

11

DIVIDED ENVIRONMENTS

Scalar Challenges in Sweden's Marine and Coastal Water Planning

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Planning in the Marine Domain

Since the turn of the millennium, marine spatial planning (“MSP”) has become a popular tool for the management of the marine environment. Traditionally, ocean management has been characterized by sectoral division, with little efforts to coordinate the different uses. Some activities, e.g., offshore wind power, have been decided on a permit-by-permit basis, while others, such as fishing and maritime transport, have been controlled through sectoral management regimes.¹ In the early 2000s, the growing pressure placed on the marine environment by human activities prompted a new, more holistic management regime for ocean space. MSP was seen by many as offering an answer to this challenge.²

MSP is an integrated and holistic management regime for marine areas, in which all sectors are treated within a single instrument, ensuring that the sum of all activities does not exceed the limits of the marine ecosystem.³ The definition of MSP is broad and there is no one-size-fits-all design. Any attempt to design a system for MSP needs to be sensitive to the social, cultural, and legal contexts in which it will be implemented.⁴ This means that any system for MSP must address differences between various planning regimes and levels of government also within a single country.

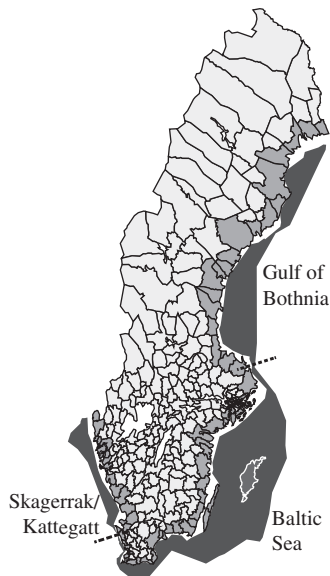
My focus in this chapter is on how the division of planning competence between different levels of government within a country affects the possibilities to achieve a functional management of coastal and marine environments. The chapter reveals how each management body has a specific way of imagining and

FIGURE 11.1 The Port of Gothenburg, Sweden, is one of the instances where global and national geographies connect to local geographies and interest. Yet, this is an area of contention as further development of the port can conflict with important marine biodiversity both above and below the surface. Photo by Jan Schmidtbauer Crona, used with permission.

understanding the natural environment. These different imaginaries need to be coordinated and integrated in order to provide a more holistic understanding of the systems they aim to govern.

The Swedish system for MSP serves here to illustrate the challenges in coastal and marine planning. In Sweden, there are two levels of management involved in the planning of marine and coastal areas. First, the central government is responsible for planning the marine areas, from one nautical mile seaward of the baseline, until the end of the exclusive economic zone (EEZ). Second, municipalities are responsible for planning coastal waters out to one nautical mile seaward of the baseline, as well as the entire territorial sea. This division of planning largely follows the design of the EU Directive on MSP,⁵ as the Directive covers all marine areas of the EU except for coastal waters covered by a member state's town and country planning.⁶

Interviews carried out in this study reveal that municipal planning entails a specific perspective, *a municipal logic*, that affects management practices and outcomes, but also, consequently, the state of the natural environment. Rather than simply responding to or reflecting factual characteristics of ecosystems, law and policy shapes them and determines their very content. The municipal logic follows both from the regulatory system that governs municipal action, and from



Source: SCB (Map of Sweden), The Swedish Agency for Marine and Water Management.

FIGURE 11.2 Map of the Swedish proposed MSP areas and coastal municipalities illustrating the difference in planning scale. The dark areas divided by dotted lines are the three proposed national marine plan areas. The light dark areas are the coastal municipalities in charge of planning coastal waters and their parts of the territorial sea. Illustration by Hillevi Duus. Used with permission.

more practical issues such as budgetary and political considerations. My analysis shows that the management level, whether at the municipal or the state level, inevitably leads to different types of management. One is highly detailed, but also explicitly local; the other is more general and with a lower resolution, but is perhaps more apt to deal with challenges on a wider scale. The holistic aspirations of MSP will be hampered if these different types of management are not integrated with each other, as well as with other types of local knowledges.

The chapter starts with a conceptual discussion on the relation between law and coastal landscapes. This is followed by a short introduction to MSP and some of the relevant literature in the field. Empirically, the chapter investigates the Swedish system for MSP to show how different types of planning perspectives and priorities become evident at the different levels of government.

Mapping the Planning Landscape

The relationship between law and nature is a reciprocal one. Through law-making, humans create new, legally defined natural environments (see also Jones, this volume). This delimiting of nature through legal boundaries means that some natural processes become more prominent, while others are ignored. But the process also flows in the other direction. Natural conditions can affect how laws are drafted. In this sense, it is a dynamic process, but one that rests fundamentally on the notion of a natural environment that is defined by legal boundary-drawing. One way in which law shapes nature is through simplification. Nature is complex; natural processes cannot easily fit within the administrative understanding of the world that governs human action.⁷ Through simplification, law can make nature understandable, or legible, for administration. Such simplification makes certain things clear so that it becomes easier to systematically order nature. Yet, various aspects of nature are lost in this process.⁸ Thus, law entails a specific way of looking at nature.⁹

The aim of this chapter is not to problematize the simplifications of nature as such, nor is it to claim that these simplifications are in fact simple.¹⁰ Instead, I argue that studying the simplistic perception of nature in law can enable a discussion of what is absent from such perception. Such an understanding also allows for a discussion of what could be included to give the perception of nature in law a bit more depth, while still recognizing that some form of simplification is inevitable if nature is to be managed through legal systems. If there is an openness about these simplifications and the reductionist nature of law, it will be easier to discuss what is included and what is omitted, as well as what consequences this might have for the marine environment.

In addition to the simplification of nature by law, the natural world becomes divided and affected by the placing of responsibility for planning on different levels of administration. As Valverde (2009) discusses, while the central state may have one way of seeing, cities, or in my case municipalities, are also characterized by certain ways of seeing and governing.¹¹ Local governments, such as

municipalities, have different approaches to management than regional, national, or international authorities. This may result in a fragmented management, which is not fit to deal with the complex interactions of social-ecological systems¹² on different scales.

To understand how and why the management, in this case planning, is fragmented, it is critical to understand both the legal framework and the role of the administrative bodies performing the planning. Every context produces its own style of management. Law produces different outcomes depending on where it is applied and by whom. This means that while the different laws governing marine and municipal planning may be formally in tune, their implementation can be inconsistent due to differences in management priorities between the levels of government performing the planning. In order to understand the motivation and prioritizations behind municipal or state planning of coastal and marine areas, it is necessary to study the legal system from both a technical, legal perspective and an “extra-legal” perspective.¹³ This “extra-legal” study is performed through document analysis of municipal comprehensive plans as well as in-depth interviews with planners. I conducted 23 interviews with planners, ecologists, and politicians at the municipal level as well as at the regional (County Administrative Boards or CAB) and national (the Swedish Agency for Marine and Water Management or SwAM) levels. This data provides knowledge on how the actual planning is performed and hence what law becomes when it meets planning practices, rather than what law “is” or prescribes.

My analysis exposes how municipal and national planning priorities correspond to and interact with each other. The study was carried out in Sweden. However, an examination of different planning levels around the Baltic Sea shows that while every country chooses its own approach to MSP, it is common to have at least two different levels of administration involved in the coastal and marine planning.¹⁴ The challenges arising within the Swedish system are thus translatable to other European planning systems, as the Swedish exclusion of coastal waters in the national MSP closely follows the EU Directive.

Marine Spatial Planning: An Introduction

MSP has been described as a means to provide a vision for the future development of an area, where all affected parties have been able to provide input. This vision can be used to provide information to subsequent permit decisions as well as for stakeholders in their planning of future activities.¹⁵ The outcome of a planning process is, simply put, a map and an accompanying explanatory document, with recommendations on how the marine areas should be used. Some areas will be pointed out as suitable for conservation and nature protection, while others have characteristics that make them viable for offshore wind power, fisheries, et cetera.

The marine plans represent an important aspect of the simplification process of law. The first step is how natural space is divided into planning areas. In the

second step, the planned space is zoned and divided into different uses. While this may be necessary from an administrative perspective, the simplification process needs to be attentive to both human and more-than-human lives. When certain areas are excluded and management is fragmented, the image of nature becomes skewed, and perhaps more of an incoherent mosaic rather than a well-composed representation.

In the early years of MSP practice, as well as research on MSP, it was often described as a “rational” technocratic activity.¹⁶ In recent years, however, there has been a critical turn in the MSP literature, questioning the rational ideal and highlighting how MSP tends to uphold existing power structures and further marginalize less economically vested stakeholder groups.¹⁷ While few of these critical interventions have come from legal scholars, there is one intervention that approaches MSP from a legal geography perspective, and critically examines and discusses MSP. However, this intervention provides a more conceptual discussion on law and MSP, and is not based on any particular case study or empirical material.¹⁸ The novelty of the present chapter is that it critically engages with law and MSP on an empirical basis. Furthermore, it highlights that it is not only a matter of the relation between stakeholders and the central government; rather, the different bodies of government, and their ways of understanding, or “seeing,” social-ecological systems, also need to be understood in order to provide a more comprehensive understanding of the challenges in MSP.

The process leading up to the adoption of the EU MSP directive accentuated conflicts between the international, national, and local perspectives of management. The same conflicts can be found in the development of the Swedish system for MSP. Both processes identified the same challenges facing the marine environment, and emphasized the need for a holistic perspective, where different sectoral interests are treated as constituent parts of a common pressure. In this holistic perspective, coastal areas were seen as crucial to include as they are important from both a social and an ecological perspective.¹⁹ Still, the final versions of both the EU and Swedish MSP systems exclude coastal waters,²⁰ begging the question how this holistic mode of planning can be functionally implemented when such important parts of the social-ecological systems are excluded.

In a sense, MSP is a tool for simplification and for creating visions, or imaginaries, of the marine space. These visions are then realized through the plans. The main argument of this chapter is that it matters greatly whose visions they are. While both the EU and the Swedish MSP processes aim to focus on the three-dimensional character of the marine space, municipal planning tends to be preoccupied with the surface. The blue water and archipelago function as symbols for the attractiveness of the municipality, and the traditional marine sectors as providers of an identity. In these visions, the complex ecosystems below the surface are given little attention. To understand the different ways of envisioning coastal and marine areas, and where these visions originate, the following section

will provide an overview of the constitutional role of municipalities in Sweden, as well as the regulatory framework governing municipal planning.

Formal Limits of Municipal Planning

To understand the perspectives and priorities of municipal planning in Sweden, it is important to understand the constitutional role of municipalities in the Swedish democratic system. Municipalities in Sweden hold a strong position as autonomous local governments. The municipal autonomy follows from the constitution.²¹ This autonomy is not complete, and does not cover all areas of government. Still, in terms of spatial planning, the autonomy is strong and only limited by a few select national objectives.²²

Municipal spatial planning is performed through the development of comprehensive plans, covering the entire area of the municipality. These are then realized through detailed development plans that cover smaller areas, such as smaller neighborhoods, blocks, or sometimes even larger individual buildings. The municipal comprehensive plans are strategic policy documents, where the long-term land-use development is envisioned and intentions and visions for the municipality are expressed.²³ As such, they provide an insight into the general objectives for municipal development, and give information about how the municipalities understand their coastal areas. Yet, the strategic and general character of the comprehensive plans makes them insufficient as sources for an in-depth analysis of their consequences and impacts. Although they include statements that constitute the municipality's fundamental objectives, they are generally of little guidance when it comes to considerations, weighing of interests, and trade-offs.

There are two levels of management in the Swedish marine planning system: the municipal and the national. The municipal level plans on a local scale, where the geographical boundaries are those of the municipality, and the legal boundaries are set by the Local Government Act and the Planning and Building Act. These two Acts determine the scale and what is (not) relevant for the municipal planning. The national scale is present in the same areas as the local scale, but is defined through the Ordinance on Marine Spatial Planning and the Swedish Environmental Code. The national scale is more dynamic. It is less detailed than the municipal, but it moves from the national perspectives down to the regional and sometimes municipal scale. The municipal scale is detailed and, like the national scale, can move between perspectives. These perspectives, however, span from the regional scale to specific, local, projects within the municipality. The national scale is rarely included. This indicates that both scales are necessary to capture as much of the marine and coastal space as possible. When separated they present fragmented and over-simplified representations of social-ecological systems.

In the following section, interviews with civil servants in the municipalities, municipal politicians and civil servants on the regional (CABs) and national

(SwAM) levels are used to provide an additional layer to the analysis of municipal comprehensive plans, and how these relate to the national planning process.

Themes in Municipal Comprehensive Planning

As seen above, the two levels of planning are regulated in different legal acts. In addition to this, the organizations implementing these acts are different and are driven by different objectives and obligations, which leads to different priorities in planning. If these objectives are not in tune with each other, they will accentuate the problems of fragmentation. As discussed above, the two different types of planning are regulated in different acts and the underlying rationales for planning thus differ between them. This has been described as the Planning and Building Act being built around a *planning paradigm*, and the Swedish Environmental Code building on an *environmental paradigm*.²⁴ In addition, one of the basic guiding principles for all municipal decision-making stipulates that all decisions need to be taken with the interests of the members of the municipality in mind.²⁵ While the planning legislation widens this competence to include broader issues and certain types of national legislation, the local perspective is omnipresent in municipal decision-making.

The following paragraphs cover the main interests and perspectives that are highlighted in the municipal comprehensive plans and in interviews with planners. It is key to understand how the municipal planning is formulated, and what the priorities are, not only for the individual municipalities, but also in relation to the national MSP process. As the coastal waters are excluded from the national planning, municipal planning becomes the link between land and sea. In addition, many of the pressures on the marine environment are located in the coastal areas.²⁶ In terms of applying an ecosystem approach, local planning needs to be connected to national planning to ensure that the entirety of the marine social-ecological ecosystems is accounted for.

In the study of municipal planning, a number of themes recurred both in the planning documents and in the interviews. All of these themes indicate a planning that places a clear focus on strengthening the municipality in relation to surrounding areas, by attracting new inhabitants and creating opportunities for the business sector. Some of the themes related to how the municipalities positioned themselves in relation to neighboring municipalities; national marine planning; the role of the municipality in a larger, holistic picture; and regional aspects. The highly localized focus of municipal planning was perhaps most clearly expressed by one of the respondents, a planner from a small municipality on the west coast of Sweden.

When asked how the national marine plans would affect the municipal planning, the respondent pointed out that the main interests of the municipality were located within the coastal waters. He could see no conflicts or close relations to the municipality in what was taking place in the areas covered by national planning.²⁷ These areas were thus placed in a clear periphery of municipal planning.²⁸

It also indicates that there is little integration between the two levels of planning, even though they both have a responsibility to plan the areas in question.

This type of focus was evident in other interviews as well, although it was often connected to scale too. A number of respondents had concerns regarding the scale of the national plans, namely that the resolution was too low to be able to use in municipal planning.²⁹ One of the respondents from a regional agency also highlighted that this local perspective was of little surprise, as a basic precondition of the Swedish system is that every municipal decision is driven by economic reasoning. All decisions build on the notion that they contribute to a better economy for the municipality.³⁰ This shows the problematic aspect of simplified representations of nature, where law has delimited natural systems without giving due respect to ecological boundaries. In these municipal representations, both the more-than-human lives and the ocean were given little to no space. When they were included, it was mainly in terms of how they could strengthen the municipality's economy or position. It was generally not discussed what the effects of planning decisions will be in a wider perspective. This is problematic because, much like the increasing investments in the Miami river had both local and distant consequences for Haiti's trade (in Kahn's contribution to this volume), the local planning decisions in a Swedish municipality can have effects on social-ecological systems far beyond the municipal borders. This is a basic feature of the fluid nature of water.³¹

Another recurring theme, and one that relates to how neighboring areas were treated in the plans, was that of competition. The municipalities all want to grow, and to do so they need to attract businesses and inhabitants. This places them in a competitive position in relation to neighboring municipalities. Sometimes the competition was framed in terms of regional competition, where a few municipalities together formed a region that was placed in a competitive position in relation to other regions.³² The competitive aspects placed a focus on strengthening the municipalities, or regions, thus placing them in a clear center, while making the interests of other regions or municipalities peripheral issues at best. As succinctly put in the comprehensive plan of the municipality of Pietå: "Cities compete with each other over resources for growth."³³ This competition can be expressed in many ways, but an important consequence is that each municipality looks to their own interests first. One respondent claimed that she could not imagine any local politician who would abstain from planning a new investment in an area just because a neighboring municipality was investing in an adjacent area.³⁴ Such planning seems contrary to the integrated style of management that is needed to fully capture the complexity of social-ecological systems.

Lastly, ports were another key theme in many of the municipal comprehensive plans. Most of the municipalities included in the study had a port which was important for the municipality's business sector. By framing the port's operations as important from a regional or national perspective, the municipalities could motivate further investments and development. To illustrate this by way of an example, the biggest port in Scandinavia is located in Gothenburg. Nevertheless,



FIGURE 11.3 Map from the comprehensive plan of the municipality of Karlshamn. By flipping the map upside-down and placing Karlshamn in the middle, Karlshamn is promoted as an important node for eastbound transports, while large port cities such as Stockholm and Gothenburg become peripheral. Courtesy of the Municipality of Karlshamn. Used with permission.

the municipality of Malmö promoted their port as the biggest port in Scandinavia for the import of cars.³⁵ The municipality of Helsingborg promoted their port as the second largest container port in Sweden.³⁶ In the smaller municipalities, the port could be framed as the largest exporting port in Sweden when it comes to sawn wood products,³⁷ or that even a small jetty could be one of the most important landing points for shellfish nationally.³⁸

All of these themes show how the municipal perspective is highly localized, focusing mainly on issues that will strengthen the economic position of the municipality. This focus pushes the national objectives of a holistic planning to the periphery. Furthermore, it accentuates the simplified idea of the natural environment, where geographical locations outside of the municipal boundaries do not enter into the municipality's field of vision.

In addition to the themes concerning how the municipality related to itself and its neighboring areas, there were also recurring themes of how the municipalities imagined their coastal and marine areas. These themes also seemed to affect the priorities in planning. Mainly they related to questions such as: why is the coast important for a municipality? What values are seen as worthy of protection or development?

"Attractivity" was one of the main themes, recurring in all of the planning documents in relation to the coastal areas. The reasoning behind any decision on how to develop or protect a specific coastal area seemed to be related to the general objective of strengthening the attractivity of the municipality. Attractivity

was framed both in relation to new inhabitants or businesses, and existing inhabitants: to make the municipality a place where one wants to live and stay.³⁹ In the interviews, attractiveness was mainly discussed by the respondents from smaller and medium-sized municipalities.⁴⁰ For the larger municipalities, attractiveness was mentioned, but not as the most prominent interest. Usually, shipping, ports, or other interests had greater economic value to those municipalities.⁴¹

Another notable recurring theme in the material was the uniqueness of the coastal areas, or the coast as a bearer of the municipality's identity. This identity relates to the idea that the coast contains values that are unique, in both a Swedish and an international context. These unique values and identity bearers differ between the municipalities. As for attractiveness, the theme of uniqueness and identity was more pronounced in the comprehensive plans of small/medium-sized municipalities. Most of the plans had statements relating to identity in the sections of the plans covering the coast. The coast represented a historical value, but it could also shape the future of the municipal identity.⁴² One such expression of this was the following: "The rural areas and the archipelago are important parts of the identity of the municipality and they create opportunities to conserve and develop the cultural landscape with values for the cultural environment, recreation and biological diversity."⁴³

For the larger municipalities, the city life close to the sea was an important factor for the identity.⁴⁴ The proximity to water was one of many factors that provided a larger, urban, identity. All mentions of municipal identity had a close relation to the attractiveness of the coast. The coastal identity could attract tourists, as well as new inhabitants. In this respect, there were few differences between the variously sized municipalities.⁴⁵

Taken together, all of these themes illustrate the perspectives of municipal planning and how the municipalities imagine the future use of their coastal and marine areas. These areas are visualized as drivers for municipal growth and economic prosperity. The focus is primarily local, with more national objectives being taken into account when they fit into the municipality's vision. Nevertheless, these visions also exhibit a detailed knowledge about the areas covered by planning, something that is far less evident in the proposed national marine plans.

Themes in the National Marine Plans

As discussed above, the national marine planning follows a somewhat different logic from that of the municipal planning. The natural environment has a more prominent position in the legal acts covering the national MSP. This is most clearly exhibited by the fact that MSP is regulated in the Swedish Environmental Code, while municipal planning is regulated in the Planning and Building Act. Another difference between the plans is the scale: the national plans cover far greater areas than a single municipal plan does. The national plans also need to be attentive to two different scales of planning bordering the plan areas. On the

landward side of the national plan areas, there are local municipal plans, and on the other side, neighboring countries are also developing their own marine plans.

In relation to neighboring countries, it was stated in the proposed national plans that Sweden was taking an active part in regional cooperation projects. One of these projects was specifically aimed at analyzing and comparing how different Baltic states had applied the ecosystem approach in their MSP. The results were to be used in the continued MSP process in Sweden.⁴⁶ The plans of neighboring countries thus informed the Swedish marine planning process. In relation to the local, municipal planning the perspective was different. The connection between the national and municipal plans was acknowledged. It was noted in the national plans that the municipal planning was more detailed closer to land and along the coastline, and that there was potential for a common development of the planning between municipal, regional, and state levels to strengthen the land-sea interaction.⁴⁷

In addition, the marine plans were promoted as a tool to create more clarity relating to sea use. They could support the municipal planning processes and contribute to greater coherence between municipalities and other actors when it comes to considerations between interests.⁴⁸ Nevertheless, the perspective was always that information would flow from the national plans down, not the other way around. In this sense, the national plans did not exhibit any strong intentions in terms of integrating the two different levels of planning. Rather, they adopted more of a top-down approach where the national plans would be guiding for municipal planning.

Two recurring themes in municipal planning were the attractiveness of the coastline and the coast as an identity-bearer. Neither theme was similarly pronounced in the national plans, although they both occurred. On a national scale, the coast and archipelagos were seen as attractive for Sweden as a whole and contributing to a long-term competitive tourism industry.⁴⁹ But attractiveness was also discussed more specifically in that the national plans could promote attractiveness on a local and regional scale.⁵⁰ Granted, these two scales are not mutually exclusive, but the examples illustrate how the national plans switch between scales. This switching is important as it leads to different ways of viewing sectors, or challenges for that matter. On a local level, fisheries were promoted as identity bearers, and as a source of land-based jobs.⁵¹ On an aggregated level, over-fishing was discussed as a problem and one of many stressors for the marine environment.⁵² The same was true for tourism, where coastal areas needed to be attractive places in which to live and work, as well as to visit (local scale),⁵³ while jetties and marinas are negatively affecting the ecosystem in the coastal zones, where many species have their reproduction areas (aggregated scale).⁵⁴ This switching between scales shows a promising aspiration to complicate the simplified version of nature that follows the MSP legislation.

Each of the national plans pursued a number of themes, among them recreational and cultural values. However, it was obvious that most places that actually included recreational and cultural values were situated in the coastal waters,

outside of the plan areas due to the fragmented nature of the planning system. Thus, the only possible planning measure was to conclude that considerations needed to be assessed in a local perspective. The national plans could not include these values, or plan for them to be ensured. In conclusion, the national planning was not overly concerned with local municipal perspectives. This was because coastal waters were excluded from the planning, but it could also be the result of the scale of the national planning. The holistic nature of the plans does not mesh well with integrating the interests of local scale social-ecological systems.

Conclusion

In this chapter, I have explored how different levels of government within a single country envision the future use of marine and coastal areas in spatial planning. The aim of marine spatial planning is to be a holistic, integrated tool to manage the pressures on the marine environment. But if the different actors performing the planning are not coordinated, it risks becoming a rather fragmented endeavor. Much of the literature taking a critical approach to MSP has focused on the inclusion of stakeholders and how power structures are reproduced rather than torn down in many current MSP regimes.⁵⁵ The novelty of this chapter is that it has focused on how different planning authorities also create different imaginaries of coastal and marine environments. When these imaginaries translate into plans and policies, they may either help or hinder ambitions to establish a more holistic planning of coastal and marine areas. This is particularly true in an EU context, where coastal waters are excluded from the EU MSP directive, creating a plethora of different authorities involved in coastal planning around the Union.

As shown by Grisel in his contribution to this volume, legal norms need to be attentive to social norms on a local scale. But this is also true in reverse. As Kahn shows in his chapter, the local is never truly local, but reaches out into a wider geography as well. This needs to be taken into account in the design of legal and management structures. There is no point in trying to distinguish between a local, regional, or national scale, since all of these scales are present simultaneously and constantly interact with each other.⁵⁶ Studying the Swedish system for coastal and marine planning shows that when law so clearly distinguishes between scales and strives to draw lines in the fluid marine space, it results in different and not always coherent ways of seeing in management.

Municipal coastal imaginaries are created through the concepts of attractivity and identity. These concepts provide a rationale for further development. This is expressed through the view of neighboring municipalities as competitors, where shopping malls outside of the municipality can be seen as threats to local commerce.⁵⁷ With such competition, one municipality is placed at the center, while all others become peripheral. This leads to imaginaries that motivate development and can give the municipality competitive advantages in relation to other,

neighboring, municipalities. The attractiveness and identity concepts are clear examples of this: they motivate why certain aspects of a municipality should be further developed, as those aspects can give the municipality an advantage in the competition over resources for growth. The national planning process, by contrast, applies a more general conceptualization, which is primarily represented through the application of the ecosystem approach and a general strive for maritime growth. So, there are various reasons why the different levels of management perform in an incoherent manner. These relate to the area being governed, the timescale applied, and who is governing.

This chapter has shown that there are fundamental differences between the municipal and national planning processes. The municipal level promotes local interests, following from both their legal obligations and their local political and economic ambitions. The national planning takes the local perspectives into account. However, local interests are given a relatively peripheral position due to the fact that the national planning excludes the areas where most activities take place. But also because of the geographical scale applied in the national plans, which is not attentive to local variations.

The review clearly shows that while both levels of management have certain advantages, they also have shortcomings. The municipal level is not able to grasp large-scale processes of social-ecological systems. As long as these processes are not in line with the general visions of the municipalities, they are treated as peripheral. The national level, on the other hand, cannot take in the details that are needed to fully understand the intricacies of individual municipalities. It is well equipped, however, to understand the larger processes that affect the environment in the Swedish marine areas.

The case of Swedish planning serves to illustrate the general point that not only is it important to integrate local communities and stakeholders in planning efforts; it is also crucial to understand the different perspectives that follow from choosing different administrative bodies to perform the planning. Law and its implementation is inherently contingent on who is performing the actual implementation. Clearly, any management regime aimed at governing the marine environment needs to be attentive to social-ecological systemic processes taking place at different scales simultaneously, as they are inherently inseparable. This can only be achieved if all levels of management are included in the planning process, and if the marine environment is not represented as an over-simplified image, one that can be functionally divided through the drawing of administrative boundaries.

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Notes

- 1 Frank Maes, “The International Legal Framework for Marine Spatial Planning,” *Marine Policy* 32, no. 5 (2008): 797–810.
- 2 Stephen Jay et al., “Marine Spatial Planning: A New Frontier?” *Journal of Environmental Policy & Planning* 14, no. 1 (2012): 1–5, 1.
- 3 Charles Ehler and Fanny Douvere, “Visions for a Sea Change: Report of the First International Workshop on Marine Spatial Planning,” UNESCO, 2007, <https://repository.oceanbestpractices.org/handle/11329/204>.
- 4 See, e.g., Betty Queffelec et al., “Marine Spatial Planning and the Risk of Ocean Grabbing in the Tropical Atlantic” *ICES Journal of Marine Science* 78, no. 4 (2021): fsab006.
- 5 Directive 2014/89/EU of the European Parliament and of the Council of July 23, 2016 establishing a framework for maritime spatial planning.
- 6 *Ibid.*, Article 2(1).
- 7 James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven: Yale University Press, 1998), 262.
- 8 *Ibid.*, 11.
- 9 Nicholas Blomley, “Simplification is Complicated: Property, Nature, and the Rivers of Law,” *Environment and Planning A* 40, no. 8 (2008): 1825–1842, 1826.
- 10 Simplification is a complicated process, a point made by both Scott, *Seeing Like a State*, 81, and Blomley, “Simplification is Complicated.”
- 11 Mariana Valverde, “Jurisdiction and Scale: Legal ‘Technicalities’ as Resources for Theory,” *Social & Legal Studies* 18, no. 2 (2009): 139–157, 139.
- 12 This concept is used to illustrate how the natural/ecological world is inseparable from the social/human world. Thus, rather than discussing natural systems and social systems, the concept of social–ecological systems is used. See, e.g., Fikret Berkes, Carl Folke, and Johan Colding, *Linking Social and Ecological Systems: Management Practices and Social Mechanisms for Building Resilience* (Cambridge: Cambridge University Press, 1998).
- 13 *Ibid.*, 154.
- 14 Aron Westholm, “Appropriate Scale and Level in Marine Spatial Planning—Management Perspectives in the Baltic Sea,” *Marine Policy* 98 (2018): 264–270, 264.
- 15 Fanny Douvere and Charles N. Ehler, “New Perspectives on Sea Use Management: Initial Findings from European Experience with Marine Spatial Planning,” *Journal of Environmental Management* 90, no. 1 (2009): 77–88, 79.
- 16 See, e.g., Fanny Douvere, “The Importance of Marine Spatial Planning in Advancing Ecosystem-based Sea Use Management,” *Marine Policy* 32, no. 5 (2008): 761–771, 762.
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- 20 The EU MSPD excludes coastal waters “covered by a member state’s town and country planning” and is also a framework directive which only stipulates minimum requirements. It is thus possible for member states to include coastal waters in their MSP regimes.
- 21 The Swedish Instrument of Government (1974:152), Ch. 1 Sec. 1.
- 22 The Swedish Planning and Building Act (2010:900), Ch. 1 Sec. 2.
- 23 *Ibid.*, Ch. 3 Sec. 2.
- 24 Lars Emmelin, *Planera För Friluftsliv: Natur, Samhälle, Upplevelser* (Stockholm: Carlsson, 2010).
- 25 The Swedish Local Government Act (2017:725), Ch. 2 Sec. 1.
- 26 See “Marine Spatial Planning—Current Status 2014,” Swedish Agency for Marine and Water Management, 2015, Ch. 3.
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- 36 Comprehensive Plan of the Municipality of Helsingborg—Helsingborgs Kommun, *ÖP 2010—En Strategisk Översiktsplan för Helsingborgs Utveckling*, 2010, <https://helsingborg.se/trafik-och-stadsplanering/planering-och-utveckling/oversiktsplanering/gallande-oversiktsplaner/oversiktsplan-2010/planhandlingar/>, 35.
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- %20%C3%96P%20Falkenberg%20Del%20II.pdf, Part 2, 57. Fifty-two out of 65 municipalities mention population growth as a strategy in their comprehensive plans (studied 2017).
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 - 41 Planner, large municipality in the Gulf of Bothnia plan area, in-person interview by author, April 26, 2017; Environmental strategist, large municipality in the Baltic Sea plan area, in-person interview by author, November 29, 2017; Environmental planner and landscape architect, large municipality in Skagerak/Kattegat plan area, in-person interview by author, October 27, 2017; Project coordinator and Water planner, large municipality in the Baltic Sea plan area, in-person interview by author, October 25, 2017; Planner, large municipality in the Gulf of Bothnia plan area, in-person interview by author, November 1, 2017; Planner, large municipality in the Skagerrak/Kattegat plan area, in-person interview by author, November 7, 2017.
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 - 46 The Swedish Agency for Marine and Water Management, *Förslag till Havspaner för Sverige, Bottniska Viken, Östersjön, Västerhavet—Granskningshandling 2019-03-14* (2019), 27.
 - 47 *Ibid.*, 138.
 - 48 *Ibid.*, 146.
 - 49 *Ibid.*, 159.
 - 50 *Ibid.*, 63.
 - 51 *Ibid.*, 54, 233, 234.
 - 52 *Ibid.*, 163.
 - 53 *Ibid.*, 63.
 - 54 *Ibid.*, 163.
 - 55 See, e.g., Flannery et al., “A Critical Turn”; Tafon, “The ‘Dark Side.’”
 - 56 See, e.g., Neil Smith, “Geography, Difference and Politics of Scale,” in *Postmodernism and the Social Sciences*, eds. Joe Doherty et al. (Basingstoke: Macmillan, 1992), 57–79.
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