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The Road to Nowhere?

A critical case study of the political discourses in
the debates around the decision to construct
a bypass road around Aberdeen.

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A thesis submitted in partial fulfilment of the
requirements of the
Robert Gordon University
for the degree of Doctor of Philosophy

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Bypasses are devices that allow some people to dash from point A to point B very fast while other people dash from point B to point A very fast. People living at point C, being a point directly in between, are often given to wonder what's so great about point A that so many people from point B are so keen to get there, and what's so great about point B that so many people from point A are so keen to get there. They often wish that people would just once and for all work out where the hell they wanted to be.

Douglas Adams, *Hitchhiker's Guide to the Galaxy*

The City Council's Chief Executive, for example, was chairing the City Bypass Group, and had done so for the past dozen years. The Bypass was *his baby* and, because the baby had not emerged yet, from any of its many tubes of planning paper, it needed so much of his pre-natal attention that he chose not to be locked up in nitty-gritty committees with LeopCorp, or indeed its offshoot, UbSpecTotal. He could thus avoid dirt, and abstain from controversy.

John Aberdein, *Strip the Willow*

Abstract

This research examined the role of communication – and in particular public relations (PR) and public affairs activities – in the decision-making processes around the proposal to build a bypass road around the city of Aberdeen. The study focused on the relative power of various discourses embodied in the arguments and strategies pursued by the promoters and opponents of the Aberdeen Western Peripheral Road (AWPR) to affect eventual outcomes.

The research sought to revisit theoretical accounts of democratic decision-making as conceptualised by Habermas (1984) in the deliberations of the public sphere, and Foucault (1970) on the role of discourse in structuring civil debates. In his classic study of New Haven, Dahl (2005) found empirical evidence to support a pluralist paradigm. Yet in Flyvbjerg's (1998a) study of urban planning in Aalborg, Denmark, Lukes's theories on the second dimension of power and a Foucauldian conceptualisation of power were found to have more acute explanatory power. These major theories have been applied tentatively to the field of public relations by Burkart (2009) who advocates for the utility of a consensus-oriented approach to public relations (COPR). Motion and Leitch (2009) theorise that discourse analysis provides important analytic tools for PR practitioners.

This research used the AWPR issue as a case study spanning four key decision-making phases from 2004 to 2012. These stages include representations to the Scottish Parliament; a public local inquiry (PLI); judicial review to the Court of Session in Edinburgh, and a hearing in the UK Supreme Court. The research drew upon triangulated methodologies including Fairclough's (2012) political discourse analysis; observations at public meetings; and semi-structured interviews.

The research found that whilst both sides promoted a range of established discourses and PR strategies, the relative power of these discourses and the implementation of the strategies was determining. Political discourse analysis of key texts from the pivotal post PLI phase of the case study

provided evidence of the dominance of discourses around economic development and community over weaker environmental discourses.

Save Camphill's campaign was more effective due in large part to the calibre of the professional public relations advice retained. *Road Sense* used public relations strategies in the early phases of their campaign but the implementation of these activities tended to be tactical, partial or counter-productive. *Road Sense* focused resources on a legislative strategy which largely eschewed any further attempt to engage with government, community and media stakeholders. The route of judicial review was unsuccessful due to a combination of second dimension power factors, including the reluctance of the UK courts to intervene in planning issues despite the existence of European directives to protect the environment.

The AWPR case study concluded that examples of decision-making, as demonstrated by *Save Camphill's* success in altering the route, confirm the existence of both the public sphere and pluralism in action. Yet, following Lukes (2005) and Flyvbjerg (1998a), there is equally evidence of a second dimension power variable which yielded more plausible explanatory accounts of the decision-making in favour of the Scheme at the PLI, and subsequently in the Courts. The case study also finds that a Foucauldian interpretation of discourse is required to fully appreciate the weakness of the environmental agenda at the local level especially when pitted against prevailing discourses of economic growth and the popularity of the contemporary car culture. Against this background, *Road Sense's* PR strategies were secondary to their ultimate legislative strategy and lacked the requisite consistency on goal alignment and relationship building in lobbying and media relations. For campaigns to be effectual, public relations professionals must audit the power of prevailing discourses as theorised by Motion and Leitch (2009) before Burkart's consensus-oriented public relations (COPR) approach can realise pluralist outcomes consistent with deliberative democracy.

Keywords: discourse analysis; pluralism; public relations; power; public sphere; protest

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List of Abbreviations used in this thesis

ACSEF	Aberdeen City and Shire Economic Forum
AGM	Annual General Meeting
AQMA	Air Quality Management Area
AWPR	Aberdeen Western Peripheral Route
BAU	Business As Usual
BCR	Benefit to cost ratio
CA	Conversation analysis
CB	Citizens band radio
CDA	Critical Discourse Analysis
CJA	Criminal Justice Act
COPR	Consensus-oriented public relations
CPO	Compulsory Purchase Order
CPRE	Campaign to Protect Rural England
CSR	Corporate Social Responsibility
DMRB	Design Manual for Roads and Bridges
EIA	Environmental impact assessment
GARL	Glasgow Airport Rail Link
GHG	Greenhouse gases
HGV	Heavy Goods Vehicle
HMSO	Her Majesty's Stationery Office
IMF	International Monetary Fund
IPCC	Intergovernmental Panel on Climate Change
ISA	International School of Aberdeen
MTS	Modern Transport Strategy
NEOS	North East Open Studios
NESTRANS	North East of Scotland Transport Partnership
NGO	Non-Governmental Organisation
NIMBY	Not in my back yard
NOPE	Not on my Planet Earth
NPD	Non-Profit Distributing
NSM	New Social Movement
PDA	Political Discourse Analysis
PLI	Public Local Inquiry
PPI	Public Private Investment
PPP	Public Private Partnership

PR	Public relations
PRV	Power: a radical view
QUANGO	Quasi-autonomous non-governmental organisation
RMT	Resource Mobilisation Theory
RS	<i>Road Sense</i>
RSPB	Royal Society for the Protection of Birds
SAC	Special Area of Conservation
SACTRA	Standing Advisory Committee on Trunk Road Assessment
SAM	Scheduled Ancient Monument
SCDI	Scottish Council for Development and Industry
SEA	Strategic Environmental Assessment
SEABS	Scottish Environmental Attitudes and Behaviours Survey
SEPA	Scottish Environment Protection Agency
SME	Small to Medium-sized Enterprises
SNH	Scottish Natural Heritage
SNP	Scottish National Party
SOS	Save our Solsbury
SSHI	Site of Special Human Interest
STAG	Scottish Transport Appraisal Guidance
TDA	Twyford Down Association
TS	Transport Scotland
UNECE	United Nations Economic Commission for Europe
WPR	Western Peripheral Route

1.0 INTRODUCTION

1.1 Overview

This thesis is a case study of the civic debate and decision-making processes, within well established institutional settings, on whether to build a bypass road around the city of Aberdeen. Such major infrastructural investments are often contested due to the opposing environmental and economic development interests (Flyvbjerg, Bruzelius and Rothengatter 2003). The focus of this research is to investigate the role of communication in the form of discourse and communicative strategies in shaping the debate and ultimately the prevailing decision to proceed with the project.

These debates inevitably reopen wider concerns about the health and legitimacy of how our democracy functions. This case study examines the charge that elected representatives and state institutions have been stymied in their quest to bring about necessary infrastructural improvements by the actions of a minority represented by interest groups and their campaigns. This precipitates arguments being put forward around the 'real' short and long term interests of the majority based around differing conceptualisations of prosperity, values, and the well-being of citizens.

The protracted nature of these debates over 10 years and longer, in the Aberdeen case, raises questions about the pluralist nature of our liberal democracy and in particular the legitimacy of interest groups in delaying major schemes. Yet these interest groups themselves query the legitimacy and fairness of some of these institutional processes from public enquiries to the courts in terms of giving a fair hearing to alternative proposals.

Many veterans of this case study and other seminal road protest campaigns arrive at the conclusion that despite the high profile opportunities to put forward their views, deeper inequalities in the distribution of power lead to the state's interests prevailing. One of the most significant manifestations of

power rests within discourse. This research seeks to identify the discourses present in the civic debate around the decision to construct a bypass around Aberdeen and the extent to which communication strategies themselves influence public opinion and eventual outcomes.

1.1.1 Research questions

This case study will examine the arguments put forward by the promoters and opponents of the Scheme to build a major road around Aberdeen, hitherto referred to as the Aberdeen Western Peripheral Road (AWPR).

Thus one of the principal questions is: Who decides whether a bypass road will benefit the citizens of Aberdeen in the 21st Century? At first glance, this question appears simple with the answer residing in well-established institutional structures, documented procedures, and our system of representative democracy. However, the question seeks to examine just how well these overt set-ups function, and whether there are alternative, perhaps covert, networks of power operating within or alongside these democratic structures that are just as or more determining. Our institutional structures are deliberately and carefully designed to facilitate communicative action with a view to enhancing participation in a rational manner with the result of strengthening legitimacy and decision-making. This normative conceptualisation is persuasive yet the value of taking a case study approach is to test out the empirical evidence for its working in practice. An alternative conceptualisation to this pluralist account involves the distorting effects on local democracy by worldviews – what Louw calls a ‘package of discourses and practices’ (2010 p. 131).

Typically these worldviews comprise elite interests such as the state or capitalist elites who can exercise disproportionate power in civic debates so that their ends are realised. The ability of language to inform and pattern these debates and to vie for the attention of the citizens through the media is a key concern of this work. The role of language in structuring what is thought about at all is relevant here. As Pinter reminds us, ‘language is actually employed to keep thought at bay’ (Pinter 2005 p. 7).

A secondary question seeks to examine the role of professionals in creating, shaping and promulgating these discourses. Some actors and interest groups in the case study chose to hire professional public relations and public affairs advisers. This research sought to investigate the relative powers of 'strategic' communication as pursued by professional advisers versus the instances of 'communicative action' being enacted. The former seeks primarily to win over the key decision makers to their agenda. This relegates the role of citizens to 'a standing reserve' of use in grassroots lobbying strategies. The latter, as conceptualised by Habermas (1984), requires key conditions for the public sphere to be realised. Citizens should participate in reasoned dialogue with a range of parties including the state, civil society groups, and the media to arrive at legitimate public policy outcomes.

In focusing on communication the researcher's interest is in the language and arguments put forward and in addition communicative strategies which take in semiotics, visual and symbolic interventions in the debates. Two opposing accounts of decision making can be delineated within which the role of communication is important. With strategic communication, state officials and their advisers seek to promote their agenda so that their accounts are endorsed by the media, various civil society groups and ultimately citizens. Some of the associated communication strategies associated with these activities are described within the instrumental public relations literature and include for example strategies such as lobbying, celebrity endorsement, and events roadshows.

The other account draws on Habermas's work on the public sphere. As Finlayson (2005) comments 'The integrity of the lifeworld is destroyed by the incursion of the system' (p. 119) where concepts such as the 'logic of efficiency' prevail.

In this case study we can discern from the outset that discourses around economic development are used by proponents of the Scheme to legitimate the project. Yet these benefits are rarely quantified in such a way as the

public can engage with them, let alone debate them in the spirit of the public sphere.

This approach of promising substantive benefits has a long history and is the subject of investigation by Flyvbjerg, Bruzelius and Rothengatter (2003) in *Mega-Projects and Risk*. In Scotland, there are a number of high profile investment projects which bear out this approach such as the Scottish Parliament, Edinburgh Trams, Trump Golf Development project (Panorama 2013).

1.1.2 Hypotheses

The researcher retained an open mind and sought to avoid pre-judging any conclusions arising from the case study. Yet having witnessed the debate unfold and having been present during key milestones such as the Public Local Inquiry (PLI), a tentative hypothesis to state at the initial stage would be that: the proponents of the Scheme are confident that their interests will prevail eventually due to their status as representatives of the state backed by business interests.

This hypothesis rests on the assumption that the public would for the most part remain largely apathetic and that interest groups could be marginalised. The protracted debate might indicate weak leadership and instances of instrumental incompetence on the part of state officials and representatives.

Also of interest here would be Bryant's (1996) conclusion in her close examination and first hand account of the Twyford Down road protest which also lasted a decade in the 1980-1990s. She reached the conclusion that it was not that the road-building lobby was strong; it was that the environmental lobby was weak.

Bryant was an activist against the construction of the M3 motorway cutting through Twyford Down, a site of important heritage and natural beauty. She was also an elected Conservative Councillor, part of the political stratum

rather than a member of a grassroots social movement. Similarly, the AWPR case study features interest groups, *Save Camphill* and *Road Sense*, members of which have some social standing in the community rather than as citizens within social movements. These groups use political communication strategies *within* established institutional settings to overturn the state's agenda of road-building. They are highly critical of the working of the State and seek to expose these failings in due process. Yet unlike the environmental groups such as the '*Dongas*' who pursue direct action to oppose road-building programmes at Twyford Down and Solsbury Hill (1996, 1998), they do not seek to challenge the system from a counter-cultural point of view.

There are other groups or individuals represented in the case study who are arguably more independent - 'outsiders' who attempt to exercise influence or power due to their association with discourses such as environmentalism or their ability to work consensually for political ends. Paddy Imhof who presented a petition to the Scottish Parliament, and the Frasers who took their case to the Court of Session, are examples.

A common refrain in Aberdeen on the subject of the bypass is 'they should have built the road years ago.' That this did not happen at various key stages of the city's rapid development due to the discovery of North Sea oil is itself intriguing. Does the explanation rest with the weak leadership and incompetence mentioned earlier or does the inaction nod towards a covert power dynamic around a political philosophy of conservatism? The agricultural and fishing heritage of the area and consequent respect for the land and species may provide an alternative account for inaction based around an ideology of conservation?

This question prompts another, which is why the road bypass is seen as the solution to congestion rather than more progressive ideas implemented by other cities around the world such as congestion charging, tunnelling or addressing key transport pinch points.

This recalls Jonathan Meades's documentary film on Aberdeen in which he raised the question as to why the oil dividend has not resulted in a lasting legacy in terms of architecturally significant buildings or excellence in urban planning such as can be seen in other oil rich cities such as Stavanger (Meades 2009a).

That the bypass is seen as the solution raises the important question of how 'issues' are presented. Fairclough (2012) urges us to examine premises as the starting point from where different social groups argue from. For example, in the case of the AWPR, is the starting point that we need further economic growth in the North-East? Or is the problem congestion, or that those travelling North or South need to bypass the city? Another possible starting point could be the need for land for housing and commercial development. New infrastructure could be a means of accessing new land for such an end. The NESTRANS report published in 2003 alludes to all of these premises adding up to sufficient justification for the plan to proceed.

'The key roles of the WPR are to enable through-traffic to by-pass Aberdeen, which in turn allows for prioritisation for buses, cycles and pedestrians within the urban area. It also improves peripheral movements around the City, improving access to Park & Ride sites and relieving heavily-used, unsuitable rural routes. It will improve accessibility to existing and planned employment locations and open up possibilities for future land release. Finally, it will transform accessibility of freight and business service movements to and from the north and west of Aberdeen.' (NESTRANS 2003 p. 14)

These then are the questions which the research seeks to answer. Following Flyvbjerg (1998b), 'The researcher must ask how communication takes place, and how politics and democracy operate. Is communication characterised by consensus-seeking and absence of power? Or is communication the exercise of power and rhetoric?' (p. 216).

1.1.3 Aims and objectives

Aim: To investigate, critically, how political discourses and political communication strategies and tactics inform the debates and decision-making on the proposed bypass road around the city of Aberdeen.

Objectives:

1. To identify key arguments which explain the rationale for the bypass road, and audit the proponents' communicative strategies to stakeholders including other decision-makers, the business community, the media, the judiciary, and the public.
2. To identify key arguments which explain the rationale against the bypass road, and audit the opponents' communicative strategies to stakeholders including government decision-makers, the judiciary, the media, and the public.
3. To analyse, critically, the effectiveness of the discourses used by the proponents of the bypass, and account for the efficacy of the communication strategies within the context of Aberdeen's economic and sustainable future.
4. To analyse, critically, the effectiveness of the discourses used by the opponents of the bypass, and account for the efficacy of the communication strategies within the context of Aberdeen's economic and sustainable future.
5. To examine the role played by public relations strategies including rational argumentation, rhetorical appeals and instrumental tactics on determining outcomes with a view to informing future practice.
6. To investigate the empirical evidence from the case study in light of distinct theoretical views of power including pluralist, consensual, and conflictual accounts.

1.2 Rationale

1.2.1 Relationship of transport to other debates

This case study features transport as its subject. The sector's relationship to current divisive debates widens the significance of the research. These include transport's potential in providing infrastructure as a means of stimulating economic growth; supply chain efficiency; alternative solutions made possible by new technological innovations; and reducing carbon emissions.

Transport's role in facilitating trade is conceptualised as *connectivity*, part of Flyvbjerg, Bruzelius and Rothengatter's (2003) 'frictionless capitalism'. The Eddington Transport Study (2006) commends transport corridors as 'the arteries of domestic and international trade, boosting the competitiveness of the UK economy.' With the development of new technologies, other transport solutions from congestion pricing to electric cars are high on the political agenda.

Road-building is often presented as a necessary evil. Yet in some situations, the building of a new road can be witnessed to be a saviour to communities and their way of life. This is captured beautifully in *Calum's Road* where one man's determination to build a road singlehandedly provides a lifeline to his village on the Hebridean island of Raasay (Hutchinson, 2006).

The opposing reality is demonstrated in Ursula Meier's film *Home* (2009) which depicts the disruptive effects not only socially and environmentally but psychologically on the human condition when a motorway is opened alongside their home in France.

The role played by communication in reconciling these divergent interests within a liberal democracy forms the basis of this research.

1.2.2 Financial crises and economic stimulus

In the early 21st Century, there have been significant challenges to the model of neo-liberalism and, with the 2008 financial crisis, to capitalism itself. At the time of writing (2013), the socio-economic and political implications from the global financial crisis of 2008 still dominate the political agenda. The discourse of austerity informs the Chancellor's budgets. Economic growth has been suppressed for the five years leading to different ideological proposed solutions from leading economists.

Public sector costs have been cut in the attempt to reduce the deficit. Some economists believe in line with Keynes that stimulating economic growth is the best strategy for economic growth. Similar to F. D. Roosevelt's and Clinton's policies in the US, some see investment in infrastructure as one way to stimulate economic activity whilst simultaneously improving connectivity and efficiency. This potential policy option was explored in *Built in Britain* (2012) written and presented by Evan Davis. The programme featured a contribution by economist Professor Dieter Helm. He told the programme:

'it would cost around £500 billion of public and private money to pull off the work we're already committed to ... Knowing what to build and where is far from easy in a changing world - and we will undoubtedly make mistakes. That is in the very nature of infrastructure'. (Built in Britain 2012)

One of the main propositions from opponents of the Scheme is that the bypass is not, as claimed, a solution to stimulate economic development and reduce congestion, but rather a Trojan horse to commercial development. Certainly, prior to the financial crisis, many UK cities pursued agendas of commercial development and retail consumption as economic development ends in themselves. However, with the constraints on public spending announced by the current coalition government and the consequent strain on the provision of services locally, this strategy necessitates further examination.

So investment in infrastructure is underway but Helm's criticisms rest with the UK government's ability to expedite such programmes. In the *Financial Times* he states 'Instead we have muddle (roads), confusion (airports), delays (energy) and high costs (energy again).' (Helm 2013 p.11)

Helm (2012) also situates this debate in a wider context:

'Not only is it widely agreed (at least politically) that current debt levels and deficits are unsustainable, but the provisions for future pensions and health, and the protection of the atmosphere and biodiversity have moved from being specialist interests into the mainstream of political and economic debate. They share one key feature: they are all long term and intergenerational in character. The economic borders of the state – and the supporting ways in which social provision, the environmental interests of future generations, and the infrastructures linking the generations are incorporated – are currently not designed with this intergenerational perspective to the fore.'

(Helm 2012 pp. 517-518)

1.2.3 Aberdeen's socio-economic and strategic significance

Similarly, the location of the case study around one of the UK's most northerly cities would be of less significance were it not for Aberdeen's strategic location as a regional leader in Oil and Gas exploration, and associated services. Thus the location has particular economic development significance for Scotland as the country debates future political independence.

One of the major objectives of the road would be to improve 'connectivity' around the city. The argument from proponents of the Scheme is that future oil jobs rely on efficient infrastructure within the city. The oil history of the city is however relatively recent, dating from the 1970s. There is therefore a significant proportion of the population for whom other economic development activities such as fishing, agriculture, food, education, health and tourism have a longer history.

In addition to oil and gas, the North-East of Scotland has also placed strategic priority on the renewables energy sector. This intensifies the significance of transportation and logistics in and around the city and with trading partners. Equally, these factors have given the citizens of Aberdeen and Aberdeenshire a greater interest and sensitivity to global debates around both climate change and peak oil. Peak oil is the thesis that in the next decade global consumption of oil resources will outstrip known services and future resources of the commodity (*A Crude Awakening: The Oil Crash* 2006).

Given the intersection of these major challenges facing carbon-based transport and the impact on economies, the original concept of building a peripheral route around the city of Aberdeen, known as a European centre of excellence in oil exploration, is questionable.

Aberdeen is recognised as a good place to live for economic and lifestyle reasons. A report by Mercer awarded Aberdeen as the fourth most 'liveable' city in the UK (Mercer 2012). Similarly, HSBC designated Aberdeen as the only 'Supercity' in Scotland capable of generating economic prosperity (BBC News 2012). The Bank of Scotland's Report on Jobs found that Aberdeen is the best city in Scotland to find work with an unemployment rate of just 2.3% in the city and 1.5% in Aberdeenshire (Forsyth 2011)

Plans to build a bypass around Aberdeen, linking the A90 trunk road to the north and south of the city to the A96 to the west, have been in existence since the 1950s (*Walton v The Scottish Ministers*. 2012).

'In 1996 Grampian Regional Council, which was the local roads authority at the time, decided on a 'corridor' for the part of the route between the A96 and the A90 to the south of the city. That corridor crossed the river Dee at Murtle of Camphill and joined the A90 at Charleston, just to the south of Aberdeen. Following the reorganisation of local government, the successor local roads authorities, Aberdeen City Council and Aberdeenshire Council, endorsed the choice of the Murtle corridor.' (*Walton v The Scottish Ministers*. 2012 UKSC 44. 1 at 12)

One of the early problems identified was the congestion pinch point where traffic flows across the River Dee at the entrance of the city over a single lane sixteenth-century bridge. The discovery of oil in the 1970s engendered an economic boom which saw hitherto villages grow into suburbs, such as Cults and Dyce (see Appendix V). As the city expanded new arguments for a bypass featured in civic debates to relieve congestion from Anderson Drive, the inner ring road, and to facilitate commercial vehicles travelling to Peterhead where new oil related infrastructure was being built. Yet it was not until the 1990s that the then Grampian Regional Council lodged proposals for a bypass through Pitfodels and subsequently Murtle.

1.2.4 Rise of environmentalism

As the proposal is to construct the bypass to the West of Aberdeen city in what have hitherto been predominantly green-field lands, there is of course a major environmental challenge to the Scheme in terms of the destruction of ancient woodland, bogs and rivers some of which enjoy sites of scientific interest status.

The rise of the environmental movement in the latter half of the 20th century has moved from the status of an alternative ideology to a popular social movement with scientific and then popular and global consensus on man-made climate change being reached in the 1990s.

1.2.5 Institutional milieu and civil society

This case study is situated in local and regional decision-making centres and involves a significant investment in infrastructure, with most recent analysis estimating the cost of the project to be £1bn (Audit Scotland 2013). As the case study has progressed, representations have been made to national and European institutions such as the UK's Supreme Court and the European Aarhus Committee. These decisions have been lengthy and legal commentators such as Shaw (2011) have used the rulings to draw conclusions about the decision-making processes and interactions of power between these various judicial and legislative bodies. His conclusion that

there is still a marked reluctance of the courts to overturn decisions in the area of planning for environmental or participative breaches is of interest for the prospects of other major campaigners against infrastructural investment such as HS2 and the need for additional aviation capacity in the South-East of England.

This research focuses on communication as it is a means for 'the realisation of interests' (Burkart 2009). So it enjoys wider applicability to political decision-making in democratic societies. The case study features a wide range of stakeholders from civil society including trade associations, conservationists, community councils and developers. Organisations representing economic development interests include Scottish Enterprise and the Chambers of Commerce. Organisations which are quasi-governmental agencies such as Aberdeen City and Shire Economic Future (ACSEF), and NESTRANS, a group made up of Aberdeen City and Shire Councils, Scottish Enterprise (Grampian) and Grampian Chamber of Commerce are represented. In 2006, NESTRANS was replaced by a statutory partnership (Gordon, Ferrie and Cunliffe 2009 p. 9). Some of these individuals or organisations have influence and social standing within civil society including university professors. The wide range of state agencies, representatives and civil society leaders and groups participating in this case study is helpful in the quest to observe pluralism in action.

Bryant (1996) seeks to provide an 'anatomy' of the campaign to save Tywford Down. The current research also analyses the discrete motivations and components of different campaigns. The case study seeks to examine the extent to which commissioning professional public relations advisers conferred a communicative advantage over more traditional protest campaigns characterised by grassroots participation. The implications that 'professionalised' techniques are capable of deriving advantage over the voluntary efforts of concerned citizens is pertinent to the workings of local democracy. It is of course possible that 'professionalised' techniques themselves can be appropriated but resources issues may hinder the consistency and efficacy of communications over a protracted period.

1.2.6 Key road protest campaigns

The Literature Review (Chapter 2.0) examines scholarly, professional and personal accounts from other significant road protests around Britain, notably Twyford Down and Solsbury Hill, Pollok in Glasgow and the extension to the M77. Controversy over road-building and transport infrastructure continues around the UK and Europe. Current projects which feature the same issues as the AWPR case study include: the extension of Heathrow runways; the HS2 rail line, London to Birmingham; widening of a Cambridgeshire A-road, reopening Borders rail (BBC News 2012) and a bypass around Elgin (Cooper 2013). Further afield the proposal to build a motorway through Germany's Mosel valley at great cost to the traditional famous wine-growing industry provides a further example.

Many of these controversies feature common aspects such as the accusation by promoters of the Scheme that protesters are motivated by self-interest 'not in my back yard' (NIMBY). Many of these cases involved citizens who were hitherto apolitical until they examined the proposed scheme in detail and discovered that the economic case was flawed. Thus the conclusions from this study could afford useful insights to policy planners, environmental activists, journalists, PR professionals and legal counsel alike.

1.3 Background

1.3.1 Demographics

The city of Aberdeen in the North-East of Scotland has around 4% of the total population of Scotland which currently stands at 5,254 million citizens (Aberdeen City Council National Records of Scotland 2013 p.8). Aberdeen City and Aberdeenshire combined has a relatively lower population density than other major cities. With a few exceptions, Aberdeen is one of the few cities in the United Kingdom without a bypass. As the UK's most northerly city, except for Inverness since the millennium, only towns lie beyond Aberdeen as one travels North. The population in Aberdeen is growing

through migration but the rise is fairly steady. The official population estimate for Aberdeen City in 2012 stands at 224,970 people. In Aberdeenshire the population is 255,540 people for the same period (National Records of Scotland 2013).

Traditional occupations for the city and surrounding shire were in the fishing and agricultural industries. In 1948, as the city prospered, the requirement of an 'outer ring road' was mentioned. (Kevin Stewart, MSP on *NorthSound2* 2009). Thus the campaign to build a bypass has taken over 60 years.

In 2011, 25% of households in Great Britain did not have access to a car, while 43% had one car and the remaining 32% had two or more cars (National Travel Survey). In 2009/10, 31% of citizens in Aberdeen city had no access to a car whatsoever (Aberdeenshire City Council 2013). This figure coincides with the Scottish average. Car usage is higher in Aberdeenshire due to its largely rural status. Additionally, the relatively high incomes of those people who work in the oil industry allow for greater automobile consumption.

Another relevant factor to note in Aberdeen is the type of properties tend towards houses or bungalows (55%) rather than flats. This figure is significantly higher than other major cities such as Edinburgh and Glasgow. (ibid p. 13) and indicates that there is proportionately less high density housing in the city. Many of the proposed housing developments in the wake of the AWPR project follow this trend of houses in outlying estates rather than high density flats.

The Roads and Lighting budget is £14.261 million per annum. (Aberdeen City Council 2013 p.7). In Aberdeenshire, the roads maintenance budget is £16.444 million (Aberdeenshire Council 2012 p. 3). There is a higher percentage of fatal road accidents than elsewhere in Scotland in Aberdeenshire.

1.3.2 Current Scheme

The plan to build the AWPR bypass refers to the construction of a 28 mile (46 km) stretch of dual carriageway around the Western side of the city of Aberdeen. At points, the bypass will be situated 17 miles from the city boundary (AWPR PLI, Fraser Precognition, 2008). Two consortia are bidding to build the road: Galliford Try, whose Scottish division is Morrisons, and Costain. The contract is now expected to be awarded in autumn 2014. (Findlay 2013).

The public reporting of the projected costs of the Scheme was estimated at from £295m to £347 million until as late as January 2010. This cost estimate was based on 2003 prices (Aberdeen Press and Journal, 2011). The Benefit to Cost ratio (BCR) was viewed as high by the AWPR team; the benefits quantified as five times the cost of building the road. In 2012, this figure was revised, with the cost rising to £745m to reflect the addition of the dualling to the north of Aberdeen, Balmedie to Tippetty section (Audit Scotland 2013). The road is being developed by Transport Scotland, Scotland's national transport agency in partnership with the local councils. The majority of the funding will come from the Scottish Executive. However there is an agreement with local government that the two relevant Councils, Aberdeen City Council and Aberdeenshire Council, will jointly and equally fund 19% of the eventual costs. The Scottish Government has committed to funding the entire cost of the Fastlink section of the route joining Stonehaven to the AWPR.

The bypass will be financed using a Non-Profit Distributing (NPD) model which is a form of Public Private Partnership (PPP). This model involves a private company funding the up-front costs of developing and maintaining the route. The public sector then pays an annual charge back to the private provider over the life of the asset, typically a 30 year period. (AWPR, 2007, Audit Scotland 2013).

1.3.3 Rationale for the road and route selection

From 1975-1996, Grampian Regional Council was the administrative body responsible for the delivery of local government services to the area including roads. From 1996, the territory was divided into unitary council areas of Aberdeen City Council and Aberdeenshire Council. In 1998, a study by Oscar Faber in association with the then Scottish Office and the local council was commissioned (NESTRANS 2003). It found that a bypass would not alleviate congestion in the city centre. Halcrow Fox were commissioned by NESTRANS to look at transport solutions and in 2000 they produced a report, which concluded that an integrated and balanced strategy should incorporate the proposed Western Peripheral Route. In 2003, the Minister for Transport announced that the WPR would have the status as a trunk road. This meant that Transport Scotland assumed responsibility for delivering the Scheme.

A long standing argument in support of the creation of a bypass rests on reducing congestion within the city. This argument is often framed around reduced journey times and frustration over the time taken commuting. It is also pertinent in so far as European legislation requires air pollution to be within specified guidelines and Aberdeen is already in breach of these guidelines at key points (Aberdeen City Council 2012) Yet the solution to build an additional road is contested given the need for lorries to enter the city for deliveries to and from the harbour. As will be discussed in the Literature Review (Chapter 2.0) research shows that new road-building is a short-term solution and that rapidly the road attracts additional traffic compounding congestion (SACTRA 1996).

Another statutory concern for the local councils is to ensure that air pollution does not breach EU legislation. Although in Aberdeenshire and around the city air quality is generally good, a City Council report states:

'... there are a few hot spots of raised pollution levels around the city centre and main roads such as Anderson Drive / Haudagain Roundabout and Wellington Road. Road traffic is the main source of pollution and the Council

aims to improve air quality through the implementation of the [Air Quality Action Plan 2011](#). However, clean air isn't just the responsibility of the City Council: everyone can play their part by changing travel behaviour.' (Aberdeen City Council 2012)

It is possible then that a further argument for the road rests on the intention to take traffic out of these 'hot spots' within the city centre. Yet as acknowledged elsewhere, the location of the harbour in the heart of the city means that many large diesel vehicles are still obliged to enter the city for commercial purposes. This exhortation to use alternative modes of transport might be regarded as admirable but only if sufficient reliable, practical and cost-effective options exist.

The process of exploring routes started in earnest in the 1970s (Shaw 2011). The Scheme has undergone a number of incarnations with proposals for the bypass to take a route through Pitfodels and Murtle areas of the city (see Appendix V). The Murtle route was one of three routes under consideration by Grampian Regional Council in 1995.

'In 2003 Scottish Ministers confirmed that while the route would be promoted as a trunk road the preferred corridor did not include any link to Stonehaven.' (Shaw 2011 p. 1)

Various routes have been consulted upon with a major public consultation exercise held from March to April 2005. 7,650 responses to this consultation were received. Five routes were consulted on during this period. One of these proposed routes, the Murtle route, became the subject of a high profile campaign *Save Camphill* by the Rudolf Steiner organisation, a charitable organisation which occupied part of the proposed route.

In May 2006, the Minister for Transport Tavish Scott announced a preferred route at Milltimber with the addition of a 9 mile 'Fastlink' between Aberdeen and the town of Stonehaven situated to the South of the city. This was a hybrid route (see Appendix Y). In essence the route 'will leave the A90 Aberdeen to Dundee road at Charleston, cross the River Dee at Milltimber,

loop west of Kingswells and rejoin the Aberdeen to Peterhead leg of the A90 at Blackdog' (Aberdeen Press and Journal 2011).

1.3.4 Alternatives to the Scheme

In its formal response to the council's statutory duty to monitor air pollution, a range of alternatives to car usage and road-building are mentioned.

'A new Air Quality Action Plan was approved in March 2011 covering the 3 Air Quality Management Areas (AQMAs). The majority of measures in the Plan are concerned with reducing the impact of transport emissions. These include greater modal shift away from car usage; encouragement to uptake lower emitting vehicles; road infrastructure improvements; traffic management measures and the development of integrated planning and Policy' (Aberdeen City Council 2013 p.3)

Despite this acknowledgment of the efficacy of many of these solutions such as traffic management, none of these measures is currently being consulted upon, let alone implemented.

Aberdeen is the corporate headquarters of *FirstGroup* plc, a publicly listed company provider of public transport – both buses and trains. '*FirstGroup* plc is the leading transport operator in the UK and North America. With revenues of over £6.5 billion' (Our Company, *FirstGroup* 2013). With a major private sector provider of public transport it was conceivable that Aberdeen could have chosen to draw on this knowledge to develop innovative 21st century solutions to their congestions and connectivity issues. Some of these technological advances could have pioneered alternative transport solutions capable of reducing carbon emissions.

Solutions such as banning cars from the city centre or providing dedicated lanes for coaches to transport passengers to park and ride facilities could and should have been investigated. Some of these solutions have been implemented in other cities such as York. As *FirstBus* state on their website:

'Public transport makes an important contribution to reducing emissions from travel. Buses and trains produce fewer emissions per passenger kilometre than other forms of transport such as car or air travel. Our role is to provide public transport that supports communities and their economies while also helping to improve quality of life through lower air emissions and congestion and low-carbon travel options.' (*FirstGroup* 2013)

In a similar vein:

'Mode shift from single occupancy cars is essential to managing congestion in many areas and reducing carbon emissions. Our buses and trains are fundamental to a more sustainable travel solution. Given that we move some 2.5 billion passengers a year, our contribution is already significant.' (Sustainable Transport *FirstGroup* 2013)

There are also more radical ideas that are rarely discussed. Reducing speed limits to 40mph would cut carbon emissions, according to a report from the Government-funded Transport Research Laboratory. The report was commissioned by the university-backed Edinburgh Centre for Carbon Innovation for a seminar on speed limits and climate change. Organised by the Scottish Government's high-ranking 2020 Climate Group, it is aimed at addressing one of the 'more challenging' barriers to cutting climate pollution (Edwards 2013)

Certainly, reducing car dependency is a challenge according to market research carried out by Ipsos Mori, on behalf of the Scottish Environmental Attitudes and Behaviours Survey (SEABS). The majority of respondents use their car to travel to work and do grocery shopping (SEABS 2009).

Half of respondents stated that travel by car is quicker and more convenient (50%). The survey also found that 18% felt the lack of, or problems with, public transport services; including no direct public transport services; or that public transport takes too long (13%) (SEABS 2009).

1.3.5 Timeline of the protest campaigns

In the wake of this decision to select a hybrid route, an interest group *Road Sense* was formed in December 2005 to challenge aspects of the decision-making process surrounding the proposed Scheme. The group argued that due process regarding public consultation on the routes had not been followed. There were also concerns from a number of interest groups about the impact of the Scheme on the environment, and in particular the River Dee which enjoys the status of a Special Area of Conservation (SAC), protected by law.

On the 6 September 2006, Paddy Imhof, a farmer and David Robb, a member of *Road Sense*, presented a petition to the Scottish Parliament. The petition had been submitted via the Scottish Parliament's e-petition system having 'attracted 4,106 signatures and 79 discussion comments' (Public Petitions Committee 2006). They were supported in their presentation by Gregor McAbery of Friends of the Earth. By the time the petition closed the forum had amassed 438 comments from a range of stakeholders and citizens.

In 2007, the Scottish Government announced that a Public Local Inquiry (PLI) would be held. Mr David N Gordon and Mr Scott Ferrie were appointed to hold the inquiry and report to Ministers. The remit was 'constrained by the Scottish Ministers on the basis that the principle for the road had been accepted and therefore no consideration was to be given to that principle under reference to economic policy or strategic consideration' (Shaw 2011). This meant that the content of proceedings was to be confined to the technical and environmental aspect of the Scheme. The inquiry started on 9 September 2008 and was scheduled to last for 10 weeks, but in fact lasted for a period of 4½ months in Aberdeen.

On the 21 December 2009, Ministers gave the order for the Aberdeen Western Peripheral Road (AWPR) to proceed. In parallel, a complaint was also filed to the Aarhus Convention by William Walton and *Road Sense*. The Aarhus Convention is concerned with opportunities for public participation in

decision-making process within Europe. This complaint was rejected by the Aarhus Compliance Committee in a decision on March 2010 (UNECE 2010).

In response, *Road Sense* Chairman, William Walton, launched a series of legislative challenges including Judicial Review to the Lord Ordinary followed by an Appeal to Edinburgh's Inner House in 2011. Other appellants included John and Maggie Fraser on the grounds that their human rights were breached due to public funding being unavailable to participate in the PLI.

The Court of Session ruling by Lord Tyre on 11 August 2011 upheld the Scottish Government's statutory rights to proceed with the Scheme. The Appeal to the inner part of the Court of Session against Lord Tyre's decision was then sought by *Road Sense* in 2011 but was unsuccessful. *Road Sense* then took their case to the UK Supreme Court in London. The ruling from the Supreme Court of 5 judges in 2012 was unanimous in the decision of five Lords to reject the appeal and therefore clear the Scheme to proceed.

Legal redress at the European level remained a remote possibility. This could take the form of a ruling from the European Court of Justice concerning the interpretation of the EU Habitats Directive or from the European Court of Human Rights. If these legal routes are not pursued, then the Scottish Government is advised by officials that the AWPR will proceed and could be completed by 2017.

1.3.6 Political support for the road

The Scottish Parliament under Labour backed the proposed road scheme. The local council also supported and promoted the Scheme. Politically the Conservative and Liberal parties both also supported the Scheme with only the Scottish Greens opposed (Public Petitions Committee 2006).

Most MPs and MSPs in the north-east support the road. Shiona Baird of the Greens was the only MSP to be consistently against the road: 'I am the only north-east MSP – I stress that I represent the whole of the north-east –

who is opposed to the road. I have been opposed to all the routes all the way through.’ (Public Petitions Committee 2006 p. 15)

Mike Rumbles, former Liberal Democrat MSP indicated that he is against the Fastlink element which cuts through his then constituency between Stonehaven and Maryculter.

1.4 Overview of the thesis and its structure

This chapter has provided an introduction to the research topic by providing information on the scale and situation of the bypass as an infrastructural project. The milieu of the case study – both spatially and politically – is explained with reference to the economic and strategic significance of Aberdeen in the North-East of Scotland. Wider situational factors such as the post financial crisis and concept of civil society with a mature democratic are also noted. It has provided a rationale for the research by emphasising the decision-making processes within a clash between economic and environmental imperatives and discourses. More specifically the chapter provides the specific aim, objectives and research questions for the research itself.

The second chapter of the thesis goes on to present a review of literature relating to the disciplines which inform this research. The primary foci of the chapter provide a theoretical framework for the research namely: political theory on power; communication studies including public relations paradigms; and environmental theory. The nature of the infrastructural project itself necessitates an appreciation of extant literature on road-building. The aim of this is to develop an understanding not only of the relevance of the literature within these disciplines but of the relationships which exist between these disciplines.

The third chapter takes a historical approach to three major anti-road building campaigns in the UK. These are known as Twyford Down, Solsbury and Pollok. The purpose of examining these is to uncover the discourses which featured in these campaigns and the strategies used to pursue their

ends. The discourses and strategies identified in this and the preceding chapter are used as a comparative benchmark in the current research.

The fourth chapter gives an explanation and justification of the methodological approaches taken within the research. It provides a background to the qualitative research paradigms used, that of the case study. A justification for the longitudinal division of the case study into 4 key phases is provided. Triangulation is used to combine the data collection methods of interviews, observations and discourse analysis. It also addresses the construction of the methodological tools such as selecting a corpus of texts, sampling and coding, and explains both how and why these were developed.

The fifth chapter presents the findings for the research pertaining to the arguments and strategies of proponents and opponents during each phase (A-D) of the case study. These findings are conceptualised using Fairclough's charts and a summary provided to highlight the notable shifts in argumentation and strategy. Phase D incorporates judicial judgments as to the efficacy of the arguments. Letters and postings in relevant social media for a are used to ascertain the effectiveness of these arguments and strategies on wider public opinion.

The sixth chapter presents the detailed critical discourse analysis of 3 major texts relating to a key decision-making period in 2009 during the PLI. The texts comprise one from each side of the debate, and an interactive live radio debate featuring both proponents and opponents of the bypass, civil society leaders and audience members representing wider citizens.

The seventh chapter relates the findings and analysis from chapters 5.0 and 6.0 back to the relevant literature. It identifies and discusses the key insights for the research.

Lastly, the eighth chapter concludes the thesis. It reflects on the theoretical contributions made by the thesis, identifies limitations of the research and provides suggestions for future research in related areas.

Appendices are also provided. These include a timeline of the Scheme and maps of the route of the bypass to help orientate the reader as to issues. They also include transcripts from key texts in Chapter 6.0 and photographs of events and artefacts taken by the author as part of the observation methodology.

2.0 LITERATURE REVIEW

In the broadest terms, understanding political decision-making requires a conceptual understanding of power. There are competing accounts of the operation of power within a liberal democracy; consensual and conflictual. This chapter examined both accounts with a view to determining which holds the more convincing explanatory power for the interpretation of the data arising from this case study.

The Literature Review is divided into consensual and conflictual accounts of power. Discourse is an integral concept to both models. To assess the arguments and strategies used in the campaigns around the AWPR case study it is also important to draw on previous road-building protests; to look at environmental discourses such that we can trace their presence and significance in this case study. Finally, a range of political communication approaches were analysed from the literature. The case study will be used to see which of these specialisms such as lobbying and media relations feature alongside traditional political campaigning strategies. This research aims to assess the utility and efficacy of these 'professionalised' techniques set within the context of highly politicised power play.

2.1 Consensual models of power

2.1.1 Communicative action

The AWPR case study follows decision making processes in a variety of deliberative settings; in local government, a devolved Parliament, the Court of Session and UK Supreme Court. Many of these debates were reported by the local and at times national media and the public were afforded the opportunity to feed their opinions back through letters pages and online forums.

A principal interest of Habermas is to establish empirical evidence to support the theory that deliberative democracy can establish 'better

arguments' and uncover truths. He argues that through this undertaking, pitting arguments against each other in a reasoned way, democracy is better served due to the legitimising effects of the dialectical process. For this to work in practice he deems it necessary that 'a self-regulating media system gains independence from its social environments' and that 'anonymous audiences grant a feedback between an informed elite discourse and a responsive civil society.' (Habermas 2006 p. 2)

As this quote explains, there are a number of key constituencies which are required to participate in the process. In the AWPR case study, many of these stakeholders are featured: elected representatives at local and parliamentary levels from economic and environmental departments who comprise a political elite. Other executive agencies such as Transport Scotland and ACSEF are also present.

Civil society groups contain Professors in the Natural Sciences from local universities, as in the case of previous anti-roads campaigns, such as Professor Martin Biddle, an Oxford archaeologist and Director of the Winchester Research Unit. Branches of national interest groups such as *Friends of the Earth*, the *RSPB*, *National Autism Society*, *Scottish Natural Heritage* and Trade Associations played roles in the case study.

For communicative action to be present, Habermas theorises that these parties present their cases in the spirit of arguing, adjusting, bringing new information to light and openness to the views of others. For Castells, it is this process which ascribes meaning to political communication: 'Meaning is constructed in society through the process of communicative action.' (Castells 2009 p. 12)

'The deliberative model is interested more in the epistemic function of discourse and negotiation than in rational choice or political ethos.'

(Habermas 2006 p. 4)

The distinction he is drawing here is between *communicative action* and strategic or instrumental communication. Communicative action with its

focus on deliberation is contrasted with rational choice theory (Olsen 1977) where actors pursue communicative strategies with a view to achieving domination congruent with their party's sole interests.

Typically, rational choice actors may be motivated by private interests and their agency would be described by Archer (2003) as 'autonomous reflexives'. Unlike under rational choice, it is imperative that the participants in debates accept the validity of each other's claims for communicative action to pertain. By this, parties must be open to accepting the force of the better argument where it is presented. Many critics of Habermas have seen this situation as representing an 'ideal type' scenario as against an empirical description of how policy making takes place at present.

This discussion begs the question as to which model public relations communications falls into. Much debated in the public relations literature, this depends on one's conceptualisation of public relations. Some corporate communication accounts and media stereotypical representations of public relations would categorise much of the work of public relations practitioners as strategic communication (Argenti 2006, Gregory 2010, Theaker 2011). Certainly some of the textbook prescriptions that come under a instrumental model would subscribe to this approach (Moss and DeSanto 2011). Yet other contemporary accounts of public relations seek to emphasise concepts such as mutual understanding and have their realisation in Burkart's (2009) consensus-oriented public relations (COPR) which will be discussed below.

By way of contrast, communicative action ought to be concerned with concepts such as inclusion, transparency and a justified presumption of reasonable outcomes (Habermas 2006 p. 4). Furthermore the presumption of reasonable outcomes 'rests in turn on the assumption that institutionalised discourses mobilize relevant topics and claims, promotes the critical evaluation of contributions and leads to rationally motivated Yes-or-No-reactions.' (Habermas 2006 p. 5)

So a clear distinction should be drawn between the volume of political communication in a polity and the quality and interactivity of that communication with civil society and citizens. An additional complicating factor is the mediation of much political communication. Habermas notes 'the impressive increase in the volume of political communication; but the political public sphere is at the same time dominated by the kind of mediated communication that lacks the defining features of deliberation.' (Habermas 2006 p. 9). Here Habermas highlights the lack of face to face and reciprocal debate between participants. He also notes the media's ability to frame the representation of messages and images.

Habermas's criteria for the exchange of arguments in the public sphere include:

- Intelligibility – proper grammatical rules
- Truth – where all parties accept that such an end exists
- Truthfulness – veracity, not misleading
- Legitimacy – mutually accepted norms and values

(Burkart 2009 p. 146)

This research will examine the principal arguments put forward by proponents and opponents of the Scheme against the standards above.

The charge of being excessively utopian in his delineation of communicative action is levied against Habermas by critics including Flyvbjerg (1998b). Yet Habermas does acknowledge the disparities in political and social power which underpin agenda-setting and the framing of public issues. (Habermas 2006 p. 9). For Flyvbjerg, his theory of communicative action in decision-making around mega-projects should afford greater accommodation for power-play.

'Communicative and deliberative approaches work well as ideals and evaluative yardsticks for decision-making, but they are quite defenceless in the face of power.' (Flyvbjerg, Bruzelius and Rothengatter 2003 p. 7)

Habermas does look for empirical examples to substantiate his theory. According to Flyvbjerg (1998b p. 214) Habermas discerns examples of communicative action in new social movements. North (1998) concurs that road protests catalysed the emergence of new social movements, for example the direct action environmental protesters, the *Dongas*, at Twyford Down and Solsbury Hill. This research was vigilant to the possibility of finding instances of communicative action in the AWPR scenario.

2.1.2 Public sphere

Another important and related aspect of the work of Habermas, relevant to this case study, is that of the public sphere. Again this is theorised by Habermas as a space that 'operates as an intermediary system between state and society' (Habermas 2006 p.2). For deliberative democracy to flourish the health of the public sphere is vital.

Far from being a space that is sterile and highly regulated, Habermas envisages a public sphere that 'is rooted in networks for wild flows of messages – news, reports, commentaries, talks, scenes and images, shows and movies with an informative, polemical, educational or entertaining content.' (Habermas 2006 p. 11). Thus the messages flow in a random routing between a range of sources including actors of civil society. This case study examined the extent to which a rich and healthy public sphere could be used as evidence in the communication flows to and from individuals such as elected politicians, journalists, lobbyists, activists, business leaders, intellectuals and citizens. Once again the enactment of these communication acts cumulates in endorsement of decisions: 'legitimate exercise of power: power as representation of the values and interests of citizens expressed by means of their debate in the public sphere.' (Castells 2009 p. 12).

In terms of achieving a deliberative democracy, the public sphere should identify issues and amass information necessary for taking a view on assessing the import of the issue and possible solutions. In the AWPR case study for example congestion is identified as an issue. That the bypass is

the proposed solution is worthy of examination in terms of the implications long term and short term to other parties. In liberal democracies politics is conducted formally within institutional settings. Yet outwith these institutional settings politics is also the currency within civic society. This case study will involve both formal and informal communications and the interaction between the two. To ensure a healthy democracy, it is important that communication between the 'lifeworld' and formal politics flows freely. For Habermas, the 'lifeworld' constitutes an epistemological background to our activities and concerns as experienced in day to day realities. Without linguistic communication to articulate our practices, decisions are more likely to be explicable in terms of ideological or bureaucratic factors (Finlayson 2005).

The task of ordering the arguments and outcomes should then take place at the level of political institutions. Habermas specifies essential conditions for a viable public sphere:

1. 'A mass media system regulated in relation to the idealized criteria
2. A network of autonomous civil society associations supporting communicative reasoning and public opinion formation
3. A liberal-egalitarian political culture sensitive to problems affecting society as a whole
4. Social rights to the provision of sustainable living conditions
5. A population accustomed to (universal) freedom and versed in critique.' (Dahlberg 2013 p. 5)

2.1.3 Pluralism

Dahl's (2005) seminal work, *Who Governs?*, was a useful starting point in that his focus is also on the democratic functioning of a local American city, New Haven, in the 1960s. Dahl found that a plurality of elites, as opposed to one dominant elite, were responsible for decisions contingent on a variety of factors at any given time. Importantly, and contrary to some previous studies, Dahl focused on actual decisions as opposed to *reputations* of power associated with groups or individuals. This insight will be applied in

the analysis of findings in this case study on the AWPR. An early reading of the case study suggests that there are a number of elites within the city who are reputed to have power as implied in the recent debates around a number of key projects such as the Union Terrace Gardens; the Trump development at Balmedie; and the relocation of the city's football stadium from Pittodrie to the outskirts of the city.

The Union Terrace Gardens issue refers to a proposal by the wealthy energy sector industrialist, Sir Ian Wood, to pledge a £50m philanthropic gift for the regeneration of a sunken park in the city of Aberdeen underlying the main thoroughfare, Union Street. For the regeneration project to succeed, required further matched public funding. The new proposal for a 'Civic Square' also effectively killed a rival proposal which had received planning permission for a sympathetic arts project by Peacock Arts Centre designed by award winning architect, Brisac Gonzales (Appendix A). The issue was contested with protest groups forming to oppose the new Civic Square initiative and to save the original Victorian gardens.

'However, it would appear from the statement issued from ACSEF that the people are only going to be asked what they want to be in Sir Ian Wood's scheme rather than having a broader and more fundamental debate on whether they actually want a development that will cover up the gardens forever.' (Lindsay 2009)

Despite a referendum voting against the Civic Square, the project is still 'live' in 2013 and subject of political debate locally.

The development of a golf course and leisure development on a site of scientific interest at Balmedie by Trump International has been similarly contested. The project has encountered local resistance from residents and interest groups including 'Tripping up Trump'. Key planning decisions at the local council meetings went against the development but the project proceeded albeit in a more limited incarnation with future ambitions intact (Panorama 2013).

The proposal to move the local football stadium from its traditional amenity at the beach to an out-of-town location at Loirston Loch, Nigg has also encountered widespread public opposition. The plans to sell the original stadium and grant planning permission in principle for residential redevelopment at Pittodrie continues (STV News 2011).

In *Who Governs?* Dahl (2005) looks at the transitional nature of political leadership and consequently decision-making in New Haven historically to his field study in the the mid twentieth century. This historical period also charts significant shifts in socio-economic inequalities in society. Dahl delineates specific eras dominated by a group he terms the '*Patricians*' who monopolised social standing and combined it with what was viewed at the time as relative wealth. This group were challenged during the industrial era by the '*Entrepreneurs*' who amassed great fortunes during the industrialisation of America in the nineteenth and early twentieth centuries. They replaced the Patrician era in political office with a consequent split between social standing and wealth as two distinct rationales for political office. Both of these groups, however, represented minorities in the overall society. Given the democratic system of majority rule these groups were vulnerable to '*Popular*' candidates. This engendered a further shift whereby what Dahl calls '*ex-plebes*' ascended to political office based on popularity, a third and final appeal to voters. This cadre replaced the business entrepreneurs in the political realm. Dahl's analysis of this phase refers to ethnic politics which is of less relevance to this case study. What perhaps is more relevant is the observation that ethnic politics involved reducing barriers to discrimination as opposed to addressing the deeper inequalities at a socio-economic level. As Dahl notes: 'Local politics – and for that matter state and national politics – was like a rope dangling down the formidable slope of the socio-economic system. ...He [the aspiring ethnic politician] was not greatly interested in levelling the mountain itself.' (2005 p. 34)

As the 1960s dawned another shift could be noted in response to some major societal shifts around urbanisation. Dahl charts another shift in the make-up of political leadership in New Haven which ascribed:

'new importance in the politics and policies of the city governments to technicians, planners, professionals and administrators, and above all to professional politicians with capacities for building durable coalitions out of traditionally noncooperative and even mutually suspicious social strata.'

(Dahl 2005 p. 62).

However, as Dahl notes, just because these former elites are no longer occupying publicly elected positions of office, is not to say that they are not influencing public policy more covertly.

'It is altogether possible, however, that public officials do not represent the real decision-makers in a community; they may only be the spokesman for influential leaders who may not hold public office at all.' (Dahl 2005 p. 63)

He produces an empirical study which examines the roles played by 'Social Notables' and 'Economic Notables' in three policy-making areas including urban regeneration. He concludes that the influence of the Social Notables is 'infinitesimal' in terms of their representation in public office on public education. Their representation was slightly higher around urban regeneration. His study found that the Economic Notables participate more in public affairs and in particular in the area of urban redevelopment (Dahl 2005 p. 69). However, 'far from being a ruling group, are simply one of the many groups out of which individuals sporadically emerge to influence the policies and acts of city officials.'

By focusing exclusively on the key decision making points to get the AWPR approved by Ministers and the wider public, it will be instructive to see if the institutional processes which facilitated Dahl's plurality of elites pertains in Scotland. In line with Habermas, Finlayson comments that 'institutions must be sensitive to informal public spheres of civil society.' (2005 p. 141)

Finlayson goes on to say that 'a political system functions well when its decision-making institutions are porous to the input from below.' (Finlayson, p. 108). This research sought to investigate the extent to which 'input from

below' was present in the AWPR case study. Perhaps the term 'below' is misleading. Certainly, the case study features citizens who turned activists, such as Paddy Imhof, who went on to present a petition to the Petitions Committee and be questioned by MSPs. A plethora of other interest groups representing workers, farmers and commuters were also present in various trade associations and interest groups. Whether these were from below in the sense of the grassroots where citizens without any immediate private involvement through compulsory purchase orders become involved is a question the research investigated.

Dahl's conclusion was that no single elite has dominance over all the issues. Different groups are in the ascendant at different times. We have witnessed in Aberdeen how 'economic notables' like Sir Ian Wood failed to get their own way with the Civic Square despite offering £50m to the project.

The AWPR case study is ostensibly a local decision-making scenario although the scale of the funding of the road necessitates the involvement of the devolved parliament at Holyrood and extensive interaction with the state executive through agencies such as Transport Scotland. The significance of future energy resources and the economic development strategies being pursued by various government agencies gives the case study a global outlook.

2.1.4 Two-dimensional power

Haugaard notes the importance of two-dimensional power and that 'in most recent power analysis [it] has generally been ignored.' (2002 p.27) This type of power as conceptualised by Bachrach and Baratz (1962) refers to activities such as 'excluding things from the agenda, creating selective precedents, defining matters as a private affair, excluding others by endless red tape, creating committees that never reach decisions, not publishing material of general public interest, files getting lost, handing decisions over to 'experts' who are known to favour a particular outcome, exclusion by the misuse of qualifications, not having enough time, choosing a bad time for

others, defining issues as inappropriate, are all instances of the second face of power.’ (Haugaard 2002 p. 28).

Many of these tactics are commonplace in contemporary political life and are practised by political special advisers under the term ‘spin’. In this context, circumscribing a narrow remit to the PLI, filibustering techniques, and the use of ‘experts’ are all worthy of closer examination in the case study.

Bachrach and Baratz critique Dahl and the pluralists for their focus on the *exercise* of power and focus on decision-making:

‘To measure relative influence solely in terms of the ability to initiate and veto proposals is to ignore the possible exercise of influence or power in limiting the scope of initiation.’ (Bachrach and Baratz quoted in Haugaard 2002 p. 35)

In the case of the AWPR, one could look at the decision or non-decision to construct the AWPR as opposed to tunnel under the Eastern side of the city or invest in a mono-rails such as those in Tokyo, Mumbai, Sydney and Kuala Lumpur. Bachrach and Baratz suggest that the more prudent researcher should look beyond overt decision-making and conduct an examination of the ‘rules of the game’, prevailing values and the ‘mobilisation of bias’. They urge an examination of those who stand to profit or are handicapped by decisions or non-decisions.

2.1.5 Consensual accounts of discourse

The term discourse is defined in many ways but in the context of this research discourse is ‘a technical term for a reflective form of speech that aims at reaching a rationally motivated consensus.’ (Finlayson, 2005 p. 41) which precedes action. This focus on rationality recalls Habermas whose views on discourse are relevant to this case study.

Habermas conceptualises 3 types of discourse:

1. Explicative – question the intelligibility of a statement
2. Theoretical – question the claim of truth
3. Practical – normative rightness 'ought this to be the case?'

(Burkart, 2009 p. 147)

When all of these perspectives are taken into account, some arguments are more plausible than others. Importantly Habermas also notes that the 'unforced force' of an argument is a necessary condition. This means that debates should be characterised by not only the absence of violence but also that the forces of power which may be covertly applied should also be precluded. For many commentators such as Flyvbjerg (1998b), it is inconceivable that power interests could be eliminated. Flyvbjerg critiques Habermas's conceptualisation as problematic due to its inadequate conceptualisation of power. This is perhaps too harsh. As noted in his discussion of the 'life-world', Habermas is sensitive to ideological incursions colonising the lifeworld.

'When stripped of their ideological veils, the imperatives of autonomous subsystems make their way into the lifeworld from the outside – like colonial masters coming into a tribal society – and force a process of assimilation upon it.'

(Habermas 1987 p.355)

'...power is always present', says Foucault. It is therefore meaningless, according to these thinkers, to operate with a concept of communication in which power is absent.'

(Flyvbjerg 1998b p. 216).

Fairclough (2012) suggests that power interests can range from social inequalities, media distortions, public ignorance and apathy. Given these conditions it is hard to see how arguments can ever meet criteria and still be plausible.

Habermas advocates that claims in arguments are mapped onto three 'worlds'.

- The Objective world – external nature that true statements can be made about such as congestion, need for connectivity
- The Subjective world – focus on the internal (individual experiences open only to the individual speaker)
- 'Social world' of society controlled by values and norms.

These are ideal conditions, as Habermas acknowledges. This is where discourse comes in as a 'repair mechanism'. There will be occasions where parties doubt that these conditions are being upheld. For communication to be effective, there must be the opportunity for challenge and for plausible answers to be put forward, considered and accepted or not.

2.2 Conflictual models of power

In 1974, Lukes published *Power: A Radical view* (hereafter *PRV*) and his conceptualisation of three dimensions of power engendered much critical discussion amongst political scientists and sociologists on the contested nature of power. The first 'face' of power deals with overt exercises of power such as the type of decision-making examined by Dahl in *Who Governs?* The second face of power includes a critical response by theorists such as Bachrach and Baratz. These authors argue that any conceptualisation of power must equally examine non-decision making and instances such as anticipated reactions. The latter refers to instances where actor A does not exert influence yet the anticipated reaction of actor B alters his behaviour in the expectation of A's desire or interests. This process can explain why important political issues do not reach the political agenda without actors actively having to block their progress.

This section examines Lukes's third dimension of power which constitutes a more radical account and takes us further along a continuum whereupon discourse is eventually located. Lukes examines the interaction between actors A and B. As noted earlier, a power relation is present when actor A can get actor B to do something that B would not otherwise do. Lukes characterises such a relationship between the two actors as one of 'domination'. In the absence of violence, Lukes's third dimension of power

bid to be being 'radical' centres on the behaviour of the agents themselves. Not only does agent B comply in their subjugation they may do so willingly. Lukes's explanation requires an appreciation of the actor's putative interests. These interests when unpacked can involve desires, beliefs and values. Lukes's third face of power then suggests that the interests of agents have been manipulated, that their preferences may have been intentionally engineered by others who stand to gain from this shaping of preferences. Not only is the concept of 'real interests' controversial and very difficult to observe empirically but the imputation of this behaviour has led to criticism that Lukes is taking an paternalistic or patronising approach to interpreting the desires of others.

A further difficulty rests with the mechanism for this process. Lukes attempts to open this 'black box' but his explanation is somewhat opaque, seeming to rest with the process of socialisation. What is striking about Lukes's work in *PRV* is that he says that 'A may exercise power over B by 'influencing, shaping or determining his very wants' (p. 27). Dowding (2006) argues that if this is done intentionally then we should be able to find evidence.

For Shapiro (2006) the value of Lukes having originally theorised the 'third dimension' of power is to find empirical evidence of the third face in practice. This should help the normative quest to inform government and system design to prevent abuses of power and social injustice. Shapiro asks: 'How often does it [power's third face] operate and under what conditions?' (p. 146) In the AWPR case study, it can be asked how the Councils' urban planners and/or the business lobby have secured public approval for the construction of the bypass. Is it in our interests as citizens to see the city expand westwards or live in large suburban estates instead of the higher density housing in the city-centre?

Dowding concludes:

'The third dimension of power is only power when our belief structures are intentionally caused by others but we must understand that such

intentionality has the broader externalist interpretation that I have placed upon it and not the internalist conception implied by Lukes's squashy liberal critics.' (Dowding 2006 p. 140)

Dowding queries whether domination is the correct term. That someone's interests are realised can we conclude from this that domination was present? Dowding also disputes Foucault calling the totalising problem of being structured by power 'the Foucault trap'. Rather, Dowding argues that we are not all implicated in the structure of power relations. The system does not make us all dominators. Why then do we not do more to break free? The answer rests with collective action problems. Dowding illustrates this point through the example of women accepting body images circulated by the fashion industry for economic imperatives and created through patriarchy. He argues that 'once the competition is there they either play the game or drop out.' For many citizens, 'dropping out' exacts a high price in terms of resources and social inclusion.

This acquiescence itself may be in a thick or thin sense (Scott 1990 quoted by Dowding 2006). Lukes believes that both can be discerned depending on the context observed. In the thick form of domination 'people actively believe the values which oppress them and in the thin they are merely resigned to them' (Scott quoted by Dowding 2006 p. 137)

In 2005 Lukes produced a 2nd edition of *PRV* where he admits to some 'mistakes and inaccuracies' in his original work and responds to critics. In this 2005 edition Lukes says:

'*PRV* offers a very partial and one-sided account of the topic. For one thing, it focuses entirely on the *exercise* of power and, for another, it deals only with asymmetric power – the power of some *over* others...and the securing of compliance to domination.' (original emphases, p. 64)

This criticism responds to the views of authors such as Sen, Nussbaum and Morriss that any study of power should also consider 'power-to' in addition to 'power-over'. This view conceptualises power as a 'capacity' not a relationship. For Morriss 'power' is best thought of as the ability to effect

outcomes, not the ability to affect others.’ (Morriss, 2006 p. 125). Lukes accepts this wider account of ‘power to’, but it is clear in the revised edition that his focus keeps returning to ‘power over’, perhaps because he sees these contests in the real world as more illuminating.

He also moves away from an account of agents’ interests as being motivated by material interests. Social actors ‘do not have unitary or dual, but multiple and conflicting interests, which are interests of different kinds, and their identities are not confined to their imputed class positions and destinies.’ (Lukes 2005 p. 145) This idea of a multiplicity of fluid rather than static personas signifies a departure from traditional modernist views on individual identity (Bauman 2000). This shift away from modernism and ideology gives rise to a difficulty, articulated by Shapiro: ‘How can we talk about false consciousness when we no longer have available an account of what true consciousness is for a given agent to believe in a given circumstance.’ (Shapiro 2006 p. 147).

Lukes attempts to answer this question through acknowledgement of transcendent interests such as health, material and rational choice explanations. It is important to have a measure of a range of real interests against which judgments can be made about manipulation. As Shapiro comments, some interests can trump others yet all are arguably material to the agent.

‘Perhaps the people in question are more strongly attached to their social status than their class position, and their social status would be compromised by engaging in industrial action.’ (ibid)

As this case study is interested in uncovering evidence for or against both pluralist and political economy theories a focus on ‘power over’ as it is manifest in key decisions to go-ahead and construct the bypass is essential. However, given the democratic setting, the ability of the state to secure a successful ‘outcome’ and maintain the constant and unwavering compliance of the majority of the public in the decision to commit funds to a major infrastructural project will equally be examined.

The 'power to' substantially alter the natural environment, to cut through existing communities, and change the day to day lives of citizens without provoking direct action or widespread popular protest may suggest the presence of other forms of power beyond domination of one group over the powerless.

Lukes's revised conceptualisation of power promotes a focus on interests more than decisions. 'A exercises power over B when A affects B in a manner contrary to B's interests' (Haugaard 2002 p. 38). The word 'exercises' implies agency and intentionality. Lukes postulates that power does not have to be individualistic but can be deployed by groups, organisations and systemic. For some commentators agency and intention are key to this analysis.

'This is an interesting case of individualistic and intentional assumptions being built into our language – but that in itself provides no reason for adopting such assumptions.' (Lukes in Haugaard 2002 p. 53)

For Dowding (2006), intentionality is essential to the validity of Lukes's third dimension of power. Only through reference to agents' accounts of intentionality can we understand how 'agents acquiesce in their own domination.' (p. 136). Dowding argues that the reasons why agents act in a certain way do not have to be 'conscious nor recognisable to them ... I argue that this allows us to be critical of values, but only if we carefully demarcate the beliefs and desires that constitute value systems' (p. 136). As Lukes states:

'In brief, we need to justify our expectation that B would have thought or acted differently; and we also need to specify the means or mechanism by which A has prevented or else acted (or abstained from acting) in a manner sufficient to prevent, B from doing so. (Lukes in Haudgaard p. 54)

In the case of the AWPR, would the Council have been as keen to build the bypass in the absence of the financial dividends from the development opportunities?

2.2.1 Real interests

False consciousness refers to the Marxist notion that agents are purposefully deprived of appreciating much less actualising their best interests. As Haugaard explains this process is brought about whereby: 'power instrumentally warps and obscures the truth in a direction which benefits the interests of dominant groups.' (Haugaard 2002 p. 39) For Lukes, this supposes that there is an 'objective' knowledge out there. This is a point of difference from Foucault who would see knowledge constituted by and through power.

This definition of power seems to entail a significant shift away from agency and intentionality. This takes us to the important point about the unequal distribution of resources across society which Dahl acknowledged. Lukes explores a paradigm whereby how these inequalities play out is variously contingent (A could act variously) or determined (the structural position in the hierarchy dictates how A will or won't act irrespective of agency). Haugaard (2002) argues that conceding a role for agency reduces the analysis to two dimensional power thereby robbing it of its radical edge.

The other issue often raised with the third dimension of power is its impenetrability. As Goffman states:

The analysis developed does not catch at the differences between the advantaged and disadvantaged classes and can be said to direct attention away from such matters. I think that is true. I can only suggest that he [who] would combat false consciousness to awaken people to their true interests has much to do, because the sleep is very deep. And I do not intend here to provide a lullaby but merely to sneak in and watch the people snore (Goffman 1974 p. 14).

To awaken citizens from their deep sleep and to prove the existence of false consciousness depends on an understanding of real interests. This requires a perspective outwith the context of people's lives and is therefore problematic.

Morriss is interested in the different 'contexts' of power; the practical, moral and evaluative contexts. The evaluative context is that of judging social systems. This is a major focus of Shapiro's work (2006). This is relevant to the current case study when we ask if the current institutional set-up is conducive to debate and coming to fair and equitable and democratic decisions.

'Lukes and Connolly, as radicals, want to emphasize the plight of the powerless and thus to persuade people of the evils of contemporary capitalism... What is wrong with being powerless is that you are powerless – that is, lacking in power. And if people are powerless because they live in a certain sort of society – that is, they would have more power if the social arrangements were changed – then that, itself, is a condemnation of that society. A radical critique of society requires us to evaluate that society, not distribute praise or blame to people. The two are very different procedures, and must be sharply distinguished.' (Morriss 2006 p. 128)

Lukes and Foucault differ on the extent to which people are constituted by power. Lukes (2005) cites in support of his theory of the third dimension of power that empirically:

'studies which show that people willingly comply in patterns of normative control do not sustain the radical Foucault view that there can be no freedom since we are all constituted of power.' (p. 136)

In his revised edition of *PRV*, Lukes devotes a substantial part of Chapter 2.0 to examining Foucault's conceptualisation and analysis of power. Lukes acknowledges the development of Foucault's ideas and considers the early and 'Final Foucault' periods.

In the early Foucault he quotes passages which suggest that there is little room for truth and freedom because we are all constituted by power. Lukes identifies the common interest of his work and Foucault's in the process of domination and the compliance of the subjugated in the absence of coercion. In this way both are interested in the mechanisms by which this

acquiescence is achieved. Lukes accepts that Foucault's concept of power is broad and finely grained.

'I am thinking rather of its capillary forms of existence, the point where power reaches into the very grain of individuals, touches their bodies, and inserts itself into their very actions and attitudes, their discourses, learning processes, and everyday lives.' (Foucault quoted in Lukes 2005 p. 89).

This conceptualises power as non-instrumental but rather omnipresent:

'taking place not within a single overarching 'society' but instead across a multiplicity of fields of forces which are sometimes connected and sometimes not. His special focus is always upon the way these power relations are organised, the forms they take and the techniques they depend upon, rather than upon the groups and individuals who dominate or are dominated as a consequence.' (Garland quoted in Lukes 2005 p. 89)

Lukes also draws on Foucault's interest in *problematizing* political issues as a historical methodology. He felt that this could only be accomplished through the involvement of those participants who are intimately involved in the local scenario. Foucault developed a view around the interactions of micro-nodes of power. This should be of significance when applied to the AWPR case study when weighing up the power dynamics between various stakeholders; environmental groups, business groups, affected property owners and the like. Motion and Leitch (2009) view this as 'a pluralist analysis of systems of discourse.' (p 86)

Foucault's interest in the representation of marginal groups such as various environmental groups will also be relevant here. In this study, *Sink the Link*, Camphill Community, and the views of the Frasers, organic farmers working under a philosophy of sustainability have been included in the analyses.

2.2.2 Radical views of power

Foucault is not persuaded that Habermas's communicative action thesis adequately describes contemporary political practice. He notes a lack of critical debates in the public sphere. Rather, in line with the work he developed in *Discipline and Punish*, Foucault (1991) presents an account whereby citizens are controlled through the mechanism of discourse. This is a subtle process in keeping with Lukes's theorising of anticipated reactions as part of the second face of power. What it amounts to is a radically different assessment of the workings of our democracy where the state's wishes prevail due to their hegemonic powers over the citizenry, leaving only occasional pluralist outcomes. Indeed, Lukes sees Foucault's views as an 'ultra radical' view of power. (Lukes 2006 p. 167)

Shapiro challenges Foucault for not supplying 'us with any normative tools for differentiating among types of power relations' (Shapiro 2006 p. 150). Lukes suggests that were one to take Foucault's view to its logical conclusion, 'we are all implicated in a system of power. Those who do not resist are dominators. Therefore there is no freedom since we are all 'constituted' by power.' (Lukes 2006 p. 167).

This would suggest a totalising if not bleak view which is not what Foucault intended. Rather Foucault (1970) sees power as positive and productive:

'What makes power hold good, what makes it accepted, is simply the fact that it doesn't only weigh on us as a force that says no, but that it traverses and produces things, it induces pleasure, forms knowledge, produces discourse. (p. 119)

How is this possible? Gutting (2005) elucidates a key dimension of Foucault's view of power as follows:

'There is no single centre of power, no privileged 'us' against which a marginalised 'them' is defined. Power is dispersed throughout society in a multitude of micro-centres.' (p. 87)

This dispersion derives from there being no teleology - no dominating class, narrative or world-historical process at work. Instead, similar to quantum mechanics, Foucault sees modern power as a myriad of chance outcomes ... of 'numerous small, uncoordinated causes.' (Gutting 2005 p. 87)

It is therefore mistaken to believe that there is no alternative to being implicated in the system or subject to 'false consciousness'. Foucault's account sees light in the lives of marginal individuals at the local level, those who 'live perpetually on the borders of society', eschewing conventional societal norms. In North's (1998) account of Solsbury Hill he paid tribute to the *Dongas* who lived on the land and rejected mainstream views of the land's amenity value to humans. Through direct action 'the claims of the marginal are based on critiques of specific features of our society that can be modified without total overthrow.' (Gutting 2005 p. 89)

2.2.3 Foucault on discourse

Under a consensual account, discourse is seen as a process through which rational consensus could be achieved. Foucault's very different conceptualisation of power consequently requires an alternative definition of discourse as a process imbued with and symptomatic of conflict.

'Discourse is not simply that which translates struggles or systems of domination, but is the thing for which and by which there is struggle, discourse is the power which is to be seized.' (Foucault 1970 p. 53)

For Foucault, discourse is far from being intangible. He identifies specifically its 'formidable materiality', and its ability to dictate meaning.

'in every society the production of discourse is at once controlled, selected, organised and redistributed by a certain number of procedures whose role is to ward off its powers and dangers, to gain mastery over its chance events, to evade its ponderous, formidable materiality.' (Foucault 1970 p. 52)

The significance of discourse is such that Foucault further suggests the variant powers of different discourses:

'a kind of gradation among discourses: those which are said in the ordinary course of days and exchanges...; and those which give rise to a certain number of new speech-acts which take them up, transform them or speak of them.' (Foucault 1970 p. 57)

He sees these orders of discourse as fluid and subject to flux rather than set. This leads to what he calls 'the infinite rippling of commentaries'. On a more unsettling note, Foucault also remarks on the closed nature of some discourses:

'not all the regions of discourse are equally open and penetrable; some of them are largely forbidden (they are differentiated and differentiating)'
(Foucault 1970 p. 62)

Foucault is keen to point out the functioning of social norms within society. Further, as Gutting (2005) interprets 'norms define certain modes of behaviour as 'abnormal' which puts them beyond the pale of what is socially (or even humanly acceptable). The threat of being judged abnormal constrains us moderns at every turn.' (ibid p. 84) Thus we can see the mechanics of how language exerts power over behaviour. Foucault also uses the concept of 'the gaze' as developed in his theory on panopticism, and 'normalising judgment' to explain how anticipated reactions keep citizens compliant. This wariness of transgressing norms is prevalent in the North East of Scotland. Bryant comments on the conservative disposition of denizens of Winchester during the Twyford Down protests. In *North Sea Oil Moguls*, Larry Kinch describes the local oil service companies in Aberdeen this way 'They were very conservative – like the oil majors.' (Cresswell 2005 p. 94).

Furthermore a strong American influence exists in Aberdeen due to the oil sector links with their oil counterparts in Texas and Louisiana. From the 1970s, many Americans came to live and work in the city. Americans from

these states also tend to represent a conservative cultural orientation. Thus it is possible that Foucault's insights around the susceptibility of some groups to comply with norms and avoid confrontation is present in the culture of the North East of Scotland.

Gutting refers to the scope of 'a normalising gaze [that] establishes over individuals a visibility through which one differentiates them and judges them.' (Gutting 2005 p. 86). In this way, events such as the PLI and the Court appearances can be viewed as an examination of sorts ultimately conducted by the state bodies. This process turns individuals into cases or precognitions to be judged by the media and court of public opinion.

2.2.4 Fairclough on political discourse

Fairclough (2012) shares Foucault's insight that different discourses may be present and that some of these rise or fall or remain concealed as 'orders of discourse'. Like Habermas, Fairclough concurs that discourse goes through a dialectic process as part of the process by which some discourses achieve ascendancy and in some cases hegemony. The dominance of neoliberal economic and political ideas in the US and Europe and exported globally is a recent example. Similarly, the rise of new discourses such as environmentalism born of new social movements was mentioned previously and will be discussed later in this section. Fairclough states:

'if a discourse achieves hegemony, it is enacted in new ways of acting and interacting, inculcated in new ways of being (forms of identity), materialized in new 'hardware' (architecture, machinery, technologies etc)'. (Fairclough 2005 p. 42)

In a sense, then using this conceptual framework we could see the construction of the bypass in itself as a 'hardware' manifestation of neoliberal discourse with attendant concepts of market and supply chain efficiency, car culture and a prominent symbol of both consumption and individualism.

'Social fields, institutions and organisations are constituted by multiple social practices held together as networks, and the semiotic dimension of such a network is an *order of discourse*, which is a configuration of different genres, different discourses and different styles.' (Fairclough 2012 p. 83)

This quote illustrates the breadth of Fairclough's conceptualisation of discourse beyond language, as expressed in words, to include symbols and signs. This approach was utilised in the current case study with attention paid to the use of the visual, pseudo-events and narrative within the campaign strategies. Fairclough is explicit that an understanding of how symbolic meaning is deployed is important in analysing disparities in relationships of power between actors:

'how semiosis figures in the establishment, reproduction and change of unequal power relations (domination, marginalisation, exclusion of some people by others) and in ideological processes, and how in more general terms it bears upon human 'well-being' (Fairclough 2010 p. 231)

Watching the case study unfold, strategies such as marginalisation are readily discernible in the oft-repeated charge of 'NIMBYism' by state representative and the media:

'[The AWPR] will now take its place alongside the Western Peripheral Route and the transformation of Union Terrace Gardens in a queue of ambitious Schemes thwarted by 'nimbyism'.' (Aberdeen *Press and Journal* editorial, 2010)

The grist of politics revolves around the contests and struggles which occur in language and over language. (Fairclough 2012) The power of the capitalist class, an elite whose interests are intrinsically linked to the continued development of capitalism, depends on its ability to control the state. 'Discourse is the site of power struggles.' (Fairclough 2012 p.61) Fairclough's interest in power is teleological and in particular the psychological and social effects of power on well-being.

Other discourse theorists such as Laclau and Mouffe (1985) who inspired the Essex school of discourse could have been used in that their approach is highly applicable to an analysis of political issues. Their post-structuralist approach to discourse, like Fairclough, owes a debt to Foucault. However, Laclau and adherents such as the Howarth, Norval and Stavrakakis (2000) are primarily engaged with an enquiry around theories of hegemony. This stresses 'the discursive construction of politico-ideological frontiers and the dichotomisation of social spaces.' (Laclau in Howarth, Norval and Stavrakakis 2000 p. xi) This approach takes 'antagonism' as a central concept. Certainly there are instances of antagonism in the AWPR case-study but the strategies such as direct action are absent in marked difference to some of the road protests studied in Chapter 3.0. Foucault's concept of a 'dossier' of discourses in flux and co-existing and overlapping appears *prima facie* to have greater explanatory power to this case.

The bypass is in one sense the subject of this research but of course the road itself may represent more a means to achieve another ultimate end such as a development corridor. One potential goal may be to reduce congestion. Downs (2004) noted in his extensive research on congestion in the United States, the cumulative effects of congestion in causing stress which is antithetical to well-being. Congestion's contribution to air pollution directly affects health. In the longer term, the relationship between emissions and climate change is said to bring about harsh environmental implications for all human beings globally. Given this, it is imperative under Fairclough's view that our decision-making as a community balances the needs of some sections of society with the longer term interests and well-being of citizens. The current research is interested in how communication and discourse in particular not only informs but frames and possibly structures these debates.

Yet Foucault alerted us to the covert nature of some of these discourses, rendering their identification problematic. Fairclough agrees this presents a challenge, given 'the forms in which they [discourses] appear to people are often partial and in part misleading.' (ibid p.231) The AWPR case study affords the opportunity to examine pockets of resistance to the perceived

dominant capitalist thinking of the state even though at times these views need to be carefully excavated.

A further problem rests with the nature of power itself. Lukes (2005) and Castells (2009) are clear that for power to be actualised requires the presence of other actors. 'Relational capacity means that power is not an attribute but a relationship.' (Castells 2009 p 11). What this theoretical insight means in practice is that it is conceivable that some actors may hold power without realising it. This begs an inquiry into the significance of agency within power relations.

2.2.5 Structure and agency

There is a long tradition of agency in political communication, most notably Machievelli's *The Prince* which featured in Flyvbjerg's (1998a) study of Aarhus. The omnipresence of discourse, as conceptualised by Foucault in particular, can be seen to render individuals as constituted by discourse and agency impotent. A binary opposition is posed between structural determinism (dominance of context) versus agency. In his later work, Foucault hypothesises 'that there are no relations of power without resistance' (Foucault 1980 p. 142). Thus although Foucault sees power as 'co-extensive' with the social body he also comments that this does not mean 'one' is trapped and condemned to defeat no matter what' (pp. 141-142). This mention of 'one' implies agency by groups of citizens if not individuals per se. These ideas will be explored further in the Discussion in light of empirical evidence derived in the case study.

In *Structure, Agency and the Internal Conversation*, Archer (2003) seeks to rehabilitate the role of agency in politics following a period when many sociologists and political scientists have accepted the tenets of structuralism. She is interested in individuals' modes of reflexivity in making sense of their experiences and ability to affect political change. She seeks to account for the silent majority in political debates in socio-psychological terms beyond concepts such as 'false consciousness'.

'Passive agents are the opposite of those taking a social 'stance'; they are people to whom things happen rather than people who exercise some governance over their lives by making things happen. Conversely, all practitioners of a given mode of reflexivity were 'active agents' and the modus vivendi that each had established in society was to a significant extent their own doing – the effect of exercising their personal powers.'

(Archer, 2003, p. 343)

Her theoretical analysis evidenced empirically through in-depth interviews arrives at typology of citizens based on their reflexive orientation. The 'stances' Archer (2003) developed are:

- 'communicative reflexives': evasive agents seeking social integration.
- 'autonomous reflexives': strategic agents seeking individual goals
- 'meta reflexives': subversive agents seeking to enact normative ideals.

These three groups relate to wider society in the following ways. The communicative reflexive is 'collectivistic' towards the social; the autonomous reflexive is 'accommodative' towards the social and the meta-reflexive is 'transcendental' towards the social.

'The 'stance' adopted by 'meta-reflectives' is deemed to be *subversive* because the courses of action followed by the subjects in chapter 8 resisted directional guidance from the constraints and enablements they objectively encountered.' (Archer 2003 pp. 350-351).

This 'stance' seems in keeping with the environmentalists who took direct action in the Twyford Down campaign. Similarly, this analysis may go some way to explaining Committee members of *Road Sense*, William Walton's perception of injustice over breaches in due process and Professor Tony Hawkin's stance on preserving the River Dee as a Special Area of Conservation (SAC) including aquatic species and otters. These issues will be explored in more detail in Chapter 5.0 and 7.0.

Archer concludes that there are systemic consequences through the stance of meta-reflexives. 'Meta-reflexives give social salience to their ideals' (ibid p. 361). Thus Archer (2003) concluded:

'By personifying their ideals of truth and goodness, the meta-reflexives awaken them and re-present them to society. In so doing, they re-stock the pool of societal values, by displaying alternatives to the aridity of third-way thinking – and its repressive consensus.... Wertrationalität is alive.' (p. 361)

Archer concludes that a more informed analysis of political decision-making and debate requires a 'dialectical interplay' between agency and structure as having the greatest explanatory power. Fairclough concurs that Critical Discourse Analysis (CDA):

'[CDA] oscillates, as I have indicated, between a focus on *structures* (especially the intermediate level of the structuring of social practices) and a focus on the *strategies* of social agents, i.e., the ways in which they try to achieve outcomes or objectives within existing structures and practices, or to change them in particular ways.' (Fairclough 2010 p. 233)

The AWPR case study, similar to other road protests, features tireless campaigning fortitude by individuals such as *Road Sense* Vice Chairman, Henry Irvine-Fortescue. Bryant (1996) equally describes the contribution of fellow founder member of the Twyford Down Association, Merrick Denton-Thompson as follows: 'for some eight years a large part of Merrick's life was devoted to the M3 campaign'. (p. xi) This is all the more remarkable given the other professional commitments of many anti-road campaigners. In Archer's typologies these activists typify 'meta-reflexives'. This research looks at the strategies of the social agents and groups of agents in Chapter 5.0 and discusses these in terms of Archer's typology in Chapter 7.0.

2.3 Communication theory

The current research seeks to situate the role of discourse within a mature democratic institutional decision-making framework. Discourse can be

understood as a wider term encompassing communicative acts such as rhetoric, semiotics, oral and written statements which form public relations strategies. In modern society, these communications are often conceptualised as 'messages' flowing to and fro various actors: sources, mediators, and receivers of the communication. These communicative flows are essential to the workings of Habermas's public sphere (2006).

The definition of public relations is highly contested – with over 500 definitions unearthed by Harlow (Broom 2012 p. 28). As Marsh (2013) advocates, a useful working definition by Broom (2012) has been broadly accepted as a starting point for discussion as follows: "public relations is the management function that establishes and maintains mutually beneficial relationships between an organisation and the publics upon whom its success or failure depends." (Broom 2012 p. 28)

Marsh comments that subject of analysis being 'organisations' may be too limiting. He and others before him (Duffy 2000 and Holzhhausen 2007 quoted in Marsh 2013) raise the question of whether loosely organised activists are practicing public relations? This question is highly relevant to this research in that the case study features many individuals such as the Frasers and others who attended the PLI, and small protest groups such as '*Sink the Link*'. The work undertaken to promote *Road Sense*'s case may have become an 'organisation' but latterly the burden fell on a small number of dedicated unpaid volunteers. Marsh suggests that 'entities' could encompass the range of actors more typically to be found in political scenarios and the author welcomes this modification. This case study features messages which come under one of public relations so-called specialisms that of political communication.

2.3.1 Public relations paradigms

Marsh reviews the discipline of public relations' claims for theoretical stauts and identifies two main paradigms: excellence theory and contingency theory. The former model underpinned by work of the International Association of Business Communicators rests on conceptualisation of

communication characterised by two-way symmetrical communication. This means that both organisations and publics are open to persuasion and shifts in position. This thinking is exemplified in the following statement by Wilcox (2000) which assumes a greater role for rationality.

'public relations is more than persuasion. It should also foster open, two-way communication and mutual understanding with the idea that an organisation also changes its attitudes and behaviours in the process – not just the target audience.' (Wilcox et al 2000 quoted in Werder 2006 p. 339)

Implicit in this quote is the thinking that reasoned debate unfolds in a dialectical process capable of engendering behavioural change in all actors. This more expansive account of public relations emerged from Grunig's theory of a two-way symmetrical model which emphasised 'mutual understanding' (Grunig & Hunt 1984 p. 22) and the respect to be accorded to feedback. This paradigm assumes that audiences, or in this case study citizens, have sufficient resource or power to resist accounts and propose alternative courses of action. As Finlayson elucidates two-way communication requires active empowered citizens:

'Because politics is like this, it is important that there be good rhetoricians, presenting different sorts of argument, and good rhetoric that drives debates onward, and also – very importantly – audiences that can participate in questioning and judgment, and that can, when they choose, take up the argument and take it where they want it to go.'

(Finlayson and Atkins 2010 p. 1)

For the equilibrium of two way communication to function requires a context of careful institutional design. Political communication is a sub-genre of public relations and refers to the dynamics between elites, mediators and the public. Messages from political elites or civil society groups enjoy privileged institutional status and consequently the ability to exercise disproportionate power. Mediators of messages, professional journalists with various interests at stake may be motivated variously by editorial and ownership agendas, noble 'watchdog of democracy' intentions, or a remit to entertain. These agendas may be problematic and skew the two-way

communication process. Recipients of the messages to use Windisch's (2008) phrase - 'the public as witness', are a mass citizenry whose active participation is necessary to legitimise the democratic credentials of outcomes.

Contingency theory, alternatively, is home to a diverse continuum of positions from 'radical accommodation to publics' demands to asymmetrical advocacy of a client/employer's viewpoint' (Marsh 2013 p. 2) Werder (2006) references Hazleton and Long's (1988) public relations process model which takes a systems approach.

'Communication strategies are manifested in the form of messages that serve as inputs to target audiences located in the environment.'

(Werder p. 339)

This conceptualisation is articulated by Cameron, Pang and Jin (2008) as follows:

'[C]ontingency theory offers a perspective to examine how one party relates to another through the enactment of a given stance toward the other party and at a given point in time; how those stances change, sometimes almost instantaneously; and what influences the change in stance. ... This stance can be measured and placed along a continuum, with advocacy at one extreme and accommodation at the other... Most organisations fell somewhere in between and, over time, their position usually moves along the continuum. Put simply, the stance we take is influenced by the circumstances we face'

(Cameron, Pang and Jin 2008 pp. 136-137 quoted in Marsh 2013 p. 2)

Marsh explains the different perspectives of authors as explicable in terms of their orientation towards society. Some theorists operate at a microlevel focused on individual agency; some adopt a mesolevel whereby organisations are the focus; and some theorists take a macrolevel approach where analysis includes a societal dimension.

The work of Ihlen, van Ruler and Fredriksoon (2009) is engaged with making explicit the influence of social theory on the emergent discipline of public relations. This approach is inherently critical of the effects of organisations, including the state, on wider society. The author seeks to analyse the efficacy of the discourses in the case study both from a normative and practical standpoint. By this, the research will reflect on the social legitimacy of the discourses of the proponents and opponents of the Scheme alongside more practical considerations around the effectiveness of their actions.

2.3.2 Public relations and social theory

Burkart has developed a theory of consensus-oriented public relations (COPR) incorporating the ideas of Habermas around communicative rationality.

'The aim of my approach is rather to gain suggestions for the analysis of public relations from the perspective of Habermas's concept of understanding. In particular, one can use this perspective to illuminate the relation between public relations experts offering information and members of target groups who receive this information.' (Burkart 2009 p. 144)

What this means in practice is that organisations have a duty to explain their activities to a range of publics in terms of the effects of their actions on wider society. In the commercial world, these ideas inform the principles of Corporate Social Responsibility (CSR).

'Especially in situations with a high chance of conflict, companies and organizations are forced to present good arguments to communicate their interests and ideas – in other words: they must make the public *understand* their actions.' (Burkart 2009 p. 145)

Developing this theory, Burkart suggests incorporating Habermas's four validity (see 2.1.1) claims to strategic communication planning. In practice, this can be an exacting requirement requiring time and resource. Thus

many campaigns revert to well entrenched orthodoxies of selective dissemination of positive information at the expense of a more honest and exacting situational analysis. For Burkart, these pathologies can and should be addressed through 'discourse' as a 'repair-mechanism' to achieve consensus (Burkart 2009 p. 146) Again, borrowing from Habermas, Burkart identifies the essential condition that citizens must have the opportunity to doubt the validity of claims and only when plausible answers are given can the flow of communication resume in a meaningful way (Burkart 2009).

'From that point of view the negotiating of definitions of the situation is a major part of the interpretation-effort necessary for communicative action.'
(Habermas 1984 quoted in Burkart 2009 p. 148)

In the AWPR case study, defining the situation is problematic, with various rationales contested from reducing congestion, boosting economic development or the urgent need for sustainable transport solutions against a background of climate change. COPR is an ethical approach to public relations. For it to succeed, imbalances in power must be acknowledged and minimised.

'One cannot expect a fair compromise, if the participants do not have the same position of power or do not have the same threat potential'
(Habermas quoted in Burkart 2009 p. 149)

A respect for the legitimacy and truth of the positions held by others is required as advanced by Kant and reinforced by Habermas (1984). In the absence of these conditions, public relations will revert to traditional strategies designed for zero-sum outcomes.

Motion and Leitch (2009) look towards another major theorist, Foucault, for theoretical foundations and practical tools to enhance public relations scholarship and practice. They share his perspective that discourse resides in statements, concepts and strategies. To understand how discourse exerts power, the research must uncover:

'what could be said, who could speak, the positions from which they could speak, the viewpoints that could be represented, and the interests, stakes and institutional domains that were represented.'

(Motion and Leitch 2009 p. 86)

The desire to find a solid academic foundation for the study of public relations may equally lie in the classic direction of rhetoric. Heath (2009) called for rhetorical theory to form part of the enquiry around pluralistic studies of PR (p. 14). As mentioned previously, rhetoric forms part of an analysis of discourse and so the influence of rhetoric on public relations will be discussed in the next section.

2.3.3 Rhetoric

Modern stereotypes of public relations and public affairs professionals nowadays referred to popularly as 'spin-doctors', draw upon notions of sophistry. These accounts tend to misrepresent rhetoric as communication solely aimed at persuasion at all costs. This conceptualisation equates public relations and communications as corporate euphemism for propaganda. This well established and contested word which originally focused on the provision of information has itself become imbued with sinister and pejorative connotations - 'a much maligned and misunderstood word' (Goebbels in Welch 2013 p. 2). Certainly, the instrumental use of communication is thousands of years old and has antecedents back to Ancient Greece through to Machiavelli's *The Prince* (2003) and across cultures as Sun Tzu's late 6th century treatise, *The Art of War*. If propaganda and modern day public relations is associated with information and persuasion then an understanding of rhetoric may yield valuable insights.

It is important to clarify what is meant by rhetoric so that we can situate this term alongside a continuum of communicative rationality, to partisan instrumentality and advocacy to manipulation and deception. Corbett (1990a quoted in Marsh 2013) refers to rhetoric as:

'the art or the discipline that deals with the use of discourse, either spoken or written, to inform or persuade or motivate an audience , whether that audience is made up of one person or a groups of persons' (Marsh 2013 p.5)

Plato's dialogues the *Gorgias*, *Phaedrus* and *Menexenus* deal with the question of rhetoric and its relationship with reality and 'the truth'. In *The Republic*, Plato advises that the governors should at the least demonstrate the outward appearance of truthfulness. As Welch (2013) notes: 'Plato recognised that they might, at times, need to employ censorship (and deception) in the greater interest of implementing democracy.' (p. 4).

In *Rhetoric*, Aristotle put forward the axiom that rhetoric must be based on the truth and that this should be advanced through reasoned argumentation in the form of *logos*.

'And that is what rhetoric is about: the finding of good reasons for people to think and feel something, and of the best and most convincing way to communicate these to them. That is why rhetoric is a fundamental component of political life in a free society, and one that (when exercised well) should be celebrated.'

(Finlayson and Atkins 2010)

Aristotle's typology of rhetoric also includes: *pathos* and *ethos*, referring to the use of language to appeal to the emotions and essential attributes of character respectively. Examples of the use of these rhetorical tropes will be used in the coding of texts (see section 9.4 in Appendix C)

Fairclough (2012) draws on Aristotle's conceptualisation of rhetoric to explain the different settings in which rhetoric is deployed in political decision making and argumentation. These are:

1. Deliberative (what to do - future)
2. Forensic (seeks to defend or condemn - past)
3. Epideictic (praising or denigrating)

All three 'stages' are present in the current research. The latter part of the case study moves to settings that are quasi legal (PLI) and the forensic rhetoric of the Court of Session and UK Supreme Court. Epideictic use of rhetoric can be observed latterly too, especially when the *ethos* of Mr Walton, Chairman of *Road Sense*, is debated in legal judgments and subsequently politically by the First Minister and the media as to whether his correct status is that of a genuinely 'aggrieved person' or a 'busybody'.

Artistotle's focus on *logos* acknowledges the importance of rational argumentation within rhetoric. Windisch's (2008) article examines the daily political communication arguments that featured in the debate in Switzerland as proposed by advocates and opponents of nuclear energy. He reveals how opposing groups engage in adversarial discursive activities which he describes as 'dynamic' and 'interactive'. The research illustrates the formative nature of these verbal jousts which play out over time culminating in a referendum style popular vote. Windisch finds in his case study that a 'game of placement – displacement' is a critical success factor and so the current research will be attuned to the presence of this strategy or otherwise.

Given the protracted nature of the AWPR case study, it is important to trace the formative development of the arguments and whether these also unfold in a dialogic manner. Some of the main strategies identified by Windisch in his work on the nuclear debate which will be analysed for their presence and efficacy in the AWPR case study are as follows.

1. **Generalisation** - a process of inference from individual fact to universal truth – 'Chernobyl happened and could happen again anywhere'
2. **Essentialisation** - cognitive mechanism where one sees something as 'intrinsic'- 'nuclear energy is dangerous and threatens our planet'
3. **Relativisation** – a probabilistic type of argument. 'western nuclear power stations are safer than those constructed in the Soviet era'
4. **Displacement** – this is where one acknowledges the validity of an opponent's argument. However, one then shifts the focus to a different tack which is deemed the real problem. 'the energy may be cleaner than other forms but there remains no safe solution for the waste.' (ibid pp. 90-91)

The current case study presents evidence of these strategies at work in Chapter 5.0. For example, exposure is a strategy evident around the topic of development. Whether the rationale for the road is really about solving core transport problems such as congestion or whether the road is a Trojan horse to open up the greenbelt for development for private contractors.

2.3.4 Public relations: an instrumental perspective

The majority of public relations campaigns operate within an adversarial environment where actors, often professionals, seek to realise partisan interests expressed as 'aims and objectives'. This instrumental or advocacy approach sits within contingency paradigms where an eco-system of organisational interests compete based on Darwinian principles. Within this field a series of sub-disciplines have emerged including: public affairs, lobbying, issue management, media relations, celebrity PR and event management. The current research will indicate where the deployment of these specialisms is efficacious to advancing the interests of campaigners in the case study. As such, these sub-disciplines will be used in the coding of texts (see strategies in Appendix C).

Werder's research on how organisation's use public relations to manage opposition from activists is relevant to the AWPR case study, because:

'activists must draw attention to a problem, position themselves as legitimate advocates, and successfully argue for their recommended resolution to the problem' (quoted in Werder 2006 p. 342)

Werder, in line with Jackson (1992) identifies five general categories of communication tactics activist groups use in pursuit of their agenda. These comprise:

1. Informational activities including media relations
2. Symbolic activities - demonstrations, protest marches
3. Organising activities – flyers, public meetings
4. Legal activities – testifying and public enquiries
5. Civil disobedience activities – occupying private property

The three case-studies in the following section (3.0) featured all five of these strategies and tactics. These categories will be used to code the texts in the case study (see 10.0 in Appendix C). Werder's research involved testing various strategic messages from McDonald's in response to PETA's strong campaign around the use of animals within the food industry. She found that statements featuring goal compatibility and emotional engagement 'were found to be the strongest predictors of information seeking behavior.' (Werder 2006 p. 353).

Goal compatibility refers to the extent to which the goals or objectives of one party 'are similar to and coincide with the goals and objectives of another party'. (Werder 2006 p. 338). Applied to the current case study, attention will be given to the aims and objectives of the promoters of the Scheme and those of their opponents and the public. Although it is obvious that these groups will have conflicting aims, there may be important nuances within the expression of stated objectives of individual objectors which may be determining. Werder also highlighted the rhetorical use of *pathos* in the textual content of statements to be efficacious in campaigning.

2.3.5 Political communication and public affairs

Political communication refers to the communication flows between political elites, civil society including the media, and the public. Viewed from a Habermasian perspective, the quantity and quality of the flows can approximate a healthy public sphere. Instrumental accounts of political communication seek to maximise knowledge exchange such that the workings of democracy are legitimised.

McGrath, Moss and Harris (2010) put forward a useful distinction between the terms public relations and public affairs which hitherto could be used inter-changeably (McGrath 2010 p. 336 quoting Grunig and Grunig 2001 p.2): 'Public affairs is the management of issues, whereas public relations is the management of the interface between the company and the outside world' (p. 336). The current research will consider both public relations and public affair strategies and accepts this distinction whereby public affairs

refers to the instances where entities reflect on what the wider society expects of them. In the case of state agencies this enquiry necessarily takes into account public opinion on climate change. In the case of the activist groups, public affairs refers to the work undertaken to explain their case to government - 'window out on the world' - usually framed in terms of representativeness of wider public concern.

Issue management strategies typically fall into 3 positions: buffering, bridging, and advocacy (Meznar and Nigh 1995). The former refers to an organisation which denies the importance of the issue to their interests. This position was exemplified through Exxon's early responses to climate change. Bridging 'occurs as firms seek to adapt organizational activities so that they conform with external expectations' (ibid p. 976). This is exemplified by Shell's post Brent Spar meetings with environmental groups. When Shell announced that the decommissioning of one of their platforms, Brent Spar, involved sinking the structure at sea, environmental group, Greenpeace protested against this course of action. Subsequently, the structure was towed to port and dismantled for scrap. Thereafter, Shell's decommissioning strategies have featured discussions with a number of activist and regulatory stakeholder groups. An *advocacy* position refers to the strategy of an organisation that acknowledges the existence of an issue yet continues to promote their interests. This strategy is currently evident in the food and drink manufacturers in the face of rising obesity and diabetes II.

2.3.6 Critical perspectives on communication

As explored in the previous section, political communication refers to the dynamics between the political sphere, state agencies and its attendant political actors; non-state actors including the media and commercial world; and voters. Critical perspectives on fluidity of these communications are rife. Commentators such as Herman and Chomsky (1988) contend that mutual understanding is an illusion; rather information is carefully controlled by elites through the five filters of the media.

'This generated the appearance of alternatives, when no substantive choice was really available. So, instead of facilitating the consideration of (and conflict over) substantive alternatives, the media actually narrowed options – presenting only a limited range of possible issues and opinions.

(Louw 2010, p. 55)

The media then wield power through practices such as agenda setting, representation, and framing. In recognition of this, the objective of many public relations practitioners is to get their particular issue at the forefront of people's minds, or not as the case may be.

From a political economy perspective, information and debate are deliberately constrained due to the inherent crisis within representative democracy in a mass society. Thus, the state and capitalist elites are said to work in concert to ensure that citizens are called upon to simply endorse pre-existing options rather than debate issues from first principles. That these choices favour the interests of the few is concealed by the output of the culture industry, whose outputs reinforce the prevailing order of discourse.

'one finds the often discussed things generated as self-evident by the culture industry, the ephemeral results of the relentless publicist barrage and propagandist manipulation by the media to which consumers are exposed, especially during their leisure time.' (Habermas 2006 p. 36)

In the case of this case study, shows such as *Top Gear* with high ratings and peak time slots effectively reinforce the car culture and aspects of consumption.

It is commonplace for tactics to be deployed in political communication that involve: spin; burying stories; creating distractions; leaking stories; orchestrating letters to the editor; planting stories; surveillance and smear campaigns (Louw 2010). In *extremis*, some of these tactics are familiar from the propaganda practices of authoritarian regimes (Welch 2013) and are deemed 'dirty'. Such practices were used by both sides in the case-studies of road protests. Mrs Bryant, a Conservative Councillor, realised that

her phone was being tapped (Beckett 1995 p.2). A further example was the jamming of the protesters CB communications at Pollok Park. When the public sphere is not operating in an open and transparent manner, these strategies and tactics are more likely to be present.

A further more post-modern media practice involves the use of spectacle. This theory is influenced by semiotic approaches to communication which include Debord and Kellner's (2005) work on spectacle. This involves the heavy circulation and repetition of visual imagery in the absence of informed analysis of the news as exemplified by the two planes crashing into the World Centre towers, 9/11. The thinking is that the consumption of these images short-circuits the ability of citizens to account for the historical context and rationale to political actions and interests. . Louw (2010) sees the use of spectacle in contemporary media reporting as problematic in that it presents politics in the same managed way as sport or fashion.

'Entertaining spectacle news precisely achieves discourse closure because it facilitates stage-managed conflict.' (p. 55)

The use of spectacle to distract the masses was satirised in Aberdeen's (2009) novel *Strip the Willow* which is set in Aberdeen. Yet the AWPR case study operates at a local level, for the most part, and so is less amenable to full blown spectacle through media such as broadcasting. That said, the research will look for the use of images in line with Boorstin's (1961) work on media and public relations.

Central to the concerns about the legitimacy of the use of strategies and tactics such as pseudo-events is the protection of the public interest. Habermas, in considering the role of public opinion identifies two distinct functions of political communication or publicity: the critical and the manipulative scenarios. The choices lead to different roles and expectations from citizens. The large democratic state:

'committed to social rights has to maintain the institutionalised fiction of a public opinion without being able to identify it directly as a real entity in the behaviour of the public citizens.' (Habermas 2006 p. 33).

In this, the critical scenario, elites communicate to an active and engaged portion of the citizenry but universality is compromised. In instrumental terms these groups would be viewed as 'issue publics'. This is explicitly acknowledged by Burkart when he refers in his evaluation of COPR as 'involved members of the public' (Burkart 2009 p. 159). The second option is to abandon any attempt at rational debate, replacing it with 'something more nondescript and more akin to 'opinion management' (Habermas p. 33). In this scenario, opinion polls are used to replicate public opinion.

Habermas deems this quasi-public opinion. To maintain this fiction requires the mass production and circulation of discourse. According to Habermas this is achieved by:

'dealing with opinions that circulate in a relatively narrow circle – skipping the mass of the population – between the large political press and, generally those publicist organs that cultivate rational debate and the advising, influencing organs that cultivate rational debate and the advising, influencing, and deciding bodies with political or politically relevant jurisdictions (cabinet, government commissions, administrative bodies, parliamentary committees, party leadership, interest-group committees, corporate bureaucracies, and union secretariats.)' (Habermas 2006 p. 37)

In the current case study, we can readily note the presence of many of these structures: the Scottish Parliament, local councils, the Courts, *Transport Scotland*, interest groups such as Chambers of Commerce to *Scottish Natural Heritage*, business organisations such as *Aberdeen City & Shire Economic Forum* (ACSEF) and European institutions such as the Aarhus Committee.

For Habermas these quasi-official opinions may be addressed to a wide public, but they are not designed to facilitate informed debate amongst the masses as an essential legitimisation of our liberal democracy.

Habermas raises here the dark shadow of 'public ignorance' amongst the masses. The reasons for public apathy and disinterest may be the result of social deprivation and cultural exclusion. Although Aberdeen is a wealthy city and surrounding hinterland, it is a divided society. The wealth of a certain section of society allows market imperatives to gain the ascendancy. For Habermas (2006) this economic disparity can engender 'a particular paralysis of civil society.' (Habermas 2006 p. 25).

For a healthy public sphere to evade the 'colonizing discourse' of the political elites, inputs from civil societies are all the more vital. These inputs are apparent in this case study with active participation from *Road Sense*, *Sink the Link*, Community Councils, and the *Woodland Trust*.

2.4 Environmental theory

2.4.1 Environmental ethics

The construction of the AWPR will consume 500 hectares of land that is currently designated greenbelt (Woodland Trust, 2013). The scale of permanent loss of natural habitats and the disruption to areas of special conservation during the construction phase forms the basis of objections to the Scheme. To appreciate the strength or otherwise of these environmental discourses, some milestones in conservation and ecology should be revisited.

Writing in 1948, Aldo Leopold differentiates between land that is free and wild and the increasing domination of the land by human species. The amenity value of land and other species is evident through industrialisation. Indeed, Leopold was motivated to write his manifesto by the exponential building of roads to accommodate the 'proliferation of the automobile'. As Leopold elucidates:

'Conservation is getting nowhere because it is incompatible with our Abrahamic concept of land. We abuse land because we regard it as a

commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect.’ (Leopold 1948 p. 2)

This moral sense of respect is for Leopold ‘an extension of ethics’ – a deontological Kantian imperative. Moving beyond ecology, Leopold seeks to develop a Land Ethic.

‘A land ethic, then, reflects the existence of an ecological conscience, and this in turn reflects a conviction of individual responsibility for the health of land.’ (ibid)

Leopold’s *Sand County Almanac* articulates the insight that our economic well-being cannot be separated from the well-being of our environment.

‘But wherever the truth may lie, this much is crystal-clear; our bigger-and-better society is now like a hypochondriac, so obsessed with its own economic health as to have lost the capacity to remain healthy.’ (Leopold papers 1949 pp. 2-3)

Building on the intuitions and philosophy of Henry David Thoreau, John Muir and Ralph Waldo Emerson from the nineteenth and twentieth centuries, Leopold impresses upon the reader the holistic and interconnected nature of the land:

‘Conservation is a state of harmony between men and land. By land is meant all of the things on, over, or in the earth. Harmony with land is like harmony with a friend; you cannot cherish his right hand and chop off his left... The land is one organism. Its parts, like our own parts, compete with each other and co-operate with each other. The competitions are as much a part of the inner workings as the co-operations. You can regulate them—cautiously—but not abolish them.’ (Leopold 1993 p. 145-146)

That idea of the land and indeed the planet as one self-regulating organism is now known as Gaia theory as proposed by James Lovelock (2007). Leopold’s plea to have some blank spots on the map, where nature is left untouched by human conservationist interventions, is in keeping with

Monbiot's latest book *Feral* (2013) and his concept of 'rewilding' which advocates minimal human intervention in conservation and the natural world

2.4.2 Environmentalism

Many of the ideas of these ecological pioneers above influenced the work of Rachel Carson (1962) a scientist whose work *Silent Spring* investigated the effects of pesticides on eco-systems. Her work had a catalytic impact on readers and precipitated a new social movement, environmentalism in the 1960s. According to environmental engineer and Carson scholar H. Patricia Hynes (1989), '*Silent Spring* altered the balance of power in the world. No one since would be able to sell pollution as the necessary underside of progress so easily or uncritically.' (p. 3). Clearly, the effects of the book in addressing the chemical industry lead to a highly politicised debate. Carson's work, and the activism it inspired, was influential in stimulating a grassroots movement around the tenets of deep ecology.

2.4.3 Deep ecology

These principles of deep ecology can be refined down into propositions on:

1. Wilderness preservation
2. Human population control
3. Simple living (or treading lightly on the planet). (Barry 2002 p. 161).

Deep ecologists hope to influence social and political change through their philosophy. The *Dongas* were a group motivated by deep ecology thinking and feature in the road-building protests in Twyford Down, Wales, and Solsbury Hill. The Camphill community is part of the Rudolf Steiner educational and spiritual movement who also place respect for nature as a guiding principle. The Camphill school is also an establishment caring for people with learning disabilities. Their Guiding Vision statement makes explicit this commitment:

'We are committed to caring for the land, strive to value the environment and use, where possible and practical, sustainable resources. We integrate

this philosophy and practice into the daily life of the School, creating learning opportunities to support and enhance a healthy lifestyle such as land work, gardening, etc. (Camphill School 2009 p. 2)

North (1998) uncovered the presence of deep ecological discourses in his analysis of Solsbury Hill - an 'ecocentric consciousness that conceptualised a wild nature as valuable in and of itself, irrespective of human use value and as an anti-modern challenge (La Tour, 1993 quoted in North 1998 p.8) to the discourse of 'progress' inherent in the economic development claims of the state sponsored road builders.' (ibid p. 8)

2.4.4 Climate change

2.4.4.1 Stern review, policy and public opinion

A major independent report into the economics of climate change, the Stern Review, was published in 2006. The Review's Executive Summary opens with confirmation that the scientific data confirming climate change is 'overwhelming', entailing serious risks to our society and current way of life.

Preceding the financial crisis of 2007/08, the report, which necessarily takes a global perspective, calls for co-ordinated intervention by interdependent nation-states:

'Climate change presents a unique challenge for economics: it is the greatest and widest-ranging market failure ever seen.'

(Stern Review 2006 p. i)

Of greatest relevance to the AWPR case study, the report focuses on the urgent need to stabilise CO₂ levels in the atmosphere – currently at 430 parts per million (ppm) at around 450-550 ppm (Sturke 2006). Stern, warns:

'that continuing with business as usual could mean levels rising to as much as 850 ppm, resulting in global temperatures rising by more than 5C and causing 'transformational' changes to human lifestyles.' (Sturke, 2006 p. 1)

The report's findings urge governments to develop policies to reduce emissions as a priority and equally as an investment for the well-being of future generations:

'Mitigation – taking strong action to reduce emissions – must be viewed as an investment, a cost incurred now and in the coming few decades to avoid the risks of very severe consequences in the future.'

(Stern Review 2006 p. i)

The Stern Review sets out the costs of damage from extreme weather.

'The increased costs of damage from extreme weather (storms, hurricanes, typhoons, floods, droughts, and heat waves) counteract some early benefits of climate change and will increase rapidly at higher temperatures. Based on simple extrapolations, costs of extreme weather alone could reach 0.5 - 1% of world GDP per annum by the middle of the century, and will keep rising if the world continues to warm.' (Stern Review Report 2006 p. viii)

In 2010, the north east of Scotland experienced these very effects of extreme weather. The town of Stonehaven was subject to flooding in November 2009 and December 2012, causing substantial damage to homes, livelihoods and tourism. The costs to council assets including roads and bridges reached £2 million (Urquhart 2013). Costs to alleviate such problems are not insubstantial as evidenced by the work underway at Forres on a £45 million flood alleviation Scheme (Urquhart 2013).

In terms of public opinion, in Scotland, SEABS (2009) commissioned *Ipsos Mori* to carry out a survey on attitudes to climate change. The majority of respondents (57%) said climate change is an immediate and urgent problem. In its analysis a 'typology of Greens' was developed from *Deep Greens*, to *Distanced and Disengaged*.

'Overall, 12% of respondents considered the environment or environmental issues (such as global warming or climate change) as one of the most important issues facing Scotland today, with 4% saying that the environment is the *single most important* issue.' (SEABS 2009 p. x)

The response to the Stern's findings, united Gordon Brown, the Chancellor of the Exchequer who commissioned the report and then Prime Minister Tony Blair who responded:

'There is nothing more serious, more urgent or more demanding of leadership ... the Stern Review has demolished the last remaining argument for inaction in the face of climate change ... We will not be able to explain ourselves to future generations if we fail.' (Blair in Sturke, 2006)

The response from the academic community was also positive:

'The Stern Review finally closes a chasm that has existed for 15 years between the precautionary concerns of scientists, and the cost-benefit views of many economists.' (Professor Michael Grubb, Imperial College London and Cambridge University, quoted in Sturke 2006 p. 3)

[The Review] 'goes further to demonstrate, using the economic language loved by exchequers, that climate change is a moral policy issue where the countries of the world are completely interdependent but with different responsibilities for action.' (Professor Neil Adger, Tyndall Centre for Climate Change Research quoted in Sturke 2006 p. 4)

In 2008, the Scottish Government published the Climate Change (Scotland) Bill, which includes a commitment to reduce emissions by 50% by 2030, and by 80% by 2050. To inform this bold commitment in response to Climate Change, the Scottish Government commissioned a survey on *Mitigating Transport's Climate Change impact in Scotland* to develop policy options. The analysis undertaken as part of their study suggests that the Car Demand Management (Smart Measures) category has the greatest potential to reduce CO₂ emissions (University of Aberdeen and Atkins 2008).

This suggests that in Scotland as a whole 16% of the population could be described as 'Deep Greens'. However, despite this finding, electorally there are only 2 Green MSPs in the Scottish Parliament, both of whom were elected through the list system of proportional representation.

From the SEABS report (2009) it is quite clear that Scottish citizens are aware of climate change and understand that it is an urgent threat. (p. 8) The majority agree that their individual actions can help mitigate or manage the effects of climate change. Interestingly, 45% of citizens agreed with the statement that 'tackling climate change shouldn't come at the expense of the Scottish Economy,' with 55% disagreeing or undecided on the relationship. (SEABS 2009 p. 11).

The extent to which citizens are prepared to make behavioural changes to bring about change is problematic. Respondents were asked what two or three actions they thought would most help reduce climate change.

The most commonly mentioned actions were recycling (45%), avoiding creating waste in the first place (36%), using a more fuel-efficient car (32%) and making fewer car journeys (28%). (SEABS 2009 p. 11)

'Charging car owners to drive in city centres (congestion charging) was supported by 40% of respondents and opposed by 55%.'

(SEABS 2009 p. 25)

The Stern Review urges a long term view to investment and helping people to adapt to a low carbon economy. Building development around ribbon arterial roads builds in reliance on cars. To follow Stern would require investment in public transport solutions and building higher density housing in city centres utilising brown field sites. Instead the AWPR case study has seen further housing development out of town requiring ribbon arterial roads and deepening our reliance on cars.

Thus the acclaim for the Stern Review seemed to suggest some early signs of a shift in the discourse towards sustainability underpinned by economic planning but the enactment of these policies appear to fall short at regional and local levels. Scotland has a target to reduce greenhouse gas emissions by 42% by 2020.

Yet:

'Scotland has already missed its first climate target and road transport is one of the few sectors where emissions have risen since 1990' (Barlow, WWF Scotland quoted in Press and Journal 2012 p. 8)

This is not to suggest that voices in favour have not promoted sustainability. The Oscar Faber Report (1998) commissioned to look at the feasibility of a bypass around Aberdeen advocated investment in multi-modal solutions. Fifteen years hence, the much discussed cross rail project linking Stonehaven in the South of the City with Inverurie to the West has been relegated to proceeding by an 'incremental' approach (Official Report Debate Contributions 2009).

2.4.4.2 Energy security

In the first decade of the 21st century, the theory of Peak Oil was advanced whereby human consumption of fossil fuels had reached its zenith and would now decline in line with scarce resources and greater extraction challenges. For some this meant that efforts to reduce carbon emissions are unnecessary as consumption of fossil fuels and their consequent emissions were about to decline. The Stern Review rejects the line of thinking that climate change is no longer an issue due to Peak Oil. Stern argues that in the context of climate change this anticipated reduction is not sufficient to ward off global warming.

'The shift to a low-carbon global economy will take place against the background of an abundant supply of fossil fuels. That is to say, the stocks of hydrocarbons that are profitable to extract (under current policies) are more than enough to take the world to levels of greenhouse-gas concentrations well beyond 750 ppm CO₂, with very dangerous consequences. Indeed, under BAU, energy users are likely to switch towards more carbon-intensive coal and oil shales, increasing rates of emissions growth' (Stern Review 2006 p. xiii)

Since 2006, the technology and economics of extracting shale gas has seen a major rise in the production of this form of energy in the United States with plans to do likewise in the north-east and north-west of England (BBC News 2011). Although gas as an energy supply produces lower emissions relative to fossil fuels the lower price of this source of energy is less likely to reduce global energy consumption.

2.4.4.3 Transport emissions

In *Heat*, Monbiot (2006) notes that 22 per cent of the UK's carbon emissions come from transport. Of this, 91 per cent of these are produced on the road (National Travel Survey 2003 quoted in Monbiot 2006). For Monbiot, as far back as 1938, government officials understood that demand is a function of capacity when it comes to road-building (ibid).

Transport emissions are important in that high levels of nitrogen dioxide from vehicles cause a range of respiratory problems and can ultimately induce heart attacks. Up to 3000 people in Scotland are estimated to die prematurely each year from air pollution, compared to 190 deaths from road accidents (Denholm 2013).

Dr Sean Semple, an air pollution expert at Aberdeen University, in the same article confirmed that these tiny particles produced by combustion engines are harmful to health. A Scottish government spokesperson responded:

'We recognise we must build on achievements and continue to take action to improve air quality,' said a spokesman, who added that more than £1 billion a year was being invested in getting people out of their cars.

(Denholm 2013 p. 1)

The cost of this initiative is similar to the final costs of the AWPR when you factor in the PPP funding mechanism. To compound the problem, the 'cost of owning and running a car since 1975 has fallen by 11 per cent whilst costs of public transport in the same period have risen.' (ibid p. 145).

2.4.4.4 Car culture

Given these factors it is not surprising that car usage is a popular mode of transport. 'But the real problem is neither technological nor economic. It is political or, more precisely psychological' (ibid p. 142). By this, Monbiot elucidates a modern paradox. In the interests of capitalism and efficiency of labour, human resources must be mobile and subject to mass transportation. Cars purport to offer this flexibility and epitomise 'the illusion of autonomy' (ibid p. 142). In a series of articles celebrating the decades of the twentieth century, prominent authors testify to the importance of the car. In the 1920s the car was cited by Lord Ernest Hamilton as 'breaking up the rhythm of the old life and by the 1930s the car's place in the culture was essential. The prolonged poverty of the Depression was a harrowing experience yet Hillenbrand reports the following statements from memoirs of the time:

'I'll go without food', said one mother, 'before I'll see us give up that car.'
(Hillenbrand 2013 p. 164)

'When there was no money for gas, car owners attached shafts to their axles and hitched them to horses, oxen, mules, goats and even their children'
(ibid p. 165)

This idea is expressed in John Aberdein's fictional account of life in Aberdeen:

'There's a dialectic. In passing you should know I argued all thru (sic) for trams. Their inherent predictability and fuel efficiency have been abandoned for the appearance of freedom, to wit the bus and car.'
(Aberdein 2005 p. 293)

Anable (2006) has developed a typology of car owners with 'Die-Hards' demonstrating a strong emotional and psychological attachment to their own car, motoring, and the freedom it represents. She elaborates on this type as follows:

'These drivers – predominantly but not exclusively male – believe they are superior drivers, and that their car reflects their status, intelligence and wealth. Any restrictions on their driving – such as car parking regulations and charges, pedestrian and cyclist priorities, or speed limits – are seen as infringements of their freedom.' (Anable in Road Safety News 2011 p. 1)

Such drivers disassociate themselves from climate change and are avowedly disinterested in using alternative forms of transport. Anable sees this macho attitude of the Die-Hard 'petrol heads' as heavily ingrained in our culture – perhaps more so in Scotland due to our association with the oil industry – through representation in advertising, film, and television.

For Monbiot, the association of cars and freedom is a modern myth: motoring is 'not about the wild life of the spirit but a life of compression and self-control' (Monbiot 2006 p. 143).

2.5 Road-building

It is instructive to look historically at how road-building has been perceived in the UK by a range of stakeholders. A number of academic studies of road protests have been published alongside first hand accounts by activists. In reviewing these works a range of discourses and traditional and radical campaign strategies are identified. These were then compared with the arguments and strategies prevalent in the AWPR case study.

2.5.1 Relationship between roads and economic growth

During the 1980s, the conventional thinking on roads infrastructure was that new road-building was essential to the development of a modern economy.

The view to invest heavily in the roads infrastructure was typified in a key government report, *Roads for Prosperity* published in 1989.

'The expanded programme will improve the inter-urban motorway and trunk road network by reducing journey times and increasing the reliability of road travel. It is a vital further boost for British industry. The measures proposed will provide the means to improve the country's economic geography, increasing opportunities for the less-favoured areas, assisting urban regeneration and helping the more prosperous areas to cope with growth.'

(*Roads for Prosperity* 1989 quoted by Whitelegg 1994 p. 2)

The argument rests on a causal relation between roads and economic growth. The benefits to be delivered are identified as enhanced connectivity, the efficient distribution of goods and labour in the processes of production, rates of business formation and competition.

However, by the 1990s the publication of two important reports were to represent a turning point in this orthodoxy that roads are good for business.

One of the most influential reviews in exposing the 'roads means jobs' myth was by the Standing Advisory Committee on Trunk Road Assessment (SACTRA) report (1996). The findings of this report found little evidence of the relationship between roads and economic growth.

'Empirical evidence of the scale and significance of such linkages is, however, weak and disputed. We conclude that the theoretical effects listed can exist in reality, but that none of them is guaranteed. Our studies underline the conclusion that generalisations about the effects of transport on the economy are subject to strong dependence on specific local circumstances and conditions.' (SACTRA 1996 p. 8)

The SACTRA report concludes:

'that there is scope for carefully judged policies which help to decouple the rate of traffic growth from the rate of economic growth, thereby reducing the environmental and congestion costs of traffic and also - to some extent - assisting in delivering the benefits of economic growth. Such policies include pricing, management and investment initiatives, in a balance which will vary according to the specific circumstances of each intervention. Appraising each case requires improved assessment of the conventional transport and

environmental impacts, together with a more systematic consideration of the impacts on the wider economy.’ (ibid p. 14)

The SACTRA report also raised the issue of factoring in the full costs of such projects. Their 1996 report acknowledges the importance of environmental resources but that these are not being adequately represented in money values. This anticipated Flyvbjerg’s (2003) analysis in his *Mega Projects and Risk*. In 2013, Helm continues to urge policy-makers to address the issue of environmental remediation as an intrinsic part of any economic appraisal.

‘Dealing with our planning problems is not just about speedier procedure. Rather it requires paying for damage to property and making sure environmental damage is minimised and offset.’ (Helm, 2013 p. 11)

Back in the mid 1990s, the Department of Transport appeared to accept these findings. Their 1994 Roads Review which appraised many of the Schemes already commissioned and built revealed that anticipated economic benefits had been undermined by congestion. Thus the phenomenon of ‘induced traffic’ has bedevilled cost-benefit analysis ever since.

Earlier in 1994, a similar conclusion that investment in roads does not guarantee economic growth had been reached by an independent consultancy, Eco-logica, for their client Greenpeace:

‘The rhetoric of government, international organisations and employee representative organisations has done a great deal to consolidate a generally accepted view that roads are good for the economy. There is no evidence whatsoever in support of this contention.’ (Whitelegg 1994 p.1)

Whitelegg goes on to examine the empirical evidence that new roads have a causal impact on the rate of new firm foundation i.e. new SMEs. He reviewed the evidence from other countries and concluded that: ‘None of the seven studies (France, Germany, Ireland, Italy, Sweden, the UK and the

USA) identify road infrastructure as important in new firm formation.’
(Whitelegg 1994 p. 2)

Both the SACTRA and Greenpeace reports raise the specificity of local circumstances. Whitelegg suggests that local county councils and district councils were motivated to build new roads in the hope that it was a strategy to boost their unemployment rates.

However, in the AWPR case study, the unemployment rate of Aberdeen has been historically very low compared to national averages; 2.2% in Aberdeen and 1.5% in Aberdeenshire. A third of the top 50 Scottish-based companies are located in Aberdeen City and Shire and almost all of these are in the highly profitable energy sector (Scottish Business Insider, 2010).

Thus it seems prosperity has been achieved and sustained without a bypass or highly developed public transport alternatives such as trams.

An important finding of the report for Greenpeace is that:

‘Road construction is self defeating. It generates further rounds of traffic growth that actually slow down commercial traffic and it stimulates organisational and locational change in the corporate sector to encourage centralisation and specialisation. This denies local economies and communities of opportunities to participate fully in economic development.’
(Whitelegg, 1994 p. 1)

Another report by the Royal Commission on Environmental Pollution on *Transport and the Environment* (1994) warned of the risks to public health of pollution from excessive motor vehicles. This report recommended that a range of measures should be taken to restrict the rapid growth in traffic.

The Royal Commission recommended sustainable solutions around integrating transport and land use for the next century. The report called for increasing the use made of ‘environmentally less damaging forms of transport for passengers and freight, and minimising the adverse impact of

road and rail transport.’ (Royal Commission on Environmental Pollution 1994 p.1)

The need to reduce traffic within city centres is still as pertinent today. Safe levels of air pollution are monitored and Aberdeen City Centre was recently found to be in breach of these regulations in key areas:

‘In 2011 the annual mean nitrogen dioxide level (NO₂) continued to exceed the national air quality objective across the City Centre Air Quality Management Area (AQMA). Pockets of exceedances were also recorded within the Wellington Road and Anderson Drive/Haudagain Roundabout/Auchmill Road AQMAs indicating the 3 AQMAs remain valid.’ (Aberdeen City Council 2012)

As local government, the Council is obliged to suggest solutions to this breach and risk to public health. In the conclusion to their report they suggest that the AWPR bypass will remove traffic from the city centre thereby alleviating these air pollution hazards to citizens.

‘Other proposed developments include the construction of the Aberdeen Western Peripheral Route (AWPR) and 3rd Don Crossing. The AWPR will ease traffic congestion on main arterial roads, particularly the Anderson Drive/Haudagain roundabout/Auchmill Road corridor and have a positive impact on pollution levels elsewhere in Aberdeen.... There were no other local developments, road transport, industrial installations or commercial/domestic sources identified that have the potential to cause exceedances outside the existing AQMAs.’

(Aberdeen City Council 2012 p. 58)

Whilst there may be a correlation between the volumes of traffic using the bypass and Anderson Drive the nature of the counter-factual means that it is highly problematic to estimate these flows. Given the many amenities within the City Centre, it is difficult to see why Aberdeen would be different to any other city centres such as Edinburgh for whom the bypass provides an additional rather than alternative route for traffic.

Back in the 1990s however, the effects of the SACRA report, the Royal Commission and the discernible rise in congestion and air pollution taken together led to a temporary rethinking of transport policy.

2.5.2 Congestion

This rise of congestion in the metropolitan areas within the United States is analysed by Downs in *Stuck in Traffic* (2004). Congestion is of significance to economists as the experience represents lost time and reduces productivity. On a human level it also causes stress which has implications in the workplace and on well-being in domestic settings.

Downs argues that the problem has to be tackled regionally alongside other interventions. He traces the linkages between transport and housing and education for example.

By 2006, congestion was estimated to cost the UK economy up to £8bn a year, (CBI Report 2006 p. 6). *Beyond Transport Infrastructure* was a major report published by CPRE in 2006. This report examined the effects of adding extra road capacity by analysing the evidence from three case studies: the Polegate Bypass (East Sussex), Newbury Bypass (Berkshire) and the M65 Blackburn Southern Bypass (Lancashire). The report found 'The net effect in combination with the new road is generally a considerable overall increase in traffic' (CPRE 2006 p. 6). The evidence shows that bypasses do not achieve their stated objectives of reducing congestion. This report concludes that the 'illusion remains that increased road capacity will somehow tackle the problems of congestion' (CPRE 2006 p. 7). They also revealed based on observation that protests appear to be:

'incapable of stopping the momentum of a Scheme once it has been in the roads programme for a number of years. Despite the introduction of a New Approach to Appraisal and reformed methods of considering induced traffic, routes do not appear to be looked at completely afresh in the appraisal process. Rather, new arguments are found to justify the same Schemes.'

(CPRE 2006 p. 9)

This idea of 'new arguments' being deployed evokes Foucault's 'orders of discourse in flux' and is reminiscent of other troubling cases such as the justification to go to war when arguments such as the search for weapons of mass destruction were swiftly replaced by regime change and humanitarian rationales.

Evidence from nearby cities such as Edinburgh suggests that bypasses add to congestion and stimulate further out of town developments, such as the Gyle retail centre, thereby inducing further traffic (Grant-Muller and Laird 2006). In line with Downs, the suggestion then is that other traffic reduction policies could balance out supply and demand.

So despite the major government studies of the 1990s, there has been a stubborn persistence and re-emergence of the assertion that 'roads bring economic prosperity'. In 2013, in the face of the Coalition's overall economic strategy of austerity, the Prime Minister spoke proudly of investing more in major road schemes in the last two years than in any year of the previous Parliament (Cameron 2013).

'Some of the changes we need to be competitive will be a big fight: housing reform, planning reform, the building of new roads, new bypasses, High Speed Rail. These are fundamental changes; they're essential for the future of our economy, but they are not and I don't expect them to be universally supported.'

(Cameron 2013)

The causal link between new road-building and economic competitiveness has been restored. Such scale of investment is at odds with the overall discourse around austerity and cutting government spending. In the case of the AWPR the expenditure will come from Holyrood who are perhaps following more of a Keynesian model where government spending on projects such as the Forth Road Bridge and Edinburgh Trams create jobs and stimulate economic growth. There is no doubt political self-interest in this thinking whereby an association with iconic architecture, in this case with the bridge, should bring prestige and pride ahead of the independence referendum in 2014 (Flyvbjerg, Bruzelius and Rothengatter 2003).

2.5.3 Large scale infrastructural projects

The work of Flyvbjerg, Bruzelius and Rothengatter (2003) discussed earlier in sections 1.2 and 2.1.2 is relevant to this case study. In *Megaprojects and Risk*, he analyses the risks associated with multi-billion infrastructural projects. It is possible that when the full costs of the construction of the bypass are factored in, this project will qualify as a mega project. Certainly, in regional terms, relative to the size of the Scottish block grant, the scale and political significance of the project is important.

Relevant to the current case study, Flyvbjerg, Bruzelius and Rothengatter (2003) highlight the paradoxes surrounding mega projects. This refers to the problem of over-estimated costs or 'inflated viability' (ibid p. 44) of schemes which upon completion are found to be wanting in terms of benefits delivered. This concept of the viability of the AWPR was utilised in the current research and refers to the stage at which public approbation towards the Scheme within institutional structures is sufficient for it to proceed to the next implementation phase.

A recent example illustrates the point in an investigation into the Trump organization's golf development in Balmedie in the north east of Scotland. Originally, 6,000 jobs and £1bn of investment were promised in 2004. To date in 2013, around 200 jobs and £250m of investment have been delivered (Panorama 2013). However, as yet, the undeveloped land on the site Trump purchased for £5m is now valued at least £100m in 2013 given the planning permissions awarded.

Conversely, the full costs of mega-projects are often under-estimated. The M74 northern extension has had a similar story: its cost started at £174 million but has now reached between £500 million and £1 billion (Kane in Public Petitions Committee 2006 p. 4).

'It is, undoubtedly, common for project promoters and forecasters to believe their projects will benefit society and that, therefore, they are justified in

'cooking' costs and benefits to get projects built.'

(Flyvbjerg, Bruzelius and Rothengatter 2003 p. 47)

From his study of numerous actual projects he concludes that the proponents of such schemes do not cite 'honest numbers'. Flyvbjerg, Bruzelius and Rothengatter (2003) use the term 'spin' to describe the style of communication used by promoters. These authors refer directly to accusations of lies and 'prostitution' of other stakeholders such as suppliers in 'conflict of interest' scenarios.

Why this matters is that the use of 'spin' means that alternative proposals arrived at in honest terms may be 'trumped' by schemes with less scrupulous promoters. For Flyvbjerg, Bruzelius and Rothengatter this creates 'a distorted hall-of mirrors in which it is exceedingly difficult to decide which projects deserve undertaking and which not.'(2003 p. 48). Theoretically, such approaches are deeply problematic as they do not meet Habermas's necessary condition of truth telling for communicative action to hold and the public sphere to function. Given that many such projects are ultimately funded by public bodies, taxpayers are not obtaining value for money.

In terms of the debates and decision-making around mega projects, Flyvbjerg, Bruzelius and Rothengatter (2003) note that civil society does not have as much influence as it does in other areas. He maintains that citizens are typically kept at a substantial remove from these major infrastructural projects. He argues that without participation from citizens and consultation and deliberation then you can get an unequal distribution of the risks and burdens associated with such projects. For example in the locality to be served by the AWPR, 31% of citizens neither own nor drive a car. This means that for almost a third of the population, this investment will not affect their lives directly in the immediate sense of being road users. This scale of investment could instead be used to fund other improvements in health or education. If it can be proved that such debates are not thorough-going then the term 'democracy deficit' may be applicable. Given the scarcity of fiscal constraints on local council budgets it is all the

more important that decision-making is deliberative around inclusive citizens' interests.

Flyvbjerg, Bruzelius and Rothengatter (2003) note in their empirical review of projects that it is common for state proponents of a scheme to ignore or *downplay* the environmental impacts. (p. 4). The methodology typically used for evaluating the efficacy of schemes is an environmental impact assessment (EIA). He cites a major problem that this 'is rarely audited *ex post*'. Additionally such audits typically feature:

- i. A lack of accuracy in impact predictions;
- ii. The narrow scope of impacts and their time horizon; and
- iii. And inadequate organisation, scheduling and institutional integration of the environmental impact assessment process in the overall decision-making process. (ibid p. 49)

Flyvbjerg, Bruzelius and Rothengatter (2003) found that too often the focus was on technical solutions around remediation.

'The consequences are that environmental impact assessment is often reduced to an instrument of the final design of a project, and / or that the results of environmental impact assessment are not easily accepted by the public and give rise to conflicts.' (ibid p. 50)

The current research will be vigilant to these strategies by promoters of the Scheme and will look at the timelines and depth of the statutory environmental audits undertaken.

Flyvbjerg, Bruzelius and Rothengatter (2003) argue for greater stakeholder and citizen involvement as key to a thorough appreciation of the types of risks which may unfold. He also draws a relevant distinction between primary stakeholders and wider publics. Often special interest groups will promote a project in line with their vested interests, though the project will inevitably be framed as a benefit for the public good and accordingly paid for by the public purse.

So he calls for 'carefully designed deliberative process' prior to undertaking such projects. This means communicative rationality and institutional checks and balances. Institutional arrangements must be designed specifically for strengthening accountability.

Key to Flyvbjerg's analysis, though is the insight that communicative rationality only takes us so far. What we really need to safeguard against paradoxes of mega projects is a closer understanding of power. He notes that 'power play characterises mega-project development' and the critical need for an understanding of the 'anatomy of megaprojects'. Thus the case study should examine some of the stakeholders including suppliers for whom large financial interests are at stake. This group includes immediate suppliers such as major construction and engineering consultancies such as Jacobs engineering and housing developers such as Stewart Milne Ltd who may benefit from new opportunities for building on land newly accessible from the bypass.

2.5.4 Risk

At the centre of Flyvbjerg, Bruzelius and Rothengatter's work is a conceptualisation of risk as developed by Beck (1992). For Beck, the negotiation of risk in society constitutes modern identity.

'To put it bluntly, in class positions being determines consciousness, while in risk positions, conversely, *consciousness (knowledge) determines being.*'

(Beck quoted in North 1998 p.12)

For Beck radical groups voicing concerns about new risks are part of the new 'risk society', and groups like Save our Solbury (SOS) announce the arrival of new risks. In the case of the AWPR, the risk posed is around the expansion of the city predicated on the resource of oil and gas in the North Sea. The indeterminate predictions for the scale and longevity of this source of revenue represent risk and are likely to be determining issues in the debate around Scottish independence.

North, paraphrasing Beck, argues that the debate is not over who is right about individual risks (that is, whether the proposed road will or will not ease Batheaston, Winchester or Aberdeen's traffic and pollution problems), but about *how we want to live* (that is, in a 'car culture' or 'ecologically'). (North 1998 p. 13). This recalls Anable's typology of car users from *Die Hards* to *Malcontented Motorists* and SEABS typology of Deep Greens, Light Greens and Shallow Greens (SEABS 2009).

In the case of the AWPR case study, an early reading would be to situate the protest within the more 'limited' institutional, process driven camp, especially with reference to the latter part of the case study as exemplified by the campaign group *Road Sense*. Yet the protest was far from homogeneous and the motivations of a variety of actors is worthy of examination. The *Save Camphill* campaign will be examined with a view to that community's particular philosophy based around respect for vulnerable citizens and care for the land.

Flyvbjerg, Bruzelius and Rothengatter (2003) focus on accountability and risk in mega-projects. They argue that all too often naïve hope on the part of promoters in the belief that low estimates will lead to low costs is discernible. From a rational choice perspective, the political reality is that the length of such projects means that many political champions of projects will have moved on before the realities of cost over-runs materialises. This adds to the likelihood of these rational choice strategies being present. Hence:

'Accountability is low, and politicians who underestimate costs in order to have projects approved are rarely in office when actual viability can be calculated, if it ever is.' (ibid p. 44).

In summary, Flyvbjerg's (1998a) work combines Foucault's insights around the pervasive nature of power with Habermas's specification for institutional processes to safeguard the workings of democracy.

In order for good decision-making to take place what is required is the presence and exchange of high quality rational information and communication. This dialogue must also be situated within institutional arrangements characterised by accountability and a careful quantification of risk.

‘the problem appears to be related to issues of power and to require countervailing power and institutional change for its solution.’ (ibid p. 7)

The next chapter seeks to situate the AWPR alongside a history of anti-road-building protest in the United Kingdom in the 1990s. This section will highlight the similarities and differences between the current research and how antecedent campaigns used discourse and communication strategies to advantage or otherwise.

3.0 ANTI-ROAD BUILDING PROTEST CAMPAIGNS

This chapter reviews previous major anti-road building campaigns to identify the commonality and continuity or otherwise of their principal arguments with the AWPR case study. Similarly, by auditing a range of political communication campaign strategies in previous campaigns, comparisons can be drawn with the strategies pursued in the AWPR case study. Both academic and practitioner accounts are drawn upon to account for which discourses were efficacious or otherwise in opposing new road-building schemes. Three campaigns, chosen for their longevity and media profile form mini case-studies:

1. Twyford Down (1992) campaign against the M3 bypassing Winchester
2. Save our Solsbury! (1994) Batheaston bypass, near Bath
3. Free State of Pollok (1994-1996) part of the *No M77* campaign, Glasgow.

The latter was the first example of an anti-road building campaign using direct action in Scotland (Seel 1997). All three campaigns ran over decades, culminating in intense years of campaign activity involving direct action. All three campaigns achieved national media attention and Twyford Down and *SOS* campaigns involved influential supporters and media figures.

Other noteworthy campaigns in the 1990s include: Oxleas Wood and Wanstead, London (1993-1994), Devil's Punchbowl (1983-2001), Blackburn (1994-1995), and Newbury (1996). In the 2000s, the campaign against the M74 extension in Glasgow was also closely contested with a 'victory' in the PLI. This decision was subsequently overturned and the extension opened in 2011.

These campaigns, and in particular those that were successful such as Oxleas Wood and arguably the Devil's Punchbowl's A3 tunnel alternative will be referred to in this Chapter. However, the complexity and protracted nature of many of these campaigns means that a detailed examination of the effectiveness of their specific communication strategies is outwith the remit of this research due to time and space constraints.

This section focuses primarily on the arguments, strategies, and tactics of the anti-road building campaigns of the 1990s. The effects of these campaigns precipitated a rethinking of the *Roads for Prosperity* strategy and halted the construction of new road-building and expansion of existing roads, at the time (Seel, 1997; Porritt in Bryant 1996). An examination of these campaigns also reveals reciprocal state sponsored strategies; insights into the role of the media; and the role played by other civil society groups of relevance to the AWPR case study.

3.1 Economic development discourses

In the case of Twyford Down, the main argument for the new road-building was to complete the M3 so that it ran uninterrupted from London to Southampton. The government proposed to build a cutting through Twyford Down on the outskirts of the ancient city of Winchester. Whilst the *Twyford Down Association* campaign accepted the logic of completing a continuous superhighway, they objected to the route proposed: a large-scale engineering driven cutting through the chalk Down on the ground of unnecessary ecological destruction. They argued that the proposed route would also destroy archaeological heritage sites as well as land and views of outstanding natural beauty. Alternative routes involving land owned by Winchester School were deemed inadmissible due to their early objection.

Barbara Bryant, a Conservative councillor and a founding member of the *Twyford Down Association* (TDA) formed a campaign to oppose the proposed route. As the campaign progressed, TDA were to propose an alternative solution: a tunnel. This alternative was rejected despite the Association meeting Malcolm Rifkind's request for a 'copper bottomed' costed and technically viable solution.

Tunnels are commonplace in continental Europe especially in Austria and Switzerland. With hindsight, Bryant appreciates that the interests of other government stakeholders may have informed the rejection of the tunnel option:

'A tunnel wasn't acceptable to the military on national security grounds. The tunnel was susceptible to sabotage and the M3 route to Southampton is strategic – when they went to the Gulf, military vehicles poured down the motorway.'

(Bryant quoted by Beckett 1995 p. 2).

Perhaps testament to their vociferous objections, lobbying and the viability of their alternative, a tunnel solution was approved in 2001 for the London to Portsmouth A3, thereby avoiding the destruction of the Devil's Punchbowl (Tarver 2011).

In 1994 near Bath, the SOS campaign sought to oppose the creation of a bypass round Batheaston near the Georgian city of Bath. The rationale for the road was to relieve Batheaston of congestion and reduce the number of road accidents. Some felt that there was an ulterior objective to build a continuous motorway from Southampton to Milford Haven (North 1998 p. 7). In both campaigns a discourse around 'connectivity' in line with Flyvbjerg, Bruzelius and Rothengatter (2003) can be discerned.

Looking back on the SOS campaign, Monbiot regrets the campaign's ultimate failure but credits the campaign as representing a turning point in winning the overall argument:

'We lost the fight over Solsbury Hill, and Bath has been left with a high-spec dual carriageway to nowhere. But building our way out of congestion and pollution is now a discredited idea, and for this the campaigners of Solsbury Hill can claim some responsibility. In that respect, at least, victory was ours.'

(Monbiot 2009 p. 1)

In Glasgow, the government, in the form of Strathclyde Regional Council, proposed to build a new motorway, the M77, to stimulate the economic viability of the seaside coastal town of Ayr. The proposed route through Pollok Park on the South side of the city would leave the large housing estate of Pollok isolated from the wooded parkland. Pollok park, one of the largest green urban spaces in Europe, was gifted to the people of Glasgow by the Maxwell family. Sir John Stirling Maxwell of Pollok was the founder of the National Trust for Scotland. His bequeath stated:

'The said lands should remain forever as open spaces of woodland for the enhancement of the beauty of the neighbourhood and so far as possible for the benefit of the citizens of Glasgow.' (quoted in Seel p. 108).

The new motorway would mean that the community of Pollok, many of whose residents are from lower socio-economic groups, would experience further social exclusion, because an estimated 53,000 cars would travel close by these estates on the completion of the new motorway emitting considerable pollution. 1 in 5 children in Corkerhill, one of the adjacent areas, already suffered from asthma.

Once again, the rationale for the road was to enhance connectivity for commuters from Ayrshire to Glasgow and reduce travel journey times. Commuters from the more affluent areas of Newton Mearns and Eastwood stood to gain from this development. Many residents of Corkerhill and Darnley had no access to a car. When the contract for the construction of the road was awarded to major multi-national construction firm, Wimpey, there was likelihood that any remaining land would be used to build 'an infrastructure for a series of MFI-villes and Wimpey villages' (*Do or Die*, 1995 p. 8)

In all three campaigns, there is a tacit understanding that the state and business work together closely. The overt primary rationale for road-building is to facilitate the mobility of goods and labour. Secondary objectives, often pursued covertly, rest upon roads opening access to hitherto greenbelt land for private housing and retail development. This binds the interests of state and business around sites of consumption accessible by car and not public transport. In the case of Solsbury Hill near Bath, a protester looking back with hindsight in 2009 recounts the following experience precipitated by the proposed new road:

'I had just started studying Environmental Science at uni when all this kicked up. We were living on a boatyard that had been earmarked by developers for luxury flats. One night the boatyard building was set ablaze by a petrol bomb and the next morning the developer was there offering cash to the dazed owner. Such things have happened up and down the

Thames and other rivers where luxury flats offered rich pickings to fat developers.’ (Comment from Bluecloud posting after the Monbiot article.)

The veracity of this information is of course difficult to establish. It is incumbent on the researcher in the AWPR case study to consider the extent to which campaigners are naïve towards the tactics of investors in new developments, given the financial rewards at stake.

3.2 Environmental discourse

The Twyford Down campaign was motivated by the ecological destruction that would inevitably ensue from the proposed Cutting Scheme. This position was articulated with powerful eloquence by Professor Biddle in his opposition to the M3 motorway through Twyford Down.

‘The Cutting through Twyford Down is a great act of damage, possibly the greatest single act of visible destruction ever worked on the scenery of southern England. It is worth spending a great deal to avoid such an outcome because it is irreversible. Its effects will last for ever. That is the issue. All other matters are sidelines.’ (Bryant 1996 p. 24)

This statement was presented at the Public Inquiry in 1985 and given exposure through the local media.

Towards the final phase of the Twyford Down campaign, eco protesters such as *Earth First!* acted upon this thinking by carrying out non-violent civil disobedience occupations in the attempt to halt the construction of the Scheme. Their deeds and statements represent an alternative radical ecological discourse. *Earth First!* renamed themselves the *Dongas*, taking their name from ancient droving roads. In line with Foucault’s theory around marginal discourses, the *Dongas*:

‘voiced a deeper opposition to what it saw as the failings of modern progress culture: excessive consumerism, loss of contact with nature, and pollution.’ (Doherty 1998 p. 370)

Similarly, North delineates contrasting conceptualisations of the Solsbury Hill protest; on the one hand, a values-driven objection to how humans interact with the land versus a more institutionally 'limited' protest by those who object to a particular transport policy prescription.

The former were described in the *Independent* as follows:

"Anti's (sic) Road Show' a vibrant and fecund protest movement demonstrating both the potentialities and problematics of contemporary environmental and urban social movements, and with a vitality that contrasted with the more bleak academic analyses of the effectiveness of such movements. (North 1998 p. 2)

In Scotland, Seel's (1997) analysis of the Free State of Pollok focuses on the 'core group' of 10 to 30 protesters at the permanent camp, of which 'roughly two-thirds [were] Glaswegians – often drawn from the immediate Pollokshaws locality' (Seel 1997 p. 109). The construction of the M77 was to necessitate the felling of over 5,000 trees some of which were over 300 year old oaks.

Seel's evaluation is that the Pollok Free Staters represented an 'embryonic counter-hegemonic movement' as discerned through their *deeds* as much as their words. Their discourse also takes inspiration from deep ecology philosophy as discussed earlier in section 2.3.3. This position as articulated by one of the principal founder members of the camp, Colin McLeod was as follows:

'at this moment in time, we believe the ecological holocaust facing our lands and wider environment to be so great, that it is our right, our duty, to throw off such forms of government that allow such evils to continue, and provide for our future security.' (quoted in Seel 1997 p. 109)

Seel's early analysis views this as a rejection of our liberal representative democracy. One of the Free State's fundamental objections was over the rights to the land. As their Declaration of Independence states:

'Our ancestors were cleared from their ancestral homelands by feudal greed... this process of enclosure, the *privatisation of a people's ultimate resource – land* – has ripped people away from the earth....Pollok Estate was returned to us in 1939 and now it is threatened by *privatisation* for a car owning elite.' (quoted in Seel 1997 p. 112)

This, for Seel, is the first sense in which the group's position is counter-hegemonic in that it 'challenges the private ownership of land, a concept fundamental to the hegemonic capitalist economy and liberal democracy' (ibid).

Seel further situates the core group within Gramsci's (1971) theory of hegemony as conceptualised into dual phases of a '*war of protest*' and a '*war of movement*'. The first category refers to protesters whose ideas stand in direct contradiction to the dominant discourse; in this case that roads equal infrastructure, which in turn equal development which brings about economic growth. This logic is encapsulated in the term 'progress'. Seel concludes that the group's environmental discourse is not about a 'war of movement' meaning a revolutionary act to overturn the established rule of law. Close analysis of the text and in particular 'throw off such forms of government' does suggest that a 'war of movement' could be their ultimate aim. Seel argues that for Gramsci, the first category is of itself determining. Seel finds on balance that the ecological discourse of the Free Staters is best conceived as initiating an 'organic revolution'. Through interviews, the protesters stated that their intentions focused on educating their fellow citizens (in effect the Marxist stage of 'consciousness raising') by alerting local communities to the workings of political and economic structures and the effects of these on citizens' social outcomes and well-being.

The Free Staters were sufficiently pragmatic to know that environmental issues were not uppermost in the lives of the local community for whom day to day socio-economic concerns dominate. The Free Staters' rationale was to inform people of the consequences of alienation from the natural world. They sought to expose consumption as poor recompense for the loss of connection with the land and human labour with the natural world. This

objection to consumerism was symbolically marked by the burning of upturned cars as a metonym for mass consumption in an event called 'Car-henge'. (Seel 1997 p. 114).

3.3 Class discourse

In all the anti road-building campaigns, class interests are latent and in Pollok are made explicit in the media representation of the disputes. The contexts within which the different campaigns take place are significant. Winchester and Bath are both Conservative in political terms as acknowledged in Bryant's *Twyford Down* (1996). Glasgow, by comparison, has a rich tradition of civil disobedience from Red Clyde-side to anti-poll tax protest. The Pollok campaign included a wide spectrum of protesters, predominantly local residents, but Militant Labour are specifically mentioned as influential during the final camp eviction phase of the campaign.

During the physical confrontations with the security guards hired by the construction firm and the state, the discourse is reminiscent of union picket lines:

'Militant were central in convincing many of the security to quit, knowing many of them from the local area. Wanted posters were to be made up of certain security men's faces who were known to live in the area and were in effect shitting on their own.' (*Do or Die* 1995 p. 8)

By accepting these work contracts from the state and its contractors, the security guards were viewed by the protesters as working against the 'real interests' of their families and communities. By allowing the felling to proceed they were denying their fellow citizens and future generations the right to enjoy the pleasant open parkland as part of their community. Some security guards resigned leaving no option but to sign-on for unemployment benefit. The direct action protesters both in Pollok and Solsbury Hill tended to be unemployed.

Yet, Seel (1997) in his participant observation study of the camp concludes: 'the core group was hostile to class based analyses, stressing the variety of social groups visiting and supporting the Free State.' (p. 133) Colin McLeod, the initiator of the camp, preferred to identify his position as the 'concerned class'.

'I don't believe in looking at things in a class way. I do say I am of the concerned class, the class which is interested in nature rather than the financial or money class.' (Seel p. 137)

The media represented all three protests in politically divisive class or nationalist terms. The ability to confound stereotypes was used opportunistically in Twyford Down:

'It was the pearls and twinsets which surprised the media' (Bryant quoted in Beckett 1995 p. 1)

When seasoned environmental protesters arrived from England to show solidarity with the M77 protest and to share tactical knowledge, this was used by the media to incite fear of 'outsiders'. The use of destabilising words such as 'anarchists' by the Scottish press was designed to delegitimize local popular support for the campaign.

'Whilst enjoying much lobbying support from the local community, until this point the Free Staters were often seen, thanks greatly to the right wing Scottish media, as a bunch of outsiders - anarchistic English sent up to cause trouble.' (*Do or Die*, 1995 p. 8)

North (1998) notes the well educated and wealthy provenance of many of the Save our Solisbury (SOS) protesters including 'influencers' such as Jonathan Dimbleby, author Bel Mooney and Peter Gabriel. Similarly, in Twyford Down, prominent supporters from the cultural elite included Dr Miriam Rothschild. North documents the participation of middle-class protesters in institutional public meetings and events. However, as

frustration grew with these strategies, he noted their dual and active participation in civil disobedience activities.

'There were about 1,200 people there, all very aristo ... but it was noticeable that people were saying 'see you tomorrow at 7.30!' (when direct action starts).'

(North 1998 p. 4)

3.4 Community discourse

The main focus in Twyford Down was the ecological destruction of unspoilt land. However, in the case of Solsbury Hill, North discerns the influence of a community discourse due to the new road's effect, through the villages of Larkhall and Bailbrook, near Bath. This community discourse, rather than seeing the land as intrinsically sacrosanct, is engaged with the land for its human use and amenity value. This can take a variety of forms from instrumental uses in providing housing to emotional engagement with the aesthetic features of managed land for leisure. This discourse was to inform tactics such as organising of family orientated excursions:

'As seen above, the tradition of recreation on Solsbury Hill as a community resource formed a link between discourses of nature and community. The protest employed tactics that reflected this, and regular Sunday walks, picnics, and kite flying festivals were organised on the hill.'

(North 1998 p. 11)

For the core group in the Free State camp, communicating with the local community was one of their primary goals as mentioned earlier in section 3.1. Their messages were directed towards their fellow citizens within local communities rather than at government.

'The Free State also successfully counter-posed local people to the developers, thereby drawing attention to the lack of control of people over their own local environment. The protesters were suggesting to the wider society their narrative and an alternative set of values and lifestyle.'

(Seel 1997 p. 125)

Thus for Seel (1997) the use of community discourses is part of 'consciousness raising' from the grassroots as a prerequisite for a legitimate challenge to the capitalist order of discourse.

In the AWPR case study, the *Save Camphill* campaign was notable for its success drawing upon community discourse. The community at risk comprises: detached housing, a school for disabled children, therapeutic centres and organic farming. The extent to which Camphill was and is integrated within the neighbouring communities of Cults, Bieldside and Milltimber is something this research sought to investigate. In *obiter dicta* conversations with former employees and volunteers, they recall paradoxically that Camphill is both 'open' (GRAHAM, H., personal communication. 14 June 2013; BAXTER, V., personal conversation. 9 September 2013) and 'closed' to community involvement (BRIGGS, J., personal communication. 4 May, 2009). *Save Camphill* was ostensibly a local campaign. Yet as a wider international movement they can call upon national and international support which resulted in wider media coverage.

In addition *Save Camphill* lobbied MSPs and Ministers and there was a quiet understanding that EU intervention was always a distinct possibility as the next recourse. The Camphill movement attracts volunteers from across the European continent and it could be argued that such networks in health and social care are influential. The extent of this influence will be tested empirically in the findings of the research.

3.5 Institutional strategies

During the 1980s, the rapid expansion of the road-building programme meant that early anti-road building campaigns focused on traditional campaigning strategies including legal representation at public local inquiries (PLI's). Typically, these campaigns involved consciousness-raising, leafleting, canvassing, public meetings, fund-raising and community events, lobbying local elected representatives and officials, organising petitions and displaying posters. Porritt pays tribute to the dedication of

those campaigners involved in institutional settings stating it would be wrong:

'to overlook the equally astonishing commitment of those who find it more fitting to do their bit in the backroom, in the Public Inquiry or even along the corridors of power.' (Porrit in Bryant 1996 p. 298).

In his analysis of the *SOS* campaign, North (1998) posits two different models of social movements. The Resource Mobilisation Theory (RMT) model sees protest as a legitimate political challenge to policy makers within institutional fora versus the New Social Movement (NSM) model where protest represents a fundamental socio-political and cultural challenge to the status quo.

Both models were represented in the *SOS* campaign with some cross-over evident latterly:

'Between 50 and 100 people were permanently encamped on the hill or squatting vacated property: the '*Dongas*'. Alongside direct action conventional lobbying tactics were employed, including approaches to MPs and the European Commission and attempts to obtain a high court injunction to prevent work. (North 1998 p. 2)

North (1998) discusses Cohen and Arato's (1992) premise that it is possible to sidestep the bifurcation of the American and European social movement models.

'They argue that both forms of struggle go on at both levels simultaneously within a given social movement, and 'within both civil society and the polity for autonomous social action' (1992: 509 quoted in North 1998 p. 3).

It will be pertinent in the AWPR case study to discern the balance between the RMT social movements and the extent to which a new social movement exists at all.

3.5.1 Remit of Public Inquiries

All three campaigns featured public inquiries and in the case of Tywford Down, two inquiries were held in 1985 and 1987. In the case of *No M77*, evidence was submitted to the Ayr Road Route public inquiry which lasted three months in 1988.

Campaigners had high hopes that inquiries would ensure a fair hearing and the opportunity to present counter-arguments to those presented by the state. In each case, preparations were intensive, time-consuming and costly. Performances under professional cross-examination also required a cool disposition. Despite these considerable endeavours, the public inquiry process ratified all three proposed Schemes despite the cold comfort of respectful and empathetic statements from Reporters.

Accordingly, Doherty (1998) notes that campaigners became frustrated over the narrow remit of public inquiries which deliberated over the route of a road rather than the more fundamental rationale for a road at all. (p. 370). Furthermore, campaigners bemoaned the lack of participatory opportunities for citizens in the public inquiry process:

'Public inquiries were viewed as an expensive trap in which the technical expertise of lawyers and planners tended to exclude effective public participation.' (Doherty 1998 p. 370)

In the views of some campaigners, the Public Inquiry process fell short of a fair democratic process. That proceedings were presided over by state officials meant that bias was inevitable, rendering the process a charade.

'Before the road came, I was politically naive. It changed me completely. I learned about how things work. I had not thought how decisions are made. I now see the government was taking the mickey. The public inquiry was there to shut people up. It's only when good, honest, normal people get together and say 'This is stupidity' that things change.' (Cathy Jordan, local protester, *SOS in Monbiot* 2009 p. 1).

Porritt sums up this experience reflecting on the experience of taking part in numerous public enquiries; people were 'worn out' and thoroughly disheartened by 'the inherent inequities of the system.' (Porritt in Bryant 1996 p. 302)

3.5.2 Lobbying

All three campaigns featured public affairs strategies. Specifically, lobbying refers to gaining access to political decision-making elites to present arguments and co-ordinated communications to promote or prevent legislation or policy decisions in line with specific interests. Professional lobbying can be an overt advocacy process although the realisation of access often manifests itself within more covert settings and information exchanges such as hospitality at sponsored or philanthropic events.

The term lobbying can also be extended to grassroots lobbying as articulated by Morris (2003) that in the twentieth century lobbying will focus its efforts on engaging the general public with a view to them in turn agitating their elected representatives. He advocates that campaigns should 'catalyse voter sentiments' as a prerequisite to disposing political elites towards change.

As a Conservative councillor, Barbara Bryant was well placed to secure audiences with Ministers in the Thatcher and Major administrations throughout the campaign. Reflecting upon this experience, Bryant concludes: 'It was not that the road-building lobby was strong. It was that the environmental lobby was weak.' (Beckett 1995 p. 1) Her analysis suggests that campaigns cannot influence change unilaterally. Instead a discourse drawing sustenance from multiple inputs from other civil society groups, including the media must coalesce.

In the *No M77* campaign, the protesters were successful in persuading local councillors that the route of the road and the consequent destruction of the parkland were unnecessary. This support was trumped by the support for the Scheme by the higher authority of the Labour controlled Strathclyde

Regional Council who claimed that the job creation was contingent on the connectivity offered by the new motorway.

The political classes feature in a number of high profile anti-road campaigns. Steven Norris spoke out against the Newbury bypass following his resignation as Minister for Roads. In Scotland, Allan Stewart a Conservative MP and Minister for Trade and Industry was forced to resign in 1994 after a controversial visit to the Pollok Free State. In 2010 during the AWPR case study, successive Ministers for Transport, Nicol Stephen, Tavish Scott and Stewart Stevenson all suffered conflict of interest, reputational damage and accusations of incompetency in their respective stewardship of their portfolios for transport.

3.5.3 Media relations

Anti-road-building campaigns are often newsworthy due to the scale of the public investment and the human narratives of those whose homes, habitats and livelihoods are subject to compulsory purchase. The juxtaposition of middle class protesters and civil disobedience campaigners represented another angle for journalists as noted in section 3.3 regarding the 'pearls and twinsets'.

For those working within institutional parameters, informing the media was a necessary component of campaigning. In the framing of the road-building versus ecological destruction, the campaigners recognised the value of visual communication to the media. In Twyford Down, Bryant organised a pseudo-event on a grand scale to convey the scale of the Scheme. These planned 'happenings' are ambiguous in relation to reality and are designed to be reported by the media (Boorstin 1961).

'Her tactics were initially unconventional: she and a team of volunteers drew attention to the proposed Cutting by marking it out with highly visible lines of black polythene.' (ibid).

Marking out the route was intended to spark the public's imagination by offering a vision of the future. Like the scale models before it, this act was covered by the media. Yet nothing could replicate the 'shock value' of the reality of the eventual road; the enormity of the excavation, volume of traffic, noise and air pollution.

In the *SOS* campaign, media interest was high and 'protesters showed themselves adroit at using the power of the television image to get their message across.' (North 1998 p. 2)

For those pursuing institutional campaigns, television was justified on the basis of reaching a mass audience amongst whom new volunteers could be galvanised into supporters. The value of telegenic staged events was in keeping the issue salient on the political agenda. Some people were persuaded to join the campaign and became active by signing petitions and attending public meetings.

'The representation of politics on television, while generally thought to be dismally and destructively entertaining, can be seen as provoking the 'affective intelligence' that is vital to keep political involvement and activity going.' (Van Zoonen 2005 p. 39)

Another tactic capable of enhancing media interest was celebrity endorsement of campaigns. The presence of experienced media broadcasters such as Jonathan Dimbleby in *SOS* lent considerable cultural capital to campaign messages. However, this strategy is not without potential tensions amongst protesters:

'However, the celebrities were felt by residents of Batheaston (many of whom supported the road) to be attempting to speak 'for' them. Consequently, a 'backlash' from many of the residents of Batheaston grew' (North, 1998 p. 11)

In Glasgow, local public opinion was persuaded by the anti-roads messages:

'A Glasgow paper conducted a survey that found 68% of Glaswegians supported the campaign, and Charlie Gordan, leader of roads in Strathclyde, conceded that we had won the propaganda war, as the M77 became the issue in Scotland' (*Do or Die* 1995 p. 9)

Whilst seizing the media agenda was an important victory, it was not necessarily sufficient for ultimate success.

3.5.4 European legislation

Porritt (1996) in hindsight admits that in hindsight perhaps the protesters were naïve to put faith in Brussels. Carlo Ripa di Meana, the Environmental Commissioner initially intervened in support of saving Twyford Down. This powerful institutional backing was later withdrawn following negotiations with the new PM John Major coinciding with the issues arising over Maastricht. Porritt comments with irony:

'Better by far to assert our inalienable sovereignty by destroying one of the most important conservation and archaeological sites in the country than to be forced to recant by a bunch of meddling Euro-Federalists.' (Porritt in Bryant 1996 p. 298)

This experience is almost 20 years ago and it is possible that the UK's relationship with Europe has changed. However against the backdrop of the UK's antipathy towards Europe as exemplified by the current high polling for UKIP in 2014 and the aftermath of the Eurozone crises it is likely that Europe is engaged in more critical matters than interventions in UK planning issues.

3.5.5 Partnerships and alliances

In public affairs, the ability to work in concert can be key to success. North (1998) emphasises the importance of establishing the identity and interests of protesters both individually and collectively with a view to optimising political leverage. North delineates two distinct camps of campaigners: not-in-my-back-yard (NIMBY) local residents; and not-on-my-planet-Earth

(NOPE) eco-warriors. A preliminary look at the AWPR case study features the former but not yet the latter.

The ability to draw on diverse networks provides a distinct advantage as Doherty notes:

'Because of its location in London, the M11 campaign was also able to draw on its networks of radical activists, celebrities and artists, who lent their support to what became a high-profile protest.' (Doherty 1998 p. 372)

In Glasgow the *No M77* campaign and the Pollok camp in particular prided itself on its inclusive approach. The co-ordinated liaison between Glasgow Earth First! and the core group at the Free State was effective and extended further:

'The *No M77* campaign has brought about the long spoken about alliance between Green and Red and made it a reality. Many environmentalists began to see the campaign beyond wholly moral terms and saw the class and social implications of this fight. Militant defending trees would have been unthinkable a few months ago but it's happening, as direct action is being seized by the community as a tool of empowerment.' (*Do or Die* 1995 p. 10)

Emma Must, a veteran of the Twyford Down campaign and co-founder of *Road Alert*, reinforces this approach. She was awarded the Goldman Prize for the environment. She dedicated the prize to the breadth and depth of the alliance between campaigners at Tywford Down:

'this award is recognition of the whole spectrum of protest, from people with beads in their hair, to middle aged ladies with pleated skirts.' (Must quoted in Bryant, 1996 p. 308)

Alarm UK was formed in 1988 to co-ordinate opposition to local roads in and around London. Past experience found 'that local groups needed to work together to avoid being played off against each other and to place local Schemes in a national and European context' (Doherty 1998 p. 371) In the years 1989-1993 this strategy was proved successful as evidenced by the

cancellation of new roads in Preston, Crosby, Hereford, Norwich and Calder Valley (Doherty 1998).

Bryant (1996) is critical of not only local government representatives but also the silence from civil society institutions charged with responsibility for the environment during the initial and critical phases of the Twyford Down debate.

‘I’d criticise the Cutting plan in the city council, and the officers would say that the Countryside Commission said it was OK. I looked slightly stupid,’
(Bryant in Beckett 1995 p.1)

In *Do or Die*, an account of the protests against the M77 through Pollok Park, the lack of support from the National Trust of Scotland was also criticised. Pollok Park was the first land gifted to the people of Glasgow by the Maxwell family. During the *No M77* campaign, the then Chairman of the National Trust of Scotland was identified by *Earth First!* as having a conflict of interest given his Directorship of Shanks and McEwan, whose subsidiary *Rechem* was bidding to build a large landfill and toxic waste site on the outskirts of Glasgow. The construction of the M77 would link Glasgow to this new development thus facilitating the efficient transport of waste materials.

3.5.7 Efficacy of institutional strategies

All three campaigns of Twyford Down, *SOS*, and *No M77* were ultimately unsuccessful as viewed from the perspective of ‘single-issue’ politics. Yet in the longer-term their significance arguably helped to secure campaign wins elsewhere or to ameliorate the effects of new roads through alternative options such as tunnels. The Oxleas Wood protest to protect some of the last remaining ancient woodland near London was successful.

Drawing on the bitter wisdom gained from the Twyford Down defeat, Porritt observes that Oxleas benefitted from a constellation of critical success factors:

'A predominantly local campaign for all its national prominence. Backed by the big national environmental organisations with solid support from the local council and MPs, and the threat of EU intervention never far from the frame.' (Porritt in Bryant 1996 p. 300)

Similarly, the eventual eyesore that is the Cutting through the Down and the campaign itself undoubtedly influenced the decision to tunnel the A3. Opened in 2011, the Hindhead tunnel was completed on time and within budget (£371m) and utilises innovative technology such as radar to enhance safety. The tunnel means that the former A3 road is being returned to nature. This outcome represents a landmark in collaboration between engineers and environmentalists in England in the twenty first century.

3.6 Direct action strategies

By the mid 1990s this anti-road building strategy was to shift from an institutional participatory focus to strategies outwith the formal process such as direct action. Doherty saw that many groups who had exhausted the legal routes then worked alongside direct action groups 'prepared to put their bodies in the way of the bulldozers'.

In the Free state in Pollok the core campers: '[They] saw no or very little chance of being considered by government through debate because of their marginal position in what they regard as an undemocratic system.' (Seel p. 128).

Direct action tactics involved occupying council offices, sit-ins, building of tree houses and being chained to trees or earth moving equipment. The campaigns worked alongside wider political concerns such as marches in support of *No M77* and against the Criminal Justice Act (CJA). Less legitimate actions involved sabotage and stealing equipment such as chain-saws. The media were used instrumentally as a means of getting their message to a range of citizens from across all social groups and classes.

3.6.1 Media relations

In the 1990s the actions of the direct action eco-warriors added a new visual dimension to news coverage due to the 'alternative' identities of protesters and their actions, from building tree lodges and benders to chaining themselves to bull-dozer. This combination of circus and danger was highly newsworthy and exemplifies Kellner's (2005) theorising of spectacle. The combustible mix of direct action and the media led to the 'celebritisation' or commodification of eco-warriors as entertainment. The (anti) hero status of Swampy transformed him into a national celebrity. Swampy, a leader of sorts of the Newbury protesters, created an elaborate series of tunnels and was the last person to be evicted from the Newbury site at considerable additional expense to the state in terms of time and money. Later his appearance on satirical news show, *Have I got News for You* and a column in the mainstream press may have sought to 'tame' the radical orientation of the fundamental environmental message. Many protesters such as those at the Pollok camp were wary of the vagaries of future media participation. Some of the direct action protesters had reservations about media attention becoming an end in itself.

Yet, for all the high profile media attention given to direct action for some veteran campaigners and local residents, such as Phil Bernard-Carter in the Newbury bypass campaign, these interventions, though courageous, are strategically belated. 'Where were they when the actual decisions were being made?' (Hollingshead 2006 p. 1)

3.6.2 Spontaneous events and symbolic politics

Unlike pseudo-events which are planned with a view to media coverage, spontaneous events can spark up and energise protest campaigns. This was the case in the *No M77* campaign when local school children ran to the camp in support of the core group as they battled eviction.

'Word spread about the events at the camp, and the police who were using a local school's playground as a base alerted many of the pupils to the camp's

plight. 100 kids walked out of classes, charging down the roadbed, breaking through police lines and saving the bulk of the camp.' (*Do or Die* 1995 p. 8)

The interest of youth was sustained when they expressed a desire to formalise their support.

'The pupils began to organise their own union, and three schools started to take part in the protests. Bellamine pupils demanded two hours off lessons per day to protest, and when their demands were not met, began to strike.'

(*Do or Die* 1995 p. 8)

Anti-road building campaigns also demonstrate post-modern theories of the media and the ability of semiotics to move audiences. This is particularly powerful in the hands of direct action protesters for whom their way of living resonates as a symbol of resistance. Here, Porritt elaborates on the symbolic nature of the land itself:

'Ruling politicians... consistently underestimate the power of symbolism in politics...Twyford Down continues to work its magic as a symbol of opposition to undemocratic, ecologically wanton road-building, wherever it is taking place.'

(Porritt in Bryant 1996 p. 299)

Again drawing on post-modern concepts, much of the playfulness of the *Dongas'* political activity - 'getting energy flows moving', non-violence as 'truth force', dancing around security guards, primeval drum banging, face painting, tree living, and a deep concern with individual freedom and personal growth - recalled deep ecology's "*invitation to the dance*". *Donga* encampments were extensively decorated with open air art which pronounced their deep green frames - raging against 'Yellowmen' (Security Guards):

'anyone who in the name of 'progress' contributes to the destruction of wild nature' and who generally 'pisses off pixies'.' (North p. 8)

This was mirrored in the Free State of Pollok where the wood carving skills of Colin McLeod led to totems being erected in homage to the North

American Indians. Carvings also depicted extinct indigenous Scottish wildlife.

'It's more visible, people see more. It's fun, it's happening. You can't just walk around with banners and leaflets; it's a way of living really.'

(Anna quoted in Seel 1997 p. 115).

One of the most dramatic symbols of Pollok's direct action value was participatory rather than orientated towards media coverage. Some time in the planning, fellow campaigners drove north as part of 'To Pollok With Love'.

'a convoy of activists from England and Wales who drove up in cars which were used to build a 'Carhenge', arrived and provided a welcome relief. We finally completed the Carhenge, and despite some whinging about the environmental impact of burning the henge by Greenpeace, all the cars were torched, on the rainswept motorway bed. Spontaneous actions marked the weekend, and two English folk were unlawfully arrested and held by the police all weekend.' (*Do or Die* 1995 p. 10)

3.6.3 Efficacy of direct action strategies

'The simple point is that no major road scheme has been stopped once the first sod has been turned by the contractors. The threat of large-scale disobedience may therefore be much more effective in practice than the actual direct action campaigns themselves.' (Porritt in Bryant p. 300)

Yet, as Seel (1997) suggests it is a mistake to see these campaigns as issues with a single political goal. Although the institutional campaigns sought to prevent the road-building, it is also possible to view the direct action campaigns with a wider remit, that of bringing about fundamental transformation around sustainability by a radical green social movement. In practical terms the Free Staters trained up a group of citizens which they hoped would leave 'a much more dynamic environmental movement in Scotland.' (Jake in Seel p. 14).

Seel views the significance of demonstrating and living this life as evidence of Mellucci's theory that 'movements operate as a 'message' or 'sign'. In the case of the anti-road building protests the message was that people, culture and nature are all being harmed by the rampant expansion of the built environment in the name of 'progress'. Seel contextualises the direct action movements as playing a significant role in synthesising a wider movement against 'unfettered market forces, centralised (un-) 'representative' government and the erosion of rights' (Seel 1997 p. 124).

An alternative legacy can be discerned causally as 'residual reform.' This view is expressed by Steve Hounsham of Transport 2000, the sustainable transport pressure group. Commenting on the Newbury protesters he argues that 'They shaped Labour's road policy while in opposition, leading to the scrapping of a third of the existing road-building programme in 1997.'

It is possible that the radical direct action protests of the 1990s informed policy for the New Labour years. As the protesters themselves matured, protesters opted for more professionalised approaches to communication and protest. *Road Block* was created by Rebecca Lush to coordinate pre-emptive, community-based campaigns against more than 80 road-building projects across the country.

4.0 METHODOLOGY

4.1 Overall methodological approach

This research seeks to ask questions about how as humans we choose to live in and manage our environment in a sustainable way. The answers to these questions rest on an examination of how we use language to explore and make sense of the options before us. The overall methodological approach taken therefore is not empirical though qualitative data has been collected as evidence of the communicative strategies pursued in practice. As Windisch (2008) notes it is necessary to use empirical sources from real-life campaigns to obtain insights into the workings of everyday political argumentation.

Rather, the over-arching approach to this research owes more to critical constructivist thinking which in the 1970s and 1980s developed incorporating linguistics and semiological analysis into cultural studies (Louw 2010 p. 7). Foucault expresses the magnitude of the task as follows:

‘You have only to think of the whole framework of knowledge through which we decipher that speech, and of the whole network of institutions which permit someone...to listen to it.’ (Foucault, 1970 p. 53)

Louw warns researchers of the risks of relativism in such endeavours. Certainly, the ‘reality’ of a new road can mean different things to different people and communities. *Calum’s Road* (Hutchinson 2006) documents the monumental labours of one man in building a road which represented salvation for his remote village’s rural way of life. For others, road-building can symbolise ecological holocaust (Seel 1997). When one extends the lens to transport, a wealth of complex ‘internal’ cognitive and conceptual ideas come into play. The research necessarily becomes interdisciplinary drawing upon politics, economics, geography, communication, sociology, and ecology. Thus the research approach can be situated equally within hermeneutics, where we are interested in the locus of the creation and power of meaning:

'the social and cultural contexts within which meaning is made; the relationship between talk and action; and the role of power and ideology as mobilising meanings to further the interests of certain groups'

(Tietze, Cohen and Musson 2003 p. 13)

Given the complexity of these paradigms, to come up with a useful account with any explanatory power requires discipline. Louw (2010) recommends developing a set of criteria and a consensus around the linguistic rules to delineate between different 'world-views' or orders of discourse (ibid). Finally, a critical approach will be taken which seeks to appraise the health of the public sphere and whether the use of power in achieving the goals of particular interests within our society is legitimate and ethically informed.

4.1.1 Qualitative research

Qualitative research is concerned with uncovering and accounting for people's experiences by probing the motivations and rationales behind actions.

'Among many distinctive features, it is characterised by a concern with exploring phenomena from the perspective of those being studied; with the use of unstructured methods which are sensitive to the social context of the study; the capture of data which are detailed, rich and complex; a mainly inductive rather than deductive analytic process; developing explanations at the level of meaning or micro-social processes rather than context free laws; and answering 'what is', 'how' and 'why' questions.'

(Spencer et al 2003, p. 17)

Appendix B provides a list of notable attributes of qualitative research. Those most relevant to the current case study include the longevity of the case study over a ten year period. The communications being examined all take place in the 'real world' rather than in an artificially staged set of experiments. The research strove to understand the inner thinking of principal agents and hence texts such as the *Road Sense* blog facilitated access to the group's immediate reactions to the public inquiry process, using a 'stream of consciousness' style. The researcher observed many of

the pseudo-events first hand and attended more formal judicial proceedings at the Court of Session in Edinburgh. Care was taken, though, not to cross a line whereby deeper social connections were established with any of the participants. During the public inquiry, the researcher sat alone and exchanged pleasantries with both sides, proponents and opponents, equally.

By using a qualitative research approach it is anticipated that a better understanding of meaning can be achieved. The analysis takes account of the detailed communications and strategies of a range of actors to facilitate comparative analysis. A significant amount of research has been undertaken at a national level and on the public relations campaigns of global organisations. Instead this research operates within a regional and local level which allows for Foucault's specificity. When analysing social and political problems, Foucault expounds: 'We need detailed responses formulated by those concretely involved in the problems.' (Foucault quoted in Gutting 2005 p. 23). Additionally, Foucault's conceptualisation of power suggests that the dynamics of power are materialised through discourse in the micro-interactions between socio-political actors. This research seeks to observe this in action and to enquire as to whether these micro-interactions are reflective of the wider dynamics at play within our society.

As Spencer (2003) notes, there are 'widespread concerns about quality' in qualitative research. Thus researchers have to ensure 'principles of practice are made manifest; the importance of sound or 'robust' qualitative research evidence; and in the relevance and utility of research.' (Spencer et al 2003, p. 17).

To deliver on this, Spencer draws on Lincoln and Guba's work to translate robust scientific terms into terms that have equal force in qualitative work. In carrying out the discourse analysis, these terms will be used to categorise the discourses for their reliability and transferability.

Figure 1.0 Qualitative research, translation of scientific terms

Aspect	Scientific term	Naturalistic term
Truth value	Internal validity	Credibility
Applicability	External validity or generalisability	Transferability
Consistency	Dependability	Reliability
Neutrality	Objectivity	Confirmability

Source: Spencer et al 2003 adapted from Guba and Lincoln (1981) and Lincoln and Guba (1985)

For Luker, qualitative methods are justifiable and highly effective for revealing narratives (Propp 1968) but tend to overlook some of the complexities presented by power.

'telling a resonant story, and in their best incarnation they build 'middle range theories,' but often enough they stop short of using that ... fascinating story to build any kind of cumulative body of theory. Moreover, as noted they tend to bracket power.'

(Luker, 2008 p. 37)

The current research attempts to sidestep this particular pitfall by placing an interest in the workings of power – overt and covert – as a principal objective. By examining the dialectics of discourse between actors, the extent to which pluralist or conflictual accounts of power are determining will be developed, rather than a simply proving or disproving a hypothesis.

In this way, Luker (2008) explains that Burawoy:

'starts out with a grand theory ... and he draws from it both questions and propositions that he tests by observation. He sees the scholar's task as using hands-on empirical observation to explore and extend the reach and vigor of theory.' (ibid p. 35)

Gutting's analysis of Foucault bears out the merits of the qualitative approach that: 'In the end, there can be no authority other than the judgment of those who directly experience a situation.' (Gutting 2005)

4.2 Case study

Throughout the period of research, the debates around the decision to construct a bypass around Aberdeen have been 'live' and protracted. Stake (2006) suggests: 'We can use the case as an arena or host or fulcrum to bring many functions and relationships together for study.' (p.2). Following this, the researcher sees the case study as a big canvas similar to that used by the artist David Hockney in his recent 'Big Picture' exhibition at the Royal Academy. Only by accumulating the individual panels into one large montage could the artist convey simultaneously the scale of the natural landscape – the woods – whilst retaining the interesting detail of discrete features – the trees. In addition, Hockney painted the same scene over the course of the different seasons. By allowing space for the perspectives of a wide range of stakeholders in Chapter 5.0 shifts in the orders of discourse may be discerned by stepping back to take in the full view over time. This approach is complemented by a more detailed examination in Chapter 6.0 more akin to the smaller canvas of artist Lucian Freud who favoured a close forensic examination of his subject. Flyvbjerg (1998) quotes Nietzsche's evaluation of the importance of the types of 'little things' which the case study methodology encompasses. He expands that these 'a discreet and apparently insignificant truth, which when closely examined, reveals itself to be pregnant with paradigms, metaphors and general significance.' (Flyvbjerg 1998 p. 4)

The AWPR issue lent itself to a case study approach due to the variety of stakeholders involved, their oral and written statements and actions. The setting of the issue within different institutional settings, political and judicial, was advantageous for a study of discourse, rhetoric and argumentation. Metaphors of battle and war feature heavily in studies of anti-road building protests. Similarly, this particular conflict unfolds in narrative terms with Propp's (1968) heroes, villains and prizes all present.

In terms of building theory, Lukes's third dimension of power is important to political theorists interested in developing normative ideas about the design of democratic institutions. Lukes commends the work of Crenson (1971) in the *Unpolitics of Air Pollution* for its empirical verification of the third dimension in practice. Shapiro calls for more recent empirical evidence of this dimension in practice. He cites the good work of Gaventa on industrial relations in an Appalachian mining community but regrets that 'it is lamentable that Gaventa's now more than 25-year-old study has not spawned a large empirical literature on the third face of power and contending theoretical formulations.' (Shapiro 2006 p. 147). This case study will seek evidence across a range of theoretical perspectives including Lukes's three dimensions of power, rationality and discourse.

4.2.1 Strengths of the case study approach

Another good reason to use a case study approach is due to the rich opportunities for data collection including oral and written testimony and formal and informal material on new media. As Yin expands:

'The case study's unique strength is its ability to deal with a full variety of evidence – documents, artefacts, interviews and observations – beyond what might be available in the conventional historical study.'

(Yin, 1994 p. 8).

Given the time period covered by the case study, there is a wealth of material open to examination from 2002-2012. The public inquiry process generated pre-cognitions and submissions from a wide range of civil society groups. Professional public relations advisers have been willing to share their analysis and reflections with the researcher through presentations (McKee 2009 *The Big Partnership* and McEwan 2009b) and face-to-face interview (McEwan 2009c). *Dragon's den* style debates on modern transport solutions for the city were attended and the views of young film-makers sought.

Given the potential scope of the case study, from the complex historical roots of project to the implementation phase (see Appendix U) through to construction, it was important to delineate a practical 'bounded system' (Stake 2006 p. 1) for the research. Stake stresses the value of clearly identifiable boundaries (ibid). Thus the research takes 2004 as the starting point with the publication of the route options as a catalyst for protest to the Scheme. The end of the legal challenges to the Scheme in 2012 and the publication of the prior information notice forms a logical end point. Within this 8 year span, it made sense to divide the campaign into critical phases of intense activity. These four phases feature fierce debate during statutory decision-making points. These time frames using a cross-sectional approach are as follows:

Critical Campaign Phases	Date
A. <i>Save Camphill</i>	2004-2005
B. Petition to Scottish Parliament and Consultation period	2006-2007
C. Public Local Inquiry	2008-2009
D. Court of Session and Supreme Court	2010-2012

This focus on key junctures allows the researcher to focus on decision-making in line with the pluralists and Dahl's methodology from *Who Governs?* However it also allows the researcher to trace how various discourses change and alter in a dialectical dynamic in line with Foucault (1970) and Fairclough (2012). Indeed Foucault quoted in Sik Ying Ho and Kat Tat Tsang (2000 pp. 136-137) sees discourse analysis as a *dossier* 'a case, an affair, an event that provided the intersection of discourses'. When looking at discourses and how they intersect over time, a case study approach seems most suited to the research question. The phases which can be delineated are as follows:

Phase A includes the key meeting on 17 November 2005 when the then Minister for Transport, Tavish Scott chose the 'hybrid' route over the previously preferred Murtle route. In December 2004, 'in the face of a campaign against the routing of the WPR along part of the Murtle corridor ('the Camphill issue'), the Minister for Transport instructed that work on

that corridor should be reviewed' (*Walton v The Scottish Ministers*. 2012. UKSC 44 1 at 13). In November 2005, the Minister was advised that the hybrid option, which combined the Milltimber Brae route with an A90 relief road to Stonehaven ('Fastlink') offered attractions. On 1 December 2005 the Minister announced the new route combining the Milltimber Brae option with part of the Peterculter/Stonehaven option; the hybrid option.

Phase B includes the presentation of a petition to the Scottish Parliament by a new group of protesters, *Road Sense* objecting to the choice of the hybrid Milltimber Brae/Fastlink route. The petition asked that the Scheme be reconsidered due to public controversy. On 2 May 2006 the preferred line within the corridor was announced. The Parliament supported the promoters of the Scheme and draft orders were published together with an EIA prepared under section 20A of the 1984 Act. On the 12 October 2007 the Minister announced that a public local inquiry would be held under section 139 of the 1984 Act.

Phase C The public inquiry was held from 9 September 2008 and 18 February 2009. This afforded proponents and statutory and non statutory objectors to the Scheme to present their arguments to the Reporters. On 30 June 2009, the Reporters published their report and recommendations that the Scheme should proceed.

Phase D The schemes and orders were presented to the Scottish Parliament on 15 January 2010. Parliament approved these on 3 March 2010, giving the bypass legal status. Mr Walton as an individual but with the support of *Road Sense* then sought Judicial Review from the Lord Ordinary at the Court of Session in Edinburgh. The Lord Ordinary rejected the appellant's submissions (*Walton v Scottish Ministers* 2011). Mr Walton appealed this decision before the Inner House and their Lordships rejected these submissions. Mr Walton then took his objection to the UK Supreme Court on the 9 and 10 July 2012. The judgment of their Lordships was delivered on the 17 October 2012 and found in favour of the legality of the road and that hence the Scheme should proceed. This marks the end of the

case study. In 2013, the AWPR team have moved to operational issues regarding the construction of the bypass.

The researcher examined evidence from a corpus of texts from across each of these phases for examples of key arguments and communicative strategies. These arguments were arranged in major themes and topics such as economic, environmental and congestion. Similarly, the strategies were categorised into themes such as argumentation strategies and political communication strategies. These tables appear in Appendix C. Each category of argument and strategy has been coded. Subsequent readings of the texts are then marked up using these codes. Further discussion of this process can be found in section 4.5.

It should be acknowledged that the arguments are cumulative throughout the campaign. Arguments and strategies have been coded when they first appear and are presented in the Section 5.0: Findings and Analysis (I) when they are at their most prominent. These arguments are often present at other periods too but may not be highlighted to avoid unnecessary duplication. The purpose is to present the innovations in strategic development and to note any changes in emphasis.

The research is structural rather than substantive in the sense that the second stage of the research process involves a close examination of particular texts or events as phenomenon of interest in themselves. The researcher is interested in examining the data not only for the purpose of finding a window into the world of the participants but to look more deeply at how the language used is structured giving clues as to the power of some arguments to win out over others. This is why critical discourse analysis is the chosen methodology.

The campaign phases all appear to involve an appeal to public opinion to some extent. In some cases, courting the public may be sincerely democratic in spirit. In other cases, this appeal may be instrumental as deployed in grassroots lobbying strategies. In the latter two phases, the communication is more directly aimed at other stakeholders such as the

judiciary. The discussion section will examine the legitimacy and ethics of these strategies in terms of the effects on our liberal democracy.

4.2.2 Limitations to the case study approach

Case-studies are often criticised for their exclusivity and in ability to generalise from the case study to wider societal phenomenon. This research reiterates Yin's view that case-studies do not explicitly purport to offer conclusions outwith the context discussed. However, in line with Flyvbjerg, Bruzelius and Rothengatter's (2003) similarities can be discerned in the debates and characteristics of many mega-projects within democratic polities. As Flyvbjerg states in his 1998 study on Aalborg: 'The action takes place in the Kingdom of Denmark, that is, nowhere and everywhere.' (p. 1) Section 1.2.1 suggests how the insights to be gained from this case study may be pertinent to the contemporaneous debates on mega-projects such as high speed rail, known as HS2 and the planned extension to Heathrow airport. By examining 21st century protest, empirically, some insights can be offered as to the legitimacy and proportional strength of interest groups within civil society, and the workings of our liberal democratic institutional frameworks.

Luker (2008) explains that qualitative researchers use case-studies to find evidence that is 'reasonably representative of the larger phenomenon that we are investigating. That is, not representative of the *population* but of the larger *phenomenon*' (ibid p. 103). Fairclough reinforces this when he postulates that critical discourse analysis is 'just one part of interdisciplinary research into relations between public debate; political decisions (policies, strategies); actions ... ; economic and broader social outcomes.' (Fairclough 2012 p. 82)

One of the most challenging aspect of the case study is to reveal empirical instances of Lukes's third dimension of power where actors may be unaware of their 'real' interests or actions. As Foucault forewarns: 'Power is tolerable only on condition that it masks a substantial part of itself. Its success is proportional to its ability to hide its own mechanisms.' (Foucault quoted in

Lukes 2005 p. 90). In common with crime and lobbying success involves leaving no clues behind. However, as Lukes investigates at the end of Chapter 2.0 there have been a number of works including Flyvbjerg's study of Aalborg (1998a) where we can discern the second dimension of power at work and also with careful archaeological excavation some clues as to the processes whereby citizens are not acting intentionally or rationally but are self-subjugated to prevailing discourses and values which are culturally determined.

Lukes commends Flyvbjerg's work for its ability to navigate these challenges:

'Flyvbjerg's work succeeds in revealing how powerfully placed actors frame issues, present information and structure arguments and how the less powerful and the powerless either acquiesce in or feebly resist a process which culminates in most people ending up worse off.' (Lukes p. 103).

This research seeks equally to use a case study and the tools of discourse analysis to find evidence to support Lukes's theory of the third dimension of power with a view to considering normative questions about how to strengthen our institutional structures to mitigate the vagaries of anti-democratic forces.

A further challenge lies with the attempt to measure the effects of communication on actual outcomes. As Lilleker (2006) remarks 'it remains almost impossible to understand or measure communication effects in a pluralist democratic society.' (p. 16). This is due to the problems presented by a multiplicity of counterfactual. Lilleker cites Baudrillard: 'We will never know if an advertisement or opinion poll has had a real influence on individual or collective will, but we will never know either what would have happened if there had been no opinion poll or advertisement' (1998 p. 210) Given this, to make best efforts to mitigate these challenges a triangulated approach is adopted where multiple discourses are contained within the dossier and overlaid on the case study canvas.

4.2.3 Identification of Proponents and Opponents

In a complex case study, there are many players at different levels. The groups are not homogeneous. With proponents, it can be difficult to differentiate between the interests of elected officials and the state. This was particularly evident during the PLI when the Scottish Reporters are in the position of assessing evidence prepared by another state agency, Transport Scotland. At times these interests can conflict. For example, Aberdeen Council is a partner of Camphill on health related initiatives. In this case study, the interests of the Transport and Economic development departments may be at odds with the social care, health and community education parts of local government.

Road Sense was formed in January 2006. By 2008 they estimated their support from those opposing the road to be a 'large number of the unprecedented ten-thousand-plus objectors to the AWPR, including many of Scotland's environment and transport expert and campaigning groups' (*Road Sense* 2008). By 2011 there were a 'group of 60 people from the 600 on its mailing list' who attended the Annual General Meeting (AGM) (Crichton 2011). Appendix E provides a helpful breakdown of the witnesses at the PLI for *Transport Scotland* and the objectors respectively.

It should also be noted that in terms of elected officials we have seen different administrations in power during this case study. This is shown in the table below:

Figure 2.0: Table showing ruling parties at various levels of government

	<i>Local government</i>	<i>Holyrood</i>	<i>Westminster</i>
2002	Labour	Labour	Labour
2003	Lib Dem / Con	Labour/Lib Dem	Labour
2004	Lib Dem/Con	Labour/Lib Dem	Labour
2005	Lib Dem / Con	Labour/Lib Dem	Labour
2006	Lib Dem / Con	Labour/Lib Dem	Labour

2007	Lib Dem/Con	SNP minority	Labour
May 2007	Lib Dem/SNP		
2008	Lib Dem/SNP	SNP minority	Labour
2009	SNP/Lib Dem	SNP minority	Labour
2010	SNP/Lib Dem	SNP minority	Coalition Con/Liberal
2011	SNP/Lib Dem	SNP	Con/Liberal
2012	Labour / Conservative/ Independent	SNP	Con/Liberal

Source: Author

Figure 3.0 Table showing Scottish Ministers for Transport

<i>Minister for Transport</i>	<i>Party</i>	<i>Dates</i>
Nicol Stephen	Lib Dem	2003-2005
Tavish Scott	Lib Dem	2005-2007
Stewart Stevenson	SNP	2007-2010 resigned
Keith Brown	SNP	2010 date Transport Policy and Roads
Nicola Sturgeon	Deputy First Minister	Transport Policy as part of remit

Source: Author

It should also be noted that during the period of the case study the constituency within which the road will be located was held by Nicol Stephen, Deputy First Minister from 27 June 2005 – 16 May 2007.

Proponents

Scottish Ministers, local councillors, *Transport Scotland*, NESTRANS, state officials, ACSEF, Chamber of Commerce, Road Haulage Association, high profile businessmen including Sir Ian Wood and Stewart Milne.

Opponents

Save Camphill, Road Sense, Sink the Link, Aberdeen Greenbelt Alliance, Scottish Green Party, Friends of the Earth, Woodland Trust, private individuals including John and Maggie Fraser, *Transform Scotland*, local Community Councils.

See Appendix E for a full list of individuals and professional advisers as they appeared at the PLI.

4.3 Triangulation

To ensure that the case study accommodates multiple discourses, stakeholder perspectives and is empathetic to the motivations of actors, a variety of research methods have been triangulated (Richards 2009). These include:

- Critical discourse analysis of texts drawn from across the four campaign phases.
- Observations – attendance at public meetings, PLI sessions, conferences, interactive debates, roadshows and judicial hearings.
- Interviews – variously semi-structured face to face, telephone and email and unstructured *obiter dicta* conversations.

Further details of the corpus of texts, observed events, and interviews are detailed below. The findings from these different methodologies are brought together in Chapters 5.0 and 6.0. The Findings and Analysis (I) examines evidence from interviews, newsletters and newspaper articles in Phase A. Phase B uses telephone interviews, newspaper articles. Phase C uses observation

Findings and Analysis (I)

	Texts	Observation	Interview
Phase A	Newsletters, leaflets Newspaper reports, websites	Save Camphill visual campaign and petition	Interview McEwan, conversations

Phase B	Public Petitions hearing Road Sense newsletter Newspaper reports Letters	Road Sense Public meetings Public Consultations	Telephone interview, Imhof
Phase C	PLI report, NorthSound phone-in, RS blog, newspaper articles, Letters, social media	PLI enquiry Road Sense AGM	Obiter dicta conversations
Phase D	Legal judgments, Newspaper articles, Letters	Court of Session Road Sense AGM	Interview Baxter

Sik Ying Ho and Kat Tat Tsang (2000) note that Fairclough argues for an inclusive and 'flexible approach to data collection.' They elaborate:

'Fairclough suggests that the nature of the data required for discourse analysis should vary according to the project and the research questions, and that there are also various ways in which a corpus can be enhanced with supplementary data. This is partly a matter of knowing what is available, how to get access to it, having a mental model of the domain one is researching, as well as the processes of change it is undergoing.' (p. 137)

This research elects to follow Fairclough insofar as the protracted nature of the case study, the new entrants of protest groups following route alterations, necessitated a flexible approach to the corpus of texts.

As noted, state proponents of the Scheme were reluctant to be interviewed during the campaign. Instead the researcher used the methodology of critical discourse analysis (CDA) of texts readily available in the public domain including media reports. When the case study moved into Phase C-D, then both sides were required to detail their arguments in the precognitions, rendering the value of interviews redundant. Further reflection on application of CDA is given in 8.5.

The Findings and Analysis (II) section examines 3 principal texts from 2009. This marks a pivotal decision-making point in the case study prior to the

outcome of the PLI. This section considers competing discourses in an interactive debate broadcast to the public thereby characterised by rhetorical appeals.

4.3.1 Multi-dimensional discourse analysis

In referring to discourse, Fairclough offers a workable definition as follows:

'Discourses are ways of representing aspects of the world which can generally be identified with different positions or perspectives of different groups of social actors.' (Fairclough 2012 p. 82)

In this case, these groups of social actors include professional engineers and project managers working for *Transport Scotland*, within local government and contracted organisations. They also include civil society groups such as business lobbies, environmentalists, community councils and media professionals. The researcher acknowledges that discourse is a problematic and contested term (Poole 2010). The response to Poole and other critics of CDA, the researcher is cognisant of a range of discourses beyond neo-liberalism and will be vigilant to consider a variety of political motivations. Equally, the researcher resists the idea that discourse and language has a determining effect on audiences and that a variety of interpretations of texts are possible.

The researcher recognises in discourse 'a unique *dynamis*, a capacity to reference multiple dimensions, argument fields, and modes of communication' (Finnegan and Kang 2004 p. 379) which fits well within the case study rubric. These 'texts' usually refers to discursive modes such as conversation and text but Finnegan argues for the inclusion of images and this research follows suit.

Discourse analysis is concerned with language and recognises its implicit dual power as a force of enlightenment or equally as an instrument of control through its ability to shape meaning. The way in which language is formulated conveys what is important and what can be discounted (Hodge

and Kress 1993). For Fairclough in line with many social scientists, 'language is a socially conditioned process, conditioned that is by other (non linguistic) parts of society.' (p. 19). This means that the meaning of expressions such as 'fair' are highly politicised. Poole (2010) argues that Fairclough's political motivations relegate the analytical power of linguistics within CDA. Given the researcher's academic background in politics and professional experience in economic development and not linguistics, this research follows Fairclough's metalinguistic approach. Tietze et al (2003), also suggest researchers move 'beyond a purely 'textual' analysis of words and sentences'. Rather than deconstructing texts in a vacuum, the analysis should operate within contexts:

'the social and cultural contexts with which meaning is made; the relationship between talk and action; and the role of power and ideology in shaping worlds of meaning. Here we are referring to ideology as mobilising meanings to further the interests of certain groups.' (ibid p. 13)

Discourse therefore covers the entire sphere of social interaction, which for the researcher is unwieldy. Fairclough finds a way through this by approaching a text archaeologically, carefully excavating and uncovering clues from within the texts. A close examination of key texts may reveal 'what is in the various groups' heads' and to uncover norms, beliefs and so forth. An examination of the blog produced by *Road Sense* - an internal one-sided communication addressing an 'ideal subject' (Fairclough 2012 p. 41) rather than an interactive blog - is of value here where a less formal style of writing and the use of metaphors and intertextuality is revealing.

Windisch (2008) also counsels against a purely textual analysis of content and focus on linguistic features. In line with Tietze, he appreciates the determining power of socio-political representations and in particular the importance of images and the placement strategies of communications during the 'cut and thrust' of dialectical argumentation (ibid p. 88)

Driving the importance of a multi-dimensional approach to discourse analysis he explains:

'The struggle to impose a social and political representation may be more decisive than what is said on any given topic, i.e. than the truth or falseness of a proposition. This shows the limitations of a pure analysis of content, and proves the need for multidimensional approaches both in relation to content, discursive and argumentative activity, placement strategies, the construction of images and representations, and the validation or invalidation of the various discourses.' (Windisch 2008 p. 92)

This approach is ideally suited to the AWPR case study which features, for example, bucolic and pejorative images. In rhetorical terms, attacks on the *ethos* of protesters and the state's use of representation in media relations will be looked at.

Fairclough (2005) draws on Harvey (1996) by looking for 'moments' within the dialectics of discourse. This approach requires the researcher to be specific and so in Chapter 6.0 selected texts are looked at in a detailed way akin to the forensic eye of painter Lucian Freud. Of relevance to this research these steps include:

Emergence: when complex realities crystallise into translated phrases such as 'austerity'.

Hegemony: this is the outcome of the contestations between discourses and their proponents. These challenges result in shifts between discourses and the emergence of a final hegemonic discourse.

The latter concept of hegemony, derived from Gramsci (1971) is central to the work of Laclau and Mouffe (1985) in their approach to discourse analysis.

4.3.1.1 Argumentation in Political Discourse Analysis

Fairclough (2012) in *Political Discourse Analysis* (PDA) makes the case for the focus on argumentation within political debates. He holds that political discourse is discourse 'giving primacy to practical argumentation and deliberation in political discourse analysis is justified by the nature of

politics.’ (p. 15). Fairclough also goes back to Aristotle to justify the focus on speech as being inextricably linked to politics.

Quoting Van Dijk, Fairclough sees PDA as the analysis of political discourse from a critical perspective. Importantly for this work this means focusing on the ability of language to reproduce and contest political *power* through political discourse (Fairclough 2012).

[in] ‘the process of argumentation, over time, certain arguments come to be recurrent and come to achieve the relative durability and stability we associate with practices and discourses. They can be drawn upon by arguers and they can be recontextualised.’ (Fairclough 2012 p. 84)

In the current study the researcher identifies these recurring arguments and the extent to which they are recontextualised from elsewhere such as national discourse around the economy and transport.

‘This aspect, which is dynamic, procedural and formative for argumentation, can be followed empirically.’ (Windisch, 2008 p. 89). Thus, the case study focused on uncovering the arguments around the AWPR from both sides.

Following Fairclough’s analysis, arguments require the presence of a goal premise. The goal is not simply what the agent wants or desires but may rest on normative considerations such as duties or promises. A goal usually involves a counter-factual; an imagined future state of affairs. In the AWPR case study, for the state, a desirable scenario could refer to new infrastructure to bring about an efficient and modern transport system. This system would enhance connectivity and bring about economic development goals such as jobs, profits and increased taxes. In this overall scenario, the goal – action is to build the bypass. As Fairclough notes there may be hierarchies of goals in complex scenarios.

Fairclough goes on to explain how goals arise from values. Values should be conceptualised as the concerns of the agent. These concerns may be internalised or more external. In the case of those arguing for economic

development, it is likely that proponents are influenced by values such as competition, and view themselves as progressive. These values sustain capitalism and a competitive neo-liberal economy.

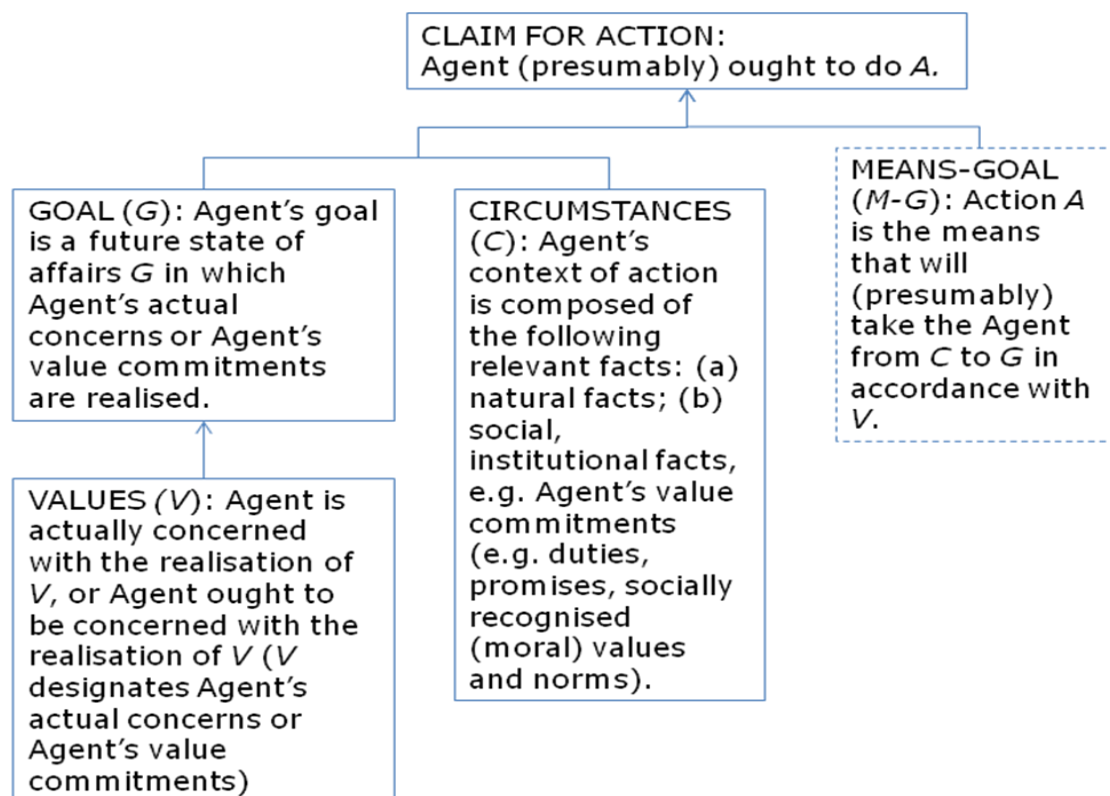
In the case of those arguing for maintaining the rural environment, it is likely that proponents are influenced by values such as sustainability, respect for the natural world with an aesthetic sensibility. These values lead to alternative sources of economic viability based around organic farming and tourism.

One of the most important distinctions about Fairclough's work is the centrality he gives to circumstantial (C) premises. This focus on the context within which deliberations takes place is unusual. Here he is interested in how agents are influenced by social, institutional and natural facts. It is important to note here how one describes the circumstances may well influence the choice of actions open to agents. For Fairclough, discourses are often responses to crisis and drive social changes. In the case of the AWPR, you could see the crisis either in terms of climate change or congestion.

Fairclough gives the example of our current (2013) economic crisis. Is it described as bankruptcy due to excessive spending or crisis due to rampant deregulation? Different options could ensue arising from the different descriptions of the cause eg cuts to bring down the deficit or greater regulation. In this case study the circumstances are variously: reducing congestion, infrastructure investment to enhance connectivity, job creation or housing and retail development to the west of the City.

This is conceptualised in a chart as reproduced below. The research will examine the arguments throughout various stages of the campaign and depict them within Fairclough's structure (see next page).

Figure 4.0: The structure of practical reasoning



Source: Fairclough 2012 p. 48

For the argument to succeed agents must in their deliberations think about consequences which may arise following the implementation of Action (A). These could be intended and unintended.

Fairclough seems to conclude that there are two ways of approaching practical reasoning. By taking as the starting point, Goal/Circumstances and arriving at an Action capable of realising the Goal. Or by focusing on the potential decision and examining the resultant consequences with a view to ensuring that by triggering these consequences you do not compromise your original goal.

One needs to think carefully whether any of the consequences are capable of undermining the Goal. If so, then it would be irrational to proceed. The power of these consequences is such that Fairclough terms them 'such consequences are premises in a counter argument'.

4.3.1.2 Strategies

Arguments and strategies are of course closely linked. Fairclough situates discourses as 'elements of strategies' (Fairclough 2005 p. 42)

'CDA oscillates, as I have indicated, between a focus on structures (especially the intermediate level of the structuring of social practices) and a focus on the strategies of social agents, i.e., the ways in which they try to achieve outcomes or objectives within existing structures and practices, or to change them in particular ways.' (Fairclough 2010 p. 233)

Fairclough argues that it is through strategies these shifts in the orders of discourse and therefore change is brought about. (ibid p. 234). This is important as it justifies the focus on strategies but also Archer's (2003) work on agency. Power was described by Foucault as 'games of strategy'. The strategies are being looked at then, as, according to Foucault, they are developed 'to conform with, circumvent or contest (not my words) existing power/knowledge relations' and 'separating out from among all the statements which are possible those that will be acceptable' (Foucault, 1972 p. 197 in Doherty 1998).

If the strategy is successful Gramsci's hegemonic status can be realised, that is, when discourse becomes so pervasive that it is viewed as common sense. The researcher is searching for instances of when discourse becomes naturalised, for example when the *Aberdeen Press & Journal* editorial states 'whether or not *Road Sense* will come to its senses and admit defeat (2011).

4.3.1.3 Corpus of texts

The researcher looked for 'instances of discursive production' by which we mean 'formation, modification and transformation of meaning' (Motion and Leitch 2009 p. 86). A selection of texts were assembled which spanned the case study and coincided with key decision-making points as identified in the AWPR time line (see Appendix U).

Figure 5.0: Table of key texts throughout the campaign timeline

Code	Text or event	Date	Period
	Pro-road		
P1	AWPR Public consultation brochure	Spring 2005	A
P2	AWPR Report on Public consultation	November 2005	A
	Anti-road		
A1	<i>Save Camphill</i> newsletter No 3, 5 and 6	August 2004, February 2005 and March 2005	A
A2	The Initial Approach that became ' <i>Save Camphill</i> ' Public Relations case study, K. McEwan	2009	A
	Pro-road		
P3	An Introduction to the Aberdeen Western Peripheral Route	2006	B
P4	AWPR Environmental Statement: Non-Technical summary	December 2006	B
P5	Aberdeen City and Shire, Structure Plan: Issues report	February 2007	B
	Anti-road		
A3	Transcript of presentation of petition (PE977) to the Scottish Parliament	6 September 2006	B
A4	<i>Road Sense</i> Bulletin	April 2006	B
	Combined pro and anti-road		
N1	PLI opening and closing submissions and precognitions	Sept 2008 – Jan 2009	C
N2	Statement of Reasons, Shepherd and Wedderburn on behalf of Transport Scotland	25 April 2008	C
N3	Objection to Reporters re Stonehaven Fastlink, J W Fraser	28 August 2008	C
	Anti-road		
N4	<i>Road Sense's</i> PLI blog	2008	C
	Pro-road		
N6	'North-east is on the right road to a	2010	D

	highly successful future' <i>The Scotsman</i> , p. 34 by Tom Smith, Chairman of ACSEF		
	Combined pro and anti-road		
N5	'Talk-in' <i>NorthSound2</i> Radio phone- in show	2009	C
N7	PLI report	2010	C
N8	Lord Tyre's Judgment, Walton and Fraser vs Scottish Ministers	2011	D
N9	UK Supreme Court Judgment	2012	D
N10	Letters to the Press and Journal		A-D

Source: Author

Chapter 6.0 looks in detail at three of these key texts which were produced during an intense period of the campaign prior to key decisions in PLI and the consequent decision by the opponents of the Scheme to pursue a judicial review. This section examines one text representing the perspective of each side of the debate and an interactive live discussion featuring both proponents and opponents.

For the opponents, the first text is a blog is written as a series of emails from 2008-2009. There are 27 emails in total, many of which run to more than two pages of A4. The emails record the daily events of the PLI written as a diary. The informal written style is replete with personal observations and cultural and literary references. The second text is an interactive "Talk-in" radio show on *NorthSound2* showcasing participants – elected representatives, leaders of civil society groups, and citizens – from both sides of the debate. The final text representing the views of the proponents is an 'opinion' piece in *The Scotsman* (19 January 2010 p. 34) by Tom Smith, Chairman of ACSEF. Further detail and justification for the selection of these texts is supplied in Chapter 6.0 as part of the discourse analysis.

4.3.1.4 Data management: sampling and coding

'A code in qualitative inquiry is most often a word or short phrase that symbiotically assigns a summative, salient, essence-capturing and /or evocative attribute for a portion of language-based or visual data (Saldana 2009 p. 3)

According to Saldana (2009) there are various types of coding and the ones which are most relevant to the current work are topic coding, in vivo coding, and dramaturgical coding as explained below:

1. Topic coding (where a topic is located but not its detailed content)
2. In vivo coding (language and phrases of participants)
3. Dramaturgical coding (motives, strategies, conflicts)

The researcher also needs to be vigilant as to other types of coding during the first pass of the data which may be valuable for the second stage of critical discourse analysis.

4. Evaluative coding (judgments about merits and worth)
5. Magnitude coding (intensity, frequency)
6. Emotion coding (feelings and emotional states)
7. Versus coding (binary terms and contrasts)
8. Hypothesis coding (researcher-generated pre-determined codes to aid hypothesis testing).

Having read and appropriately coded a range of texts, the results of this first pass of the data are used to populate an index chart (see Appendix C). The results are grouped into higher order concepts with sub-divisions to capture a sense of the particular content or nuance being communicated. For example the higher order concept of Deep Ecology can be subdivided into destruction of the land, pollution, and the conservation of species. The latter category can be further sub-divided into Bats and Otters (European protected species) which feature in the case study, particularly in the later judicial phases of the *Road Sense* campaign.

4.3.2 Observations

The researcher attended a number of meetings and events relevant to economic development, sustainable transport solutions and directly related to the AWPR as detailed below. The author attended the PLI once a week from 9 September – 10 December 2008 inclusive at the Hilton Treetops Hotel, Aberdeen (see Appendix P).

To ensure that a record of what was said was accurately preserved, notes were taken in line with Creswell's advice:

'Include in this protocol both descriptive and reflective notes (ie notes about your experiences, hunches and learnings). (Creswell 1998 p.125)

Similarly, Creswell (ibid) quotes Bogdam & Biklen as encouraging researchers to record aspects such as 'portraits of the informant, the physical setting, particular events and activities, and your own reactions'. (ibid p. 125). This advice was followed and a sample of note taking is included in Appendix D. In most of the meetings, the researcher sat apart, though in some meetings the opportunity to ask a question was taken.

Figure 6.0: Table of events and meetings observed

Events attended, location	Date	Period
Public meeting, organised by <i>Road Sense</i> , International School of Aberdeen	20 Feb 2006	B
<i>Facing the Flood</i> , Transport, Climate Change and the Scottish Executive's National Transport Strategy TRANSform Scotland, The Hub, Royal Mile Edinburgh	8 May 2006	all
<i>Road Sense</i> meeting, International School, Aberdeen	9 May 2006	B
Presentation by Iain Gabriel, Aberdeenshire Council, Norwood Hall, Aberdeen	15 May 2006	B
Transport in Focus, meeting and interactive debate Aberdeen City Council Chamber	24 May 2006	B
<i>Road Sense</i> meeting, Cookney Hall, Netherley	14 Nov 2006	B
AWPR Exhibition, Stonehaven Town Hall	23 Jan 2007	B
Dragon's Den debate, organised by Aberdeen Greenbelt Alliance (AGA), RGU, Aberdeen	13 March 2008	C
PLI weekly attendance over 12 weeks, Cedar Suite, Hilton Treetops hotel, Aberdeen (see Appendix P)	9 Sept 2008 – 10 Dec 2008	C
Local plan development consultation, St Bridget's Hall, Stonehaven	14 May 2009	C
Consultation on Touks, Mill O'Forest school, Stonehaven	10 Sept 2009	all
Presentation by Ken McEwan on <i>Save Camphill</i> , Robert Gordon University, Aberdeen	5 Nov 2009	A-C
Aberdeenshire Local Development Plan meeting, Responding to the main issues report, St Bridget's Hall, Stonehaven	26 May 2009	C
<i>Road Sense</i> Public Meetings and AGM's, Aberdeen	2006-2011	all
Court of Session, Edinburgh	3 March 2011	D

Source: Author

4.3.3 Interviews

Five interviews were conducted. The interview with Ken McEwan who provided the PR support to the *Save Camphill* campaign sought to find evidence from Phase A of the case study. This semi-structured interview was conducted face to face and lasted for 90 minutes. The interview was recorded Mr McEwan's home in Kintore on 4 December 2009. The researcher listened to the recording 3 times and the important passages were noted and partially transcribed (see Appendix H). An audio file of the full interview is available on request.

The second interview refers to Phase B of the case study. The researcher conducted an unstructured telephone interview with Paddy Imhof, sponsor of the petition to the Scottish Parliament and a member of *Road Sense* on 7 June, 2006. The researcher met the activist at the 'Facing the Flood' conference in Edinburgh in 2006. Since the relationship with the activist was nascent, the research requested a telephone interview. In the judgment of the researcher a request to record the interview would not have been granted until further trust had been built. Notes were taken of the issues discussed during the interview and immediately afterwards whilst the comments were fresh in the researcher's mind.

A number of semi-structured and unstructured *obiter dicta* conversations also took place covering phases C-D of the research. Notable here would be the two hour semi-structured interview with Vic Baxter which took place on 9 September 2013 at Woodbank in Aberdeen. Vic Baxter is a management consultant and Managing Director of Business Workout Ltd. He is also a former oil industry executive for Shell, and member of the Royal Northern University Club amongst other local and international business networking organisations. He was a signatory of *Save Camphill's* rebuttal that business was in favour of the Murtle route (*Save Camphill* 2006) along with Angus Pelham Burn, Douglas Craig, and Mike Metcalfe.

This interview took place across the table and full notes were taken. The interviewee granted permission for his opinions to be quoted in the

research. Sensitive material was double-checked with the interviewee for accuracy and to verify that comments were 'on-the-record' for inclusion during the session.

At the beginning of the research, approaches were made to Aberdeen and Aberdeenshire Councils' Communication departments. They referred the researcher to their PR agency, the *Big Partnership*. The author spoke to Kathryn McKee the account handler for *Transport Scotland*. She regretted that it was not possible to grant an interview whilst the issue was still 'live' but that this decision could be revisited in future. As the case continued to the end of the researcher's period of study, alternative methodologies were used.

As the research proceeded, it became apparent that the arguments and strategies of the main protagonists were extant in the public domain through key texts. As the case study moved into the PLI and the judicial phases, all positions were necessarily documented in detail rendering the requirement to interview participants in most cases unnecessary.

The researcher interviewed Ken McEwan as the *Save Camphill* campaign took place further back in the research time frame and there were fewer materials available in the public domain.

4.4 Analysis of Findings

The current research used a combination of inductive and deductive approaches. Within qualitative research, an inductive approach involves the researcher in a close examination of data with a view to extrapolating explanatory theory. In this case, a corpus of texts was examined using Fairclough's (2012) PDA methodology to identify discourses which did or did not exercise power. Chapter 6 exemplifies the inductive approach whereby a microanalysis of texts uncovered clues as to the macro-level discourses prevalent in wider society (Rear 2013).

A deductive process starts with explanatory theories already identified in the literature, in this case Habermas's and Foucault's conceptualisations of discourse and power. Texts were analysed for empirical evidence capable of verifying these competing accounts of the power of discourse in realising political outcomes.

In Chapter 2, the variant accounts of power, one consensually based and the other conflictual, were elaborated providing the deductive theoretical landscape. The current research sought empirical evidence in support of these alternate accounts from the case study findings. In particular, the researcher sought examples where discourse acts as a 'repair mechanism' within democratic decision-making. In these instances discourse was characterised by rational argumentation and openness, on behalf of both parties, to accommodating 'the force of the better argument' consistent with the Habermasian public sphere. The researcher also sought examples whereby discourse was used to constrain debate. Drawing upon Foucauldian insights into the pervasive and porous nature of power, the research focused on smaller sometimes ephemeral examples of where discourse dictates what may be discussed at all and the terms in which such debates were conducted.

In practical terms, the research involved a consideration of a wide range of texts from official reports, media reportage, radio debates, informal blogs and observation of formal proceedings such as the PLI and Court of Session. To manage these materials, a coding scheme was designed to test for the manifestation of these theories in practice as strategies and techniques (see Appendix C). Where rational argumentation consistent with Habermas's public sphere is observed, codes such as 9.7-9.10 were noted. A code such as 9.6 'doubting the integrity of the data' refers to Habermasian concerns with truthfulness. Similarly, the use of established argumentation strategies (Windisch 2008) represent evidence of the communication flows and dialectical interplay requisite to Habermas's public sphere.

The codes categorised under Power relations (12.0) refer to strategies consistent with Foucauldian conceptualisations of discourse. Tactics such as

filibustering (11.5) and terms of reference (11.8) refer to where discourse is used adversarially within institutional settings to delay proceedings to the competitive advantage of actors or to effectively discount the admissibility of information and legitimacy of certain types of knowledge, respectively.

The current research sought to examine the efficacy of the arguments and strategies on public opinion and ultimately patterning the decisions and actions taken. In the analysis, PDA uncovers the prevailing discourses and evaluates their efficacy on decision-making stakeholders and public consensus. This involved an examination of discourses in action by focusing on three specific texts during a snapshot of the campaign in 2008-2010 around the PLI as follows:

1. the *Road Sense* blog, 2008-2009 (see Appendix L for excerpt)
2. a live radio show 'Talk-in' broadcast on *NorthSound2*, 22 November 2009 (see Appendix M for transcript)
3. an op-ed article by Tom Smith, Chairman of ACSEF, published in *The Scotsman*, 19 January, 2010 (see Appendix N)

The analysis of texts was supplemented by the researcher's observation notes. To examine the efficacy of the rhetoric and discourses on the public and in turn decision makers, this chapter used the communications from citizens who felt motivated to participate within the public sphere by letter to the *Press and Journal* or via postings in online forums or calling in to radio phone-ins. There are concentrations of letters around key milestones such as the selection of a route in May 2006 for example and 26 letters from these critical periods will be examined in detail.

Addressing the representativeness of these citizens, *The Press and Journal* newspaper has a daily readership of 138,000. (IpSOS Media CT 2010) In a week the newspaper will be read typically by 287,000 readers representing 45% of the population in the North-East of Scotland. This makes the *Press and Journal* the most widely read newspaper in Scotland, followed by the *Evening Express* and *The Sun*. (Press and Journal Media Pack 2013]

The letters page prints a diverse range of views and contributors cover both genders and age groups with the eldest contributor aged 86 (John Morrison, 2011). Self described as 'taxpayers', 'lorry drivers', some of the correspondents represent interested stakeholders such as Sustrans Scotland and Friends of the Earth.

This methodology was used by Windisch in his discourse analyses of nuclear power in Switzerland prior to a referendum on the issue.

'Our decision to use readers' letters is intended to provide insight into political argumentation as it can be observed at the level of the population as a whole, i.e. among ordinary citizens.' (Windisch 2008 p. 88)

The researcher drew on articles which appeared in the sister publication, the *Evening Express*, which is tabloid in format and content. The audience for this publication tends to be C1, C2, D, and E economic groups. The tabloid newspaper is more focused on business than entertainment. *Northsound* Radio 1 and 2 has 167,000 listeners weekly. The regular 'Phone-in' programme is hosted by Frank Gilfeather.

During Period B, the presentation of the petition to the Scottish Parliament, there was an opportunity to record views in support of signing the petition. Overall, 438 comments were recorded in 2006 before the petition was heard by the committee and eventually closed. Other forums sprung up containing online views of those who support the road such as *Common Sense* in 2011.

4.5 Research ethics

This research is engaged with questions around decision-making and the workings of power in determining public policy outcomes. The public affairs dynamics between the stakeholder groups involved typically raise ethical questions around the legitimacy of lobbying strategies, and the practice of 'spin' in campaigning. In the analysis the researcher strives to comment critically on these strategies in terms of propaganda, misinformation, manipulation, and denigration of character through 'smears'.

Early on in the research process, it became apparent that the highly polarised nature of the debate meant that those parties directly involved professionally were wary of sharing knowledge with 'outsiders'. In particular, the communication professionals and their advisers to the Councils and *Transport Scotland* were unwilling to grant access whilst the issue was 'live' but indicated that they may share their experiences once the matter was resolved. Conversely, the protesters were more open to discussing their thinking, and offered the researcher the opportunity to attend their Committee meetings. This could have potentially introduced an imbalance, if not bias, in the research especially given the highly networked nature of the relationships within the local community.

To safeguard against this possibility, the researcher declined to follow a more ethnographic or 'embedded' approach due to the obvious dangers of altering the course of events. The researcher adapted the chosen methodology to place a greater emphasis on discourse analysis of texts extant within the public domain as part of an overall triangulated approach.

A further challenge arises from the qualitative research methods of interviews and the use of *obiter dicta* conversations. Many of these 'off the record' conversations were illuminating but equally contained information that was subjective or paradoxical introducing concerns about reliability and validity. The researcher made the decision to omit much of this material unless substantiation could be found within published secondary materials. Every effort has been made to respect and protect the reputation of all those individuals named within the research.

5.0 FINDINGS AND ANALYSIS (I): MAIN PHASES OF THE CAMPAIGN

In this chapter, the researcher identifies a series of discourses as they 'emerge' and are developed into arguments, and elements of strategy during each critical time phase, A-D. Clearly, there is an abundance of written and spoken materials published during the decade of the study. As described in the methodology, a coding process was used to sift through these materials to indentify the most salient of these arguments and strategies over time. As explained in Section 4.4, the empirical identification of specific strategies constituted evidence in support of variant theoretical accounts of discouse and power, notably consensual and conflictual paradigms. The iterative process of sifting through the data using and developing the coding scheme amounts to an audit of the principal discourses as they wax and wane throughout the case study but is not intended to be a fully comprehensive record. At the end of each section the dominant arguments have been represented using Fairclough's chart to provide a clear summary (Fairclough 2012 p. 88).

Chapter 5.0 presents a critical discourse analysis of the dominant discourses as they are shaped and shift in practice. This is achieved through a detailed examination of key texts as identified in the methodology section 4.0. Through this process the discourses can be more readily observed in dialectical interplay, and the structure, setting and style of their rhetorical appeals examined. This section considers the extent to which discourses are truthful, verifiable, and accurate in Habermasian terms. How publics are persuaded to accept or reject discourses is revealed through a close examination of Letters in the *Press and Journal* and postings on internet fora.

A final discussion Chapter 7.0 accounts for the influence these discourses have on decision-makers and public opinion. This chapter explores the extent to which a public sphere operated around the AWPR issues such that decision-makers could arrive at informed and democratic outcomes. This

chapter examines the power of rhetoric and discourses to affect social-economic change within the polity.

It is important to identify from the outset what the situation or problem is before developing appropriate policy solutions. As Habermas identifies: 'the negotiating of definitions of the situation is a major part of the interpretation-effort necessary for communicative action.' (Habermas, 1984, p. 385) The following material highlights the primary justifications for and against the Scheme during the key phases of the case study.

5.1 Phase A: *Save Camphill*

5.1.1 Arguments of Proponents of the Scheme

The first time period of the case study introduces some of the main arguments presented by Aberdeen City and Aberdeenshire Councils as the Managing Agents of the AWPR. The following arguments are taken from the information pack which was designed to accompany the Spring 2005 Public Consultation on five routes. The brochure clearly sets out the rationale for the project and elaborates upon the scale and detail of the work undertaken from the 1990s to date. Rhetorically, the arguments in phase A are set within a deliberative and epideictic contexts in contrast to the forensic rhetorical settings observed in phases C-D which focus on the PLI and judicial reviews and appeals respectively. The decision of the Minister in 2005 to choose a hybrid route and reject the 'preferred route' of Phase A, arguably gives way to a more deliberative rhetorical setting for Phase B.

The early publications from Aberdeen and Aberdeenshire Councils which feature the AWPR logo use a mixture of prose and bullet points to convey the main benefits of the road. Benefits are clearly identified as follows though within these are relevant sub-arguments:

5.1.1.1 Economic (1.0)

The brochure opens by identifying congestion as the problem but the motivation for reducing congestion is ultimately the means 'to get people and goods moving' to achieve efficiency and economic ends. The relationship between the two arguments is made explicit:

'Congestion threatens to stifle the economic competitiveness and quality of life of the region. It is vital that goods get to markets in the south quickly and that people get to work safely and on time.' (AWPR 2005a p. 1)

The economic value of the region is deemed of 'strategic' significance to the whole of Scotland as evidenced by the Scottish Executive's decision in March 2003 to award the AWPR trunk road status and as such pay over 80% of the costs.

The direct economic dividend of the AWPR to the North East is quantified under a separate heading of 'Employment' in terms of jobs safeguarded and created.

'The work done on the economic benefits for the Modern Transport System estimated that the AWPR would safeguard 2,500 jobs in the North East's economy. It will also provide opportunities for new businesses by improving connectivity between businesses and their markets. Construction of the road will create an estimated additional 600 jobs over the three year construction period.' (AWPR 2005a p. 3)

This figure is the first estimate of job creation. The statement above gives relatively conservative figures and distinguishes between jobs safeguarded (1.8) and created (1.9). Connectivity (1.2) is also highlighted and this theme reappears around fears of the region's 'peripherality'.

'The AWPR will help to retain and improve the competitiveness of the area, reduce its peripherality by improving connections and providing quick reliable road links to the markets in the South, and help attract new business by improving access and journey times.' (ibid p. 3)

The mention of attracting new businesses (1.7) to the area is significant and links to the ambitions of the oil and gas sector to grow a global hub of engineering and supply-chain excellence from Aberdeen.

5.1.1.2 Congestion (3.0)

The brochure opens with a consideration of congestion and uses reasoned argument, Aristotle's *logos*, to substantiate the city's 'growing transport problems.' The situational problem is clearly articulated: 'the existing trunk road through Aberdeen is congested for large parts of the day'. (AWPR 2005a p. 1) Furthermore:

'Long distance traffic crossing Aberdeen has to go through 5 traffic-light controlled junctions and 13 roundabouts along the 8-mile stretch of Anderson Drive and the Parkway. At peak periods, it can take an average of an hour to cross Aberdeen with delays of up to 20 minutes occurring regularly at the busiest junctions at Haudagain and Bridge of Dee roundabouts. Heavy goods vehicles have to divert onto the local roads before Bridge of Dee because of width restrictions on the bridge, adding to congestion on the local street network.' (ibid p. 1)

This is a fair assessment of the situation as experienced by residents and commuters. The focus on long distance traffic and heavy goods vehicles makes the case well for the need for a bypass to be constructed to remove these vehicles from the city centre. The argument identifies the role of pinch-points (3.5) in exacerbating congestion.

The argument around congestion also raises a further valid consideration, that of air pollution (2.1.2). This is explained as follows:

'Removing traffic from the city centre will help reduce vehicle emissions within what is already an Air Quality Management area because of the high levels of traffic pollution.' (ibid p. 1)

This statement refers to the breach of Air Quality regulations as codified in European Law. The issue is referred to in a factual way and does not seem to induce any sense of alarm in the minds of the public.

5.1.1.3 Risk: Safety (7.2)

This initial account of the reasons why the construction of a bypass is required gives a prominent role to road safety and the need to reduce accidents. The argument proceeds on the basis that the:

'new road will be constructed to a high standard dual carriageway road with grade-separated junctions which will reduce traffic on the minor road network, leading to an improvement in safety. It is expected that this will result in a reduction of approximately 40 accidents each year in Aberdeen and the surrounding area.' (AWPR 2005a p. 3)

Again, *logos* is used here to good effect to quantify the projected number of accidents. There is no mention of 'lives' saved using an emotional appeal to *pathos*. Health and Safety is an important issue for many citizens working in the offshore oil industry and as such this issue is likely to resonate with the audience.

5.1.1.4 Accessibility (3.7)

The word 'accessibility' is used in the context of the brochure to explain how rural towns on the outlying areas of the shire such as Peterhead, Ellon, Inverurie and Stonehaven can be connected to the 'key industrial and commercial locations around the city'. This argument is similar to the connectivity argument presented under Economic arguments (see section 5.1.1.1) but focuses less on trade and more on the commuting and journey times of the labour force. Again this point is quantified:

'It could save 20 minutes at the busiest times for journeys to and from the strategically important international airport at Dyce to the main routes South.' (ibid p. 3)

From the perspective of other major population centres in Scotland and England, 20 minutes is not a significant delay. In the context of residents in Aberdeen, however, it is indicative of a level of congestion that they might have had hoped to avoid living in one of the most northerly cities in the UK.

5.1.1.5 Integration (4.3)

The final main argument presented in the initial phase of the case study is described as 'Integration'. This refers to the AWPR's ability to link into other transport initiatives such as Park-and-Ride facilities and the provision of dedicated bus lanes. Thus the provision of the AWPR is seen as more than the fact of a road itself designed for conveying cars, vans and heavy goods vehicles. Rather, the road is presented as a means to facilitate a range of travel alternatives thereby 'improving choice'. The AWPR will:

'provide access to existing and planned Park-and-Ride and rail freight facilities around the outskirts of the city, improving opportunities to encourage people and businesses to use our rail and bus services more.'

(AWPR 2005a p. 1)

Specific mention is made of the pedestrianisation of Union Street, Aberdeen's main one mile long thoroughfare and shopping street, and the introduction of 'bus priority routes on key radial routes in and out of the city'. This approach appears to meet a variety of stakeholder interests and lobbies including 'measures to improve cycle and pedestrian facilities' (ibid p. 1).

The brochure also makes clear that the AWPR is a priority project within the Modern Transport System (MTS) for the North East of Scotland. This in turn is supported by the Scottish Executive whose responsibility it is to attend to the needs of business, transport users and the environment in Scotland.

5.1.1.6 Alternative routes (4.8)

It is worth noting that the brochure also presents the Councils' attitudes to alternatives to the 'preferred route' of Murtle based on:

'impacts on the environment, communities and people living in the vicinity of the route, as well as engineering issues, traffic and economic influences.'

(AWPR 2005a p. 2)

To this end the brochure explains that due to environmental concerns, route alignment avoided Countesswells Woods – this 'important recreational woodland area.' (2.3.5). Equally, the 'scale of the sensitivity of the River Dee crossing area' is acknowledged and hence four alternatives presented in addition to the 'preferred route' to the public for consultation.

5.1.2 Strategies of Proponents of the Scheme

5.1.2.1 Organisational (10.3)

Over 4,000 citizens attended a series of 20 staffed and 10 unstaffed Public exhibitions (10.3.3) across the City and Shire detailing the proposals for the AWPR (AWPR 2005b). The AWPR website (2008) features a Frequently Asked Questions (FAQ's) section. An answer explains that the road show was organised 'to provide the public with an opportunity to view the proposals for the Aberdeen Western Peripheral Route in detail and ask questions of the project team'.

It is clear that the purpose of these events was information and knowledge exchange, including obtaining feedback for the AWPR team, and did not constitute a referendum on the Scheme. Such public events are not formally required by the Roads (Scotland) Act 1984. The purpose of the road show is ambiguous – in part instrumental public relations and advocacy of the rationale for the Scheme and the designs for their 'preferred route'. However, notes from the event were recorded ensuring a feedback mechanism for the public's views which could inform the statutory

consultation process. In theory, therefore a two-way model of public relations is evident here.

The exhibitions featured drawings and maps of the 5 route corridors (see Appendix V) which are as follows:

1. Pitfodels
2. Murtle
3. Milltimber Brae
4. Peterculter/Charleston
5. Peterculter/ Stonehaven

The AWPR consultation report has notes from each event in the appendices. It is noted in bullet points that the public found the event helpful and praised the 3-D fly through of the preferred route.

It is questionable how well publicised the events were, as evidenced by the posting below on the Scottish Parliament's discussion forum associated with the petition. The quote also infers that the 'preferred route' enjoyed a sense of the inevitable in the minds of some of the staff present.

'I only found out about the Milltimber Brae option by accident, I was visiting the exhibition centre for a meeting and the surveyors' road show was on, I enquired and found that one of the proposed routes was within 60 metres of my house. I was told not to be concerned as the route was going through Murtle Den as all the surveys have been done and £10 million had been spent, they even showed a 3D movie of the route.' (Pitman 2006)

The subsequent consultation process revealed that of the responses received that expressed a preference for any route, the greatest numbers (768) were in favour of the Murtle option with the fewest (70) in favour of the Milltimber Brae option (AWPR 2005b). At the time, this result suggests that the exhibitions were a success in support of the 'preferred' Murtle route.

Strategically, the use of partnerships and the use of professional agency support (10.3.2) were also evident in this period.

The AWPR team formed a close working relationship with other state related bodies to realise mutual transport, commercial and environmental interests. Foremost amongst these was North East of Scotland Transport Partnership (NESTRANS) – a partnership itself between the Councils, Scottish Enterprise Grampian and Aberdeen and Grampian Chamber of Commerce. The Scottish Council for Development and Industry (SCDI) was also supportive of the AWPR for its ability to safeguard and create employment.

The Public Consultation brochure outlines the dialogue and 'extensive discussions' on the route's design and development with a number of civil society groups including Historic Scotland, Scottish Natural Heritage and Scottish Environmental Protection Agency. Although this consultation falls short of partnerships, this regular liaison paved the way for the support of these QUANGOs in future phases such as the PLI.

The AWPR team were supported in their communication strategies using the in-house resources of both Councils and those teams within the Scottish Executive. External agency support was provided by public relations and communications consultancy, *The Big Partnership*.

The anticipated objection to the 'preferred route' through Murtle and the Camphill Estates and School for children and adults with special needs, prompted the AWPR management team to commission an impact study from Professor James Hogg of University of Dundee. This was an independent report into the possible impact of the road on these sensitive communities. In response to the report's findings, the brochure comments: 'Having identified the impacts, measures need to be incorporated to mitigate these impacts as far as possible.' (AWPR 2005a p. 4).

The AWPR consultation brochure refers to the collection of 15,000 signatures to a petition (10.3.1) in support of the AWPR and presented to the Scottish Parliament in 2002. The inclusion of this information under the

guise of project background could be seen as nudging the audience towards overall acceptance of the Scheme in principle.

The brochure, and the subsequent report into the public's response to the exhibitions, demonstrates that the AWPR team at this stage made efforts to accommodate Camphill's concerns. This orientation could be viewed as a bridging strategy (10.3.4). From their perspective this could be viewed as a bridging strategy in response to a latent issue (Meznar and Nigh 1995). This involves organisations being 'open to change and recognising the issue and its inevitability... and actively engage in a dialogue with their stakeholders about ... expectations.' (ibid p. 187).

This dialogue was evident in so far as *Save Camphill* representatives were granted permission by council officials and their PR agencies, to maintain a presence within the exhibition venues though not in the main auditorium.

5.1.2.2 Informational: Media relations (10.1.1)

Stories relating to Aberdeen City and Aberdeenshire Council feature regularly in the news sections of the local *Press and Journal*. The paper also devotes significant space to business features. The newspaper receives considerable advertising revenues from recruitment advertising for both the public and private sector. Indeed, in the course of this research, senior job advertisements in the area of Economic Development for the councils have been featured (respectively *Sunday Times* 10 September 2006, *Press and Journal* 24 September 2010). The long-standing editor of the *Press and Journal*, Derek Tucker, until his retirement in 2010 was explicitly in favour of the bypass. Living in the North of Aberdeen, Mr Tucker made known his frustration with the daily commute. This experience was translated into many editorials in support of the bypass, and in support of Aberdeen's future growth and position as a place to do business.

This editorial direction was supported by journalistic staff and justified by the pro-bypass views of the readership. As Craig McGill comments: 'it's a fiercely loyal readership and not a paper that likes to rock the boat.' (former

Press and Journal journalist, McGill quoted in Oliver 2010 p. 1). That said, the newspaper covered the story of those opposing the bypass in considerable detail and in particular many critical voices can be heard in their Letters to the Editor section.

5.1.2.3 Public affairs strategies (11.0)

As a member of the Scottish Parliament's Petitions Committee, MSP Rosie Kane, representing Scottish Socialists, asked whether multi modal transport alternatives to the Scheme had been addressed. The exchange was as follows and demonstrates the ability of the state proponents of the Scheme both to commission expert advice and accept or disregard this advice as appropriate to their ends, a form of agenda-setting and news management.

Gregor McAbery (Friends of the Earth Scotland): There was a study by Oscar Faber in 1998 in association with the then Scottish Office and the local council. The study concluded that any proposed bypass would have relatively little effect on city congestion and that investing instead in public transport would be a cheaper, more efficient and more effective move.

Rosie Kane: I presume that that study has been completely ignored.

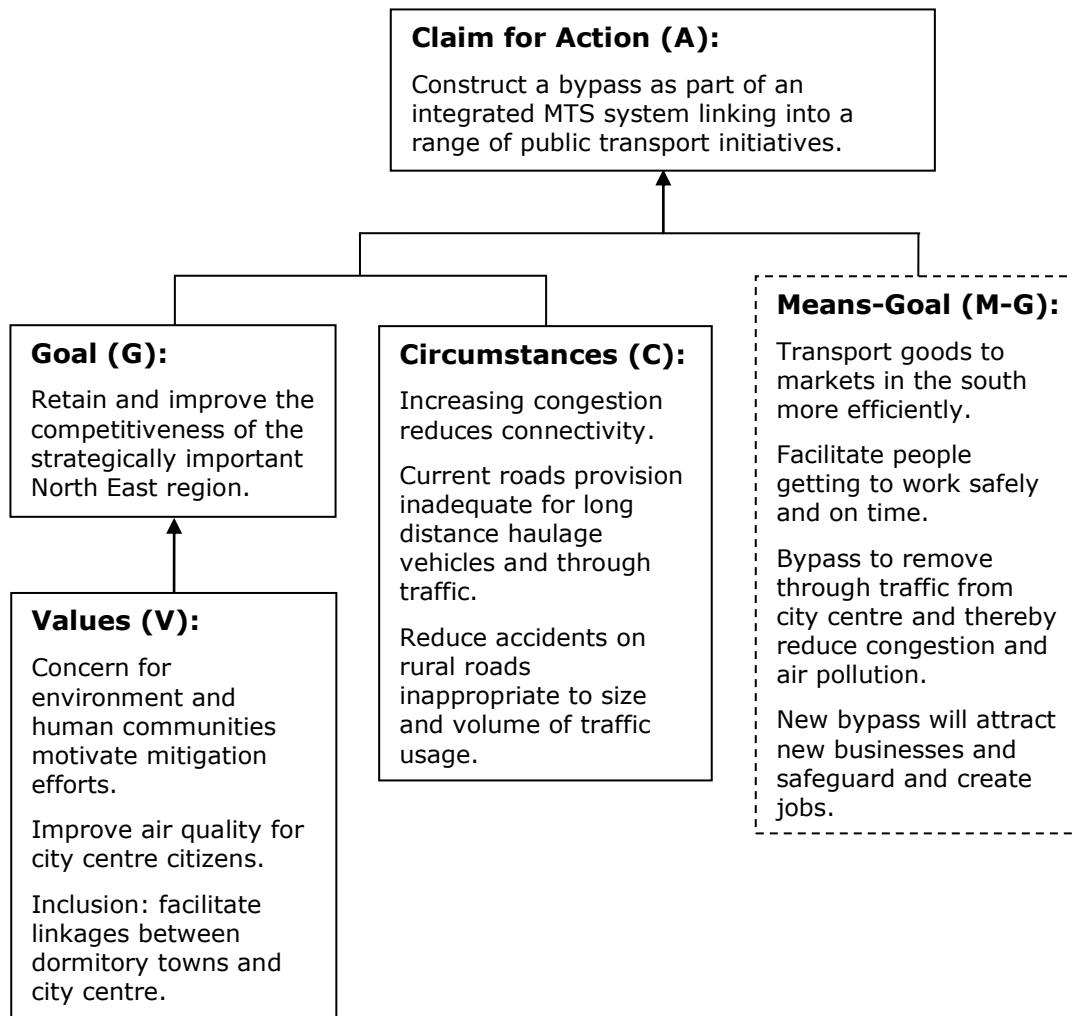
Gregor McAbery: It has been put on a nice dusty shelf somewhere and is referred to only by environmentalists. (Public Petitions Committee 2006 p.4)

The responses of Rosie Kane to the findings of the study being tactically ignored testify to the particular use of 'spin', whereby information is selected or deselected or partially selected for dissemination as common practice (11.7). The reference to a 'nice dusty shelf' shows the ability to prioritise knowledge rather than the pluralist belief that knowledge will 'find its own level' within the mediated process. That the report is 'only referred to by environmentalists' infers a lack of interest by the media in covering the views of environmentalists or of experts with opposing views. The same report is referred to by witnesses in the PLI. The *Road Sense* blog comments:

'When it was published in '98 the Council was so embarrassed about it failing to show anything of the sort [reducing congestion] that it was immediately condemned to outer darkness'

(*Road Sense* PLI blog, 11 September 2008)

Figure 7.0: Proponents' approach during Phase A



Adapted from Fairclough 2012 p. 88

Summary

This phase introduces the main arguments for the bypass, notably to address congestion, improve road safety and provide a modern integrated transport system for the region. The communicative strategies follow a consensus oriented model; meetings with protest groups, public consultation road shows and the use of the media to inform the public.

5.1.3 Arguments of Opponents of the Scheme

5.1.3.1 Camphill is a significant contributor to the economy (1.1)

The following succinct statement was prepared in support of the argument above by public relations consultant Ken McEwan (2009b). The Camphill community is:

- 'One of the largest employers in this part of Aberdeen – 100 employees
- Combined annual turnover around £7 million
- Combined capital investment more than £15 million over 10 years
- Camphill Medical Practice 1500 NHS and 500 referred patients
- Brings international visitors, co-workers and students to Aberdeen.'

This statement uses *logos* to quantify the scale of the economic contribution by using verifiable statistics and referring directly to jobs and capital investment. In public relations terms, these statements could be incorporated by journalists in copy and given circulation. The final statement seeks to situate Camphill's reputation internationally as a centre of knowledge and is designed to work alongside the following argument and rhetorical appeals.

5.1.3.2 Aberdeen should be proud of Camphill (1.4.3)

This argument implies that far from destroying Camphill, Aberdeen should be saving Camphill due to its intrinsic worth. This argument is based on the history of the community, and its contribution economically (Argument 1) and scientifically in terms of pioneering scientific and therapeutic knowledge. The power of this argument rests with its multi-faceted rhetorical appeal.

'From Aberdeen Camphill has spread internationally and there are now 100 centres with 10,000 people in 23 countries, notably in Europe, the USA and Africa. Although the communities are autonomous they look to the original communities in Aberdeen for inspiration.' (McEwan 2009b p. 2)

The argument combines *logos*, and an appeal to *pathos*. It is intended to stimulate a sense of Camphill's *ethos* from the intended audience. The international reputation of Camphill is quantified in geographical presence. The statement positions Aberdeen as an 'original' founding community and therefore in a position of thought-leadership described as inspiration. These statements dovetail with discourses around innovation and pioneering scientific research which are closely linked to prevailing economic development discourses. The *pathos* is evident in emotive language around 'inspiration'. Similarly, given the positioning of Camphill as a leader amongst initiatives in other nations, who are following the admirable example, to destroy this long body of work, places the readers as citizens in a poor *ethos* position, as a group incapable of pioneering leadership and uncivilised vandals. These normative appeals to *ethos* and *pathos* were accepted by the wider Scottish press, including *The Herald*, who in an editorial on 11 August reiterated the importance of higher moral imperatives:

'One telling measurement of a humane society is the way it treats its most vulnerable citizens. The news that the Scottish Executive is threatening court action ... must be the equivalent of the barometer sinking to a new low ... Camphill is an SSHI – a site of special human interest. It must be saved.'

(*The Herald* leader 2004 quoted in *Save Camphill News* 2004 p.1)

5.1.3.3 Disruption to vulnerable communities (6.1)

This argument uses a rhetorical appeal to *pathos* and draws upon well established ethical stances regarding respect for persons and Rawls's (1971) original position 'what if it were us?'. The argument juxtaposes the utility of a road against a scenario of care and compassion for fellow human beings. The argument challenges utilitarian conceptions of the needs of the many trumping a defenseless minority. The argument implicitly directs us to Kant's respect for persons categorical imperative – that some rules cannot be breached.

'At this time the route within the corridor would take the near motor-way standard road through the Newton Dee community's organic fields, with a roundabout about 100 metres from the homes of vulnerable adults.

Individuals with special needs, particularly autism, require a calm, settled routine for any therapeutic programmes. With this intrusion into the communities, the current work would probably become impossible due to the road.'

(Dr Guider quoted in McEwan 2009b p. 1)

In terms of Windisch's (2008) arguments, we can see the argumentation strategy of essentialism (9.8) at work in this statement. The use of words such as 'calm, settled routine' evokes a simple orderly way of life based around respect for fellow man and nature, an Arcadian idyll even. This image is placed in contrast with the potential chaos arising from 'a near motorway standard road'. The road denotes a tarmac incursion to the natural world. The description of 'Newton Dee community's organic fields' connote wholesomeness and organic growth the antithesis of the built environment of concrete and pollution from cars.

Hyperbolic language is used rhetorically to drive home this argument. Words such as 'demolishing' are deliberately strong and uncompromising to convey irreparable damage. In dialectical terms this argument serves to negate the state's proposal for some kind compromise through the addition of mitigating amendments to the Scheme to reduce impacts of noise pollution.

'let's be clear that this near motorway standard road would go through Camphill Rudolf Steiner Schools, demolishing the entrance and buildings, before passing less than 100 metres from the bedrooms of children with complex difficulties, including autism.' (Save Camphill 2004 p. 1)

The use of the word 'bedrooms of children' drives home the sense of invasion of privacy and evokes the residents at their most vulnerable. The use of the full name including the word 'School' further enhances the image of children, and deepens the sense of contrast: vulnerable children (insiders) authoritarian adults (outsiders).

This argument was conceded by the promoters of the bypass as noted in 2009 in Transport Scotland's case for the hybrid Scheme:

'One of the reasons that the Murtle route was rejected by the Minister for Transport was because of the potential impacts on the vulnerable residents of the Camphill Communities at the Newton Dee and Murtle Estates.'

(Gordon, Ferrie and Cunliffe 2009 p. 55)

Finally, it is worth noting here the absence of a potential argument around the damage caused by the road to the natural environment. The decision taken was to oppose the route rather than the road itself. The decision not to promote an environmentally based argument despite the potential to do so based upon Newton Dee's organic farming for example, is addressed under the following strategy section.

5.1.4 Strategies of Opponents of the Scheme

5.1.4.1 Argumentation strategies (9.0)

The *Save Camphill* campaign formulated a clear aim 'to create the political will to find an alternative route' (*Save Camphill* 2004). The focus on goal alignment (9.5) was shrewd and politically informed:

'It wasn't necessary to oppose the road *per se*. Strategy would have been doomed to failure if we had. We needed the support of the four main parties. We needed to find a way.' (McEwan 2009c)

Yet it is clear that the stance of Camphill to the proposed Murtle route was 'root and branch opposition' as it was later to be deemed in the PLI report. Given the philosophy guiding the Camphill movement, it would be entirely consistent for *Save Camphill* to have presented an environmental rationale for opposing the road.

Dr Geider consulted with other stakeholders on whether to use the environmental argument, 'opposing the AWPR completely, this is perhaps

the natural stance for Camphill which has espoused a strong environmental ethos long before it became fashionable.' (McEwan, 2009c)

Ken McEwan, Camphill's Public Relations adviser proposed that Camphill should adopt what he termed a 'neutral stance' to the road. This decision meant that the campaign was not in direct confrontation with the state and frustrated commuters. It allowed for negotiation with decision-makers on the route and as such can be seen as a bridging strategy (10.3.4).

The neutral stance was strategically successful and supports Werder's (2006) conclusion that goal compatibility is a determining factor for campaign success. The decision was also tactically successful. The neutral statement was repeated without deviation when campaign spokesmen were pressed repeatedly on their position by the media.

The cost of this strategic position was to campaign unilaterally and forego partnerships with the national and local environmental NGO's and interest groups. The campaign also supports Werder's (2006) conclusion that rhetorical appeals to *pathos* can stimulate concern even when people were not personally involved.

The other significant argumentation strategy in this phase is the use of narrative (9.4.4). In line with the argument that Aberdeen should be proud of Camphill, a powerful narrative existed around Aberdeen providing sanctuary to the original founders of Camphill following the need to flee Nazi Germany. The story was related by Ken McEwan as follows:

'... the plans for Camphill started in Austria where a group led by Dr Karl Konig were planning a community to help children with special needs. Their plans were interrupted. On Friday, March 11 1938 the Austrian Chancellor came on state radio to announce that he had retired. He made a last defiant comment about the Nazi annexation before the microphone was switched off. That same night the future Camphill group met by candlelight behind closed curtains. They vowed to meet again in another country to continue their work. In 1939 they received an invitation to come to North-east Scotland to continue their work. (McEwan, 2009c)

That in a new century the community should again face expulsion represents a powerful appeal to *pathos* and the *ethos* of decision-makers who would not wish to be associated with the Nazis. Ken McEwan recoiled from making this connection explicit. That persecution by the road was analogous to persecution by Nazis: 'I wasn't comfortable with that'. (McEwan 2009c).

5.1.4.2 Organisational strategies (10.3)

Camphill understood from the outset that the threat of the AWPR passing through their site constituted a crisis. Pragmatically, they knew that overturning the decision to use the Murtle route would be protracted, costly, controversial and potentially damaging to their reputation within the wider community. In recognition of the gravity and scale of the task ahead they decided to engage professional public relations support from an agency (10.3.2).

'Stephan [Guider] told me that they [Camphill community] would only get involved in a campaign if it was professionally organised.'

(McEwan, 2009c p. 1)

In turn, Ken McEwan who was engaged as Camphill's professional PR adviser provided a key strategic position early on which could be determining. McEwan was explicit that mounting an environmental challenge to the bypass would be unsuccessful. He elaborates that a more nuanced approach was required:

'ethos of Camphill was sustainable and environmental - biodynamic organic ultra natural position - [their position] was undoubtedly to oppose the road. What I said to them is that if you take that stance, if you oppose, you will lose.' (McEwan 2009c p.2)

A common strategy in public relations involves partnerships (11.4) with like-minded groups to leverage synergistic interests. Ken McEwan strongly advised *Save Camphill* against this approach due to concerns over representational risks.

'They had all been persuaded that they should throw their lot in with the Greenbelt Alliance. And I was horrified' (McEwan 2009c)

This was certainly a pivotal decision in the campaign. The ethos of Camphill is humanist and sharing campaigning alongside like-minded groups would have appeared a natural option. Also Camphill had drawn upon the discourse of community for decades and their environmental credentials were well established. That *Save Camphill* followed McEwan's advice is either due to their respect for his professional opinion or evidence of their utilitarian approach over deontological or communitarian considerations for environmental activists.

Finally, as an organisational strategy, *Save Camphill* pursued an advocacy strategy (10.3.6) whereby an organisation facing a crisis maintains their original stance towards maintaining the *status quo*. This revolved around the proposition of a moral and human right to a peaceful setting to carry out their therapeutic and educational work. They were not open to the state's efforts to negotiate around mitigation or relocation.

5.1.4.3 Public affairs strategies (11.0)

A further significant strategy used by *Save Camphill* was in the area of public affairs. They took their campaign to Holyrood and organised visits to demonstrate outside the the Scottish Parliament (10.3.3, Appendix F) and strategically targeted the MSPs and their advisers (11.1, Appendix G).

'I worked on the Stop Tesco opening premises campaign – chance to practise some of the strategies and early web campaigns certainly in this area. Around 2001-03 or thereabout. With that and *Save Camphill* that I put up on the screen [see Appendix G] ... the target is the Scottish Executive, the MSPs were the primary influencers if you like.' (McEwan 2009c p.3)

Ken McEwan prepared a report on *Save Camphill* and sent this to David Davidson, a Conservative MSP for the North East, to promote the issue at

Holyrood. David Davidson sat on committees for transport and was a spokesman for health and community care.

This engagement led to a Parliamentary Motion proposed by David Davidson in the Scottish Parliament as follows:

'That the Parliament ... commends the pioneering health care provision available to residents and the local community ... and believes that everything possible should be done to allow the (Camphill) community to continue **undisturbed** and to develop over future years.'

(Scottish Parliament 2004)

Camphill also encouraged visits from MSPs, MPs, Ministers, councillors and the Lord Provost. During the campaign McEwan helped to compose numerous parliamentary questions for MSPs to ask at Holyrood (McEwan 2009c).

The interview with Ken McEwan makes it clear that the genesis for the campaign to oppose the AWPR Murtle route came from the residents of Camphill themselves.

'it was the residents within the Camphill community. . . when they found out the road would go straight through their bio-dynamic fields who said 'Why don't we organise a campaign against the road'' (McEwan 2009c p.1)

Ken McEwan also used indirect lobbying strategies (11.3) as discussed by Morris (2003). These strategies are initially targeted towards the general public who, in turn, put pressure on their elected representatives.

'The campaign was very focused on the Ministers, the government, the MSPs but against a background of outrage, if you like, which would motivate them [legislators] to find another solution. I needed to get the public fired up and enthused.'

(McEwan 2009c p.3)

The use here of the word 'outrage' suggests a deep sense of moral injustice on behalf of those directly affected by the road. To achieve this level of

commitment from neighbouring communities required a strong rhetorical content to *Save Camphill's* messages to motivate this commitment. Hitherto, Camphill and Newton Dee communities had kept a low profile both to the West of the City and in the city itself. They had maintained a strong sense of privacy.

In *Save Camphill News* (2004) citizens are asked to write to their MP, MSPs, councillors and civil servants at Transport Scotland by letter or email with their concerns. A template letter was provided to facilitate these responses available from their website. The *Save Camphill News* (2005) makes the process explicit by providing relevant details of contacts at the Scottish Executive: Mrs Catherine Swanney.

Other grassroots lobbying tactics included a Supporters' Book. This was available at Sainsbury's at the nearby Bridge of Dee on Saturday afternoons. The book was also available at the Newton Dee café as noted first hand by the researcher.

'But we recognised that what was basically a petition was not that persuasive. Politicians view petitions as suspect and believe that anyone [would] put their signature on them.' (McEwan 2009c)

The strategy whereby elected representatives were approached by experts, known as grassroots lobbying, was also orchestrated by Ken McEwan. '25 international experts who felt sufficiently moved to write to the First Minister.' (Phillips Letters 2006 p. 40) Similarly, a template letter to Nicol Stephen, Minister for Transport was available to download for those wishing to register their objections.

Further evidence of this pragmatic approach can be seen whereby partnering with civil society groups (11.4) was utilised in lobbying such as the National Autistic Society, and the Scottish Society for Autism. (Phillips 2006 p. 40).

5.1.4.4 Informational strategies (10.1)

The decision to engage an experienced public relations professional had many implications, not least the clarity of the aim as discussed above. Ken McEwan developed a multi-faceted strategy which integrated media relations (10.1.1) with a public affairs strategy. McEwan recalls visiting Camphill as a delivery person in his youth (McEwan 2009c) and forming a positive impression of Newton Dee, part of Camphill Estates. His knowledge of the Aberdeen media and Scottish elected representatives was telling in support of advancing their campaign.

The *Save Camphill* campaign achieved local, national and some international coverage in news and specialist media. A good relationship was established locally with Cheryl Paul of Grampian TV later STV North who became 'the Camphill correspondent'. News releases were sent to quality programmes for educated well informed listeners resulting in the following coverage:

- BBC Radio 4 'OpenCountry'
- BBC Radio 4 'Home Truths'
- BBC Radio Scotland 'Good Morning Scotland' feature
- BBC Radio Scotland 'The Spiritual Garden'
- Grampian TV 'Craig Millar Files: Road Rage' half hour peak-time documentary
- The Times, The Independent, The Guardian, The Observer, The Herald, Sunday Herald, Sunday Times.
- Channel 5 News
- Sky News
- International news *Save Camphill* runner in New York Marathon

(McEwan 2009b pp. 7-8)

When leading broadsheets commented favourably in support of the campaign this was noted in the campaign newsletter for further circulation locally, and as an internal communication initiative to bolster the feeling of conviction and hope amongst supporters.

Regular communications tools such as newsletters (10.1.2) were designed by the campaign team to keep supporters informed of progress and initiatives and bolster morale. One of these tools was a simple A4 black and white bulletin, delivered by email or post depending on preference.

The *Save Camphill* newsletter No 5 alerts supporters to a report by Professor Roy Brown who is described as 'an international expert on disability and quality of life.' (*Save Camphill* 2005) The article clearly establishes his international credentials advising governments including Canada and Australia. Professor Brown endorses the argument that the road constitutes 'massive' disruption to vulnerable residents.

'For some that impact is likely to be considerable and has the potential to harm the development of both adults and children with special needs and possibly result in behavioural regression because of the massive scale of the likely intrusion.' (Brown quoted in *Save Camphill* 2005 p. 2)

Save Camphill's use of new media (10.1.3) in campaigning was relatively advanced for 2004. An interactive website was created and remains available as an archive. <http://www.savecamphill.org.uk>. When the AWPR public relations team from the *Big Partnership* organised a story for the *Press and Journal* 'Business wants the Murtle Route', *Save Camphill* responded with a viral email asking business people to respond with the contrary position. This instant grassroots rebuttal was facilitated through the *Save Camphill* website. 'Within 24 hours we had 700 emails which went to the Transport Minister. We are the business community and we don't want this.' (McEwan, 2009c)

The researcher learned in a private *obiter dicta* conversation from someone close to the community that 30-40% of these responses came from overseas. The informant was not sure if these were responses from individuals or businesses but the inference was that they were orchestrated.

5.1.4.5 Symbolic strategy (10.2)

The use of celebrities (10.2.2) was also designed to maximise publicity. Celebrities were approached based on a former association with Camphill and / or a personal connection with people with special needs.

'TV personality Timmy Mallett's brother Martin lives in Newton Dee and Trudie Goodwin, who played Sergeant June Ackland in *The Bill* has a sister-in-law who lived in the community' (McEwan 2009c)

Jeremy Paxman had visited the community as a patron of a charity which had given money to support the dairy at Newtondee/Camphill. He had opened the dairy and spent most of the day in the community. He supplied the following endorsement in line with the moral arguments against the road:

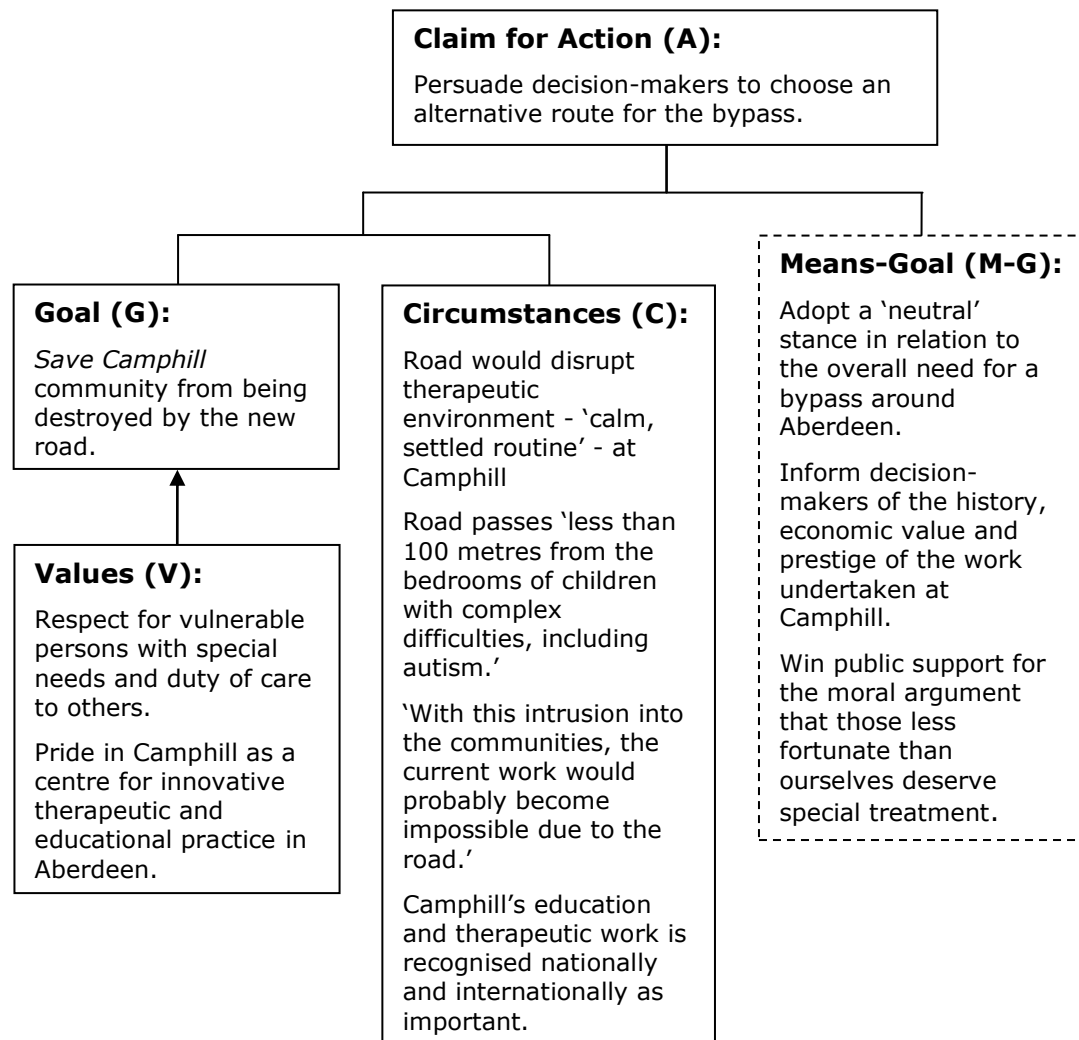
'I had fondly assumed that the people who make planning decisions had some sense of priorities in life. Assuredly if the road was going to be routed across an old battlefield, or through a hedgehog sanctuary, there would weeping and gnashing of teeth' (Paxman quoted in McEwan 2009b)

This quote highlights the absurdity surrounding the order of discourses whereby animal rights and cultural or heritage discourses have achieved ascendancy in some settings over discourses relating to human rights.

5.1.4.6 Legislative strategy (10.4)

Save Camphill's campaign took place within established institutional channels such as media relations and lobbying Holyrood. In the background, the possibility remained that having exhausted these channels, *Save Camphill* would not preclude taking their case to the European Court of Human Rights. This intention was veiled behind vague statements such as 'this wouldn't be the end of the story'. In this sense their strategy constituted a covert threat of protracted and costly legal challenges for the state proponents' of the Scheme.

Figure 8.0: Opponents' approach during Phase A



Adapted from Fairclough 2012 p. 88

Summary

The protesters presented arguments around the moral and economic value of Camphill's therapeutic work. The discourses were community and human centred, consciously forfeiting ecological ideologies. The strategy had a clear goal around a neutral stance to the bypass that still allowed for negotiation with state proponents of the Scheme. By involving the residents in the campaign Camphill honoured inclusive values and neatly precluded negative representations of 'NIMBYism'. The media relations targeted national media – quality broadsheets and tabloids. Their strategies utilised rhetorical strategies around *pathos* and narrative capable of engaging the wider public. Direct, grasstop and grassroots lobbying also featured.

5.2 Phase B: Petition to the Scottish Parliament

5.2.1 Arguments of Proponents of the Scheme

This following arguments are set out in *An Introduction to the Aberdeen Western Peripheral Route* (2007) published by the AWPR team.

5.2.1.1 Economy (1.0)

The first argument reiterates the argument from Phase A around attracting and retaining businesses in the North-east through the provision of improved infrastructure, reduced journey times and journey costs. It is sufficient then to note here the continued circulation of the link between attracting business investment through infrastructure.

5.2.1.2 Integration (4.3)

As before, the AWPR is discussed as one element of an integral part of the Modern Transport System (MTS). This strategic underpinning gives the argument the impression of weight insofar as it is part of overall government policy. The MTS intends that the road will connect with Park and Rides, freight transfer depots, rail and air links and enable the introduction of pedestrian and cycling routes (4.3). As reported in the *Press and Journal*, an Aberdeenshire council infrastructure services committee also convened to discuss integrated transport solutions. Paul Johnston is reported as saying, in response to the decision to reopen Laurencekirk train station: 'This is the kind of thing that we need. We're not just talking about the western peripheral route.' (Philip 2006 p. 3).

5.2.1.3 Environment (2.1.2)

Similar to Phase A, the brochure explains that the bypass will improve air quality in Aberdeen city centre by reducing traffic congestion through the removal of through traffic.

5.2.1.4 Road safety (7.2)

This issue of road safety is still to the fore. A larger estimate of the anticipated reduction in accidents is provided; between 60 and 70 fewer accidents per year by 2027. The projection of over twenty years hence is a problematic counter-factual yet the *pathos* evoked by the prospect of lives saved remains rhetorically powerful. The objective of enhancing road safety as an objective is raised by Aberdeenshire councillor, Mike Raeburn.

'The Stonehaven link is particularly welcome. My major area of concern is that the link will be a mix of single and dual carriageway.'

(Raeburn quoted in Philip 2006 p. 3)

Councillor Raeburn uses the media in this quote to lobby for the Fastlink section to be dual carriageway throughout to avoid the significant road safety issues on the A90 between Aberdeen and Ellon which he describes rhetorically through the use of the hyperbolic sound-bite of 'a killing zone'.

5.2.1.5 Accessibility (1.2)

The accessibility argument is also present in Phase B with a greater emphasis on connectivity and its causal relationship to economic growth.

'A growing economy requires a roads network up to the job and the ever-increasing delays in Aberdeen have not been acceptable. The new road will both improve the environment and aid the economy and we look forward to the project going ahead without delay.'

Spokesman from the Freight Transport Association, quoted in the *Press and Journal*, 2006

The claim that construction of the bypass 'will improve the environment' is highly debatable unless this is interpreted as above in a reduction of air pollution within the city centre.

5.2.1.6 Congestion (3.0)

In 2007 new draft orders were published and a series of public exhibitions were held as a further part of the consultation process. The publicity display boards at the public exhibition in 2007 used *logos* to quantify the predicted volumes of traffic using the bypass:

- Some 41,000 vehicles per day will be attracted to the route in the opening year
- Journey times will be reduced by cutting congestion at existing 'choke points' and reducing traffic on unsuitable rural routes, for example
- 14% fewer vehicles on Auchmill Road to the west of Haudagain Roundabout
- 20% fewer vehicles on Anderson Drive
- 15% fewer vehicles on the Bridge of Dee
- 92% fewer vehicles on the B979 Malcolm Road. (Furrie notes 2007)

The argument on congestion is given greater weight to justify the Minister's choice of a hybrid route including a Fastlink to Stonehaven. The rationale is to reduce congestion in Stonehaven Town Centre and along the A90. The benefit is stated as removing 70% of the traffic from inappropriate rural roads such as the B797 which is often described as an alternative bypass or a commuter and freight rat run.

By building a junction that connects with the existing A90, the claim is made that less traffic will now go through Stonehaven Town Centre. (Coull 2006)

5.2.2 Strategies of Proponents of the Scheme

5.2.2.1 Argumentation strategies (9.5)

The Transport Minister's, Tavish Scott, decision led to a new objective (9.5) to address the A90 congestion being added to the argument to justify the inclusion of the Fastlink. This did not go unnoticed by the public some of whom viewed this addition as expedient.

'Scottish Executive guidance requires in-depth and comparative analysis, but we get arbitrarily changed project objectives adding 'A90 congestion issues' without public evaluation of alternative solutions.'

(Keeler quoted in *Letters, Press and Journal* 2006 p. 17)

'the so-called fast link from Stonehaven was pencilled in by Tavish Scott at the last minute, not giving anyone affected the time to object.'

(Petrie *Press and Journal* 2011 Letters)

A further argumentative strategy was to frame the opponents as representative of only a small minority (9.1). The press coverage in 2006 featured a number of human interest stories of those whose homes were to be demolished to make way for the bypass. Alongside this sympathetic coverage, editorials and front page descriptions of the organised protesters started to revolve around representations of the small minority motivated by so-called 'NIMBYism'.

Responding to this William Walton, *Road Sense* chairman, commented following the release of the consultation data:

'The huge number of objections is a tremendous result given the short 8 week objection period, which included Christmas and New Year. It puts paid to the view that *Road Sense* represents only a vocal minority. Given the high level of objection the Minister must now undertake to hold a full public inquiry into the proposal.' (*Mearns Leader* 2007b)

The social position of the protesters is also examined, for example: 'Mr Flavill, retired dentist'. Their home which is to be affected is described as 'an idyll'. The *Press and Journal* notes that even though these individuals are retired they were able to add a 'luxury extension' to their home. Similarly, Kippie Lodge, also subject to the chosen route is described, as 'An exclusive country club' (Marshall 2006). These small but significant clues feature in the media rather than from the proponents of the Scheme. The consistent representation of the protesters as socially affluent in the media seems to be designed to have the effect of neutralising public sentiment in support of those whose homes were directly affected. Many readers

assumed that such residents would have the resources to relocate. A tacit class discourse is deployed to steer publics away from the justice of the issue by drawing on more populist sentiments around envy and resentment. What is implied in these representations is that the wealthy have enjoyed the benefits of living in the affluent neighbourhood to the west of the city and now may have to encounter some of the inconveniences common to many city dwellers.

5.2.2.2 Organisational strategies (10.3)

Public relations professionals (10.3.2) were engaged by both Councils in support of their in-house professionals. From the following observation, it seems that these professionals were heavily engaged in the process and ever-present.

'At the time I was involved with several stakeholders in the AWPR, both for and against, and I found many of them were very willing to talk. The only group I struggled with was the council planners. They were represented by a PR company and I wasn't allowed anywhere near the council without one of the PR team being present.'

(MACLEOD, E., personal communication by email 3 June 2013)

The second series of consultation road shows (10.3.3) took place in 2007 and comprised 15 exhibitions around the region designed for accessibility. Events were held in Portlethen, Jubilee Hall; Altens, Thistle Hotel; Banchory Devenick, Ardoe House Hotel; and in Milltimber, at the Waterwheel Inn. The researcher attended the event in Stonehaven Town Hall on 23 January 2007. Council officials and their advisers used a number of channels to discharge their statutory duties to obtain public consultation.

'This has been done through public exhibitions, public meetings, presentations, correspondence, meetings and one-to-one consultations.'

(AWPR, 2007)

In event management terms, the road shows were adequately staffed and used a mix of new and traditional technologies to convey their message.

Maps, files, technical drawings, simulations were used to help the public visualise the impacts of the bypass and the new Fastlink. Project director for Transport Scotland, Ainslie McLaughlin, said: 'We are keen to welcome people to these exhibitions and provide information on the details of the road.' (*Mearns Leader* 2007a)

Through observation the researcher noted that the roadshow in Stonehaven attracted and engaged a sizeable audience of concerned members of the public. The local newspaper, *Mearns Leader*, estimated that in total 200 people attended the event. The researcher's notes taken on the day, record that the officials and their representatives were patient and polite. It was possible to get to speak to officials on a one-to-one basis. They were supported by a virtual simulation of the drive through the route and large scale maps of the entire route were displayed around the room to inform detailed discussions.

The local press was used to advise citizens of the deadlines in the consultation process:

'Representatives from the AWPR team will be on hand at each exhibition to guide the public through the proposals and to answer questions. The exhibitions are designed to help the public make an informed decision on the route proposals. Feedback to the statutory consultation must be sent in by Friday, February 9.' (*Mearns Leader*, 2007a)

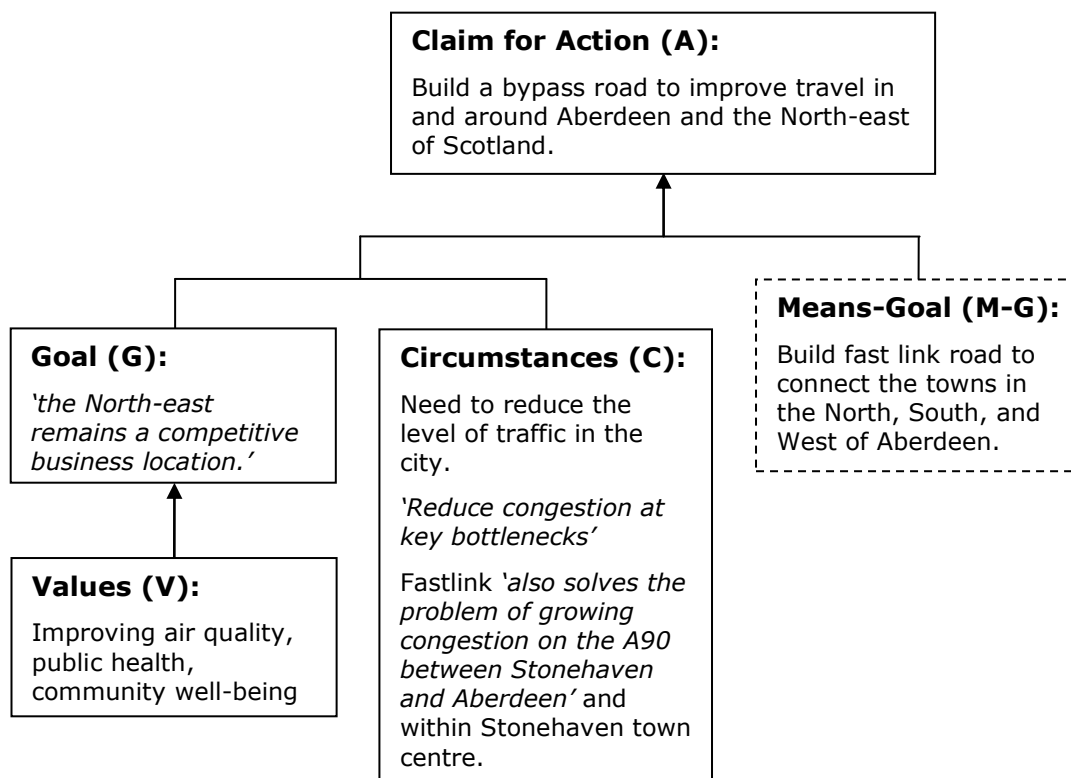
The use of 'informed decision' suggests a pluralist and consensual model in keeping with the concept of the public sphere. This would also support an excellence model of public relations emphasising two-way communication.

5.2.2.3 Public affairs strategies

The protest group *Road Sense* asked *Transport Scotland* to provide a dedicated email address, linked to their own website, to use to send formal objections to the Scheme. There appeared to be some delay in facilitating this as referred to in *Road Sense's* correspondence with their supporters.

Facilitating the consultation process via *Road Sense's* webpage was achieved on the 12 October, 3 days hence. This delay, which may be viewed as a filibustering strategy (11.5) on the part of *Transport Scotland* may have been material given the deadline for objections, Friday, 26 October 2007, was imminent.

Figure 9.0: Proponents' approach during Phase B



Adapted from Fairclough 2012 p. 88

Summary

The economic arguments of the previous phase continue to be circulated through the media. A greater emphasis is placed on connectivity as a stimulus to economic development. The state introduced a new objective around congestion on the A90 to explain the addition of the Fastlink. The public relations strategies were supported by professional agencies and featured a further series of consultation roadshows for the public. Media relations continued apace through articles and quotes in the Press and Journal and the beginnings of the representation of the protesters as a small minority of 'NIMBYs' is noted.

5.2.3 Arguments of Opponents of the Scheme

This section focuses principally on the arguments put forward by Paddy Imhof during his presentation to the Scottish Parliament's Petitions Committee on 6 September 2006. He was supported at the presentation by Gregor McAbery of *Friends of the Earth* and David Robb, representing the then recently formed campaigning group, *Road Sense*. The section also considers arguments from individuals and civil society groups opposed to the Scheme during 2006-2007. The petition asked that the Scottish Executive reconsider the Scheme in light of public concern.

'The petitioner requests that the Scottish Parliament urge the Scottish Executive to review its proposals for the controversial Aberdeen Western Peripheral Route in light of growing public concern with this project.'

(Public Petitions Committee 2006 p. 1)

The wording of the petition places 'growing public concern' centre stage as the reason for revisiting the rationale for the Scheme. The collection of a total of 4,851 signatures – an additional 745 hard copy signatures were submitted on the day - was presented as evidence of public concern. The rhetorical setting for the exchange between the MSPs and the petitioners is largely deliberative with the petitioners focus on the best solution for Aberdeen in the future. Within the time constraints of a 3 minute opening, Paddy Imhof, Gregor McAbery, and David Robb presented the key arguments which challenge the Scheme.

5.2.3.1 Economic (1.0)

Paddy Imhof stated upfront that the arguments from proponents of the Scheme were 'abstract and shallow on the whole' (Public Petitions Committee 2006 p. 2). He addressed the economic argument that the AWPR 'is indispensable for the economic well-being of the North-East' (ibid p. 2)

He uses the phrase 'economic well-being' which has connotations of the health of the city. Imhof's argument focuses very much on the purpose of the road as a bypass and evokes a scenario of a 'dying city centre' should

consumers from the North choose to spend their money down South. His most relevant refutation of the economic argument comes through his direct reference to the findings of the 1999 SACTRA report which found little evidence of the relationship between roads and economic growth.

Economic arguments are taken up by opponents of the route similar to the argument quantifying economic value by *Save Camphill*. Dr Dan Hovde, director of International School of Aberdeen (ISA):

'We feel we provide a good service to Aberdeen and the north-east. The school is a big reason why a lot of people chose to take jobs here. So we consider ourselves important to the Aberdeen economy. At this stage we really just want to gather as much information as we can. Our concern is for the kids. We have a beautiful safe site here and we don't want to lose it.

(Hovde quoted in the *Press and Journal* 2006 p. 13)

This quote uses *pathos* by the use of the more colloquial 'kids' and summons up a pastoral idyll of a 'beautiful, safe site'. This argument was accepted by the state who subsequently moved the school to a new location at a substantial cost to the public purse of £51 million.

Paddy Imhof uses Windisch's (2008) displacement strategy (9.10) in his next argument that the true purpose of the Scheme is to achieve a 'development corridor' (1.4). This requires an ulterior agenda to be revealed which provides a more compelling rationale for the purpose of the road beyond connectivity. Imhof rhetorically looking forward sketches the scenario whereby 'once it is completed, the project will exert irresistible pressure on the city and shire councils to free up land for development' (Public Petitions Committee 2006 p. 2).

The clear implication is that Ministers are being disingenuous by stating that the Scheme is 'emphatically not development' (ibid p. 2).

'Aberdeen is a pleasant and compact city, but development along the route corridor will cause it to extend, with commercial and economic activity

moving to the periphery of a hollow centre.’ (Imhof in Public Petitions Committee 2006 p.2)

This is a valid argument and examples of cities from around the world have experienced this ‘doughnut effect’ from the expansion of cities through out of town developments. Krugman (2013) suggests a similar argument to account for the survival of Philadelphia over the bankruptcy of Detroit in terms of spatial geography. Certainly, Aberdeen has a number of major projects to move leisure facilities out of town such as the proposal for Aberdeen Football Club to relocate to Loirston Loch which could compound such risks. All the more surprising therefore that John Michie, Aberdeen City Centre Association, a retailer, is a prominent supporter of the bypass.

Imhof is not alone in questioning the stated rationale for the road. A letter in the *Press and Journal* echoes his concerns and framed in a discourse of risk:

‘I can’t understand why people can’t see through this sham for what it is – a housing development Scheme on green belt which, if they are lucky, might help congestions in the city. What a gamble.’ (Gilmore *Press and Journal* 2006, Letters p. 15)

Back in 2006, Imhof queried the ambiguity around the final cost of the project (1.5).

‘so we are, to say the least, extremely sceptical that the project will come in at the advertised top cost of £395 million. We believe that figure to be heavily influenced by optimism bias. To our knowledge, very few—if any—road-building projects stay within their projected costs. The average national cost overrun is as high as 67 per cent and there is nothing to suggest that the AWPR will be any different’

(Imhof in Public Petitions Committee 2006 p. 2)

Again this is a well informed point and infers knowledge of Flyvbjerg, Bruzelius and Rothengatter’s (2003) conclusions around underestimating project costs. When the Transport Minister announced the chosen route in 2005 he also stated the Government and Executive’s intention to pay for the route by entering into a long term contract with a private investor know

as a Public Private Investment (PPI) Scheme. This involves spreading the costs for the Scheme typically over 30 years. Calculating the costs of such schemes usually results in a doubling of the cost of the project. This point was illustrated by *Road Sense* on their website in 2006 in a section called: AWPR = Mortgaging your Future. (*Road Sense* 2006).

5.2.3.2 Environmental (2.0)

The environmental argument is not to the fore in Imhof's opening submission but comes out under questioning from MSPs.

'From the Stonehaven leg, near where I live, it will be a scar on the landscape. There will be two bridges—one over the Dee and one over the Don—which we do not know the design of. The bridge over the Dee will go through ancient woodland, causing great visual disturbance and disturbance to wildlife' (Public Petitions Committee 2006 p. 4)

The ecological argument is also advanced by various comments from the Frasers, owners of an organic farm near Muchalls affected by the route.

'This road is going to carve through the countryside. It will go through the field next to our farm...' (Mrs Fraser quoted in Coull 2006 p. 3)

However, unlike some of the deep ecology arguments of the direct action protesters in the 1990s, Maggie Fraser highlights the value of the land for agriculture and produce for human consumption.

'Never before has an organic farm been threatened like this. We are going into the unknown. We specifically chose this farm because it was so pollution-free and clean. Between us and the farm next door we supply much of the organic produce for Aberdeen and Aberdeenshire.'

(Fraser, 2008b p. 1)

Mrs Fraser explicitly references the threat to their organic livelihood posed by the increased air pollution. This argument was also presented to MSPs by Imhof on the subject of carbon emissions.

Imhof exposes the fallacies in the thinking that by building more roads one solves congestion. The following submission prefaces and is endorsed by the Stern Review (2006) which was to be published the following month.

'Climate change is no longer the preserve of environmental experts and geographers – it has become a hard reality. To engage in a road project of the size of the AWPR when we know that more roads will create more traffic and therefore more climate-change emissions, and when we know that we should use our cars less rather than more, is simply madness.'

(Imhoff in Public Petitions Committee 2006 p.3)

The argument is that the Scheme would only exacerbate the production of carbon emissions (2.2.1) and ignores the scientific evidence on climate change. Shiona Baird was one of the only MSPs to oppose the road on this basis. She represented the north-east Green party and was present at the Petitions Committee. She reinforced Imhof's argument about the timing of the road given the wider necessity to reduce greenhouse gas emissions.

'The present proposal has been mired in controversy. Many questions have been asked but have not been answered, and many issues surround the route. The fact is that we are now in the 21st century and we need to consider alternatives – and it is in the Executive's plans to consider alternatives. In answer to [MSP] Charlie Gordon's point, I stress that it is not about having no roads; it is about how we can most effectively reduce the congestion on roads. It should be borne in mind that the issues of rising oil prices and climate change require us to tick those boxes as well.'

(Baird in Public Petitions Committee 2006 p. 14)

Shiona Baird reminded MSPs of their dual responsibilities to other government commitments regarding climate change. Instead, she argued in favour of the 'improving the public transport network'. (*Press and Journal* 2006) This view is endorsed by *Road Sense* Committee member Henry Irvine Fortescue:

'The AWPR flies totally in the face of the recent Stern report. We need to be thinking much more radically about alternatives, rather than building new roads and encouraging car use.' (*Mearns Leader* 2006)

North-East Green MP Shiona Baird uses *pathos* to ardently query the justification for such 'massive upheaval' given the climate change agenda. She uses rhetorical devices such as the repetition of the negative 'not good news' for dramatic emphasis.

'On the day that the scientists have issued another wake-up call on climate change, this road plan looks even more out of place. The road will inevitably generate even more traffic, more pollution, and more congestion – not good news for the economy and not good news for the environment.'

(*Press and Journal*, 31 January, 2006)

At the Petitions Committee, Imhof repeats the metaphor of 'scar' as a visceral wound on the landscape as part of an argument on the aesthetic impact on the environment (2.3.4). This evokes the image used on the front cover of Bryant's *Twyford Down* (1996). This theme is reiterated by a *Road Sense* member: 'blight on the landscape' (Henry Irvine Fortescue quoted in Coull 2006).

A *Road Sense* bulletin also promotes conservation of wildlife and woodlands as a counter-argument to development. At their public meeting, volunteers were called upon to track flora and fauna on a large scale map and collect photographic evidence to be used at the public inquiry.

'Species of particular interest are otters, badgers, red squirrels, water voles, owls and raptors. Local habitats, trees and botany will also be identified.'

(*Road Sense Bulletin* 2006 p. 2)

5.2.3.3 AWPR will not reduce congestion (3.0)

As mentioned previously, Imhof explicitly refers to the 1999 SACTRA report and in particular the Committee's conclusion that more roads add to rather than alleviate congestion.

Robb, representing *Road Sense* refers to the *Campaign for Rural England* Report which concludes that bypasses fail in their objectives to curb congestion. (Robb in Public Petitions Committee p. 7) These reports from

national NGO's and interest groups are credible sources based on established methodologies.

Imhof presents a highly plausible practical argument that much of the traffic in Aberdeen is there due to the desired end destination.

'People complain about getting through the town, but there is not a huge volume of through traffic. Most of the traffic in town is there because it wants to be there. (Imhof in Public Petitions Committee 2006 p. 9)

Summing up his case afterwards to a wider public through the media Imhof concludes:

'This is a 1970s solution to a 21st Century problem. Everyone knows now that roads create traffic.' (Imhoff quoted in Marshall 2006 p. 3)

David Beeson, another protester, used the metaphor of weight-loss to illustrate the argument that roads can cause further congestion: 'it's like trying to cure obesity by loosening your belt.' (Beeson quoted in the *Press and Journal* 2006).

5.2.3.4 Alternative schemes (4.0)

Deputy Minister Nicol Stephen asked the audience for their suggested alternatives to the AWPR at the ISA meeting as reported in the *Road Sense Bulletin* (2006). Imhof asks MSPs to consider sustainability (2.4) as an argument in his peroration with a rhetorical appeal to *ethos* and legacy:

'At this moment, we in Aberdeen and the north-east have a unique chance to create an integrated transport system for the city and the shire that could be the envy of Scotland. We could become leaders in reversing the trend of excessive road-building. The money that the Executive and the councils have pledged could go much further without the AWPR and we could leave to our children something that we could be proud of, instead of the fundamentally unattractive proposed solution.'

(Imhof in Public Petitions Committee 2006 p. 3)

5.2.3.5 Breach of UK process (8.0)

'It's the wrong route in the wrong place. It's based on a political decision made through an undemocratic process.'

(Irvine-Fortescue quoted in the *Press and Journal* 2006)

'This is not democracy – this is Holyrood dictatorship. You could probably be forgiven for believing that in the last few months we have been living in a dictatorship or banana republic.'

(Beeson quoted in the *Press and Journal* 2006)

The motives of the state are queried through the use of the term 'political' contrasting this with rational, technical or democratic solutions. Mr Beeson uses hyperbolic language to drive home the politicised context of the decision-making and his perception of a democratic deficit.

David Robb who was also present at the Petitions Committee, put forward a final argument on whether the road was fit for purpose (8.4). Based on his experience working for the Ministry of Transport he queried whether much of the freight traffic would take the circuitous route offered by the bypass.

'I know that the Road Haulage Association and the Freight Transport Association always encourage their drivers to be minimalist in the amount of roads that they use, because otherwise they would spend too much in fuel and affect profits. Lorry drivers would not approach Portlethen and the Charleston roundabout and turn to drive an extra 45km round to Bridge of Don, when a short journey is available through the harbour and out to Bridge of Don. Lorry drivers will always take the most direct route, so they should be given the most direct route, which would be an eastern bypass. Of course, the city has rejected that route, too, because it would not create a housing corridor. (Robb in Public Petitions Committee 2006 p. 9)

This argument suggests that the planning process have not been sufficient adhered to and combines with two other major arguments; that alternative options such as an Eastern tunnel (4.2) should have been given greater consideration and that an ulterior agenda around housing development (1.4.1) was also at stake.

5.2.4 Strategies of Opponents of the Scheme

5.2.4.1 Argumentation strategies (9.0)

The aim or goal alignment (9.5) of the petitioners was to have the route decision reviewed in a fundamental sense. The call was for a radical rethink of alternatives. Unlike Camphill's consistent 'neutral' stance, opponents during phase B seem to have held heterogeneous views with some opposing the road altogether and some opposing the Milltimber Brae and Fastlink routes.

'...we are opposed in principle to the bypass ... We do not want the road to go somewhere else; we want it to be reconsidered altogether.'

(Imhoff in Public Petitions Committee 2006 p. 3)

Yet other *Road Sense* members seemed opposed to the Milltimber/Fastlink hybrid route but open to an alternative route.

'... it became evident that there was no overall consensus about the most effective response to the amalgamated Aberdeen bypass route. In answer to a question on whether the campaign's main objective was against the AWPR on any route, or just the Maryculter Bridge route [Milltimber Brae], one of the platform speakers acknowledged that even committee members differed, so to date the issue has been "fudged"'. (Daly 2006 p. 21)

This position, leaves the protesters open to the charge of 'NIMBYism'.

'Although we call ourselves objectors, I stress that we are not simply 'NIMBYs'. If anything, we are 'NIMBPs', or not in my back pocket.'

(Imhoff in Public Petitions Committee 2006 p. 3)

This statement does not refute the 'NIMBY' motivation of some protesters. Instead it appears to tacitly acknowledge their status as 'NIMBYs' and adds to it the inference of corruption through the mention of the metaphor of 'back pockets' reminiscent of 'back-handers'. It is not clear who the charge of bribery is levied against although it would be reasonable to assume that the allegation refers to developers' inducements to councillors and their officials. Given that the petitioner's audience comprised MSPs any

suggestion of unfounded allegations against fellow elected representatives or hint of corrupt practice was unlikely to engage the audience.

This lack of clarity in aim was to be cruelly exploited by the media, with a *Press and Journal* editorial dividing the protesters into two camps: 'nimbys and nevers'.

5.2.4.2 Symbolic (10.1)

At a public meeting held in Cookney on 14 November 2006, invited guest Colin Howden of TRANSform Scotland impressed upon the audience of protesters the importance of maintaining high profile visual communications (10.2.1). TRANSform Scotland's advice on the value of visual communications went beyond their use in media relations and pseudo-events. Their point was to saturate the immediate environment with visual reminders of popular support for the campaign at grassroots level through the use of car stickers, posters, hoardings and badges.

As an observer, the researcher noted Howden's clear advice for the campaign to 'dominate the landscape'. *Road Sense* subsequently did produce merchandise featuring the Transport minister, Tavish Scott represented as an ass. His face was superimposed in a line drawing on an ass's body. There was also a poster with the slogan 'Think Again Tavish' drawing on the intertextuality of the Corries' song and unofficial national anthem of Scotland, *O Flower of Scotland*, and the final line of the chorus 'Tae Think Again.' The researcher noted the sale of such merchandise such as T-Shirts and mugs at public meetings (see Appendix I).

Posters featuring this image of the ass were found at strategic points such as at the bridge at the Mill Inn crossing the River Dee at Milltimber. Much as this image was intended to be humorous and in accord with a rich satirical tradition in British politics, it is likely that the caricature subjecting the Minister to ridicule was unhelpful in advancing *Road Sense's* case. The research also noted at the time that unlike the '*Save Camphill*' car stickers, the *Road Sense* ass image was rarely seen in the wider population and was rather sported exclusively by activists.

Later on there was a proposal to sell a booklet of poems and essays inspired by the road: 'Artists and the Road' (*Road Sense* Bulletin 29 August 2007). The booklet was to be made available during the North-East Open Studios (NEOS) event, which invited the public to visit artists' studios, at an exhibition in The Workshop, Kingcausie. The researcher does not know if this initiative was realised or how many copies were sold.

5.2.4.3 Informational (10.1)

TRANSform Scotland's advice was also enacted by *Road Sense* for the purpose of media relations (10.1.1) in the use of a banner featuring the slogan: AWPR Absolutely the Worst Possible Route. Other slogans at the time were 'Two roads too far' and 'Bypass my ass'.

This banner was featured on the front page of the *Press & Journal* on 3 May 2006 and referred to in other reports such as the *Mearns Leader* (Coull 2006). From the news coverage it was also apparent that the group had also brought along a pantomime horse though there is no photograph featuring the horse. Protesters were also sporting T-shirts with the 'Bypass My Ass' slogan (Coull 2006 p. 3) and 'Mr Scott's head on the body of an ass.' (see Appendix I) One of these images was reproduced in the press though interestingly the angle of the shot was a rear view of a female protester, Marie Boulton, as she confronts the Minister, Tavish Scott (McIntosh 2006 p. 13). So whilst the protesters were successful in getting their message published, it is likely that tabloid news values such as entertainment and humour explain its inclusion.

Protesters used rhetorical strategies (9.4) to undermine the *ethos* and authority of their political opponents.

'Tavish Scott slipped out a back door. We were disgusted that he couldn't face up to the people. The man is a coward. He hasn't even come to any of the *Road Sense* meetings. It is time people started seriously thinking about what this road is for.' (Mrs Fraser in Coull 2006 pg 3.)

Similarly, *pathos* was used to try to affect the emotions of the wider 'silent majority' through the press. The *Press and Journal* covered the human

interest stories of those directly affected by the chosen route. In the case of the Flavill family, their home of 28 years was one of the 19 homes to be demolished. Evoking *pathos* (9.4.2), Mr Flavill reflects:

'I have relatively little time left in this world and we really just wanted to enjoy our last years in the place that we love with our family around us... Just up the road from us there is a very elderly couple in a small house which is to be knocked down. They have been there since 1952. What are they going to do now? That has been part of their lives for so long.'

(Flavill 2006 p. 3)

5.2.4.4 Organisational (10.3)

To canvass for wider support in favour of the petition, a stall was set up in Aberdeen City Centre outside Marks and Spencer on various weekends including 6 May 2006 from 2-5 pm. On occasion the venue was in the Trinity Centre and indoor shopping mall. The stall was staffed by volunteers including Paddy Imhof and leaflets (10.1.2) were distributed. (Coull 2006)

Public meetings were also held at the International School of Aberdeen (ISA) on 20 February and again on 13 October 2007. The first of these meetings attracted considerable public support and media coverage.

'The ISA meeting was a huge success, and with an energetic turn-out of around one thousand residents, the elected representatives attending were left in no doubt that the public strongly opposes the Scott proposal'

(*Road Sense* Bulletin 2007 p.1)

Contemporaneous notes taken by the researcher, record that the hall was packed with many people standing. Ken McEwan (2009c) who also attended this meeting shared his observation that all the drivers to the event came in 4x4s and expensive cars. His interpretation of this was to view the audience as less 'environmentalist' in orientation than 'concerned local residents'. The researcher can confirm that some attendees did arrive by bicycle, including a former school friend of the researcher, Gillian Berry. Yet the majority of attendees arrived by car.

To bolster, *Road Sense*'s public relations efforts, an email was sent to staff at Aberdeen Business School at Robert Gordon University from Professor A D Hawkins, on 9 May 2006. Professor Hawkins appealed for volunteers:

'We need help in getting our message across – which is that the route will bring few benefits to the people of Aberdeen. So far we have done all our publicity work ourselves, but we now need help... Can anyone at the Business School assist us?

(ANDERSON, C., personal communication by email. 9 May 2006)

He asked whether corporate communication students would be interested in providing *pro bono* help to *Road Sense* on a number of public relations matters as follows:

- 'producing a communications strategy
- producing bulletins and material for the website
- dealing with the press, radio and television.'

(ANDERSON, C., personal communication by email. 9 May 2006)

This email was circulated to students by communication lecturer, Christine Anderson, on 9 May 2006. There is no evidence that this request resulted in any collaboration or input from PR students.

5.2.4.5 Public affairs and power (11.0 and 12.0)

Prior to the 2007 Scottish elections, *Road Sense* formed a political subgroup. With a view to mobilising the voting power of their supporters they produced an 'Update on Aberdeen South' outlining the policy positions of the candidates on the AWPR. Their conclusion:

'Out of these three, David Davidson (Con) seems most passionate about supporting a review whilst immediately addressing some of the obvious issues such as Cross-rail to Laurencekirk and the Haudagain roundabout.'

(*Road Sense* Political Subgroup 2007)

Road Sense were prepared to go beyond single issue campaigning by pledging reciprocal support for the Green Party candidates in local elections.

'Finally a note regarding the Scottish Green Party, who are so supportive of our campaign, even though the Greens are not fielding any constituency candidates in our area. They are of course a party in the regional list vote (First Vote). We have been contacted by one of their members – if you would like a poster or hoarding to display for the greens please contact them direct at karen.allan@ent-lib.co.uk' (Warnock 2007 p.1)

In 2007, Shona Warnock, *Road Sense's* communications officer, advised supporters of the political ambitions of *Road Sense* committee members.

'We have two of the *Road Sense* vice-chairs standing for Local Council – Marie Boulton and Henry Irvine Fortescue. Marie is standing in the Lower Deeside ward and Henry in the North Kincardine ward.' (Warnock 2007 p.1)

Marie Boulton's campaign literature made her position as the Vice Chair of *Road Sense* explicit and one of the issues featured in the leaflet was: 'Alleviation of traffic congestion by looking at solutions to ease traffic flow at peak times, along with proper investigation and consultation into the proposed AWPR.' (Boulton 2007 p. 4)

Marie Boulton was successful and elected as a councillor in 2007, standing as an Independent. In 2013 she was elected Depute Leader of Aberdeen City Council.

Colin Howden also shared his experiences of the anti M74 protest in Glasgow's lobbying strategies (11.1) He stated that it was essential to:

'put pressure on the politicians. Go to see them – "get in their face"'
(Furrie notes 2006)

Following this advice, *Road Sense* and residents whose homes were directly affected by the route went to see the Minister, Tavish Scott on 23 May 2006 (Flavill 2006 p. 3).

Road Sense also facilitated grassroots lobbying (11.2) whereby supporters could write directly to the Minister to object to the bypass. New media was used to access an email address direct from *Road Sense's* website, www.road-sense.org/objectnow:

'Of course it is still important for us to gather as many additional objections as possible so as to ensure our voice is heard by the new Transport Minister Stewart Stevenson. We have recently had confirmation that Mr Stevenson will meet with us and are now looking forward to discussing our objections with him. (*Road Sense* 2007b)

Road Sense used the ballot box to put pressure on representatives. They communicated the stances of the various candidates on the AWPR issue and made this available to supporters:

'we have recently written to both the Holyrood and local council candidates in our core areas to ask their opinion of the AWPR proposals. Candidates' replies will be posted on our website when they are received and collated. So remember to check our website before you vote!' (Warnock 2007 p.1)

During this period, the newly formed *Road Sense* and its members struck up working partnerships (11.4) with a range of civil society groups including: *Friends of the Earth*, the *Green party*, *TRANSform Scotland*, *WWF Scotland*, the *RSPB*, and the *Woodland Trust*.

'*Road Sense* is working with *Friends of the Earth*, on a conference on sustainable transport solutions for our area. 'Exciting links have also been made with groups such as *TRANSform Scotland* – the people who stopped the M74 Northern Extension.' (*Road Sense Bulletin* 2006 p. 3)

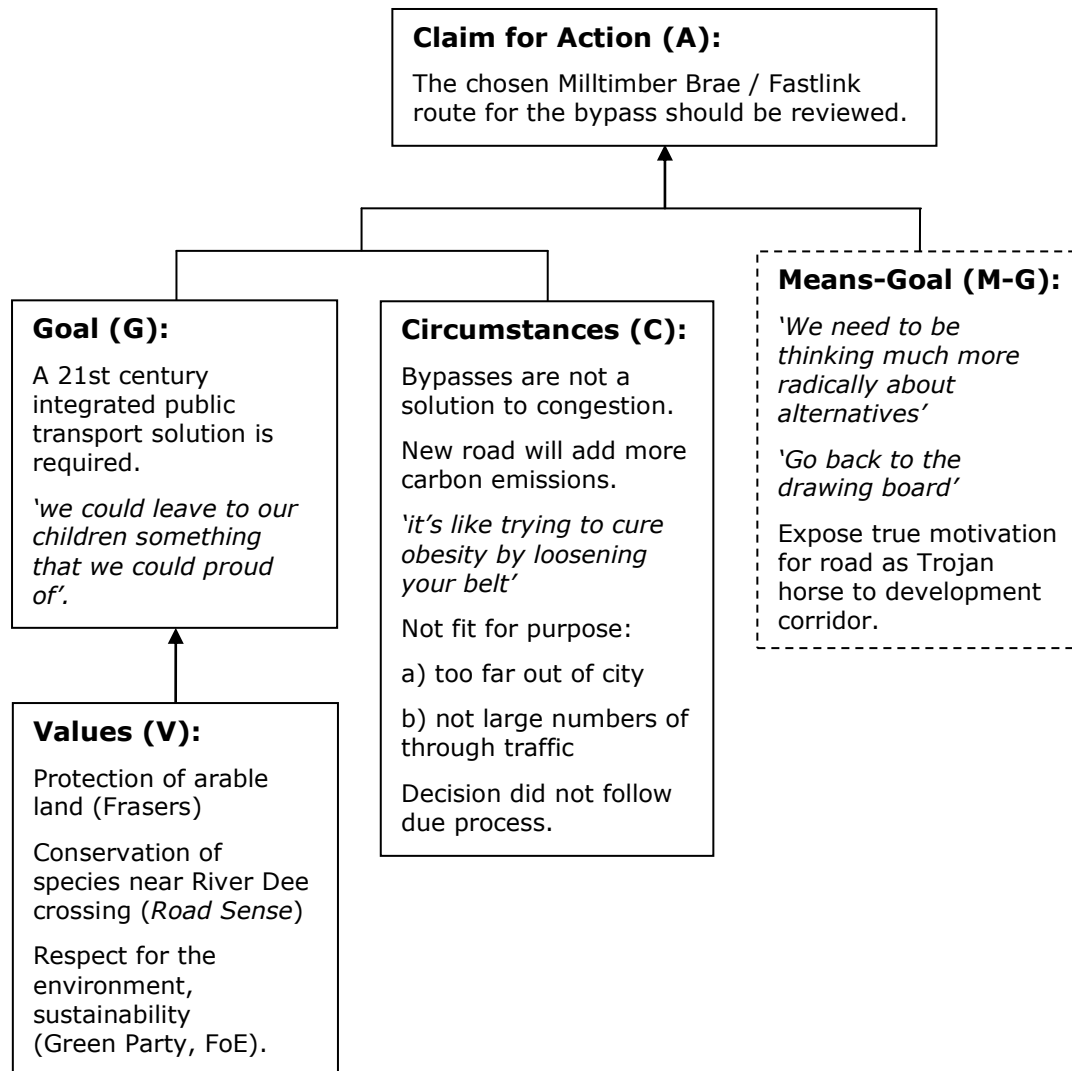
As noted above, some of these alliances brought with them campaigning experience and tactical ideas. Some alliances were practical in the sense of all those affected joining together. The exclusive sports and social club Kippie Lodge used its mailing list to ask members to support Paddy Imhof's petition (10.3.1):

'We have aligned ourselves with organisations including *Road Sense* and they have requested that we ask as many members as possible to sign up to the petition.' (Kippie Lodge quoted in Marshall 2006 p. 3)

Although the petition was an independent petition, it was supported by *Road Sense* and *Friends of the Earth*. (Beeson in Marshall, 2006 p. 3)

Road Sense also aligned with national civil society groups such as the *Woodland Trust*. Graham Bradley gave a presentation at one of the public meetings held at the ISA to speak about 'how ancient woodlands would be affected by [the] proposed route and the Woodland Trust's involvement in the campaign' (*Road Sense Bulletin* 2007a p. 1)

Figure 10.0: Opponents' approach during Phase B



Adapted from Fairclough 2012 p. 88

Summary

The arguments presented by opponents to the Petitions Committee are rational and utilise environmental discourses including sustainability. The newly formed interest group *Road Sense* shows a sincere commitment to the democratic process. They contend that the consultation process for the Scheme was flawed. The public relations strategies in this period aim to engage the public through the media and events. Public affairs strategies are also pursued with some professional support. *Road Sense* forms partnerships with other civil society groups from the environmental lobby.

5.3 Phase C: Public Local Inquiry

5.3.1 Arguments of Proponents of the Scheme

The principle and rationale for AWPR was officially ruled outwith the remit of the PLI by Scottish Ministers. Instead the inquiry was to focus on the technical and environmental impacts of the Scheme. The Scottish Government stated on announcing the PLI that with regard to the scope of the AWPR PLI:

'Having accepted the need in principle for the road, Scottish Ministers do not wish to be advised on the justification for the principle of the Special Road Scheme in economic, policy or strategy terms ... Scottish Ministers have directed that they only wish to be advised on the 'technical aspects' of the route choice.' (Gordon, Ferrie and Cunliffe 2009 Preamble p.1)

This means that proponents of the Scheme were spared having to justify the rationale for the road within this setting. However, the requirement to buy land for the road using Compulsory Purchase Orders (CPO's) does require a Statement of Reasons to be provided. This was prepared for *Transport Scotland* by their legal advisers (Shepherd and Wedderburn 2008) and will inform this section. Phase C will also draw upon the notes taken by the researcher during weekly observation of the PLI submissions and exchanges.

5.3.1.1 Reducing congestion (3.0)

This document presents a series of arguments to justify the Scheme.

'The general effect of the Scheme is to provide a new route to the West of Aberdeen to reduce congestion within the city, remove traffic from unsuitable rural and urban routes, improve safety, reduce journey times and improve journey time reliability.' (ibid p. 2).

It is interesting to note here that the primary arguments in the Statement of Reasons tend to be around reducing congestion. The document also emphasises that the Scheme is in line with government policy planning and a series of Transport strategy documents. This line of argument accords with previous Integration (4.3) arguments that the Scheme forms part of an integrated transport solution which includes public transport alternatives.

'The Scheme is designed to function within the overall Regional Transport Strategy by enabling the implementation of a range of public transport measures which would not otherwise be feasible.'

(Shepherd and Wedderburn 2008 p. 2)

This new emphasis on congestion was important to justify the late addition of the Fastlink section of the bypass. The significance of this was brought out through cross examination of the witnesses and in particular Galbraith for Jacobs in the PLI. This is described in the *Road Sense* blog as follows:

'He next admitted that, having worked on the preferred Murtle route for many moons as the boss of Jacobs' team, he first heard about the Minister's choice of the hybrid route **30 minutes before the announcement to the public.**' (emphasis in original)

(*Road Sense* PLI blog, 11 September 2008)

The addition of the Fastlink was viewed by Alasdair Graham as a 'strategic objective'. *Transport Scotland* added this argument to the existing arguments about connectivity and congestion in their justification for the Scheme as a whole at the PLI.

'The chosen combination best addresses the strategic problems of getting traffic around Aberdeen quickly, avoiding the growing hold ups on the A90, and at the same time reducing traffic in the city centre.'

(Gordon, Ferrie and Cunliffe 2009 p. 20)

The statement of reasons develops the theme of congestion and refers to pinch points such as heavy goods vehicles being constrained at the Bridge

of Dee (ibid p. 3). The report notes that this 16th century structure has Scheduled Ancient Monument (SAM) status.

5.3.1.2 Economic (1.0)

The economic drivers for the Scheme are articulated in the Statement of Reasons. The inclusion of the Fastlink is justified in terms of improving connectivity (1.2):

‘the overall efficiency of the Scheme allowing long distance strategic traffic to get around the city more quickly while reducing traffic on a busy stretch of the A90 between Stonehaven and Aberdeen and the existing B979 Netherley Road’ (Gordon, Ferrie and Cunliffe 2009 p. 20)

This justification echoes Flyvbjerg, Bruzelius and Rothengatter’s (2003) point about connectivity to markets. This is more explicitly reiterated in the following statement: ‘the AWPR will improve access to National and European Transport networks, reducing the peripherality of the area’. Otherwise, growing the economy is relegated to the last of a series of 5 bullet points on the theme of reducing congestion and improving road safety.

5.3.1.3 Cost of the Scheme (1.5)

The AWPR team and its officials did not issue revised estimates of the overall costs for the Scheme. The same figure of £395m was often repeated and circulated in the media. The protesters raised this issue frequently but clearly the strategy was not to engage with this aspect. During the time of the case study, boom economic times gave way to the global financial crisis. The Scheme is to be financed using a PFI vehicle. The AWPR team could argue that until detailed discussions were entered into, and tenders received the actual costs of the Scheme would be estimates.

In the PLI, *Road Sense* produced evidence from an email that ‘the First Minister was not content with the proposal put forward. The First Minister

was quoted as saying 'I think that the original budget was around £105m. This proposal more than doubles that, and is £129m higher than the previous preferred route.' (Gordon, Ferrie and Cunliffe 2009 p. 94)

5.3.1.4 Road safety (7.2)

This phase also saw the return of the road safety argument. In the Reporter's findings, *Transport Scotland* highlight that the hybrid option:

'offered greater safety benefits and performed better in terms of air quality. For example, it would result in 48 accident savings (in 2010) compared to 40 for Murtle.'

(Gordon, Ferrie and Cunliffe 2009 p. 20)

Road Sense felt that this argument was determining in the hybrid route being selected by the Minister:

'It looked as though a 20% reduction in predicted accidents was what really swung it – the fact that the new route cost double was ignored.'

(*Road Sense* PLI blog, 12 September 2008)

5.3.1.5 Environmental impacts (2.0)

The promoters of the Scheme conducted investigations into the environmental impacts on the River Dee and protected species as is required by law and in particular the EU Habitats Directive. These requirements are summarised in Transport Scotland's case at the PLI.

Licenses to proceed with the Scheme which recognise the adverse impacts on the environment are required from Scottish Natural Heritage (SNH). At the time of the enquiry these had not yet been obtained.

'ghost applications for licenses were submitted to SNH to ensure that SNH had enough detail to assess whether favourable conservation status would be maintained in relation to the relevant European protected species...SNH has confirmed that while licences would be required in relation to impacts on otter and bats, its conclusion is that there would be no impact on the

favourable conservation status of otters or bat species as a result of the AWPR. This clearly cuts across the force of the argument being advanced by *Road Sense*.’ (Gordon, Ferrie and Cunliffe 2009 p. 54)

This conclusion would undoubtedly hold true were SNH independent of Government. On the contrary they are funded by the Scottish Government and their current ‘corporate strategy’ document Strategies and Priorities 2012-2015 explains ‘how SNH’s work contributes to the Government’s objectives, and includes statements on how our work has a major positive impact on the country’s economy and on people’s health and well-being.’ (SNH 2013). That SNH’s existence is predicated on government funding and that their objectives are aligned with government objectives on ‘the country’s *economy*’ cast doubt on their autonomy in such matters.

5.3.2 Strategies of Proponents of the Scheme

5.3.2.1 Public affairs strategies

As noted in 5.3.1 it was clear from the outset of the PLI that the terms of reference (11.8) of the inquiry were limited to looking at the technical aspects of the route choice including environmental impact.

In line with Doherty’s (1998) analysis of road protests in England in the 1990s, this was a well-established strategy of the state. Colin Howden, Director of *Transform Scotland* said at the time:

‘The decision to restrict the scope of the Inquiry is designed to silence and disenfranchise objectors to the road. We have a range of well-considered, factual and reasonable arguments to offer as to why the project should not go ahead, but the Scottish Government has chosen to silence opponents by excluding their arguments from consideration. It is clear that the Scottish Ministers are not prepared to allow free and open scrutiny of this project, and as such we are not prepared to participate in the charade that this Inquiry represents. It’s clear that the Scottish Government wants this road at all costs, and the Inquiry is simply an exercise in window-dressing.’

(*Road Sense* 2008a)

We can note the use of tropes such as metaphors like 'charade' which were visually extended in the 'window-dressing' PR stunt or pseudo event featuring shop dummies by *Road Sense* to coincide with the first day of the PLI (see Appendix J). Duncan McLaren, Chief Executive of Friends of the Earth Scotland, said:

'The limited scope of the PLI means it won't have grounds or evidence to reject the road, making it look like a foregone conclusion. If this is the case why have a PLI at all? We are mystified as to the legal foundation for such a limited scope and curtailment of terms. The AWPR is not listed in the National Planning Framework, and is not classed as a nationally significant Scheme, so Ministers should not be trying to push it through as they are. There may well be legal grounds to challenge the limited scope of the PLI.'

(*Road Sense* 2008a)

This was indeed the case with the important matter of the remit challenged by *Road Sense's* QC, Stuart Gale at the opening session of the PLI.

'We started off with the entirely predictable rejection by the Reporter of the *Road Sense* submission that he – the Reporter – was almost obliged to consider alternatives ... owing to the potential effect on the Dee SAC. Predictable insofar as a Reporter, by the very nature of the beast, is unlikely to rock the boat by breaking away from his brief. However, it was worth a try and made it clear to all that RS is not just "here for the beer" – The Establishment has a fight on its hands...'

(*Road Sense* PLI blog, 11 September 2008)

Promoters of the Scheme worked closely with other state agencies and commercial partners such as Jacobs who advised on the engineering and environmental aspects of the Scheme. The selection of strategic partners is a public affairs strategy capable of enhancing the power of certain discourses. The aligning of the state with powerful commercial partners such as Jacobs entails practical knowledge gained from the implementation of similar schemes around the county. The PLI report notes as follows:

'The experience gained by Jacobs working on a number of road schemes demonstrated the effectiveness of different structures utilised at different crossing points on the AWPR ... Similarly, the conclusions in relation to the use of bat boxes were based on experience and the success of using them in other road projects.' (Gordon, Ferrie and Cunliffe 2009 p. 54)

This experience brought into play knowledge based networks that deployed through partnerships become synergistic manifestations of power. Yet such partnerships could be open to the accusation of conflict of interest. On the pivotal issue of the protection of species of wildlife, Jacobs were responsible for the engineering and associated cost of the project alongside environmental mitigation and conservation compliance issues.

5.3.2.2 Representation as as 'NIMBYs' (9.1)

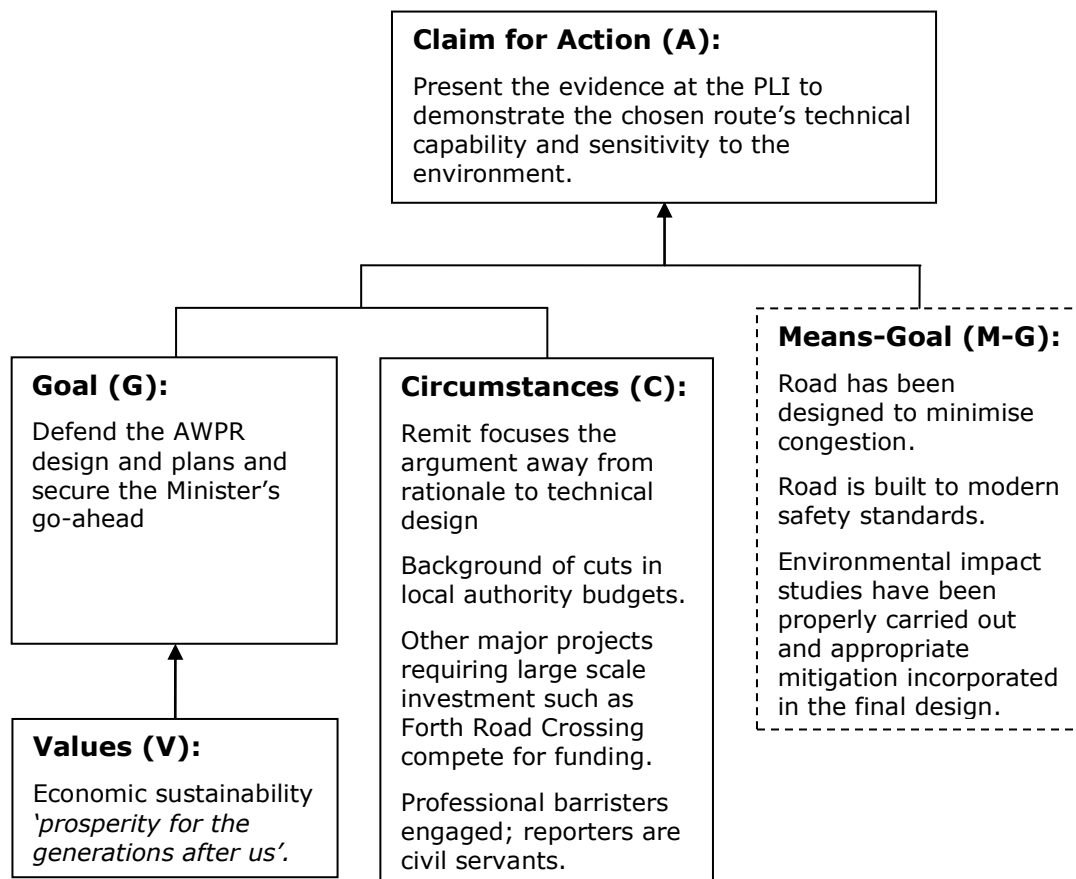
As noted earlier the media, possibly prompted by proponents of the Scheme tended to represent the protesters as 'NIMBYs' (9.1). This was not always directly attributable to state officials but this strategy is evident at the PLI and in online postings which can be added to anonymously or pseudonymously.

'The pattern is well-established by now. First probe whether the witness is that most despicable of creatures – A 'NIMBY'....have you always objected to all the routes...? ...do you object in principle or just to this route? ... Do you live near the proposed route ? ...how long have you lived there?'

(*Road Sense* PLI blog, 3 November 2008)

The Wikipedia entry at the time for instance noted the controversial aspects of the Scheme but directly attributed this to the spatial location of these protesters. For example: 'The bypass has caused controversy *among local people who live along the proposed route*. (researcher's emphasis) 'Some of the areas affected are amongst the most expensive in the city and its surrounding area. It will particularly affect the people in Milltimber, Bieldside and Cults.' (AWPR, Wikipedia, 2009) There is a tacit class discourse evident here alerting the reader to the privileged and affluent status of those affected by the AWPR.

Figure 11.0: Proponents' approach during Phase C



Adapted from Fairclough 2012 p. 88

Summary

The proponents for the bypass maintained that due process had been followed especially in terms of public consultation on route selection. At the PLI these arguments were advanced in a formal forensic rhetorical setting by barristers. During this phase, the media was used to reiterate the economic discourses of prosperity for the North East despite the rise of austerity discourses nationally. The bypass was framed as essential to modernity and progress. State representatives and officials were in a position to limit the remit to technical and environmental aspects effectively ruling out debates as to the wider rationale and alternatives to the Scheme. The representation of the protestors as 'NIMBYs' continued in the media and was notable as a strategy in the cross-examination of PLI witnesses.

5.3.3 Arguments of Opponents of the Scheme

Over 9,000 representations were received from parties objecting to the proposed Scheme (Gordon, Ferrie and Cunliffe 2009 p. 2). The PLI features a number of these arguments which are set out below.

5.3.3.1 Environmental (2.0)

The pronouncements of the Frasers who farm locally come closer to ecological positions (2.1) and conservation of the environment and species (2.1.3).

'My wife and I have put in a great deal of effort (to say the least) in enhancing the environment of the area. We have planted one and a half miles of hedges, many trees and have along with our neighbours, Elrick, made a big difference to the local ecology and climate, increasing the bird life dramatically.' (Fraser 2008b p. 1)

The planting of trees also invokes arguments around offsetting carbon emissions. Yet, the earlier statement about 'enhancing the environment' suggests human intervention and that the value of the land resides in its amenity to humans, in this case, food production through organic farming. Thus an argument is framed around the business and commercial value of the farm: 'We have 90 local customers and sell wholesale vegetables, beef and oats' (ibid).

Habitats legislation was not followed with respect to protected species such as otters and five different types of bat. On Day 1 of the PLI, Stewart Gale, *Road Sense's* barrister cited the EU Habitats Directive as a reason to challenge the legitimacy of the PLI's remit. He argued that the Scheme required a licence from the Scottish Government which had not been granted. Thus there were 'fundamental deficiencies' in the legitimacy of the road due to adverse impact on the environment.

It is difficult to tell whether *Road Sense* were motivated by a deep ecology will to protect the land, or a strategic move, that the rule of law from a higher legislative body, Europe, had greater power to challenge the state. The setting of a public inquiry and use of professional legal counsel places rhetoric in a forensic setting. This tends to favour an interpretation that the invocation of the EU Habitats Directive is part of a reasoned institutional positioning rather than an ideological position.

National civil society groups organised around the protection of the natural environment such as the Woodland Trust did espouse deep ecology (2.1) arguments.

'The construction of the new road will mean further losses of Scotland's irreplaceable ancient woodland. The routing of the bypass will affect 24 woodlands, 15 of which are on the ancient woodland inventory.'

(Woodland Trust 2009)

In 2008, the Trust gave evidence at the public inquiry which demonstrated that these woods were undervalued by the environmental statement and would be effectively destroyed and others would be seriously damaged by the construction of the road.

'As places of inordinate beauty, reservoirs of evidence for environmental change, archaeology and economic history, they are home to more rare and threatened species than any other UK habitat. Ancient woodland cannot be re-created, new planting can in no way compensate for the loss of the biodiversity provided by our few remaining tracts of this valuable habitat we simply cannot afford to lose it.' (Woodland Trust 2009)

Andrew Fairbairn, Policy and Communications Manager, the Woodland Trust, Scotland, said he regretted the loss of ancient woodland in Scotland, over half of which has been lost since the 1930s. He exposed the Scottish Government's 'hypocrisy' (9.2) with regard to its own policies which states that areas of woodland that have high natural heritage value should be protected.

The Woodland Trust undertook an ecological survey of Kingcausie estate, which is in the path of the Scheme. This showed that

'there are more than 70 species of birds living in the ancient woodland at Kingcausie and sightings include raptors such as osprey, merlin and peregrine falcons. There are also badgers, foxes, roe deer and five species of bat. It's also one of the very few habitats in the north of Scotland for Herb Paris, one of 22 ancient woodland indicator plants found in our woods.'

(Woodland Trust website 2013)

Appendix S shows woodland at Kingcausie which will be at risk should the bypass proceed.

The Frasers put forward an argument that asked citizens to consider their way of living within the sustainable resources (2.4) of the planet against a background of finite resources of fossil fuels. This issue is arguably a more fundamental systemic challenge querying well established social norms around commuting and the spatial design of our cities and their hinterland.

'I believe that this money should be spent on getting a really good 21st century transport system in place before we hit peak oil production and possible fuel rationing. A system that would stand in good stead so everyone doesn't just find themselves grinding to a halt! I believe that we should conserve oil reserves instead of encouraging people to use them up. Why is there not more employment where people live? Who likes commuting?'

(Fraser 2008a)

The Frasers put forward arguments that drew on a combination of aesthetic considerations (2.3.4) and the land's amenity value (2.3.5):

'This road, in particular, the Stonehaven Fastlink will be ruining the last bit of beautiful countryside between Stonehaven and Aberdeen, destroying hundreds of acres of arable land, rendering large amounts unworkable.'
(Fraser 2008b p. 2)

'300 acres of arable land is being lost on the Stonehaven Spur alone ... you can see how much production is being lost and this is **FOREVER!** (original emphasis)'
(Fraser 2008b p. 2)

This argument takes seriously food security for future generations (2.4.1 and 7.0). The premise rests on the understanding that ownership of land is of national significance in a globalised world. The argument uses a longer time frame and indicates a sustainability discourse. 'We should not carelessly destroy this essential asset.' Mr Fraser also draws on discourse around risk to human health through pollution:

'Our largest field is less than 100m from the proposed Link and there is also scientific evidence that roadside pollution affects plants up to 100m from major roads.'
(ibid)

This argument was reiterated by *Sink the Link* testimony in the PLI:

'Farmland, including organic farmland which has taken 30 years to attain its status, should not be lost to the scheme, as the world is entering a global food crisis.' (Gordon, Ferrie and Cunliffe 2009 p. 428)

Amenity value (2.3.5) was also expressed in an argument about the value of the land to nearby city dwellers:

'It is very important that such areas as these, that are near cities are preserved. They are not only peaceful, beautiful and productive, they are very popular with walkers and especially cyclists so it is an amenity area also.' (Fraser 2008b p.2)

This argument was prominent in the Twyford Down debate which highlighted the proximity of a 'magnificent undeveloped landscape backcloth' situated less than a mile from Winchester Cathedral (Bryant 1996). The arguments put forward by the Frasers were accepted by the Reporters who found:

'There is no doubt that the character of the farm would be adversely affected, and that this would be likely to affect public perceptions of the farm.' (Gordon, Ferrie and Cunliffe 2009 p. 445)

This aesthetic argument (2.3.4) is briefly stated: 'The proposed Fastlink cuts through the last area of *unspoilt* land between Stonehaven and Peterculter.' (researcher's emphasis) (Fraser 2008b p. 1) Meaning resides in the term '*unspoilt*'. It is ambiguous as to whether the objection comes from a deep green perspective that the land is wild and uncultivated and should remain that way. Does the point derive more from aesthetic considerations and the spectre of the greenbelt being lost to development? A question follows querying the motivation for destroying the countryside. The answer suggests that the Reporters look at another route at Kempstone Hill and uses the stronger word 'devastation' to describe the impact. This suggests that the objection is more fundamentally in line with preservation of wild spaces: a deontological argument around the peace and beauty of the environment in its own right.

Further evidence of Mr Fraser's expressed ecological and moral concern (2.1 and 2.1.3) for the welfare of animals in their own right is provided in a final peroration regarding the threat posed to the hare population by the Scheme.

'They would be decimated by a new road as anyone who knows hares will know that they are hopeless on roads. They would be trapped in between two major roads along with all the other wildlife that this area is rich in.'

(Fraser 2008b p. 1)

5.3.3.2 Due process (8.0)

These arguments are based on the lack of consideration of alternatives to the Scheme such that the STAG process had not been followed. It was also argued that the Fastlink section did not comply with the Design Manual for Roads and Bridges (DMRB) requirements (Gordon, Ferrie and Cunliffe 2009 p. 132). Henry Irvine Fortescue in his evidence suggested: 'This was a fundamental failure of the appraisal [of Kingcausie], and a clear breach of the STAG requirements.' (Gordon, Ferrie and Cunliffe 2009 p. 130)

'It was submitted [by *Road Sense*] that the *MVA* report was so deficient that it should never have formed the basis of the Minister's decision.'

(Gordon, Ferrie and Cunliffe 2009 p. 96)

The Reporters noted these arguments in their report.

'In summary, the Minister made a decision on 1 December 2005 which was based on flawed, marginal and incomplete evidence which was not managed within a formal Scottish Transport Appraisal Guidance (STAG) process.'

(Gordon, Ferrie and Cunliffe 2009 p. 96)

The Reporters issued their findings from the PLI and Ministers responded in a letter. *Road Sense's* arguments about due process whilst acknowledged were not sufficient to overturn the Ministers' decision.

5.3.3.3 Economic (1.0)

In a radio phone-in on *NorthSound2*, William Walton raised the issue of the cost of the Scheme (1.5). He explained that the figure had not been revisited since 2003. He also alerted the public to the likely doubling of the figure due to the PPI finance mechanism over 30 years. Using rhetoric, and in particular *pathos*, Walton queries how such huge sums can be justified when funding to schools is being cut. Thus we can see the protesters using the relatively new, at the time, discourse of austerity to advantage as discussed further in Chapter 6.0.

The argument put forward in the previous sections around the rationale for the road resting with development (1.4) was put forward at the PLI in the testimony of Councillor Marie Boulton, a former *Road Sense* committee member.

'The route would probably also function as a development corridor. It is too far from the city to relieve congestion.'

(Gordon, Ferrie and Cunliffe 2009 p. 125)

That there is an ulterior agenda around development is circulated in the local press by Mr Fraser in a letter to the *Mearns Leader*:

'We are told that this is not a development corridor but landowners have already been approached by developers! Will Stonehaven get a big new retail park? ... I hope this road ends up in the dustbin where it belongs and not on our landscape.' (Fraser, 2008a)

5.3.4 Strategies of Opponents of the Scheme

5.3.4.1 Argumentation strategies (9.0)

Road Sense made a number of statements relevant to goal alignment (9.5) suggesting that they realised the importance of clarity:

'Firstly *Road Sense* **will not** (original emphasis) be promoting any other routes at the inquiry. Our evidence will focus on the environmental and traffic issues of the proposed route, and will only use the other routes in the March 2005 consultation for comparison.' (*Road Sense* 2008b p. 1)

Yet the Reporters noted confusion around *Road Sense's* aims which they saw as having the Minister's decision quashed. They note that the above position did not:

'entirely fit with the tactics adopted by *Road Sense* in a number of different ways to its approach to this inquiry which is to seek to have the Ministerial decision announced on 1 December 2005 reviewed through this inquiry.'

(Gordon, Ferrie and Cunliffe 2009 p. 41)

Rhetoric was used to further the impact of *Road Sense's* arguments to the Reporters, supporters and wider citizenry. *Pathos* in particular was deployed to engender an emotional feeling in the audience. This was successfully achieved by some witnesses at the PLI as reported in the *Road Sense* blog. In this case the witness was Mavis Petrie from *Redwing* sanctuary:

'Yet again we were treated to the spectacle of a cry from the heart on behalf of a well-respected local figure and institution being subjected to the relentless TS [Transport Scotland] juggernaut.' (*Road Sense* 2008 p. 2)

These rhetorical appeals were ultimately ineffective given that the Reporters ultimately found in favour of the Scheme proceeding. The Reporters' final report is written from within a forensic rhetorical context which makes it difficult to judge the effectiveness of discrete rhetorical appeals.

In the Twyford Down campaign, Bryant in response to a decision by Malcolm Rifkind to reject their alternative Scheme of a private toll tunnel, specifically draws attention to what she regards as the government's hypocrisy (9.2):

'We can only hope that you will consider these comments as an honest and concerned commentary on the clear discrepancy between your publicly stated position on the environment and the desire of your officials to turn our heritage into a parking lot.' (Bryant 1996 p. 173).

Mr Fraser exposes the contradictions and seeming hypocrisy (9.2) of the Scottish government's position on the environment. He argues that as a small businessman he sells local organic produce to customers in nearby cities and towns. As such, he is meeting market demand for health food and reducing transport costs; both stated policy objectives of the Scottish Government as articulated by Stevenson as Transport minister:

'We need to look at new ways of persuading people out of their cars and onto more sustainable forms of travel such as trains, buses, walking and cycling.' (Stevenson, *Glasgow Herald* quoted by Fraser 2008b p. 2)

By promoting the bypass, Mr Fraser highlights the government's backing to a policy that will exacerbate emissions and renege on their commitment to sustainable businesses and transport. Runciman (2008) cautions that we should distinguish between harmless and harmful hypocrisy:

'Perhaps for this reason, voters seem far more censorious about public inconsistencies – 'flip-flopping' in the jargon – than they do about private lapses from the highest public standards. So perhaps this more serious charge of hypocrisy to which a politician like Gore is vulnerable is that they didn't do much about global warming when he was in office.'

(Runciman 2008 p. 223)

Given the serious messages from the Stern Review and IPCC on the risks associated with climate change this hypocrisy is important and deserving of public censure. The lack of consistency in policy-making across different issues is poor practice from both a communicative and governance point of view.

5.3.4.2 Public affairs strategies (11.0)

Road Sense were fully aware of the importance of direct lobbying (11.1) from the outset. Prior to the PLI, *Road Sense* met with Alex Salmond, First Minister as described in colourful language in their blog.

'*Road Sense* met He-Of-The-Two-Chins – aka Wee Eck – well before the election and secured an undertaking that, if the SNP were to be elected, the Saviour of the Nation would abide by the findings of any WPR Inquiry, which The Fat Controller later confirmed in writing.'

(*Road Sense* PLI blog 2009 p. 1)

The application of these insulting literary references is consistent with the depiction of Tavish Scott as an ass. This may be explicable either in terms of the protesters' anger and frustration, their lack of political allegiance to the ruling party at Holyrood and a deficit of deference towards the political class.

In terms of organising events to facilitate access to decision makers, Henry Fortescue-Irvine 'invited Maureen Watt and Mike Rumbles [both at the time MSPs] to look round Kingcausie', in the hope that they would see first hand what a beautiful setting stood to be ruined. This strategy had been effective

for Camphill in gaining the support both of decision-makers and high profile media supporters such as Jeremy Paxman.

At *Road Sense's* AGM in 2009, Karen Allen of *Sink the Link* suggested lobbying all MSPs particularly on the costs of the project, not just local MSPs. There was reluctance to pursue this avenue due to perceived costs.

An attempt to engage fellow citizens perhaps with a view to grassroots lobbying can also be seen in the continued use of letter-writing, for example, Mr Fraser's letter to the *Mearns Leader* referred to above. Whilst this choice of publication is appropriately local the choice of publication does not have circulation of the *Press and Journal* or impact with MSPs in Edinburgh as the coverage *Save Camphill* and ACSEF obtained in *The Scotsman*.

As part of their public affairs strategies, *Road Sense* worked in partnership (11.4) with other organisations. Sheona Warnock acknowledged that *Road Sense's* press releases were often backed up by supportive comment from organisations such as *Transform Scotland* and *Friends of the Earth, Scotland*.

The restricted remit of the PLI (11.8) around the technical and environmental aspects meant that there was no obvious reason for some civil society groups to participate in the PLI. Henry Irvine-Fortescue, Vice Chair of *Road Sense*, said:

'*Road Sense* is gravely concerned by Scottish Ministers' decision to restrict the scope of what can be discussed at the PLI. This deeply unfair and undemocratic move will put many of our arguments against the AWPR outside the scope of the PLI. That said, we feel we have to participate. We owe it to the thousands of people and organisations who objected to the road, and who have now been excluded from taking part in the PLI.'

This statement uses rhetoric that has a strong appeal to *ethos* and the speaker's sense of duty to others: 'we feel we have to participate'.

5.3.4.3 Legal strategy (10.4)

During the phase of the PLI, *Road Sense* progressed their complaint to the European Commission on the possible breach of the EU Habitats and Species Directive by the Scottish Government 'with respect to the crossing of the River Dee Special Area of Conservation and the destruction of bats' roosts and otter couches etc.' Frances McCartney of the Environmental Law Centre was engaged to assist *Road Sense* with some of these issues. (Warnock 2009 p. 1)

This action was separate, and in addition, to the complaint to the Secretariat of the Aarhus Convention on Access to Environmental Information and Justice.

'Whilst both of these avenues are potentially very valuable they do not offer the remedy available to the Court of Session of quashing the Minister's decision.'

(Walton 2009a)

Road Sense's goal was to have the Minister's choice of route overturned. The European routes were more likely to lead to an admonishment of the government but not a reversal of the Scheme.

The pursuit of legislative options and the context of the global financial crisis presented an opportunity for filibustering (11.1). As austerity discourses gained traction, protesters speculated that the state may have insufficient funds and consequently the political will to back the Scheme may dissipate. 'Further delay is not necessarily a bad thing' said William Walton. This thinking reinforced the judicial route. During this period the cost of raw materials including tarmac rose substantially. This issue continues to the present time (Audit Scotland 2013). This attritional strategy was alluded to in Bryant writing about the Twyford Down protracted campaign when she states:

'Our campaigning activities from 1989 onwards carried an almost unconscious motive that if we could only 'buy enough time' Government policy, or the Government might change and save the Down.'

(Bryant 1996 p. 175)

At the end of December, *Road Sense* had met with Stuart Gale, their QC, who having read the Report in detail, felt that there were good grounds for a judicial appeal.

'In brief – without going into detail at this stage – his principal grounds can be grouped under the headings of: breach of natural justice; misunderstanding of UK wildlife law; and breach of EU habitats law.'

(Walton 2009b p.1)

Having taken legal advice, Walton concluded to fellow *Road Sense* supporters that these issues were of 'fundamental importance' to the decision-making process around major infrastructural projects and as such should be presented to a Court of Session judge. This takes us to the final phase of the case study.

5.3.4.4 Informational and organisational strategies (10.1 and 10.3)

Road Sense also used events (10.3.5) to complement their media relations strategy. On the first day of the PLI on 9 September 2008, protesters appeared outside the Hilton venue wearing T-shirts with 'window dressing' slogans (see Appendix J.) This was clearly a planned 'pseudo-event' (10.2.3) designed to capture the news headlines and possibly engage the membership base:

'Road Sense and other campaigners will be holding a small protest before the start of the inquiry – protesting at the restricted scope of the inquiry. We urgently require volunteers to assist with this. This would just involve wearing a t-shirt and possibly having your photo taken by the press. The theme of the protest is "window-dressing".'

(Warnock in AWPR PLI 2008 p. 1)

However, the researcher observed that the protesters appeared subdued with sombre looks on their faces. (see Appendix K) There was no chanting or singing suggesting that the later objective was not met. The primary objective was successful' the photos were used by the press the following day and re-published on 12 August 2011 following Lord Tyre's judgment.

There is further evidence of *Road Sense* using public relations techniques and participating through media appearances. Sheona Warnock in an email alerted supporters to the phone-in and entreated members to participate:

'William Walton our chairman has offered to represent us – I'm sure you will join us in thanking him for this! Please listen in to the show and phone in with a question if you can.'

(Warnock 2009 p.1)

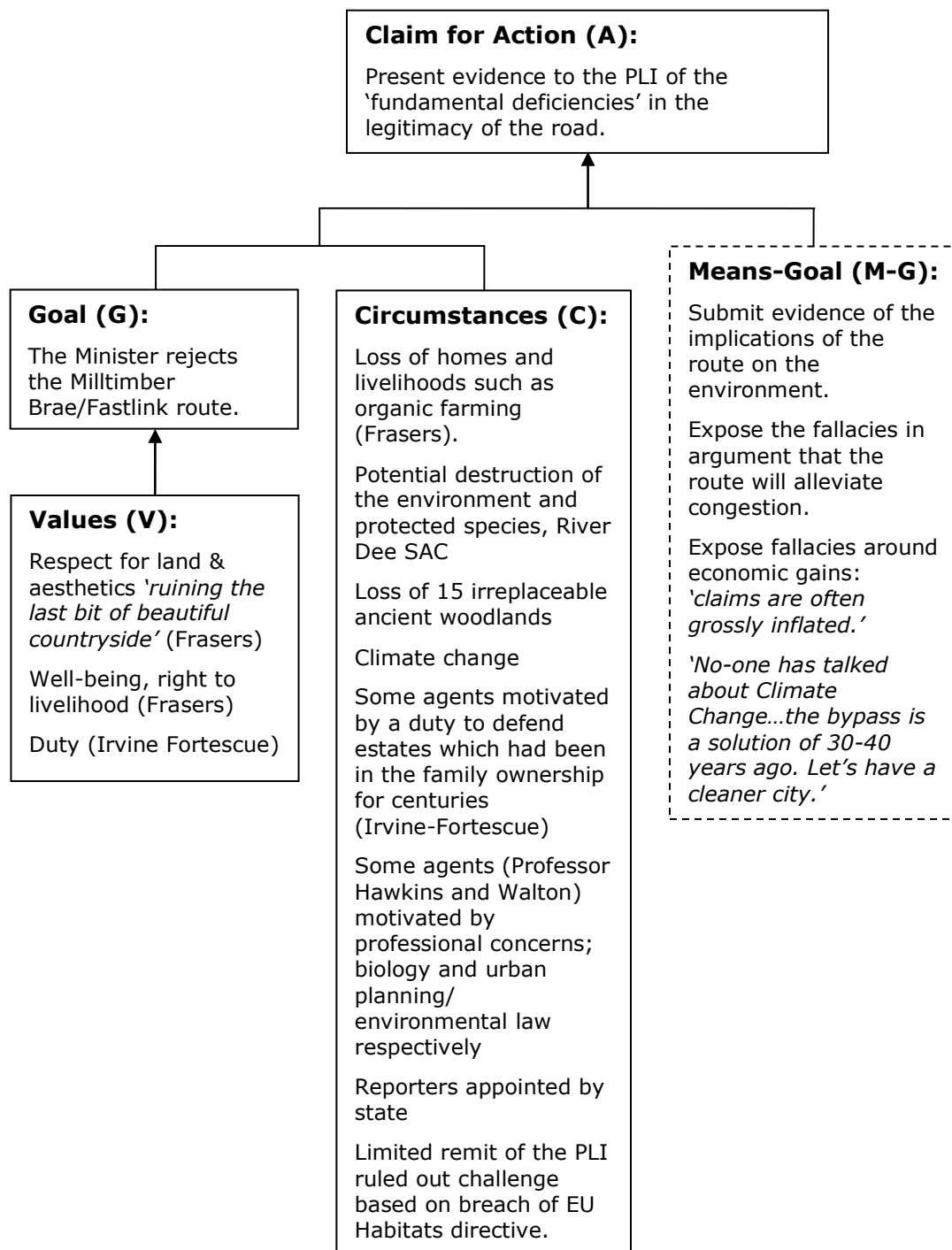
Similarly, the Frasers tried to communicate their message more widely using the media through letter-writing (see 10.1.4) to the *Mearns Leader*. During this phase *Road Sense* continued to scan the press and issue rebuttals (9.3) to breaking issues. In a *Road Sense* Update, Warnock comments:

'Many of you will have been shocked to see the figure of £51m quoted for the relocation of the ISA. We have made media comment on this and continue to work on the issue.'

(Warnock 2009 p. 1)

The most significant initiative in terms of internal communication was the creation of a daily blog (10.1.4) during the PLI. The blog was sent via email and not interactive on publicly available sites as expected from the term 'blog'. The style of the blog appears forthright and amusing, for example 'As Harry Ramset Jam Singh might have said, 'The jargonfulness was terrific'' (*Road Sense* PLI blog, 14 September 2008). It was not designed to pull in new supporters but as a means of keeping loyal supporters abreast of the events of the inquiry as it unfolded.

Figure 12.0: Opponents' approach during Phase C



Adapted from Fairclough 2012 p. 88

Summary

Opponents argued at the PLI that the flawed public consultation process rendered the hybrid route illegitimate. The Frasers presented environmental arguments around the loss of organic land and Road Sense testified to the destruction of the River Dee SAC. Public affairs and legislative strategies at EU level were pursued.

5.4 Phase D: Court of Session and Supreme Court

5.4.1 Arguments of Proponents of the Scheme

The final phase of the case study features many of the same arguments and strategies which have already been well documented in the previous sections. Many of the proponents arguments are a distilled version of those put forward at the PLI. The opponents' arguments tend to focus on environmental and due process arguments which are subject to the rule of law. To avoid unnecessary repetition this section will therefore focus more on the effectiveness of the arguments and strategies as perceived by the judiciary and codified in judgements.

5.4.1.1 Economic (1.0)

By the time of the PLI in 2008, the principal justification for the road based on economic policy was accepted beyond consideration and as such was the dominant discourse. A poll appeared to confirm public support for the Scheme.

'The case is clearly made in the 1338 signatures in just one week - the road is needed, it seriously affects not just individuals but entire areas, the road is overdue and a great many resented having to pay the legal costs of those opposed to the road.' (Tawse 2012)

Economic development discourses were fleshed out through the addition of new dimensions such as inclusion (1.6) of areas of 'multiple deprivation.' This viewpoint appears to emerge from grassroots citizens who arranged an e-petition and obtained 1,338 signatures in support of the Scheme.

'The AWPR is a piece of infrastructure vital to the economy of the North-East, particularly to the North of Aberdeen and the areas of multiple deprivation in places like Peterhead and Fraserburgh.' (Tawse 2012)

Another line of argument developed which framed the economic gains against the costs to be incurred through further delays in implementing the

project due to protestors: 'Any further legal challenges will only add to the final bill faced by north-east taxpayers.' (Nanette Milne, MSP in *Press and Journal* 2011). This argument sought to preempt further legislative challenges to the Scheme but was unsuccessful.

5.4.1.5 Due process (10.4)

Transport Scotland defended the quality of their planning as they had done in Phase C at the PLI. Their arguments were accepted by Lord Tyre in his judgment. He agreed that further consultation was not required for the Fastlink section of the Scheme. He viewed the addition of the Fastlink as *part of* the Scheme. Lord Tyre's judgment states that a 'tiered response' should be taken to decision making; the principle for the route followed thereafter by route selection. This judgment spurred *Road Sense* to seek further judicial review at the UK Supreme Court.

In parallel to the UK judicial reviews, *Road Sense* lodged a complaint to the Aarhus Convention Compliance Committee on the basis of a lack of public consultation on environmental matters. This complaint was rejected.

5.4.1.3 Environmental (2.0)

Lord Tyre appeared to have the greatest difficulty surrounding argument 4 presented by the opponents to the Scheme regarding the bats at the International School. Much of the case of *Transport Scotland* on environmental compliance rested upon their previous experience of such matters, and association with Jacobs, also on the basis of experience in terms of mitigating the effects on species. The state was obliged to follow three tests:

1. That the Scheme is of National Importance
2. That there is no alternative
3. That disrupting the bats would prejudice the local population of the species.

To comply with the EU Habitats Directive assessments must be undertaken and a licence applied for separately to authorise specific works to be carried out. In the UK, this requirement has been implemented by the Conservation (Natural Habitats, &c.) Regulations 1994. In his judgment, Lord Tyre was critical of the paperwork from Scottish Ministers on the assessment of the particular bat species relevant to the route (*Walton and Fraser and Fraser v The Scottish Ministers*. 2011).

In terms of the River Dee, Lord Tyre accepted that while an 'appropriate assessment' needs to be made before the appropriate consent could be given, 'there was no specific requirement as to how that appropriate assessment should be recorded'. Simply carrying out the assessment and proper tests was sufficient. However, he goes on to state that he assumed that 'the prior tests were given due consideration but not documented for the public record.' *Road Sense's* legal expert comments: 'In this matter Lord Tyre's assessment is 'almost unintelligible'.

The only explanation would be for the judiciary to be favouring the interests of the State by giving them the benefit of the doubt. Of relevance here may be the context at the time whereby the First Minister, Alex Salmond was engaged in other confrontations with the judiciary on other issues such as al-Megrahi and civil rights for prisoners (Carrell 2011). There may have been a strategic consideration for the judiciary not to add to this antagonism unless the issue was clear cut. In this case, the truth claims around the AWPR are finely balanced and strongly contested by both sides, therefore, far from clear cut.

5.4.2 Strategies of Proponents of the Scheme

5.4.2.1 Argumentation strategies: rhetorical (9.4)

In this final phase of the case study the proponents of the Scheme use the rhetorical device of repetition in support of economic assertions. In line with communicative best practice this is reinforced by Ministers, representatives of state agencies and pro-business civil society groups. The comments

range temporally from a sense of urgency in the present through to future dividends.

'The majority of residents and businesses want this road to be built *before our economy grinds to a halt.*' [researcher's italics]

(Tom Smith, Chairman of ACSEF, 2011)

'Ministers are committed to driving this *priority project* forward as soon as possible.' [researcher's italics] (*Transport Scotland* spokeswoman, *Evening Express* 12 August 2011)

'The second is to improve the traffic flow in and out of the city itself ... Those three things will have a real influence on Aberdeen becoming a world energy city.'

(Sir Ian Wood quoted in *Evening Express* 2011)

'... we are pleased we can now move forward with this project, which is vital to the future prosperity of the North-east and Scotland as a whole'

(Keith Brown, Transport Minister in *Evening Express*, 2011)

'It is growing more and more critical we get this road built. Any further delay and the economy will start to lag.' (Alison McInnes, MSP, *Press and Journal*, 2012)

Rhetoric is evident in these quotes with words such as 'critical', 'vital', and 'forward' used to express the stakes and a sense of urgency. In rhetoric *kairos* refers to choosing the right time to deliver a message to an audience (Keith and Lundberg 2008). These quotes demonstrate that by phase D the state have intensified the use of the economic discourses to achieve an effect similar to a 'surge' in military terms. The alliteration of 'priority project' adds to the impact. In Propp's terms, the prize to be won is the 'future prosperity' and a vision of Aberdeen as a 'world energy city' is held out as a legacy for future generations.

The representational strategy (9.1) to characterise the protestors as a minority is also intensified.

'All of our commuters and road users stuck in gridlock day in, day out will find it inconceivable that the two or three objectors involved are considering pursuing yet another challenge, despite the fact they have fallen at the hurdles to date.'

(*Press and Journal* 10 July 2012 editorial)

Various phrases in the *Press and Journal*'s editorial reflect the argument that the protesters are a minority: '*Road Sense* has been described as a 'handful' of protesters'; 'William Walton and his small team of backers' contrasted against 'the long suffering majority whose patience ran out with his legal manoeuvres' (ibid)

In this final period prior to the announcement from the Supreme Court, the argument around the minority blocking the majority is embellished around themes of inconvenience and the patience of the citizenry being exhausted.

'I want to see shovels in the ground before Christmas because people in the north-east have waited far too long.' (Lewis Macdonald, MSP 2012)

The timing of Christmas approaching is irrelevant but has a populist rhetorical appeal as if the road was a large gift from Santa for the patient and good citizenry. The instrumental model of public relations habitually frames events around anniversaries. This is a strategy to build a sense of urgency and a final attempt to corral public opinion behind the project ahead of the Law Lords' decision.

5.4.2.2 Public affairs strategies: discrediting opponents (11.6)

In 2011, the representation of the protesters as 'NIMBYs' took a new turn and became more of a public affairs strategy around discrediting your opponent. *In extremis* this technique leaves ethical concerns behind and is popularly known as the spin technique of 'smears' or *ad hominem*. Rather than engaging with the argument in rational terms, the proponents make judgments on the *ethos* of the person advancing the protester's case: in this case, William Walton, Chairman of *Road Sense*. In Propp's (1968)

narrative terms this reached its apotheosis in the *Press and Journal* front page headline which cast Walton as the villain.

'Is this protester the most hated man in Scotland?' (*Press and Journal*, 13 September 2011)

This vilification could be cast as media representation, but the article contains the following quote from the First Minister, Alex Salmond.

'He is flying against public opinion and making himself one of the most disliked people in this country ... he is holding the rest of Scotland to ransom.' (*Press and Journal* 13 September 2011)

The spread was accompanied with the oft-repeated grim-faced picture of Mr Walton (see Appendix R). Walton himself recognised this change of emphasis and stated: 'the first minister's 'emotive' attack was making the matter personal.'

Other elected representatives provided supporting quotes which cast doubt on Mr Walton's sincerity and motivation for opposing the road. In the main article the accusation was levied by a Conservative MSP that the motivation of the opponents of the Scheme in challenging the bypass derived from a curious sense of what is 'entertaining'.

'The lesson is our legal and planning system, while offering safeguards, gives opportunities for *vexatious* complaints to hold up essential public projects for people's own *entertainment*.' Alex Johnstone, MSP quoted in the *Press and Journal*, 2011) [italics researcher's own]

Taken at face-value this is an extraordinary conclusion with no evidence presented in support of the assertion. Alex Johnstone's statement is an example of epideictic rhetoric where he is apportioning blame to *Road Sense* for the delay by impugning Walton's motivation and by implication his character.

To suggest that Walton and *Road Sense* have found the protracted campaign in any sense pleasurable may appear ridiculous. Indeed the campaign has been generally characterised by serious argumentation and a legislative approach demanding knowledge of a wealth of technical detail on planning and procedure. This new characterisation whereby the protesters are portrayed as 'cats' toying with citizenry 'mice' demonstrates a deepening of the vilification strategy. There is a suggestion here that Walton like The Joker in the Batman stories takes perverse pleasure in the suffering of the majority of citizens. Walton directly refutes Johnstone's accusation as 'erroneous' and goes on to state: 'if it was vexatious, the courts would not have entertained it and my counsel would not have entertained it because it would have been in breach of the code of conduct at the bar.' (*Press and Journal*, 2012).

This notion of 'entertainment' suggesting time-wasting and self-indulgence is taken up in the *Press and Journal's* editorial which intones in a hectoring tone:

'He [William Walton] denied accusations of doing this for his own 'entertainment' yesterday. There is certainly nothing entertaining about it...
(*Press and Journal*, editorial, October 2012)

Looking carefully at the use of language to realise this vilification strategy we can note that Walton is described as follows 'a former planning lecturer at Aberdeen University'. The word 'former' is used to denote that Mr Walton is no longer employed in this capacity. Readers are left to speculate on why Mr Walton no longer held this position. Some readers may speculate on the reasons for his departure assuming that he was deficient in some respect or that his role at *Road Sense* was no longer compatible with his position. Other readers may speculate that Mr Walton had faced pressure to move on. The term 'lecturer' is used instead of 'academic'. This may be to signify his position as a service provider rather than using the term 'academic' which carries connotations of expertise. The characterisation of his position within a university is also used to distance Walton from the concerns of every-day commuters who live in the 'real world'.

On 26 August 2011, a new website appeared called '*Common Sense*'. The website uses pseudonyms for contributors' postings. Seven contributors left posts from August to November 2011 coinciding with the negative media representation of Walton. These postings used pejorative words such as 'clown' and 'sociopath' to describe William Walton and query his employability at Aberdeen University:

'Questions for the clown, I'll start: Does your employer know how much of their time you spend on your pointless all about you quests?'

(*Common Sense* post 9/9/11)

'Why is Walton still employed by Aberdeen University. His presence in the University is dragging it's (sic) good name into the gutter.'

(*Common Sense* post 2011)

By 15 October, the *Press and Journal* had announced Walton's resignation from Aberdeen University. In 2011, the *Common Sense* website sponsored a new petition which amassed 15,330 signatures. The petition was designed to support ACSEF's pro-road position. It is possible that this website is an example of grassroots lobbying whereby citizen groups are 'encouraged' to mobilise by vested interests similar to the formation of patient groups sponsored by pharmaceutical companies (Morris 2003).

Another public affairs strategy of filibustering (11.5) can be discerned in this phase. The traffic flow around the city of Aberdeen is constrained by some well documented 'pinch points', notably at the Bridge of Dee at the southern entrance and the Haudagain roundabout at the northern entrance to the city. Ken McEwan used narrative to explain how one can travel from Pisa in Italy across Europe and not encounter a single lane carriageway until the 16th century Bridge of Dee in Aberdeen (McEwan 2009c).

These pinch points require upgrading to facilitate greater volumes of traffic. Delaying investment in these projects and other improvements such as a third bridge over the Don could be said to have had the effect of increasing

the pressure on the macro solution of a bypass. A link between the upgrades and the Scheme can be discerned in the following statements.

'This road is not only pivotal to improving the currently unacceptable traffic situation, but critical to unlocking further road and public transport improvements.' (Tom Smith, Chairman of ACSEF, 2011)

'The judgment is the right judgment, which should unlock, not just the start of the AWPR but also work on the Haudagain roundabout and the third Don crossing to finally deal with the traffic congestion which affects our city.' (Counsellor Kate Dean, quoted in the *Evening Express*, 2011)

'These include the Trump International Golf Links and Aberdeen Western Peripheral Route. It is vital for the north-east that we address the issue of transport connectivity to bring more of these projects to the region'. (Aberdeen and Grampian Chamber of Commerce president, George Yule, *Press and Journal* 2010)

Thus a strategic calculation has been made by decision-makers in their offer to the public; sanction the AWPR and other investments will also proceed and enhance the prosperity of the region. The terminology of 'unlock' here draws on Propp's (1968) narrative structures around a 'prize'.

This strategy was repudiated by Malcolm Lyall who writing to the *Press and Journal* argued that the dualling of Balmedie Tippetty section could commence straight away suggesting that this section of the road 'is not strictly part of bypass construction and is a significant trunk-road improvement.' He goes on to say that:

'In the unlikely event of the bypass not going ahead, the road improvement would be valuable in its own right.'

(Lyall *Press and Journal* 2011 Letters)

By 2012, the coalition in support of this strategy had begun to crack. Civil society leaders representing communities spoke out in exasperation at the

proposal to build 7,000 new homes around the Bridge of Don. Sheila Young of Bridge of Don community council stated:

'Traffic is horrendous and building homes and leaving things as they are now is impossible. The third Don crossing is necessary for the development to go ahead.' (Foote 2012 p. 19)

By 2013, the dualling of the Balmedie-Tipperty section was officially added to the specification of the AWPR project (see Appendix Z).

5.4.2.3 Power relations: direct intervention by Ministers (12.3)

The First Minister was not alone in intervening in the 'most hated man' debate. Transport Minister, Keith Brown also issued statements which the *Press and Journal* described as intended: 'to warn off objectors who contemplate another appeal to stop Aberdeen's bypass project.' (*Press and Journal*, 31 August 2011 p. 19). This suggests an attempt of exercising Lukes's second dimension of power through the interplay of threats inducing anticipated actions.

The tactic was ineffective given that *Road Sense* did proceed by taking their next legislative appeal to the Supreme Court. The *Press and Journal* in their editorial noted that this was a possibility, and hence a counterproductive strategy in the sense that 'it could encourage members of protest group *Road Sense* to dig their heels in even further, of course, but it had to be said nonetheless.' (*Press and Journal* editorial, 2011)

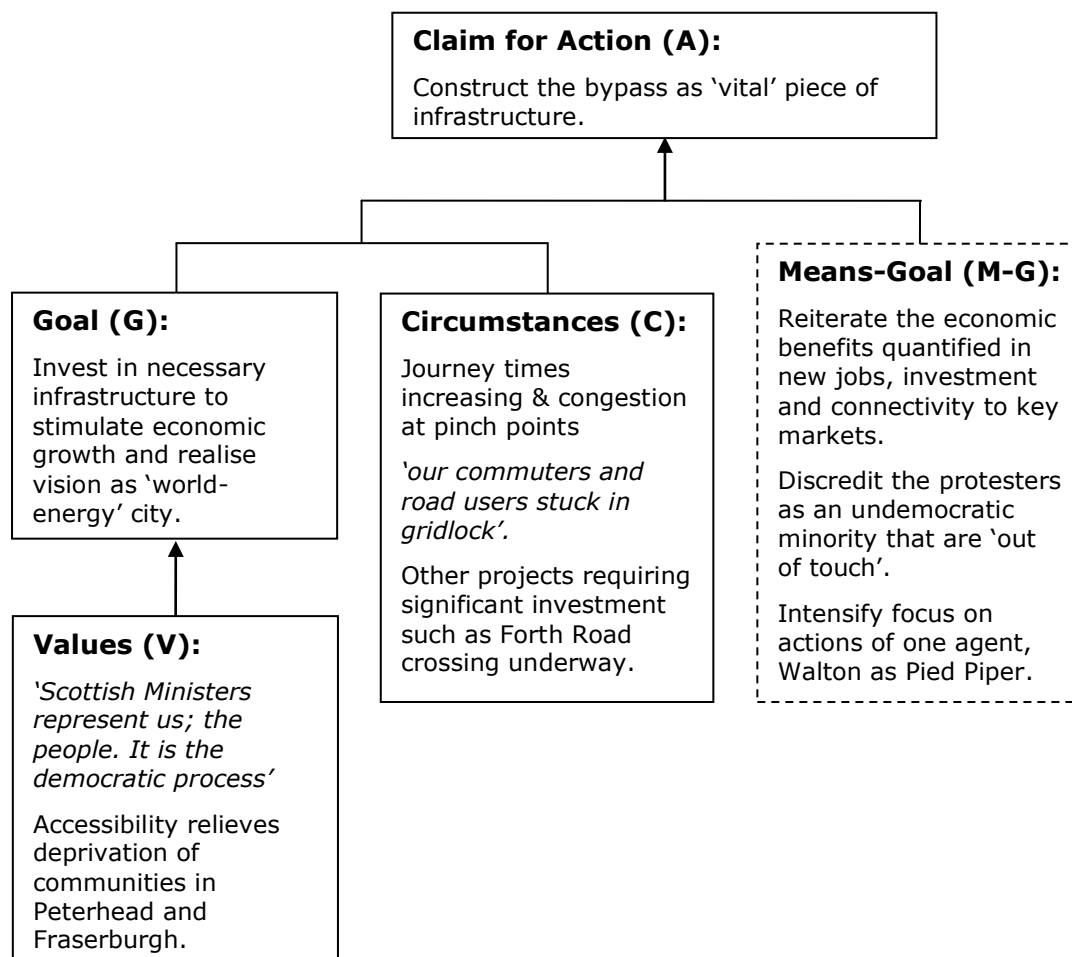
Summary

In December 2011, the *Press and Journal* commissioned an independent poll of 501 citizens resident in the area. They reported that 91.2% of people in the north-east wanted William Walton to back down. 'Just 44 people disagreed and backed the protest group.' (Crighton 2012 p. 1). This may not have been the most representative sample but it does provide

overwhelming evidence that many of the proponents' arguments and strategies were effective during this period.

The AWPR team continued to benefit from a supportive and increasingly strident press throughout this period culminating in the full front page prompted by the final defeat of the protesters' legislative challenges. The headline, 'Road to a brighter future' and accompanying image of a new dawn represents a triumphant metaphor for economic prosperity ahead (see Appendix S).

Figure 13.0: Proponents' approach during Phase D



Adapted from Fairclough 2012 p. 88

Summary

In the final phase, proponents of the bypass intensified economic discourses around modernity and a vision of the city as a 'world energy city'. New arguments around inclusion from communities north of the city were also incorporated. The state's case for the bypass was scrutinised in the Court of Session which found in favour of the Scheme proceeding. Various institutions and civil society groups act in concert in support of the bypass from the Aarhus Committee in Europe to the UK Supreme Court. Public affairs strategies are to the fore; the selective use of information, particularly on the cost of the Scheme and direct intervention by Ministers to denigrate the motivation of Mr Walton, Chairman of Road Sense.

5.4.3 Arguments of Opponents of the Scheme

This section takes place in a forensic rhetorical setting. Hence the arguments are clearly articulated in legal submissions. *Road Sense* and The Frasers appealed to the Court of Session in Edinburgh under Schedule 2 to the Roads (Scotland) Act 1984. In line with the previous section which considered the proponents' arguments and strategies, this section will examine the legal responses to the opponents' arguments and strategies.

Lord Tyre issued his judgment to these two appeals on 11 August 2011 (*Walton and Fraser and Fraser v The Scottish Ministers*. 2011). It was viewed by Shaw (2011) as 'lengthy' and 'of interest because of the varying different grounds relied upon.' (ibid p. 1)

The arguments presented were as follows:

1. Infringements of human rights; (The Frasers)
2. Breach of community rights in relation to participation in the decision-making process; (Walton)
3. The restricted remit of the inquiry was unreasonable, unfair and procedurally inept; (Walton)
4. Breach of European Directives in relation to habitats and protected species. (Walton) (Shaw 2011 p. 1)

The researcher's notes from *Road Sense's* AGM in 2012 outline the arguments to be put to Lord Tyre at Court of Session in Edinburgh as follows:

1. Lack of proper consultation over choice of route
2. Balance – presumably referring to the PLI's remit
3. Environmental damage done to Special Area of Conservation (SAC) around River Dee – otters and mussels.
4. Did not follow due process according to Habitats Legislation around the existence of bats in the International School.

(Furrie notes 2011)

These arguments are considered in turn.

5.4.3.1 Democratic institutions and processes (8.0)

The Frasers contended that their inability to access a state funded legal fund to facilitate their full legal representation at the PLI precluded their full participation in the decision-making process. The appeal brought forward by the Frasers was based upon the premise that the adverse affects of the AWPR which could potentially about their land would adversely affect their human rights (8.2.2) under Article 8 of the European Convention. Lord Tyre rejected this argument:

'In my opinion it cannot be maintained that legal representation at the inquiry was indispensable for the effective presentation of this issue to Reporters. The point that construction of the Fastlink in proximity to the appellants' farm would cause a loss of amenity is a short one which was, in my opinion, capable of being placed before the inquiry by the appellants without the need for legal knowledge or experience.'

(*Walton and Fraser and Fraser v The Scottish Ministers*. 2011. 1 at 55)

5.4.3.2 Public affairs strategies: terms of reference (8.1.1, 11.8)

The judicial appeal by the Frasers also cited the restriction by Scottish Ministers in respect of the PLI remit. Their argument rested on Article 1 of the First Protocol of the Convention regarding 'the right to peaceful enjoyment of their possessions.' *Road Sense* also argued that the limited

remit of the PLI precluded hearing the arguments surrounding whether the Fastlink was justified or not. *Road Sense* argued that the Fast Link was of a 'different type and different in kind' and therefore ought to have been the subject of separate consultation and a particular environmental assessment.

Shaw (2009) notes that the limited remit of the PLI was also put forward to the Aarhus Convention as a breach of the public's right to be involved in decision-making process. The Aarhus convention rejected this complaint and whilst Lord Tyre did not base his judgment on that decision, 'he did refer to the fact that their logic appeared to be similar to his own.' (p. 2).

The Aarhus appeal was duly noted by Lord Tyre as follows:

'the decision of the Aarhus Compliance Committee in February 2011 to reject the complaint by *Road Sense* in May 2009 shows that, judged by European standards, the matters complained of did not disclose any defects in the domestic procedures that were adopted in this case. For these reasons I too would dismiss the appeal. (*Walton v The Scottish Ministers*. 2012. 1 at 45)

The Aarhus Committee rejected all the allegations of breach of the Convention in a decision adopted on 25 February 2011. In particular they rejected a complaint about the limited scope of the public inquiry. The Committee were satisfied that the public had had 'a number of opportunities during the ongoing participation process over the years to make submissions that the AWPR should not be built, and to have those submissions taken into account' (UNECE 2010 para 82). Although they noted 'with some concern' that the route finally selected and the dual carriageway character of the Fastlink were not subject to the informal consultation process, they found that these aspects had been subject to adequate public participation through the statutory authorisation process (UNECE 2010 para 85).

This sequence of decisions shows how different settings of law, one UK based and one European, can act in reinforcing ways. Equally, the power

differentials between the two seats of power are relevant. Even if the Aarhus Convention had found in favour of opponents, Shaw (2009) comments in line with the experiences of Bryant in Twyford Down in the 1990s: 'Generally speaking the UK's record in relation to compliance with the Aarhus Convention is not thought to be good.' (p. 2)

Lord Tyre's decision to rule in favour of the Scottish Ministers' decision to limit the remit to the technical and environmental impacts was based on precedent and principle of previous case law, though he added the point that 'there had been an extensive consultation process in any event.' (*Walton v The Scottish Ministers*. 2012. UKSC 44). The key point here, as articulated by Shaw (2009) is that 'it is very difficult to persuade the court to intervene in policy decisions of this sort.' (p. 2) This informed comment refers to the pragmatic difficulties of challenging Ministers on planning issues.

5.4.3.4 Protected species (2.1.3) and due process (8.2.1)

Both the Frasers and William Walton on behalf of *Road Sense* argued that the requirements of the European Habitats Directive which necessitates public consultation on major infrastructural Schemes which would disrupt the environment were not met (8.2.1). Separate challenges were made with regard to the River Dee and protected species in particular otters (2.1.3.2) and five different species of bats (2.1.3.1). The mechanism for compliance with the European Directive rests on UK sovereign law.

As mentioned in section 5.4.1.3 Lord Tyre ruled in favour, then, that the appropriate assessment had been carried out. He did however, comment that 'I can sympathise with the frustrations of the claimants.' This ruling appears to rest upon giving the state the benefit of the doubt with regard to how thorough the state had been with regard to carrying out and documenting their findings.

The protected species argument (2.1.3) was more problematic. The PLI had noted that the actual licenses had yet to be granted but that ghost licences

existed. The Habitats Directive distinguishes between 'appropriate assessment' at the consent stage and the separate but distinct obligation of issuing a licence to authorise specific works to be carried out (Shaw 2009).

Lord Tyre ruled 'that where one body (Scottish Ministers) might both be a competent authority for the purpose of carrying out an appropriate assessment, and an appropriate authority in relation to the licensing obligations, that body had to carry out the 2 roles separately. At the appropriate assessment stage, only if the competent authority were satisfied that a licence were unlikely to be granted should the relevant permission and consent be withheld.' (*Walton v The Scottish Ministers*. 2012. UKSC 44)

Where one body is responsible in two different guises 'then the arguments became difficult and to some extent unreal' (Shaw 2011 p. 2) Lord Tyre was critical of the documentation produced by Scottish Ministers in relation to their role as the appropriate authority. 'On balance however he came to the conclusion (though it seems to have been finely balanced) that Scottish Ministers had done enough' (Shaw 2011 p. 2).

In 2012, William Walton took his case to the UK Supreme Court. The hearings were heard on the 9-10 July. The case rested upon the issue 'that Ministers have failed to comply with the requirements of the Strategic Environmental Assessment Directive (the SEA Directive) or in any event with common law requirements of fairness.' The SEA Directive is a component of EU legislation with the purpose of protecting the environment. The SEA is seen as complementary to the EIA Directive. One of the differences is around time with the SEA being relevant 'upstream' for the early planning stages of 'plans and programmes'. EIA is by comparison downstream and relevant to specific projects.

The Judgment rested on the NESTRANS report on the Modern Transport System (MTS) published in 2003. Whereas Walton had argued that the Fastlink was not subject to the SEA Directive, the judgment found that the

Fastlink was not 'a modification of a plan or programme within the meaning of the SEA Directive.'

Walton had also argued that the 'limited scope of the inquiry' was not consistent with public consultation on the alternatives. The judgment found that the argument that 'Ministers were obliged by statute to assess the economic, policy or strategic justifications for the Fastlink had not been made. In those circumstances, there was nothing to suggest that the remit was unfair to the Appellant'.

5.4.3.5 Economic (1.0)

Again an argument is put forward that the Scheme is prohibitively expensive (1.5) and does not represent value for money.

'We would urge council leaders and captains of industry to take a more critical view of the Scheme before endorsing what will be a hugely expensive white elephant likely to cost around £1 billion, much of which will be borne by local taxpayers. The extraordinary costs of the chosen route means that it is highly unlikely that it will be constructed in the foreseeable future and could become Aberdeen's 'Edinburgh's trams'. (William Walton, 2011)

A striking trope is used in the metaphor of a 'white elephant' to evoke the much delayed and costly Edinburgh tram project, one which has been dogged by controversy, operational issues and cost-overruns.

5.4.4 Strategies of Opponents of the Scheme

5.4.4.1 Legislative strategy (10.4)

Walton wrote to supporters to convince them of the rationale for continuing with a legislative course of action.

'For those of you who are not aware, it is not that uncommon for decisions made by public bodies on all manner of issues to be challenged in the

courts. Only last month objectors to a third runway at Heathrow won a partial victory when the High Court concluded that the basis for the Government's policy was unlawful.' (Walton email 2010b)

Walton addresses the potential anxieties of members directly by explaining the interplay of institutions in our democracy.

'It is possible that some of you will be cynical about the role of courts. In a democratic country the Courts are the final bulwark against the abuse of power by public bodies and Governments.' (Walton email 2010b).

He goes on to say that this will represent the first chance for their case to be heard before neutral adjudicators, a reference to his perception of the state sponsored role of the Reporters in the PLI.

'But one thing that we do know is that however dexterous the reasoning of the Reporters and however eloquent their wording they will not be able to rewrite the law' (Walton 2009b)

It is clear that *Road Sense's* pursuit of this legislative strategy was beyond filibustering. The high costs associated with a legislative challenge necessitate that plaintiffs have a robust case. It was a substantial cost to pursue this route – probably in the region of £70,000 to £100,000. *Road Sense* applied and won a Protected Expenses Order which capped the extent of the fees for which they would be liable at £40,000.

Walton explicitly warned supporters against complacency over their belief that the state of public finances and climate of austerity was such that the project would be abandoned. Rather, his view was that austerity coupled with their legislative challenge could act as a strategic pincer movement, and that a successful challenge could 'require the Scottish Government to drastically examine its conduct and plans for the AWPR.' (Walton 2010a)

The response from the *Road Sense* supporters was that they should continue strategically to fight on the bats argument (2.1.3.1) but that

presentationally the focus should be on 'Human Rights'. 'Bats is the best one ... happy to go with that.' (*Road Sense* supporter in Furrie notes 2011) and 'but run it alongside [the bats]' (Tony Hawkins in Furrie notes 2011).

This strategy was unsuccessful as detailed above. The Supreme Court found that: 'The Appellant would not have been entitled to a remedy in any event.' So, in effect, Walton had a right to bring the case but he would not have been in a position to overturn the decision in favour of alternatives to the Scheme.

5.4.4.2 Public affairs (11.0)

In parallel with pursuing judicial review at the UK and European levels, *Road Sense* continued with traditional direct lobbying strategies (11.1):

'In the meantime we will be going back to the Aarhus Compliance Committee in the latest round of correspondence arising from our complaint and will remain active with political lobbying up to the Scottish Parliamentary elections.' (*Road Sense* 2011a p. 1)

Road Sense hired specialist agencies to advise on specific aspects of their public affairs work. The accounts of *Road Sense* in 2010/2011 showed £20,069 for PR agencies notably *Portable PR* which specialises in campaigns for 'good causes' (10.3.2). By 2011, the resources of the Committee were clearly strained due the resources need for barristers as part of the legislative strategy.

In 2011, *Road Sense* emailed their supporters with an Election Summary prior to the Scottish Parliamentary elections. The note takes time to explain elements of the Scottish proportional voting system and refers supporters to a link from the BBC on the positions of the main parties on transport. The note states further:

'Although not mentioned in their outlines, all of the main parties are committed to pushing forward with the AWPR in its current form. Only the

Scottish Green Party would scrap the AWPR. Martin Ford is top of the Green Party list of candidates.’ (*Road Sense* 2011a p.1)

The email goes on to say that not all candidates had been contacted to canvass their views on the AWPR. ‘However we can confirm that Marie Boulton (Independent) is opposed to the proposed AWPR.’ (*Road Sense* 2011 p. 1). Whilst Martin Ford was unsuccessful in the Scottish Elections, he was returned as a Councillor in the 2012 Scottish Local Elections. Marie Boulton was also returned as a local Councillor is now Depute Leader of Aberdeen City Council (12.4).

5.4.4.3 Media relations (10.1.1)

As seen in the previous phases of the campaign, *Road Sense* had undertaken public relations work in the form of press releases and photo-opportunities. Much of this work had been undertaken voluntarily by Sheona Warnock, one of the Committee members acting in the role of Communications Officer.

In January 2010 email was sent to *Road Sense* supporters urging them to go along to Woodhill House, where Cllr Martin Ford was putting forward a motion to the Aberdeenshire Council asking them to guarantee that no money would be taken from the Education budget to meet the increased costs of the road.

‘We are assuming that the press will be there and hope also that the BBC/STV will also give the meeting coverage. This is an important opportunity for us to show the backers of the Scheme that we have not gone away and that we are determined to keep up our fight against the road. I urge you to try and make it along to this meeting and show the councillors and the media what you think about the costly white elephant that is the AWPR.’ (Walton 2010b p.1)

However, at the 2011 AGM it was decided that employing external PR agencies was ‘not an option in terms of resources.’ There was a clear consensus from the Committee that the media were ‘pro Road’ and that as

such further work on media relations was deemed 'a waste of time' (Furrie notes *Road Sense* AGM 2011).

The researcher's notes from the AGM record Sheona Warnock's clear statement that: 'I don't want to be in front of the cameras anymore.' Her motivation is unknown, but may be in response to the intensification of the proponents and media's representation strategy, personalising the character of individual protesters, in particular Chairman William Walton and Henry Irvine-Fortescue. Her fellow *Road Sense* members accepted her decision without question. *Road Sense* continued to issue press releases at key junctures, though after 2011 these tended to be reactive. For example, a press release was issued in response to Lord Tyre's judgment which included a quote from Professor Tony Hawkins:

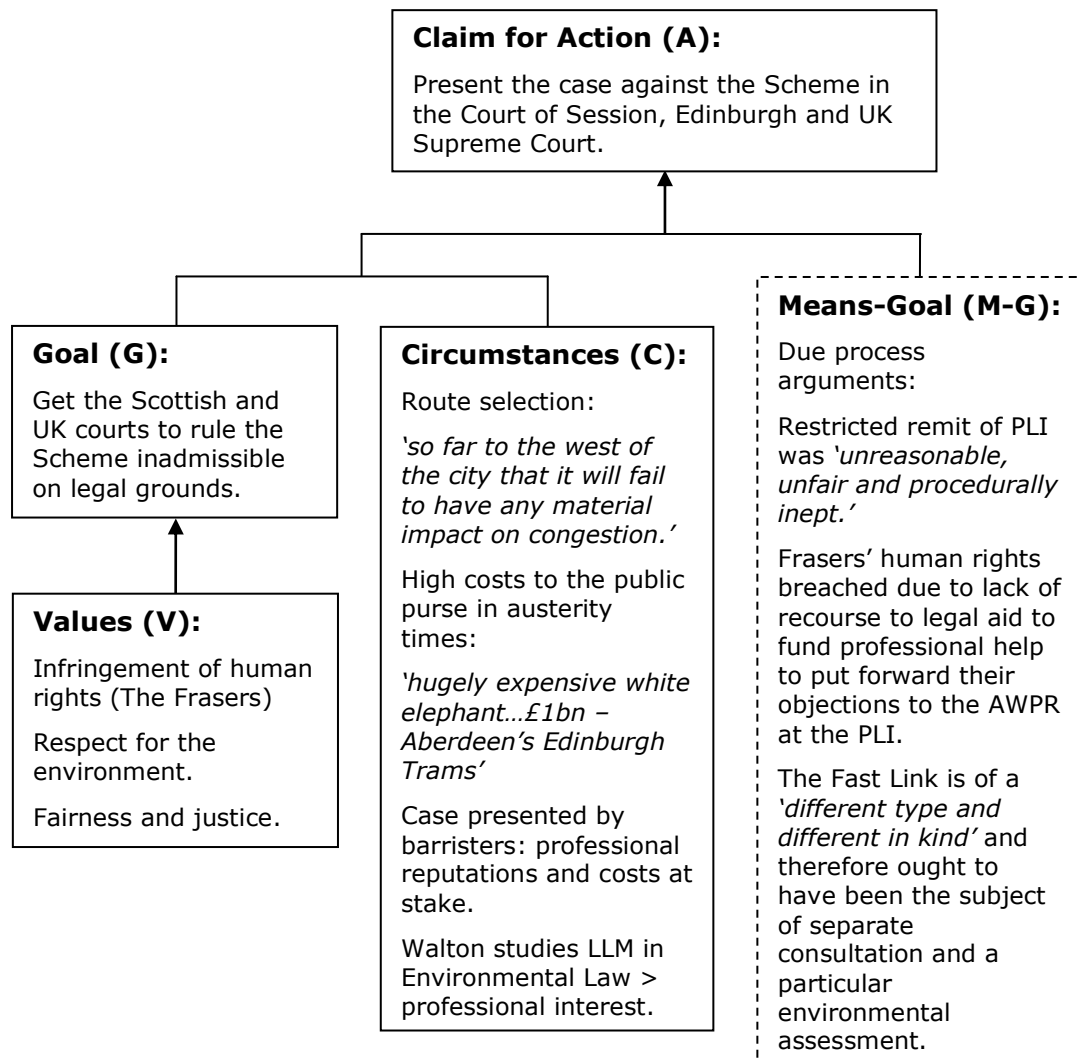
'This judgment will surprise many people. It was accepted by the public inquiry reporters that the bypass would damage the European protected environment of the Dee Valley. Species along the route that are protected under European law will be badly affected. This is a sad day for the environment.' (*Road Sense* 2011b p.1)

Road Sense continued to keep a sense of debate around the issue of the AWPR alive through letter-writing (10.1.4). In 2011 a letter by Henry Irvine-Fortescue used *logos* to highlight the £11 million of sunk costs for exploring the Murtle route. Using epideictic rhetoric he apportioned blame to the former Transport Minister, Tavish Scott:

'he plucked an unexplored and ill-defined route out of thin air back in December 2005 ... [resulting in] £60 million to the bill for the International School of Aberdeen' (Irvine Fortescue *Press and Journal* 2011 Letters p. 21)

The *Press and Journal* continued to print letters from opponents of the project against a background of editorials which vent criticism against the actions of a minority in delaying the interests of the majority of citizens who wish to see the bypass built.

Figure 14.0: Opponents' approach during Phase D



Adapted from Fairclough 2012 p. 88

Summary

The final phase for Road Sense focused on an exclusive legislative strategy. The same arguments that were presented at the PLI carried forward to the UK Court of Session. The Frasers presented arguments that their human rights had been denied through lack of professional representation at the PLI. This argument was rejected by Lord Tyre. Road Sense ceased all media relations perhaps in response to the media's negative personification of Mr Walton's role in mounting a series of legal challenges, thereby further delaying the implementation of the bypass.

6.0 FINDINGS AND ANALYSIS (II): KEY CAMPAIGN TEXTS

This section examines specific discourses as they interact within three texts during a snapshot of the campaign which features the PLI and its aftermath spanning 2008-2010. The specific texts comprise:

1. the *Road Sense* PLI blog, 2008-2009
2. transcript of the 'Talk-in', a live radio show broadcast on *NorthSound2*, a commercial radio station, on 22 November 2009
3. an 'opinion' article by Tom Smith, Chairman of ACSEF, published in *The Scotsman*, 19 January, 2010.

These three texts have been chosen as they all take place during a pivotal phase of the case study in 2008-2009 and represent one 'text' from each side and one featuring both sides of the debate. It was important for both sides to acquit themselves well in the PLI. For the proponents of the Scheme, a decisive PLI could preclude further judicial review. For the protesters, this was a final opportunity to engage the media and wider public in their arguments.

The first text is written in a 'blog' style, using a 'stream of consciousness' approach. This means that the content is less scripted and guarded, possibly revealing more insights into the motivations of *Road Sense* members and their strategy. The author of the blog remains anonymous and a series of pseudonyms are given, including: Bystander, Narcolept, Gopher, Lord Gnome, Sir Herbert Trance, A Courtier, Chatty Corner, The Wild Colonial Boy, General Sir Frederick 'Tiger' Nidgett and Cui Bono. The researcher doubts that there were more than three authors of the blog despite the different identities. From the tone of the blog and the limited number of attendees at the PLI, it is highly plausible that the principal author is *Road Sense* Committee member, Henry Irvine-Fortescue. The blog covers the period of the PLI and the researcher has collected data from 11 September to 25 November, 2008. The blog was not available on open access with only asynchronous opportunities for feedback available through email.

Similarly, the interactive nature of the second text, the transcript of the 'Talk-in', allows the researcher access to statements from participants which by the nature of the 'live' format may be more revealing. The oral delivery and interactive nature of the debate works against more cautiously constructed positions and instead are characterised by emotional responses. The third text is an op-ed article which is significant as it appears at a decisive moment as the road orders are approved by Parliament. It is valedictory but also illustrative as a summation of the proponents' arguments to date. The second text is a transcript of a live radio debate broadcast on *NorthSound2* on 22 November 2009 (see Appendix M for a full transcript). The debate, hosted by Frank Gilfeather, featured a panel of four invited guests as follows:

- **Kevin Stewart, MSP** representing Aberdeen Central, SNP
At the time of the interview he was the Depute Leader of Aberdeen City Council and Chaired the Finance and Resources Committee and NESTRANS
- **Lewis Macdonald, MSP** representing North East of Scotland, Labour. In 2009, he was the MSP for Aberdeen Central. Previously in 2001, he was the Deputy Minister for Transport and Planning, 2000-2001
- **Bob Collier**, Chief Executive of Aberdeen Chamber of Commerce from April 2009
- **William Walton**, Chairman of *Road Sense*.

The radio show was 40 minutes long and includes a public phone-in during the final 15 minutes. The show was broadcast prior to the publication of the conclusions of Reporters and the Minister's response to the Public Inquiry. These findings had been expected during the summer of 2009. The timing of the radio show took place during a hiatus in the campaigning. As such the *kairos* involves a volatile mix of optimism, speculation and anxiety. All speakers strive to exhibit confidence. The show represents a final pitch to the public by each speaker for their side of the argument.

The op-ed piece by Tom Smith, Chairman of Aberdeen City & Shire Economic Future (ACSEF), was published in *The Scotsman* on the 19 January 2010 (see Appendix N). The piece occupies a prominent position under a column called 'Opinion' adjacent to *The Scotsman's* masthead and daily editorial. The Reporters had, by then, published their report and found in favour of the Scheme proceeding. The op-ed piece was published the week before the 'statutory orders' for the AWPR were to go before the Scottish Parliament. The *kairos* here represents an epideictic capstone to a lengthy campaign on behalf of the state and business promoters of the Scheme.

The ensuing analysis is also informed by the wider corpus of texts including evidence from the interview with McEwan (2009) as identified in the methodology chapter and presented in Chapter 5.0.

To reveal the discourses and their relations to each other, the researcher drew upon a combination of textual analysis; an examination of the relevant institutional frameworks and practices; and situated these within overarching sociological paradigms. To carry out this work, the precise language used in the texts will be scrutinized alongside 'other formal properties of texts and text production, consumption, and interpretation.' (Livesey, 2002 p. 320). Letters to the press and postings on blogs will be used to illustrate the reactions of citizens and/or readerships to the various discursive strategies. This analysis foreshadows the discussion section where conclusions can be drawn as to the 'hegemonic and privileging yet also contradictory and ambivalent aspects of texts to reveal the dynamic and fluid nature of discourse and its role in social change.' (Deetz 1992, Fairclough 1992 quoted in Livesey 2002).

6.1 Economic discourses

6.1.1 Textual analysis

The first question to Bob Collier by Frank Gilfeather, the radio interviewer, asked whether the road will benefit the city of Aberdeen. Bob Collier's

answer is emphatic as to the immediate and long-term value of the benefits of the bypass:

'Without a doubt. One of the issues the city has got is that we need to make sure that we are open for business and that we have a real future beyond oil and gas. Venture Capital for our traditional industries like food and drink, fisheries and we have to make sure generations behind us have a good source of income and prosperity going forward.' (*NorthSound2*, 2009 p. 396)

This answer places economic rationality and development to the fore with the focus on a commercial 'open for business' orientation. Given Aberdeen's current economic record based on its role as a regional hub for oil and gas production, innovation and supply-chain management, the argument is somewhat surprising. The city's economy is already highly successful based on many key metrics such as production of barrels of oil, employment and wealth generation. The converse that the city is 'closed' for business is almost inconceivable and of itself somewhat risky in terms of mixed messages to potential investors. Indeed by 2013, the *Press and Journal* headline announced 'North Sea signal new boom' due to £100 billion spending plans announced by the oil industry (25 February 2013).

Tom Smith (2010) in his piece tacitly acknowledges the absurdity of the argument that the road is 'vital' to the city's economic viability when he says:

'It is a testament to the talent, ingenuity and drive of the region's businessmen that they have built such a successful economy without this business infrastructure in place.' (Smith 2010 p. 34)

Certainly, the fact of Aberdeen's strong economy belies the argument that infrastructure and economic growth are directly linked as established by the SACTRA and Greenpeace reports of the 1990s. Rather the economic growth argument is used as an inspirational spur to mask more quotidian economic rationales for the road around connectivity.

The second part of the answer is explicable only through a longer strategic planning lens. Bob Collier's argument anticipates the demise of the oil and gas sector, and suggests a return to 'traditional industries'. Investing in infrastructure is justified as a necessary step to securing venture capital 'beyond oil and gas.'

The argument being put forward here is that 'traditional industries' are sustainable in the way that oil and gas is not. As Sir Ian Wood stated, the oil and gas revenues represent a transitional phase for the North-East's economy. He states that the sector is 'a depleting industry because North Sea oil is a depleting asset' (BBC News 2012 p. 1). The implications of this assessment represent a significant shift away from the present economic thinking with its focus on profits to a new discourse of sustainability which factors in to the equation that 'generations behind us have a good source of income and prosperity going forward.' Whilst this strategy makes sense in economic development terms, it is odd to see it cited as the justification for new infrastructure in the form of a bypass. The interviewer asks specifically about the road's role in facilitating this new sustainable economic future.

Bob Collier's answer refers to the demand from his members for greater connectivity: efficient and fast access to markets through transportation:

'The three most important things that our members tell us that affects their business are planes and transportation and clearly the two are most closely linked make the last the speed of technology and the links in the world. The access and the project that Aberdeen City and Shire want to open up the whole of the north of Aberdeen in a corridor called Energetica between Aberdeen and Peterhead and the bypass is critical to opening up the economic development central area and that project is about environmental, sustainable benefits for the region.' (*NorthSound2* 2009 p. 396)

This answer refers to the optimisation of market efficiency through the creation of an industrial estate between Aberdeen and Peterhead called Energetica. Businesses located in this technology park will benefit from quicker access to markets in the South through the bypass.

The need for enhanced connectivity is corroborated by Tom Smith when he urges that infrastructure must be improved 'if we are to remain the energy capital of Europe and a competitive business location.' (Smith 2010) He comments:

'Getting goods to markets in the Central Belt, the rest of the UK and Europe starts with a frustrating one-hour journey across Aberdeen itself for many of these businesses. This will be slashed in half by a purpose-built, modern dual carriageway providing a strategic route around the western edge of the city linking up our main industrial sites as well as Aberdeen Airport and park and ride and freight facilities.' (Smith 2010 p. 34)

This remark is ostensibly about connectivity but the reference to 'frustration' also refers to the issue of congestion.

Bob Collier's reference to 'environmental and sustainable benefits' rather than the expected orthodoxy of economic growth is a new twist. Energetica is described by ACSEF as 'a global all-energy hub'. The businesses targeted for Energetica are 'a concentration of energy technology companies to a low carbon environment of outstanding housing and leisure facilities' (ACSEF website, 2013). It would seem that the strategy to attract this investment to a designated area of the city represents straightforward economic development around the oil and gas sector's supply chain. The sustainability aspect appears to rest on little more than the environmental build specification of their accommodation. Yet the other aspect worth noting here is the word 'global'. The economic development objective is to embed this innovation close to Aberdeen with a view to servicing oil and energy sectors activity around the world.

An interview with Sir Ian Wood later in 2012 reinforces this new discourse of sustainability married to a bid for legacy:

'My roots in Aberdeen are that my father's father and his father and his father were fishing in Aberdeen, and the last thing I'd like to see is future generations looking back and saying: 'they did very nicely for themselves, thank you very much, but what did they leave for us?' ... Without

overdramatising that, I believe we'll have North Sea oil in reasonably strong shape for the next 20 or 30 years - that's a long time. ... But what we mustn't do is wait until 25 years' time when it starts going down and say 'Oh god, what are we going to do now? - we'd better start investing'.

(BBC News 2012 p.1)

The next speaker is William Walton whose main points will be discussed under environmental discourses in section 6.2. Worth noting here, though, is his point about the economic viability of financing the construction of the road.

'So there are a series of reasons for why people are concerned about this and of course the very very high cost. It is officially costed at £347m and the other 3 speakers on this panel and your listeners will know that this is pie in the sky. That is not an accurate estimate at all. That is an estimate that came from 2003 bases. Why has it not been updated? We think that it is probably going to cost £6-700m upwards. I know that it is going to be paid for over 30 years so you can probably double it again. And that is a lot of public services you could pay for.' (*NorthSound2* 2009 p. 397)

William Walton exposes the proponents' strategy of citing the estimated costs of the Scheme at £395m. He presents an up-dated figure of £6-700K based on current prices of labour and materials. He then goes on to explain to listeners that the funding mechanism of a PPI could double that figure taking the eventual cost to taxpayers of £1.5 billion. The funding mechanism of PPI which involves ameliorating the costs over 30 years and hence effectively passing the costs on to future generations is the antithesis of the sustainability agenda mentioned earlier. Walton makes it clear that this investment will be at the cost of the delivery of essential public services. Such a strategy will disproportionately affect lower income households reliant on public services including schools.

The next speaker, Lewis Macdonald, outlines the numerous delays in the project. He argues that the Scheme will now have to compete with other high profile projects for finance from the markets.

'We are talking about a new £2.3 billion project [Forth Road bridge] at much the same completion time as the WPR. Between 2011-2014 that will coincide with the Forth crossing proposal.' (*NorthSound2* 2009 p. 398)

Lewis Macdonald drives home the point that Holyrood may have a conflict of interest over which Scheme to be prioritised in straightened times.

'So my concern is not just the public sector side of it though that is critically important it is about the profit. You need to find a private partner at the same time as you are lining up another vast amount of expense for the Forth Road Bridge.' (*NorthSound2* 2009 p. 398)

Kevin Stewart opens by reiterating that: 'The project is vital for the North-East economy and that is why I am sure it will go ahead.' This point is also asserted by Tom Smith in his op-ed piece in the Scotsman where he refers to the AWPR as a 'long overdue piece of national infrastructure'. The point is further endorsed by John Swinney, Finance Minister who is reported as referring to the AWPR as 'an obvious gap' in the country's transport network. Kevin Stewart refers to a timeline of 50 years inception for the project but concludes on a party political assertion that 'folk can be much more positive about it actually happening than ever before.' This is a bid by the speaker to claim credit for the impetus of the project under the SNP government and perhaps a nod to Kevin Stewart's future ambitions to stand as an SNP candidate in Holyrood.

Kevin Stewart goes on to deliver a stout rebuttal that raising capital for the AWPR could be problematic. He defends his stewardship of a local educational initiative in Aberden to regenerate the City's schools estates; and the 3R's educational investment using PPI funding (Aberdeen City Council 2013):

'I am confident that the finance will be found for the AWPR and I am waiting with anticipation about the Minister's decision so that we may get on with the job.'

(*NorthSound2* 2009 p. 398)

A sense of 'seize the day' is communicated through the use of the phrase 'get on with the job' designed as *kairos* to inject urgency into proceedings. It is also apparent in Tom Smith's article when he states 'there has been enough talk – it's the time for action.' Rhetoric is being used to create a call to praxis of 'the time is now'.

The debate moves on with an examination of the benefit-cost calculation:

'Well I would like to go back to William's earlier point about the cost of the £347 million or higher. What we estimate the benefits to the economic region to be are about £4.25 billion and 3000 jobs over the next 5 years. So when you look at costs and you get the big numbers and that is high you have to look at the benefits as well... I think that the issue at the School comes right back down to the choice of the route. And that has gone through quite a long process. If the route chosen requires that part of the cost that releases these benefits then it is a sensible decision.'

(*NorthSound2* 2009 p. 399)

This passage demonstrates Flyvbjerg, Bruzelius and Rothengatter's (2003) critique of the use of inflated figures in mega-projects presented as *logos*. Bob Collier justifies spending £70m to relocate the International School to 'release' the much more significant benefits of £4.5 billion. The word 'sensible' is used to conclude that it is economically rational to assume a causal link between infrastructure and growth and that contingencies are to be expected against the background of the overall gains. The methodology for arriving at the sum of £4.5 billion is not provided in accordance with transparency.

Later in the programme, in response to Bob Collier's £4.25 billion figure Mr Walton replies:

'Well these figures of £4.23 billion were never put forward at the PLI and as someone who teaches Transport Economics these claims are often grossly inflated.'

(*NorthSound2* 2009 p. 403)

His professional status is cited here as a rhetorical appeal to *ethos*. As listeners, we should accept his expertise and authority in this area. Yet, the repetition of this figure across different media is bound to influence the public over time. Tom Smith's article uses this *logos* similarly:

'But the AWPR is more than just a road; it will be the lynchpin of a fully-integrated transport system and the catalyst for economic growth. It is expected to generate more than 14,000 jobs, £6 billion in additional income and reduce business costs by up to 6 per cent – numbers that add up to a prosperous future for Scotland.'

(Smith, 2010)

Firstly, the use of numbers as *logos* to justify the spending on the AWPR is noted. In line with Flyvbjerg, Bruzelius and Rothengatter (2003), the numbers continue to rise. The job numbers quoted are significantly higher than the numbers quoted in Phase A which referred to the safeguarding of 2,500 jobs and an additional temporary 600 construction jobs. Neither is it clear who stands to benefit from these sums, described by Tom Smith as 'additional income.' The use of 'catalyst' reinforces the premise that infrastructure equals economic growth or put simply – roads mean jobs.

Certainly, some local businessmen support the argument that *Road Sense's* objections to the AWPR and the consequent delays have hindered the North-East's economic recovery:

'Since 1993 he [Walton] has blocked or obstructed hundreds of millions of pounds of investment and jobs in the north-east's economy.' (Rasmussen Letters 2011). The letter goes on to detail examples of six major projects involving major housing developments, commercial developments and infrastructure. The letter concludes that *Road Sense* 'has played politics long enough with the North-East's economic recovery.' (ibid)

The author, Mr Michael Rasmussen, is a local architect. Professionally, he may have had a commercial interest in these developments going ahead. Being based further out of the city in Aboyne, about 22 miles from Aberdeen, he is unlikely to have been affected personally from any

environmental destruction from the proposed developments. The argument that the delays have hindered the economic recovery relates more to housing or consumer-led development than to other forms of economic activity.

Stewart Milne, a leading businessman and founder of a major construction and development company, is quoted in the *Press and Journal* in support of the economic arguments for the bypass. His land owning interests were represented at the PLI by his solicitors who made it clear that the company was 'wholly supportive' of the Scheme.

'Given the economic argument, the majority view, the political will and the due process to date, the AWPR will undoubtedly go ahead. In the meantime, this further delay undermines our region's attractiveness and competitiveness, not to mention the fact that it will cost every taxpayer significantly more after we have paid the legal fees.'

(Milne in *Press and Journal*, 31 August 2011)

The next issue to be discussed is the relocation of the privately run International School. The relocation cost taxpayers £70 million. Mr Walton queries the commercial logic of this decision. He explained that the demolition of the School would be prohibited by the European Commission due to the presence of bats, a protected species, in the School.

The radio host queried the economic rationale for the project for many 'listeners out there' some of whom are experiencing the effects of cuts.

Bob Collier responds:

'Well you have got to remember where does the Council's money come from? It comes from our taxes: it comes from corporation taxes that businesses pay and the jobs that businesses provide. So when you follow the public money through where does it actually come from? It comes from commercial activity and if we start to cut that money from source we start to reduce it then none of these public benefits and investments are available to us.'

(*NorthSound2* 2009 p. 400)

This answer is ideological though it is presented as naturalised discourse which denies the concept of 'public money' for public goods and suggests a limited role for the state. An alternative conceptualisation from the left would argue that 'governments make markets' (Hacker quoted in Derbyshire 2013) and that different nation states choose to order capitalism differently according to political ends.

For Bob Collier, the 'source' of capital is 'commercial activity' created and channelled through the structures of capitalism. This view is underpinned by neo-liberal thinking on the pre-eminence of free markets as conceptualised by Hayek and the Chicago School. Collier's phrase 'if we start to cut that money at source' mistakenly assumes a highly centralised system. On the contrary, market economies operate through decentralised and plural transactions of businesses and consumers. Collier follows up with a tacit threat; 'if we start to cut that money from source' - perhaps through higher taxation - then public services would suffer or cease altogether.

Foucault, in his lectures at the Collège de France later published in *The Birth of Biopolitics* (2008), considers the genealogy of neo-liberalism. He notes in this thinking a disposition against state intervention in the economy at all costs, even where rationality would suggest its desirability. This neo-liberal thinking gained ascendancy in the Anglo-American economies until the 2007/8 global financial crisis. The systemic challenge to capitalism of the crises has engendered a reappraisal with sustainability and 'responsible capitalism' currently being explored by Miliband's Labour party 'in which the proceeds of growth are more widely shared.' (Derbyshire 2013 p. 39)

Yet Lewis Macdonald, representing the Labour Party, states that he does 'not differ in principle with what Bob Collier is saying'. He goes on to query the transparency of decision making but does not challenge the legitimacy of business elites to spend the money to further their own financial interests. However, he does acknowledge the contradictions between different interests thrown up by the transaction:

'I recognise that some of the funding for some of the Schools in the City has gone down and it is likely to go down next year. And at the same time city taxpayers will retain a phenomenally large sum for the relocation of a private school. And clearly that will cause real concerns for some people. The quality of their own schools has been driven down by council cuts over the last few years.'

(*NorthSound2* 2009 p. 400)

Kevin Stewart also agrees with the overall rationale of a benefit cost analysis:

'But Bob is absolutely right you have to look at the overall economic benefit of this particular Scheme. If you look at the Haudagain roundabout for example it was estimated a few years back that that pinch point itself cost the economy of the North-East some £50m per year. Bob has already talked about the economic benefit of £4.25bn that the WPR will bring. You have got to look at it in the round. We have got to look at the thing in the whole and not to single out certain elements.'

(*NorthSound2* 2009 p. 400)

The appeal to transcend the detail to embrace the vision of the 'whole' can be used both ways. The protesters have received criticism for increasing the project's costs due to their delays. Yet this could be viewed as a small price to pay to safeguard democracy. A letter writer states:

'As for the cost caused by the opposition to the road, it is a drop in the ocean compared to the total cost of the road – and that is the price of democracy.'

(Petrie 2011)

6.1.2 Text production

The various participants in the debate and authors of the texts have a biography well known to many of the audience. Some of the speakers use *ethos* to enhance their authority or moral character to influence the audience favourably.

Tom Smith has been the Chairman of Aberdeen City & Shire Economic Forum (ACSEF) since 2008. He was the Executive Chairman and Founder of

Nessco a global supplier of telecommunications technology to the oil and gas sector. The company was subsequently taken over by Rig Net. He was previously the Co-Chair of *Oil and Gas UK* an industry wide group which liaises or lobbies government on industry issues. He was also the previous president of *Aberdeen and Grampian Chamber of Commerce* succeeded by Bob Collier.

Sir Ian Wood's statements are underlined by decades of prominence in the City as a major employer through the eponymous *Wood Group Services*. He founded and managed the company through to a FTSE 100 listing from 1967-2006. He is viewed as an exemplar of entrepreneurialism and a major philanthropist locally and internationally through the family Wood Trust. Sir Ian has also held prominent public positions as a former Chairman of Scottish Enterprise and Chancellor of Robert Gordon University. In 2013, Sir Ian Wood was commissioned by the UK Department for Energy to conduct a major review of UK Oil and Gas sector (BBC News 2013).

The reputation of Sir Ian Wood was affected by his involvement in 2009 in a proposal to regenerate the city centre of Aberdeen through the creation of a civic square 'to meet the aspirations of the region and link the city's business and cultural quarters' (see Appendix A). His proposal to renovate the existing Union Terrace Gardens as introduced in section 2.1.3 was backed by a generous sum of £50m as a philanthropic gift.

The proposal was preceded by a prior proposal by Peacock Arts to create a visual arts centre in the existing Union Terrace Gardens space. As described by the documentary maker and cultural critic, Jonathan Meades (2009a):

'There is currently a proposal to effect a wholesale transformation of Aberdeen's very core. A couple of years ago a discrete, elegant Scheme was devised by Brisac Gonzalez architects to create on – or rather in – this slope a largely subterranean home for the Peacock visual arts centre ... No sooner had it been granted planning permission than Sir Ian Wood, a billionaire oil tycoon with £50m to spare, countered with his grandiose vision: to cover this valley with a vast roof, and on that roof create a public space which would be a cross between 'a mini Central Park and a grand Italian piazza'.

And beneath that roof? Wood's vision is excitingly 20th century. There'd be a car park. And a shopping mall.' (Meades 2009a)

The competitive dynamics between the two projects divided public opinion. That Sir Ian Wood's vision required his gift to be matched by equal levels of public funding diminished the altruistic intent. As Meades concluded:

'Besides all this, the last thing Aberdeen needs is more shops. No, come to think of it, the last thing Aberdeen needs is an enormous car park that will merely increase the volume of traffic.' (Meades quoted in blog, 2009b)

As referred to earlier Stewart Milne, a major property developer and board member of ACSEF, is another contributor to the debate on the bypass. In addition to his business interests, his profile within the city is also enhanced through his role as Chairman of Aberdeen Football Club. His purpose built eco-house, Dalhebit House, replaced a listed building in Bieldside located along the previously 'preferred' Murtle route.

The relevance of these biographies lies in tracing the networks between business organisations in civil society and the connections between individuals. Tom Smith and Stewart Milne are both Board members of Aberdeen City and Shire Economic Forum (ACSEF). Sir Ian Wood is a former Chairman of Scottish Enterprise whose economic development role is now undertaken by ACSEF. Tom Smith and Bob Collier are past and current Presidents of the Aberdeen and Grampian Chambers of Commerce. Whilst it is possible that these individual businessmen are not known to citizens they will be familiar to decision-makers as representative of powerful lobbying interests.

6.1.3 Institutional frameworks and political context

In 2009, the Scottish National Party (SNP) was in government in Holyrood with a slight working majority requiring skills in coalition politics. Their economic approach, like that of other European countries at the time, followed a social democratic agenda. There were policy commitments to no

university tuition fees, social care for the elderly and free prescription charges.

The resounding electoral success of the SNP in the 2011 Holyrood election precipitated an announcement to hold a referendum on Scottish Independence in September 2014. The proximity of this date was to have a significant influence on the timescales for major investments in Scotland. The new SNP government negotiated an 'in principle' agreement from Westminster that capital could be borrowed on the markets to fund capital investment including infrastructure projects like the AWPR.

To maximise their chances of winning the referendum, the Scottish government needed to demonstrate to citizens that their economic policies were better able to deliver prosperity. Symbolic projects such as a new Forth Road Bridge demonstrated this commitment to a 'progressive', social democratic economic agenda, distinct from Westminster's austerity measures.

In the UK, in the immediate wake of the financial crisis, public discourse was dominated by financial and budgetary concerns at a national level and through exposure to the Eurozone. The background of economic uncertainty was widely covered in the media and described as follows in the blog:

'The world outside has been in turmoil. – Hang Seng, Dow Jones, Nikkei and Footsie have swooped and risen, plunged and soared; fortunes were made and lost; venerable Scottish institutions hit the buffers and were swallowed up by the Black Horse; Ministers resigned or were fired; mischievous and opportunist politicians ranted about 'spivs', and what happened at the Treetops? The Inquiry sailed on serenely in the ballroom.'

(*Road Sense* PLI blog, Days 7 & 8, 22 September 2008)

Road Sense alerted their supporters to the fact that a number of large public infrastructure projects had been cancelled and others seen to be of strategic value prioritized (Warnock 2009). The Glasgow Airport Rail Link (GARL) was cancelled. A major project to build a new bridge across the

Forth was confirmed at an estimated cost of £2.3 billion. There were also announcements that the budget for Glasgow's hosting of the Commonwealth Games in 2014 stood at a £80 million overrun. As Warnock stated on behalf of *Road Sense* 'these are all clear indications of the very tight financial constraints the Scottish Government is under.' (ibid p. 1)

At the 2011 *Road Sense* AGM, Councillor Marie Boulton advised that: 'there is substantial political will to see these major projects proceed.' (Furrie notes 2011). The realization of these projects and the consequent job creation and boost to the economy was a key part of the SNP's strategy to retain public support. Councillor Boulton urged protesters to 'be realistic about the political context'. 'The SNP want to control everything locally.' She stressed the importance of the local elections coming up in May 2012.

Also at the *Road Sense* AGM 2011, another supporter commented pragmatically:

'we are talking about the world of law, when this is the world of politics. Politics is dirty and horrible. [we must] fight it on politics. If we go down the legal route using the bats we will be ridiculed.'

(Furrie notes *Road Sense* AGM 2011)

This dissenter to the legal route went on to explain that the dynamic between the Scottish and Westminster governments would be consumed with issues such as the Lockerbie bomber and former prisoner al-Megrahi, Scottish higher education fees and other pertinent issues. Without directly saying so, he implied that despite the apparent independence of the judiciary, the AWPR as an issue could be subject to political 'horse-trading'.

6.1.4 Socio-economic paradigms

In a wider context, prior to 2007, the UK had been operating a successful market economy. The financial sector largely based in the City of London but with leading global banks also headquartered in Edinburgh was a major contributor to this period of boom. Credit was inexpensive and the

commercial and private property sector flourished. The power of the financial institutions was excessive and led to a situation where regulators were ill-equipped to spot or prevent risks. By 2007, underlying problems in the sub prime mortgage market in the United States led to the collapse and mergers of major banks and mortgage providers. This triggered a series of debt crises across the world and affected global insurance companies and the real economy.

By 2009, the implications of the global financial crises were taking effect with severe economic consequences for many European economies. Two major global banks, The Royal Bank of Scotland and HBOS required billions of pounds of public money in bail-outs and for recapitalisation. The seriousness of this backdrop was apparent to all. In the *Road Sense* PLI blog, the author, 'Gopher', comments:

'It is surreal to be sitting in the windowless Treetops Dungeon discussing a £600m road when world – and local – economies are collapsing around us.'
(*Road Sense* PLI blog, 10 October 2008)

Capital for spending on infrastructural projects which had hitherto been relatively cheap was now in short supply. Various economic solutions to the crises were discussed by economists and politicians at a geo-political level. The Prime Minister Gordon Brown and his Chancellor Alistair Darling were irreparably damaged politically by the gravity and scale of the crises despite their short-term efforts to avert the collapse of the banks. The parties positioning their messages for the 2010 General Election appeared to favour a consensus around reducing the deficit. The Conservatives in particular favoured an approach which became known as 'austerity':

'a form of voluntary deflation in which the economy adjusts through the reduction of wages, prices and public spending to restore competitiveness, which is (supposedly) best achieved by cutting the state's budget, debts and deficits'
(Blyth 2013 p. 2)

The differences in macro-economic policy became more marked following the 2010 and 2011 elections in Westminster and Holyrood respectively. The newly elected Conservative/Liberal Coalition implemented policies of fiscal constraints to reduce the deficit. Treasury spending was constrained, resulting in cuts to public services at a regional and local level. The UK economy was in protracted recession. Buoyed by a landslide majority, the SNP followed a more liberal economic approach in line with Keynesian economics.

By 2012, there was criticism that the Treasury's adherence to austerity was stifling economic growth. Voices within the Coalition, such as Vince Cable, a former economist, advocated a different economic approach.

'There is a body of opinion arguing that the risks to the economy of sticking to existing plans are greater than the risks stemming from significantly increased and sustained public investment targeted at those areas of the economy where there are severe impediments to growth (housing; skills; infrastructure; innovation).' (Cable 2013)

The view that the UK should borrow to invest in infrastructure was stated by the International Monetary Fund (IMF) in 2013 to help bolster the UK's 'nascent' recovery. This approach was being followed in Scotland with major projects such as the new Forth Crossing, the Borders rail project and the continued commitment to the completion of Edinburgh trams. The impetus for the difference in economic direction may be ideological with the SNP more social democratic in orientation than the Conservatives. In addition, politically, there was a need for the SNP to differentiate themselves from the Westminster government ahead of the 2014 referendum on Independence.

Finally, given the economic challenges faced by the Treasury, the importance of revenues from the oil and gas sector in the form of corporate taxation is all the more telling. The economic contribution to the UK economy is significant, as much as \$1,250bn as suggested in an interview with Sir Ian Wood:

'The values involved in UK oil and gas are so large that even modest increases in key production metrics over time will deliver significant economic benefits.' (Sir Ian Wood in BBC News 2013)

Similarly, the independence debate may hinge on the perception that Scotland can be financially independent. One of the most important sources of revenue is the North Sea oil and gas revenues. These factors mean that politicians and decision makers need to work in tandem with these industry leaders. Just as the industry lobby government on important issues such as taxation, the government practise a form of 'reverse lobbying' such that jobs, investment and ultimately revenues are maintained and maximized.

6.1.5 Consumption

Yet the rhetorical power of such phrases as 'open for business' to penetrate public consciousness should not be underestimated as evidenced in a letter to the *Press and Journal*.

'Meanwhile, the rest of us can get on with our lives and show that we are open for business.'

(Chubb 2011 p. 20)

It can be noted here that 'living your life' is conflated with the capability to transact business. Elsewhere the effects of the repetition of figures of speech around the 'oil capital of Europe' and 'energy city' do find resonance with the public. In a letter to the *Press and Journal*, lorry driver Eric Macdonald urges:

'Come on people, this is the oil capital of Europe, we should have one of the best road systems in the country.'

(Macdonald Press and Journal 2011 Letters)

On the same page, Jim Conn comments as follows: 'Blaming objectors to the Aberdeen Western Peripheral Route (AWPR) for strangling the north-east economy is misplaced. The real culprits are poor political leadership,

lack of good-quality forward planning and chronic under-investment.’ (Conn Letters in *Press and Journal* 2011)

The letter writer goes on to highlight faults in road design around Craibstone which has been ‘a major source of traffic congestion’. He asks the rhetorical question ‘How many millions of pounds has this congestion cost over the years, and how much environmental damage has been done by queuing vehicles?’ He goes on to point out that the images of the current plans for the AWPR see these mistakes being repeated. He concludes ‘it would appear that hundreds of millions of pounds are to be spent on the AWPR, with the end result of creating even greater traffic congestion slightly further to the west. If we are going to invest these enormous sums, let’s be sure we get it right.’ (ibid)

Yet other callers are more pragmatic such as Gary, a caller to the talk-in. He advocated that the priority should be:

‘sorting [out] the roads we have... We live in a polka dot city, full of pot holes and everything. Kevin Stewart and his cronies keep saying they’re going to sort the roads but they haven’t got the money. If they haven’t got the money for this then they haven’t got the money to build the AWPR. Same old story. Cuts, cuts, cuts.’ (NorthSound2 2009 pp. 404-405)

This comment refers to Kevin Stewart’s work as the Chair of the Finance Committee of Aberdeen City Council. In 2007, the Council came perilously close to bankruptcy and a major programme of cuts and a discourse of austerity was enacted locally.

The caller’s comments expose the contradictions around a lack of investment in the relatively low costs of maintaining assets against the large-scale borrowing required to build the AWPR. The validity of the caller’s remarks about the lack of investment was later to be confirmed in 2012 in a report by the Society of Chief Officers of Transportation in Scotland. They found that £200m investment was required to bring up Aberdeen city roads to an acceptable standard. A further £106m would be required in

Aberdeenshire where 34% of Aberdeen authority's road were deemed unacceptable (McKay 2012).

In response, Kevin Stewart explained that the council were investing in a jet patcher, a machine capable of short-term repairs, which does little to address the point or provide reassurance that the wider investment issues were being adequately managed.

From 2006, citizens registered their scepticism about the validity of arguments that the bypass would reduce congestion. In 2006, the Scottish Parliament's Petitions Committee facility was accompanied by a forum whereby citizens could additionally post up comments on the AWPR Petition. Many of these postings were from citizens who drew on their experiences of transport in other cities and specifically on the efficacy of bypasses in reducing congestion. The following is typical of such entries:

'The people of Aberdeen have no idea about traffic. Dublin built a by-pass a few years ago. This made no difference to city centre congestion but simply led to more and more development sprawl. The DART (light rail) and the new tram system are improving access and the environment. Aberdeen ... the by-pass will destroy your city whilst the developers make hay!'

(Lynch, Discussion forum, Public Petitions Committee 2006)

'I've also seen the results of what bypasses usually do (more traffic, more congestion, more development, more pollution, less greenbelt) and have also lived in north Germany where an excellent public transport system (trams, buses) can result in virtually no congestion in large cities if implemented properly.'

(Bentley, Discussion forum, Public Petitions Committee 2006)

These letters also testified to the solution lying in frequent, accessible and integrated public transport systems. There was also a high degree of certainty that the main economic driver for the bypass was development.

'The Council, in their Local Plan, state clearly that the AWPR plans are to open up a development corridor. Many comments revolve around traffic solutions (or lack of them). The real reason for this WPR is development. That is why the tunnelled option is shunned by the Council. The Aberdeen City centre shops better wake up: the centre will be devastated by an out-of-town bypass retail belt.'

(Stevens, Discussion forum, Public Petitions Committee 2006)

'Along the new route, industrial parks & houses would be built adding to the congestion, so therefore not solving the problem. The time saved if true will last for a very short time. Other routes will become congested because of it. This has not been properly thought out.'

(Lawson, Discussion forum, Public Petitions Committee 2006)

6.2 Environmental discourses

6.2.1 Textual analysis

Overall, environmental discourses were less prominent in the radio talk-in than economic concerns as discussed above. William Walton opens with a series of arguments against the route. In the view of the speaker, William Walton, protecting the environment is a priority as he leads with this statement:

'We are opposed to this route because it is very environmentally destructive. It crosses the River Dee in the worst of all possible places. It goes through ancient woodland that is on the environmental site.'

(*NorthSound2* 2009 p. 397)

Thereafter, Walton makes a series of other procedural and practical points about due process and the high cost of the road. The host does not engage with the main environmental objection at all. Instead the next speaker is introduced, Lewis Macdonald, who moves the agenda on to a discussion of the delay in the decision to go ahead with the Scheme.

In his second opportunity to participate in the debate, William Walton again raises the protection of the River Dee and habitats in the context of European legislation.

'The issue of the Habitats Directive this is European law. It gives a high level of protection to the River Dee. This will not go away by the use of the Minister's pen or any wording that he may use.' (*NorthSound2* 2009 p. 399)

This statement infers that other environmental protections had been signed away by the 'use of the Minister's pen' signifying the political power of the Minister over the planning process. Mr Walton is confident that the rule of law as codified in European legislation will restore the necessary protection to the environment.

Other panel guests make only fleeting references to the environment. Bob Collier makes an ambiguous reference to the decision-making choices of commuters who elect to take 'the shortest journey with the minimum air quality and environmental impact'. Later on he also obliquely refers to the damage caused by carbon emissions and their contribution to greenhouse gases in the atmosphere when he says:

'There will be 12,700 fewer vehicles on that route and that will certainly ease my journey and when you are sitting there nose to tail and all those cars are chucking out ... particularly on the ring road that will ease.'

(*NorthSound2* 2009 p. 404)

The subject of the pollutant cannot be clearly heard or perhaps is deliberately glossed over so as not to give credence to the argument that our use as humans of fossil fuel vehicles and carbon emissions is a contributing factor to greenhouse gases and rising temperatures.

Similarly, in his op-ed piece, Tom Smith notes in passing that: 'It is right and proper that alternatives are examined, the environment is protected and people who are affected by the road are fairly compensated.' This statement supports the current *status quo* of institutional settings and

procedures and situates the environment in parity with other property rights.

It is worth noting that in the talk-in and the op-ed piece, the promoters of the road do not challenge environmental thinking or deny the effects of the road on species. Rather conservation and climate change are not raised at all, leaving William Walton as a lone voice on these issues. This draws Walton into protracted debate about economics and congestion and arguably more superficial matters such as the relocation of a private school.

In his final summation in the talk-in, William Walton raises the topic of alternatives to the bypass. He recalls some of the initiatives proposed in the Aberdeen Sustainable Transport report.

'I am down here in an area that floods and we can see what climate change is doing. Nobody has talked about climate change. Nobody has talked about this kind of thing at all.'

(NorthSound2 2009 p. 403)

He goes on to say:

'And the bypass is the thinking of 30-40 years ago. It is not the thinking of the 21st C. Let us move on. Let's have a cleaner city'

(NorthSound2 2009 p. 403)

Climate change is the subject of inter-governmental committees and one of the most important issues in the 21st C. To that end, Walton is right to take the panel of elected representatives and the public to task for its omission in the debate. However, Mr Walton miscalculates by not forcing this issue centre-stage earlier. This late inclusion in the 40 minute show only serves to suggest to the audience that climate change is an afterthought.

Lewis MacDonald takes up the point about sustainable alternatives but does not address climate change itself. He explains that Labour's approval of the AWPR was 'in a context of a comprehensive Transport Strategy.' He expresses regret for unrealised 'Aberdeen Crossrail project which was about

putting in place modern commuter rail services ... That was a key part.’
(*NorthSound2* 2009 p. 406)

This answer does refer to the mitigation and adaptation changes necessitated by climate change. The Crossrail Services project was proposed in 2003 as part of the Scottish Strategic Rail Study. The proposal involved a frequent train service from Stonehaven into Aberdeen and out to Inverurie. Options to re-open stations in Peterhead, Kintore and Banchory were also mooted. With the change of power to the SNP and a new SNP convenor of NESTRANS, the outcome of the feasibility study was that the project should proceed ‘incrementally’.

That environmental concerns were always subsidiary to economic or technical matters for the promoters and designers of the Scheme was confirmed at the PLI, as noted in the *Road Sense* blog:

‘Stuart Gale did force one admission, however: that the designers of the road dictated where it would go, and that all the king’s (green) horses and the king’s (ecological) men couldn’t put Humpty together again – in an environmentally acceptable place: the road was going THERE and you (environmentalists) had better make the best of a bad job and produce a case to support it.’ (*Road Sense* PLI blog Day 10, 25 September, 2008)

The *Road Sense* PLI blog also mentions the environment and *Road Sense*’s environmental arguments infrequently. The bulk of the commentary focuses on due process and on the ‘contest’ and ‘performances’ of the witnesses and the QCs examining and cross examining them.

The first mention of the environment is in the review of Day 5 and 6 of the PLI. There are two passages; one on air pollution and the other on hypocrisy.

‘He blethered about AWPR emissions being a VERY small % of Scotland’s total but absent-mindedly forgot to say how they compared with the pre-AWPR figures. Why didn’t he go the whole hog and express them as a % of the world’s total – when they would practically disappear.’

(*RoadSense* PLI blog 17 September 2008)

'Tuesday's highlight was the mention by Laxen [Professor Duncan Laxen, Managing Director of Air Quality Consultants] that delivering carbon savings through its transport policies was a central tenet of the Scottish Executive. So, assuming his most angelic choirboy face, Henry then asked why, if that were so, the Executive wasn't moving away from building roads and adopting sustainable public transport solutions instead.' (ibid)

This aside was ruled out of order in that it transgressed the remit. The same blog entry also commented on an expert witness on Landscape and Visual effects of the scheme.

'He was most indignant that the RS witness had exaggerated in describing 2.9 kilometres of AWPR (Cleanhill-Milltimber) as having a 'substantial adverse impact' on the landscape. NO, Sir! It's only 2.6 kilometres. So that's alright then.' (ibid)

The author seems more concerned with the dual and the nit-picking style of the *Transport Scotland* witnesses than reflecting on the scale of the environmental destruction.

The Day 8 blog contains a reference to conservation of red squirrels.

'Red squirrels remain a solid pillar of the RS case, with otters, fresh-water pearl mussels and the Fishermyle water voles forming supporting acts on the bill. Dr Gilchrist admitted inter alia, that without a co-ordinated effort, the disruption of red squirrel habitat caused by the WPR, would see them die out within 10-15 years.' (Road Sense PLI blog, Day 8 2008)

This text is swiftly followed by observations under the headings of 'Tuesday's light relief' and 'Sartorial Note'. These exchanges are amusing but they do tend to undercut the seriousness of the conservation message. There is an abiding sense that animals are viewed here instrumentally to serve human ends as opposed to animal rights.

Not until Day 13 of the PLI blog is there further environmental discourse this time regarding plant life. The mention of Red Moss is the fourth item in a reported list of reasons why the Minister selected the hybrid route.

'Red Moss got in the way – if you didn't know, it is the Highest of the High. Not only a SAC, but also a Priority Habitat – a raised bog, no less.'

(*Road Sense* PLI blog, 6 October 2008)

The paragraph goes on to say that:

'due to the Moss, 4 of the 5 options to be selected ...had to be discarded – so there was no choice in the matter at all. But did the Minister know?'

(*Road Sense* PLI blog, 6 October 2008)

Further evidence of the instrumental and anthropomorphic view of the protesters towards animals was provided in the blog from Week 8:

'There was a description of the Eisler bat as a "vagrant" – conjuring up images of bats sleeping in cardboard boxes under Maryculter bridge. Then there was the revelation that badger maps are confidential and cannot be produced at the Inquiry. I can only suppose that this restriction is to protect Brock against gangs of irate farmers wishing to deal death and destruction to these TB carriers, or have I missed something?'

(*Road Sense* PLI blog 31 October 2008)

This final sentence suggests that, as many of the protesters are farmers, they may share this view of badgers as being a disease threat to cattle and consequently to the human food chain. As if to confirm this assumption there is an unfortunate 'sign off', only eight words further on, of 'Cracking good hunting to you.'

By way of contrast, considerable *pathos* is involved over the impact of the road on Blaikiewell Animal Sanctuary. The Reporters note that the 'objector's life's work [would be] destroyed.' (Gordon, Ferrie and Cunliffe 2009 p. 302). The reason cited by the owner not to move some of her activity into another area was due to conservation of the flora and fauna.'

Transport Scotland riposted: 'What it does mean is that Miss Petrie might have a choice to make regarding her priorities.' (Gordon, Ferrie and Cunliffe 2009 p. 302) Transport Scotland brooks no concession to conservation of flora and fauna as a valuable end over amenity value.

Yet the Reporters in the interests of fairness appear persuaded by these arguments and under 'Findings of fact' state: 'There would be adverse impacts on the ecology of the unit's land.' (ibid).

6.2.2 Text production

The opponents to the road have a different type of status than many of the promoters who are elected representatives, state officials or head up major civil society groups and business lobbying organisations.

William Walton was a university lecturer in urban planning at the University of Aberdeen for the period covered by the case study. During this period he undertook an LLB in Environmental Law. Another *Road Sense* Committee member, Professor Tony Hawkins, is an Honorary Professor in the physiology of aquamarine life at Aberdeen University. Previously he was the Deputy Director of Fisheries Research for Scotland and held other responsible government posts as a Scientific Officer.

This institutional status can be contrasted with the self-description offered by Paddy Imhof in his opening statement at the Public Petitions Committee.

'I am a farmer and tree grower and am not an activist by nature, so to become involved in the campaign was a big step for me. I am someone who would rather mind his own business than stick his neck out in public, particularly given that transport was not a subject that I knew much about.'

(Imhof in Public Petitions Committee 2006 p. 2)

By using the words 'farmer' and 'tree grower' the audience can view the speaker in a positive way for his associations with the land and organic growth. Agriculture along with Fishing was previously the staple sources of income for the North-East of Scotland. From an intertextual point of view, some readers may recall Jean Giono's (1995) *The Man Who Planted Trees*.

This allegorical tale shows that with patient dedication to the task of planting trees, one man's altruism and labour can transform the environment for the benefit of all. Certainly, tree planting today has added significance for the contribution to rebalancing carbon dioxide and greenhouse gases (GHG's) in the atmosphere.

The statement that the speaker 'is not an activist by nature' seeks to depoliticise the speaker and suggests that his agenda rather motivated by higher moral concerns. A sense of privacy and modesty is conveyed around 'minding his own business' and his assessment of his knowledge of transport matters. A note of humility is struck rather than exhibitionism or the publicity seeking motives of some who may 'stick [their] neck out in public'. Given that the audience comprised a Committee of MSPs, this appeal was likely to be less effective than it may have been to a gathering of concerned citizens.

Henry Irvine Fortescue is also a farmer. However, there are notable differences in his social status of interest. He is the current owner and manager of Kingcausie Estate which has remained in family ownership since 1535. Fairclough refers to the values in argumentation and that sometimes the motivation to present an argument comes from a sense of duty. Certainly, in the case of Henry Irvine Fortescue there must be a compelling sense of duty to his ancestors to keep the lands intact and undisturbed and in private ownership. Prior to this the land had once belonged to the Order of the Knights Templar and the Order of the Knights Hospitallers. In Scots terms, he is the 16th laird of Kingcausie. In Dahl's (2005) terms this would make him a 'Social notable' though not necessarily an 'Economic notable'. Elsewhere in the area there are considerably larger estates including Dunecht Estate, owned by the younger brother of Viscount Cowdray and Royal Estates at Balmoral and Birkhall. The Dunecht estate certainly represents wealth, in this case, the fortunes of the engineer and industrialist Weetman Pearson and now through the Pearson conglomerate.

The *Road Sense* bloggers refer to a wide range of cultural references which provide further clues as to the age and socio-economic status of the *Road*

Sense activists. The blog contains a mix of literary and popular culture references to Oscar Wilde's *The Importance of Being Earnest*; Billy Bunter, 'Fat Owl of the Remove'; Just William and Monty Python, 'a Swedish gentleman who may or may not be a masseur'.

The references suggest that the author(s) are likely to be over the age of forty. Confirmation of this appears in an aside in the *Road Sense* blog: 'so as to fortify the over-forties in the RS team (that's most of them)'. (*Road Sense* blog, 3 November 2008).

The use of Latin and foreign phrases such as *Cui Bono*, *inter-alia* and *lese-majeste* also suggest a well educated author and audience and testify to either a grammar school or university level background. The media references include the Reader's Digest, BBC 2 (Paxman, Ask the Family) and Radio 4 (Just a Minute) again suggesting someone with cultural capital.

There is a sense of the author as an 'outsider' as demonstrated by the following passage. Writing under the pseudonym, 'Alternative Arnie', the author adapts William Wordsworth's sonnet, *London 1802* as a commentary on proceedings at the PLI. The author substitutes the strong leadership of Lord Reith of Stonehaven for Milton.

'Scotland hath need of thee – she is a fen
Of stagnant waters, shady work of pen,
Favouritism, and wealth of bull and power
Have forfeited the ancient Scottish dower
Of rigid independence. We are selfish men;
O raise us up, return to us again,
And give us manners, virtue, freedom, power!'

(*Road Sense* PLI blog 2009 p.3)

John and Maggie Fraser are organic farmers. Their submission to the PLI included a number of photographs of their land. These bucolic images did not reproduce well in black and white but demonstrate the sincerity of the Frasers' objection and the centrality of the land to their way of life.

Windisch noted the 'more materialistic and economic discourse of the pro-nuclear side is matched with a more voluntarist, idealistic discourse, tinged with a committed subjectivity.' (Windisch 2008 p. 95). The Frasers, and to some extent Mr Irvine-Fortescue represent this idealistic and voluntarist discourse. Bryant also observed this contrast at Twyford Down between her campaigning and the *Dongas*.

'They were brewing up tea, and the dew was still on the grass. I used to feel slightly guilty about going back to my plasticised world.' (Bryant quoted in Beckett 1995 p. 2)

If proof were needed of the importance of the status of the producers of the text then the following comment from the *Road Sense* blog could be cited. The quote refers to the appearance of Maitland Mackie as a *Road Sense* witness and objector to the bypass.

'The day was rounded off with a personal statement from Maitland Mackie. Here was a former fan of the AWPR who had finally seen the light. One indeed whom most would have expected to continue to press for the AWPR, granted his business interests to the North of Aberdeen. His was a very heartfelt contribution, showing all the zeal of the convert, but a very welcome convert *with his personal and business status in the North-East*. [researcher's emphasis].' (*Road Sense* PLI blog, 29 September 2008)

The phrase 'with his personal and business status' refers to Mr Mackie's commercial interests in the farming and agricultural industries. Both are traditional and important strategic sectors in the North-East economy. The rhetorical appeal to ethos is also subtly evoked here as Mr Mackie's personal charisma is also widely appreciated in the area.

6.2.3 Institutional frameworks and political context

In 2008 the UK government passed into law the Climate Change Act mandating 80% reductions in GHG's by 2050. The Climate Change (Scotland) Act was given Royal Assent on 4 August, 2009. This legislation commits Scotland to reducing carbon emissions by 80% by 2050 and an

interim target of 43% by 2020. The statutory framework is integrated with the UK Committee on Climate Change and is integrated with other strategy documents such as the Government Economic Strategy and National Performance Framework. At a governmental level, climate change is recognised as one of the most serious issues facing the country and the transport sector is a significant contributor to anthropogenic global warming.

Various planning documents from Aberdeen Council emphasise the amenity value of land for human use for housing, roads and parking.

'Make sure the green belt meets our needs'

(Aberdeen City and Shire Structure plan 2007)

'Although the green belt is important (for example, to protect the landscape surrounding the city), we also need to make sure it doesn't stop appropriate development taking place.'

(ibid)

Environmental and scientific paradigms

In 2007, the fourth major report from the Intergovernmental panel on climate change (IPCC) was published. The synthesis report designed to inform the work of policy-makers states:

'Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice and rising global average sea level'

(IPCC 2007)

The report presents a wealth of data from published peer-reviewed scientific papers from across a range of scientific disciplines. This data concludes that climate change is directly linked to the human activity including the increase in carbon emissions through the transport sector amongst other factors.

'Global atmospheric concentrations of CO₂, methane (CH₄) and nitrous oxide (N₂O) have increased markedly as a result of human activities since 1750

and now far exceed pre-industrial values determined from ice cores spanning many thousands of years... There is *very high confidence* that the net effect of human activities since 1750 has been one of warming'

(IPCC 2007)

The report reaches a consensus of 'high agreement' and presents extensive evidence that even with mitigation and related sustainable development practices global greenhouse gas will continue to increase in the foreseeable future. The report looks at Transport as a specific contributor to the problem and suggests as mitigation:

'Realignment/relocation; design standards and planning for roads, rail and other infrastructure to cope with warming and drainage.' (IPCC 2007)

Modal shifts from road transport to rail and public transport systems are recommended. Land-use and transport planning is essential in addition to the hopes for new technology such as hybrid vehicles (IPCC 2007). From this it is clear that the scientific consensus around climate change continued and more evidence to strengthen the call for mitigation was amassed. However, the immediate effects of the global financial crises and the effects of the 'credit crunch' meant that climate change dropped down the political agenda. The media also covered the economic crises in more detail. The media reporting of climate change changed towards 'spectacle' as seen in the global coverage of major weather events such as Hurricanes Irene and Sandy.

6.2.4 Ecological paradigms

The talk-in and the *Road Sense* blog do not contain any deep ecology discourse. The protesters in this case study do not embrace these ideological views as witnessed in other road protest campaigns:

'The *Dongas* were empowered by asserting a world view in contrast to dominant hegemonies, and organised around this non-negotiable rallying cry against those who pollute, exploit and destroy in the name of 'progress'.'

(North 1998 p. 23)

The most pronounced discourse may be termed a 'light green sustainability' This can be discerned in expert reports such as the Oscar Faber report through to the letters of citizens.

'Change can be achieved on a no-cost or low cost basis through measures which involve the re-allocation of road space away from the car. Developing a sustainable transport system will require a reversal of existing trends and the development of a new travel culture where all parties involved are committed to the process of change.' (Scottish Government and Oscar Faber Report 1998)

With the sustainability discourse we can see economists converging on this middle ground. Helm (2012) reflects that:

'As part of the reappraisal that the economic crisis instigated, it is increasingly recognized that the future cannot be left to take care of itself, and that deficits, debts, depleted resources, and degraded infrastructure are a legacy which future generations might not thank us for.'

(Helm 2012 p. 522)

Helm argues that the state should be involved in environmental regulation to preserve resources for future generations.

'The role of the state is to improve the efficiency of the economy, so as to correct the market failures—and, in particular, explicitly or implicitly put prices on pollution. The territory is now much more conventional: it is about setting carbon prices, regulating emissions, and subsidizing low carbon technologies.'

(Helm 2012 p. 523)

In the case study of the AWPR the state appears to have a contradictory stance over its environmental regulatory duties. The Climate Change bills at the UK and Scottish governmental levels demonstrate a clear commitment to targets on reducing carbon emissions. Building a new asset and neglecting the current network of roads send out a contradictory signal.

Equally, the infrastructure versus consumption dichotomy raises the oft-referred-to analogy around household expenditure. This discourse is designed to gain acceptance from citizens that their former profligacy (consumption) must now be offset with prolonged austerity and cut-backs. This ignores Keynesian thinking currently articulated by economists such as Joseph Stiglitz and Paul Krugman.

'A fundamental issue to be resolved before making progress is whether man-made capital can be substituted for natural capital. In other words, the question is whether more factories, buildings, smartphones, and cars can compensate for losses of biodiversity and atmospheric damage.'

(Helm 2012 p. 530)

For economies to be able to reduce their deficits and banks to recapitalise coupled with the requirement to take into account the needs of future generations will necessitate major changes to the standard of living of most citizens (Helm 2012 p. 530). The majority of citizens will see a drop in their standard of living. This is already manifesting itself in the UK in the phrase 'the squeezed middle'. The harsh reality of these cuts explains why environmental discourses including climate change have less prominence for the media and for citizens who are facing immediate financial and economic challenges if not hardship.

At a project level this may require off-setting environmental damage with environmental protection elsewhere. 'Deciding to go ahead with a project should mean that there are environmental improvements elsewhere that are at least as good. The protesters will probably not go away but the sting can be taken out of development.' (Helm 2013)

If the Coalition government were to conduct an audit of all the proposed infrastructure and utilities projects, it would become apparent that the funding resources were inadequate. To meet these commitments many of which are important if not critical to the functioning of modern economies, standards of living would have to fall (Downs 1972). Helm argues that when additional liabilities are also factored in such as the national debt, the

deficits, and the social liabilities for pensions, health and social care, the challenge is grave and will require major restructuring. Given this overall economic context climate change is an issue which has fallen down the political agenda.

6.3 Consumer discourses

The letter below to the *Press and Journal* utilises a rhetorical question to convey the author's incredulity that the rights of species are protected over the residents' property rights.

'am I to understand that protected species such as bats have greater rights than those of the humans who reside currently on or along the planned route...? (Bruce 2006 p. 13)

The debate at the 2011 *Road Sense* AGM acknowledged that this opinion was extant in the wider community. The protesters recognised that fighting for the welfare of bats would lose them the argument with regard to public opinion and leave them open to ridicule.

The next letter writer introduces himself as 'someone who will have left the area' by the time the road completes to exempt his remarks from the charge of 'NIMBYism'.

'My objection to the AWPR is simple: it will do more harm than good and is a terrible waste of money that would be better spent on improving city transportation systems that encourage commuters to leave their cars at home.' (Kalli *Press and Journal* 2006 Letters p. 21)

Other letter writers praise William Walton for his support for the environment. In response to the 'Hated Man':

'What utter nonsense. Thousands of people oppose this pointless destruction of a beautiful part of our countryside. It takes great courage to stand up against the baying mob, the vested interests, the grandstanding soapbox politicians and of course, the press. Mr Walton is to be commended for his

fortitude. While our ceaseless ruination of our environment and species seems inevitable, we can at least be glad that individuals like Mr Walton are saying 'no'. Good for you, sir! (Black 2011)

Sustainability is a discourse that Paddy Imhof raises in a Letter to *Press and Journal* in 2006. His views found resonance with other citizens:

'Would it be too much to ask for all the money that would be wasted on a dangerously outmoded solution to be spent on sustainable alternatives and additions instead, so that we can leave the next generation something that works and doesn't cost the Earth, literally?' (Imhof 2006 Letters p. 13)

'I am signing up not for a review whereby other possible routes are considered, but for a root and branch review encompassing truly sustainable options which will meet the objectives in traffic reduction without the need for a hugely destructive bypass. Such alternatives are both feasible and desirable ... but these have never been presented as options to the public in this so-called consultation process. If the result of any review is simply to shift the road elsewhere, I will continue to oppose that and will expect the other petitioners to do likewise.'

(Viapree Discussion Forum in Public Petitions Committee 2006)

One of the themes revealed in the critical discourse analysis is a tendency for the debate to feature recourse to the interests of the individual. This is variously the individual home-owner, commuter or businessman. The following callers to the phone-in demonstrate this discourse where citizens tend to frame their arguments more in their capacity as consumers and their financial obligations as taxpayers.

'Well I am looking at the information on the AWPR website and it tells us that there will be a 74% reduction in traffic on the road that I travel in from Kingswells to Bucksburn.'

(*NorthSound2* 2009 p.404)

'Yes...the guy saying that we should put a better transport system into Aberdeen. Fair enough. I myself am a joiner. Do you expect me to take my tools and plasterboard on the bus or a tram? I go from Cove into town to pick up materials to go over to the Bridge of Don to do a job. And most

people in my trade and tradesman do that kind of thing. A new transport system buses and trams is not the answer.’ (NorthSound2 2009 p. 404)

Although Walton was not proposing a radical alternative it is possible to see how his suggestion of investing more heavily in sustainable public transport is dismissed by this caller. As Windisch notes that ‘the promotion of a different type of economy, decentralized forms of energy, and less materialism – arguments quickly taken up, transformed and condemned as Utopian, unrealistic, masochistic and ascetic.’ (Windisch 2008 p. 94)

Another letter writer bemoans the expense of the legal challenge spread between taxpayers. The letter is well-informed and refers to key milestones in the institutional process such as the public consultations, public local inquiry, the Lord Tyre judgment and the Aarhus Convention. The letter writer clearly believes in the legitimacy of these processes and feels a further challenge is tantamount to denial.

‘As far as *Road Sense* applying for a protective expenses order, may I suggest that if this is granted it would be an affront to all taxpayers in the city and shire? (Noel 2011b p. 20)

Some citizens view the issue entirely from a consumer and individualistic perspective. For them, presumably those home owners along the B roads which will be relieved of traffic, the bypass may increase the value of their properties.

‘...we will be delighted to see the AWPR completed. No longer will we have convoys of commercial traffic thundering past our front doors, using minor roads totally unfit to cope with the current volume of traffic. Relative peace will descend; *house values may even increase* (researcher’s emphasis), and quality of life will be much improved.’ (Stephen 2006 p. 13)

The effects of this discourse reach a nadir by 2011 in the demeaning tone of the postings on *Common Sense* (see section 5.4.2.3) in response to *Road Sense*’s application to have their legal costs capped.

'It's unbelievable that these moaning bastards have delayed such a vital project yet again – and cost the taxpayer a fortune into the process – just because they didn't like the ruling the last judge made. I hope the morons behind the campaign are forced to personally pay every penny that they have cost the taxpayer in wasted time, legal fees and added construction costs.'

(Stevie D, 8 September, *Common Sense* 2011)

This individualistic as opposed to a communitarian outlook may derive from the politics of Thatcherism. However, as the economist John Kay notes, there is an important distinction to be drawn between the operation of free markets and market economies.

'Successful market economies are socially embedded...The property rights that such economies protect are social constructs, not endowments fixed by nature. A functioning market economy requires far more co-operation than individualism or merely contractual relationships could provide.'

(Kay 2013 p. 50)

When the campaign enters its final phase and a strategy of vilifying Mr Walton becomes apparent in the media one letter writer expresses his distaste for this thinking. Letter writer, Robert Smith finds the tag 'hated' somewhat disturbing. He defends Mr Walton's legitimate choice to oppose the AWPR. He opens with a rhetorical question:

'Have we become so obsessed with the use of the motor car that we begin to use words like 'hatred' in connection with someone who has objected to the proposed route of what after all is an inanimate object? Has the psyche of Scottish society really become this skewed?' (Smith 2012)

This speculation as to whether the 'psyche of Scottish society' has changed with individualism perhaps as symbolised through the car culture in the ascendant is aimed as a corrective call to fellow citizens.

6.3.1 Localism versus the Central Belt

On the radio talk-in, one caller Alec Irvine, whom it would seem from the reactions of the host and one of the panel is 'a regular contributor', raised

the theme of bias in the investment allocation between Aberdeen versus the Central Belt.

'I am sick and tired of this... so called Central Belt bias regarding money being offered to improvements to Glasgow Airport, links to Edinburgh Tram lines blah, blah, blah.' (NorthSound2 2009 p. 401)

This argument proposes that Aberdeen receives less financial investment relative to the Central Belt due to its peripheral geographical position. Later in the talk-in Kevin Stewart endorses this view. This populist theme has great resonance amongst the tabloid media and some citizens such as this letter writer:

'The north-east needs the road and it is entitled to its fair share of capital spending.' (Press and Journal 2009)

The word 'entitled' here draws upon the discourse of consumption and justice in the allocation of resources from taxation. That wealth may be redistributed to other areas is viewed as illegitimate. In the radio talk show, a caller, Richard, expresses a sense of grievance over the North-East's interests being overlooked.

'Excellent. I am in favour of the bypass. What my other point is... is that Aberdeen seems to come a poor last to the Central Belt. If the Central Belt wants something the central belt gets it. If Aberdeen want anything we have to go cap in hand and wait years and years.' (NorthSound2 2009 p. 404)

He continues:

'I remember my uncle saying that oil is coming to Aberdeen. It is going to be a brilliant place with the best of everything. New roads, new this and that. And now 30 years on we are still like back in the 60's and 70's.' (ibid)

This sense of spatial divide is raised in the talk-in during the introduction of William Walton, the only panel member opposing the bypass. The exchange goes as follow:

FG: Let us now talk to William Walton – Good morning.

WW: Good morning, Mr Gilfeather

FG: Thank you for joining us as I know you are some distance from Aberdeen.

WW: Yes it is very wet down here in Carlisle.

FG: Well it serves you right. What is your organisation *Road Sense* ... why are you opposing this in the first instance? (*NorthSound2* 2009 p. 397)

This opening exchange could be interpreted as friendly banter between Mr Walton and the host. That there is more rain down South may amuse listeners. However, from an *ethos* point of view, the exchange serves to marginalise Mr Walton in the debate.

This opening exchange could be interpreted as friendly banter between Mr Walton and the host. That there is more rain down South may amuse listeners. However, from an *ethos* point of view, the exchange serves to marginalise Mr Walton in the debate. That he is not physically present in Aberdeen conveys a sense of his remoteness and that his priorities may lie elsewhere. That Mr Walton is not originally from Aberdeen unlike Kevin Stewart, Bob Collier, Sir Ian Wood, Tom Smith and so many other proponents does not help his case rhetorically.

6.4 Community discourse

The opposing discourse is that of a shared social understanding under 'community'. This discourse was most evident in Phase A during the *Save Camphill* campaign. The articulation of shared values and norms was expressed as follows:

'Camphill draws support from all who uphold the choice of people to create communities which nurture promise through love and respect'

(Camphill Aberdeen City and Shire brochure)

The extent to which this can be manufactured for rhetorical purposes is addressed by Ken McEwan.

'My dealings came from when I worked as a van driver for Alexander Collie. They were still struggling on with a wee shop in Glasgow. I delivered to the houses and to Newtondee and Myrtle. Somehow the cares of the world melted away. The corners of the doors were cut off. People were so charming and so friendly. I'd be driving up the driveway at Newtondee. I delivered as a van driver, I would drive in there. Quaint houses Germanic style architecture. Driving up the drive way. Flag you down, jump on the back of the van. Hop out they would use me almost as a bus service. The atmos of the place was so special. At least I had this impression of an amazing community. I had a warm feeling about them and I was proud of them because they had started in Aberdeen. I staked my reputation on a strategy that was the reality.'

(McEwan 2009c)

The lack of this discourse during other stages of the campaign and by other groups was regretted by this letter writer who alludes to the individual interests fuelling the stances of some protesters – even though the word 'self' does not directly qualify 'righteous'.

'Meanwhile I'm saddened that an opportunity for our communities to make a positive contribution to this debate may be sacrificed on the altar of righteous indignation.'

(Daly 2006 Letters p. 21)

The success of the campaign changed Camphill's role within the community. Previously, they had enjoyed a sense of exclusion. Since the campaign they have practised more external relations both in terms of fundraising nationally through inserts in *Prospect* magazine and *Vanity Fair* in 2011-12. These are expensive marketing tactics. It is still difficult for people from the local community to seek employment there. Three former employees and volunteers are known to the researcher and testified to the need to exercise persistence and patience to complete the recruitment process. (BAXTER, V., personal conversation. 9 September 2013)

In summary, this chapter found evidence for Windisch's (2008) conclusion that 'there is a backdrop of more fundamental visions of the world which seem to play an essential role in determining voter decisions.' (Windisch 2008 p. 97). In the current research, economic discourses have prevailed

since the global financial crises effectively sidelining previously important environmental discourses. These environmental discourses were not found to derive from deep ecology perspectives as witnessed in other anti-road protests in the 1990s but rather were of a 'lighter green sustainability' hue.

Windisch (2008) noted in his work around nuclear power 'a constant reference to a more fundamental reality, a vision of the world (a somewhat materialistic, economic and pragmatic one amongst the pro-nuclear camp and more idealistic, utopian and 'post materialistic' among their opponents.'

This Manichean division is evident in this case study with the pro-road campaigners drawing on economic and pragmatic realities around austerity. The addition of consumer discourses around the region getting 'value for money' from the Central Belt allocation and the value of individual property prices are aligned with this more materialistic cultural orientation.

By comparison the anti-road protesters, draw upon sustainability discourses and request more far-sighted solutions to leave to future generations. *Road Sense* appeared as institutional insiders at the outset of the campaign due to their social and professional status and knowledge of urban planning and environmental law in the case of their Chairman.

However, by phase D of the case study, William Walton has been marginalised through the use of strategies to undermine his character. *Road Sense* are left as champions of a marginalised discourse and consequently their chances of success were diminished.

7.0 DISCUSSION

This chapter seeks to revisit the seminal perspectives on the workings of our democracy as theorised by Habermas (1989, 1992, 2006) and Foucault (1970, 1980) and apply these to the key stages in the lengthy decision-making process to construct a bypass road around Aberdeen. The focus of the work is primarily on the role of communication in promoting the arguments for and against the Scheme, and how communicative strategies including discourses may determine the efficacy of respective campaigns.

The research is also engaged with the extent to which the AWPR case demonstrates pluralism in action, whereby the institutional configuration facilitates the airing of different arguments by interest groups and citizens. How these arguments and strategies then 'play-out' within these institutional settings, circulate around civil society, and stimulate public deliberations is equally part of the inquiry. In short, to what extent did the issue of the AWPR catalyse civic debate in the form of a Habermasian public sphere?

However, the researcher seeks to examine decision-making in a nuanced way, drawing upon the work of Bachrach and Baratz (1962) and Lukes (2005). The former alert us to the power dynamics and communicative flows preceeding 'decision' points. These 'non-decisions' are difficult to discern empirically but like the search for the Higgs Boson, there may be traces remaining of these interactions which constitute evidence of second dimension power relations at work. Finally, the chapter also seeks to interpret the many decision-making points and levels through a Foucauldian lens. By examining the communicative strategies of the various campaigns, the research will examine the underlying power of discourse as structure as conceptualised by Foucault (1970) and Fairclough (2012).

Having charted the transparency or opaqueness of the decision-making, the chapter concludes by revisiting the work of Motion and Leitch (2009), and Burkart (2009) who seek to apply conflictual and consensual accounts of power to public relations practice respectively. Whether public relations

practitioners can take these theories of COPR and discourse analysis and incorporate them into their professional tool box will be tested in light of the case study's key findings.

7.1 Pluralism

7.1.1 First dimension of power

In *Who Governs?*, Dahl (2005) concludes that a multiplicity of elites were evident in the decision making across a range of issues in New Haven historically through to the late 1950s. These empirical findings were seen to contradict 'ruling elite' theories from authors such as Staughton Lynd (1929) on Munzie and community theorists such as C Wright Mills (1956). In opposition to these interpretations, 'Dahl argued that modern democracies delivered democratic outcomes through competition between elites.' (Haugaard 2002 p. 7). For Dahl, such competition guaranteed the openness of the political system and provided dissatisfied voices access to the political stratum. The dynamics between these groups drove and accommodated socio-economic change within the system.

For Dahl, the health of the democratic system was also kept in check by the regular role played by citizens in elections. Dahl cautions the 'ruling elite' theorists that it would 'be unwise to underestimate the extent to which voters may exert *indirect* influence on the decisions of leaders by means of elections (Dahl 2005 p. 101). This accountability aspect is undoubtedly an important safeguard in electoral politics. However, in this case, the AWPR was never a salient single issue on the political agenda nor one that exercised the wider public imagination. Furthermore, all the mainstream political parties were in favour of the road throughout the decade. It could be argued that the political consensus around the Centre left opponents to the Scheme few opportunities to express their dissatisfaction at the ballot box at regional or local elections unless they voted for the Green party. Electorally speaking, this analysis appears to contradict Dahl's belief that 'any dissatisfied group will find spokesman in the political stratum.' (Dahl 2005 p. 93).

Yet, the explanation for this situation may rest with the minority of concerned citizens in the 'dissatisfied group'. It is possible too that the consensus in favour of the AWPR was genuine, composed of citizens with rationally held views. Had there been a greater groundswell of popular and community opposition to the road as demonstrated by the road protests in Pollok, it is possible that politicians would have adopted an anti-road proposition motivated by political marketing considerations (Lees Marshment 2004).

Dahl (2005) explicitly acknowledges that the power of 'popularity' as a political resource for politicians. Flyvbjerg, Bruzelius and Rothengatter (2003) also highlight politicians' willingness to hijack major infrastructural projects for political ends. This insight was shared by William Walton in correspondence with the *Road Sense* members: 'As we should all know, most politicians love being associated with major projects, whatever the cost.' (Walton 2010a)

The case study demonstrates that *Road Sense* did not enjoy popular support. Their members 'attended public meetings with attendances ranging from 300 to 1,200 people' (*Walton v The Scottish Ministers*. 2012. UKSC 44. 1 at 16). In the case of *Save Camphill* there was considerable public sympathy towards their cause.

Dahl's findings in New Haven presented evidence that the competition between elites and interest groups all bidding to affect outcomes guaranteed a form of polyarchy. His work traced the dynamics between politicians, bureaucrats, technical experts, businessmen, and activists competing for ascendancy at different times and places. Certainly, the AWPR case study features a similarly diverse range of groups. This polyarchic competition was most vividly illustrated during the 'dualling' behaviours in Phase C featuring the PLI. Many adversarial metaphors were presented around struggle, battles and war. The institutional settings for these jousts were many: Holyrood, the PLI, the Court of Session in Edinburgh, to the Aarhus Committee, to the UK Supreme Court. Each stage was closely contested and there was a sense of hope from everyone

involved that their efforts could secure ultimate victory. These actions and beliefs seem to corroborate the thesis that the AWPR case demonstrates pluralism in our local democracy.

In Phase A, the unexpected success of the *Save Camphill* campaign in persuading the Minister to change from the 'preferred Murtle route' to the hybrid Milltimber Brae and Fastlink combination is surely further evidence of pluralism. It was apparent from the testimony in Day 1 of the PLI that the 'ongoing high profile campaign by Camphill Communities (Gordon, Ferrie and Cunliffe 2009 p. 20) was determining. The 'Camphill issue did play a significant role in the Minister's decision', (Furrie notes Day 1, PLI 2008).

Alasdair Graham also confirmed that those involved in the decision-making 'were sensitive to the needs of the Camphill Community.' This openness and ability to engage with the arguments of the other parties appear to follow Habermas's criteria for deliberative democracy. It was also noted that the Minister's change of mind was influenced by the 'highly effective public campaign mounted by the Camphill community.' (Furrie notes 9 September 2008). This remark by Mr Graham is evidence of the professionalism of the Camphill PR campaign in instrumental terms and the visibility of the campaign.

The decision to consider alternatives to the route from Murtle to the hybrid option can be viewed alongside other key decisions in the North-East; the Union Terrace Gardens/ Civic Square was rejected by the Labour Council in 2012, and only limited development by the Trump organisation was granted by the Council and Scottish government. These decisions taken collectively provide evidence that the promoters of economic development schemes do not automatically realise their interests. Instead they are subject to highly negotiated and protracted civic deliberations and referendums consistent with pluralism. That such deliberative debate is present strengthens our local democracy and has the potential to improve the economic benefits of the schemes themselves.

'A central theme common to all explanations of the success of market economies is the power of disciplined pluralism.' (Kay 2013 p. 49)

7.1.2 Public relations strategies

Looking at *Save Camphill's* campaign alongside that of historical road protests, the Resource Mobilisation Theory (North 1998) best describes their strategic approach in that they used insider strategies such as direct lobbying rather than confronting the system from outside. Similar to the Twyford Down protest, *Save Camphill* worked within institutional settings and was respectful of the role of Ministers and elected representatives as part of the workings of our democracy. The discourse promoted by Camphill was inclusive rather than counter cultural around the concept of community. The importance of community to their argument is exemplified in their campaign logo and tag line: *Save Camphill, Don't let the by-pass destroy our community* (see Appendix N).

Yet an examination of the *Save Camphill* campaign may yield further insights beyond proving the existence of pluralism. The campaign's use of professional public relations experts helped the campaign avoid some strategic and representational pitfalls. The advice to promote a humanist and community discourse - distinct from an environmental discourse - introduced the use of *pathos* in their rhetoric. This was well received by a sympathetic national and local media such as Cheryl Paul of STV and the *Evening Express*, the tabloid sister paper to the *Press and Journal*.

Having a single aim to the campaign and a cleverly 'neutral' stance to the principle of a road was telling from an instrumental PR perspective. This strategy confirms Werder's (2006) work on the importance of 'goal alignment' and her conclusion on the importance of pathos as critical success factors in PR campaigns. By aligning themselves with the goals of the promoters of the Scheme, Camphill could sidestep the distractions afforded by discussions around 'alternatives'. The neutral stance also accorded respect to the prerogative of Minister's to make policy decisions

and paved the way to a more 'face' saving concession to *Save Camphill* by altering the route.

7.1.3 Public affairs strategies

A further public relations critical success factor for the campaign rests with the quality of their direct lobbying at Holyrood. *Save Camphill* explicitly targeted elected representatives, civil servants and their advisers as part of their strategy. (see Appendix G). They persuaded MSPs to raise questions in Holyrood on their behalf and hosted visits by representatives to their site at Newtondee and the Camphill Schools to showcase their work. Camphill used traditional lobbying arguments around jobs and capital investment to quantify their contribution to the local economy. Rhetoric was used as part of these arguments; *ethos* to evoke pride in the international standard of work practised at Camphill and *pathos* around the vulnerability of those being affected by the route.

Save Camphill also utilised an effective grassroots strategy. By directly involving the residents of Camphill in the campaign from delegations to Holyrood (see Appendix F) to hosting visits and fund-raising events, Camphill avoided the negative representation in the press of 'NIMBYism' faced by *Road Sense*. That the residents featured centre-stage in the campaign meant that Camphill generated a large volume of high quality media appearances and interviews at a local, regional and national level.

In a sense, the celebrity strategy they followed had the dual benefit of catching the attention of the media, and engaging the wider community and citizens of Aberdeen. Obtaining quotes from Jeremy Paxman was influential for a well educated demographic and this was complemented by the involvement of other celebrities including Lorraine Kelly, Michaela Strachan, Ian Rankin and actors from soap-operas *Emmerdale* and *The Bill*.

7.1.4 Democratic creed under pluralism

Dahl's (2005) work highlights the importance of democratic rituals and norms, the observation of which enhance legitimacy within our democracy. However, 'the distinction between the rituals of power and the realities of power is frequently obscure.' (ibid p. 89) Phase C and D of the AWPR case study is motivated by *Road Sense's* perception that the 'democratic norms' of planning procedures and consents had been 'violated.' Their sense of fair play and due process is what Dahl refers to as 'democratic creed' and it was *Road Sense's* belief in the illegitimacy of the decision-making which fuelled their judicial reviews and appeals. Throughout this process, *Road Sense* exhibited a firm belief in the rule of law and that appeal to Judges would 'correct' these violations.

The case study also notes the strong belief in the democratic creed and its importance for maintaining a civilized society in the letters from citizens.

'Thank goodness for William Walton and like-minded people for allowing us to live in a democracy rather than be dictated to where this road should go.'

(Petrie Press and Journal 2011 Letters)

'To my knowledge, William Walton, of *Road Sense*, is not digging his heels in just because he can; he's doing it because of the way decisions are made these days. People should listen before *spitting venom* in his direction. That type of behaviour is not civilised, especially in Scotland today...Generally protest groups are made up of individuals, some of whom read the small print and do their homework. And that is when challenges arise.'

(Bothwell Press and Journal 2011 Letters)

7.2 Habermas and pluralism

Like Dahl, Habermas is concerned with the normative workings of democracy, and in particular a deliberative democracy. Relevant to this case study, Habermas identifies *communication* as the lifeblood within the system as manifest in rational-critical argumentation. Habermas (1992) first

outlines his concept of the 'public sphere' as the locus for these communicative interactions in the *Structural Transformation of the Public Sphere*. His ideas here came in for criticism from more radical critics including post-structuralists for the 'ideal-type' conceptualisation of the public sphere and its tendency to exclude citizens from participation. His ideas were later refined in *The Theory of Communicative Action* (1984) which will be focused upon here and which conceive of the public sphere both normatively and as a sociological phenomena open to examination.

According to Dahlberg, for Habermas 'the public sphere refers to a description of the actually existing complex of communicatively mediated networks of everyday argumentation.' (Dahlberg 2013 p. 4). The AWPR case study then is an examination of the arguments for and against the Scheme as played out within the public sphere in the North-East of Scotland, Edinburgh and London. Rather than simply an 'ideal type' abstraction the public sphere is concerned with the practical and everyday use of communication to settle disputes and arrive at consensual outcomes. Dahlberg (2013) defines this as follows:

'the public sphere refers to the communicative space constituted through rational-critical deliberation over practical problems, deliberation that leads to critically (in)formed public opinion which in turn enables the democratic scrutiny and guidance of official decision-making processes' (p. 4)

That Camphill exercised power is incontrovertible. In the PLI, they succeeded in avoiding the adversarial dynamics as follows:

'This week has the Camphill Hearing on Tuesday. A Hearing is a much more informal affair, with a simple round table discussion chaired by the Reporter, as opposed to an adversarial examination and cross examination with cut-throat points-scoring. This will take place in the same room with a different physical layout, but any member of the public can still attend.' (Road Sense blog, 21 October 2008)

The public sphere requires the support of institutional structures and the fulfilment of criteria as specified by Habermas: inclusive, reasoned,

reciprocal, reflexive, sincere, and coercion-free argumentation (Habermas 2006). Information to citizens must be freely available and may include: 'news, reports, commentaries, scenes and images, and shows and movies with an informative, polemical, educational and entertaining content' (Habermas, 2006 p. 415). So a full range of media, including new media, are relevant to the presence of communicative action in the AWPR debates: 'the ... daily routines of asking for and giving reasons.' If the public sphere is working smoothly then the 'forceless force of the better argument' should prevail.

Yet, as mentioned earlier Habermas is alert to the possibilities of at worst communicative pathologies and 'distortions' or 'inertia'. Haugaard comments that Dahl too accepted that exclusion from the public sphere resided in deeper inequalities in political resources:

'in order for polyarchy to deliver genuinely democratic outcomes, democracy should not be thought of solely in terms of equality in the arena where decision are made but, significantly, should also include the wider economic and educational context which shapes people's ability to articulate their interests.' (Haugaard p. 7)

Flyvbjerg contends that Habermas underestimates 'the pervasiveness of power and the extent of exclusions in everyday communicative interaction.' (Flyvbjerg quoted by Dahlberg 2013 p. 6) The issue of exclusion from full representation by legal counsel at the PLI for the Frasers culminated in their court action at Edinburgh's Court of Session on the basis of a breach of human rights.

Habermas concedes that the 'public sphere ideal is not perfectly reachable' (Habermas quoted by Dahlberg 2013 p. 5) This is due to the presence of pathologies such as those mentioned earlier which are conceptualised by Lukes (2005) as the second face of power, including corporate and state power and the role of a market-oriented media.

7.2.1 Institutional structures

At the PLI, the council project managers made it clear from the outset that the politicians are in charge: 'They're the ones who make the decisions' stated Alasdair Graham on Day 1 of the PLI around the key decision to choose the Milltimber Brae/ Fastlink hybrid route (see Appendix Y).

Robert Galbraith, Director of Operations, Jacobs Engineering admits at the PLI that 'he first heard about the Minister's choice of the hybrid route 30 minutes before the announcement to the public.' (*Road Sense* PLI blog, 11 September 2008)

Martin Ford, Councillor for the Green Party observed as a witness at the PLI.

'There is something far wrong with the decision-making process when the first decision taken is to build a road, and the second decision is to decide its function.'

(Gordon, Ferrie and Cunliffe 2009 p. 125)

Elsewhere there is evident that the 'choice' of routes presented to the Minister was stymied: 'the process of route selection was an illusion, because the Red Moss got in the way...So due to the Moss, 4 of the 5 options to be selected had to be discarded – so there was no choice in the matter at all.' (*Road Sense* PLI blog, 6 October 2008) ¹

Habermas specifies criteria and conditions for the efficiency and efficacy of the public sphere. He also alerts us to illegitimate interventions and discrepancies. These include:

1. 'unequal distribution of attention, competencies, and knowledge'
2. strategic manipulation of various sorts, including bribes, threats or violence; and
3. systemic coercion – state and corporate interests and their instrumental media of money and power colonising more and more areas of life.

(Habermas quoted in Dahlberg 2013 p. 7)

¹ The Red Moss referred to relates to testimony at the PLI from Alan James on the importance of this plant the presence of which designates a Priority Habitat.

Instances of these perversions of the system, some of which could be viewed as examples of Lukes's second dimension of power can be examined in the AWPR case study.

The first centres on unequal distribution of competency or, in more unforgiving language, examples of incompetency. Given that the accusation of incompetency by citizen witnesses at the PLI and by letter writers is directed towards the state and its officials, this incorporates the third condition also.

At the PLI, one witness, Peter Wyatt, appearing on 8 November gives a scathing attack on the failure to follow due process with a particular focus on project management.

'That the selection of the 6th, hybrid, route was facilitated by leap-frogging some of those essential steps, and thus blatantly ignored one of the golden rules of project management.' (*Road Sense* PLI blog, 8 November 2008 p. 1)

The blog goes on to mention that the witness then cites critical comments from the Auditor General in his support of this approach. (ibid p. 1). These exchanges are reminiscent of Flyvbjerg, Bruzelius and Rothengatter's (2003) empirical evidence of incompetence as characteristic of the management of mega projects.

AW: 'We have heard from several of you oil types about your industry's procedures but that experience has no relevance here...

Peter: On the contrary, the globally accepted and proven process that I have outlined is just as applicable to planning a family holiday as to building a nuclear power station...and your own STAG procedures say precisely the same things in different words, BUT NO-ONE APPLIED THEM!'

(*Road Sense* PLI blog, 8 November 2008)

The lamentable presence of cost over-runs is endorsed by a letter writer to the *Press and Journal*, Dr Fouin:

'The Scottish Parliament, the Edinburgh trams and the AWPR all share a common theme – incompetence.' He goes on to conclude 'There are hard lessons for us all when expediency rules and principle is overlooked.'

(Fouin *Press and Journal* 2011 Letters)

Interestingly, here the letter writer situates his remarks not in terms of individual accountability but in terms of a lack of adherence to institutional norms and the greater cost to the public good.

The second type of perversion of the institutional set-up that Habermas raises is around illegitimate practices such as threats, bribery and 'heavy-handed' tactics. In an *obiter dicta* conversation, stories of concerned individuals protesting proposed development in the city such as a Park and Ride scheme featured a threat of judicial proceedings, and in one case, a court order from state officials. (BAXTER, V., personal conversation. 9 September 2013) To probe examples of these types of tactics more thoroughly could expose the researcher to undue risk.

The third of these – unequal state power in terms of money was acknowledged more than once in the *Road Sense* blog:

'So there's all to play for, but already there are signs that this PLI may drag out to more weeks than at first anticipated and that will suit Transport Scotland, with its bottomless (public) purse, very well.'

(*Road Sense* PLI blog, 14 September 2008)

Where through experience citizens and civil society groups find any of the above factors to have distorted the public sphere, frustration, despair and cynicism result. In the wake of two public enquiries, Bryant's view of democracy was irrevocably altered:

'It makes it much harder for me to continue to believe in the constitutional processes of this country.' (Bryant quoted in Beckett 1995 p. 2)

In the AWPR case study a key decision-making point was Tavish Scott's choice of hybrid route in 2005 following public consultation. This change of

mind may have been power related or expedient. Some letter writers referred to his decision as 'caving into the Camphill lobby' which would add to the pluralist thesis.

In response to the protracted *Road Sense* campaign in the wake of his decision Tavish Scott commented:

'I think that it's been a combination of strongly held views and an understandable concern about the process.' (Scott quoted in the *Press and Journal* 2006)

That he should concede that there was an 'understandable' concern about the process suggests a failing in the institutional settings but whether this was incompetency or something more akin to the second dimension of power as exercised by *Save Camphill* is far from clear.

The purpose of empirical work in this area, is for Shapiro, the opportunity to improve institutional design to mitigate such abuses.

7.2.2 Legislative strategies

A further important area to look at is the rule of law in maintaining democracy. The judicial reviews pursued by *Road Sense* were ground-breaking in their use of European law on Human Rights and the environment. For Habermas as quoted by Finlayson (2005) 'valid legal norms authorize and implement political power.' Shaw (2011) comments that:

'Reliance upon European rights has not made good the difficulties in this area of law which have existed for some considerable time. It is interesting that some 10 or 11 years after the European Convention of Rights become directly enforceable under UK law, they are yet to have any real significant effect in the 'planning' sphere in general terms.' (Shaw 2011 p. 3)

Shaw provides legal commentary on *Road Sense's* experience in *Ideas & Insights*:

'Lord Tyre's approach in relation to this question appears to be broadly similar to the approach taken by the court in other cases – it is very difficult to persuade the court to intervene in policy decisions of this sort.' (Shaw 2011)

Road Sense hoped that the courts would provide a source of countervailing power to the government. It was possible to discern at the *Road Sense* meeting some relish at the prospect of forcing the Scottish Government to defend their project at the London based Supreme Court. One barrister was reported by William Walton to remark that such a contest would be 'good sport'. This insular and somewhat self-serving remark appears to underestimate the political context and *Road Sense* and William Walton could be considered naïve if they thought that such a contest could be easily won.

One dissenter at the 2011 AGM explained that he had been involved in a legal case where the 'legal minutiae' had overwhelmed and bored the judge such that when the substantive challenge was made it was overlooked.

'it has become standard practice for reporters to require to be satisfied as to the probability of derogations being granted. This is quite different to us requiring to be satisfied that they will be granted.' (Gordon, Ferrie and Cunliffe 2009 p. 53)

7.2.3 The health of the public sphere

The work of Habermas presupposes the existence of a rational critical public for a healthy public sphere. It is certainly true that the issue of the bypass has been contested. This is expressed rhetorically by Tom Smith: 'the debate has been raging ...' (Smith 2010)

Rather than passion, a Habermasian view entails a cooler rational appraisal of the arguments. For some protesters their motivation was to stimulate a 'proper' debate on the issue that hitherto had in their view been lacking.

'I am satisfied that the petition has started a proper debate about the project, which I feel has previously been woefully absent'

(Imhof in Public Petitions Committee 2006)

'We ask that alternatives be investigated properly, which is a reasonable request.'

(ibid)

Imhof is supportive of the petition mechanism as the means to stimulate debate. That in his view, previously, debate was 'woefully lacking' is worthy of investigation in that it may indicate the presence of Lukes's second or third faces of power. The second quote also refers to 'reasonable request' and 'properly' suggesting that such arguments as were put forward before lacked truth, validity and substance. The findings reveal examples of argumentation at work. For example proponents used a relativisation argument (Windisch 2008) in phase B along the lines of: whilst we value the countryside we have to also think about road safety and the well-being of residents from air pollution.

The Findings also found that *Road Sense* used Windisch's (2008) argumentation strategy around generalisation; that to build a new road here or anywhere else was contrary to reducing climate emissions. They argued for more sustainable transport solutions around public transport. They also used a displacement argumentation strategy to highlight the perceived breach of due process in around the lack of public consultation on the hybrid route, and by drawing attention to the development agenda driving the Scheme.

For the media as a participant in the public sphere there is perhaps a crude attachment to majority rule over rational critical debate. There is a palpable sense of frustration in the following quote that the debate was protracted

and that the consensus had to be 'hammered out' stopping just short of coercion.

'The route has been debated ad nauseam by the public, councilors, planners and appeal judges. The route we have is the best that could be hammered out, assuming that we agree that the majority view should prevail.' (*Press and Journal* editorial 2013)

Windisch (2008) disagrees with Habermas: 'putting the primacy of argumentation into its context represents a profound criticism of those theoreticians of argumentation who claim that the 'best argument' must have the last word in a genuinely deliberative public forum.' (p. 97) As Windisch concludes the problem lies with establishing a truly effective, deliberative public forum finding even Switzerland's deliberative referendum based system deficient in this effort.

7.2.4 Exclusion from the public sphere

Road Sense aspire to fulfil the Habermasian spirit of the public sphere, though the important issue of exclusion is highlighted as problematic:

'We still have strong and compelling, factual arguments against the new road as it is currently proposed, and are looking forward to exposing the many flaws and half truths in the arguments put forward by the road's proposers. The exclusion of many objectors from the PLI constitutes a serious blow to public participation and local democracy, and creates a significant democratic deficit. We will fight at the PLI on behalf of all of those who have been unfairly and cynically excluded from doing so themselves.'

(Irvine-Fortescue *Road Sense* 2008)

A similar view was expressed from a civil society group, suggesting that the public sphere in Aberdeen was asymmetrical.

'Like many others, we tried to contribute to the debate in a constructive manner, but very few have had the courtesy of an acknowledgement, let alone a reply.' (Keeler 2006 Letters p. 17)

This view was echoed in the *Road Sense* blog describing the questions put to Mr Galbraith by Lavinia Massey of the Culter Community Council during the PLI on the 11 September 2008.

'She wanted to know, among other things, why – as the man in charge – that there had been no response to their suggestions of alternatives, their requests for consultation and their demands for answers.'

(*Road Sense* PLI blog 2008)

Road Sense also see their actions as motivated by upholding truth. The 2006 *Road Sense* Bulletin features a screen grab of the dictionary definition of truthful and truthfulness.

Habermas is interested in optimizing conditions for decision-making outcomes. In this sense he shares Dahl's view that different groups can ascend at different times so long as their positions are internally coherent and accepted by citizens and other parts of civil society. The presence of polarized debate and personal attacks undermines the workings of this process with serious cultural and systemic implications.

'Besides personalization, the dramatization of events, the simplification of complex matters, and the vivid polarization of conflicts promotes civic privatism and a mood of anti-politics.' (Habermas 2006 p. 27)

From Phase C in the AWPR case study the media personalise William Walton and this culminates in the vilification of 'the most hated man' headline associated with the First Minister's remarks. Vilification 'poisons the well' and from an instrumental public relations perspective can often be counter-productive. In some political cultures, such as the UK, negative image attacks are usually rejected by citizens and civil society groups.

'Our organisations are deeply disappointed to see Mr Salmond appear to launch such a disgraceful personal attack on someone who has done no wrong whatsoever, and we call on the first minister to apologise to Mr Walton... Mr Walton has put his life on hold, his personal finances at risk and has suffered considerable personal abuse in order to challenge a poor

decision by ministers and shed light on the Scottish Government's failure to act properly. He has simply practised his democratic right to challenge an environmentally-damaging development that has been delivered through a flawed process.' (Blackley *Press and Journal* 2011 Letters)

Although Mr Stan Blackley, a public affairs consultant whose firm has been professionally engaged by *Road Sense*, is not an unbiased commentator by any means, the letter highlights 'considerable personal abuse' which borders on the illegitimate tactics of threats deemed problematic by Habermas.

A counter view is offered in defence of rhetorical statements by Windisch who argues that vivid characterizations are of value in engaging the attention of citizens: 'These public discussions, even when they culminate in verbal excesses, help to keep the population engaged' (2008 p. 96.) Van Zoonen's (2005) *Entertaining the Citizen* reinforces this view that in a postmodern society where audiences are distracted by media products, such tactics can pique the interest of audiences to devote more time to politics. The question of whether once this attention is caught, audiences can switch hats to being citizens is not well understood.

Certainly for the PLI there was very little popular interest from Aberdonians. The researcher noted that there were certainly less than 100 people in the audience on Day 1. By the afternoon, attendance had halved and halfway through the proceedings the audience was a handful with a dozen supporters for Professor Tony Hawkins viewed as 'notable support'.

This highlights two further problems for Habermas: civic privatism within the society, and a media for whom commercial and private interests take priority over watchdog functions.

7.1.12 Role of the media in the public sphere

Habermas is attuned to the role played by the modern media and its detrimental affects on public opinion. In his 2006 paper he confronts the

unpalatable possibility of a citizenry too ignorant to exercise the critical reflective role, unhelpt as they are by the output of the media.

Stanyer refers to the work of Entman and Herbst who argue 'that the media are key in understanding the formation of public opinion, and they "valorize some definitions of public opinion over others."' (Stanyer 2003 p. 391) He elucidates:

'On most public policy issues they argue there is no determinate public opinion just 'mass opinion' It is mass opinion that is measured by pollsters and the media – susceptible to the framing effects of the media and not an independent variable' (Stanyer 2003 p. 391)

This framing effect is of course another example of Lukes's second dimension of power. It is certainly noted by citizen letter writers in Aberdeen that the local press is far from the fourth estate.

'Keep watching! You'll find that not many of the figures that appear in the "pro-AWPR Evening Express" stack up! That's because the "Evening Express" just parrots the pro-AWPR politicians. Don't look for any serious or investigative journalism here. You'll be disappointed'

(Fraser, Discussion forum, Public Petitions Committee 2006)

7.3 Second dimension of power

Bachrach and Baratz (1962) are critical of Dahl's pluralist conclusions. In their articulation of the 'second face of power' which operates at a covert level they seek empirical evidence of instances where power is used to bring about what looks like consensus on the surface but is actually achieved by ensuring struggle is managed off stage through the use of tactics which today would be identified by the term 'spin'.

This second face of power may explain some of the actions of state officials, politicians and business notables acting in concert to realise specific interests around growth and development. Their concerted actions ensure

that alternative views are marginalised so that the public are precluded from real debate on these opposing arguments' merits.

In the AWPR case study, the limited remit of the public inquiry is a vivid example of the second face of power in operation. The remit delimited the discussion to exclude the rationale for the road and a consideration of alternatives to the road. For many interest groups such as *Transform Scotland* this was an illegitimate use of state power. The PLI itself formed a 'rituals' such that it appeared that a range of views were being aired when the reality was that certain topics were ruled 'out of court'.

Within the ritual of the PLI, many other micro techniques were practiced designed to confer an advantage to the state. Some of these are quaintly termed 'artifice' but constitute discrete exercises of power amounting to 'the mobilisation of bias.'

7.3.1 Power asymmetries at the PLI

The protesters certainly registered the power differential between their case and that of the 'Establishment'. This was evident around the ability of the state to circumscribe the remit to exclude the rationale for the road and a consideration of alternatives. This is a well established tactic by the state as demonstrated in the remit of the Hutton Inquiry which was narrowly focused around the death of Dr David Kelly.

'We started off with the entirely predictable rejection by the Reporter of the *Road Sense* submission that he – the Reporter – was almost obliged to consider alternatives...owing to the potential effect on the Dee SAC. Predictable insofar as a Reporter, by the very nature of the beast, is unlikely to rock the boat by breaking away from his brief. However, it was worth a try and made it clear to all that RS is not just 'here for the beer' – The Establishment has a fight on its hands ...'

(*Road Sense* PLI blog, 11 September, 2008)

This initial assessment does suggest that *Road Sense* felt that the forensic setting of a PLI could bring about redress of this power differential. The reference to 'fight' suggests that although they recognize the power of the state, that they may have power resources of their own. Yet as the inquiry proceeded their views sharpened as to the inequity of the power to set the terms of the game: 'the terms of the PLI were made so restrictive that the scales were weighted against such an outrageous finding' (*Road Sense* PLI blog 2009 p.1) i.e. in favour of *Road Sense*.

This power did not go unnoticed by other activists and citizens which supports the second rather than third dimension of power. In a letter to the *Mearns Leader*:

'I find it very strange that the Transport Minister has narrowed down the remit of the Public Inquiry to such an extent that objectors' true concerns will be brushed aside and the road go ahead regardless.' (Fraser letter in *Mearns Leader* 2008a)

In the final summation of the PLI in the *Road Sense* blog, the author notes '...but by and large the Reporter gave the appearance of ploughing a straight furrow.' (*Road Sense* PLI blog 2009 p. 2). However this perception was undermined, as document in detail in the blog entry, due to the numerous extension to the deadline for the closing written submissions by Transport Scotland. 'So deadline No. 4 is also ignored. When is a deadline not a deadline? When it is for Transport Scotland.' (ibid p.2). The blog clearly documents the mounting frustration on behalf of opponents of the road Scheme. This culminates in the statement:

'...the extraordinary latitude shown by the Inquiry Unit towards Transport Scotland in the matter of this closing statement has led many of us to question quite seriously the whole Inquiry process. It is not stretching things too far to say that a number of people interpret this catalogue of leniency and favours as showing distinct partiality towards Transport Scotland and undermining the very ethos and raison d'être of the Reporter's Unit'

(ibid p. 2)

'There has been a lack of due process for the Milltimber Brae route with the choice being bulldozed through without proper consultation. Furthermore, there has been, at best, scant justification for this road, wherever it should be built. The opportunity should be taken to look more holistically and imaginatively at Aberdeen's transport difficulties and perhaps set the direction for other locations in the country.'

(Wright, Discussion forum, Public Petitions Committee 2006)

No evidence for the lack of due process is presented by this letter writer. However the comment does suggest inconsistency and a lack of centralized co-ordination around the primary message. This dissonance may go some way to explaining *Road Sense's* inability to carry public opinion or win respect as was achieved by the more professionalized Camphill campaign.

'This is all part of the tactical manoeuvring which goes on with the respective QCs all the time. For example, if Stuart Gale can spin out his leading examination of his own witness for an extra ten minutes or so in the afternoon he know that SWOMBO² will have insufficient time to conduct her cross-examination properly and will have to rush it. In this case, Herself knew very well that Tony was not available again until Friday at earliest and thus she would have two full days to plot his downfall with her supporting cast.'

(*Road Sense* PLI blog, 31 October 2008)

This passage refers to tactics of filibustering in the cross-examination of Professor Tony Hawkins who has considerable experience as a witness in PLI's. The quote also notes the superior resources in terms of researchers and aides available to Transport Scotland creating a further imbalance in resources to be exploited.

In terms of rhetorical style, there are many descriptions in the *Road Sense* blog of the hectoring style of Transport Scotland's QC, Miss Ailsa Wilson, which could also be viewed as contrary to a fair hearing and capable of distorting the balance of power. Certainly from the view of the principal

² SWOMBO is an acronym for She Who Must Be Obeyed popularised by the fictional creation of Rumpole by author John Mortimer.

protesters to the Scheme, her style is described in the *Road Sense* PLI blog variously as follows:

'Battleaxe Wilson – following her performance at the Beaulieu pylons PLI'
'SWOMBO', 'Xena the Warrior Princess' or 'Lady Bracknell'
'AW's personal style ... constant and wide application of the wrecking ball'
'She has all the subtlety and finesse of a Sherman tank'
(*Road Sense* PLI blog, 2 October 2008)

The concept of 'anticipated reactions' is relevant here in that the forensic rhetorical setting and adversarial nature of the PLI could be seen as intimidating for some witnesses.

'Even Sheona, giving a simple statement as a local resident, housewife and mother, was treated to the same steamroller treatment.'
(*Road Sense* PLI blog 3 November 2008)

The other notable part of the rhetorical style focuses on *logos* in terms of forensic attention to detail. Every statement is challenged and qualified. Dangerous dog analogies were often used in *Road Sense* PLI blog to describe the tenacity of Ailsa Wilson:

'the government's attack dog'

'cringed at the sight of this gentle soul being given the once-over by Pit-Bull and the pack'
(*Road Sense* PLI blog 2008)

In the rhetorically forensic formal setting of the PLI and later in the courts themselves it is clear that rhetorical language is a naturalised into the performances of the barristers. During the PLI, the high costs associated with hiring barristers to present each side of the case testifies to the imbalance in economic resources and the consequent disparity in power between appellants.

'It seemed to some of those present that the constant nagging over detail might be a quite deliberate extension of a campaign to run us off the road – in every sense of the word' (*Road Sense* PLI blog, 3 October 2008 p. 2)

7.3.2 Role of experts

This role of experts whether barristers or technical or environmental specialists in itself testifies to the operation of the second dimension of power. This power tends to be latent though the competition between experts was overt and evident in the PLI. The ability of expert testimony to affect outcomes is worthy of attention. The second dimension of power is discernible in the expert statements and reports. The case study contains examples where reports such as the Oscar Faber report (1998) are deliberately left to languish 'on a nice dusty shelf somewhere' when they contradict the stated objectives of proponents of the Scheme. Similarly, a report by consultants, *MVA*, was described by *Road Sense's* QC, Stuart Gale, in an aside as validated by 'a Swedish gentleman who may or may not be a masseur'. This satirical reference to a Monty Python sketch alludes to the partial selection of statistics which prejudice a particular interpretation and is a further example of spin.

An exchange with one of the expert witnesses, Dr Connolly, testifies to the status of not only reports but also PowerPoint presentations in decision-making. As reported in the *Road Sense* PLI blog, Dr Connolly:

'explained that the 10 page power-point presentation to justify the road decision was all the minister had to inform him of the advantages of the Milltimber Stonehaven road – and he was not even there to give the presentation. It looked as though a 20% reduction in predicted road accidents was what really swung it'

(*Road Sense* PLI blog, 12 September 2008)

The problem is that the statistics needed context of the number of accidents in the surrounding area. Actual difference in accidents was negligible. As a statistical sleight of hand this is the second face of power. The power of

expert reports disassociated from their authors lends itself to a Foucauldian interpretation in line with his ideas around governmentality.

Although more covert, some of these 'second dimension of power' tactics are discernible and when exposed served to incense the rationalist technocratic point of view expressed by 'oil types' such as Peter Wyatt, who criticised:

'the cavalier manner in which the state goes about things ...and the overtly political interference in what should be a logical, technical progression leading to a sensible solution.' (*Road Sense* PLI blog, 8 November 2008)

The PLI report notes Mr Wyatt's qualifications as an engineer with extensive experience in project management. It goes on to elaborate Mr Wyatt's criticisms:

'The switch from 5 options to the 'hybrid' option took place within a few weeks. While parts of the hybrid were included in some of the original options, it is never valid to 'cut and paste' elements, in what is a non-linear system, without detailed recycling back through the engineering studies to ensure robustness and optimisation. Decisions were taken before the support work matured. The possibility of having chosen the wrong route or configuration is therefore high.' (Gordon Ferrie and Cunliffe 2009 p. 132)

In *Who Governs?*, Dahl (2005) notes that of his three chosen 'issue-areas', urban redevelopment is the one which offers:

'the prospect of profound changes [as a result of the urban-redevelopment program] in ownership, physical layout, and usage of property in the downtown area and the effects of these changes on the commercial and industrial prosperity of New Haven were all related in an obvious way to the daily concerns of businessmen.' (p. 71)

This is also true of the AWPR case study and explains why the views of economic and business notables such as Maitland Mackie and Stewart Milne feature in the list of witnesses in the PLI. Dahl (2005) appreciates that:

'redevelopment looked a good deal more like the kind of operation corporate executives, bankers, and utilities heads understood; it was, in a sense, business.' (p. 71)

In the AWPR case study, it follows that the decision to invest in infrastructure is of interest to the operating environment of corporate interests such as Sir Ian Wood, Bob Collier, Tom Smith and Stewart Milne all of whom endorsed the Scheme. It is possible that other leading businessmen were also interested in the outcome and may have exercised influence without recourse to the media. It is possible that Sir Ian Wood represented many of these interests in his role as 'ambassador mogul' (Cresswell 2005).

Bachrach and Baratz (1962) critique Dahl's approach which measures:

'relative influence solely in terms of the ability to initiate and veto proposals' [which] is to ignore the possible exercise of influence or power in limiting the scope of initiation.' (Bachrach and Baratz in Haugaard 2002 p. 36)

In the AWPR case study, questions around 'de-limiting' should be asked around route options such as tunnelling to the east of the city, an alternative promoted by Aberdeen Greenbelt Alliance. The limited remit of the PLI precluded a serious examination of this option though some figures were given. In their case for the Scheme Transport Scotland noted categorically as if to reinforce 'the rules of the game':

'Some of the alternatives are outwith the scope of the inquiry. The eastern tunnel bypass put forward by the Aberdeen Greenbelt Alliance falls outwith the scope of the inquiry, as the Scottish Ministers have accepted the principle of a road to the west of Aberdeen.' (Gordon, Ferrie and Cunliffe 2009 p. 41)

That said, the following paragraph goes on to mention arguments against a tunnel.

'It was not considered for 2 main reasons. Whilst indications were that it could relieve traffic in the east of the city, it provided no potential for improving public transport patronage on the radial routes or links between communities, commerce or the airport and freight facilities to the west of the city. In addition the cost of the scheme was estimated at £630 million.'

(Gordon, Ferrie and Cunliffe 2009 p. 41)

These arguments are weak. The current scheme offers very little in terms of stimulating public transport patronage. There is no link for example to the Park and Ride at Kingswells. The cost comparison is also erroneous given the cost for the AWPR has been kept deliberately low.

Other solutions to congestion such as the flyovers like the one in Chiswick or more ambitious schemes such as monorails were given scant attention. Certainly, tunnelling is a model used elsewhere in the UK and throughout Europe. One letter writer highlights the benefits of the East in terms of connectivity in that the shorter and more direct route close to the harbour is cheaper for haulage companies. Through attendance at the 'Dragon's Den' presentation, one speaker produced costings showing that tunnelling was cheaper than the current Scheme. Yet from the evidence submitted in the PLI, it was suggested that council professionals did not examine these possibilities seriously. Since this area was formally outwith the remit the matter was not examined in detail. It is possible to speculate that other power interests were involved in keeping this option off the table.

'Henry had already asked him about the Murtle tunnel option and Galbraith's response was that a report had duly been prepared which clearly showed that the ground conditions were unsuitable and the tunnel simply was not viable. When John questioned him about tunnels he then – perhaps unwisely – said that it wasn't really a report... 'more like a few chaps around a table with a sketch who took a look and said, 'I don't think that'll work''

(*Road Sense* PLI blog, 11 September 2008)

It is possible as noted by letter writers and petitioners from as far back as 2006 that the bypass was never about a road but an agenda to develop housing, commercial and retail opportunities to the west of the city. Thus

one might see that the arguments presented on congestion are something of a smoke-screen. There will always be a strong imperative for lorries to get to the docks which are located in the city centre. Even with the AWPR taking traffic around the city there is every reason to think that congestion and consequently air pollution will remain problematic within the centre of the city.

7.3.3 Non-decision making and filibustering

'the issues that we ignore sometimes seem to be more important than the ones that receive attention.' (Crenson 1971 p. vii)

'The decisions that we fail to make often seem to be more critical for the life of the nation than the ones that we do make.' (Crenson 1971 p. vii)

Crenson's insights are equally applicable to proponents of the bypass who could have looked at alternative transport solutions such as public transport monorails and opponents of the bypass who used attritional strategies to keep the bypass off the operational agenda. One of the council employees who was cited by Ken McEwan as having successfully blocked the implementation of the bypass in the 1980s was George Kirkbride, Grampian Regional Council's Director of Roads. In *obiter dicta* conversations with former employees of Grampian Regional Council who recollect George Kirkbride, he is described as 'intelligent' and 'no-push-over' which enhances a sense of agency fuelling the non-decision-making. One contact, recalls attending a lecture by George Kirkbride on the historical development of Aberdeen (BAXTER, V., personal conversation. 9 September 2013). He recounts that George Kirkbride explained to his audience that roads should fit in with the architecture of the city. 'From his presentation you were left with the impression that he'd touched and stroked every building.' For a Roads Engineer, Kirkbride was unusual in that he cycled to work every day.

The overall gestation period for the road is characterised by long periods of inertia. Tom Smith describes the trajectory as follows:

'This [the need for the bypass] was recognised as long ago as the 1940s in the North-east. Planning was started in earnest in 1990 by Grampian Regional Council, then by its successors, Aberdeen City and Aberdeenshire Councils, and finally by the Scottish Government, which picked up the mantle in 2003 following a 15,000-strong petition.' (Smith 2010)

An outsider would surely wonder at the four decade long gap before 'planning was started in earnest.' Surely this inertia cannot be the opposition of one senior manager at Grampian Regional Council? Likewise the twenty odd years' period after the 1990s seems questionable given the boom years of investment especially from the late nineties onwards.

We do not need to go as far as a Lukes and Foucauldian analysis of power to see how the institutional set up is far from neutral. Tom Smith's *Scotsman* article refers to 'Three independent Reporters were satisfied with these issues...'. Of course the Reporters represent another branch of the state and are state appointed. This is not to say that Reporters will not find against *Transport Scotland's* case as happened in the M74 extension PLI. However, it is likely that networks operate within and across government and government agencies to advantage.

Another important instance of non-decision-making present in this case study centres on the bypass as part of an integrated transport solution. In phase A, we noted the use of rhetoric in support of this end. By phase C, Lewis Macdonald states his regret that the Scheme no longer represented 'a sustainable transport solution such as that we supported.' This marked a significant shift in substance such that projects such as Cross-rail were downgraded to an 'incremental' approach and effectively sidelined.

7.3.4 Spin: smears

Crichton in *The Press and Journal* (29 February 2012) pronounced that the AWPR appeal was 'flawed from the outset'. The article explains that legally Mr Walton was not viewed as an 'aggrieved person' as his home is situated more than a mile from the proposed AWPR. In the absence of this

justification, he is conceptualised as a 'mere busybody'. This information served to undermine Walton's legitimacy and his legal knowledge in embarking on such a judicial review.

This type of personalised attack is referred to under spin as a 'smear'.

'The extent to which the adversary is discredited is sometimes so great that it represents a breach of the normal rules of communication.' (Windisch 2008 p. 96).

Allied to 'the most hated man' vilification these strategies represented a pathology in communication. Smear techniques were also present in the treatment of Cllr Martin Ford for his part in the Trump planning permission issue.

7.3.5 Overpromising statistics

The protesters were cognizant of Flyvbjerg, Bruzelius and Rothengatter's (2003) findings around statistics associated with mega-projects being overblown: 'We are asking for a proper debate on the AWPR, instead of superficial arguments and promises which will never materialise.' (Imhof Letters 2006a). Patrick Harvie, MSP exposes this tactic in relation to the Trump development:

'The motion states that the promised 7,000 jobs have not materialized and that, of the £750 million promised, just £13 million has been invested'

(Press and Journal 2012 p. 7)

The proponents claimed that the AWPR will create 14,000 new jobs and a £6 billion-plus boost to the region's economy (Crighton 2012). According to Alex Salmond, the construction of the bypass alone will create 1,000 jobs (Davidson 2012).

'This is the sort of project we need in Scotland right now, not just for the long-term benefit but also for the construction jobs,'

(Salmond in Davidson 2012 p. 7)

'I would like to be in a position to do far more projects like this, which is why we are demanding capital investment is released from the UK Government in order to go ahead with badly needed projects like this.' (ibid p. 7).

Of course there is scepticism about whether these numbers of jobs and capital investment will materialize. That Transport Scotland announced that the M74 extension was delivered under budget and early is rare though disputed by opponents (BBC News 2011a).

7.3.6 Accountability and power

Another feature of the PLI resides in the fact that many of the witnesses could claim that they were not in post at the time of the decision-making. For example examining Dr Gilchrist:

'He also, as we could have predicted by now, was yet another one who did not join the team working on the WPR until 2007. He thus often fell back on the well-rehearsed ... 'I was not part of the project at that time, but I believe' as of course did his boss, Dr Shirley Henderson, Alasdair Graham and others. Was this a deliberate ploy, one wonders, on the part of *Transport Scotland* to produce witnesses who could not be directly 'nailed' for their actions?' (*Road Sense* PLI blog, 24 September 2008)

In order to reconcile the possibility of this second dimension of power situated alongside the examples of pluralism already cited, Crenson's insight around non-decision making could be applicable to the AWPR:

'A polity that is pluralistic in its decision-making can be unified in its non-decision-making' (Crenson 1971 p. 179)

7.4 Political economy perspectives

Political economy theories draw on Marxist analysis of the process by which the interests of class based elites become dominant in contests and structurally achieve hegemony (Gramsci 1971).

A letter published in the *Press and Journal* in 2006 explicitly interprets the rationale for the road in political economy terms. The author identifies the identities of prominent local and regional individuals whom they believe represent a ruling cadre:

'it brought to mind the words of Karl Marx – 'political power, properly so called, is merely the organized power of one class for oppressing another'. Every four or five years in our country, the passive masses troop along to put a cross on a bit of paper, leaving 'the elected experts' to manage our affairs. A very conservative interpretation of democracy indeed...The politicians of today have no interest in contact with the general public, as evidenced by the Tavish Scott disappearing act. The contact they practice is with the likes of Donald Trump, Fred Goodwin and Stewart Milne and all those in business who stand to profit from decisions like building of the AWPR. Government is merely a control lever over the masses for big business.'

(Hadden 2006 Letters p. 40)

This letter refers to both the effects of structural domination legitimated through representative democracy but also assigns agency to individuals working in concert to ensure that benefits are inequitably distributed.

Sir Ian Wood 'is among Britain's wealthiest' business leaders. His first commercial success was with the family firm where he would have had ultimate control. Sir Ian did not study engineering but read psychology at Aberdeen University. His early encounter with the oil industry was instructive:

'Even as early as the late 1960s, the view was that the commercial fishing out of Aberdeen would be swamped and that there would be wholesale exploitation by Big Oil. And that really annoyed Wood.'

(Cresswell 2005 p. 153)

Cresswell (2005) goes on to note Sir Ian's early vision 'we knew that marine facilities were going to be key to this new industry' they had just invested in the base at the John Lewis yard. (p. 154) Cresswell's profile of Sir Ian Wood includes his subject's own analysis of his agency and power: 'You've missed a trick if you still think it's me. The media thinks that way.' (p. 157)

Sir Ian positions his power in terms of his stewardship of a global oil services organization. He is keen to play down his personal agency but paradoxically his promotion of the Union Terrace Gardens project belies a bid for legacy. Sir Ian ends the interview with the sentiment around greater 'collective enterprise' within the city: 'working together to actually take Aberdeen to the next level.' (p. 159)

'When I was chairing Grampian Enterprise, I saw the revamp of Union Terrace Gardens as one thing that might have a huge impact. It's that scale of enterprise that's lacking. It might still come.' (p. 159)

Referring directly to his lobbying expertise, Cresswell (2005) comments:

'When Margaret Thatcher came to power as UK prime minister, Sir Ian learned to play the political hand, engaging with ministers like Alick Buchanan-Smith and Peter Walker.' (Cresswell p. 155)

Significant financial and commercial interests are contingent on the implementation of the AWPR. These include economic development projects including the Energetica corridor to the north of the city and business and retail parks at Kingswells, Stonehaven and around the airport. New Towns are planned at Elsick and new housing estates at Hilton. The AWPR will effectively link these spatial centres of capital, labour, housing and consumption.

Certainly, it is the view of some politicians that the business lobby has power: Green Party MSP, Patrick Harvey, quoted in *Press and Journal* states that the Scottish Government 'only seems to listen to the powerful business lobby' (Press and Journal 2012 p. 8)

The existence of this power to effect ulterior outcomes and interests was revealed by citizens through the use of new media:

'the route has now moved, we suspect that it is no longer the bypass that they originally talked about. It has never been a bypass, but a development corridor that is fast becoming reality.'

(Robb in Public Petitions Committee 2006 pp. 6-7)

'Furthermore, the continued lack of transparency on its selection has given rise to a wide-spread belief that it is politically motivated and *heavily influenced by undisclosed private interests.*'

(researcher's emphasis, *Road Sense Bulletin* 2006 p. 1)

That the road was moved from the Murtle route represents a victory for pluralism and the professional campaign mounted by *Save Camphill*. That Camphill had powerful connections may additionally be pertinent. The Burnett (Crathes Castle) and MacMillan families (publishing and political capital), both patrician in Dahl's (2005) terms, bequeathed the land and grants to Camphill earlier in the twentieth century.

Yet, the Murtle area is also home to other economic notables including, Stewart Milne's eco house, Dalheibity House, Bielside (Smith in the *Herald*, 2007), oil 'mogul' Larry Kynch's North Deeside house. To move the route from Murtle to Milltimber was a decision involving the exercise of power. Yet moving the route to Milltimber also risked problems. Certainly in terms of potential power and anticipated reactions, the Minister Tavish Scott also viewed residents of Milltimber as 'the most sensitive area' (*Press and Journal*, 3 May 2006).

The focus on the luxury homes is deliberate. The Council was Labour/Liberal controlled. The media coverage referred to: 'Luxury homes and a school to be sacrificed for bypass.' (*Press and Journal* 3 May 2006 p. 1) and 'Hardest hit is the wealthy suburb of Milltimber.' (ibid)

It is likely that the majority of citizens in the city-centre would not be exercised by the small numbers of home owners who it could be assumed were privileged enough to have the funds to relocate elsewhere. These

homeowners represented the professional middle classes but not the economic notables with significant business interests in the Murtle pathway.

'The bypass has caused controversy among local people who live along the proposed route. Some of the areas affected are amongst the most expensive in the city and its surrounding area. It will particularly affect the people in Milltimber, Bieldside and Cults.' (Wikipedia 2009)

This is a stronghold area for the Liberals who were at the time the main challengers to Labour and the area was previously represented by Nicol Stephen, the Liberal Deputy First Minister.

The entry also evokes through the use of 'local people who live along the proposed route', the inference of 'NIMBYism'. This is a clear attempt to polarise the debate. Although the author is unknown, one could assume that this entry was written by a proponent of, or communication adviser to, the Scheme, suggesting to a mass audience that ordinary citizens need not be concerned and that the wealthy can look after themselves.

Yet the idea that a business or economic elite have exercised a 'hidden hand' of power in their favour is not clear cut. From the case study, it can be observed that 'business notables, leaders or notables do not form a homogeneous group. In response to a media characterisation that 'business backs the road', the *Save Camphill* campaign quickly mobilised a counter campaign. 5,000 business were emailed and around half of these responded with comments on the *Save Camphill* website denying and in some cases indignant at the suggestion that local business did not care about Camphill. backed by some high profile leaders and support from a number of SME businesses and retired businessmen.

This campaign also elicited two hostile phone calls to one of the instigators of the rebuttal. One of these was from the senior partner of a major property developer of commercial and domestic real estates. The researcher is privy to the name of the individual but hesitates to quote it for ethical and legal reasons. He claimed that the *Save Camphill* campaign would 'cost this company, tens of millions of pounds.'

Yet at a *Road Sense* AGM, Councillor Marie Boulton claimed that many 'senior business leaders believe privately that the AWPR will never be built.' This is not to say that they would prefer it to be built and that they consequently feel that their power is not strong. Perhaps it depends on which industry leaders. Many in the oil and gas sector see growth not necessarily in terms of greater numbers of employees and consequently commuters. There is no doubt that from a media perspective key economic notables were lined up for comment in the wake of Lord Tyre's decision. Those interviewed include Sir Ian Wood, Stewart Milne, Tom Smith, ACSEF Chairman.

When economic notables are discussed it is curious that, given the issue is transport, the views of the major multinational *First Group* headquartered in Aberdeen have not featured more heavily. Certainly, Moir Lockhead the former Chairman of the Group who is from Aberdeen, would normally seize the opportunity to play a role. Moir Lockhead has now new business interests around farming in Aberdeenshire and in non-executive positions with Aberdeen Asset Management (BAXTER, V., personal conversation. 9 September 2013). It is possible that when the Council thwarted First Group's plans to move their headquarters within Aberdeen the major corporation has sought other lucrative contracts elsewhere around the world. Again, this 'non-decisionmaking' role looks like an exercise of power in that Aberdeen could have been the locus for pioneering innovative sustainable transport solutions in their home city such as those observable elsewhere such as Vauban, Freiburg in Germany.

7.5 Third dimension of power

If we are to accept this analysis that different faces of power may co-exist it begs the question so often asked by Lukes; how should we account for the compliance of the citizens in this non-decision-making? Following Lukes, there are two possibilities. One rests on the existence of a 'third dimension of power' the operation of which effectively manipulates the preferences of citizens. In its 'thickest' incarnation this 'third dimension' refers to a powerful combination of values, beliefs and desires such there is a

hegemonic support for road-building and the autonomy offered by the car. This dominant discourse renders 'invisible' the very thought of alternatives. Recent events in the UK involving 'grooming' of young girls demonstrate the third dimension of power empirically. Whilst it is incomprehensible to many people that these girls would not seek help, a combination of their environment, upbringing, values, and past experience in not being believed by social workers and the police leave such girls open to prolonged exploitation by patriarchal, economic and cultural interests.

The third dimension of power can be viewed as a 'thick' form of domination 'where people actively believe the values which oppress them and in the thin where they are merely resigned to them' (Scott quoted by Dowding 2006 p. 137). Of course this analysis tends to be based on a modernist conception of the self as fixed and perhaps a Marxist view of identity based on class. Post-modern interpretations would hold that identity comprises different aspects which compete and mutate over time: class, gender, ethnicity, religion and sexuality (Gergen 1991). In any case, Foucault allows for the possibility of some force within humans to escape relations of power what he calls a centrifugal movement despite the surrounding structures of social relations.

'there is indeed always something in the social body, in classes, groups, and individuals themselves which in some sense escapes relations of power, something which is by no means a more or less docile or reactive primal matter, but rather a centrifugal movement, an inverse energy, a discharge.'

(Foucault 1980 p. 138)

This complicates the debate over whether agents are pursuing their real interests in a rational way. Decision-making may have to be re-interpreted when someone acting is motivated by their role as a mother for example rather than realizing their economic interests. The example given in the literature (Dowding 2006) was that workers may choose not to strike and endure economic humiliation to meet a preferred interest of maintaining social status.

A thinner version of this account posits that people who can conceive of alternative and possible sustainable forms of transport are resigned to the reality that resources will not be expended to these ends. The latter version seems close to the 'anticipated reactions' second face of power as conceptualised by Bachratz and Baratz and Lukes.

In the road-building protests of the 1990s overt protest came from these hitherto powerless groups of citizens in the form of new social movements and civil disobedience. This type of resistance suggests that both Lukes's and Foucault's theories must allow for the possibility of some resistance. The ideology of groups such as the *Dongas* represented a systemic challenge to the status quo:

'From their particular context, movements send signals which illuminate hidden controversies about the appropriate form of fundamental relations within complex society' [Melucci, 1989: 207]. These new cultural codes, for Melucci are the goal in themselves. The movement is self reverential, the form of the movement is the message as 'a symbolic challenge to the dominant codes'. (North 1998 p. 15)

North contrasts this type of challenge with the Resource Mobilisation theory, strategies which are practised by groups within the pluralist system seeking to affect policy outcomes. In the AWPR case study, *Save Camphill* and *Road Sense* are examples of an interest group practising RMT.

7.5.1 Foucauldian perspectives on power and discourse

A further conceptualisation of power which could be of value in accounting for the compliance of Aberdonians to the bypass is offered by Foucault. His conceptualisation of power is at the same time expansive and 'finely grained'. As discussed in the Literature Review in section 2.2.2, Foucault (1970) views power as a constitutive capacity, a positive 'power to' more than a relationship where one party dominates the other. This account is less agent specific and therefore less concerned with intentionality.

Rather Foucault sees us all as constituted by power. For some critics this is where his argument becomes what Lukes terms 'ultra radical' and for some a relativist 'trap' which does not allow us to distinguish between the truth and validity of arguments and actions. The thinking is that as people we are 'made up' through power and culture.

In the *Road Sense* blog the heavy use of cultural and literary references provides some clues as to the anonymous author as being 'constituted' through cultural consumption. The sporting references to cricket (all to play for) suggest a liberal discourse around 'fair play'. Many of the literary references suggest a David and Goliath attitude to authority and Leviathan. These include references to Private Eye (Pseud's Corner), Just William, Billy Bunter, and the Hitch-hiker's Guide to the Universe (Intergalactic Boring Contest) see also 6.2.2.

The implications of this paradigm whereby everyone even the dominators are constructed by social relations and therefore unable to escape or transcend their milieu is antithetical to the Enlightenment view of rationality propounded by Kant and developed for our times by Habermas. In analysing power, Foucault is interested in structural and institutionally focused manifestations of power. Using a neologism he terms these processes 'governmentality.' One such mechanism for the maintenance of this type of power in securing compliance is through discourse. Thus the final two phases of recontextualisation of the wider applicability of the discourse will be considered paving the way for the final operationalisation phase, in this case, the construction of the bypass.

Chapters 5.0 and 6.0 charted the ebb and flow of different discourses including economic, car culture and environmental discourses. In Twyford Down, Bryant (1996) noted the weakness of the environmental lobby. From statutory changes on climate changes and the work of major agencies such as the IPCC we can note that environmental discourses are not necessarily weak. However, in the context of road-building they do seem to be weaker. Ken McEwan told Camphill explicitly that they would lose if they went down the eco-warrior route.

Lukes (2005) in the revised edition of *PRV* discusses Foucault's view. He puts forward an argument that Foucault is perhaps describing an 'ideal type' scenario of power similar to the functioning of the Panopticon as an ideal type of institutional design for surveillance, yet not one present in actuality. Lukes notes the 'seductive nature' of Foucault's analysis, perhaps derived from his rhetorical flair. Lukes's acknowledges the work of authors who apply this Foucauldian analysis empirically.

Under a Foucauldian analysis, the ritual of the PLI can be viewed as an examination ritual where individuals are acknowledged as cases or precognitions.

'Today, however, the picture changed and with *Road Sense* witnesses on the stand, it is Lady Bracknell's turn to cross-examine... Here we have a hectoring, impatient, occasionally petulant opponent who seems simply unable to accept that a witness might have views different to those of her experts.' (*Road Sense* PLI blog Day 10 2008)

Such instances show where Foucault may be right to look for answers structurally and Lukes wrong to focus more narrowly on domination and the intentionality of agents. Similarly, Dahl has been criticised for the narrowness of his paradigm for power.

'Within this paradigm, power is highly specific in its meaning. It is about prevailing in decision-making and is not to be equated with power resources which are only potential power' (Haugaard 2002 p. 6)

'It was not the work of strategists of power but, rather, the humble rat spreading virus across Europe and similarly, today, global warming is an exogenous force which will have a huge and unpredictable impact upon future relations of domination.' (Haugaard 2002 p. 248)

In the thick form of domination 'people actively believe the values which oppress them and in the thin they are merely resigned to them' (Scott quoted by Dowding 2006 p. 137) Castells (2009) elaborates on the

pervasive power of discourse and offers an answer as to why this case study has not seen recourse to direct action.

'The more the construction of meaning on behalf of specific interests and values plays a role in asserting power in a relationship, the less the recourse to violence (legitimate or not) becomes necessary.' (Castells 2009 p. 11)

Thus in the current research the production and dissemination of meaning through discourse explains the absence of direct action up to 2013.

7.5.2 Structure versus agency

The case study has presented evidence that agency is determining particularity through key actors for the opponents. William Walton's planning and legal knowledge informed Road Sense's choice of strategies. He obtained a LLM in Environmental Law from Aberdeen University during the campaign in preparation for a career as a barrister. Certainly, the proponents viewed his leadership as determining and in response sought to personalise their attacks with a view to undermining his position. Initially the attacks were based on his 'NIMBYism'. By the latter part of the case study sees the repeated use of the photo of William Walton with arms folded, tense shoulders and mouth down at each corner. Walton is characterized as a 'bypass blocker', similar to the pejorative 'bed blocker', prior to judgment from UK Supreme Court.

Walton is representatives of Archer's agency and category of 'meta-reflectives'.

'Subjectively, however, the 'meta-reflectives' were willing to pay the price of their contextual critique. Sometimes the bill was presented in terms of resignation of posts, re-training, and re-location as the prices of lateral mobility' (Archer 2003 p. 351)

By the end of the case study, Walton had indeed resigned from Aberdeen University in 2013 and relocated to the North of England. In line with

Arendt, and as empirically demonstrated in Bryant's account of Twyford Down, the intense process of campaigning changes people in deeply significant ways. Walton's actions in the case study seem to derive from some ideologically driven positions. However, his ideology is not one of the marginal or radical ideologies that Foucault discusses, but rather liberalism and a Habermasian focus on due process. Certainly Walton seemed to be unduly normative in his belief in the capacity of the rule of law to overturn the state's Scheme.

It is possible that there are other agents who are 'meta-reflectives' and exercised power in the case study. Some of these were state officials such as the Director of Roads for Grampian Regional Council in the 1970s and 1980s. His proposal was that building a new bridge at the Bridge of Dee, one of the pinch points, could ease the congestion problems rather than building a bypass.

'The problem was that the roads official in Grampian Regional Council, George Kirkbride maintained throughout that Aberdeen was a destination. He put the kybosh on this [AWPR] in the 80's. He said that we didn't need a bypass. Arrant nonsense. It was absolutely rubbish. The blame lies with George Kirkbride.'

(McEwan 2009c)

This view ascribes agency and power to the non-decisionmaking of George Kirkbride as described in section 7.3.3 whose influence extended into the arguments presented in the PLI.

Meades's (2009a) comments in his documentary, *Off Kilter*, on Aberdeen, that the city has the highest concentration of private number plates and sales of 4x4s, testify to the purchasing decisions of Archer's (2003) 'autonomous reflexives' for whom status and identity are closely linked. The actions and beliefs of these consumers reinforce discourses around the car culture.

7.6 Implications for models of public relations

In this section, the study moves beyond an analysis of the content of the campaigns to a focus on workings of public relations itself. Effective public relations rests on the ability to develop relationships through mutual understanding. Burkart seeks to use Habermas's focus on the role played by rationality in achieving consensus as a central concern of public relations practitioners.

In this case study, there were phases where institutional structures facilitated a rational exchange of views. This can be empirically demonstrated in Phase B. The Scottish Parliament's website hosts a Discussion forum to accompany the submission of petitions. Protesters registered their desire to start a 'proper debate' on the issue; something that hitherto they felt had been lacking. The AWPR discussion attracted 438 comments over 11 pages. These pages contain well articulated counter-arguments to the bypass.

Foucauldian concepts offer a number of tools for exploring the complex purposes of public relations and would lead us 'to conceptualise public relations variously as a knowledge system, a discourse technology, a power effect, and a subjectifying practice.' (Motion and Leitch 2009 p. 92) The implications of this account take public relations beyond institutional practice to a force for transformation and societal change.

Motion and Leitch (2009) explain that the implications of Foucault's work place highly contested concepts such as power, truth, meaning and knowledge into the public relations practitioner's ambit (p. 83). Certainly, this case study has seen heated contests over these concepts with *Road Sense* displaying a strong moral attachment to concepts such as duty to uphold the system and the rule of law on behalf of others. These are Habermasian concerns primarily. The case study does not yield the type of problematization witnessed in other anti-roadbuilding protests around 'a way of life' such as the *Dongas*. It is perhaps Foucault's thoughts on power that are most relevant to this case study where the institutional domains

such as the PLI appeared to favour the supporters of the Scheme in terms of resources, ability to constrain the remit and the prevailing property and economic interests at stake.

'These rules constituted 'systems of thought' that determined what could be said, who could speak, the positions from which they could speak, the viewpoints that could be presented, and the interests, stakes and institutional domains that were represented.'

(Foucault in Motion and Leitch 2009 p. 86)

The case study confirms the value of having professional public relations advisers working at a strategic as opposed to tactical level. *Road Sense* engaged public relations advisers for specialist areas such as lobbying but relied upon volunteers elsewhere. *Save Camphill* benefitted from the media relations and public affairs work of Ken McEwan whose advice on goal alignment and working alone was determining.

Road Sense's campaign aim on the bypass and alternatives to the Scheme lacked clarity and this in turn drew them into distracting debates. This view is confirmed in the Reporter's PLI report:

'It was unclear whether the 5 'routes' put forward as alternatives by *Road Sense*, were in fact truly being promoted as alternatives to the preferred route... However, Mr Walton stated in unequivocal terms during his cross-examination that these 5 'alternatives' were not being put forward by *Road Sense* as alternatives. He was adamant in his evidence that *Road Sense* had not put forward any alternatives and had never promoted alternative routes. All they sought to do was to re-examine the 2005 routes.'

(Gordon, Ferrie and Cunliffe 2009 p. 41)

Their ambiguous position had a distancing effect on the public. Whereas the public experienced an emotional and moral response to *Save Camphill's* community plight, *Road Sense* received little public sympathy rendering their argument abstract around points of 'principle'. From an instrumental point of view, this lack of consistency in communication is a cardinal error.

'Unfortunately, I am now more confused than ever over the position taken by pressure group *Road Sense* over the rejection of the judicial review. The statements made by William Walton, in whose name the challenge was submitted, stated that *Road Sense* is not against the AWPR, but only against the route, seem to be in direct contrast to other members of the group. At the time of lodging the appeal, those members stated that they were totally against the AWPR and its cost – whatever the route.' (Noel 2011a Letters)

It is certainly true that Henry Irvine Fortescue as a statutory objector to the Scheme and Vice Chairman of *Road Sense* did put forward alternatives including tunnelling under Murtle linking to a spur to Portlethen. At the 'Dragon's Den' presentation his pragmatic pitch was to deal with the 'pinch points' in the first instance. The cumulative effect of these divergent messages was to work against the effectiveness of *Road Sense's* campaign and efficacy.

Save Camphill pursued direct lobbying, grassroots lobbying and grasstops lobbying in parallel. The effect of this strategy was synergistic. The politicians accepted the invitation to see Camphill's work and community first hand, perhaps in response to interest and/or pressure from their constituents in the issue. The grasstops strategy, where the campaign engages the public support of high profile figures such as Jeremy Paxman also created pressure on decision-makers to address an issue of debate in the national quality press and broadcasting media. The direct involvement of Camphill's residents in the campaign precluded the use of 'NIMBYism' representations and ruled out ethically the use of character denigration 'smear' strategies.

The visitors to Camphill would have been subject to the community discourses and would no doubt have felt a sense of moral disquiet at putting this 'good work' at risk. Conversely, for *Road Sense*, the same sentiments would not have been extended to the work of farmers seeing their livestock grazing on land in private ownership.

7.6.1 Rhetorical perspectives

When considering discourse, it is relevant to examine visual images as part of the process of representation. Images in addition to language exert rhetorical power and through circulation, the repeated prominence given to iconic images, their power is further enhanced.

'The term 'discourse' has a unique *dynamis*, a capacity to reference multiple dimensions, argument fields, and modes of communication, enabling us to engage questions of hybridity, hypertextuality, materiality and performativity.' (Finnegan and Kang 2004 p. 379)

Habermas is wary of a mass culture of images due to their ability to distract citizens from rational argument in favour of a 'publicity culture'. Habermas does concede that some images can be illuminating and welcomes the contribution of images from artists engaged in 'aesthetic rationality' to debates. However, in contemporary society, characterised as it is by new social media, the rise of images and the high profile afforded to celebrities as part of news consumption even in the broadsheets can be viewed as undermining the Habermasian public sphere.

This is not a new concern. Plato warned about the 'illusory potential of images' (Jay quoted by Finnegan and Kang 2004 p. 381) in his analogy of watching shadows on the cave walls.

'To them, I said, the truth would be literally nothing but the shadows of the images.'

(Plato 2007 pp. 515-516)

Plato's concerns are relevant to the use of 'image' in modern politics. Whilst this is less relevant to a case study featuring local politicians the presence of celebrities and 'style' in the reporting of issues is pertinent.

Celebrities were used early in the case study by the *Save Camphill* campaign. They did not feature in the *Road Sense* strategies at all. Ken McEwan used the celebrity strategy sparingly and was at pains to ensure

that their involvement was relevant to the movement's work in the area of special needs. The celebrities themselves took care to craft their statements to demonstrate their involvement with the issue (McEwan 2009c)

The value of the celebrity interventions allowed the campaign access to the local tabloid newspaper, the *Evening Express*. Celebrity strategies have featured in other campaigns in the North East of Scotland. These interventions, for example Tilda Swinton's quote about the Highland Clearances in support of *Tripping up Trump*, garner considerable and wider coverage for issues.

The study now moves to draw overall conclusions from the research process, in order to fulfil the aims and objectives stated in Chapter 1.0.

8.0 CONCLUSIONS

This case study looked at the AWPR issue from 2004 to 2012 and sought to situate the role of communication in securing the interests of both the proponents and opponents of the Scheme. The thesis was concerned with finding empirical evidence to support or dispute the existence and determining influence of Luke's dimensions of power in the decision-making around an infrastructural project. The enquiry considered whether local democratic institutions facilitate pluralism in this case or whether covert factors or structural constraints pertain. In particular, the research examined the role of discourse in determining outcomes. This concluding Chapter revisits the main theoretical propositions which were uncovered in Chapters 2.0 and 3.0 with a view to elucidating the extent to which these are reinforced through the findings of AWPR case. The empirical evidence to support the efficacy of the arguments and strategies is detailed in Chapters 5.0 and 6.0.

8.1 Decision-making and pluralism

Proposition 1: *Pluralism is confirmed through the triumph of protest*

The early phase of the case study featured the protest group *Save Camphill*. This single issue grassroots activist group was supported by professional PR advisers. The somewhat unexpected success of this campaign to move the route further to the west of the city demonstrates pluralism in action. The success of this campaign can be accounted for in communicative terms, no doubt alongside other factors, for a number of reasons. The objective of the campaign, the 'neutral stance towards the bypass' was clearly and consistently expressed. This goal did not challenge fundamentally the state's interests in building a bypass. Rather it allowed room for negotiation on the route and concessions from each party. In support of their arguments, *Save Camphill* used public affairs strategies such as direct lobbying and media relations to advantage. Rhetorically, their use of *pathos* in support of human-centred discourses as distinct from environmental

discourses succeeded in engaging the national media and general public during this initial phase. Thus, in situations of conflict, where the arguments of one party are accepted, this case supports Dahl's (2005) model of pluralism.

Proposition 2: *Institutional design can facilitate communication flows*

In Phase B, the Scottish Government's Petitions Committee is a mechanism designed to bring issues of public concern on to the political agenda. Members of *Road Sense*, a new activist group, and established environmental campaigners, *Friends of the Earth*, used this forum to present rational arguments around climate change and due process in support of their case. The associated digital forum collated a large number of postings from the public in support of the motion. These upward flows of communication from the public demonstrate the realisation of a virtual public sphere meeting Habermas's criteria on accessibility and inclusion.

In the AWPR case, the protracted challenges posed by *Road Sense* to the State's objectives whilst ultimately unsuccessful testify to openness and accountability of our institutions to alternate viewpoints and scrutiny.

8.2 Public sphere, discourse and power

Proposition 3: *Rational argument is the lifeblood of the public sphere*

The formal mechanisms surrounding the Petitions Committee facilitated the workings of the public sphere to some extent. Many of the arguments that were formulated here carried through to subsequent phases of the PLI and judicial reviews where the examination of witnesses was rigorous. The Committee members of *Road Sense* showed a Habermasian commitment to the existing rule of law and belief in the democratic creed and its associated institutional structures. In this sense they fulfilled their duties as active participants of civil society. Their statements support Dahl's and Habermas's pluralist paradigm.

However, the circumscribed remit of the PLI could be interpreted as a means to subvert the workings of the public sphere in Habermas's terms of inclusion. The exclusion of civil society groups such as *Transform Scotland* and the environmental lobby confirm Foucault's analysis that discourse constrains what can be discussed in proceedings.

The final phase of the case saw the deployment of public affairs and rhetorical strategies that relied upon personal attacks on opponents by elected representatives and the media. These communicative pathologies are indicative of a mood of 'anti-politics' and as such undermine Habermas's criteria for the public sphere.

Proposition 4: *A free media is required to inform citizens and circulate discourses to fully realise the public sphere*

Habermas's (2006) criteria for the public sphere require the presence of a free media. News reporting should clearly differentiate between fact and opinion and avoid to great an emphasis on entertainment, novelty and spectacle (Downs 1972 and Kellner 2005). In the AWPR case, the media covers the issue throughout the case study, often placing related stories on the front page. The coverage intensified around key decision-making points in 2005 (see 5.1.2.2 and 5.1.4.4) and 2009 as explored in Chapter 6.0. The *Save Camphill* campaign was also covered by the tabloids and featured narratives of the residents which promoted the newsworthiness of the story through *pathos*.

The regional newspaper, the *Press and Journal's*, coverage of the PLI was extensive with reporters present at daily sessions. The press featured letters regularly, representing a diverse range of views from civil society groups and individual citizens. This evidence tends to support a healthy diagnosis of the public sphere. Yet despite the full commitment of witnesses in the process, public attendance at the PLI was consistently poor with often less than a dozen observers present. This lack of public engagement with the issue is problematic for the health of the public sphere. The absence of the public participation may be explicable variously from *prima facie*

acquiescence with the State's interests; to apathy or ignorance; or the failure of opponents to put forward their case effectively. The case study found evidence to suggest that the most plausible account may lie with the structuring effects of discourse to bring about consensus.

Proposition 5: *Discourse is a covert means of achieving consensus*

Foucault refers to a '*dossier* of discourses' whereby conflicting arguments and communicative strategies vie for hegemony. In this case study, economic, human and community centred discourses were found to prevail over environmental and sustainability discourses at the local level. Previous campaigns noted the weakness of environmental discourses (Bryant 1996) and Downs (1992) and Herman and Chomsky (1998) see the media less in terms of knowledge exchange and more in terms of news values and agenda setting.

Structurally, discourses about economic growth prevailed from 2004-2008 with financial indicators in the region such as unemployment figures very low and house prices high and rising. The promoters of the Scheme developed economic discourses to emphasise economic development through connectivity as a catalyst to economic growth.

Save Camphill presented a deontological argument and human centred discourse that the bypass would entail the destruction of their community. This strategy gained greater traction with public engagement than had they chosen to campaign on their ecological way of life for which they undoubtedly had the credentials. This appeal to community has been noted as successful in previous road protests whereby the community are juxtaposed against developers (North 1998 and Seel 1997). In the Pollok campaign engagement with the local community was seen as a necessary first step in consciousness-raising as part of a grassroots social movement. In contrast, *Save Camphill* used the community discourse in an instrumental way within a Resource Mobilisation theory model. It was never their intention to challenge the state's legitimacy over road-building.

Save Camphill sought support from the community as part of a grassroots lobbying strategy to put pressure on Ministers as part of the institutional process. By featuring the residents of Camphill in their political communication strategies, Camphill honoured their inclusive community values and side-stepped negative representations as 'NIMBYs' due to the ethical implications of the press rendering special needs students in anything other than a dignified portrayal. Evidence from the PLI and judicial hearings testified retrospectively to the efficacy of these discourses and public relations strategies on the part of *Save Camphill*. The media representation of the protesters as a privileged minority may have uncovered an implicit class-based discourse to forestall the general public from active participation in an issue which appeared to affect only a 'handful' of wealthy property owners.

Post 2008, capital for investing in mega-projects was scarce due to the global financial and Eurozone crises. In Scotland, other major infrastructural projects such as the Forth Road Bridge also sought investors. Nationally, austerity discourses were to the fore; in the North East, progressive economic discourses retained their prominence and potency, in part due to the global economic prospects of the oil industry.

Public consensus in favour of the AWPR bypass may take the form of a thick or thin attachment (Scott 1990 quoted by Dowding 2006). In the thick conceptualisation the role of discourse in public coalescence, 'people actively believe the values which oppress them and in the thin they are merely resigned to them' (Scott quoted by Dowding 2006 p. 137). The findings from the AWPR case-study support the thick assessment insofar as some groups of citizens – Archer's 'autonomous-reflexives' – appeared to internalise the economic and car culture discourses as demonstrated in various letters, phone-in programmes, the *Common Sense* petition and digital forum. Yet, despite the conviction of these voices, it is questionable whether they represent the majority. Overall, the evidence points to the existence of a 'silent majority' many of whom are commuters and therefore to a thin conceptualisation of the role of discourse in maintaining consensus. Many citizens frustrated over the lack of investment in the region's

infrastructure gave their tacit support to the bypass in the absence of concrete alternatives in public transport infrastructure. Other regeneration and economic development projects in the city were contested by activists and debated in the media but no widespread direct action from the public materialised.

As the protestors doggedly pursued their judicial avenues in the Scottish, UK and EU settings, the State intensified public affairs strategies to marginalise the protestors. Until 2010, the majority of citizens, Archer's 'communicative reflexives', had appeared resigned to the time required to complete the democratic process. When *Road Sense* contemplated judicial review, these citizens demonstrated greater signs of frustration and resentment of the power of a minority to delay the majority backed project.

By 2010, a new Coalition government was elected to Westminster and an austerity discourse came to the fore. Government spending was subject to strict control to reduce deficits. In Scotland, a majority SNP government drew upon Keynesian and social democratic discourses ahead of a referendum on independence in 2014. The North-East's oil based economy is important to the argument around Scotland's economic viability as a sovereign state. Investment in projects capable of stimulating the North-East's economy was prioritised for political reasons despite their costs.

Chapter 3.0 featured previous road protests which were characterised by ecologically committed direct action protest such as the *Dongas* and the Free Staters in Pollok. In the AWPR case, there is little evidence of deep ecology ideologies. The Frasers, Professor Tony Hawkins and the owner of the *Redwing* animal sanctuary espoused conservation of the land and species although even here the amenity value of the land equally was to the fore. In Europe and internationally, environmental issues dropped down the geo-political agenda as world governments sought urgent solutions to recapitalise the global financial system.

Proposition 6: *Agents as communicators can exercise power temporarily*

The case found evidence to support the importance of agency, alongside structure, in affecting outcomes. For legal reasons, William Walton pursued the judicial review in his own name. His motivation in pursuing the case is consistent with Archer's typology of the 'meta-reflexive'. Paddy Imhof, Mr Walton, the Frasers, and a number of *Road Sense* Committee members appeared sincere in upholding principles and duties of consultation in the planning process, and in promoting ethical and ecological stances in their arguments. Many of the arguments which featured in the judicial process centred on human rights and respect for others. These individuals felt duty bound to pursue these claims in Habermasian terms of truth and truthfulness.

In his Nobel Prize speech Pinter (2005) exalts the actions of individuals in shoring up democracy:

'I believe that despite the enormous odds which exist, unflinching, unswerving, fierce intellectual determination, as citizens, to define the *real* truth of our lives and our societies is a crucial obligation which devolves upon us all. It is in fact mandatory. If such a determination is not embodied in our political vision we have no hope of restoring what is so nearly lost to us – the dignity of man.'

(Pinter 2005 p. 12)

Yet equally agency can be deployed for rational choice ends, consistent with *Realpolitik* and Lukes's second dimension of power. It is possible that the owners of luxury properties alongside the proposed Murtle route – Dahl's economic notables – may have lobbied representatives to re-route the bypass. It is conceivable that this and *Save Camphill's* threat to pursue redress in European courts could have acted as one of a number of influences on the Minister's calculations thereby supporting Lukes's second dimension of power thesis.

Much of Foucault's work derives power as structural however he allows that a 'centrifugal movement' (1980 p. 138) whereby human agents challenge

the order of discourses is conceivable. The AWPR case, found that Walton initiated this process but failed to mobilise the wider support necessary to successfully challenge dominant economic discourses. In line with Archer (2003) and Fairclough (2012), a dialectical interplay between agency and structure often featuring social movements is required to resist and overturn discourses.

8.3 Public relations and public affairs

Proposition 7: *Consensual models of public relations are efficacious*

The case study clearly demonstrates the advantages of using an excellence model of public relations. In the initial phase of the campaign proponents of the Scheme used a bridging strategy to manage the challenge posed by *Save Camphill*. The Minister for Transport and officials met with *Save Camphill* and negotiations featured constructive proposals around mitigation. *Save Camphill's* deontological approach to their objectives suggests an advocacy approach but upon closer examination, their objectives were cleverly framed to allow proponents to proceed with the Scheme as a whole. The findings of the case study support the value of Burkart's COPR model where both parties use rational argumentation to inform bridging strategies to issue management and resolution of conflict. The use of public affairs strategies such as direct lobbying by *Save Camphill* was ultimately successful under this model.

It is possible that through these debates, the state's own objectives changes. The economic prospects for the city and the UK as a whole were propitious in 2005 with the ready availability of credit for capital investment, mortgages and employment opportunities in the oil industry. Planners would have been optimistic about the growth prospects for towns such as Westhill and the opportunity to link to Stonehaven via the Fastlink opened up connections to the South.

Proposition 8: Public affairs strategies leverage power

Where the parties' objectives and arguments are seemingly irreconcilable, as was the case with *Road Sense*, analysis shows recourse to more adversarial strategies which could be viewed through the lens of Lukes's second dimension of power. The goal of *Road Sense* to halt the Scheme in favour of ambiguous sustainable alternatives represented an advocacy position far removed from the promoters of the Scheme's agenda.

This disparity led to the use of political communication and public affairs strategies some of which are legitimate and some of which lie on a continuum closer to the techniques of spin and propaganda. The case study found that the implementation of these strategies won advantage for the State but the poor execution of similar strategies by *Road Sense* was counter productive.

In line with Lukes's second dimension of power and Foucault's observations on institutional bias, the asymmetries of power evidenced by the PLI remit to the resources committed by the state during the PLI conferred an unassailable advantage to proponents of the Scheme. Institutions acting in concert also attest to power differentials. The Aarhus Committee, Lord Tyre in the Court of Session and 5 judges in the UK Supreme Court were to find unanimously in favour of the Scottish Ministers' decision to construct the bypass. Whilst the judgment from the UK Supreme Court is explicit that the Lords did not base their decision on Aarhus, it was noted that they 'share the same thinking.' There are also instances in both legal judgments where the courts give Scottish Ministers 'the benefit of the doubt'. In the AWPR case, a broad based alignment of institutions in favour of the bypass transpires. There is no evidence to support that this was contrived by the State but where such an alliance forms, the gains in power differentials are material.

The proponents of the Scheme used public affairs strategies of selective use of information alongside rhetorical techniques of repetition. The case study finds strong evidence to support Flyvbjerg, Bruzelius and Rothengatter's

(2003) findings on the overpromising of economic gains, a type of spin. Throughout the PLI, the cost of the road continued to be quoted as £295-£395m though opponents consistently argued that this number was significantly undervalued. The veracity of this argument has now been confirmed by Audit Scotland's (2013) confirmation the true cost of the Scheme could be closer to £1 billion.

Road Sense attempted to appeal to the court of public opinion by highlighting shortcomings in due process and the paradoxes and hypocrisy of the Scottish government's stance on climate change and implementation of policy at a local level. Their visual campaign satirised the Minister, contrary to best practice around relationship-building in public affairs. Notwithstanding the substance behind many of their propositions, this outright challenge to the state's legitimacy led to series of rejections in formal institutional settings from the Petitions Committee, PLI, Aarhus and the UK courts.

8.4 Implications for democracy

The severity of the economic challenges facing many European countries and the challenges arising from climate change will necessitate radical changes in lifestyle with a diminished standard of living likely for the majority (Downs 1972, Helm 2012). This research points to the importance of discourse and consensual models of public relations in gaining public consensus in decision-making. Bacon's famous dictum that 'knowledge is power' is equally true of 'communication is power'. Flyvbjerg (1998) concludes from his case study of Aalborg that the relationship between power and knowledge is commutative.

The AWPR case demonstrates that just as communication is power through the efficacy of public relations strategies, power is communication as demonstrated through the effects of Foucault's orders of discourse in bringing about public acquiescence to the Scheme. Helm reflects that an improved understanding of how communication flows to and between policy makers and citizens can be enhanced is required to secure investment in

mega infrastructural projects; HS2, the expansion of Heathrow, nuclear energy and water systems. For Flyvbjerg, the very process of articulating these arguments for and against strengthens our democracy:

‘There is evidence, however, that social conflicts themselves produce the valuable ties that hold modern democratic societies together and provide such ties with the strength and cohesion they need; that social conflicts are themselves pillars of democratic society’ (Flyvbjerg 1998 p. 6)

Just precisely how the rationale for policy solutions on transport, food and energy security, and climate change programmes is communicated will be critical to ensure a smooth transition to new sustainable ways of living.

8.5 Reflections on the research

The researcher had initially intended to interview state representatives and agency officials, and their PR advisers. Upon approaching the relevant contacts, it became apparent that key contacts were unwilling to discuss their strategies whilst the contest was still ‘live’ and contested. In contrast, the protest groups readily agreed to share their experiences and even suggested that the researcher could attend their Committee meetings, entailing a more participant observation or ethnographic approach. This potential imbalance led the researcher to redesign the methodology around discourse analysis through an examination of open source texts in the interests of parity and balance. This approach is consistent with a view of ‘texts as artifacts which both reflect and create contemporary social, cultural and political realities’ (Poole 2010 p. 138). The researcher was then well placed to examine a wide range of viewpoints through these varied ‘texts’ – from newspaper statements, precognitions, blogs and photographs. This captured the arguments and strategies of the speakers or authors contemporaneously and in context, eliminating the possibility of revisions based on hindsight. Discourse analysis was then triangulated with interviews and observation to further strengthen the validity of the research. The latter phase was challenging for the researcher due to the highly specialised legal settings for the campaign. The collection of data

during this phase was enhanced by detailed published judgments on the cases. However the forensic use of rhetoric in these settings introduced a further dimension of specialisation which could be pursued in future research.

8.6 Ideas for future research

As noted above, further investigation of the role of rhetoric within discourse may be illuminating for political theorists, linguistics and public relations scholars alike. The potential of this approach is anticipated by discourse theorist, Ernesto Laclau: 'for instance the theory of rhetoric and speech act theory offer promising new avenues of research. (quoted in Howarth, Norval and Stavrakakis 2000 p. xi). Such an approach would build upon the work suggested by Motion and Leitch (2009) who champion Foucault's conceptualisation of discourse as providing a 'toolbox' of immeasurable value to public relations practitioners and scholars alike. The efficacy of the campaigns on important concerns and debates around topical issues including fracking or the Occupy movement could be examined from rhetorical perspectives.

A final area of study related to this work lies in conversation analysis (Sacks 1992; Zeldin, 2000; Hutchby and Wooffitt 2008). The researcher found value in examining a wide range of communicative acts as suggested by the case study methodology. The inclusion of findings from *obita dicta* conversations provided a means to reinforce findings from other methodologies. Conversation Analysis (CA) has moved beyond everyday conversation into transcripts of social interaction in institutional settings. As Hutchby and Wooffitt explain conversation analysis takes in: "institutional and workplace interaction, a CA approach to the analysis of sociological interview data, an account of the relationship between language use and factual claims, [and] discussion of political rhetoric and persuasion', (2008 p. viii) to examine where, how and why outcomes are reached. This has been used by scholars and practitioners from across disciplines to examine the direction and development of strategies between lawyers and their

clients, cross-examination of witnesses and in police interrogations. A forensic examination of the use of rhetoric during conversations between civil society groups, lobbyists and political actors would be fertile ground for scholars in the field of public affairs.

A further avenue open to social scientists is suggested by Flyvbjerg's (1998) case study of Aalborg. He examined the extent to which the planning objectives of the project were realised post implementation. A similar study could be applied to the AWPR bypass, in terms of whether the anticipated reductions in road safety, air pollution and most tellingly, congestion are realised. Flyvbjerg found in Aalborg that key metrics were not met and that improved retail figures were one of the few gains. His conclusion that the interests of the majority of citizens and taxpayers had been poorly served underpinned theoretical concerns about the distorting effects of power on the workings of democracy.

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APPENDIX A: Artist's impression of Union Terrace Gardens



Source: Original design as submitted by Peacock Arts

APPENDIX B: Key features of qualitative methods

<ul style="list-style-type: none">• A concern with meanings, especially the subjective meanings of participants.
<ul style="list-style-type: none">• A commitment to viewing (and sometimes explaining) phenomena from the perspective of those being studied
<ul style="list-style-type: none">• An awareness and consideration of the researcher's role and perspective.
<ul style="list-style-type: none">• Naturalistic inquiry in the 'real-world' rather than in experimental or manipulated settings.
<ul style="list-style-type: none">• Prolonged immersion in, or contact with, the research setting.
<ul style="list-style-type: none">• The absence of methodological orthodoxy and the use of a flexible (emergent) research strategy
<ul style="list-style-type: none">• The use of non-standardised, semi-structured or unstructured methods which are sensitive to the social context of the study.
<ul style="list-style-type: none">• The collection and analysis of data that are mainly in the form of words and images rather than numbers.
<ul style="list-style-type: none">• A commitment to retaining diversity and complexity in the analysis.
<ul style="list-style-type: none">• A respect for the uniqueness of each case as well as themes and patterns across cases.
<ul style="list-style-type: none">• A mainly inductive rather than deductive analytical process.
<ul style="list-style-type: none">• Attention paid to emergent categories and theories rather than sole reliance on a priori concepts and ideas.
<ul style="list-style-type: none">• Development rather than testing of hypotheses.
<ul style="list-style-type: none">• A concern with micro-social processes.
<ul style="list-style-type: none">• Explanations offered at the level of meaning, or in terms of local 'causality' (why certain interactions do or do not take place) rather than 'surface workings' or context-free laws

Source: Spencer et al 2003 p. 32

APPENDIX C: Arguments and communicative strategies for and against building the bypass

CODING OF MAIN ARGUMENTS: CHAPTER 5.0 FINDINGS AND ANALYSIS (I)

<u>1.0 Economic</u> 1.1 Economic growth 1.2 Connectivity 1.3 Strategic fit with policy 1.4 Development 1.4.1 Housing 1.4.2 Tourism 1.4.3 Health 1.5 Cost of the Scheme 1.6 Inclusion 1.7 Attracting new businesses and fdi 1.8 Employment safeguarded 1.9 Jobs created	<u>2.0 Environmental</u> 2.1 Deep ecology 2.1.1 Destruction of land 2.1.2 Pollution 2.1.3 Conservation of species 2.1.3.1 Bats 2.1.3.2 Otters 2.1.3.3 Ancient woodland 2.2 Climate change 2.2.1 Carbon emissions 2.3 Lighter green 2.3.1 Loss of farm land 2.3.2 Loss of greenbelt to devt. 2.3.3 Archaeological destruction 2.3.4 Aesthetic considerations 2.3.5 Amentity use of land 2.4 Sustainability 2.4.1 Future generations	<u>3.0 Congestion</u> 3.1 Journey times 3.2 Journey time reliability 3.3 Traffic in city or town centres. 3.4 Traffic on rural roads (B797) 3.5 Traffic at pinch points 3.5.1 Bridge of Dee 3.5.2 Haudagain Roundabout 3.6 Roads generate traffic 3.7 Accessibility rural towns to centre	<u>4.0 Alternative Schemes</u> 4.1 Eastern bypass 4.2 Tunnelling 4.3 Integrated transport solutions 4.3.1 Cross rail 4.3.2 Public transport 4.3.3 Bus priority routes 4.4 Reduction in demand 4.4.1 Cost of fuel > reduced demand 4.4.2 Peak oil 4.4.2 Cycling and walking 4.5 New technology, electric cars 4.6 Do nothing 4.7 Road pricing 4.8 Alternative routes
<u>5.0 Consumerism</u> 5.1 Role of car in society 5.2 Cost/value for money 5.3 Property prices	<u>6.0 Localism and Community</u> 6.1 Destruction of human communities 6.2 N/E versus Central Belt 6.3 Heritage	<u>7.0 Risk</u> 7.1 Health thro pollution 7.2 Accidents / safety	<u>8.0 Democratic institutions and proceses</u> 8.1 Due process – UK 8.1.1 Remit of PLI 8.1.2 Public consultation 8.1.3 Conflict of interest 8.2 Due process – EU 8.2.1 Habitat legislation 8.2.2 Human rights 8.3 Public purse 8.4 Fit for purpose 8.5 Quantifying benefits 8.6 Majority versus minority interest

CODING OF STRATEGIES AND TECHNIQUES: CHAPTER 5.0 FINDINGS AND ANALYSIS (I)

<u>9.0 Argumentation strategies</u>	<u>10.0 PR strategies & techniques</u>	<u>11.0 Public affairs strategies</u>	<u>12.0 Power relations</u>
9.1 Representation 9.2 Hypocrisy 9.3 Rebuttal 9.4 Rhetorical strategies <ul style="list-style-type: none"> 9.4.1 Ethos 9.4.2 Pathos 9.4.3 Logos 9.4.4 Narrative 9.4.5 Jargon 9.5 Goal alignment 9.6 Doubting integrity of data 9.7 Generalisation 9.8 Essentialism 9.9 Relativisation 9.10 Displacement	10.1 Informational <ul style="list-style-type: none"> 10.1.1 Media relations 10.1.2 Leaflets, newsletter 10.1.3 New media incl. blog 10.1.4 Letter-writing 10.2 Symbolic <ul style="list-style-type: none"> 10.2.1 Visual comms 10.2.2 Celebrity 10.3 Organisational <ul style="list-style-type: none"> 10.3.1 Petitions 10.3.2 Prof. support & alliances 10.3.3 Events, demonstrations 10.3.4 Bridging 10.3.5 Buffering 10.3.6 Advocacy 10.4 Legal <ul style="list-style-type: none"> 10.4.1 Court action/Appeals 10.4.2 Civil disobedience 10.5 Direct action <ul style="list-style-type: none"> 10.5.1 Sit-in, occupation 10.5.2 Playfulness, ritual 	11.1 Direct lobbying 11.2 Grasstops lobbying 11.3 Grassroots lobbying 11.4 Partnerships 11.5 Filibustering 11.6 Discrediting opponents 11.7 Selective dissemination of info 11.8 Terms of reference	12.1 State's financial reserve 12.2 Regional disparity 12.3 Direct intervention by Ministers 12.4 Political representation

APPENDIX D: Sample of observational protocol

Meeting convened by *Road Sense* and local Community Councils,
14 November 2006

Descriptive notes	Reflective notes
100 people in attendance	Cookney at epicentre of issue! Various speakers lined up: MSP, <i>Road Sense</i> and guest from Transform Scotland. Early days of relationship building.
Mike Rumbles, MSP First speaker, 10 mins slot	Attendance positive, shows early interest/commitment
Audience should note that all MPs and MSPs support the AWPR except S. Baird, Greens who is a 'lone voice'.	Green position was presented as aberration. Received silently, no approval for her position.
Rumbles states that a '6 th route was not consulted on' and believes 'Stonehaven spur not necessary'	From attire, no eco-warriors, more m/c professionals. 50's few young people. Rural folk eg barbourers.
Technical issues – no exits = 'death trap'	
Opportunity to object > public enquiry. 'Don't try, won't succeed'	Attempt to rally the audience. Politely received.
Slogan proposed 'Two roads too far'	Not convinced this has copy-writng appeal.
Transport Scotland not present nor responded to invitation to attend. They think we are 'imbeciles'	Presented as TS's disregard for citizens. Tactically premature, won't want to add legitimacy but at buffering stage.
Urges audience to write as Lib Dems to the Minister in his capacity as a Liberal Democrat.	Assumes most of audience are fellow Liberals. Henry Irvine-Fortescue. Accent, tone of social /economic notable! Arrived in an open topped classic car. Enthusiastic, tigger
<i>Road Sense</i> explain about petition to Scottish Parliament. Intention is to 'open a debate'	Tone one of deliberative democracy rather than radicalism. Firmly working within institutions

Explains about stall at St Nicholas Centre in Aberdeen	Attempt to engage with citizens in town.
Discussion of engaging taxpayers in Edin and Glasgow on basis they won't want to pay for this	Difficult to see how this could work practically?
Media relations, P&J pro-road stance noted from outset.	
Strategies – collecting photographic evidence of species: Goshawk, squirrels, otters, water vovls, owls.	Good opportunity for grassroots participation here.
HI-F asked audience if happy with the communication so far.	Audience all nodded and said yes. Good to ask for feedback
Doug Stewart spoke Strategy not to get the road put back to Pitfodels. Discussion of Eastern bypass, tunnel.	Audience look serious and attentive
Appreciation of scale of challenge ahead. 'machinery' we are up against'	Daunted. Fight requires stamina.
Guest speaker from TRANSform Scotland, Colin Howden. Advice on lobbying, target Frances Duffy (Director of Strategy and Investments, TS) she 'signs the cheque for the WPR'. Can win at PLI M74 and FOE.	Brought sense of seasoned campaigner. Injected hope but clear about the need for dynamism as protesters. Reminded me of more militant rhetoric from Glasgow
Alerted audience to possibility of representatives of developers in audience.	Heart leaps – audience will think it is me as wearing pin-stripe trousers! Possible naivety of n/e audience?
Business agenda noted. Grampain Chamber of Commerce - alliances	
Tactical recommendations: direct access to decision-makers 'get in their faces', work indiv journalist's angle; take campaign into Aberdeen. More visual. 'Let them see the land that will be trashed.'	All excellent advice. Similar to Twyford Down. Referred to visual campaign of Camphill – personal memories of car stickers. Duration 90 mins

Source: Adapted from Creswell (1998) p. 129

APPENDIX E: Parties who appeared at the Inquiry

For Transport Scotland

Ms Ailsa Wilson QC, instructed by Shepherd & Wedderburn, Solicitors

Witnesses:

Mr Alasdair Graham BEng (Hons) CEng MICE, Principal Engineer, TS

Mr John Wilson BSc CEng MICE, AWPR Managing Agent

Mr Robert M Galbraith BEng CEng MICE, Director of Operations, Jacobs

Dr David Connolly BSc PhD, Deputy Director for Scotland, MVA Consultancy

Dr Shirley Henderson BSc MSc PhD MIEMA CEnv, Divisional Director, Jacobs

Ms Catherine Quinney BSc MSc FGS, Technical Director, Jacobs

Mr Mark Lancaster BA(Hons) MLI, Technical Director, Jacobs

Mr Alastair Rees MA(Hons), Principal Archaeologist, Jacobs

Dr Bernadette McKell BSc MSc PhD CEng MIOA, Director, Faber Maunsell

Mr Robert McConnell BEng(Hons) CEng MIMMM FGS, Principal Engineering Geologist, Jacobs

Professor Duncan Laxen BSc MSc PhD, Managing Director, Air Quality Consultants Ltd

Mr Stefan Le Roy MSc FGS AIEMA, Technical Director, Jacobs

Mr Ronnie Falconer MSc CEng CSci CEnv FICE FCIWEM, Senior Consultant, Jacobs

Mr Simon Jacyna BSc(For) MICFor, Senior Woodlands Consultant, SAC

Dr Peter Gilchrist BSc(Hons) PhD PGCRS MIEEM CEnv, Divisional Director, Jacobs

Mr Graham Kerr BSc(Hons), Group Manager, SAC Environmental

AWPR App 1 538

Mr John M Smith DipTP MRTPI DMS MIM MIWM, Senior Consultant and Head of Planning, Jacobs

Mr Andrew Mackay BEng CEng MIHT, Technical Director, Jacobs

Mr Euan Barr BEng, Principal Consultant, Jacobs

Mr Christopher Hamilton BEng CEng MIHT, Project Manager for AWPR and Principal Engineer, Jacobs

At the hearing session to consider the objection by Camphill Communities, Transport Scotland's case was led by Mr Colin Innes, Partner, Shepherd & Wedderburn, Solicitors.

Objectors

For Road Sense

Mr W Stuart Gale QC and Mr Alasdair Burnet, Advocate, instructed by Mr William Walton

Witnesses:

Mr William Walton BA MSc LLM DipLaw MRTPI, Senior Lecturer in Spatial Planning, University of Aberdeen, and Chairman of *Road Sense*

Dr David McGuigan BSc MSc DipTE PhD CEng MICE MIHT, Associate Director, Colin Buchanan & Partners Ltd

Mr David Siddle BEng(Hons), Principal Transport Modeller, Colin Buchanan & Partners Ltd

Mr Alan James BSc MA MLI, Associate, Eco-Logica

Professor Anthony D Hawkins BSc PhD FRSE FSA(Scot) CBE, Acting Director, NAFC Marine Centre, Scalloway, and Managing Director, Loughine Ltd

Mr Nigel Astell BSc (Hons) (Botany) BSc (Zoology), Environmental Consultant and Arboricultural Consultant

Mr Roger Murray BSc MEng CEng MIMMM FGS MSPE, resident of Silverburn [Mr Murray also spoke on behalf of the Silverburn Community.]

Dr Maitland Mackie, Chairman, Mackies of Scotland

Dr Caroline Fraser MBChB FRCGP, resident of Silverburn [Dr Fraser also spoke on behalf of the Silverburn Community.]

Ms Sheona Warnock, resident of Invercrynock/Cleanhill

Mr David Beeson, Highwood, Bridge of Muchalls

Councillor Marie Boulton, Lower Deeside Ward, Aberdeen City Council

Dr Margaret Elizabeth Brooks, Forester's Croft, Netherley Road, Stonehaven

Mr Hugh Campbell, 14 Waterside Place, Peterhead

For Camphill Communities

Mrs Elaine Farquharson-Black, Partner, Paull & Williamsons, Solicitors

Witnesses:

Dr Aileen Joyce Falconer BSc(Hons) PhD

Mr Nicholas James BA(Hons) MPhil MRTPI, Principal, Land Use Consultants

Mr Colin English BSc CEng FIOA MIMechE, Partner, English Cogger LLP

Dr Stefan Geider MD, Principal General Practitioner, Camphill Medical Practice, Murtle Estate

Professor Roy I Brown BSc(Gen) BSc(Spec) DipPsych PhD FIASSID FBPS FCPA, Professor Emeritus at University of Calgary, Canada and Flinders University, Australia

Mr John Carnie MRTPI (on behalf of residents of 1-6 Hill Farm, Contlaw Road, Milltimber)

CTC-Grampian – Mr Mark Hagger

Culter Community Council – Mrs Lavina C Massie, Vice-Chair

Dyce Transportation Management Organisation Ltd – Mr Colin F Morsely, Chairman

Councillor Martin Ford, East Garioch Ward, Aberdeenshire Council

Mr John Fraser, Burnorrachie Farm, Bridge of Muchalls

Mr Andrew & Mrs Tracey Guthrie, Megray Farm, Ury, Stonehaven

Mr Gerald W Hyett MCQI CQP MWeldI CGIA MPIG MInstLM MAWS MSOE, North Westfield House, Silverburn

Mr Henry Irvine-Fortescue, Kingcausie Estate (led by Mr Gale QC)

(supported by Mrs Elizabeth Bracegirdle MA(Hons))

For Mr Kevin & Mrs Dianne Lawson, West Stoneyhill Farm, Netherley

Mr Alasdair Burnet, Advocate

Witnesses:

Mr Kevin Lawson

Mrs Dianne Lawson

Mr Kenn Clark BEng MIHT, Technical Director, W A Fairhurst & Partners

Mrs Sally McAllan, Whistlebrae Steading, Banchory-Devenick

Mr John McIntosh BSc(Hons) MSc, East Brotherfield Farm, Silverburn

For Messrs McIntosh, Goval Farm, Dyce

Mrs Elaine Farquharson-Black, Partner, Paull & Williamsons, Solicitors

Witnesses:

Mr John McIntosh

Mr Kenn Clark BEng(Hons) MIHT, Technical Director, W A Fairhurst & Partners

Mr Robert Barclay BSc CEng MICE, Technical Director, W A Fairhurst & Partners

Mr Bob Reid BA(Hons) MCD MRTPI, Planning Director, Halliday Fraser Munro

Mr Bryan Chalmers BSc(Hons), Partner, Allathan Associates

For Stewart Milne Group Ltd

Mrs Elaine Farquharson-Black, Partner, Paull & Williamsons, Solicitors

Witnesses:

Mr Ian Marsh BA(Hons) DipTP CMILT MIHT, Divisional Director, W A Fairhurst & Partners

Ms Marianne McGowan BA(Hons) MSc MRTPI, Senior Planner and Land Manager, Stewart Milne Group

North Kincardine Rural Community Council – Mr Robin Winmill, Vice Chairman

Parish of New Machar Community Council – Professor Roy Bridges

Miss Mavis Petrie, Owner of Redwing Riding School, Director of Redwing Liveries Ltd and Director of Blaikiewell Animal Sanctuary

(Supported by Mr Nigel Astell BSc(Hons)(Botany) BSc(Zoology), Environmental Consultant and Arboricultural Consultant)

For Silverburn Community

Mr Alasdair Burnet, Advocate

Witnesses:

Mr Ernie Cowell

Mr Gavin Prise

Mr George A Simpson RIBA ARIAS

[Plus Mr Roger Murray and Dr Caroline Fraser, who also spoke on behalf of *Road Sense*]

Sink the Link – Ms Karen Allen

Mr Ken R Stewart, Greens of Crynoch, Blairs

AWPR App 1 542

Stonehaven & District Community Council – David Fleming, Chairman

Mr A Strachan, Mains of Charleston

Councillor Mike Sullivan, Stonehaven and Lower Deeside Ward, Aberdeenshire Council

For Mr Johannes & Mrs Christianne Volker, Croft House, Culter House Road, Milltimber

Mr Alasdair Burnet, Advocate

Witnesses:

Mr Volker

Mr Paul McMillan, Partner, Fairhurst & Partners

For Woodland Trust Scotland

Mr Alasdair Burnet, Advocate

Witnesses:

Ms Christina Byrne BSc MPhil, Woods under Threat Officer, WTS

Ms Carol Crawford BSc MPhil MIEEM MICFor, Principal, Natural Resource Consultancy

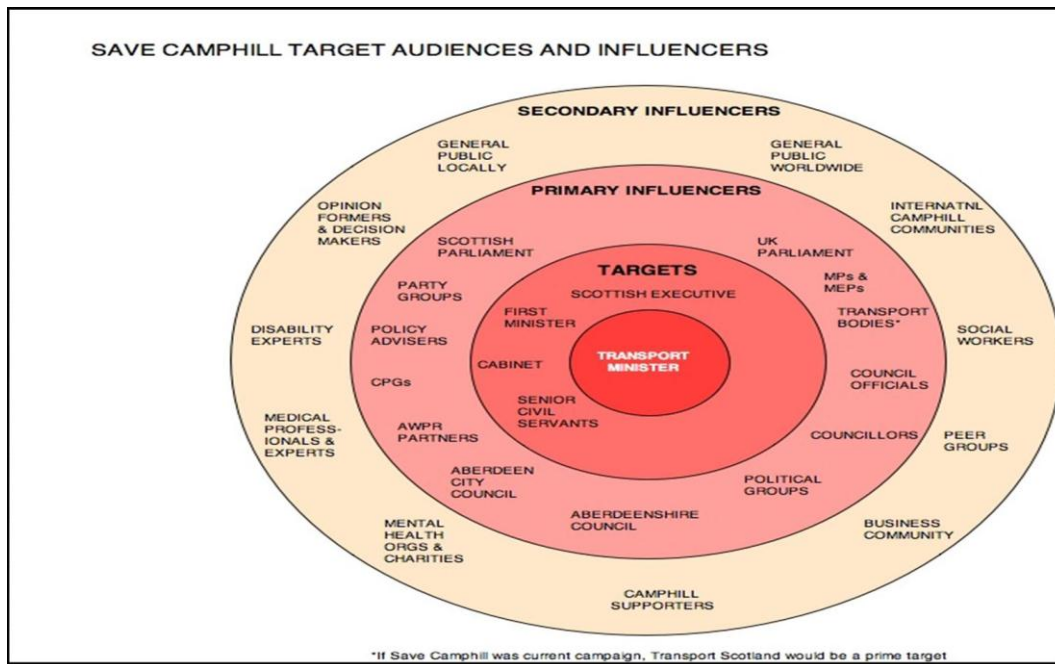
Mr Peter Wyatt BSc(Eng) MISTructE CEng, Blair-Crynoch, Blairs

APPENDIX F: Camphill residents outside the Scottish Parliament

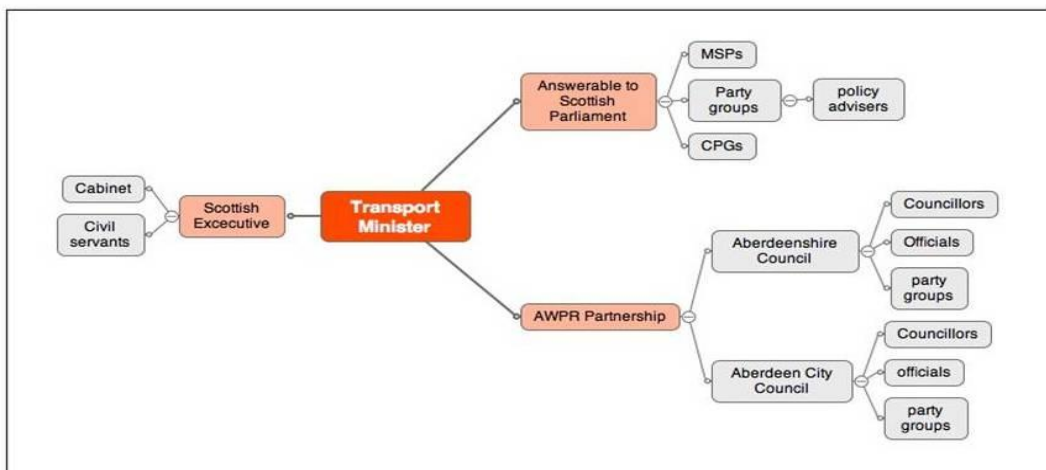


Source: *Save Camphill* website

APPENDIX G: Target groups for Save Camphill



TARGET GROUPS FOR SAVE CAMPHILL



Source: Ken McEwan 2009

APPENDIX H: Partial transcript of interview with Ken McEwan, 4 December 2009

Camphill's ethos 'it was the residents within the Camphill community. Straight through their bio-dynamic fields. Who said 'Why don't we organise a campaign against the road'

Stephan 'Good dynamic person' driven purely by what is good for the people there... can go on too much so enthused.

Looking at either a campaign against the road per se or that they'd need to suggest an alternative route.

Town Planning consultancy had given the lead.

Q. Tell me about the decision to use professional PR help versus Camphill fighting the battle themselves. How telling were the PR strategies in achieving the eventual outcome?

Stephan said to me Camphill ethos, Newtondee community is part of Camphill Village Trust registered in England. 'Stephan told me that they would only get involved in a campaign if it was professionally organised

Conflict of interest with the IoD need for the road.

I thought about the strategy. It wasn't necessary to oppose the road per se. Strategy would have been doomed to failure if we had. We needed the support of the four main parties. We needed to find a way

The other bit of the structure is that in the early days, the road was showed on the Camphill . The road was fixed right up against Newtondee. The early days it moved to the other side of the corridor. Campaign team was largely Newtondee and couple of representatives of the Rudolf Steiner schools.

Policy to secure mitigation. Was it possible to tunnel the road?

Road moved to the other side of the corridor and was slap up against the houses in Camphill. Near the windows of children with autism and avenue of trees.

Didn't own one of the fields. Don't quite connect wasn't in their ownership.

Do I want to take on this account? One about being a fairly outspoken and prominent proponent of the bypass. I resolved this in my mind. Campaign wouldn't oppose the road. Potentially we would delay the road because we were

Do we push ahead and run a road settled environment predecessor been there or do we wait a year and get the right route.

Desperate for the by pass to be build. Where is it? Vulnerable people in our society.

Strategy – decision to be neutral

Camphill's natural position long before people saw it as fashionable biodynamic Camphill's ethos since 1940 ... loan from Macmillan's the publishers gave them the money to buy Camphill house ... ethos of Camphill was sustainable and environmental - biodynamic organic ultra natural position – [their position] was undoubtedly to oppose the road. What I said to them is that if you take that stance, if you oppose, you will lose.

All main parties versus the greens. You must do something ...

Most of us against the road as an environmental

Stephan speaking

These are the three things you should say Cheryl Paul, STV Business at

She did most of the interviews. Sat down on a swing. Live broadcast.

Came out Pro the Road! Moved away from neutral stance and accidentally made a statement for the road. A slip of the tongue. 'I was sitting there wincing.'
Fortunately no-one picked it up and pilloried him.

Realised that the gun was at their head. I'd argued it clearly enough – usually they followed my guidance

Meeting partner with the Green belt Alliance. They had all been persuaded that they should throw their lot in with the Greenbelt Alliance. And I was horrified

Did they know these people – Oh yes, Douglas Craig, I knew Douglas quite well. I knew predecessor of IOD.

Business wants this route – oh no they don't.

Early adopters of the internet and established our own internet division. Experts were within 20 ft of our office. Steve said Can we do this? Within 24 hours we had 700 emails went to the Transport Minister. We are the business community and we don't want this.

To what extent in your thinking that we'd go to the elected representatives direct?

Some people don't go for the citizens aspect they go for the elected

I worked on the Stop Tesco opening premises campaign – chance to practice some of the strategies and early web campaigns certainly in this area. Around 2001-03 or thereabout. With that and Save Camphill that I put up on the screen ...the target is the Scottish Executive, the MSPs were the primary influencers if you like. The secondary influencers were the public. The campaign was very focused on the Ministers, the government the MSP but against a background of outrage, if you like which would motivate them to find another solution. I needed to get the public fired up and enthused.

Q. My recollection growing up was that Camphill was quite self-contained. What was their attitude to being included in the wider community?

That absolutely was the case 20-30 years ago. They are much more out-going now. Very self-contained organisation. I had my own impressions of Camphill as my model. I thought that most people were quite like me. had had nothing to do with Camphill. I knew of Camphill. I knew it did good work. I knew that it was founded in Aberdeen. I'd no idea. I knew vaguely that the founders had had to flee from the Nazis.

Q. How did you use narratives as part of your rhetorical strategy? Was this effective?

Yes, very much so. My dealings came from when I worked as a van driver for Alexander Collie. They were still struggling on with a wee shop in Glasgow. I delivered to the houses and to Newtondee and Myrtle. Some how the cares of the world melted away. The corners of the doors were cut off. People were so charming and so friendly. I'd be driving up the driveway at Newtondee. I delivered as a van driver, I would drive in their and the cares of the world melted away. Quaint houses Germanic style architecture. Driving up the drive way. Flag you down, jump on the back of the van. Hop out they would use me almost as a bus service. The atmosphere of the place was so special. At least I had this impression of an amazing community. I had a warm feeling about them and I was proud of them because they had started in Aberdeen. Know it has been around for a long time. Proud of them because they are an Aberdeen based organisation.

Staked my reputation on a strategy that that was the reality. And it was. Even at the end of the campaign people didn't have a good impression. Played on the Camphill was 7 different organisations, autonomous people – they just saw it as one organisation. We deliberately just talked about Camphill. And if I tell any fibs I did let one perception get slightly vague and that was to present Camphill as one organisation. I wanted it to be more like a community with the road going through it. Presented as a holistic thing.

The story there was that Dr Kuenig and his followers – that sounds a bit cultish – paediatrician. Young people in Vienna the way that we were trying to treat children was not right. Better a supported community where the children were encouraged to focus on what they can do.

The curious incident of the dog in the night. Reference. The Germans marched into Austria and the Austrian Chancellor went on the radio to explain that he'd been forced to resign. The airwaves went dead. The group of young people met by candlelight behind closed curtains and Dr Koenig said we must go abroad. Dr Koenig's preference was Paris. But he met up with some people in Switzerland who suggested Britain as a possible place to go. He met people who owned the old manse at Inch and they said come and use our manse. He didn't have a visa to come to Britain but a visitor's visa to Britain appeared. The first of the people gathered at Kirkton House in Inch. One of the adults was one of the pupils who came in 1939. In June 1940 they got Camphill house. They had to flee because

some of them were Jews of course they were doing exactly what Hitler did not want special needs..

Persecution by the road was similar. I was uncomfortable with that. What I did take from that was that it was valuable your predecessors welcomed come on in – we'll support your. Aberdeen gave them sanctuary.

Frictionless capitalism. A smokescreen to get away from the human aspects of life. Papermill, the last place on earth that you would put a business Eddie MD

Aberdeen person, his reason is not rational it's because it is a nice place to live. Sir Moir Lockhead to the world headquarters. Once he gets them here they never want to leave. The reason that First is based here. I've always hated jargon. Obfuscating situations or depersonalising. It's a way of taking people out of the equation.

Q. How has the economic case for the road been communicated by Transport Scotland?

IOD compelling case for the road. Press release from KMcE. Haudagain roundabout. In 1986, in BoD roundabout that bridge is the first break from Pisa, Italy to Aberdeen in Scotland that is not dual carriageway. Built in 1527. It is the only link into Aberdeen.

References to Pisa. I chose that because I actually drove from Pisa to Aberdeen. I can justly claim that I made that an icon of the road. In the same era of the eighties, SoS approving new bridge over the Dee which was to feed the bypass. The new road was going to go through where Sainsburys is now.

The problem was that the roads official in Grampian Regional Council, George Kirkbride maintained throughout that Aberdeen was a destination. He put the kybosh on this in the 80's. He said that we didn't need a bypass. Arrant nonsense. It was absolutely rubbish. The blame lies with George Kirkbride.

Q. The use of the celebrities. How did you identify who to use or did they step forward?

The first self-identified. Timmy Mallet. Then Timmy worked closely with us to identify other celebrities to come on board. Jeremy Paxman was identified. He was a patron of a charity and some of the money paid for the construction of the new

dairy. He'd opened the diary and spent most of the day in the community. He was cautious in saying that I can't give time but I'd give a supportive quote on eco-warriors and hedgehogs. He was found and identified and so was Ian Rankin. We found the person who had a link with him. The contact was made by someone in Camphill that he knew. We contacted him and got quotes.

He was the last of the in the news as the best-selling author of Rebus. His younger son has Angelman Syndrome. He was very willing to come and support because obviously understood the situation. Kerry made contact on my suggestions. She put together this fabulous quote which she put down to Ian and he approved it immediately. Someone else was listening to him being interviewed on some Arts programme and asked what's it like having a son with special needs. I find it very difficult to talk about this. The person who expressed it and put together a quote was from a PR company in Aberdeen.

Other celebrities who approached you. No they all seemed utterly appropriate. Timmy had come forward with Dr Neil Fox, independent and Michaela Strachan.

Rolf Harris and Timmy are good friends. Timmy is a good artist. They knew each other. Glorious picture of Rolf giving Martin a hug. What I found with Rolf. We were accused of 'wheeling people in' who had not idea what they were talking about. He was quite incisive about what we were going to do. He was more concerned than any of the other celebrities 'could you suggest some wording' I wouldn't say it like that. He was quite involved in how not just I'll lend my name it had to be right for him.

Q. Was consideration given to how to handle the disappointment were the campaign to fail?

They felt positive that they were at least doing something. If they were watching they would have felt totally disassociated with it. More articulate. Sat at Bieldside inn during the live radio. They were actually doing something about it.

We've done our best and we were all through making it quite clear that even if the Transport Minister had said it was going through not necessarily the end of the matter. European Court. Genuine belief it would have been a miscarriage of justice.

APPENDIX I: *Road Sense* merchandise



Source: Author

APPENDIX J: *Road Sense* photo-opportunity, Day 1 PLI



Source: Author

APPENDIX K - Window dressing theme



Source: Author

Appendix L: Excerpt from *Road Sense's* blog

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Nicola Furrie (abs)

From: enquiries@road-sense.org

Sent: 22 September 2008 15:58

To: enquiries@road-sense.org

Subject: PLI Blog Days 7&8

Greetings, Road Sense Supporters,

Two days – Thursday and Friday – of Transport Scotland evidence on Forestry, Noise, Hydrogeology and Groundwater and Flooding and Water Supplies. Nothing there to quicken the blood, you might think, and you would be right, but more of that later.

The whole week has been rather surreal. The world outside has been in turmoil – Hang Seng, Dow Jones, Nikkei and Footsie have swooped and risen, plunged and soared; fortunes were made and lost; venerable Scottish institutions hit the buffers and were swallowed up by the Black Horse; Ministers resigned or were fired; mischievous and opportunist politicians ranted about 'spivs', and what happened at the Treetops? The Inquiry sailed serenely on in the ballroom – insulated and isolated from the tumult and the shouting, witnesses glided in and out – one looking remarkably like Father Christmas without the red cloak – with the principal excitement being caused by a debate on whether to break for lunch 15 minutes early or carry on and have it late. Laaaaaate ??.....haaaaandbag ??

The content of the evidence was sometimes dull, often esoteric, frequently predictable. Would windblow devastate various woods or have minimal effect upon them? No prizes for guessing what the Transport Scotland witness thought. Would TS be generous in replacing diminished private water supplies with mains supply? Of course it would. Was there a danger of upsetting the flood plain with bridges etc? Certainly not.....and so on.

Throughout it all, Stuart Gale QC patiently probed and questioned the processes, conclusions and opinions, courteous to a fault. His best moment was on Friday, with Ronnie Falconer (Flooding and Groundwater).....

SG Good morning, Mr Falconer. Forgive me, but before we start, just one little detail I should like you to help me on, when you mention the location of the detention ponds you refer to Document 81 to show exactly where they are.....I just can't seem to find the place...perhaps you could assist with a page number.....

RF Yes, of course....it's...(flipping the pages).....it will be....

SG I'm sure the fault is mine, Mr Falconer but.....

RF No, no....I'll have it in just a(pages turning faster).....

SG You see, I understand the reference but simply wished to look at it in 81 to be sure.....

RF Yes, yes, of course....I knowthatit's.....(by now both his pages of Doc 81 and those of the two Reporters are turning at ever-increasing speed).....I can't.....seemto.....

SG (To the Reporter)...I don't want to cause any difficulty of course, Sir, and I'm sure it's there somewhere....a minor matter...

A minute passed.....and then another..... Then it was a minute past..... and then..... a further minute passed.....

RF Well, I.... Um... II.....Ah.....(pages have slowed after third check, face is reddening and anxious glances at both his boss and the Reporters).....I'm afraid it doesn't seem to be there...

Perfect ! A real Kelvin McKenzie moment – remember 'Gotcha' in the Sun ? So here we have The First Law of Public Inquiry :

The danger of a stiletto between the shoulder blades increases in direct proportion to the degree of

11/11/2008

deference, courtesy, and humility shown by the QC during cross-examination.

Road Sense witnesses, please note.

Only one sinister moment intruded on Friday when the TS QC said to one of her witnesses..... ' Well, the CIA has provided...' and for one awful instant we thought that we had discovered the real power behind the WPR, and something else to pin on George Bush. But no, disappointment lurked just around the corner when we realised that CIA stood for the Cumulative Impact Assessment. Personally, I am becoming increasingly concerned about the CIA on Henry and William, who sit through hour after hour of the ritual and have to pay attention, unlike the members of the public who – at the mere mention of....'fluvial hydrogeology..' or ...'mode split scaling factors..' - can allow their thoughts to wander to.. 'what's on TV tonight..'

On Tuesday we have Peter Gilchrist on Ecology and I have no doubt that Nigel and Alan James will be there to support Stuart Gale with pertinent questions. He will be followed by Kerr (Land Management) and John Smith (Planning).

Then we shall see the start of the Road Sense case – possibly on Wednesday afternoon, certainly by Thursday. Please do make the effort to attend at some point to support the team. We shall start with two Roads witnesses, followed by Maitland Mackie (yes – THE Maitland Mackie ; will he try to sweeten the Reporters with ice cream ?), then Chris Byrne (Woodland Trust), Alan James, Tony Hawkins, Nigel Astell and William.

They will value your encouragement and support, albeit without the opportunity to applaud or even wave Order Papers.

Please make an effort, if only for an hour or so.

In the coming weeks I hope to be able to announce one or two Pseuds Corner awards and perhaps an Order of the Road Sense Red Star for auspicious performances.
Watch this space !

Narcolect.

Please note the PLI Blog does not necessarily represent the views of RoadSense. If you wish to be removed from the Blog list please reply to this email and mark it 'remove from blog'. Thank You.

11/11/2008

APPENDIX M: Transcript, *North Sound*2, 'Talk-in with Frank Gilfeather', broadcast 22 November 2009

FG: Good Morning. Thank you for joining me this Sunday morning for the programme that offers you the opportunity to air your views on any of the issues of the day. Let's get down to the issue of the day, the Western Peripheral Route
Good morning. I'd like to start with Bob Collier. Good morning Bob,

BC: Good morning, Frank.

FG: I am interested in something you said last week when you said that there was a wee bit of uncertainty over this issue. What do you mean by that?

BC: Originally, the proposal was to get a result ... a decision from the Minister 'in the autumn' or the end of September. We clearly have not had one. There must have been a delay. As we understand it this is to give the Minister the time to properly look at areas and pieces of information that ... has got from the objectors and the information from the Reporter and there seems to be a lot of that, so it seems to be taking longer.

FG I'd like to ask a question to the Chamber of Commerce – Bob Collier. Is it really going to benefit the city of Aberdeen?

BC: Without a doubt. One of the issues the City has got is that we need to make sure that we are open for business and that we have a real future beyond Oil and Gas. Venture Capital for our traditional industries like food and drink, fisheries and we have to make sure generations behind us have a good source of income and prosperity going forward.

FG: Yes, but how might the Bypass make a difference.

BC: The three most important things that our members tell us that affects their business are planes and transportation and clearly the two are most closely linked ... make the last the speed of technology and the links in the world. The access and the project that Aberdeen City and Shire want to open up the whole of the north of Aberdeen in a corridor called Energetica between Aberdeen and Peterhead ... and the bypass is critical to opening up the economic development central area and that project is about environmental, sustainable ... to do with benefits for the region.

FG: Kevin Stewart, good morning. The government in Scotland. Is it dragging its heels over this issue?

KS: The Minister has to deal with the fact ... the Reporter and unfortunately it seems that that has taken a little longer than anticipated. However, I have to say that in terms of 'dragging heels' the Government has actually moved on much quicker than previous administrations. You have all been absolutely right that this is absolutely vital for the North of Scotland. Uumm... The outer ring road as it was

first called and envisaged in 1948 and featured in the 1952 Local Plan and here we are 50 odd years later still waiting on it. However, I have at this point...I think that folk can be much more positive about it actually happening than ever before.

FG: Let us now talk to William Walton – Good morning.

WW: Good morning, Mr Gilfeather

FG: Thank you for joining us as I know you are some distance from Aberdeen.

WW: Yes it is very wet down here in Carlisle.

FG: Well it serves you right. What is your organisation *Road Sense*...why are you opposing this in the first instance.

WW: We are opposing this route. We are not necessarily opposed to the bypass. We are opposed to this route because it is very environmentally destructive. It crosses the River Dee in the worst of all possible places. It goes through ancient woodlands that is on the environmental site? But it is so far out of Aberdeen that it will do very little to alleviate traffic problems. I think that the other thing that really sticks in people's throats is the way that the route was selected. The lack of due process, the fact that there were 5 routes put on the table for public consultation in Spring 2005 and that the sixth route was selected had nothing to do with the other 5 routes. So there are a series of reasons for why people are concerned about this and of course the very very high cost. It is officially costed at £347m and the other 3 speakers on this panel and your listeners will know that this is pie in the sky. That is not an accurate estimate at all. That is an estimate that came from 2003 bases. Why has it not been updated? We think that it is probably going to cost £6-700m upwards. I know that it is going to be paid for over 30 years so you can probably double it again. And that is a lot of public services you could pay for.

FG: And now Lewis Macdonald, Good morning. You raised the possibility that this thing might not be going to happen in the foreseeable future.

LM: Well I have certainly been very concerned about the process that has been followed when the SNP came in and as Kevin Stewart said things have moved on apace. The first thing that Stuart Stevenson did was to put back the completion date from 2011 to 2012 and I think that because a decision has still not yet been reached I think that it is no longer credible for this thing to be completed by 2012. What NESTRANS Derick Murray CEO has said when he came to the Scottish Parliament a couple of weeks ago and he told the Transport Committee at Holyrood the actual construction phase of the road would be a 3 year programme at least. And I think that experience indicates that the point is that the gap between the decision being made and construction will be one year.

And therefore given that there is no decision yet we are really looking at a completion of 2013 at the earliest but more probably 2014. My concern is about

the delay. It would be an extraordinary thing for the proposition to go forward was dropped by this Administration. William Walton mentioned that this decision was made in 2003 And if that had actually been stuck to it would be open by now.

FG: What are you saying – that the money is not going to be available ...thinking about the potential of a crossing over the Forth which will take an incredible sum of money where is the rest going to come from?

LM: I think that this might be a concern regarding the new Forth crossing. The indication that I saw this week about the new Forth crossing. We are talking about a new £2.3 billion project at much the same completion time as the WPR. Between 2011-2014 that will coincide with the Forth crossing proposal.

LM: I have been asking him for some time what is the mechanism for building it and that will be on the same model as the Aberdeen Schools project and the difficulty with that type of Public Private partnership is of getting the private sector financier to come on board and fund them. That is why Aberdeen Schools project had such a rocky road for a few years.

So my concern is not just the public sector side of it though that is critically important it is about the profit. You need to find a private partner at the same time as you are lining up another vast amount of expense for the Forth Road bridge.

FG: So, Kevin Stewart would you accept that there are now huge question marks about this project actually taking place – particularly when we are at a time of recession?

KS: I do not think that there are huge question marks about this project taking place at all. Lewis mentioned the 3R's project. The reason why there was a level of difficulty first was because of the collapse of the Icelandic bank which nobody would have forecast. Three or two years ago when the process was first mooted I have to say that Lewis is a hypocrite? when it comes to money and he and the other MSPs vote for half a billion to be spent on Edinburgh trams when Edinburgh did not want them and going on about the Glasgow rail link which the government has cancelled. Saying that they cannot afford it. Nothing like that has been said about the Aberdeen WPR. I am confident that the finance will be found for the AWPR and I am waiting with anticipation about the Minister's decision so that we may get on with the job? In terms of the timescale for the actual project it is uuummm a lot of the preparatory work has already been done. What has not been done though is to complete the go-ahead because the Minister has to look at the Reporter's findings from the Inquiry.

Personally, I think that these Inquiries take far too long and we are far too bureaucratic in this country when it comes to such matters. Really we should have fast track process to deal with this. Unfortunately we are not at this place yet.

FG: Just stay with us ... we are going to take a little break.

FG: Welcome back to the programme. You are listening to the talk-in and would like to hear you, on your views on the WPR.

We have guests on the programme this morning discussing that. Now we have William Walton from *Road Sense*.

WW: Hello again

FG: You have heard some of the arguments put forward by our guests. What does *Road Sense* do now? Are you kind of finished with this issue because it has been decided that it has to go-ahead.

WW: No, far from it. I want to go back to something Mr Stewart said. He seems to think that he talks about the Minister looking over the Report carefully. Mr Collier said as well. Mr Stewart talks about this process taking too long – it is too bureaucratic. This public inquiry took four and a half months for a Scheme that is 46 km /29 miles in length and hundreds of millions of pounds. It really did not take that long. There was basically a lot of history before we got to the Public Inquiry. The point is that there will be a legal challenge. So any talk of 2012 is just nonsense. There will be a judicial review because certainly what we have been advised so far there are clear grounds for a judicial review. On the wording of the report and we will have to look at this very carefully. The issue of the Habitats Directive this is European law. It gives a high level of protection to the River Dee. This will not go away by the use of the Minister's pen or any wording that he may use. These are insurmountable problems. There is the issue of the international school. It has been announced this week that it is going to cost £70-80m I would like to ask Mr Collier, as a businessman, if you were to acquire a building for £70-80m for the purposes of demolition, would he check before whether it could be demolished before it was purchased?

FG: Let us put that to Bob Collier. What do you have to say to that Bob?

BC: Well I would like to go back to William's earlier point about the cost of the £347 million or higher. What we estimate the benefits to the economic region to be are about £4.25 billion and 3000 jobs over the next 5 years. So when you look at costs and you get the big numbers and that is high you have to look at the benefits as well. I think that the issue at stake comes right back down to the choice of the route. And that has gone through quite a long process. If the route chosen requires that part of the cost that releases these benefits then it is a sensible decision.

FG: It might be sensible but there a lot of people out there listening to this programme whose services have been badly affected by recent budget cuts with the local authority and won't see it like that.

BC: Well you have got to remember where does the Council's money come from? It comes from our taxes: it comes from corporation taxes that businesses pay and the jobs that businesses provide. So when you follow the public money through where does it actually come from? It comes from commercial activity and if we start to cut that money from source we start to reduce it then none of these public benefits and investments are available to us.

FG: Lewis Macdonald would you like to come in on that one?

LM: Well I felt very concerned when I discovered this year's scale of the venture on the International School. And my point is not and I do not differ in principle with what BC is saying that when you have made a decision when you are planning a major infrastructural project I think it is inevitable that there will be incidental costs. I think it is the way those costs are managed and the transparencies of them that have raised some pretty significant questions.

I recognise that some of the funding for some of the Schools in the City has gone down and it is likely to go down next year. And at the same time city taxpayers will retain a phenomenally large sum for the relocation of a private school. And clearly that will cause real concerns for some people. The quality of their own schools has been driven down by council cuts over the last few years. Yes, there will inevitably be costs associated with this kind. I have written again to the Minister for a further explanation of how it is possible that the costs have escalated to the point where you are spending £50m of public money that includes £5m and that is Aberdeen City Council's money on relocating a single private school.

FG: Kevin would you like to come in on that as there is a perception here that the everyday man in the street in Aberdeen will be looking at this and thinking my goodness how can they find the money for this?

KS: Well first of all, I want to correct Lewis. The level of spending on Schools did not go down year on year last year. That is not the case. He needs to have a look at the 'kinks' in the accounts and that is the case. We have been investing very heavily in Schools like the 3 R's project as I said earlier and we will continue to do so. We have two new primaries and two new secondaries on stream.

FG: Let's not go there. Let's talk about the International School.

KS: Well, the International School, I have not had a detailed breakdown of the costs of that. I would be interested to see how that figure has been arrived at. But Bob is absolutely right you have to look at the overall economic benefit of this particular Scheme. If you look at the Haudagain roundabout for example it was estimated a few years back that that pinch point itself cost the economy of the North East some £50m per year. Bob has already talked about the economic benefit

of £4.25b that the WPR will bring. You have got to look at it in the round. We have got to look at the thing in the whole and not to single out certain elements.

FG: Bob, what do you say to the earlier point made by William Walton that this route is so far out of the city that it is not going to benefit the city at all.

BC: Well, that is an interesting point. I do not have the technical information to be able to comment on it. My case would be that the purpose of the route is to take through traffic out. If you look at the way people tend to use those roads and that they do change their journeys based on time rather than distances. I think that you will find that people using the bypass and heading on the right road to the shortest journey with the minimum air quality and environmental impact. There is all sorts of things that you must take into account.

FG: OK Let us now go to the phone lines and hear from Alec Irvine. Good morning Alec.

AI: Good morning, hello Frank, how are you doing?

FG: Very well, thank you.

AI: I would like to talk about the simple things...about how the ordinary motorist...two things come into play at the moment – congestion and money. Irrespective of the topic, all we seem to talk about is ring fencing money. I am sick and tired of this. So called Central Belt bias regarding money being offered to improvements to Glasgow Airport, links to Edinburgh Tram lines blah, blah, blah. Aberdeen Council irrespective of who has been in power over the last 30 years. The bottom line is this...short of asking to get planning improvements, new developments for housing or industrial for Garthdee or Portlethen or Banchory in the West and Peterhead. And even in the papers yesterday they are talking about a so-called new town north of the Bridge of Don. The bottom line is that I have... have got friends who come from abroad, they drive from London they get dual carriageways and motorways as far as the Bridge of Dee the old adage old carthorse and single track. As in years gone by they have persisted with development but if there is no road the development in the first place should not have been allowed.

FG: The bypass would take care of that

AI: I am in favour of the bypass. I am an experienced motorist and I have been 30 years in Aberdeen. I have driven long distances from Wick in the North to Portsmouth in the South and it literally is a joke. The topic year after year is stalling ... the ring fencing money, why does Aberdeen not get its fair share?

Now when I ... what I get from this, then the bottom line is irrespective. Last night I was at the Haudagain roundabout there was a slight accident at the back of 5pm – it was a rainy night – it takes one car, it takes one breakdown and it is chaos in

Aberdeen. Anderson Drive, Auchmill Road...now one small accident should not mean a lot of tailbacks.

FG: OK we will look into that, Alec

AI: What I am trying to say is I will tell you something...you as a person will be talking about this very thing next year.

FG: Thank you, Evelyn Sim is on the line. Good morning, Evelyn. How are you? What would you like to say about this.

ES: I was seeing in the paper that this WPR has cost £91m so far. How can they justify spending that when there is not even a start to it? I mean... I really object to it and all this waiting until they look over the plans. They had a debate at the Treetops...

FG: The Inquiry...

ES: Yes, last year and nothing has happened so far, and I *doubt* if it will be in my lifetime this WPR.

FG: OK, Evelyn, thanks for that. I will put those points to Kevin Stewart. It is a perception thing...£91m spent so far and not a pothole laid.

KS: A pothole! I hope that there will be no potholes in this road.

I have to say that it is rather frustrating the preparatory work that is required to deal with the actual building itself. Sometimes we do not give credit about the amount of preparation that is due...done for this type of project. In terms of ring fencing which Alex keen to talk about every week and I am sure he will debate about it next week [laughter] he is a regular contributor... The government has more or less done away with ring-fencing which is a good thing. Which allows folk to spend money where they want to rather than where the government wants to. He is right about the fact that Aberdeen and the North-East is not getting its fair share of the distribution formula which of course is being looked at. The project is vital for the North-East economy and that is why I am sure it will go-ahead. In terms of Mrs Sim's comments, I was very cynical about the WPR for a number of years. The actual decision to go with this route was rather bizarre with previous administrations. I thought that was a cop-out.

FG: In what respect?

KS: Mr Walton is right in some regards that 5 routes were consulted upon and something else came out of the woodwork.

However, at the end of the day, I am not the actual road expert. I know a number of folk who are. They say that this route will alleviate the problems that there are with the congestion in the city and as far as I am concerned let us get on with it.

FG: Let us take a break and when we come back we will wind things up with some comments from each of our guests.

Give us a call if you want to voice your opinion on the proposed WPR. William Walton, finally from you. This is vital for the North-East economy according to Kevin Stewart.

WW: Well these figures of £4.25 billion were never put forward at the public inquiry and as someone who has taught Transport Economics I am doubtful about the claims put forward about the impact of roads on economies. They are usually grossly inflated and that I think that this one is as well. To conclude I would say that it won't ease congestion and the environmental statement itself says that and that was prepared by Transport Scotland's own consultants. It is going to reduce traffic on Anderson Drive by 3-4% which is not a very significant reduction. And it is going to cost upwards of £1 billion over 30 years which is a huge amount of money for the North-East of Scotland and Scotland as a whole.

Thirdly, it is going to be challenged in the Courts. These actual buildings cannot be knocked down under European legislation because it contains roosts of bats and that is sheer incompetence that they paid so much money to relocate a School and find that they cannot knock it down.

WW: And that is what they are going to find out very soon...and that is with the European Community at the moment. And it is best to focus on the pinch points and the point that Evelyn made about the Haudagain roundabout and various other points to ease the congestion. It would be better to spend the money on the short term. Bit missing? Much of the congestion in Aberdeen, the traffic going round Aberdeen we will just redistribute the congestion from one part of the city to another. We have to think of new transport modes. We have to go back to the drawing board. We have to look at the Aberdeen Sustainable Transport study of a few years ago which looked at bus lanes and various other issues and these are far more sustainable.

I am down here in an area that floods and we can see what climate change is doing. Nobody has talked about climate change. Nobody has talked about this kind of thing at all. The gentleman at the start – I think Bob Collier or Kevin Stewart – has talked about this new town at the Bridge of Don and how it would be linked to the bypass. And the bypass is the thinking of 30-40 years ago. It is not the thinking of the 21st C. Let us move on. Let's have a cleaner city. And let us have one that has less congestion and that won't be afforded by a bypass.

FG: Thank you for your comments.

Let us go to Bob Collier. It looks like according to William Walton this is not going to happen. ..at least for a very long time. And he makes the point that there have been surveys that tell us that it will not ease congestion significantly.

BC: Well I am looking at the information on the AWPR website and it tell us that there will be a 74% reduction in traffic on the road that I travel in from Kingswells to Bucksburn. There will be 12,700 fewer vehicles on that route and that will certainly ease my journey and when you are sitting there nose to tail and all those cars are chucking out ...particularly on the ring road that will ease.

FG: Would it not be better according to William Walton at the moment to spend money on the short-term issues?

BC: A lot of those short term issues are symptoms of a deeper problem – the problem being the inferior transport network that the North-East has got. And you don't fix this underlying problems by putting sticking plasters on the bits that pop up. You have to deal with these problems.

FG: OK Bob we are going to have to stop there. We are running out of time. Thank you very much for your contribution this morning. Let us go to Richard on Line 4.

Richard: Good morning. Do you have a point to make on this one?

Richard: Yes. The guy that said that we should put a better transport system into Aberdeen. Fair enough. I myself am a joiner. Do you expect me to take my tools and plasterboard on the bus or a tram? I go from Cove into town to pick up materials to go over to the Bridge of Don to do a job. And most people in my trade and tradesman do that kind of thing. A new transport system buses and trams is not the answer.

FG: But what about the bypass though.

Richard: Excellent. I am in favour of the bypass. What my other point is is that Aberdeen seems to come a poor last to the Central Belt. If the Central Belt wants something the Central Belt gets it. If Aberdeen want anything we have to go cap in hand and wait years and years. Whether you are a supporter of the bypass or not, or 50 meter swimming pool...

FG: This is an issue which seems to go on again and again with people like you calling us complaining that we are left out of the loop on many occasions.

Richard: It has been like this, well I am 43, and I remember my uncle saying that oil is coming to Aberdeen. It is going to be a brilliant place with the best of everything. New roads new this and that. And now 30 years on we are still like back in the 60's and 70's.

FG: Richard, thanks for that.

We are going to line 1 now and speak to Gary. Gary Good morning

Gary: It is a question for Kevin Stewart. He's on about AWPR. What about sorting out the roads we have got. We are like a polka dot city...full of pot-holes. There has not been a penny spent. Kevin Stewart and his cronies keep saying that they are going to sort the roads. But they hivnae got the money. Now if they hivnae got the

money to sort the roads, how have they got the money for the WPR? It is the same old story we are back to cuts...right down the middle ... it is cuts, cuts, cuts.

FG: Alright Gary, thanks for that. We shall put that to Kevin Stewart. Kevin would you like to come back on that one?

KS: Sure.

FG: Sort the pot-holes.

KS: We have invested very recently in a jet patcher to deal with the holes, to get things done a lot faster. Last winter was particularly bad and there has been ongoing problems ever since. And they are getting through them but probably not quickly enough for folks liking. Gary is absolutely right, we ought to fix the pot holes but beyond that we have to invest in transport for the future as well. It doesn't just mean in getting the WPR it means sorting the Haudagain and the 3rd Don crossing and as for Central Belt bias that has gone on for far too long. As I said earlier, Lewis voted for half a billion pound for Edinburgh trams and he should have been thinking of the North-East first.

FG: OK, Philip Cooper is on the line. Would you like to make a very quick point please.

PC: What I think is that before any development is allowed anywhere we have to look at infrastructure. The Bridge Don is a disaster area. Haudagain disaster. Round about the ARI, trying to get round to the ARI is a disaster. OK. Is that quick enough?

FG: What about the bypass are you for it or against?

PC: I think that it is necessary to get some of the heavy goods lorries off. OK, it's going to cost a bloody fortune...sorry for that one.. it costs a fortune and Stewart Stevenson must make a decision quickly and tell us when it is going to happen.

FG: OK, thanks Philip for that. Lewis Macdonald. Let me come to you finally. You have heard what Kevin Stewart has had to say and the Labour administration at Holyrood had previously gone down the wrong road – if you pardon the pun.

LM: In fact when Labour approved the WPR seven years ago, we did so in the context of a comprehensive transport strategy for the North-East. And Bob Collier and William were both completely right in different ways when Bob talked about the inferior transport system that we have got that needs addressed. And William Walton talked about the importance of addressing the Haudagain and the Bridge of Dee alongside any other projects and what has gone wrong here that both the SNP in government and the Council have moved away from part of that comprehensive strategy. Say for example the Aberdeen Crossrail project which was about putting in place modern commuter rail services so that people do not need their cars to get them off the road and on to the train. That was a key part and we have seen

Stewart Stevenson backing away from that steadily over the past two years. We do need the WPR to go forward but I think that we need to go forward in the context of a comprehensive strategy that we need to create the road space for essential road users but need their vehicles to go to work but speeds up through traffic and takes some of the through traffic away from the streets in the city which I represent, King Street and School Drive, which is plagued with large vehicles coming through the streets. We ought to be getting them on to a bypass, round the WPR, that really ought to be developed and to take that away from the city. That is part of the strategies but I think that improving the Haudagain roundabout and the pinch points should not go alongside completing new roads bringing cars into the city like the 3rd Don crossing that Kevin Stewart mentioned. That is exactly the wrong way to go. We want to be taking traffic out of the city, promoting public transport and making the best use of the road space that we have. And doing all that in a comprehensive way, I think, my biggest concern remains of where is the money going to come from? For the WPR given the delays and the building mechanism that has been identified. Aberdeen Schools project fell down because the funds withdrew and they could not bring in another financier to take its place. Where are the private partners going to come from?

FG: OK gentleman, we are going to have to call it a day on that particular issue. Lewis Macdonald and Kevin Stewart, thank you both very much for taking part today. I have a feeling that this is an issue that we shall probably be discussing this time next year, anyway.

**APPENDIX N: Scotsman article, Tom Smith, Chairman, ACSEF
published 19 January 2010**



Bypass offers a massive boost for Aberdeen and the North-east

North-east is on the right road to a highly successful future



Tom Smith

PLATFORM

THREE local authorities, three Holyrood administrations, 20 years of planning and £90 million of public money. What is this radical proposal that has commanded so much time, investment, scrutiny and debate? A bypass around Scotland's third-largest city. The "statutory orders" for the Aberdeen Western Peripheral Route (AWPR) go before the Scottish Parliament this week in what should be the final hurdle for this long overdue piece of national infrastructure.

There can be no doubt about the need for the AWPR, which finance secretary John Swinney last week labelled "an obvious gap" in the country's transport network. This was recognised as long ago as the 1940s in the North-east. Planning was started in earnest in 1990 by Grampian Regional Council, then by its successors, Aberdeen City and Aberdeenshire councils, and finally by the Scottish Government, which picked up the mantle in 2003 following a 15,000-strong petition.

Three administrations, seven years and an expensive four-month public local inquiry later, the 9,000 objections garnered by a local campaign group have been thoroughly and independently examined and a decision made to proceed.

But now for some more numbers – 40 days of parliamentary scrutiny starting this week, followed by a six-week opportunity for a legal challenge by objectors, probably the same objectors, raising the same issues that were heard at the £2.5m inquiry.

What all this says about Scotland's planning system is a separate debate, but what is clear is that there has been enough talk – it's time for action. It is right and proper that alternatives are examined, the environment is protected and people who are

affected by the road are fairly compensated. Three independent Reporters were satisfied with these issues, so let's have no more diversions on this long and winding road during the parliamentary process.

Labour, Liberal Democrat and SNP transport ministers have all had their hand in this project over the years and have promoted its benefits. To stumble or fall at this final hurdle would be disastrous.

While the debate has been raging, North-east businesses have been counting the cost of poor infrastructure, which must be improved if we are to remain the energy capital of Europe and a competitive business location. But this is not just a regional issue – the North-east is home to a third of Scotland's top 100 companies, making the AWPR far from peripheral to the country's national interests.

We are working tirelessly with public and private sector partners to secure the region's future, but more than 1,000 businesses have told us that transport investment is the No 1 requirement for them to continue in the region.

Getting goods to markets in the Central Belt, the rest of the UK and Europe starts with a frustrating one-hour journey across Aberdeen itself for many of these businesses. This will be slashed in half by a purpose-built, modern dual carriageway providing a strategic route around the western edge of the city linking up our main industrial sites as well as Aberdeen Airport and park and ride and freight facilities. It is testament to the talent, ingenuity and drive of the region's businesses that they have built such a successful economy without this basic infrastructure in place.

But the AWPR is more than just a road; it will be the linchpin of a fully-integrated transport system and the catalyst for economic growth. It is expected to generate more than 14,000 jobs, £6 billion in additional income and reduce business costs by up to 6 per cent – numbers that add up to a prosperous future for Scotland.

● Tom Smith is chairman of Aberdeen City & Shire Economic Future

APPENDIX O: *Save Camphill* protesters, banner and logo



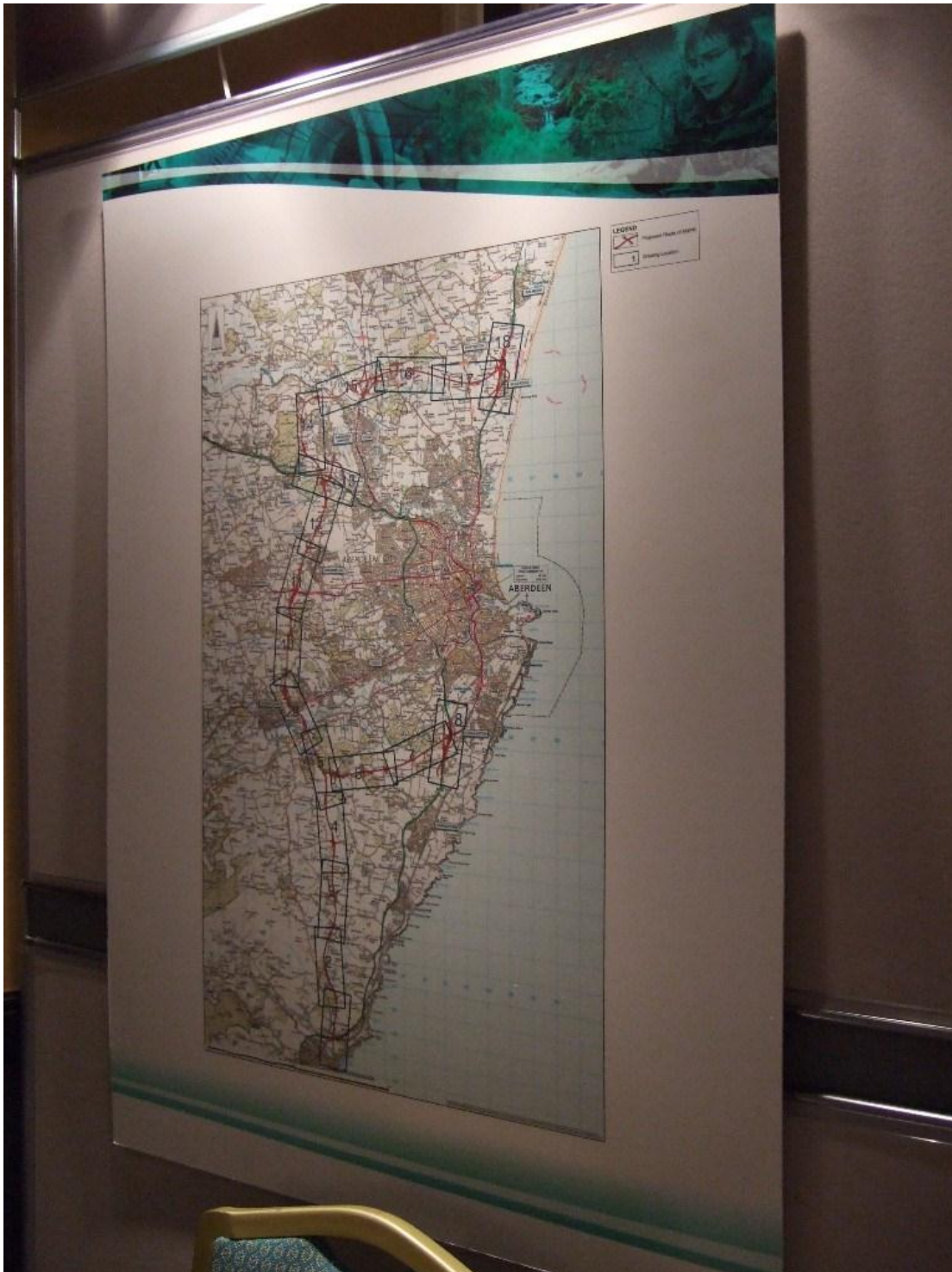
Source: *Save Camphill* website

APPENDIX P: Venue for the Public Local Inquiry, Aberdeen



Source: Author

APPENDIX Q: AWPR route, display at the Public Local Inquiry



Source: Author

APPENDIX R: Mr William Walton, Chairman, *Road Sense*



Source: *Press and Journal* Newspaper

APPENDIX S: Woodland at Kingcausie Estate



Source: *Road Sense* website

News
Page 3

University of London, U.K.

LOCAL NEWS SINCE 1874

AND at last, we are going to do our best.

The north-east has suffered decades of persecution, bitter argument and legal challenge after legal challenge over this much-vaunted petroleum.

Today, however, a dark cloud that hung over our future development and progress has been lifted. People across the north-east will celebrate the

prospect of a brighter future. It is no panacea, of course, but the AMFR will help alleviate the daily gridlock that leaves so many commuters frustrated and the region's businesses hampered by its creaking infrastructure.

We are well known as being a leading centre for the global energy sector, but without this road, the potential for further progress, further expansion,

into new fields and further job
growth on road with oil business least.

Now we have the potential to develop even further to become a city of inspiration, innovation and entrepreneurial spirit.

ship to go with it, something we have badly suffered a lack of in the past.

And we need honesty to
trust this major leap forward.

and consolidate it with a third company near the same place.

and a solution to the riddle:
Hand exists, you do not.

First Minister Alex Salmond is right as he envisages a golden era beckoning for a nation with multi-billion

At last, communications has

fully presented over his
since the protest group who

exercised its legal appeal rights to the full.

Now they seem destined to accept the judgment of the Supreme Court and consent to reluctantly accepting that this road will be best.

The Scottish Government and its agencies must now be true to their word and get it built on time — there have been enough obstacles placed along the road already.

Judges lift the last road

block – Pages 4 & 5
Arguments for and against – Page 6
Paying way for 14,000

'Trams' disaster in the making - Page 8

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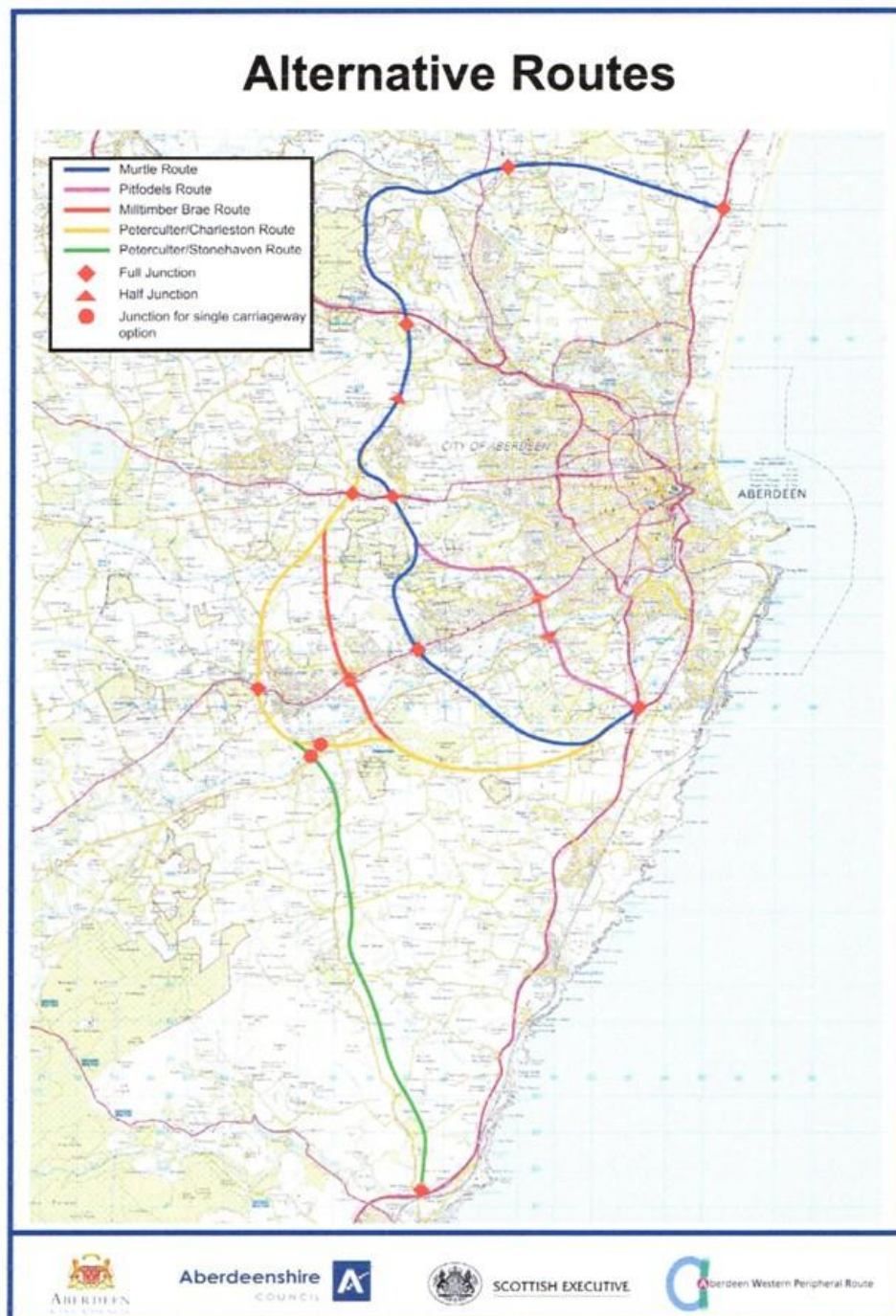


APPENDIX U: Timeline of key decisions around AWPR

ACTIVITIES	DATE
Preliminary studies	1990s
Development of the Modern Transport System	2002 - 2003
Scottish Executive becomes project partner	2003
Route options investigated	2003 - 2004
Public Exhibitions	2005
Tavish Scott meeting	17 November 2005
Decision on the route corridor	2005
Environmental studies Surveys	Winter 2005 - ongoing
Consultation with landowners	Winter 2005 - Winter 2006
Definition of route corridor (southern section)	Spring 2006
Preliminary Design	Spring 2006 - Winter 2006
Draft orders and further public exhibitions	Winter 2006 - Spring 2008
Public local inquiry (PLI)	Winter 2008-09
Scottish Ministers' Decision	December 2009 – March 2010
Legal Challenges	May 2010 - October 2012
Prior Information Notice	October 2012
Industry day convened to discuss tenders	January 2013
Publish Official Journal of the European Union (OJEU) notice	Spring 2013

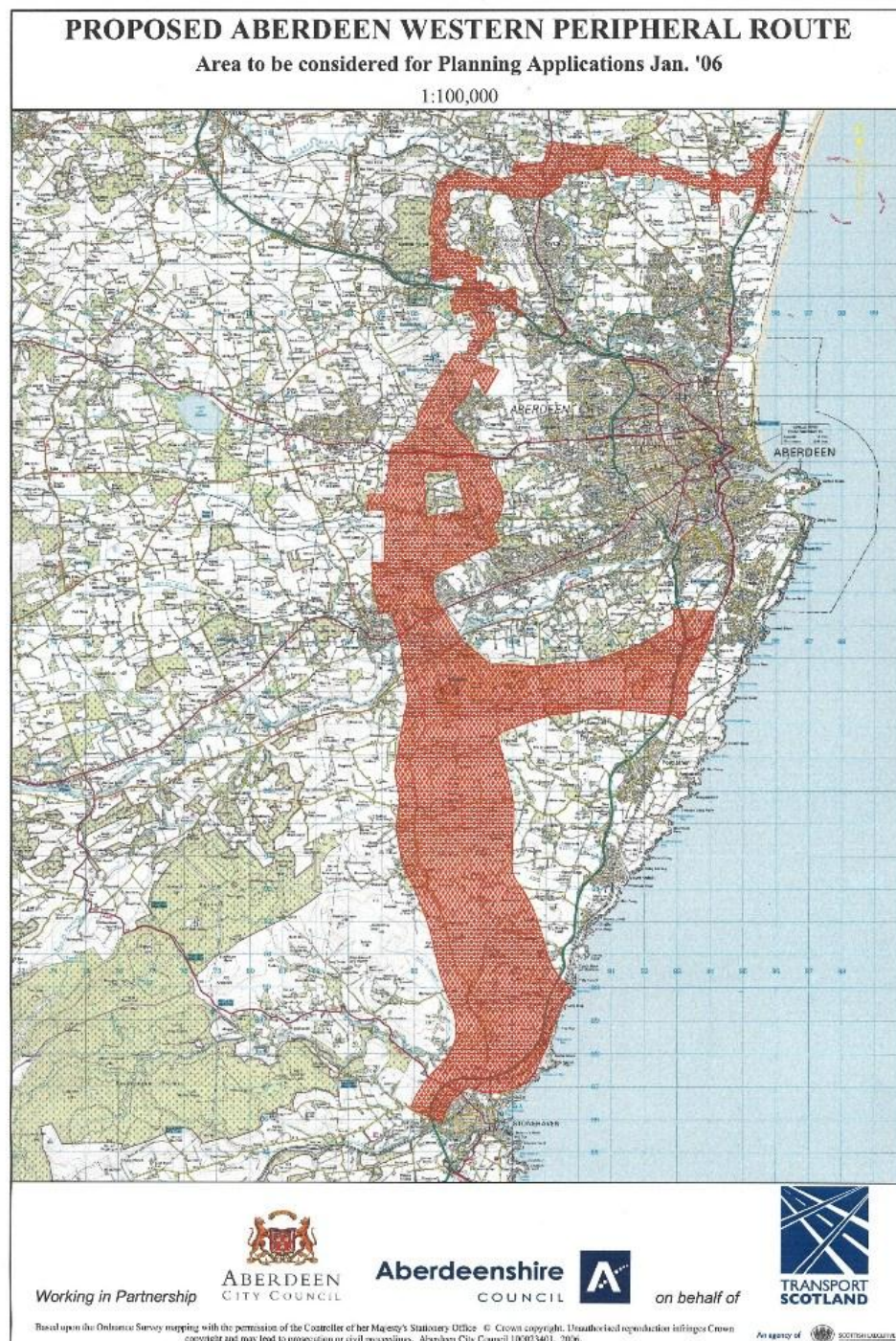
Source: <http://www.awpr.co.uk/> website

APPENDIX V: Alternative Routes for the AWPR



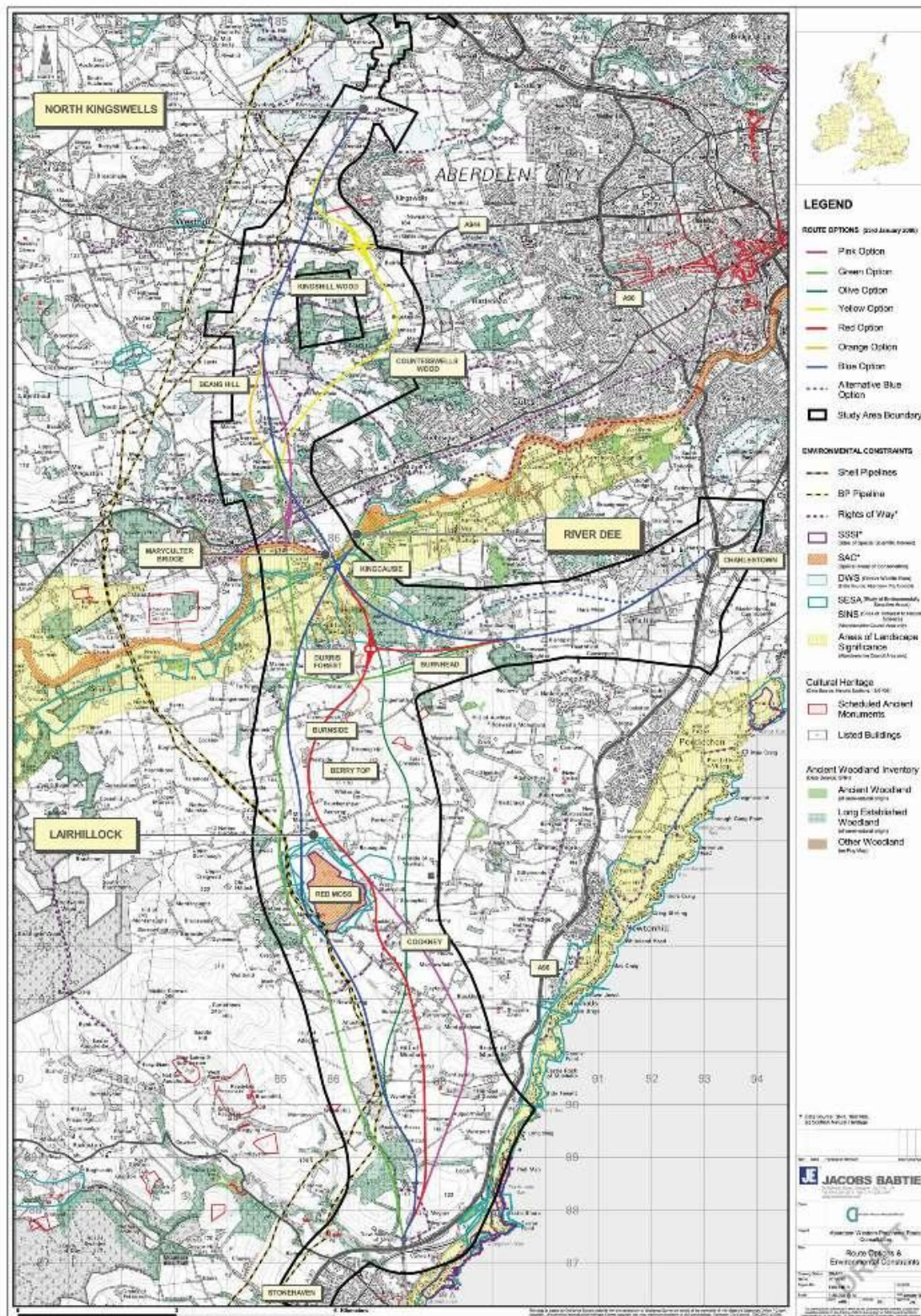
Source: AWPR (2008) website <http://www.awpr.co.uk/>

APPENDIX W: AWPR corridor



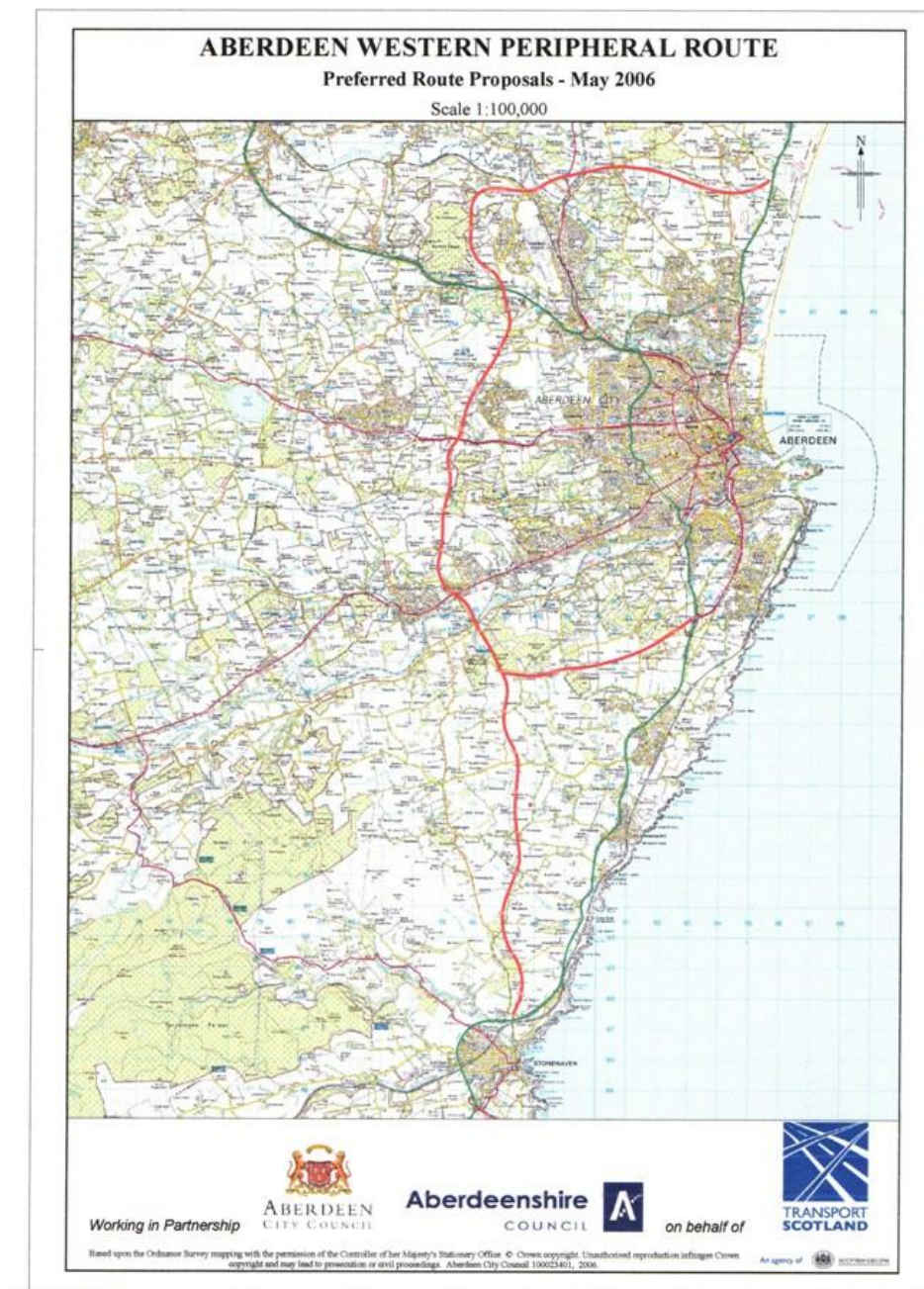
Source: <http://www.awpr.co.uk/> website

APPENDIX X: AWPR, map of technical issues



Source: <http://www.awpr.co.uk/> website

APPENDIX Y: AWPR 2006



Source: <http://www.awpr.co.uk/> website

APPENDIX Z: AWPR with Balmedie-Tipperty extension



Source: <http://www.awpr.co.uk/> website