



Freedom with what? Interpretations of “responsibility” in Swedish forestry practice



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ABSTRACT

Responsibility is a key aspect of all regulation, and forest regulation is no exception. How should responsibility be understood and used in a time characterized by complexity and uncertainty? This paper develops a typology that distinguishes six notions of responsibility and then employs it in analyzing interpretations of responsibility in Swedish forestry practice. The Swedish forest management system is a deregulated system structured by the governing principle of “freedom with responsibility.” By investigating how responsibility is understood and enacted by forest consultants and forest owners, we demonstrate the practical fluidity of the responsibility concept. We emphasize the need for an understanding of responsibility that fosters sensitivity and adaptiveness to external issues and actors in the face of uncertainty, and identify obstacles in current forestry policy and practice to enacting such an understanding.

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1. Introduction

Governing implies the allocation of responsibility. The governing of conduct has traditionally been associated with a model based on rules backed by sanctions (Hood et al., 2001). However, modern modes of governance encompass a wide range of regulatory techniques, such as certification schemes, education, and information provision, and include voluntary agreements and self-regulation (Hutter, 2010). A trend towards decentralization has been evident in natural resource governance (Bixler, 2014; Dupuits, 2015), implying the struggle of various actors, including legislators, to prompt individuals and organizations to behave ethically on voluntary grounds (Shamir, 2008). This trend is evident in the forest policies of many European countries (Kankaanpää and Carter, 2004). This responsabilization of forest owners also entails an increase in the range of aspects that forest owners are expected to consider, including environmental and social forest values (Bjärstig and Kvastegård, 2016; Johansson, 2016). At the same time, we also note that new environmental regulations – such as the EU Habitats and Birds directives – partly constitute a trend opposing decentralization. This development implies that the meaning and loci of responsibility have become unclear and indistinct – an intrinsic feature of the responsibility concept. Theoretically, responsibility can be voluntarily assumed or authoritatively ascribed, and can relate to both future and past events; it can imply a sense of control or power, or it can be about taking or assigning blame (Pellizzoni, 2004).

Taken together, the theoretical ambiguity of the responsibility concept and the practical situation of opposing trends in forest policy raises the question of how actors involved in forest management understand responsibility. This question was targeted by earlier research as an area meriting further investigation (Lönnstedt, 2012). Drawing on a responsibility typology, the present study examines two central actors in the Swedish forest sector: non-industrial private forest owners and state-employed forest consultants. The former actors own approximately half of Sweden's productive forest land, while the latter are charged with putting national forest policy into practice, with the dual function of monitoring the observance of laws and providing advisory services. Interpretations of responsibility within and across these two categories are therefore central to forest policy outcomes. Using qualitative interviews, this paper aims to probe the various meanings of responsibility found among two central actors performing forestry in tension between freedom and mandatory regulation.

Since 1993, the governing principle of the deregulated Swedish forest management system has been “freedom with responsibility” (FWR). Forest legislation has been made less strict, and the responsibility for balancing production, environmental, and social values in the forest sector has been shifted towards private actors (Beland Lindahl et al., 2015; Bergquist and Keskitalo, 2016; Mårald and Westholm, 2016). As it is not always clear how this balance between various forest values should be struck at individual sites, the inherent flexibility of the FWR principle can lead to conflict and uncertainty (Author citation). As noted above, the presumed freedom has been circumscribed by stricter national environmental regulations and EU habitat protection regulations (Ugglå et al., 2016), creating an ambiguous combination of freedom and

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mandatory regulation. While the FWR principle has been appreciated by the forest sector, it has also been problematized and criticized by the environmental movement. For example, the Swedish Society for Nature Conservation has raised concerns about the detrimental environmental consequences of current Swedish forest policy (SSNC, 2014, p. 5).

This study focuses on the responsibility, rather than freedom, aspect of FWR, as this is the aspect that is most clearly imbued with legal and normative meaning. Freedom is indeed important to various forestry actors, but it is arguably responsibility that matters the most for the outcome of forest governance. Private forest owners constitute the major forest ownership group in many European countries and the USA (Pulla et al., 2013). In addition, in many Central–Eastern European countries, private forestry is being re-established (Pöllumäe et al., 2014). Likewise, the Swedish situation of parallel regulatory systems is likely to apply in other European countries subject to EU directives. The Swedish case can therefore provide insights of broad international relevance (cf. Flyvbjerg, 2006; Lim et al., 2015).

This paper is organized into five parts, including this introduction. The second part develops the typology of responsibility applied here. The third part outlines the design of the study. The fourth part presents the results, structured according to the six identified types of responsibility. The fifth and concluding part discusses the implications of the results, namely, that five of the notions of responsibility are very much at work in forestry practice, creating both tension and maneuvering room. The sixth notion – responsiveness – could foster sensitivity and adaptiveness to external issues and actors, but obstacles to its enactment are found in both current forest policy and the overall organization of forestry practice.

2. Responsibility: a typology

Responsibility can mean different things depending on the context. The concept is usually intertwined with the notion of a free, rational, and autonomous individual, and is closely linked to the possibility of relating an action to an actor making a decision. This actor is also assumed to have some control over outcomes and is bound by some rules valid for a given situation (Pellizzoni, 2004, p. 546–547). Without rules the concept of responsibility makes no sense, so it is first necessary to introduce a sociological understanding of rules.

Behind what is seen as acceptable or unacceptable within a society or a group is a moral order that categorizes the world into the permitted and the forbidden (Durkheim, 1995). The bedrock of any moral order is ideals of various kinds, and these ideals need some sort of protection. This is the purpose of social *rules* – norms – some of which are deemed important enough to be inscribed in the legal code. The legal system uses legal penalties to sanction norm transgressions; in everyday life, however, most norms are not legally inscribed but are sanctioned in many other ways, for example, through social exclusion or outrage. When we follow social or legal rules, we may do so either because we subscribe to the underlying ideal of the norm or legal code, or simply because we wish to avoid the sanctions. The type of responsibility that people assume in relation to future events (*ex ante*) can thus be divided into *obedience* and *care*, the former motivated by avoiding sanctions and the latter by identification with the moral content (Pellizzoni, 2004). Regardless of which kind of responsibility we assume *ex ante*, our transgressions will be sanctioned if they become known, i.e., we are held liable. *Liability* is the typical form of *ex post* responsibility. These three notions of responsibility, i.e., care, obedience, and liability, all require some form of certainty as to what rules apply (ibid.).

What happens to the concept of responsibility as uncertainty increases? Modern modes of governance are often motivated by increased uncertainty, for example, related to lack of knowledge. Uncertainty is however a multifarious phenomenon. We can distinguish between four particularly important dimensions of uncertainty, most often in dynamic interaction with each other: (i) *cognitive uncertainty* stems from

inadequate or contingent knowledge regarding causes and effects, making it difficult to select best course of action. (ii) *Strategic uncertainty* rises from conflicting interests (and cognitive uncertainty) among actors in the field, making it difficult to predict how others will act. (iii) *Institutional uncertainty* comes from fragmented decision making within a field, making it difficult to coordinate actions within it. (iv) *Normative uncertainty*, finally, relates to the absence of shared norms or to difficulties in prioritizing among the shared objectives that do exist within a field (van Bueren et al., 2003; Lidskog and Löfmarck, 2015). All four dimensions of uncertainty are salient in environmental governance in general and particularly in forest governance. There are at least four reasons for this: i) the knowledge base underlying climate change and other environmental challenges is inherently uncertain and contested (cognitive uncertainty); ii) the time frame of these challenges extends well beyond the planning horizons of everyday forest management (institutional and strategic uncertainty); iii) forestry involves multiple objectives, which many times are hard to reconcile (normative uncertainty); and iv) societal change means the increasing detachment of the forest owner from the forest in both the geographical and emotional senses, not least due to the increasing number of non-resident owners, often with limited practical knowledge of forestry (all four dimensions). In the following we will distinguish between the different types of uncertainty when necessary.

In the face of uncertainty, central actors can no longer claim to have all the answers (Lidskog et al., 2005). The development of semi-institutionalized norms – either caused by more general policy trends (described in the introduction of this article) or as a response to this situation of uncertainty – are added to the moral order described above, as organizations set voluntary standards and adopt codes of conduct not protected by legal penalties. Here, sanctions may instead come in the form of revoked certifications or exclusion from umbrella organizations and the like. This kind of *ex post* responsibility differs from liability. As it is conferred in relation to self-binding standards and depends on how a certain conduct can be justified, it can better be labeled *accountability*. Voluntary regulation related to accountability is inherently unresponsive in that it is self-referential: “The self-specification of what is to be accounted for, and how, acts as a means of preventing any substantial empowerment of the relevant stakeholders, to the extent that their own questions and concerns remain unexpressed and unaccounted for” (Pellizzoni, 2004, p. 558). One may ask, however, why organizations submit themselves to voluntary regulation to begin with. One important reason, apart from public image, fair competition, and reduced (institutional, normative and strategic) uncertainty, is arguably to avoid stricter regulation. In the case of Swedish forest governance, the FWR principle will only be sustained as long as the forest sector is seen as responsible. The existence of certification schemes and similar practices can partly be seen as ways of assuming and projecting collective responsibility.

Due to uncertainty, responsibility has its limits. Unanticipated extreme events, such as severe storms or wildfires, may eventually be followed by legal procedures or by actors being held morally responsible for their behavior during these events. However, the occurrence of such events usually means that the rules in place beforehand are temporarily suspended – or understood as such. *Accidentalism* is thus an important dimension of *ex post* responsibility, limiting the scope of both liability and accountability. While accidentalism can be formally inscribed as force majeure clauses in legal documents, our use of the concept denotes an actors understanding of responsibility as something temporarily suspended.¹ Both *care* and *obedience* become inadequate forms of *ex ante* responsibility when uncertainty increases and it becomes unclear what to care for or abide by. Responsible behavior then requires sensitivity and adaptiveness to external issues and actors.

¹ We borrow this term from philosophy, where it is used “for any system of thought which denies the causal nexus and maintains that events succeed one another haphazard or by chance” (*Encyclopedia Britannica*, 1911: 114).

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