of resistance, the ÖCAB officers tended to articulate their role as experts. Similarly, Westberg and Waldenström (2016) found in their study that the CABs officers’ practices are remarkably stable and exert

unexpected resistance towards external interventions, such as new legislation that may require changes to the status quo.

The CAB officers in Westerberg and Walderström's (2016) study argue that in order to generally implement participatory processes that enable influences as part of s conventional practices, the CAB officers need stronger institutional support, both within and outside of their own organisation. My study has similar findings, for example in the local authorities' claimed lack of recognition (see 8.3 *Limited support from other institutions hampers legitimacy*). Åström and Granberg (2009) show that attempts to develop participatory arrangements are always embedded in existing institutions and will be delimited by these conditions. Jentoft (2000b) claims that it is difficult to see how a standardized and centralized system could efficiently address the natural, social and cultural diversity that exists from one local area to another, especially in the heterogeneous landscape of coastal zones.

In the two cases, the CABs was more successful than other actors in using institutional connectivity to its advantage. Both CABs were able to use the multi-level arrangements to enhance their position and support their statements to a larger extent than other local actors¹. Naturally, the CABs had relations with other governmental authorities, as they are decentralized units of the central government. However, the interconnections reached beyond direct horizontal relations. The local key actors perceived the individual CAB officers as being very connected with relevant decision-makers. In this way, this institutional connectivity increased the perceived power imbalance among the involved actors in the local planning. This power imbalance affected the way some local actors perceived their access to participation and hence possibly had consequences for legitimacy.

Hansen and Sriram (2015) state that local actors' opportunities to mobilize support depend on their ability to build partnerships with other actors, national and international; this would allow them to enhance, for example, their accountability agenda against the state in multi-level governance. It is interesting to note that the local key actors in Gräsö and St

¹ The CABs were more connected to actors both vertically and horizontally in the institutional arrangement and used these connections to negotiate and mobilize support. The claimed advantages of multi-level governance for nature conservation are the system-wide perspective, scale-appropriate flexibility and increased connectivity. Scale-appropriate flexibility and system-wide perspectives are most often comprehended and organized at the higher administrative levels. Increased connectivity, by contrast, is argued to be a feasible system advantage for the local level (see, e.g., Bergsten, 2013).

Anna-Missjö HELCOM MPA implementation processes had limited success in connecting with other levels. In these cases, engagement of actors operating at other administrative levels is surprisingly low, or at least very well-hidden in the empirical material. The local actors would have needed to form closer relations with actors operating at other administrative levels to enhance possible 'boomerang effects' (see, e.g., Keck and Sikkink, 1998; Hansen and Sriram, 2015).

The boomerang effect is used by civil society scholars to explain inter-connections in which appeals from one actor (e.g., Gräsö landowners) to another (e.g., Swedish ENGO) creates pressures from multiple directions on the authority to conform to the presented idea (Keck and Sikkink, 1998). This strategy is often pursued to balance power differences among actors, for example when inequalities exist in legal opportunities. Limited connections between local actors and actors on other levels may indicate a lack of resources or a limited capability to build or use partnerships in these situations. At Gräsö, some local actors made appeals to the LRF (Federation of Swedish Farmers) but without lasting connections.

The limited connections local actors and actors at other levels may also respond to how much local actors have tried to engage others, for example is the case is that the local actors do not believe that the involvement of other actors will advance their campaign. This latter explanation finds support in the pronounced islander versus outsider discourse at Gräsö and the local key actors' struggle against outsider interventions.

This study cannot conclude why the ENGOs have not engaged in these cases, but a reasonable explanation may be that they have to prioritize other issues. The ENGOs may have deemed the efforts required to engage too high in relation to the perceived success rate or the symbolic value of these projects (see, e.g., Boström et al. 2015). It would be interesting to further explore what types of situations or conditions generate national attention to local nature conservation conflicts.

Concluding comment on institutional participation and organization

This study illustrates variations in the organization of participation for two supposedly quite similar cases that turned out rather differently. It shows that the organization of cases differs depending on what policy ideas were incorporated in the task received by the CAB, the individual officers' approach and ability to facilitate participation, and the relations involved in connectivity between levels for that particular case. Based on these findings,

I argue that organization of participation matters for establishment of legitimacy. This theoretical contribution builds on the growing body of literature that examines interconnectedness of governance and how different actors manage a situation depending on capability, position and resources. I cannot conclude from the case studies that the apparently weak protection of the two cases is only due to weaknesses in the organization. However, my findings suggest that there is a relation between the quality of institutional participation and the effect participation had on the outcome. This argument is discussed further in next section.

9.2 Conditions of participation affect aspects of legitimacy

What conditions of the participatory planning arrangements affected the actors' perceptions of the governance system's legitimacy? This part of the discussion will dwell on this research question, by exploring the findings presented in the analytical chapter that showed how aspects of legitimacy are established through the act of participation. This happens, provided that the platform of participation meets the following criteria:

- Recognizes actors and their claims.
- Gives access to the platforms and relevant information, preferably through direct invitation.
- Supports the establishment of actors' claims and development of capabilities.
- Shows transparency in the planning procedure, the appointment of representatives and the authority's rationale in adjusting and developing plan proposals.
- Allows participation to have a meaningful impact on the outcome and keeps actors informed about this impact (feedback).

Both cases have elements of participation, which affected the establishment of legitimacy. Birnbaum and colleagues (2015) drew similar conclusions in their study and argued that when institutional participation is perceived to encourage constructive discussions and shared understanding, the participation positively impact legitimacy. However, my study also presents evidence of a negative relation between low levels of participation, disappointment and legitimacy. If the feedback loops are weak or if actors do not see how the consultation affected the outcome, participation is unlikely to secure support for decisions and even increase the negative attitude. I argue

that the positive relation between the quality of deliberation and the legitimacy of outcome presented in Birnbaum's (2015) study also, if the quality is poor, gives a negative relation. In the next two sections I will dwell on recognition and representation as two particularly important factors for the quality of participation. Recognition and representation affect access to the participation and the legitimacy of how the actor involvement is perceived.

9.2.1 Recognition

To recognize or dismiss actors as rightful in institutional participation, is a strong and deliberate act of power. In the case of Gräsö and St Anna-Missjö MPAs, primarily the CABs possessed the power to identify stakeholders (even if individual actors in both cases argued for both the inclusion and the exclusion of others), but the cases differed in how the CABs identified stakeholders (see 6.1 *Different approaches to participation*). In relation to both cases, it is interesting to discuss the recognition of claims, especially in relation to power relations. The CAB officers may acknowledge actors and their interests but sometimes fail to see the myriad of constraints that these actors face in interacting with the authorities.

According to Fraser (1995), non-recognition, misrecognition, or disrespect are acts of power that often contribute to maintaining cultural, symbolic and socio-economic injustice. Along a similar line, Agarwal (2010) has concluded that the quality of procedural arrangements may contribute to construct and consolidate identity. In the Gräsö and St Anna-Missjö consultation processes, many local key actors built their arguments on identity-based expressions. The need to be recognized for identity-based claims appeared to be important for perceptions about the quality of participation and consequently also for legitimacy. However, the organization of participation in these cases did not fully support identity-based claims. One example, interestingly enough, considering that the protected habitat is partly marine, was the struggle fishers at Gräsö had in becoming recognized as stakeholders. Although the practice is rather insignificant in economic terms, fisher identity and traditions are strong in these coastal areas, and the fishing associations were used as a platform to generate support for claims and to mobilize resources. Bavinck (2015) suggests that the multiple functions local monitoring organisations (such as the fishing associations and village communities) serve for the coastal population can, if incorporated correctly in the institution, provide a deep-rooted anchor for nature

conservation in the local community. In the case of St Anna-Missjö HELCOM MPA the right conditions may have been achieved.

The role of identity-based expressions in relation to the legitimacy of nature conservation has been studied by a number of scholars (e.g., Agrawal, 2005; Agarwal, 2010; Aurora-Jonsson, 2013), but is still of interest for further discussion within a coastal setting. The social dimensions of MPAs generally need to be thoroughly explored, especially with the unique constellation of actors and the ambiguity of the coastal area as both land and sea. So far, terrestrial blueprints are used with limited reflection on the possible differences between terrestrial, marine and coastal systems (McCauley et al., 2015). More scholarly attention should be given to the specific conditions of “place” and “placeness” in coastal areas in the light of conservation policy. Awareness of relations between the social and biophysical in reference to history, traditions, identities, interests and other place-based conditions are of important to consider for nature conservation in order to secure local support.

The diverse interests and power relations in coastal areas bring challenges for any conservation measures. Approaches to involve local actors often aim to anchor and locally adapt the management process to place-based conditions (Ostrom, 1990; Dalmas and Young, 2009; Jager et al., 2012; Kelleher, 2015; Bavinck et al., 2015). A risk with consultation processes, as shown especially in the case of Gräsö, is that failed efforts to establish consultation organizations that build on user groups’ involvement, cooperation and acts in line with common values may trigger or escalate resource conflicts among actors in the coastal zone (see, e.g., Jentoft, 2000b; Agrawal, 2005).

9.2.2 Representation

The procedure to identify representatives varied within and between the two cases. Some representatives were appointed, others selected as ‘community representatives’ by groups of actors and some were self-proclaimed. An interesting phenomenon is that of resourceful newcomers claiming neutrality in the process and arguing that they are best suited to negotiate with the CAB on behalf of the local community (see 7.2 *Swedish middle-aged and older men predominated the consultation*). This is an example of how compulsory, institutional, structural and productive power simultaneously affect a situation and shape the conditions for how actors act in participatory arrangements. In both cases, these “spokespersons” spoke of

themselves as more qualified and capable of interacting with the state than their neighbours. As Barnett and Duvall (2005) argue, different access to attributes and resources steer the interactions among actors. The spokespersons emphasized their own resourcefulness in terms of acts and words, and a number of them even spoke quite condescendingly of other local actors' abilities. A number of the most resourceful actors also acted in parallel with the official platforms trying to get support for their claims (e.g., Amnå, 2008). To some extent the more resourceful actors had a greater chance to direct the representation of ideas to their own advantage. In these two cases, it was clear that differences in capability and resources affected actors' access to the participation process and hence the representation of their ideas.

This study shows that it is difficult for actors to represent collective interests and simultaneously be able to change their position towards support. Turnout et al. (2010) have similar findings in their study on governance as a performative practice. They argue that this experience of representation challenges the idea that representative actor involvement has the capacity to establish shared beliefs. If this is the case, it would mean that representative participation has less effect on the establishment of beliefs than direct participation. This raises questions concerning what possibilities representative participation offers in relation to legitimacy. At St Anna, actors who did not participate in the working groups had a much sharper tone in their referral responses to the ÖCAB. In the interviews, these actors were more vocal in their criticism of the ÖCAB. This may not appear to be a big surprise considering the relation between negotiation and legitimacy discussed earlier, but it does somewhat challenge Beetham's (2003) argument that acts of participation also affect non-participants. It would be interesting to further explore how participatory planning processes effect the establishment of legitimacy among non-participants. If it is, as indicated by the St Anna-Missjö case, that only active participants legitimise the decision-making process, non-participation may be a challenging factor for the democratic system as a whole. Scholars argue that democratic processes that fail to address issues of legitimacy among *all* actors weaken the entire democratic system and that inequalities affecting legitimacy (e.g. through access to participation and ability to represent claims) therefore need to be more visibly included in the conservation agenda (Agyeman, 2003; Schlosberg, 2004; Adams, 2009; Agarwal, 2010; Gunnarsson-Östling, 2011). The concern about actor involvement poses a number of ethical challenges (Smit and McDonough, 2012). For example, how should representation in

decision-making be balanced among actors and levels? How far do the authorities responsibilities go in terms of securing and increasing the representation of actors? How can the perceptions of winners and losers in nature conservation be balanced to achieve the often sought-after win-win situations?

For the Gräsö and St Anna-Missjö HELCOM MPA, the participatory process may not have affected the plans as much as some local actors had hoped, but neither did it cause the severe conflicts feared by the CAB officer. There were no riots nor a coup d'état to overthrow the system; even so, there were acts of mobilized resistance in both cases. The opposing actors may have fully drawn on their resources to resist the plan; stronger acts of resistance may not have been within the capacity of the local actors. Additionally, there appeared to be a growing realization among the local key actors that the MPAs in practice had limited, if any, constraining effects. The opposing actors could have estimated the efforts required to mobilize a protest as being out of proportion to the inconvenience of the plan.

Another plausible scenario, with high interest for this study, is that the act of participation did foster loyalty towards the MPAs among the actors (e.g., Beetham, 2003). Evidence of the cultivation of support may be found even among opponents: Actors who opposed the HELCOM MPAs on principled grounds or due to actual outcomes often used procedural arguments to support their position (see 8.1 *Legitimacy in the two cases*). In this study, the empirical material provides examples of how local actors perceive environmental protection as producing unequal outcomes in terms of costs and benefits. Local key actors, especially at Gräsö, argued that they were disproportionally bearing costs that generate broader ecosystem benefits. This finding would be interesting to discuss further, not least in relation to how outcomes affect legitimacy and the long-term support of nature conservation.

Concluding comment on how participation affects legitimacy

How conditions of institutional participation, including issues of recognition and representation, affect the actors' perception of legitimacy is a crucial part of understanding the relation between participation and legitimacy. This study indicates that actors who have been involved in the early formulation of the local conservation plan, been able to articulate claims and to negotiate concerns with the decision-making authority, legitimise the decision-making process and the conservative values more

than those who have not participated in this way. It appears to be important that local actors know how their involvement contributes to the development of the conservation plan and decisions, hence legitimacy is linked to clear feedback on how the participation impacted the outcome. To be considered meaningful by local key actors, the participation needs to relate to both procedural aspects and outcome values. These results emphasize the inclusive aspects of participation and provide empirical evidence supporting arguments proposed by numerous of scholars about both the principle and the pragmatic relevance of actor involvement in nature conservation (e.g., Jentoft, 2000a; Beetham, 2003; Schlosberg, 2004; Agarwal, 2010; Smith and McDonough, 2010; Turnhout et al. 2010; Gunnarsson-Östling, 2011; Jagers et al., 2012; Arora-Jonsson, 2013; Birnbaum et al., 2015; George and Reed, 2016).

As not all individual actors can actively engage in the consultation process, representation inevitably plays a role. Representation is a complicated matter for participation, as it includes complex power relations among and within actor groups. If the representation of interests is incorporated in the content, representation may encourage legitimacy. However, to make this possible, the recognition of actors and claims is of utmost importance. Actors and interests that are not recognized by the institutional arrangement cannot be involved in the consultation nor can this perspectives be incorporated in a way that generates long-term support of nature conservation.

This study contributes both theoretically and empirically to the understanding of the procedural conditions for participation and to how these establish aspects of legitimacy. However, as will be further discussed in the next section of the chapter, the relation between local participation and legitimacy is conditioned by the multi-levelness of the institutional arrangement.

9.3 Local interpretations of regional perspectives

How does the regional discourse on participation apply in practice for the designated areas of protection? This study reveals that ideas of consensus are central to the understanding of participation at the regional level. Consensus is, as discussed earlier, a decision-making process in which the affected actors develop and agree to support a decision in the best interest of the whole. In practice, consensus often means that actors must compromise

with their initial standpoint in order to reach a decision that all actors can accept (Cleaver, 1999; Fraser, 2009). The negotiation leading up to a shared understanding and compromise is, however, not addressed by the HELCOM guidelines. Preferably, it seems, actors should be convinced by the conservation objectives through the consultation process and leave disagreements aside for the common good of nature conservation.

HELCOM does not discuss various aspects and dimensions of legitimacy in the implementation guideline. Lack of support is argued to be resolved by providing more, apparently neutral but arguably positive, information about the natural values to be protected. The normative position that more information will establish support boosts expectations about what information sharing can achieve. The CAB officers generally perceive objections to be information failures, best to be resolved by improving the information channels and deliver more accurate and convincing information (Westberg and Waldenström, 2016). However, according to the results of this study, more inclusive forms of participation with a higher impact on the outcome are required for governance to take a step towards the sought-after acceptance and long-term support of nature conservation on the local level. This may entail that actors are involved in the vision, problem formulation and evaluation of conservation objects. These measures would also enhance the understanding of the relation between development of local culture and the conservation objectives of value. Another strategy would be to have a clearer communication among actors around what can be expected as an outcome of participation. As discussed in section 7.1 *Acts of participation*, there is a lot of unmet expectations in the two cases, which caused resentment and eventually had negative consequences on legitimacy. From these cases, it is quite clear that information sharing does not work as a measure to legitimize pre-established ends.

When it comes to the prosperity of consensus, there seem to be a mismatch between the regional and local understanding in these cases. Both the UCAB and the ÖCAB officers were of the view that local actors' support is not crucial for the successful implementation of conservation. Consent from local key actors would make it more effective and less burdensome to implement, the CAB officers argue. This argument infers that the idea of consensus was more of a guiding, yet unrealistic, ambition. Both the authorities and the local key actors claimed that there are limitations to the impact of actor involvement in the planning processes. Many interviewees expressed disappointment in relation to their own unmet expectations of consensus, as they hoped to have their own agenda taken more seriously

and acted upon. The ideal case would be if their perspective received common support and was implemented by the CABs. In these cases, the idea of consensus rather fuels conflicts because of the unrealistic expectations that stem from it.

Many of the conflicts in both cases are rooted in matters of principle. Matters that local key actors assumed would be conveyed through the process of participation, even if the process and the institutional actors involved actors lacked the authority to resolve the particular issue². When these local key actors failed to achieve general support for their alternative agenda, they expressed disappointment about the participation and even challenged it. Due to the ambition of consensus, limited negotiation was conducted among the most polarized actor groups. The expectations for consensus seem to reduce the mutual willingness among actors to be convinced by the better argument and in this way reach agreements (see, e.g., Jentoft, 2000b). According to the HELCOM guidelines, evidence of the natural value will lead to change of opinions among sceptical locals and consequently to support of nature conservation. However, Birnbaum et al. (2015) cannot see a strong linkage between change of view and policy support in their survey on how local participation impacts the management of Swedish HELCOM MPAs. They argue that the assumption that procedural aspects will make actors find the plan consistent with their own views of management is exaggerated. Birnbaum et al. (2015) conclude that the institutional participatory processes in general does not provide the basis for a deep change of views that would be likely to affect legitimacy.

I cannot conclude from this research that consensus cannot ever be achieved. However, my findings suggest that if consensus-oriented processes do not include methods to resolve disagreements and to increase reflection, the idea of consensus as a default outcome restrains the opportunities to explore key issues of conflict within the planning and that this will affect the possibility of legitimacy. The perception of perfect participation becomes the enemy of good participation. Cleaver (1999) even states that it is naive to assume that consensus is generally achievable in complex situations of unequal power relations. More realistic expectations of actor involvement may increase the opportunities to be creative within the project frame. The negotiations among actors may even result in consensus

² It is challenging to satisfy some of the core criticisms, such as requests for economic compensation and repealed laws on fishing, as these demand changes outside of CAB's jurisdiction.

decision-making. Bond (2011), among others, emphasizes negotiation as a more reasonable and practical approach. The results of Birnbaum's (2015) survey support a strong relation between negotiation ("bargaining-oriented logic", p. 457) and legitimacy, and the results of my study indicates a similar relation.

These findings of this study support arguments proposed by Schlosberg (2004), Smith and McDonough (2010), and George and Reed (2016), among others, stating that outcome values matter for the perceptions of procedural qualities. Birnbaum's (2015) results indicate that participants tend to accept outcomes as being fair if they support their own view. Similar conclusions can be drawn from the empirical results presented here. However, if so, it is even more important to acknowledge the conflicts of interest present in the planning arrangements and the power relations between these interest groups. Consensus as a vision may tempt local authorities to design the participatory process in a way that only recognizes and represents relatively homogenous interests.

Concluding comment on different understandings of participation

The consensus discourse on participation creates expectations among affected actors, with relevance for how the actors experience and judge the participation. This study makes an empirical contribution by investigating how such a discourse on participation is applied in practice in a specific case of designated areas of protection. The discussion problematizes and nuances the assumption that local actors will support nature conservation after being convinced of its value through information (as stated in HELCOM's guidelines).

The study shows how local key actors use the institutional arrangements to raise principled matters where their positions are in conflict with the state. They attempt to use the participatory processes as a vehicle for other ambitions, connected or not. They try to bring attention to political interests and criticize policies, but institutional participation is generally not designed to support these broader issues of concern. Some of these conflicts cannot be resolved or even addressed by this local arrangement of nature conservation. The two cases of this study, the participation were circumscribed to facilitate the establishment of the MPAs, with just a few opportunities for fine tuning within the management frame. In these two cases it did not seem possible to negotiate the core of conflict within the conservation consultation process.

By assuming that all involved actors will come to an agreement, the risk that actors will be disappointed with the decision increases. Disappointment tends to have negative consequences for particular actors' perceptions of the legitimacy of the decision. Jentoft (2000b) even questions if the hopes are too high and the situation too complex in settings such as coastal areas for actor involvement to be the answer. If institutional participation are really to reach for the ambition of resolving local conflicts of interest through actor involvement in nature conservation, it will be important to acknowledge that actors have varied capabilities to negotiate proposals. A restructuring of decision-making power and a more 'flexible view' in adopting conservation goals would probably be needed to accommodate the outcome of local consultative process. Such flexibility may however be restrained by the multi-levelness of the nature conservation, as discussed in next section.

9.4 The impact of multi-levelness

This section discusses how multi-level governance arrangements form local participation and what consequences this may have on legitimacy. This study shows that the multi-level organization of environmental governance affected the local participants' experience of participation in three ways (see section 8.4 *Multi-level governance has a negative effect on local legitimacy-making*):

1. It affected local actors' establishment of claims and development of capability.
2. It limited how local participation could affect outcomes.
3. It altered expectations of how the participatory process would establish legitimacy.

These conclusions indicate that multi-level governance has a constraining effect on local participation. In the literature review, I discuss how Ostrom (1990), Dalmas and Young (2009) and Kelleher (2015), among others, pay attention to the importance of adapting participation to local conditions to enable participation to reach its full potential. It may be that HELCOM MPAs are not sufficiently enabling local adaptation to support meaningful local participation, even if HELCOM perceives the project as being a locally driven initiative.

The interviewed HELCOM officer said that the HELCOM MPA agreement was driven by local initiatives and had a clear bottom-up flow. This

perspective was not shared by any of the interviewed local actors in these cases. First, the local key actors disagreed that the implementation of the HELCOM MPA was initiated or even significantly influenced by local actors. Second, HELCOM and local key actors had different conceptions of what bottom up means in this context. HELCOM is clearly referring to coordinating authorities rather than local actors when they talk about influence. Given that they are actually referring to governance, this view is problematic, as it does not stimulate actor involvement at the local level. The “bottom-up pyramid” thus obtains a very weak base.

HELCOM claimed that the implementation guidelines were kept purposely loose to allow for variable circumstances in national and local settings. However, this study shows that a clash between perceptions of actor involvement on the different levels gives a combined effect of productive, institutional and structural power that constrains the local participation. Local key actors perceived that responsibility (but limited authority) to implement nature protection was pushed downwards in the governance structure until it fell on the island dwellers and their sheep.

The St Anna-Missjö case was part of an attempt initiated by SEPA to establish change in policy for nature conservation (see, e.g., 5.3.1 *Narrative of St Anna-Missjö HELCOM MPA Planning Process, 2005–2012*). However, the attempt was not a successful example of how ideas can travel from the bottom up in institutions. It can be argued that Ostrom’s design principles (1990) around the importance of establishing a top-down stimulus of formal institutions to secure the bottom-up development of management was lacking in this case (see, e.g., Stenseke, 2009; Hovik et al., 2010). Jentoft (2000b) argues that both local authorities and regional collaborative bodies (such as HELCOM) generally lose in the institutional battles of coastal areas. Central governments and sector interests institutionally connected to the central government have much more control over natural interests. This statement appears to apply to my cases as well. Different approaches to participation expressed on the national level affected the development of the cases. Even if this study shows that the regional levels do have effects on local implementation through the multi-level governance arrangement, it may still be that the national political context of each case is the most important institutional factor. For example, most HELCOM MPAs are considered national affairs, as an overwhelming majority of the appointed HELCOM MPAs are located in the member countries’ territorial waters. When interviewed, the HELCOM officer and the representatives of the Ministry of Environment stated that there were very few conflicts of interest

linked to HELCOM MPAs at the regional level, as there is no need for detailed cross-country collaboration.

If HELCOM's recommendations only have a limited effect on Swedish national marine and coastal policy, the HELCOM MPA initiative would consequently be relatively insignificant for the long-term management of the Baltic Sea. If so, I note the importance of studying the regular and apparently ordinary. In the two Swedish cases, a lot of resources were required by the CABs and SEPA to carry out these local implementations. The participatory processes developed relations among actors of importance to the long-term implementation of the MPAs. The maintenance of these relations, as well as the actual management of the conservation values, requires the CABs to allocate resources. Conflicts without resolution may have a negative effect on the actors' willingness to collaborate in the future. If the HELCOM MPA network is mainly a paper product to meet the regional commitments to CBD, the efficiency, effectiveness and legitimacy of regional environmental governance is brought into question.

Parallels here can be drawn with other environmental policy issues, such as the business sectors' work with corporate social responsibility labelling, where major resources are invested into processes that essentially work to legitimize the status quo. It may be that the challenges the Swedish government faces to mobilize environmental governance and enable actor driven conservation (Sandström, 2008) stem from issues at the central government level, such as lack of genuine support for participation among senior officers (Westberg and Waldenström, 2016). As discussed in section 8.3 *Limited support from other institutions hampers legitimacy*, a limited top-down stimulus to secure bottom-up development affects the expected level of legitimacy established by the institutional participation negatively (see, e.g., Ostrom, 1990; Stenseke, 2009; Hovik et al., 2010).

However, focusing only on the national interactions would overlook layers of complexity. The web of interdependency in the Baltic Sea's regional environmental governance arrangement also conditions this apparently local process. It is likely that HELCOM recommendations have different effects on local planning in different contexts. It would be interesting to explore how the regional level affects actor involvement in Poland, Estonia, Lithuania, Latvia and Russia, bearing in mind the young and sometimes weak institutional arrangements for public participation that exist in these states. Maybe contexts without a tradition that promotes a view of consensus, gives more adversarial participatory engagement.

Concluding comment on multi-levelness

Multi-level governance arrangements condition local participation in relation to the establishment of legitimacy: The multi-levelness shaped the local actors' establishment of claims and development of capabilities by limiting how local participation could affect outcomes and by altering expectations of the process in terms of legitimacy-making. The findings of this study show that it is difficult for local authorities to translate local experiences of participation to the national and regional policy levels. Lessons learned by the local authority in endeavouring to implement policy 'on the ground', would likely affect institutional arrangements for conservation significantly if they were to generate institutional support.

The study shows that participation is interpreted differently on the local versus regional levels and that the concept of consensus as promoted by HELCOM and the Swedish central government is hard to live up to at the local level. The ambition to reach consensus does not appear to resolve the status quo among polarized actors. Instead of encouraging the development of different forms to include and negotiate, the multi-levelness of HELCOM MPAs enhances the power imbalance among local actors. In this study, the local actors showed a limited ability to connect with other levels in the institutional arrangement, for example by using boomerang strategies.

The interconnectivity among actors on different levels intensifies the power relations among actors, not the least on the local level. The complexity of social, cultural, economic and ecological relations as well as diversity of interests in coastal areas brings challenges for any conservation measure. This study provides an empirical contribution to illustrate this situation and to show how multi-level governance agreements "hit the ground".

9.5 Back at the kitchen table

We are back in the kitchen at the little island. In this kitchen, generations of island dwellers have nursed an identity linked to place and a sense of relative remoteness from the state. The tea is steaming hot, and I am slightly worried that my host will accidentally tip his cup over due to aggressive arm movements. "Ever since Gustav Vasa, the state has been messing with us archipelago dwellers", my host shouts. "They said we would be consulted. That we could participate in the planning. But there was no real consultation. They did not listen to us. We need to fight the state in order to survive. I will fight them until I die!" I try to look beyond the rim of my tea cup, to see the

reasons behind this outburst, and to explore whether there was anything that could possibly have been done in order to narrow the gap between this island dweller and the state representatives. I wanted to know if participation in institutional arrangements has the potential to establish legitimacy of nature conservation, as scholars and policy-makers says it does.

In Chapter 1, I argued that it is relevant to explore the relation between participation and legitimacy in a multi-level context to determine whether the dominant contemporary approach to nature protection has the potential of achieving its long-term goals or not. Both cases presented in this study reveal dilemmas around participation. The result of this study shows that legitimacy cannot be met merely through acts of information sharing and that actor involvement arranged to legitimize pre-established ends will likely fail to create active support.

However, by comparing the two cases I found that participation has an important role to play. Institutional participation that recognizes actors and their claims; gives access to the platforms and relevant information, preferably through direct invitation; supports the establishment of actors' claims and the development of capacity, generates conditions for local legitimacy-making. The process must be transparent in the planning procedure, the appointment of representatives and the authorities' rationale for adjustments to and development of plan proposals. It also must ensure that the outcomes of participation have a meaningful impact on the conservation and that the actors are informed about this effect. If so, there is the potential for acts of participation to support aspects of legitimacy. My host argued that in his experience, none of these conditions were achieved in the participatory process where he was an actor. A core matter, he argued, was that the CAB officers had not taken his opinions into serious consideration. "They just told us what was going to happen. They never asked for our consent. If the officers really would have listened to us and negotiated the plan according to our comments, then maybe we would have gotten somewhere..." Despite its hushed tone, the testimony offers a glimmer of hope for participation and legitimacy.

Aspects of legitimacy for local actors relates to support of decisions and ratification of the decision-makers, recognition and acceptance of other actors and their claims, and the justification and support of planning processes. These are all aspects that can potentially increase the efficiency and sustainability of nature conservation. Positive experiences of participation may establish a sense of loyalty among the affected actors in support of nature conservation. For some actors, involvement in institutional arrange-

ments may however be “too little too late”. My host argued that the process was undemocratic, since he had not given his consent. This interpretation of consensus is very hard to achieve, especially as nature conservation is constructed in a complex web of interconnected actors and interests. The study shows how the added complexity of multi-level governance influences the way that local planning processes organize participation and hence the establishment of legitimacy. Even if the national government still appears to control the implementation of conservation policies, it is important to address the effects that regional discourses of participation have on local legitimacy.

Flashbacks to another kitchen, where a proud but quite rundown farmer re-heats her tea water. “In the end, it all comes down to me and my sheep”, she said. This study shows that the multi-level organization of environmental governance affects and constrains the local participants’ experience of participation. The multi-level organization affected the local actors’ establishment of claims and development of capabilities. It limited how local participation could affect outcomes, and it altered expectations for the process in terms of legitimacy-making. Both hosts, as well as many other interviewees, expressed disappointment in relation to unmet expectations on the quality of participation. They had hoped to get their own agenda taken more seriously and acted upon in relation to the MPAs because, when it comes down to it, the local actors of various kinds do feel responsible for the care of nature, and they perceive themselves as being lonely in this mission:

“In the end, it all comes down to me and my sheep.”

Populärvetenskaplig sammanfattning på svenska

Denna doktorsavhandling i miljövetenskap handlar om relationen mellan deltagande i planeringsprocesser för miljöskyddsområden och legitimering av besluten som fattas efter dessa processer.

Bland beslutsfattare på olika administrativa nivåer finns det en uppfattning om att ifall lokala aktörer är involverade i planeringsprocesser för miljöskyddsområden så kommer skyddet att bli bättre. Miljöskyddsområden är områden där vissa mänskliga aktiviteter begränsas och andra aktiviteter förstärks för att skydda djur och natur. En aktör är en person, grupp eller institution som har ett intresse i sammanhanget. Deltagande uppfattas gynna miljöskyddet när aktörer blir ordentligt informerade om syftet samt om de lokala aktörerna bidrar med information om hur skyddet bör utformas och genomföras. Eftersom deltagarna engagerats i arbetet med planen tros de även verka för att målen ska nås. Ett brett stöd och allmänt rättfärdigande av beslut innebär att beslutet har "legitimitet". Tilltron till möjligheterna för lokalt deltagande att skapa legitimitet är så pass stor bland beslutsfattare att deltagande ingår som en del i alla större svenska planeringsprocesser som rör miljö.

På svenska kallas besluts och planeringsprocesser som involverar olika aktörer för interaktiv samhällsstyrning (*governance* på engelska). Själva momentet av informationsutbyte brukar kallas för "samråd". Samråd kan utformas på många olika sätt och räkna in ett stort antal olika typer av aktörer. Anledningen till att samrådsprocesserna kan se så olika ut är att beslutsinstansen (till exempel länsstyrelsen) ska kunna anpassa processen efter de förutsättningar som finns på plats. Skillnader kan till exempel bero på vilka olika användningsråden som finns, ägarförhållanden, skyddsvärden (som rödlistade arter eller kulturlandskap), lokal organisering (som byalag och samfälligheter) eller tidigare erfarenheter av naturskydd.

Eftersom de flesta miljöproblem inte tar hänsyn till administrativa områdesindelningar (som kommun och län) eller nationella gränser, så

ingår nästan allt miljöarbete i regionala eller internationella samarbeten. På internationell nivå kommer stater och globala organisationer (som de Förenta Nationerna) överens om hur vi gemensamt ska skydda och bevara känsliga ekosystem och hotade levnadsformer. En komplikation med beslut som är fattade på den internationella nivån är att de kan påverka lokal legitimitet. Risker är att förhoppningarna med deltagande inte uppfylls när besluten redan är fattade av någon annan långt borta. Den här doktorsavhandlingen undersöker sambandet mellan deltagande och legitimitet. Är det verkligen så att miljöskydd får bättre stöd och har större chans att nå sina mål ifall lokala deltagare varit involverade i planeringen? På vilket sätt påverkas den lokala planeringsprocessen av faktumet att miljöskyddsområdet är del av en omfattande regional eller till och med global överenskommelse med specifika mål?

För att ta reda på detta så undersöker jag hur överenskommelser mellan kustländerna i Östersjön verkställs genom marina skyddsområden i Sverige. Marina miljöer har historiskt sett inte fått så mycket uppmärksamhet ur skyddssynpunkt. Människor har ofta sett hav som en aldrig sinande källa till resurser och därför är en överväldigande del av världens marina miljöer hotade idag. Marina skyddsområden anses vara den bästa chansen för att återställa havens hälsa och bevara den biologiska mångfalden. Den biologiska mångfalden innebär en hög variation av växter och djur samt de naturmiljöer de lever i. Förenta Nationerna har i sin deklaration om biologisk mångfald bestämt att 10 % av världens hav skulle vara skyddade till år 2012, men trots det stora stödet för marina skyddsområden så har målet inte nåtts. Östersjön är det enda hav där målet om 10 % marint skydd har uppnåtts. Anledningen till att målet nåtts just här anses vara samarbetet mellan östersjöländerna. Östersjöländerna har enats under Helsingforskonventionen om att förbättra havets tillstånd. Aktiviteterna organiseras genom konventionens sekretariat, HELCOM. Via HELCOM har medlemsländerna identifierat ett antal områden som gemensamt utgör ett heltäckande skydd för Östersjön. Detta nätverk av marina skyddsområden kallas HELCOM MPA. Två av de prioriterade områdena inom svenskt vatten är Gräsö östra skärgård och St Anna-Missjö skärgård. I den här studien jämförs det lokala deltagandet i planeringsprocesserna för dessa båda områden. Planeringsprocesserna visar på många likheter, men också flera betydande skillnader som kan påverka möjligheterna för deltagande att skapa lokal legitimitet.

Jag har skapat ett konceptuellt ramverk för den här studien genom att sammanföra relevanta begrepp ifrån olika teoretiska fält. De olika begreppen jag har använt mig av är deltagande, legitimitet, interaktiv samhällsstyrning och makt. Begreppen förklaras här nedan:

Det finns flera olika former av **deltagande**. Deltagande innebär att engagera sig i och ta ställning för något i samhället. Det kan göras i stor omfattning – som att jobba i eller vara aktiv inom en organisation, eller på liten skala – som att sopsortera för en bättre miljö. I fallen jag har studerat så handlar deltagande om att delta i länsstyrelsens samråd om hur de marina skyddsområdena ska utformas. Åsikterna som framförts under samrådet har varierat. Vissa tycker att skyddsformen är olämplig eller att länsstyrelsen tänker fel och då har dessa aktörers deltagande gått ut på att berätta det. I många fall har grupperingar bildats för att ge extra tyngd åt deltagarnas åsikter.

Det finns många olika intressen i skärgården och där med många olika åsikter som kommer fram under samrådsprocesserna. De som är med är bland annat HELCOM, statliga myndigheter som naturvårdsverket, HaV, länsstyrelsen, kommuner, markägare, intresseorganisationer som naturskyddsföreningen och båtförbund, företag, fiskare, jordbrukare, turister och den breda allmänheten. Som synes så är deltagarna väldigt olika – de har olika status och deras intressen i skärgården har olika rang. En stor del av samråden har gått åt till att urskilja olika intressen och få dem att förhålla sig på ett rimligt vis till varandra. Men detta är mycket svårt och det finns en stor risk att aktörer med lägre status tappas bort eller känner sig orättvist behandlade. Orättvisa kan påverka legitimiteten av beslutet. Till exempel så kan skyddsområdet blir sämre utformat om en användargrupp inte hörts. Negativa erfarenhet av deltagande kan också påverka legitimiteten om det gör så att deltagarna tappar förtroendet för beslutsfattaren eller upplever att de inte kunnat inverka på beslutet.

Enligt forskaren David Beetham så har **legitimitet** tre olika dimensioner – lag, övertygelse och handling. Det betyder att för att något ska vara legitimt så måste det förhålla sig korrekt till existerande lag, det måste stämma överens med rådande uppfattningar om vad som är rätt och riktigt, samt att det förstärks med bekräftande handlingar från de berörda. En samrådsprocess skulle kunna bidra till att skapa legitimitet genom att deltagarna kommer överens om en värdegrund för besluten. Till exempel så kan deltagarna enas om vikten av att skydda gäddan och därför slå fast att inte fiska när den leker.

Beethmans sista dimension innebär att deltagarna genom handling tar ställning för processen. Det betyder att någon som har investerat tid och energi i planeringsarbetet troligen vill se projektet bära frukt genom att det verkställs och upprätthålls. På detta sätt är det alltså i teorin möjligt att deltagande genererar legitimitet.

Men för att förstå fallen med Gräsö och St. Anna-Missjö är det också viktigt att veta vilka sammanhang de befinner sig i. Teorier om **interaktiv samhällsstyrning** är ett stöd för att ge klarhet till de förutsättningar som omger fallen. Som jag tidigare nämnt så ingår miljöförvaltning ofta i ett komplicerat nät av samhällsstyrning. I studien visar det sig att nätet av aktörer påverkar formerna för deltagande och legitimitet på flera sätt. Några av dessa nämns senare i texten.

Makt är det sista av begreppen som jag byggt mitt teoretiska ramverk på. Makt innebär att någon kan forma andras möjlighet att agera på ett sätt som gynnar denne. Som det tidigare framgått i sammanfattningen så finns det maktrelationer mellan nivåer och deltagare. Makt är närvarande i alla relationer mellan människor, men blir extra påtagligt när olika grupperingar med motsatta intressen kommer samman för att göra anspråk på en begränsad resurs. HELCOM vill gärna att beslut ska fattas i konsensus, alltså att alla är överens, men då finns en risk att aktörer använder sina resurser för att övertyga, begränsa eller kanske till och med utesluta andra med motstridiga intressen. Det är därför viktigt att tänka på vilka maktrelationer som påverkar en process.

För att kunna jämföra de båda fallen så har jag kartlagt all offentlig dokumentation för de båda samrådsprocesserna. Uppsala respektive Östergötlands länsstyrelse har arkiverat flera hundratals brev, remissyttranden, mötesanteckningar, utredningar och beslutsdokument. Genom att kartlägga de båda fallen har jag kunnat dela in deltagare i ett par olika argumentationstyper. Jag sedan intervjuat representanter för dessa olika kategorier. Totalt har den här studien trettio intervjuer som underlag. Med hjälp av intervjuerna har jag försökt få en djupare förståelse för aktörernas resonemang och upplevelser.

Studien visar att upplevelsen av deltagande skiljer sig åt mellan olika personer och kategorier. De flesta tycker att de har haft ett mindre inflytande över processen än vad de önskat. De upplever att de haft olika framgång i att göra sig hörd beroende på hur skickliga de varit på att formulera sin ståndpunkt, bygga allianser och vara aktiva företrädare i dialogen med länsstyrelsens tjänstemän. Att erkänna och ge tillträde för

olika typer av intressen är en viktig, men mycket svår del av deltagande-processen. I dessa processer tycker olika aktörer att de fått olika mycket utrymme och det har påverkat legitimiteten för det slutgiltiga beslutet.

Denna studie visar att förbindelsen till andra administrativa nivåer påverkar deltagande i de lokala processerna. För det första så har det varit svårare för de lokala aktörerna att argumentera sin ståndpunkt än om planen inte varit kopplad till andra nivåer. Det språkbruk och de uppfattningar som har gjort sig gällande i processen är ofta främmande för deltagarna. För att vara framgångsrik i sin argumentation behöver deltagarna anpassa sig till byråkratins språk och sätt.

För det andra så har möjligheten att påverka planens utfall begränsats av att HELCOM i praktiken redan bestämt projektets mål. Även i fallet St Anna-Missjö där deltagarna var med och format en vision för naturskyddsområdet, så upplevde deltagarna sig begränsade av direktiv från andra nivåer. Deltagare har kunnat påverka detaljer inom planerna, men inga större frågor. Många deltagare blev besvikna över att deras ansträngningar inte hade större utdelning. Skärgårdens förvaltning är viktigt för dem och eftersom de dessutom lagt ner mycket arbete i planeringen, så tyckte de att de förtjänade större inflytande över beslutet.

Det tredje sättet som den regionala nivån påverkat det lokala deltagandet är just kopplat till förväntningar. HELCOM menar att deltagande kommer ge bra naturskydd. Då det finns höga förväntningar på deltagande så verkar varken länsstyrelsen eller de andra lokala aktörerna tycka att de har införlivats. Besvikelse innebär en större risk för att deltagare inte ställer sig bakom beslutet. Det finns alltså även ett negativt samband mellan deltagande och legitimitet där missnöje med processen kan vara dåligt för beslutet.

Idén med deltagande är att möjliga konflikter ska redas ut i förväg så att när väl skyddsområdet inrättas är alla med på båten. Den här studien visar att deltagande, förutsatt vissa kriterier, har en förmåga att överbrygga konflikter. För att deltagande ska kunna nå sin fulla potential så måste det arrangeras på ett sätt som möjliggör meningsfullt inflytande. Deltagarna måste engageras i processen och deras bidrag måste ha effekt på beslutet. Det måste alltså vara värt något att delta. Högre upp i den administrativa hierarkin råder det en mening om att gedigen information till berörda aktörer kan leda till legitimitet av förutbestämda beslut, även om det som kommer fram under samrådet inte får några konsekvenser i beslutet. Så är inte fallet. Förhoppningen med den här studien är att ge bättre insikt i vilka

förutsättningar som kan leda till legitimitet av beslut i allmänhet och beslut om naturskyddsområden i synnerhet.

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Interviews

- Interviewee A1 (2014) Landowner St Anna-Missjö. Interview conducted by phone, 2014-05-05
- Interviewee A2 (2014) Landowner St Anna-Missjö. Interview conducted at public place, 2014-04-28 and follow up conversation 2015-04-15

- Interviewee A3 (2014) Landowner St Anna-Missjö. Interview conducted by phone, 2014-04-29
- Interviewee A4 (2014) Summerhouse owner St Anna-Missjö. Interview conducted by phone, 2014-04-24
- Interviewee A5 (2014) Representative of local history society. Interview conducted by phone, 2014-05-13
- Interviewee A6 (2014) Landowner St Anna-Missjö. Interview conducted by phone, 2014-05-16
- Interviewee A7 (2014) Landowner St Anna-Missjö. Interview conducted by phone, 2014-05-16
- Interviewee A8 (2014) Landowner St Anna-Missjö. Interview conducted by phone, 2014-04-30
- Interviewee A9 (2014) Landowner St Anna-Missjö. Interview conducted in the home, 2014-05-07
- Interviewee A10 (2014) Landowner St Anna-Missjö. Interview conducted in the office, 2014-04-28
- Interviewee A11 (2014) Representative of ÖSTSAM. Interview conducted by phone, 2014-05-16
- Interviewee A12 (2014) ÖCAB officer. Interview conducted at the office, 2014-04-04
- Interviewee A13 (2014) SEPA officer. Interview conducted at the office, 2015-02-10
- Interviewee A14 (2014) CMP consultant, Interview conducted by phone, 2015-03-03
- Interviewee G1 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-18
- Interviewee G2 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-13
- Interviewee G3 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-18
- Interviewee G4 (2013) Landowner Gräsö. Interview conducted at the office, 2013-11-14
- Interviewee G5 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-19
- Interviewee G6 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-12
- Interviewee G7 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-27
- Interviewee G8 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-19
- Interviewee G9 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-19

- Interviewee G10 (2013) Landowner Gräsö. Interview conducted by phone, 2013-11-26
- Interviewee G11 (2013) Landowner Gräsö. Interview conducted in the home, 2013-11-19
- Interviewee G12 (2013) Landowner Gräsö. Interview conducted by phone, 2013-11-27
- Interviewee G13 (2013) Landowner Gräsö. Interview conducted by phone, 2013-11-25
- Interviewee G14 (2013) UCAB officer. Interview conducted at office 2013-06-20 and follow up by phone 2013-12-12
- Interviewee G15 (2013) UCAB officer. Interview conducted by phone by Lisen Holmström 2015-05
- Interviewee H1 (2015) HELCOM officer, HELCOM MPA division. Interviewee conducted by phone, 2015-02-18
- Interviewee ME1 (2014) Swedish Ministry of Environment officer, Baltic Sea division. Interview conducted at office, 2014-06-9



Figures, Graphs, Illustrations, Pictures and Tables

- Figure 2.1: *Orientation map HELCOM MPA 2016*. HELCOM (2016) “Ecological coherence assessment of the Marine Protected Area network in the Baltic Sea”, *Baltic Sea Environment Proceeding No. 148*, HELCOM.
- Figure 4.1: *conceptual framework*. Rabe, L. based on theoretical framework.
- Figure 5.1: orientation map Gräsö HELCOM MPA. Lantmäteriet, 2016. GSD topographic map. Lantmäteriet, Gävle (retrieved 2016-09-15, Permission I2014/00599). Swedish Environmental Protection Agency, 2016. Nature reserve and Natura 2000 datasets, <http://skyddadnatur.naturvardsverket.se/> (retrieved 2016-11-17)
- Figure 5.3: orientation map St Anna-Missjö HELCOM MPA. Lantmäteriet, 2016. GSD topographic map. Lantmäteriet, Gävle (retrieved 2016-09-15, 2016, Permission I2014/00599). Swedish Environmental Protection Agency, 2016. Nature reserve and Natura 2000 datasets, <http://skyddadnatur.naturvardsverket.se/> (retrieved 2016-11-17). Correlated with info in Gezelius et al (2011).
- Graph 1 and 3: *official communication UCAB*. Rabe, L. based on UCABs archive rapport on filed communication.

Table 5.1: *basic data of Gräsö HELCOM MPA and St Anna-Missjö HELCOM MPA.*

Rabe, L. based on UCAB (2012a) "Beslut: Naturreservatet Gräsö Östra Skärgård, Östhammars Kommun" Uppsala Länsstyrelse. *Official decission*, archive number Dnr: 511-9323-09, Dossienr:0382-02-142; and Gezelius, L., Larson, P-E., Larsson, M., Schaerling K. and Åslund, M. (2011) "Acta S:t Anna- Samverkansplan för BSPA-området St Anna-Missjö", ÖCAB, rapport 2011:7

Table 5.2: *Planning process St Anna-Missjö HELCOM MPA.* Rabe, L. based on

Gezelius, L., Larson, P-E., Larsson, M., Schaerling K. and Åslund, M. (2011) "Acta S:t Anna- Samverkansplan för BSPA-området St Anna-Missjö", ÖCAB, rapport 2011:7

Table 5.3: *Comparison.* Rabe, L. Table 1 with author's comments.

Picture 1: Photo of the UCAB's archive material, by Rabe, L. 2013-06-20

Picture 2–4: Photo of artifacts from the UCAB's archive material, by Rabe, L. 2013-06-20

Picture 5 and 6: the UCAB's working material, hardcopy distributed by ÖCAB officer Mikael Lindberg 2013-06-20

Picture 7: Photo of vision for St Anna- Missjö BSPA. Published in Gezelius, L., Larson, P-E., Larsson, M., Schaerling K. and Åslund, M. (2011) "Acta S:t Anna- Samverkansplan för BSPA-området St Anna-Missjö", ÖCAB, rapport 2011:7

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The MPA is a pawn in a larger political game. Swedish politicians have promised to protect this area in order to reach international goals, but without first asking the owners. To give away someone else's property – without asking – is usually called anything but democracy, justice and protection of rights.

(Local actor involved in the consultation process of HELCOM MPA implementation)

There are high expectations among scientists and politicians alike that participation, particularly at the local level, will establish legitimacy of multi-level nature conservation governance as it is implemented in practice. However, as this thesis shows, conflicts of interests, power relations and institutional conditions create enormous challenges for participatory practice in such complex environmental governance settings. By examining two local Swedish HELCOM Marine Protected Area processes that vary in the participatory approach adopted and level of conflict experienced, this thesis aims to further advance understanding of the relation between participation and legitimacy in multi-level environmental governance.

Linn Rabe carries out research in the field of environmental science with a special focus on environmental governance. This is her PhD thesis.

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