

CHAPTER 3

Discourses of Decentralization

Local Participation and Sámi Space for Agency in Norwegian Protected Area Management

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Introduction¹

In 2010, the Norwegian Government implemented a reform that provided for local management of a broad range of protected areas.² Carried out despite concerns raised by both researchers and governmental bodies, the reform represents an attempt to decentralize protected area management, increase local participation, and safeguard the Indigenous rights of the Sámi people in Norway. It reflects ongoing trends and developments in discourses of protected areas and Indigenous rights, and it provides an interesting case for studying Indigenous peoples' space for

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agency in decentralized and participatory protected area governance approaches.

Traditional conservation discourses have enabled and encouraged centralized and standardized protected area governance and management, based on scientific knowledge and regulated by bureaucratic control. Indigenous presence and land use in areas set aside for protection has often been ignored or suppressed. Indigenous peoples have suffered forced displacement, loss of livelihood, criminalization of traditional practices, and loss of land as a result of protected areas.³

Following failing efforts to manage natural resources and the frustration of local populations affected by externally imposed arrangements and priorities, nature conservation discourses are increasingly emphasizing decentralization and local participation—often with the assumption that this will also lead to greater equity, increase democracy, and benefit minorities and marginalized groups, including Indigenous peoples.⁴ Parallel to the general shift toward more participatory and decentralized approaches in natural resource governance, recent decades have seen an increased focus on Indigenous peoples' participation in conservation governance and management. In particular, there is a growing attention to Indigenous traditional knowledge and practices as potentially beneficial for sustainable development and nature conservation outcomes, pushed for by Indigenous organizations and representatives and used by Indigenous peoples to strengthen their political position.⁵

Discourses of decentralization and public participation in nature conservation and discourses of Indigenous rights intersect and may be mutually reinforcing, but this convergence also holds potential for friction. Conservation goals or other social or developmental goals might be incompatible or even directly conflicted with Indigenous rights.⁶ Participatory approaches may sustain inequalities and power divisions on the local level, or risk enflaming local conflicts between different users or interests.⁷ Decentralization without additional efforts to include marginalized populations, mediate local conflicts, or build the capacity of marginalized

actors may result in increased inequalities.⁸ Colonial discourses are still present in conservation policy and practice, and the old paradigms of centralized control seem to be pervasive.⁹

Historically, protected area governance in Norway has been a largely top-down process. State agencies have held the main authority over the planning and management of national parks, nature reserves, and protected landscapes. The division of responsibilities and power between local, regional, and national levels has been debated since environmental authorities were first established in the 1970s, and Norway has engaged in efforts aimed at increasing local influence in environmental policy matters since the 1980s.¹⁰ The 2010 reform reflects ongoing trends in natural resource governance and Indigenous rights internationally, as well as the position of local and participatory democracy as an important cornerstone in the Nordic public management model and Norway's profile as actively engaging with Indigenous issues.¹¹

The aim of this chapter is to explore how discourses of decentralized nature conservation and protected area management shape the conditions for Indigenous influence and participation, using the Norwegian reform as an example and point of departure. I investigate the articulation of participation and Sámi rights in the design and implementation of the reform, and discuss the structuring of and conditions for participation in the new model for local protected area management.

Protected Areas on the Norwegian Side of Sápmi

Norway has a relatively short history of setting aside areas for protection and conservation. The country adopted its first nature conservation legislation in 1910, but until the 1950s, Norwegian nature conservation policy focused mainly on trees, rare plants, and threatened animal species. The first national park was established in 1962. Norway has since picked up the pace and taken active part in the international development of concepts for integrated use and protection of natural resources, for example,

sustainable development.¹² Today, 17 percent of the Norwegian land area is set aside for protection.¹³

Protected areas in Norway are designated by the national government's Ministry of Climate and Environment¹⁴ under the Nature Diversity Act of 2009¹⁵ (NDA). The authority to define goals for protected areas and decide on regulation and management plans lies with the national government. The Norwegian Environment Agency¹⁶ (NEA), an administrative authority under the Ministry of Climate and Environment, has delegated authority to approve management plans and to monitor municipal implementation of the NDA. County Governors (CGs; regional state authorities) have traditionally been responsible for the management of protected areas.

A large proportion of Norway's protected areas are situated in Sápmi, the traditional lands of the Indigenous Sámi people (see Map 3.1).¹⁷ The Sámi have lived in and used large parts of northern Fennoscandia since prehistoric times, and their traditional livelihoods have included combinations of reindeer herding, hunting, fishing, trapping, and farming. Reindeer herding occupies a central position in traditional and contemporary notions of Sámi culture and identity in both Sámi and majority discourses, although only a minor proportion of the Sámi are actively involved in reindeer herding today.¹⁸

Sámi experiences of colonization date back to the Middle Ages, when the Nordic kingdoms started to compete for land, tax revenues, and trade profits in the north.¹⁹ By the end of the 19th century, the Nordic states had claimed ownership over most of the Sámi territories and established policies that built openly on racist and colonial assumptions. Norwegian Sámi policies have included land appropriation, discrimination, and harsh assimilation policies.²⁰ After World War II, discourses on minorities and Indigenous rights shifted, and Sámi political mobilization gained momentum. The controversy over the damming of the Alta River in the late 1970s and 1980s put Sámi rights on the Norwegian political agenda, fueled Sámi decolonization efforts, and eventually led to a strengthening of Sámi rights in Norway.²¹ A Sámi



Map 3.1: Sápmi. Map: Heli Rekiranta.²²

Parliament, Sámediggi, was established in 1989, and in 1990, Norway became the first country to ratify the International Labour Organization Convention No. 169 on Indigenous and Tribal Peoples (ILO 169, 1989). As a consequence of the ratification, Norway has established agreements with the Sámediggi on consultation procedures for matters affecting Sámi interests.²³

Previous research on area protection on the Norwegian side of Sápmi indicates that protected areas can benefit Sámi interests by safeguarding against industrial development and other intrusions. However, protected areas may also be perceived as intrusive, limiting influence, obstructing reindeer herding, and increasing conflicts. Dominating discourses of nature and conservation do not always correspond well with Sámi notions of the environment; Sámi land and natural resource use may clash with other

parties' interests; and Sámi rights are often subordinated to other environmental commitments.²⁴ Norway continues to claim state ownership over Sámi territories, although developments in recent decades suggest a change in attitude on behalf of both the state and the courts.²⁵

The main form for Sámi inclusion and participation in protected area governance in Norway is through consultations with the Sámediggi, as regulated through the agreement between the Norwegian Government and the Sámediggi.²⁶ The Sámediggi was consulted on both the new NDA and on the 2010 reform of protected area management.²⁷ Since the introduction of the reform, Sámi participation in protected area management mainly takes place in the form of Sámi representation in local National Park Boards (NPBs).

The 2010 Reform

In its contribution to the budget bill for 2010,²⁸ the Norwegian Ministry of the Environment introduced a new management model for large protected areas in accordance with the new NDA,²⁹ which allowed for administrative authority for protected areas to be transferred to a "specially appointed body." The reform authorizes the Ministry to delegate the management of national parks and other large protected areas to inter-municipal NPBs, if a majority of the affected municipalities in each area agrees to the delegated management authority. The reform has also opened up for a reorganization and relocation of protected area management staff. Whereas previously employed by and placed with the County Governors' offices, protected area managers are now employed by the CGs, but located outside of their offices and subject to instruction by the NPBs.³⁰

Regulations, management plans, and operational rules for protected areas remained largely unchanged after the reform.³¹ The NPBs' mandate includes development and revision of protected area management plans (subject to approval by the Ministry), individual applications for exemption from protected area

regulations, and management activities to safeguard conservation values of protected areas.³² The CGs have the right to appeal decisions made by the NPBs to the NEA. The Ministry may revoke the NPBs' delegated authority and mandate, if it finds an NPB's decisions or activities to be inconsistent with relevant legislation or regulations.³³

The Ministry appoints the NPBs after nominations from municipal councils, county councils, and the Sámediggi. The degree of Sámi representation is determined based on the area's importance for Sámi culture and industry.³⁴ As of March 2021, 42 NPBs have been established.³⁵ The Sámediggi has appointed representatives (42 in total) to 21 of the NPBs. Their mandate is to represent Sámi interests and the Sámi people in their capacity as Sámi persons, and the Sámediggi does not have the authority to instruct them.³⁶

The reform drew on trial schemes for decentralized management of certain smaller protected areas implemented between 2002 and 2008, and was carried out despite concerns raised by both researchers and the NEA about the implementation and outcomes of the trials.³⁷ Studies of the trial schemes and the reform have pointed to how different goals, aims, and priorities between local and national levels have led to conflicts over management design, division of responsibilities, and identification of legitimate stakeholders.³⁸ Different understandings of the meaning of conservation, management, and knowledge and of the trade-offs between conservation and use have affected the implementation and legitimacy of the new management model.³⁹ Disparate notions of the role and function of the local boards have also caused tension,⁴⁰ and opinions differ on whether the reform does in fact increase local control over conservation policies.⁴¹

Analytical Framework

This chapter applies a discourse theoretical approach, departing from a recognition of language as constitutive of the social world.⁴² Social phenomena are given meaning through language, as concrete subjects or objects are connected to specific linguistic

signs, defined by their relation and difference to other signs.⁴³ While both possible and necessary, fixations of meaning are always temporary, represent sites of challenge and contestation, and need to be reproduced in order to maintain stability.⁴⁴ They are thereby always processes of power and politics.⁴⁵ Discourse analysis is concerned with mapping the processes through which meanings are established, considering their historical, cultural, and political context, and critically interrogating the power relations underlying them.⁴⁶

“Discourse” is understood here as a system of social relations, rules, and practices that systematically form the meaning of subjects and objects.⁴⁷ Discourses set limits for thought and action, thereby constraining or enabling certain policy options.⁴⁸ They govern what knowledge is perceived to be possible or legitimate, and whose claims to hold such knowledge are recognized as true.⁴⁹ Discourses create subjects, entail them with certain characteristics, and produce subject positions that set limits for subjects’ ability to speak and act.⁵⁰ Subject positions structure and regulate the field of possible identification and action, provide an interpretative frame for subjects within a social formation, and thus shape the space for subjects’ agency.⁵¹ Certain subject positions will make it difficult, or even impossible, for an individual or group to speak with authority or be recognized as a legitimate actor in a particular context, while other positions strengthen and add legitimacy to the claims or statements of a person or a collective.

The ability and capacity of Indigenous peoples to participate in or influence protected area governance and management is thus both enabled and constrained through discourse, as it is constructed and shaped through the discursive positioning of them as actors, the articulation of the conditions for their agency, and the construction of protected areas as a policy area.⁵² I use *space for agency* as a concept to describe and discuss the effects of these positionings, articulations, and constructions.⁵³ To investigate the formation of meaning and the shaping of spaces for Sámi agency in the new Norwegian model for local protected area management, I draw on Carol Bacchi’s application of the concept *problem*

representations and discourse theoretical concepts developed by Ernesto Laclau and Chantal Mouffe.⁵⁴

Bacchi suggests that policies and policy proposals, as prescriptive texts, contain implicit representations of the problems they aim to address. Representations of political problems work to fixate elements within discourse according to specific interpretations of the world. Furthermore, problem representations attribute identities to individuals and groups, thus shaping and governing their agency.⁵⁵ The analysis of problem representations in policy texts can illuminate their underlying assumptions and explore their consequences for spaces for agency. It exposes the construction of nature conservation as an area of politics and the positioning of subjects in relation to that domain.

With Laclau and Mouffe, focus lies with the production of meaning through the establishment of relationships between discursive elements. These processes, or *articulations*, invest meaning into linguistic signs, objects, subjects, subject positions, and other social phenomena and order them in relation to one another, thus resulting in a temporary fixation of the discourse.⁵⁶ Signs and concepts are sorted, linked, and defined in relation to one another and in opposition to other signs and concepts. These constructions privilege certain identifications while excluding or silencing others, thus shaping the space for agency of individuals and groups.

Through this combined approach, I am able to investigate the foundational assumptions of protected area discourses, as well as the fixation of meaning of particular concepts. It enables a discussion of tensions in the discourse, hegemonic formations, and power relations, and the effects of these processes on the space for Sámi agency under the Norwegian protected area reform.⁵⁷

Material and Methods

The reform of Norwegian protected area management was introduced through the Ministry of the Environment's budget bill for 2010⁵⁸ (hereafter, the 2010 budget bill). The reform had been made

possible by the passing of the new NDA,⁵⁹ which was preceded by a government-commissioned inquiry appointed to review Norway's legislation on the conservation and sustainable use of biological diversity. The inquiry committee submitted its final report (hereafter, the NDA Committee report) in 2004,⁶⁰ and the report was then circulated for comment to a broad range of governmental and civil society organizations. The Ministry of the Environment addressed the NDA Committee report, considered the statements from the consultation bodies, and introduced their bill to Parliament in 2009⁶¹ (hereafter, the NDA bill).

These documents—the legislative history of the NDA and the budget bill introducing the reform—provide a comprehensive basis for the analysis of the discursive context of the 2010 reform. The NDA sets the framework for the reform, as it provides the legal basis for its introduction and implementation. The legislative history of the NDA offers the opportunity to examine the discourses within which it was possible to propose and implement the reform and to trace tensions in discourse.

In addition, the empirical material for this chapter includes semi-structured interviews and observations.⁶² I have interviewed persons with insight into the consultations between the Sámediggi and the Norwegian Government on both the NDA and the protected area management reform (Interview 1, March 2014) and with experience of participation in local protected area management under the reform (Interviews 2–4, September 2014). The interviews covered a sequence of themes relating to the reform and local protected area management, including: the interviewee's role and experiences; the functioning of the new management model; relationships between different groups of actors and different administrative and political levels; potential conflicts and conflict resolution; and Sámi rights and influence. The observations were carried out during a board meeting of an NPB, which included a one-day field trip into one of the national parks they manage. My role as an observer resembled what Alan Bryman calls the "minimally participating observer," where the researcher interacts with members of the observed group, but participates minimally

in the group's core activities and does not rely on observations as the main source of data.⁶³ My participation included a short presentation of my research interests and methods to the board, and interactions with board members and staff during the field trip and over meals. I took notes continuously and wrote them out the same day. I also discussed my observations with the interviewees.

The interviews and my observations complement the documents with local perspectives and insights into how persons directly involved in local protected area management experience and make sense of the reform. Furthermore, they allowed me to establish relationships with and learn from persons with direct experience of local protected area management under the reform.

Documents and interview transcripts were coded through the identification of themes drawn from theoretical assumptions and emerging from the empirical material. I searched the material for articulations of decentralization, participation, local influence, and Sámi rights; looked for descriptions of roles and responsibilities; and examined representations of and proposed solutions to problems. All translations of the material to English used in the following are my own.⁶⁴

Results

Articulations of Sámi Rights and Protected Areas

The NDA Committee report and the NDA bill articulate Sámi rights in relation to protected areas in connection with two, slightly different, problem representations. These two articulations could entail different conditions for Sámi participation and influence in protected area governance and management, and enable and restrain Sámi space for agency in relation to protected areas in different ways.

The first problem representation focuses on Norway's obligations to respect, protect, and preserve Sámi culture and rights, and the ways in which protected areas can achieve this. The NDA Committee report refers to area protection as a tool to strengthen the

natural resource base of Sámi culture.⁶⁵ It argues that as protected areas aim to preserve the natural values of an area, they can contribute to the safeguarding of land, water, and natural resources of importance to Sámi culture, as well as traditional Sámi use of remote areas.⁶⁶ The NDA bill establishes that since the Sámi often have a closer relationship with nature than others have, and rely more on natural resources to maintain and develop their culture, the new law is highly relevant to the protection of Sámi interests and rights in Norway.⁶⁷ It further states that, in many cases, including Sámi contexts, the continuation of traditional use and cultural practices is dependent on conservation and area protection.⁶⁸

The second problem representation is occupied with the possibilities to combine conservation of natural values with continued use of land and natural resources. It expresses the relationship between protected areas and Sámi rights as a mutually beneficial convergence of interests, but emphasizes that conservation will be prioritized over any user interest and that protected areas are *not* a means to secure Sámi rights. The NDA Committee report states that considerations of biodiversity conservation and of Sámi interests often overlap, that area conservation can contribute to the protection of the natural resource base for Sámi culture, and that management plans for individual national parks may include the safeguarding of the natural resource base for Sámi culture and continued Sámi traditional use.⁶⁹ However, it also articulates protected areas as potentially conflicting with Sámi use, refers to instances where Sámi use can affect biological diversity negatively, and argues that protected areas are not established with the objective of conserving areas for reindeer herding.⁷⁰

The NDA bill argues that a new Nature Diversity Act is important to the protection of Sámi interests and rights in Norway, as area protection can safeguard the natural resource base for Sámi culture and industry.⁷¹ It proposes an amendment of the statutory objective of the law to acknowledge the value of nature as a basis for Sámi culture.⁷² Nonetheless, it emphasizes that the protection of natural values is the main objective of conservation and clearly states that protection of user values is not a goal in itself for the

new law. It establishes that consideration of conservation values will be prioritized over user interests in protected areas and argues against area protection as a measure to protect any form of use, industry, or cultural practice over others.⁷³

My observations and interviews illustrated the potential tension between these representations. One of the points for discussion during the field trip was facilitation for visitors to the national parks. A related issue, concerning information and signage at entry points to the national parks, was one of the board meeting's agenda items. The discussions mainly concerned the preparation of trails, the installation of footbridges, and the location and design of signs. They did not address the purpose of the signs, the focus of the information displayed, or the potential conflicts between national park visitors' access and reindeer herders' interests and needs.

The main problem in these discussions was not how to use protected areas to protect Sámi interests and rights. If it had been, the discussion of entry points could have covered visitor access to reindeer grazing pastures and reindeer herding areas, the focus of facilitating activities could depart from the needs of reindeer herders, and the orientation and content of visitor information could be aimed at minimizing disturbance to reindeer herding and other Sámi activities. Instead, the second problem representation—the potential conflict between and need to balance conservation and use, and the prioritization of conservation objectives over Sámi rights—appeared more prominent.

Articulations of Participation

The NDA Committee report, the NDA bill, and the 2010 budget bill all articulate local participation as central to protected area management and Sámi participation as a given in Sámi areas.⁷⁴ A closer analysis of these articulations shows that the documents define, describe, and argue for participation in relation to a number of different concepts, problem representations, and proposed solutions. Among these, Norway's commitments under

international law, the importance of local knowledge to fulfill environmental goals, and issues of legitimacy and conflict resolution appear as especially salient.

International commitments

The documents articulate Norway's international commitments as central to the issue of local and Sámi participation in protected area governance and management. The NDA Committee report describes the principle of public participation as "a principle in environmental law."⁷⁵ The NDA bill refers to how international guidelines for sustainable use, and the concept of sustainable development itself, emphasize local management and the connection between rights to a resource and responsibility for sustainable use of that resource.⁷⁶ Both the NDA Committee report and the NDA bill refer to the *ecosystem approach*⁷⁷ as a guiding framework for nature conservation and protected area governance and management.⁷⁸ The documents thus position Norway as having committed to principles of subsidiarity, decentralization, and local participation.

The concept of participation is here linked to involvement, responsibility, and sustainability. It is connected to notions of a holistic, ecosystem-based approach and associated with an understanding of sustainable development, with social aspects as an integral component. The policy problem represented centers on Norway's commitments under international law and agreements to promote and facilitate local and Sámi participation in protected area governance and management. This problem representation positions Norway in relation to an international discourse where participation in conservation and protected area governance and management is desirable and necessary. A related representation centers on Norway's obligations under the CBD, including the use of different kinds of knowledge to ensure effective management. Here, *Sámi participation* is linked to *traditional knowledge* and *sustainable use*.

The NDA Committee report, the NDA bill, and the 2010 budget bill all underline the right of the Sámi as an Indigenous people to participate or be consulted in decision-making procedures

on matters of significance to them, as established through Norway's ratification of ILO 169.⁷⁹ The documents establish the Sámi as holders of traditional knowledge and Norway as having obligations under Article 8(j) of the CBD to acknowledge, protect, and make use of that knowledge and to guarantee Sámi consent and participation in the process.⁸⁰ References to Article 27 of the International Covenant on Civil and Political Rights⁸¹ connects the protection of nature and biological diversity to the protection of the natural resource base for Sámi culture.⁸² With the problem represented to be Norway's obligations under ILO 169 and the full and effective implementation of these obligations, *Sámi participation* is articulated as a *right* held by the Sámi as an *Indigenous people*.

The NDA Committee report makes efforts to define and qualify this right. It rejects an interpretation⁸³ of Article 15(1) of ILO 169 that the right of Indigenous peoples to "participate in the use, management and conservation" of the lands and natural resources that they traditionally occupy and use entails the right to participate in decision-making and to be represented in decision-making bodies. The report concludes that such an interpretation would either have consequences for the composition of the Norwegian Parliament and Government, or prohibit these bodies from adopting laws or regulations on natural resources in Sámi areas, and that this would go too far beyond Norway's obligations under other international law.⁸⁴

Local knowledge and environmental objectives

The articulation of participation in relation to international commitments relates closely to an articulation of participation as important to environmental objectives, particularly to gain access to local knowledge relevant for the conservation and sustainable use of biological diversity and natural resources. Article 8(j) of the CBD and the articulation of the ecosystem approach are central to this articulation, which reinforces the linking of *participation* to *local* and *traditional knowledge* and *sustainable use*, here assumed to contribute to *strong* or *strengthened management*.

The NDA Committee report concludes that Norway is obligated to respect, preserve, and maintain traditional knowledge, and that this requires the inclusion of holders of traditional knowledge in relevant decision-making and policy processes.⁸⁵ The NDA bill refers to Norway's obligations under the CBD to promote a wider application of traditional knowledge and practices, and stresses the importance of letting holders of such knowledge determine to what degree it should be shared and used.⁸⁶ The 2010 budget bill establishes the access to and use of local knowledge and experience as desirable, particularly in protected area management, where it can contribute to a strengthened management and add value to conservation efforts.⁸⁷

The problem is represented to be the importance of incorporating local knowledge, experiences, and practices in protected area management in order to strengthen protected area management and achieve environmental goals. Sámi participation is part of the solution to this problem, as the use and promotion of traditional knowledge requires the consent and participation of traditional knowledge holders. This articulation of participation thus includes an acknowledgement of the potential contribution of Sámi traditional knowledge and practices to conservation objectives and links these potential contributions to issues of influence and participation.

In interviews with NPB members appointed by the Sámediggi (Interview 2) and a municipality (Interview 4), both interviewees described access to and use of local and Sámi traditional knowledge as an advantage of local management, but also pointed to a lack of effective recognition of traditional knowledge and traditional knowledge holders in the existing structure. The municipality representative (Interview 4) discussed the institutional and organizational structure, modeled on Norwegian municipal and state organization, as a potential obstacle for Sámi participation and unfavorable for the incorporation of traditional knowledge.

Legitimacy and conflict resolution

A third articulation of participation focuses on public legitimacy of conservation policies and protected areas and participation as a way to reduce and resolve conflicts both within and across levels.

The NDA Committee report states that issues of political legitimacy have been particularly pertinent to conservation policy and establishes delegation as a potential tool to reduce conflicts between state and local authorities.⁸⁸ The report recognizes that protected areas may be a source of conflict in relation to Sámi use of land and natural resources. It maintains that conflicts over protected areas in Sámi territories often relate more to issues of rights to, and management responsibilities for, land and natural resources than to the actual restrictions or activities in a particular protected area, and suggests strengthening Sámi and local influence in conservation processes as a remedy.⁸⁹

The NDA bill acknowledges an inherent conflict of interest in protected areas, referring to conservation versus use, and points to open and inclusive conservation processes and exchanges of information as means to reduce conflict and increase acceptance for area protection.⁹⁰ The 2010 budget bill stresses the necessity of increased local affiliation with and sense of ownership of protected areas, states this as an argument for increased participation in protected area management, and articulates Sámi participation as a prerequisite in Sámi areas.⁹¹

Participation is here linked to *conflict reduction*, *conflict resolution*, *legitimacy*, *acceptance*, and *affiliation*. The problem representation centers on a lack of legitimacy and acceptance of conservation policies and protected areas, and a need to avoid, reduce, and resolve conflicts in relation to area protection. It focuses on two principal dimensions of conflict: conflicts between conservation and use, and conflicts between authorities, goals, and commitments on international, national, and local levels.

The interviewees confirmed notions of participation and local management as a way to reduce or resolve conflict, increase acceptance of protected areas, and increase the legitimacy of protected area governance and management. They focused on the same dimensions of conflict as the documents—between conservation and use, and between different administrative and political levels. A Sámediggi employee (Interview 1) stated that local management could potentially increase Sámi acceptance of protected areas, if it increases the possibilities to influence management and

creates new income opportunities for local people. A member of the management staff of an NPB (Interview 3) pointed out geographical proximity and interaction with local people as a factor for conflict reduction and as an advantage of local management over centralized arrangements.

However, the interviewees also expressed disappointment in the functioning of the NPB and described ongoing friction and conflict between different sectors and levels. An NPB member representing a municipality expressed frustration over the lack of space for local discretion and flexibility in the new management model (Interview 4). An NPB member appointed by the Sámediggi (Interview 2) called for increased Sámediggi involvement, both to support Sámi representatives on the board and to influence protected area governance at the national level.

Discussion

The results of this analysis illustrate the potentially different consequences for Indigenous space for agency following from different articulations of Indigenous peoples and their rights in relation to protected areas. The discourse of the Norwegian reform reproduces notions of how decentralization could, or should, make management more effective, benefit minorities and marginalized groups, and ensure the appropriate use and incorporation of local and traditional knowledge in protected area management. However, the relationship between Sámi rights and protected areas is articulated in different, potentially contradictory, ways, and central concepts remain open for different ascriptions of meaning. This may open up discursive struggles where histories of marginalization and remaining unequal power relations can work to limit Sámi space for agency in protected area governance and management.

On the one hand, the documents articulate an understanding of protected areas as a potential means to secure Sámi culture and rights. This articulation could enable space to argue for initiation of conservation efforts or protected areas, as well as against them, depending on the perception, interests, and strategies of concerned

Sámi communities. On the other hand, the documents express the relationship between protected areas and Sámi culture and use as potentially mutually beneficial, but also potentially conflicting. This articulation reproduces the prioritization of conservation objectives over Sámi rights. Its consequences could include Sámi rights, traditions, or knowledge being recognized only when they correspond with or contribute to conservation objectives.

The concept of *participation* appears as a central point in Norwegian protected area discourse. Participation is ascribed a variety of meanings, each of which could potentially shape and direct Sámi space for agency. The analyzed texts articulate participation as a requirement following from Norway's international commitments on both conservation and Indigenous rights; as a contributor to the fulfillment of environmental objectives; and as an instrument for reducing, resolving, or avoiding conflict. Participation is defined through its links to *involvement, responsibility, and sustainability; Indigenous rights; traditional knowledge and sustainable use; and conflict reduction, legitimacy, acceptance, and affiliation*. While the different meanings invested in the concept of participation are not necessarily mutually exclusive, they may not always correspond well, and they each potentially shape the space for agency of participants in protected area management.

The articulation of participation as a right pertaining to the Sámi as an Indigenous people, following from Norway's commitments under ILO 169, positions the Sámi as rights-holders and Norway as having obligations to protect those rights. By comparison, the articulation of participation in connection to the merits of local and traditional knowledge, following from Norway's obligations under the CBD, gives a more instrumental value to Sámi participation, thus qualifying the participation of Sámi subjects in protected area governance and management on their position as holders of traditional knowledge.⁹² The focus on Indigenous peoples' contributions to conservation objectives and ability to manage natural resources sustainably has often proved a fruitful way to advance Indigenous rights, but it also entails a risk of reproducing stereotypes and colonial constructs of Indigenous peoples.⁹³

The articulation of participation and local management as a tool to access and make use of traditional knowledge could potentially strengthen Sámi influence or serve as an argument for alternative management structures, based on Sámi organizational knowledge and practices. However, there appears to be a discrepancy between this articulation and the space for local and Sámi traditional knowledge in the established local management structures. The articulation of participation in relation to conflict reduction and legitimacy appears to be open enough for actors on the local level to interpret it as a promise of local discretion and opportunities to prioritize in ways that benefit the municipality and its inhabitants, while authorities on the national level see it as a tool to implement national goals.⁹⁴

The construction of *participation* in the discourse of protected area management makes the concept possible to integrate into the existing structure without fundamentally changing or challenging dominating relationships of power, divisions of responsibilities, or objectives for management.⁹⁵ My results indicate the hegemony of a discourse that structures conduct and agency as “participation” within a rather inflexible system modeled after traditional, centralized organizational structures. Articulations of protected areas as instruments to safeguard Sámi culture and rights could open up for protected areas based on Sámi priorities and use, protected areas with restrictions on other land uses but not Sámi use, and management structures based on Sámi organizational knowledge and practices. Such effects are not visible in the material I have analyzed here. Participation under the reform is organized largely through arrangements modeled on conventional, centralized governance and management structures, and the results of this study suggest that environmental objectives and the conservation of biological diversity continue to take priority over Sámi rights to control their traditional territories.⁹⁶

Concluding Remarks

Discourses of decentralization and local protected area management in Norway shape the conditions for Sámi influence

and participation in ways that both enable and restrain Sámi space for agency in relation to protected areas. Articulations that connect to international Indigenous rights law and promote Sámi rights within existing structures enable space for Sámi agency through consultations and consideration. Articulations of Sámi participation that stress their contribution to conservation objectives enable space for Sámi actors to protect and promote their traditional knowledge. Nonetheless, these articulations also work to obscure alternative understandings, and they restrict Sámi space for agency by shaping it according to hegemonic discourses.

Norway's organization of protected area governance and management provides arenas for Sámi influence both through consultation and direct participation. All representations and articulations analyzed in this chapter acknowledge Sámi political and procedural rights and underline the importance of safeguarding Sámi culture and rights. In this regard, the Norwegian case could serve as an example for protected area governance and management on Indigenous lands elsewhere. However, the discourses analyzed mainly concentrate on Sámi rights within existing governance and management structures and do not necessarily enable the space to question those structures. The failure to radically reconsider the fundamental assumptions of discourses of protected area management risks upholding or reinforcing asymmetrical relationships of power, reproducing stereotypes, and hindering decolonization efforts.⁹⁷ Further research should continue to scrutinize the hegemonic discourses governing these arenas and explore alternative approaches to Indigenous peoples' rights and participation in relation to protected areas.

Notes

- ¹ A previous version of this manuscript was included in the author's PhD thesis (Reimerson, "Nature, Culture, Rights"), which was published as an Umeå University Department of Political Science Research Report. The manuscript is included in full text in the

printed version of the thesis (approximately 200 copies), but not in the digital repository.

- ² Prop. 1 S (2009–2010), Proposisjon til Stortinget (forslag til stortingsvedtak) for budsjettåret 2010, 218–26.
- ³ Adams, “Nature and the Colonial Mind”; Adams and Hutton, “People, Parks and Poverty”; Colchester, “Conservation Policy and Indigenous Peoples”; Stevens, “Legacy of Yellowstone”; West, Igoe, and Brockington, “Parks and Peoples.”
- ⁴ Dressler et al., “From Hope to Crisis”; Kothari, Camill, and Brown, “Conservation as if People Also Mattered”; Lemos and Agrawal, “Environmental Governance”; Reed, “Stakeholder Participation.”
- ⁵ Berkes, Colding, and Folke, “Rediscovery”; Colchester, “Conservation Policy and Indigenous Peoples”; Heinämäki, “Protecting the Rights”; Stevens, “New Protected Area Paradigm.”
- ⁶ Hirsch et al., “Acknowledging Conservation Trade-Offs”; Kashwan, “Politics of Rights-Based Approaches.”
- ⁷ Falleth and Hovik, “Local Government”; Hovik, Sandström, and Zachrisson, “Management of Protected Areas”; Riseth, “Indigenous Perspective on National Parks.”
- ⁸ Bay-Larsen, “Constitution of Power”; Lane, “Participation”; Ribot, *Waiting for Democracy*; Robins, “Insiders Versus Outsiders.”
- ⁹ Reimerson, “Sami Space for Agency”; Reimerson, “Nature, Culture, Rights”; Reimerson, “Between Nature and Culture”; Wilshusen et al., “Reinventing a Square Wheel.”
- ¹⁰ Bay-Larsen, “Conservationists’ Concerns”; Fauchald and Gulbrandsen, “Norwegian Reform”; Fauchald, Gulbrandsen, and Zachrisson, “Internationalization of Protected Areas”; Hovik and Reitan, “National Environmental Goals.”
- ¹¹ Falleth, Sandkjaer Hanssen, and Røiseland, “Introduction”; Hongslo et al., “Decentralization of Conservation Management,” 998–1014; Minde, “Sami Land Rights.”
- ¹² Bay-Larsen, “Bureaucrats and Boundaries,” 14; Fedreheim, “Value Creation,” 96–103.
- ¹³ State of the Environment Norway, “Protected Areas.”
- ¹⁴ 1972–2013 Ministry of the Environment, 2014– Ministry of Climate and Environment.
- ¹⁵ The 2009 Nature Diversity Act replaced the Nature Conservation Act of 1970.
- ¹⁶ The NEA was created in 2013 through a merger of the Norwegian Directorate for Nature Management, which was the agency previously

responsible for protected areas, and the Norwegian Climate and Pollution Agency.

- ¹⁷ *Sápmi* is the name for the Sámi territory and people in *davvisámegiella* (Northern Sámi), the most widely spoken of the Sámi languages.
- ¹⁸ Lantto and Mörkenstam, "Sami Rights."
- ¹⁹ Hansen and Olsen, *Samernas historia*.
- ²⁰ Hansen and Olsen, *Samernas historia*; Minde, "Assimilation of the Sami"; Minde, "Challenge of Indigenism."
- ²¹ Minde, "Challenge of Indigenism."
- ²² Place names gathered from Kartverket (Norwegian Mapping Agency), "Norgeskart"; Sámediggi (Sami Parliament of Sweden), "Ortnamn"; Sammallahti, *Sámi-suoma-sámi sátnegirji*.
- ²³ Ministry of the Environment, and Sámediggi—Sametinget, "Avtale"; Ministry of Local Government and Modernisation, and Sami Parliament, "Procedures for Consultations."
- ²⁴ Heikkilä, "Sámi Reindeer Herding"; Riseth, "Indigenous Perspective"; Risvoll et al., "Pastoralists' Participation," 71; Ween and Lien, "Decolonization in the Arctic?"
- ²⁵ Allard, "Nordic Countries' Law."
- ²⁶ Ministry of Local Government and Modernisation, and Sami Parliament, "Procedures for Consultations."
- ²⁷ Ot.prp. nr. 52 (2008–2009), Om lov om forvaltning av naturens mangfold (naturmangfoldloven), 33–39.
- ²⁸ Prop. 1 S (2009–2010).
- ²⁹ Nature Diversity Act, Act of 19 June 2009 No. 100 relating to the management of biological, geological and landscape diversity, Section 62 (2009).
- ³⁰ Fauchald and Gulbrandsen, "Norwegian Reform," 214.
- ³¹ Aasen Lundberg et al., "Nye lokale forvaltningsmodellen."
- ³² cf. Norwegian Environment Agency, "Vedtekter."
- ³³ Prop. 1 S (2009–2010), 225.
- ³⁴ Prop. 1 S (2009–2010), 224.
- ³⁵ Norges nasjonalparks-og verneområdestyrer, "Nasjonalpark-og verneområdestyrer."
- ³⁶ Sámediggi—Sametinget, "Areal, klima og miljø."
- ³⁷ Falleth and Hovik, *Lokal forvaltning*; Falleth, Hovik, and Sandström, *Blåffjella*; Norwegian Environment Agency, *Lokal forvaltning*.
- ³⁸ Falleth and Hovik, "Local Government"; Fauchald and Gulbrandsen, "Norwegian Reform"; Hovik, Sandström, and Zachrisson, "Management of Protected Areas."

- ³⁹ Bay-Larsen, "Constitution of Power"; Bay-Larsen, "Conservationists' Concerns"; Eira, "Medforvaltning"; Engen, Fauchald, and Hausner, "Stakeholders' Perceptions."
- ⁴⁰ Riksrevisjonen, *Riksrevisjonens undersøkning*; Risvoll et al., "Pastoralists' Participation."
- ⁴¹ Hovik and Hongslo, "Balancing Local Interests"; Overvåg, Skjeggedal, and Sandström, "Management of Mountain Areas"; Skjeggedal, Overvåg, and Riseth, "Land-Use Planning."
- ⁴² Winther Jørgensen and Phillips, *Discourse Analysis*, 10–12.
- ⁴³ Howarth, *Discourse*, 101–02; Laclau and Mouffe, *Hegemony & Socialist Strategy*, 105.
- ⁴⁴ Laclau and Mouffe, *Hegemony & Socialist Strategy*, 110–13.
- ⁴⁵ Foucault, *Power/Knowledge*, 98, 119, 198; Howarth, *Discourse*, 9.
- ⁴⁶ Howarth, *Discourse*, 129; Winther Jørgensen and Phillips, *Discourse Analysis*, 10–12.
- ⁴⁷ Foucault, *The Archaeology of Knowledge*, 54; Howarth, *Discourse*, 9.
- ⁴⁸ Feindt and Oels, "Does Discourse Matter?"
- ⁴⁹ Foucault, *The Archaeology of Knowledge*, 55–61.
- ⁵⁰ Laclau and Mouffe, *Hegemony & Socialist Strategy*, 115; Smith, *Laclau and Mouffe*, 55–59.
- ⁵¹ Smith, *Laclau and Mouffe*, 56–64.
- ⁵² Davies, "Agency," 343–44; Foucault, *Power/Knowledge*, 98; Mouffe, "Democratic Citizenship," 80; Smith, *Laclau and Mouffe*, 68, 158.
- ⁵³ Reimerson, "Sami Space for Agency"; Reimerson, "Nature, Culture, Rights"; Reimerson, "Between Nature and Culture."
- ⁵⁴ Bacchi, *Analysing Policy*; Laclau and Mouffe, *Hegemony & Socialist Strategy*.
- ⁵⁵ Bacchi, *Analysing Policy*, 16–32.
- ⁵⁶ Laclau and Mouffe, *Hegemony & Socialist Strategy*, 105–14, 127–30.
- ⁵⁷ Bacchi, *Analysing Policy*, 2–21; Laclau and Mouffe, *Hegemony & Socialist Strategy*, 127–30, 136–43; Winther Jørgensen, and Phillips, *Discourse Analysis*, 43–45, 50–51.
- ⁵⁸ Prop. 1 S (2009–2010).
- ⁵⁹ Nature Diversity Act 2009.
- ⁶⁰ NOU, Lov om bevaring av natur, landskap og biologisk mangfold (2004:28).
- ⁶¹ Ot.prp. nr. 52 (2008–2009).
- ⁶² Flick, *Introduction to Qualitative Research*, 222–33; Kvale, *Doing Interviews*, 51.
- ⁶³ Bryman, *Social Research Methods*, 443–44.

- ⁶⁴ Official versions of the analyzed documents are available in Norwegian only. An unofficial translation of the NDA is available at Ministry of Climate and Environment, "Nature Diversity Act." Interviews and observation were undertaken in Swedish and Norwegian.
- ⁶⁵ NOU 2004:28, 478–79.
- ⁶⁶ NOU 2004:28, 485, 78.
- ⁶⁷ Ot.prp. nr. 52 (2008–2009), 33.
- ⁶⁸ Ot.prp. nr. 52 (2008–2009), 187.
- ⁶⁹ NOU 2004:28, 298, 463.
- ⁷⁰ NOU 2004:28, 463.
- ⁷¹ Ot.prp. nr. 52 (2008–2009), 202.
- ⁷² Ot.prp. nr. 52 (2008–2009), 60–61.
- ⁷³ Ot.prp. nr. 52 (2008–2009), 60–61, 198, 202.
- ⁷⁴ NOU 2004:28, 352; Ot.prp. nr. 52 (2008–2009), 226. Prop. 1 S (2009–2010), 222.
- ⁷⁵ NOU 2004:28, 196.
- ⁷⁶ Ot.prp. nr. 52 (2008–2009), 76, 84.
- ⁷⁷ As defined and developed under the Convention on Biological Diversity (CBD) and including a distinct focus on decentralization and incorporation of local and traditional knowledge. See COP-CBD, *Report of Workshop*; SCBD, "Ecosystem Approach."
- ⁷⁸ NOU 2004:28, 148–51, 86–89; Ot.prp. nr. 52 (2008–2009), 51–52, 76, 84, 94–95, 97, 206.
- ⁷⁹ NOU 2004:28, 469, 86–87; Ot.prp. nr. 52 (2008–2009), 47; Prop. 1 S (2009–2010), 222.
- ⁸⁰ NOU 2004:28, 464–66; Ot.prp. nr. 52 (2008–2009), 89–93; Prop. 1 S (2009–2010), 222.
- ⁸¹ ICCPR, *United Nations, Treaty Series*, vol. 999, p. 171 (1966).
- ⁸² NOU 2004:28, 466–68; Ot.prp. nr. 52 (2008–2009), 46–48.
- ⁸³ The report refers here to an evaluation of a government bill concerning the Finnmark Act (2005), requested by the Standing Committee on Justice of the Parliament and delivered to the Ministry of Justice as part of the legislation process. See Graver and Ulfstein, *Folkerettslig vurdering*.
- ⁸⁴ NOU 2004:28, 469.
- ⁸⁵ NOU 2004:28, 462, 65, 85–86.
- ⁸⁶ Ot.prp. nr. 52 (2008–2009), 89–90, 92.
- ⁸⁷ Prop. 1 S (2009–2010), 222, 23.
- ⁸⁸ NOU 2004:28, 94–96.

- ⁸⁹ NOU 2004:28, 463, 72–74; NOU 2004:28, 486.
- ⁹⁰ Ot.prp. nr. 52 (2008–2009), 226.
- ⁹¹ Prop. 1 S (2009–2010), 222.
- ⁹² cf. Reimerson, “Sami Space for Agency”; Reimerson, “Between Nature and Culture.”
- ⁹³ cf. Conklin and Graham, “Shifting Middle Ground”; Lindroth and Sinevaara-Niskanen, “Crossroads”; Nadasdy, “Transcending the Debate”; Redford, “Ecologically Noble Savage.”
- ⁹⁴ cf. Hovik and Hongslo, “Balancing Local Interests”; Overvåg, Skjeggedal, and Sandström, “Management of Mountain Areas.”
- ⁹⁵ cf. Methmann, “Climate Protection.”
- ⁹⁶ cf. Overvåg, Skjeggedal, and Sandström, “Management of Mountain Areas”; Skjeggedal, Overvåg, and Riseth, “Land-Use Planning.”
- ⁹⁷ Banerjee and Linstead, “Masking Subversion”; Howitt and Suchet-Pearson, “Rethinking the Building Blocks.”

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