

SCALING MARINE AND WATER MANAGEMENT



GÖTEBORGS UNIVERSITET
HANDELSHÖGSKOLAN

Akademisk avhandling

som för avläggande av juris doktorsexamen vid Göteborgs universitet
offentligt framläggs och försvaras – fredagen den 4 juni 2021, kl. 10.00 i
sal Europa, Wallenbergs Konferenscentrum, Medicinaregatan 20A,
Göteborg.

av

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Doctoral thesis to be publicly defended for the degree of Doctor of Laws, on 4 June 2021, at 10.00 AM, in lecture hall Europa, Wallenbergs Konferenscentrum, Medicinaregatan 20A, Göteborg. The thesis defence will be conducted in English.

Abstract

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This book is concerned with the linkages between legal systems and the complexity of nature. It explores how legal delimitations of ecosystems and diffusion of management across different levels of administration affects priorities and outcomes of natural resource management. The book departs from the notion that law needs to be responsive in relation to the changing nature of social-ecological systems while still ensuring basic legal principles, such as the rule of law, legal certainty, and predictability. The book comprises two case studies that examine how priorities and outcomes of natural resource management are affected by the specific administrative level and spatial scale at which it takes place. The first case study concerns the Swedish system for coastal and marine spatial planning. Through the use of interviews, review of legal material and planning documents, the case study highlights how conceptions of marine and coastal areas are formed. The second study explores the fresh water management regime that is set up within the EU through the Water Framework Directive. It reveals how legal delimitations of ecosystems are generally based on an insufficient understanding of nature and scale. Using the map-making metaphor introduced by De Sousa Santos (1987), this work exposes distinct perspectives in natural resource management, where some interests and processes are highlighted and others are placed in an administrative periphery. The book contributes to a wider debate concerning how nature must be understood in law-making.

Keywords: Ecosystem approach, Marine management, Freshwater management, Legal geography, Marine spatial planning, Municipal planning, Water planning, Environmental law, Environemntal management, Environmental governance, Adaptive law, Adaptive management.

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