Public Perception of Risk Management in Environmental Controversies: A U.K. Case Study*

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Introduction

The last few decades have been characterized by an emerging public consciousness in regard to environmental issues. The environmental movement arose out of increasing awareness of the long-term impacts that established and proposed developments may have and has produced conflicts covering a wide range of environmental issues. Although the topic has aroused the interest of various disciplines, its systematic study is relatively recent and the key elements of the field have yet to be explored.[1]

Early research on conflict resolution examined conflict with a view to reducing or even eliminating it from the social arena. This approach can be seen in relation to the use of negative definitions of conflict, which led to the assumption that it has only destructive effects and should therefore be avoided altogether.[2] In contrast, the current trend in conflict research acknowledges the importance of conflict as a necessity for attaining progress. However, while some optimum level of conflict serves as a means of social change and of an increase in societal adaptability, inappropriate levels of conflict can have dysfunctional

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1 Morton Deutsch, *Subjective Features of Conflict Resolution: Psychological, Social and Cultural Influences,* in **New Directions In Conflict Theory: Conflict Resolution And Conflict Transformation** 26 (R. Vayrynen ed., 1991).

2 Maria Simosi & Peter T. Allen, *Existing Environmental Conflict Resolution Procedures in the U.K.,* Report to the E.C. under contract ENV-CT96-0270 (June 1997).

effects. For instance, it may be the source of misperceptions, information withholding and suspicious, hostile attitudes which increase sensitivity to differences and threats, while minimizing awareness of similarities.[3] Consequently, current social psychological research on conflict attempts to identify and explain the conditions which give rise either to constructive or destructive resolution.

In sum, existing studies reveal an association between conflict escalation and destructive effects. More specifically, where conflict has escalated above a certain point and not been managed there are destructive consequences. Environmental disputes are ubiquitous phenomena in which competing stakeholders with incompatible views and values may be involved. It should, however, be taken into account that conflict may have valuable functions for environmental planning. Thus, the question is no longer how to eliminate conflict but rather how to create the conditions which encourage constructive resolution of controversies. For this reason, the paradigm in conflict research needs to shift its emphasis from the content of conflict (i.e. what the conflict is about) towards the process followed (i.e. how conflict evolves over time). Doing this will enable an understanding of the conditions and the mechanisms which lead to either escalation or effective resolution of such situations to be elaborated.

Adopting a Social-Psychological Perspective on Conflict Resolution

The present study adopts a social-psychological perspective of conflict research by examining environmental controversies as "social constructs". Shockley-Zalabak postulated that the way in which individuals define, interpret and choose to handle conflict is more critical than the nature of the conflict itself.[4] According to Felstiner et al., "[d]isputes are not things; they are social constructs...a significant portion of which exists only in the minds of the disputants."[5] People interact on the basis of the meanings they assign to the world around them. Individuals respond to each other in terms of their perceptions

3 Morton Deutsch, **The Resolution of Conflict: Constructive and Destructive Processes** (1973).

4 Pamela Shockley-Zalabak, *Assessing the Hall Conflict Management Survey,* 1 **Management Communication Quarterly** 302 (1988).

5 William Felstiner et al., *The Emergence and Transformation of Disputes: Naming, Blaming, Claiming,* 15 **Law and Society Rev.** 631 (1980).

and cognitions of each other, which reflect their own expectations and may not correspond to the other's actualities.[6] Even if people are "mistaken" in their interpretation of a situation, such interpretations, nevertheless, have "real" consequences.[7] The way that a conflict is represented depends on the stakeholder's own perception of the particular situation; different stakeholders may conceptualize the "same" conflict situation in a different way.

Therefore, in order to understand the evolution of a particular case and better appreciate its developmental course, one needs to closely examine the ways in which the various stakeholders represent the situation. In making their representation, stakeholders conceptualize the conflict and gradually assign structure to it, assess various possible alternatives of action and make a decision on which course of action to follow. Thus far, the examination of conflict resolution, in the light of the way in which parties represent the situation, has been largely neglected by research, even in spite of the fact that the interrelations between perception and conflict resolution strategies employed in a particular situation have already been pinpointed.[8] For instance, a comprehensive understanding of conflict resolution calls for consideration of not only what one calls "objective" factors (e.g. stakeholders' resources, power, alliances, features of the socio-cultural context), but also the "subjective" factors (e.g. values, goals, and perceptions of the conflict situation).[9]

Contextualizing the Case Study Research-Historical Background

Conflict research often assumes that conflict interactions occur in a cultural vacuum in the sense that processes, such as motivations, cognitions and conflict handling choices, are unaffected by the cultural milieu or social status of the negotiators.[10] However, as with any other

6 Louis R. Pondy, *Organizational Conflict: Concepts and Models,* in **Readings in Managerial Psychology** 513 (H. Leavitt et al., eds., 1964).

7 Danny L. Jorgensen, **Participant Observation: A Methodology for Human Studies** (1989).

8 Simosi, *supra* note 2.

9 Deutsch, *supra* note 1.

10 Lawrence B. Nadler et al., *Culture and the Management of Conflict Situations*, in **Communication Culture and Organizational Processes** 87 (W. B. Gudykunst et al. eds., 1985).

form of social interaction, environmental conflict does not occur in a vacuum. The parties' conceptualizations of the conflict shape the way these processes are enacted. It is, therefore, appropriate to give the historical context of the present case study, West Wood, which divided the community as one of the most bitterly fought planning dispute in the district's recent history and one which divided the community.

West Wood is situated within the District of Shepway (population: 95,000) on the South East coast of Kent, broadly covering Folkestone to the East (home of the Channel Tunnel U.K. Terminal) and extending West along flat agricultural marshland to the vast shingle expanse of Dungeness which is dominated by the Dungeness Nuclear Power Stations. The area has traditional seaside resorts. The 436 acres of wood itself is situated within Lyminge Forest, owned by the U.K. Forestry Commission, and forms part of the Kent Downs Area of Outstanding Natural Beauty (AONB). It is classed as a site of Nature Conservation Interest. The proposed development takes the form of a 400 acre "Oasis Village" designed to provide short holiday breaks for over 4000 guests. It would involve the building of waterside villas, forest lodges, studio apartments and parking spaces.[11] If the construction took place approximately 140,000 people who visit West Wood and Lyminge Forest annually would be deprived of this amenity, local biodiversity would be endangered and the requirement for an additional 10,000 gallons of water per day could cause a local shortage.[12] However, the development would bring needed jobs to this comparatively poor area.

The evolution of the controversy surrounding the area is an example of how the environmental planning system works in the U.K. In July 1994, the developer submitted its planning application to construct an Oasis Village at West Wood. Within a few weeks, locals formed the "Save Lyminge Forest Action Group" (SLFAG) in order to fight the application.[13] Some time later, an "Oasis Village Support Group" was formed, for the purpose of the local public inquiry, although this group kept a low profile throughout the dispute.[14] Despite a ferocious

11 Information provided by leaflets produced by a local environmental group, Spring 1997.

12 *Id.*

13 Information offered by the SLFAG committee, July 1997, as well as from local newspapers, spring 1997.

campaign the proposal was approved by the District Council in November 1994.[15] The Department of the Environment called in the application for determination by the Minister of State and, starting in April 1995, an eight week public inquiry was held. Following this, the Minister approved the application in February of 1996, overriding the argument that the site is part of the North Downs AONB and was protected from development by the District Local Plan.[16]

In March 1996, SLFAG appealed to the High Court for a Judicial Review, which also found in favour of the Developer.[17] Then, in November, the Action Group appealed to the High Court again for a Hearing in the Appeal Court. which again found in favor of the Developer.[18] Next, the Action Group lodged an immediate appeal to go to the House of Lords, which was denied.[19] The day after this final decision, a group of environmental activists, so called direct action "eco-warriors", camped at the site in protest. They dug in at the site and constructed tree houses, tunnels and several pits where they could lock themselves to prevent removal.[20] Among the local population there were sympathizers who helped them with food, blankets, building materials and expertise in construction work.[21] Up to the time of writing of this article, the Developer had not decided to exercise its option to purchase West Wood, but the Forestry Commission, which owns the land, had obtained an eviction order against the activists. It has not executed the eviction based on the agreement that the campaigners will refrain from interfering with essential maintenance work in the woods.[22]

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14 Information based on an analysis of interviews conducted.

15 Information offered by the SLFAG committee, July 1997, as well as from local newspapers, spring 1997.

16 *Id.*

17 *Id.*

18 *Id.*

19 *Id.*

20 Direct observation and local newspaper account, April 17, 1997.

21 Local newspaper, April 1997.

22 Local newspaper, May 1997.

Methods

During the course of the controversy, twelve open-ended interviews and two focus group discussions were conducted with local people. The selection of interviewees partially depended on their availability and, consequently, no representative of the Oasis Village Support Group or the developer was included. The age of interviewees ranged from 20 to 76 years and educational levels varied from primary to university. As much as possible interviewees were chosen to be representative of different interest groups. The interviewees were:

- the chair, vice-chair and secretary of SLFAG;
- the chair of an environmental group which joined forces with SLFAG;
- two planning officers working in Shepway District Council, including the case officer for the particular case;
- five people living in the villages surrounding Lyminge Forest, four of whom were for the development, and one against;
- one focus group of local women who had provided support to the activists;
- the leader of the activists;
- one focus group with activists camping in West Wood.

The interviews and focus groups were audio-taped and the transcripts analysed using propositional analysis.[23] Propositional analysis is a discourse analytic method which permits identification of issues of concern to the informant when referring to his/her conceptualization of the conflict and how this conceptualization has evolved over time. Transcripts were coded in terms of the different propositions which stakeholders used and were subsequently divided into various groups which represented wider aspects of concern. These groups were called themes and were based on the content of the propositions.[24]

Analysis

The discourse analysis yielded several thematic groups which represented the most common areas of concern to these stakeholders:

1. Parties' aspirations
2. Attributions towards the opposite party

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23 George Gerbner, *Ideological Perspectives and Political Tendencies in News Reporting*, 41 **Journalism Quarterly** 495 (1964).

24 *Id.*

3. Availability of information
4. Attributions of intent towards authorities
5. Features related to the existing planning system.

The presentation of the results is structured to show how these themes appeared in the discourse depending on whether the particular stakeholder: (a) advocated for the development; (b) advocated against the development; or, (c) worked for the local Council.[25]

Parties' Aspirations

As might be expected, the stakeholders' discourse regarding their aspirations was found to differ depending on whether they argued for or against the development. Interviewees advocating for the development made extensive use of a "utilitarian discourse", referring to benefits such as the subsequent employment: [26]

> I think it would be a very good thing... and once completed, a lot of local people will find jobs and will be happy with it... because I think that a vast majority of people who oppose to it have no comprehension whatsoever about what it would be like... they've never been to the village... they've never spoken to people who live here. They don't want to understand it....

Following similar reasoning the local Council has positioned itself for the development since the beginning of the controversy. In their assessments, Council officers seem to have seen both economic and environmental benefits, even though the "utilitarian" consideration was still the most prominent in their discourse: [27]

> The economic consideration has been very important: tourism, benefits to industry, small businesses; people who will visit the town will spend money, visit local attractions. The other consideration, I suppose, is the environmental one. We saw environmental benefits; the West Wood area would be slightly developed. There are going to be additional areas created in such a way, that it will actually be a more decent area than now.... As the present situation is, the plantation hasn't been managed.

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25 Personal interview with Council case officer (July 1997).

26 Personal interview with owner of local Bed & Breakfast accommodation (July 1997).

27 Personal interview with Council case officer (July 1997).

In contrast, locals opposed to the development made use of a discourse about nature and referred to the effect that this development would have on the wider community and future generations: [28]

> The hidden costs come far too far in the future for people who want to build something tomorrow, to care about; because once they've got their permission and build it, they make their money and they are gone... they don't have to pick up the price... We need to make sure that the cost of affecting the true quality of life (e.g. water, growing things) is included in the cost of the development... In the West Wood case, this price is been born by ordinary people who are suffering ill health, loss of amenity, landscape, clean water.

Attributions Towards the Opposite Party

Stakeholders' discourse contained many attributions towards the other stakeholders. The theme of attribution has generally been found to be a very salient characteristic in conflict situations.[29] A party's assessment of another's intentions and motives has been found to be of primary importance in the conceptualization process of a conflict.[30] The present analysis revealed that stakeholders generally made attributions of intent about the other parties: [31]

> There are certain individuals in the action group who obviously don't want the construction for their own personal reasons; they have their own holiday complexes.

In a similar discourse, a member of the Action Group talks about the locals in favour of the development: "We've never really approached them... because they are so venomous; they are seething with bitterness and it's a bad feeling."

Existing research suggests that such attributions of personal interests to the other are often associated with escalation of the conflict. Horwitz and Berkowitz argue that conveying negative characterizations to other parties makes people feel misunderstood, demeaned and maligned.[32]

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28 Interview with local inhabitant (July 1997).

29 Simosi, *supra* note 2.

30 Sim B. Sitkin & Robert J. Bies, *Social Accounts in Conflict Situations: Using Explanations to Manage Conflict*, 46 **Human Relations** 349 (1993).

31 Personal interview with local inhabitant (July 1997).

32 Murray Horwitz & Norman H. Berkowitz, *Interpersonal and Intergroup Methods of Managing Social Conflict,* in **Advances in Field Theory** 177 (Susan A. Wheelan et al. eds., 1990).

As a consequence of the negative attributions made towards each other, and depending on whether the stakeholders advocated for or against the development, they made negative attributions towards the other side. However, the use of negative-laden attributions has been found to determine the extent to which each party adopts a primarily co-operative or competitive stance.[33]

Availability of Information

The theme of information dissemination was the most frequent topic discussed by stakeholders, which indicates the importance of the role of information in their conceptualization of the conflict. Most references about information which came from local people, whether for or against the development, suggested a general feeling of lack of information disseminated from the Council to the community. For instance, a member of the local community remembers how he first found out about the proposal: [34]

> It was a small article published in the Guardian and was released by an environmental group.... We understood that there is a forest there which is under threat. On the basis of that, a local environmentalist digged a bit deeper. It was that message that triggered things off. He actually called up a public meeting and three councillors turned up and denied all knowledge of it.

However, the issue most frequently mentioned was the period of informal discussions between the Council and the Developer, which took place prior to submitting the application. During this period, which lasted for over a year, the locality was kept ignorant regarding the discussions between the Council and the Developer, especially since the issue in question involved a piece of land which is actually publicly owned Speaking on behalf of the Council, the two planning officers recognized that the public was unhappy with the dissemination of information. However, they both regarded the issue of pre-application discussions simply as a feature of the way in which the existing planning system works: [35]

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33 Nadler, *supra* note 10; Deutsch, *supra* note 3.

34 Personal interview with member of the local community (July 1997).

35 Personal interview with Council case officer (July 1997).

> [I]it's what you do in planning anyway. Before you get a planning application, you always meet with developers and go over the plans. With respect to West Woods, it was this pre-application discussion regarding how to compensate for the loss of the open space, since the free access in this place will be removed. So, that was all about new proposals for opening up new areas of woodland and providing new facilities.... It's best to get all these things sorted out before the application. I can understand the protesters thinking 'what's the deal?', even before the application was in but, it's not how it works.

As this discourse reveals, limited information during the early stages of the decision-making process is a feature already built into the current environmental planning system. However, the fact that the amount of information disclosed at these early stages was minimal is crucial to the way in which locals perceived the further evolution of the case. The importance that the community assigned to these confidential discussions is well captured by the following comment: [36]

> They [the Council] hadn't been entirely open with us right from the start, when we were wondering what was happening... I've always thought that there were very many things that were happening behind doors. Meetings were held in secret; they could have been a lot more open. Had they been, they wouldn't have had such an awful lot of criticism descended on them... I think that this why the campaign went as heavy as it did; because we felt that we didn't have people to speak for us... it was secretive.

Attributions of Intent Towards the Local Authorities-Issue of Trust

The issue of attributions of intent towards the Council needs to be seen in association with the locals' discourse on the faithfulness of the local representatives towards the needs of their respective communities. In general, members of the community who were against the development attributed personal interests to their local representatives. "[T]he Council supported the developers, because it's money as well. The Southeast of England has a certain mentality; greed... totally focused on money."[37]

Close examination of this discourse shows that it does not differ much from that employed by the protesters camping at the site: [38]

36 Personal interview with SLFAG member (July 1997).

37 Personal interview with Chair of an environmental group (July 1997).

> The system is very corrupt. Local councillors are back-handers; they have refused people in the past, who wanted to buy this land. But they encouraged the developer... for money. Because they were going to pay enough for this place. Apparently, the developer bribed them.

While half of these interviewees were satisfied with the way in which the local Council handled the case, the other half expressed doubt about the extent to which the Council faithfully represented the community's interests: [39]

> I think that a lot of these things--I'm not saying everything, have been decided, even before people started protesting. Before the protesters start, they said 'let's let them protest, to feel that they've done something, but it won't make any difference because we are going to build it'. They just do it to let them think they tried to do something; but really, they are not honest.

The present analysis indicated that the theme of attribution towards the local Council was extensively employed in the actors' conceptualizations, as well as having affected their behavior. What is important is that for most of the interviewees, these attributions were negative towards the local authorities and thus, reflected a general feeling of distrust towards the Council. As research on environmental conflict has indicated, the degree of confidence placed in the trustworthiness of those responsible for decisionmaking has a significant effect upon public attitudes towards the proposed developments.[40]

Features of the Existing Planning System

Irrespective of their attitudes towards the development, analysis indicated that the public questioned the extent to which the planning system accounts for the needs of the local community. First, as expected, the activists' viewpoints indicated the lack of any faith in the planning procedure: [41]

> They are not taking any notice of any other form of objections... which is why we are here. The local people

38 Personal interview with woman in the focus group (July 1997).

39 Personal interview with local inhabitant (July 1997).

40 Ray Kemp, *Why Not in My Backyard? A Radical Interpretation of Public Opposition to the Deep Disposal of Radioactive Waste in the United Kingdom* 22 **Environment and Planning** 1239 (1990).

41 Personal interview with leader of activists (July 1997).

> raised £60,000 to take the developer to court about it; all of that was a waste of time. They've got 26,000 signatures against it; they counted for nothing. Either you sit back and see it happening, or you go for direct action; it's nothing in between.

However, the activists' views did not differ very much from those of the general community. Members of the community stressed the fact that the current system failed to incorporate public opinion into the policy making process, in the sense that it does not consider it as a legitimate basis for rejecting an application:[42]

> The planning system is a bullet point pass, like the effect on the highway, effect on the natural beauty.... It's all done within planning constraints. People are talking about how it would affect the area and how it would affect them; I would have thought that these points would have been born in mind. But they didn't, because it's not part of the strategic bullet points.... They never take on board what local people think. The whole system is set up to protect you and look after you; but it doesn't.

As a consequence of a belief that their interests have not been fully considered, the current planning system conveys a feeling of helplessness to the public. Due to this feeling, members of the community who advocate against the development viewed the existence of the protesters in the area as an illustration of the failure of the system to account for their needs, as well as an opportunity to make their opposition more effective. This finding is in accordance with existing research which has found the public often reporting disappointment in respect of the existing resolution procedures in the U.K.[43] In general, the fact that the community widely supports the activists must be seen as an indication of the public's preference towards pro-active forms of public participation and involvement in environmental issues. As a womens' focus group member characteristically reported: [44]

> I think that eco-warriors have brought to the attention of this country that actually something is wrong with our planning system. in so far as they've all gone through the public inquiries and they've all been given approval to go

42 Personal interview with SLFAG member (July 1997).

43 Simosi, *supra* note 2.

44 Personal interview with womens' focus group member (July 1997).

> ahead. Eco-warriors have moved in, because public feeling is so strong and they get the support of the public that enables them to do what they do. It goes to prove that there is a lot of disgruntled people that are not happy with the system any more.

Both planning officers interviewed acknowledged the fact that public opposition is not currently considered valid grounds upon which a planning application can be rejected. However, they themselves did not appear to be particularly satisfied with the existing procedures. Both felt that the existing guidelines restrict them from incorporating public values into the decision making process: [45]

> Public opinion. I wouldn't say that it counts as such. When the councillor makes a decision, it has to be on the basis of planning arguments, not on the basis of people who protested. Because otherwise, you get into trouble with the government, because the government requires you to make decisions on the basis of some premises; there must be valid planning arguments.

In addition, these officers made extensive references to the following issues in regard to the current system. First, both referred to the need for more public participation. However, they viewed this as a possible source of problems, since they anticipated that this practice would create more public opposition in earlier stages of the decision making process, and thus make the entire process more lengthy.[46]

> You've always have people who want to carry on as long as possible. If you involve with them at an earlier stage, you just extend the period of reforming something; I don't think that you solve anything. In my experience, if you are proposing something to a particular site, to involve people earlier doesn't necessarily resolve the issue of whether that site should be developed.

Second, both believed that the amount of information disseminated to the public is satisfactory. They explained the community belief that there is inadequate information dissemination as a result of public apathy towards environmental issues. Responding to the question of the public being receptive to Council information dissemination, the case officer replied:[47]

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45 Personal interview with Council case officer (July 1997).

46 Personal interview with planning officer working in the Council (July 1997).

47 Personal interview with Council case officer (July 1997).

> If people choose to throw these things into the bin because they receive so much rubbish in the post what more can the Council do, rather than putting it in libraries.... People want to go to their doorstep, on the TV screen, at the touch of a button. How do people want the information? They don't tell us. Public participation is down to the individual.

In sum, the analysis revealed the importance of five major themes of concern which characterized stakeholders' discourse. Existing studies have indicated that these issues are important factors for actors in conflict situations, as have theoretical frameworks of conflict analysis. Such a framework is the actor-network theory.[48] The importance of this framework for the present study arises because it proposes possible relationships among issues of concern to stakeholders, and, in so doing, serves as a grid which enables a better understanding of the dynamics which may lead to either escalation or constructive resolution of real-life environmental controversy. The remainder of this article draws on this framework to explicate the controversy over West Wood.

Explaining the Evolution of the West Wood Controversy in Light of the Actor-Network Framework

Zwetkoff has devised a framework which enables the identification of factors describing environmental conflicts, as revealed by stakeholder discourse.[49] The use of the actor-network framework has already revealed the importance of themes such as availability of information, discourse about economic and environmental principles, procedural fairness and legitimacy of delegates, for the way in which these controversies evolve. The framework enables a systematic assessment of the regularities in the evolution of a conflict which affect the escalating or constructive course that it may take.

The point of departure of this framework is that, for a convergent network to be established, the actors involved in a particular conflict need to reach an agreed-upon definition regarding what the conflict is about. The struggle for a common definition creates the arena in which any particular conflict is enacted.[50] In other words, the extent to

48 Catherine Zwetkoff, *Proposal for an Analytical Framework for Siting Conflicts*, working paper for University of Liege, Belgium (1997).

49 *Id.*

50 *Id.*

which a conflict escalates, or is constructively resolved, is related to whether the various parties stick to their definition of the situation, or reach a common definition.

According to the framework the escalatory process followed in the present controversy can be summarized as the following sequence: Lack of information, Distrust, Doubt about Faithfulness and Representativeness of local authorities, and Further Escalation. An important role was played by the assessment of the availability of information which was disseminated to the community. This assessment was crucial for the evaluation of the trustworthiness of the local authorities, as well as whether or not such authorities faithfully represented local interests. This evaluation was a triggering event for the consequent escalation of the conflict.

Most of the community interviewees, including those advocating for the development, assessed that the information from the Council was limited, especially during the period of informal pre-application discussions between the Council and the Developer. At that stage the local authority did not volunteer more than the legally compulsory minimum of information and, consequently, are regarded as having violated their moral obligation to inform the constituency:[51]

> There was a conspiracy.... Because our councillor sold his land to the developer. Now, we are trying to get the council to release paperwork to show where the officer approached the developer.... It's nothing on the Council's record that we can get to. We are discovering that the minutes you see at the libraries and in public places are only appraising the proper minutes and what the legal departments have said. However, it's the rest of the stuff that we are trying to get released. That should be in the public domain. They don't let us have them. We know that something is going on since 1990, but it's nothing there. So, what infringement is there is not recorded.... [S]omething fishy is going on.

Such informal discussions, which are an integral feature of the U.K. planning system, worked in this case as a triggering event for the community. People assessed that the local authorities failed to represent their interests and stakeholders against the development argued that the Council had committed an act of procedural unfairness:[52]

51 Quotes from focus group of local women, personal interview (July 1997).

> West Wood was not in the local plan; so, technically, it was never under threat. It came about because a councillor's officer approached the developer initially, because he thought he got a good idea for development in the area. So, when they got interested, they had to publicize it as a departure from the local plan.... They didn't even put it for public consultation. We heard about it by a rumour... they didn't go through the proper process.

People seeing the evolution of the West Wood case in terms of unfair procedures had an effect on the course of the controversy. Review of conflict studies suggests that, where parties structure the situation in terms of a frame of fairness, the conflict follows a destructive course.[53] The actor-network framework and the present analysis both suggest that the conflict became destructive as soon as the public ascribed personal interests to the local delegates and began to doubt their representativeness.

As a result of framing the situation in terms of procedural unfairness, the interviewees' discourse abounded with references to macro-justice principles. These are principles related to the interests of the wider community and to humanity, as well as to a feeling of responsibility for future generations. The discourse of those against the development contained extensive reference to the quality of the environment and issues related to global warming, quality of life in cities and countryside.[54] During this discourse, nature itself appears to be a principal party in the controversy "in its own right":[55]

> People have taken over the globe and think they control everything and make all decisions on the land we are on. But, generations now who make all the decisions don't think about what is to come for the people to come. What we are doing is not retrievable.

The use of this so-called BANANA[56] discourse seemed to preclude the parties reaching any sort of compromise. The case was often represented by those against the development as being related to deep-seated values and principles. "As far as this case is concerned, the

52 Personal interview with woman in the focus group (July 1997).

53 Elaine Vaughan & Marianne Seifert, *Variability in the Framing of Risk Issues*, 48 **J of Soc. Issues** 119 (1992).

54 Zwetkoff, *supra* note 48.

55 Quotes from a man in the activists focus group, personal interview (July 1997).

56 Build Absolutely Nothing Anywhere Near Anything.

jobs won. It has been the environment versus jobs, and the jobs are going to win every time."[57]

Conceptualization of a conflict as concerning basic principles and belief systems has been associated with escalation. For example, research on parties' evaluations of one another's values and attitudes has revealed an association between destructive conflicts and evaluations of dissimilarities in beliefs, attitudes and values.[58] In the case of West Wood, perceptions of dissimilarities and divergent goals fuelled a competitive approach which led to a framing of a win/lose situation. "We've just got enough water now, and we don't have main drainage. So, if they have main drainage, why can't we? If the Council can allow them to have it over there, why can't they allow us having it here?"[59]

It was argued that constructive resolution necessitates the reaching of a commonly agreed definition regarding the situation at hand but, in the West Wood controversy, each side stuck to its own definition of what the conflict was about. On the one hand, people against the development stuck to their discourse on the consequences of the development for nature; on the other hand, those in favor of the development, including the Council, insisted on the importance of the economic benefits. The inability of the stakeholders to adopt a common discourse, fuelled by the community's distrust of the local authorities, led to a conceptualization of the controversy as a win/lose situation. This led to the further escalation of the controversy and support for "direct action".

Drawing Lessons for the Planning System

The focus of the present analysis has been on the most common areas of concern, as these appeared in stakeholders' discourse, about the West Wood controversy. Its purpose was to gain a clearer understanding of the evolution of an environmental dispute which might be instructional for the development of more effective means of

57 Personal interview with SLFAG member (July 1997).

58 Barbara Gray & Jill M. Purdy, *Beyond Situational and Dispositional Approaches to Conflict Management*, paper submitted to the Power, Negotiation and Conflict Management Interest Group of the National Academy of Management, Pennsylvania (1990); Deutsch, *supra* note 1; Deutsch, *supra* note 3.

59 Personal interview with local inhabitant (July 1997).

conflict resolution. Identification of factors explaining the constructive or destructive course of environmental conflicts clearly carries practical implications for the study of conflict resolution. In this particular case examination of the discourse lead to the identification of factors which seemed to account for the escalation.

The analysis revealed how some features of the planning procedure in the U.K. can prevent parties from adopting a cooperative orientation, as well as from reaching compatible definitions of the situation. Specifically, an important factor for the conceptualization of the situation as "win/lose", and the subsequent escalation, was the lack of trustworthiness experienced by the majority of the community towards their local authorities. Once locals, both those against the development and some of those in favour, concluded that there was insufficient information provision, or, even, provision of deceptive information, they started doubting the legitimacy of the decision taken by the Council. Most of the themes in the stakeholders' discourse were directly related to the feeling that their views and concerns were not adequately represented by the local authorities. In other words, ambiguity around the information disseminated by the Council created a situation of general uncertainty which, in turn, led to the local authority losing public support.

The identification of some of the features which can fuel the escalation of environmental controversies poses the following question: Can we introduce new procedures which would be effective in creating a cooperative orientation?

Reflecting on the case, it seems that the ignorance, and subsequent discovery of the "pre-submission" discussions served as a triggering event for the destructive course of the controversy. However, both the limited amount of information from the Council, as well as the fact that all decision initiatives lie with the local Council, are characteristic of the current planning system in the U.K. In general, the findings from this study are in accordance with an earlier review of procedures of environmental conflict resolution in the U.K.[60] They reveal the existence of a reactive system of public participation and a highly centralized municipal decision making process. Even though public involvement is considered necessary for the legitimacy of planning

60 Simosi, *supra* note 2.

decisions, and the public is generally informed about issues of policy and planning, the public's active involvement and potential influence on any actual decision is highly restricted.

This examination of stakeholder discourse suggests a call for increased public consultation, and, specifically, a call for a more participatory decision making process which ensures that more public input will be incorporated in various stages of the planning process. Especially at the early stage of the planning process, adequate feedback from citizens should facilitate more responsiveness to the needs of local people. Anecdotal evidence has indicated that practices such as keeping the public as ignorant as legally acceptable have often been associated with conflict escalation.[61] This study indicates that, when local representatives do not volunteer more information than the legally compulsory minimum, they are regarded as having violated their moral obligation to be responsive to the constituency who will be directly affected by the proposed development. Instead, arriving at decisions openly, fairly and in a comprehensible manner must increase the chances of gaining public agreement.[62]

While research during the last few decades has advocated the need for more co-operative and pro-active procedures as a means of resolving environmental disputes, such forms have not been introduced in the U.K. The findings from this study suggest that opportunities for more participatory procedures in environmental planning, especially entailing increased information availability and public consultation at earlier stages of the process, should lead to a more constructive evolution of environmental controversies in the U.K.



61 Zwetkoff, *supra* note 48.

62 Kemp, *supra* note 40.