CONFLICT AND CONFLICT MANAGEMENT IN STRATEGIC URBAN PROJECTS

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Content

Dankwoord / Acknowledgments 1
Dutch Summary of the PhD 3
English Summary of the PhD 9
I. Introduction: Conflicts in strategic projects 14
1.1 An appetiser: A conflict that could not be bridged. The unfortunate saga of the *Oosterweelverbinding* in Antwerp 14
1.2 Characteristics of spatial conflict 23
1.2.1 The global pandemic of spatial conflicts 23
1.2.2 The persistence and escalation of spatial conflict 25
1.2.3 The juridicialisation of spatial conflicts 26
1.2.4 The parties in spatial conflict: governmental actors versus action groups 28
1.2.5 Strategic projects and conflicts 28
1.3 Contradictory perspectives on land use conflicts: more or less participation? 29
1.4 Research aims and context 33
1.4.1 Research aims 33
1.4.2 Research context 34
1.5 Research questions 37
1.6 Research hypotheses 38
1.7 Research strategy and data 40
1.7.1 General research strategy 40
1.7.2 The data of this research: railway station area redevelopment projects 41
1.8 This volume in outline: structure and content 42
Part 1: A theory on conflict emergence and escalation 44
II. Analysing land use conflicts in strategic urban projects: definitions and organizing concepts 45
2.1 Defining conflicts 45
2.2 The components of conflict: parties, issues, strategies and tactics 46
2.2.1 Conflict parties 46
2.2.2 Conflict issues 47
2.2.3 Conflict strategies 48
2.2.4 Conflict tactics 51
2.3 Game theoretical models of conflict 52
2.4 A phase model of conflict 53
2.5 Conflicts in strategic projects 55
2.5.1 Issues of conflicts in strategic projects 55
2.5.2 The parties of land use conflicts 55
2.5.3 Land use conflicts as public disputes 57
2.5.4 Phases of land use conflicts 58
2.6 Conclusion 58
III. Understanding conflict emergence in strategic projects 60
3.1 Introduction 60
3.2 The underlying causes of land use conflict: The Nimby theory and project externalities 62
3.2.1 Spatial externalities 62
3.2.2 The Nimby theory 65

3.2.3 The role of risk perception: Objective externalities versus perceived externalities 66
3.3 Community Protest and social movements....69
3.3.1 Social movements....70
3.3.2 The emergence of collective action in land use protest 73
3.4 Resource Mobilization in land use conflicts 74
3.4.1 Project impact zone and resource mobilization....74
3.5 Protest and the Political context 78
3.5.1 Political opportunities in land use protest....80
3.5.2 Procedural fairness in political decision making 81
3.6 Conclusion....83
IV. Understanding conflict escalation 86
4.1 Introduction 86
4.2 Understanding conflict Escalation 87
4.2.1 Conflict escalation 87
4.2.2 Conflict escalation in public disputes....89
4.2.3 Theories on the escalation of social conflicts 93
4.3 Conclusion: escalation in land use conflicts 98
Part 2: empirical part 100
V. Research methodology and design....101
5.1 Introduction 101
5.2 The Mixed method....102
5.2.1 Qualitative versus quantitative research methods....102
5.2.2 Positivist versus Interpretative Epistemologies 104
5.2.3 Pragmatism and the Mixed Method as a third way....107
5.3 Applying a mixed method in the research strategy....109
5.3.1 General Research strategy....109
5.3.2 Selection of the types of cases: railway station area developments. 110
5.4 Conclusion....115
VI. Description of the Case studies 117
6.1 Introduction 117
6.2 Case Gent-Sint-Pieters....118
6.2.1 Situating the project Gent-Sint-Pieters....118
6.2.2 Decision making process 122
6.2.3 Project programme....130
6.2.4 Protest in Gent-Sint-Pieters....134
6.3 Leuven, *Kop van Kessel-lo* 136
6.3.1 Project site and context....136
6.3.2 Decision making process 139
6.3.3 Project programme....145
6.3.4 Protest in *Leuven* 148
6.4 Conclusion....149
VII. Comparing protest emergence in *Gent* and *Leuven* 151
7.1 Introduction: from theory to analysis....151
7.1.1 Measuring Protest emergence 153
7.1.2 Measuring project externalities....155
7.1.3 Measuring organizational capacity 157
7.1.4 Measuring political openness and perceived procedural fairness 157
7.2 Overview of the Concepts, indicators and the data sources 159
7.3 Comparing the dependent variable: protest emergence 161
7.3.1 Protest activities....161

7.3.2 Individual Protest participation and protest willingness....162
7.3.3 Analysis of the comments....165
7.3.4 Conclusion....166
7.4 Comparing project characteristics....167
7.4.1 General spatial context of the projects....167
7.4.2 Planned land use transformations....167
7.4.3 Project externalities....169
7.4.4 Conclusion....177
7.5 Organizational and mobilization capacity....178
7.5.1 General characteristics and homogeneity....178
7.5.2 Organizational capacity....180
7.5.3 Intellectual skills....183
7.5.4 Structure of interests of the neighbourhood....185
7.5.5 Conclusion....190
7.6 Characteristics of the political context....191
7.6.1 General political context....191
7.6.2 Openness of the decision making process....193
7.6.3 Perceptions on decision making fairness and political opportunities....198
7.6.4 Perceived procedural fairness....199
7.6.5 Conclusion....201
7.7 Regression analysis of Protest Participation....202
7.8 Summary table....208
7.9 Conclusions....209
7.9.1 Empirical conclusions....209
7.9.2 Theoretical conclusions....210
VIII. Escalation in *Gent* Sint-Pieters....212
8.1 Introduction....212
8.2 Methodology....214
8.3 Conflict development in *Gent*....216
8.3.1 Early conflict developments.....216
8.3.2 Response by the public authority....221
8.3.3 The development of Buitensporig....225
8.3.4 The confrontation between the city and *Buitensporig*....230
8.3.5 The klankbordgroep....233
8.3.6 Worsening relations....235
8.3.7 Litigation strategies....237
8.3.8 Further developments....239
8.4 Discussion: Escalation in Gent-Sint-Pieters....241
8.4.1 Transformation of the strategic orientations and tactics of the conflict....241
8.4.2 The development of the parties of the conflict....243
8.4.3 Transformation of the issues....243
8.4.4 Drivers of escalation in *Gent-Sint-Pieters*....244
8.4.5 Theoretical conclusions: escalation in Land use conflicts....245
Part 3: Prescriptive Part....247
IX. Constructive strategies for land use conflicts....248
9.1 Introduction....248
9.2 Conflicts and conflict resolution approaches in planning theory: the collaborative planning perspective.....249
9.2.1 The emergence of a new paradigm of collaborative planning....249
9.2.2 Critique on the communicative planning model....254

9.2.3 Reaction to the critics 256
9.2.4 Pragmatic collaborative planning as a guiding principle for constructive conflict? 260
9.3 Strategies for collaborative conflict management in strategic urban projects 262
9.4 Managing project characteristics 263
9.4.1 Managing project externalities 263
9.4.2 Managing mobilization capacity 268
9.4.3 Managing political openness 272
9.5 Alternative dispute resolution in strategic urban projects: a potential solution for land use conflicts in Flanders? 279
9.5.1 Consensus based processes 280
9.5.2 Quasi-juridical processes 281
9.5.3 Experiences with ADR in land use conflicts in the US 282
9.5.4 The application of ADR in Flanders? 284
9.6 Conclusion 286
X. Conclusions 288
10.1 Introduction 288
10.2 Reconsidering the hypothesis 289
10.3 Strengths and weaknesses of the used theories 293
10.4 Strengths and weaknesses of the used method 295
10.5 Strengths and weaknesses of the used research context 296
10.6 Suggestions for further research 296
XI. Attachments 298
11.1 Attachment 1: List of in depth interviews 299
11.2 Methodological notes on the panel survey 302
11.2.1 Introduction 302
11.2.2 Selection of the reference population 302
11.2.3 Selection of the respondents 303
11.2.4 Sampling methodology 303
11.2.5 Method of interviewing 305
11.2.6 Analysis of Non-response 305
11.2.7 Response in *Gent* 306
11.2.8 Response in *Leuven* 307
11.2.9 Evaluation of the representativeness of the sample 308
11.4 Attachment 4: Questionnaire 315
11.5 Conflict cases in Flanders 321
11.7 References 325

List of figures

Figure 1: Antwerp, Ring Road, source Google Earth....16

Figure 2: the design by Noriant of the prestigious Lange Wapper Bridge in Antwerpen, source BAMNV 19

Figure 3: SP2SP design, source proposal 2004 36

Figure 4: General research strategy 41

Figure 5: Strategic orientations of conflict, source Thomas 1992 49

Figure 6: game constellations....52

Figure 7: Conflict funnel, adapted from Kriesberg, 2003, p21....55

Figure 8: Composite conflict parties....57

Figure 9: Distance-response function, adapted from Papageorgiou 1978 64

Figure 10: Project Impact zone....76

Figure 11: Variables explaining conflict emergence 84

Figure 12: The spiral of unmanaged conflict, after Carpenter and Kennedy 90

Figure 13: Escalation steps after Yamsi et al, 2006....93

Figure 14: Belgium, source NGI online resources 118

Figure 15: Project site, street atlas, source: maps.google.com 120

Figure 16: Project site, historical map 1:40000, Source NGI....121

Figure 17: Project Site, Ortho-photo, source: maps.google.com....121

Figure 18: Plan De Geyter, 1999, source Stad Gent....124

Figure 19: plan De Geyter, 1999, source Stad Gent....125

Figure 20: plan De Geyter, 1999, source Stad Gent....125

Figure 21: adapted development plan for the Fabiolalaan of Xaveer De Geyter, 2003, source city of Gent 128

Figure 22: Perspective of the railway station development Gent-Sint-Pieters, source city of Gent 131

Figure 23: overview of the project; source Synthesenota city of Gent, p 78....132

Figure 24: isometric perspective from the railway station building, source synthesenota 2005, city of Gent 132

Figure 25: development along the Sint-Denijsplein, source synthesenota, city of Gent 133

Figure 26: high rise buildings at the Fabiolalaan, source syntesenota 2005, city of Gent 133

Figure 27: Project site, street atlas, sources:maps.google.com....137

Figure 28: Leuven in 1876, Source Google Earth, originally from Dépôt de la Guerre et de la Topographie, 1876, Bruxelles 138

Figure 29: Project site, Ortho-photo, source, maps.google.com 138

Figure 30: Development proposal Kop Van Kessel-lo, Ontwikkelingsplan, Projectteam Stadsontwerp, 1992 140

Figure 31: New Martelarenlaan along the park Belle-Vue, source city of Leuven 145

Figure 32: design for the Kop van Kessel-lo, source Ontwerpteam Johan van Reeth 147

Figure 33: Development for the "Kop" along Martelarenlaan, source Stad Leuven 147

Figure 34: expected positive impact, based upon Wes 2005 170

Figure 35: expected negative impact, based upon WES 2005 171

Figure 36: impact of the project Kop van Kessel-lo 173

Figure 37: impact on sunlight exposition, source Comment and Review procedure RUP K2, city of Leuven 174

Figure 38: Analytical focus on dyadic conflict 214

Figure 39: Pamphlet from Buitensporig, source Buitensporig 228

Figure 40: Klankbordgroep, source www.gentsintpieters.be 233

Figure 41: Variables of conflict emergence and escalation 263

List of tables

Table 1: overview of railway station area development projects and protest 114

Table 2: Comparison of conflict phases in Leuven and Gent 150

Table 3: Operationalisation of the theories and data sources.....160

Table 4: actions of the protest groups.....162

Table 5: Protest participation and protest willingness, source Panel survey.....163

Table 6: Protest participation versus protest willingness 164

Table 7: distribution of protest activities in both cases.....165

Table 8: number of formal comments, source VLACORO (for Gent) and GECORO Leuven (for Leuven) 166

Table 9: increase and decrease of traffic load when project is realised, source MER p.116 172

Table 10: perceived externalities during the construction phase, source Panel survey 175

Table 11: perceived externalities after realisation, source Panel survey.....175

Table 12: overview of the perceived impact on different aspects, source panel survey 176

Table 13: number of households within a 100m range 178

Table 14: Residents and ages for Gent (station, Ganzendries, Pantijntje, Aaigem, Sint-pieters-aalst) and Leuven (Blauwput-centrum, Kessel-lo Achter Centrale, Klein rijsel, Belle-Vue) on 31/12/2007, source: National institute for statistics. 179

Table 15: household composition: source panel survey.....179

Table 16: ownership, housing typology and years of residence, source panel survey 179

Table 17: Membership of environmental organization and past protest activities 180

Table 18: indicators of social cohesion, source panel survey; all frequencies are significantly different for p<0.00001.....181

Table 19: educational levels of the respondents, source panel survey 184

Table 20: Protest pamphlet from Buitensporig, source www.buitensporig.be, consulted on 31/06/2008 186

Table 21: overview of the collective comments, source GECORO Leuven 188

Table 22: list of public information and consulting activities in Gent Sint-Pieters, source: infopunt Gent Sint-Pieters.....196

Table 23: communication moments in Kop van Kessel-lo (2004-2008), source infohuis Leuven 197

Table 24: responsiveness to community protest, source panel survey 198

Table 25: Too late to change the plans, source panel survey 199

Table 26: perceived timeliness of information, source panel survey 199
Table 27: perceived correctness of information, source panel survey 200
Table 28: taken into account the interests of residents, source panel survey 201
Table 29: Logistic regression for protest participation in Gent Sint-Pieters 204
Table 30: Logistic regression for protest participation in Leuven 204
Table 31: logistic regression coefficients for protest participation 207
Table 32: summary Table 209
Table 33: Escalation concepts and data sources 216
Table 34: Review of qualitative studies on environmental alternative dispute resolution.....283
Table 35: representation of age categories GENT: Source : NIS statistics for the statistical sectors on 31/12/2005 309
Table 36: representation of age categories Leuven:Source: NIS statistics for the statistical sectors on 31/12/2005 310
Table 37: representation for household type Gent 311
Table 38: representation for household types Leuven 312
Table 39: representation for Houses/apartments Gent 313
Table 40: representation for houses/apartments in Leuven 314

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Dutch Summary of the PhD

Conflict en conflictmanagement bij strategische ruimtelijke projecten

Inleiding

Dat grote strategische ruimtelijke projecten een grote maatschappelijke weerstand kunnen ondervinden, werd recent overvloedig bewezen door de onfortuinlijke wending die het *Oosterweeldossier* te Antwerpen mocht ondervinden. Daar werd onder invloed van de aanhoudende kritiek van bewoners en organisaties het plan voor een peperdure dubbeldekse viaduct over het voormalige havengebied na meer dan 10 jaar voorbereidend ingenieurswerk in een referendum koudweg naar de prullenmand verwezen. Het Antwerpse dossier toonde hoe goed georganiseerd lokaal bewonersverzet uiteindelijk zelfs de Vlaamse regering op de knieën kreeg en een beslissing afdwong die niemand voor mogelijk had gehouden.

Hoewel het dossier van de *Oosterweel* op vele vlakken uniek is, is het tegelijk tekenend voor de maatschappelijke houding ten opzichte van vele strategische ruimtelijke projecten. Zo kent elke stad of gemeente wel zijn eigen mini-*Oosterweel*. Of het nu gaat over de contestatie rond de heraanleg van het dorpsplein, de uitbreiding van een lokale varkenshouder, de aanleg van een busbaan of de uitbreiding van een industrieterrein, telkens blijkt dat het gebrek aan maatschappelijk draagvlak voor publieke beslissingen leidt tot hoog oplopende maatschappelijke conflicten.

In dit doctoraat zoeken we naar antwoorden op drie onderzoeksvragen. Ten eerste willen we beter begrijpen onder welke condities bewonersprotest tegen strategische projecten ontstaat. Het blijft immers moeilijk te verklaren waarom een project soms tot een hoog oplopend conflict leidt, terwijl een gelijkaardig project elders net geruisloos wordt gerealiseerd. Ten tweede wensen we meer inzicht te verkrijgen in de manier waarop een conflict escaleert. We merken immers dat sommige conflicten rond ruimtelijke projecten erg moeilijk op te lossen zijn en vaak erg lang kunnen aanslepen. Ten derde wensen we na te gaan hoe we op een meer constructieve manier kunnen werken met conflicten. Ontwerpers, planners, ontwikkelaars en politici in de praktijk vinden het immers vaak heel moeilijk wanneer hun projecten worden gecontesteerd door bewoners.

Theoretisch kader

De wetenschappelijke literatuur over bewonersconflicten is erg versnipperd over verschillende wetenschappelijk disciplines. We vinden zowel aanknopingspunten in de klassieke planningsliteratuur, als de sociaal-economische geografie, de sociale psychologie, de psychologie van de risicoperceptie en de sociologie van sociale bewegingen.

De NIMBY theorie verklaart de variantie van protest niet

De planningsliteratuur en de sociaal-economische geografische literatuur leggen vaak de oorzaak van het conflict bij de ruimtelijke kenmerken en impact van een project. De basisstelling daarbij is dat projecten met een lokale negatieve impact of een ongelijk verdeelde impact aanleiding geven tot protest. De psychologie van de risicoperceptie verklaart aanvullend waarom individuen vaak een verkeerde inschatting maken van een bepaalde impact van een project. Deze verklaring heeft geleid tot de populaire NIMBY (Not In My Backyard) theorie. Die stelt dat individuen een project zullen aanvechten indien zij persoonlijk geconfronteerd worden met de negatieve impact van dat project, zonder dat ze daarbij noodzakelijk het maatschappelijk nut of de noodzaak van het project zouden betwisten. Op grote schaal leidt deze houding dan tot een sociaal dilemma, waarbij maatschappelijk noodzakelijke projecten niet gerealiseerd worden omwille van het individuele eigenbelang. We stellen dat deze benadering niet noodzakelijk onjuist is, maar onvoldoende rekening houdt met de sociale en politieke context van een project. De NIMBY theorie kan immers zeer moeilijk de variantie in het voorkomen van protest bij gelijkaardige projecten (bv windturbines) verklaren. Indien enkel de karakteristieken van het project voorspellend zijn voor het ontstaan van protest, zou bij gelijkaardige projecten een gelijkaardig protest moeten ontstaan. In de realiteit merken we echter dat protest bij gelijkaardige projecten erg kan variëren.

Protest als gevolg van organisatiecapaciteit

De literatuur van de sociale bewegingen stelt dat protest vooral het gevolg is van de mobilisatiecapaciteit van een protestorganisatie. *Resource mobilization theory* biedt een verklaring voor het ontstaan van sociale bewegingen en protestbewegingen. Deze theorie gaat er van uit dat er steeds wel ergens latent ongenoegen is, maar dat het latente ongenoegen pas in protest over gaat wanneer er actief en strategisch wordt gemobiliseerd door actievoerders. Wanneer we deze theorie toepassen op ruimtelijke projecten, dan betekent dit dat de organisatiecapaciteit van de buurt rond het project een belangrijke factor is bij het ontstaan van protest. We stellen bovendien als hypothese dat de organisatiecapaciteit afhankelijk is van de belangenstructuur van een buurt. Indien een project een zeer ongelijke distributie heeft op een buurt, dan is het waarschijnlijk dat de belangen van de verschillende delen van die buurt niet gelijklopend zijn. In dat geval zal het

voor actievoerders erg moeilijk zijn om te mobiliseren.

Protest als gevolg van de politieke openheid

Een laatste factor betreft de politieke context waarin het project tot stand komt. Hier maken we gebruik van de theorie van de politieke opportuniteit uit de literatuur van de sociale bewegingen. Deze theorie stelt dat de openheid van een politiek systeem een belangrijke rol speelt bij het ontstaan van protest. De theorie stelt dat protest ontstaat in een halfopen politieke context. Protest wordt beschouwd als een soort doelgerichte politieke actie, die zich buiten de reguliere instituties van het politieke systeem plaats. Buiteninstitutionele actie is uiteraard enkel noodzakelijk indien de institutionele kanalen om ongenoegen te uiten ontoereikend zijn. Wanneer er wel institutionele kanalen bestaan voor burgers om hun ongenoegen te uiten (bv via participatie bij projecten), dan vervalt in principe de noodzaak tot buiteninstitutionele actie. Anderzijds stelt de theorie dat erg gesloten politieke systemen protest ook kan ontmoedigen, omdat individuen de perceptie krijgen dat er geen verandering mogelijk is. Bijgevolg is protest zinloos. De theorie van de politieke opportuniteit verklaart daarmee de participatieparadox. Die paradox houdt in dat protest minder waarschijnlijk bij veel participatie en een erg open politieke besluitvorming, maar ook bij geen participatie en een erg gesloten politieke besluitvorming. Protest ontstaat dus vooral bij halfslachtige openheid.

We stellen dat de drie verklaringsgronden samen moeten bekeken worden. Zowel de karakteristieken van een project, als de mobilisatiecapaciteit van een buurt en de politieke context van de besluitvorming bieden samen een verklaring voor het ontstaan van protest.

Escalatie als gevolg van rationele en emotionele motieven

Wat betreft de tweede onderzoeksvraag betreffende de escalatie van conflicten maken we voornamelijk gebruik van de sociaalpsychologische literatuur. Eens conflicten ontstaan zijn, kunnen ze gemakkelijk escaleren. De sociaalpsychologische literatuur verklaart escalatie vanuit twee modellen: het rationele model en het psychologische model. Het rationele model stelt dat escalatie een instrument is van doelgerichte actoren in een conflict, terwijl het psychologische model escalatie verklaart vanuit de bias op percepties van de andere partij die worden gevormd tijdens een conflict. In het eerste geval is escalatie een bewuste uitkomst. In het laatste geval is escalatie een ongewenste uitkomst van irrationele beslissingen.

Onderzoeksmethode: comparatief onderzoek van twee stationsprojecten

De theorie over het ontstaan van conflicten en conflictescalatie werd vervolgens toegepast op 2 casestudies van strategische projecten. We kozen bewust voor erg

gelijkaardige projecten met een verschillende conflictintensiteit. Het stationsproject te *Gent-Sint-Pieters* beoogt een verregaande transformatie en verdichting van de Gentse stationsomgeving. Het project werd gecontesteerd door de bewonersgroep "Buitensporig". Deze goed georganiseerde groep organiseerde allerhande protestacties en probeerde het project tegen te houden met verschillende juridische middelen.

Het stationsproject "*Kop van Kessel-lo*" betreft de laatste fase van de transformatie van de stationsomgeving *Leuven*. Het project heeft inhoudelijk een zeer gelijkaardige opzet als het Gentse stationsproject. Hoewel ook hier sprake was van bewonersverzet door het actiecomité "*Belle-Vue*", was het protest veel milder. Het aantal protestacties bleef erg beperkt en er werden bijvoorbeeld geen juridische stappen ondernomen tegen de plannen.

De systematische vergelijking tussen de projectkarakteristieken, de organisatiecapaciteit en de politieke context van de twee projecten dient een antwoord te bieden waarom de protestintensiteit in de twee projecten zo verschillend is geweest. In beide steden werd een enquête afgenomen bij de bewoners in de onmiddellijke nabijheid van het project en werden diepte-interviews afgenomen met sleutelactoren in het conflict.

De dynamiek van escalatie werd verder onderzocht aan de hand van de Gentse case. Hier werden de conflictstrategieën en conflicttactieken van de bewonersgroep Buitensporig en de projectpartners meer in detail geanalyseerd. De conflictanalyse richt zich op de conflictstrategieën en tactieken van de beide partijen en de interactie die hieruit ontstaat.

Resultaten

De vergelijking tussen *Gent-Sint-Pieters* en het project te *Leuven* vertrok van de vaststelling dat de protestintensiteit erg verschillend was, maar dat de protestbereidheid in beide cases ongeveer even groot was. Dit betekent dat in *Leuven* een groot deel individueel ongenoegen niet getransformeerd werd in collectieve protestacties. Verklaringen hiervoor zijn zowel te vinden in de verschillen tussen de organisatiecapaciteit van beide cases als de verschillen in de politieke context van het project.

De organisatiecapaciteit in *Gent* bleek erg hoog door de aanwezigheid van specifieke professionele profielen (advocaten, architecten, ambtenaren, …) en door de netwerken met lokale en bovenlokale milieuorganisaties. Bovendien waren de belangen van de verschillende delen van de buurt erg complementair. Hierdoor konden de verschillende wijken in de buurt gemakkelijk een coalitie vormen tegen het project. De organisatiecapaciteit in *Leuven* was veel minder sterk, net omdat een aantal professionele profielen in het actiecomité niet

aanwezig waren en door het ontbreken van netwerken met milieuorganisaties. Bovendien was de belangenstructuur van de buurt niet gelijklopend. Een groot deel van de buurt ziet belangrijke voordelen in het stationsproject, terwijl een kleiner deel belangrijke nadelen ervaart. Hierdoor kregen actievoerders de buurt niet gemobiliseerd.

Ook de politieke context en besluitvorming in beide steden is erg verschillend. De Gentse context is doorgaans een vrij open context en kent vrij verregaande vormen van participatie. In het stationsproject zorgden moeilijke onderhandelingen met bovenlokale publieke en semipublieke actoren er echter voor dat de marges voor inspraak erg beperkt waren. Hierdoor ontstond een halfslachtige openheid, waarbij wel intensief werd gecommuniceerd en waarbij er vormen van overleg werden georganiseerd, maar waarbij tegelijk de contouren van het project niet konden aangepast worden aan de kritiek van het actiecomité. In *Leuven* is er omwille van de sterke positie van de burgemeester en zijn partij een erg gesloten politieke context. Omwille van de ideologie van de burgemeester zijn er erg weinig initiatieven inzake participatie. Door de sterke positie van de burgemeester en meerderheidspartijen en de geslotenheid van de besluitvorming is de perceptie op veranderingsmogelijkheden bij bewoners ook veel zwakker. Dit heeft actievoerders ontmoedigd om collectieve protestacties te ondernemen.

De vergelijking tussen de cases toont aan dat zowel de projectkarakteristieken, de organisatiecapaciteit en de politieke context gezamenlijk een verklaring bieden voor het ontstaan van protest.

De analyse van conflictescalatie werd toegepast op de case te *Gent*. De escalatiepatronen in het project *Gent-Sint-Pieters* vertonen zowel vormen van instrumentele escalatie als vormen van irrationele escalatie. Door het ontbreken van institutionele mogelijkheden voor beleidsbeïnvloeding en de verwaarlozing van het conflict door de stad was instrumentele escalatie een doelbewuste strategie van het actiecomité. Door het gebruik van escalatiemiddelen ontstonden er echter ook psychologische escalatiemechanismen. Er werd evidentie gevonden van stigmatisering en selectieve perceptie bij zowel actiecomité als projectpartners. Hoewel de stad heeft getracht om de dialoog aan te gaan met het actiecomité, kon het vertrouwen nooit worden hersteld en werden geen bevredigende oplossingen voor het conflict gevonden. Het actiecomité heeft daarom ook gekozen voor een uitgesproken juridische strategie. Ook hier blijkt dat de institutionele context, en het ontbreken van instituties die dialoog en overleg bevorderen een belangrijke factor zijn bij conflictescalatie.

Hoe omgaan met conflicten bij strategische ruimtelijke projecten

De analyse van conflicten liet ons toe enkele cruciale variabelen te onderscheiden bij het ontstaan en de escalatie van conflicten: de projectkarakteristieken, de

organisatiecapaciteit en de politieke context. Als overheid, planner, ontwerper of ontwikkelaar kunnen we invloed uitoefenen op deze variabelen zodat conflicten kunnen vermeden worden of zodat ze op een constructieve manier gekanaliseerd kunnen worden.

Op het vlak van de projectkarakteristieken maken we verschillende aanbevelingen. We raden aan om de impact van strategische ruimtelijke projecten vooraf beter in kaart te brengen, niet enkel op milieueffecten, maar ook op de sociaalmaatschappelijke effecten. Daarnaast bevelen we aan om strategische projecten beter te laten inspelen op lokale noden en behoeften. Dit kan door een gebiedsgerichte aanpak en door in de besluitvorming lokale sociale kennis te gebruiken. Voorts bevelen we aan om de technische uitwerking van een project op te vatten als een iteratief en participatief leerproces, waar zowel projectpromotors als bewoners kunnen betrokken worden.

Op het vlak van de organisatiecapaciteit stellen we dat de overheid dient te investeren in de organisatiecapaciteit van bewoners in plaats van ze proberen te onderdrukken. Deze investering kan de kwaliteit van het debat en de argumentatie verbeteren. Dit kritische debat komt vervolgens de kwaliteit van het project ten goede.

Op het vlak van de politieke context stellen we dat de participatieve institutionele kanalen bij projecten moeten verbreed worden in plaats van versmald. De huidige instrumenten zoals hoorzittingen en bezwaarschriften zijn onvoldoende om op een collaboratieve en constructieve manier om te kunnen gaan met conflict. Op basis van deze aanbevelingen stellen we een open besluitvormingsproces op voor strategische ruimtelijke projecten. Tenslotte bevelen we het gebruik van bemiddelingstechnieken aan bij ruimtelijke conflicten als alternatief voor juridische procedureslagen.

English Summary of the PhD

Conflict en conflict management in strategic urban projects

Introduction

Large strategic spatial projects can meet fierce public opposition, as recently was overwhelmingly demonstrated in the case of the unfortunate *Oosterweel* project in Antwerp. Due to an increasing criticism of citizens and local action groups, the plan for an expensive prestigious double deck viaduct over the port of Antwerp was rejected by a public referendum. The Antwerp case showed how well organized local opposition was able to block a megaproject of the Flemish government and forced a decision that nobody could have foreseen.

Although the *Oosterweel* case is in many aspects unique, it nevertheless demonstrates the public attitude towards many strategic projects. Every town or village seems to have its own little "*Oosterweel*": it could be the contested design of a new piazza, protest against the construction of a new bus lane, or the enlargement of a business park. All these cases show how the lack of public support for spatial projects results in escalating public conflicts.

In this research we address three main research questions regarding land use conflicts. First, we want to understand what factors cause the emergence of land use conflicts. It remains a puzzle why in some cases a spatial project results in fierce public oppositions, whereas in other similar projects there is hardly any discussion. Second, we want to understand why land use conflicts are difficult to settle. We have observed that some conflicts easily escalate and can persist over a long time period. Third, we want to understand how we can work more constructively with land use conflicts in planning. Designers, planners, developers and politicians often have difficulties to find a proper constructive approach when confronted with public opposition.

Theoretical frame

The academic literature on land use conflict is fragmented over different academic disciplines. Building blocks for such a theory can be found in the classic planning literature, social-economic geography, social psychology, psychology of risk perception and sociology of social movements.

The planning literature and the social-economic geographical literature explain the causes of land use conflicts by the impact of a project. The basic proposition in this literature is that projects with a local negative impact or an uneven impact are likely to result in protest. The literature on risk perceptions explains further how individuals often have a biased perception on impacts. The explanations in this discipline have led to the popular NIMBY-theory (Not In My Backyard). This theory states that individuals will oppose a project when they are confronted with the negative impact of that project, without contesting the usefulness or social utility of the project. On a larger scale, such an attitude results in a social dilemma, in which necessary projects from a societal point of view are undersupplied as a result of selfish rational behavior. We claim that this theory is not necessarily wrong, but does not sufficiently address the social and political context in which a project is realized. Therefore the NIMBY theory fails in explaining the variance in protest emergence for similar projects (fi the protest against wind turbines). If only the project characteristics are predictive for protest, then all similar projects should have equal protest levels. In reality however, protest levels can vary considerably.

The literature on social movements states that the emergence of protest is related to the mobilization capacity of a protest organization. *Resource mobilization theory* offers an explanation for the emergence and rise of protest movements. The theory starts from the assumption that there is always enough latent discontent, but that this latent discontent is only transformed into protest actions when activists can mobilize strategically. When we apply this theory upon spatial projects, we can understand that the organizational capacity of a neighborhood is an important factor in the emergence of protest. Moreover, it is our hypothesis that the organizational capacity is related to the structure of interests of a neighborhood. If a project has a very unequal impact on a neighborhood, than it is likely that the interests of the different parts of that neighborhood collide. In that case it will be difficult for activists to mobilize strategically.

The last factor concerns the political context of the project. For this aspect, we use the *political opportunity theory* from the social movement literature. This theory states that protest is likely to emerge in a half-open political context. Protest is considered as a goal-oriented political action, outside the existing political institutions. Non-institutional action is off course only needed when there are no opportunities for goal-oriented political actions within the existing political institutions. When there are opportunities for citizens to influence decision making processes by means of the existing institutions (such as participation opportunities), then there is in principle no need to develop non-institutional action. However, the theory also predicts that protest is unlikely in much closed political contexts, because individuals will have the perception that change is not

possible and protest is useless. The theory of political opportunities explains the participation paradox. This paradox states that protest is unlikely to emerge in a very open political context, as well as in a much closed political context. Protest emerges most likely in an ambiguous political context.

In this research we claim that the three factors of conflict emergence should be addressed simultaneously. The characteristics of the project, as well as the mobilization capacity, as well as the political context of the decision making process offer together an explanation of protest emergence.

As regards to the second research question on the escalation of conflicts, we make use of the social-psychological literature. Once conflicts have emerged, they easily escalate. The social-psychological literature explains escalation using two different models. The rational model states that escalation is an instrument of goal-oriented actors, whereas the psychological model explains escalation in terms of perception biases in conflicts. According to the first model, escalation is a conscious strategy. According to the second, escalation is the outcome of irrational decisions.

Research method

The theory on the emergence and escalation of land use conflicts has been tested on two case studies of strategic projects. We choose for two very similar projects with varying conflict intensity. The railway station project *Gent-Sint-Pieters* aims a thorough transformation and densification of the railway station area. The project was contested by a group of residents called "Buitensporig". This group organized different protest actions and tried to block the project with various juridical means.

The railway station project "*Kop Van Kessel-lo*" is the last phase of the renewal project for the railway station area of *Leuven*. The project has a very similar outline as the *Gent* project. Although in this case the project also has been contested by an action group called "*Belle-Vue*", the protest has been less fierce. The number of protest actions has been restricted and no juridical means have been used to block the project.

The systematic comparison between project characteristics, organizational capacity and the political context of the two projects explains the variance in protest emergence of the two cases.

In both cases we held a panel survey among the residents near the project and in depth interviews with key-actors in the conflict.

The dynamic of conflict escalation was further analyzed in the case of *Gent-Sint-Pieters*. Here, we analyzed the conflict strategies and conflict tactics of the protest

group *Buitensporig* and the project partners more in detail. The analysis focuses on the conflict strategies and tactics of both parties and the resulting interaction.

Results

The comparison between *Gent-Sint-Pieters* and the project in *Leuven* started from the observation that the protest intensity was very different, but that the willingness to protest on an individual level was more or less equal. This meant that in *Leuven* a large part of discontent has not been transformed into collective protest actions. Explanations have been found in the organizational capacity and in the political context of the projects.

Organizational capacity in *Gent* was very high because of the availability of specific professional profiles (attorneys, architects, public officers, …) and networks with local and supralocal environmental organizations. Moreover, the interests of the different parts of the affected neighborhood were complementary. Therefore, a coalition could emerge between the different districts of the railway station neighborhood against the project. In *Leuven*, organizational capacity was much lower, because specific professional profiles and networks with environmental organizations were lacking. Moreover, the interests of the different districts in the neighborhood did collide. Whereas a large part of the neighborhood perceives the project as a major improvement, a small part is saddled with the negative consequences of the project. Activists could not mobilize the neighborhood because of the internal dividedness.

The political context and the decision making process in both cities is very different. The *Gent* context is in general rather open and participative. However, in the railway station project difficult negotiations between the city and supralocal public and semi-public bodies do not leave room for citizen participation. This results in an ambiguous openness. Although there is an intensive project communication and there are moments of citizen participation, the project can not be changed to meet the critics of the action group. The political context in *Leuven* is closed due to the strong Mayor. Because of the ideology of the Mayor there are very few participation initiatives. Because of the strong political position of the Mayor and the majority in the city council, many citizens hold the perception that the opportunities for protest are limited. This perception refrains potential activist from protest actions.

The comparison between the cases as regards to the project characteristics, the organizational capacity and the political context together provide an explanation for the emergence of protest.

Conflict escalation mechanisms were further analyzed in the *Gent* Case. Escalation in *Gent* shows patterns of instrumental escalation as well as irrational escalation.

Due to the lack of institutional opportunities to influence policy making and the avoidance of the conflict by the city, instrumental escalation has been a deliberate strategy of the action group. However, the use of instrumental escalation triggered some psychological escalation mechanisms. We found evidence for stigmatizing and selective perception among members of the action group as well as members of the project partners. The city tried to restore the dialogue with the action group, but trust between the action group and the city could never be restored and no satisfying solutions to the conflict could be found. The action group therefore used an outspoken judicial strategy. In the *Gent* case it can be concluded that the absence of proper participatory institutions encouraging dialogue and deliberation, are an important factor in conflict escalation.

How to work with conflicts in strategic projects?

The analysis of land use conflicts allowed us to distinguish some crucial variables on the emergence and escalation of conflicts: the project characteristics, the organizational capacity and the political context. Public authorities, planners designers and developers often have the opportunity to manage these variables in order to prevent conflicts or to channel conflicts towards a more constructive outcome.

As regards to the project characteristics we make several recommendations. We recommend documenting the potential impact of a project, not only for its effect on the environment but also on social-economic development. We also advise to adjust strategic projects to local interests and needs and to develop compensatory package deals. This requires an area based approach and the use of local social knowledge in the decision making process. Furthermore we recommend participatory approaches that allow social learning in the technical elaboration of the project, in which project promoters and inhabitants can participate.

As regards to the organizational capacity we advice public authorities to invest in local organizational capacity instead of trying to suppress initiatives. Such an investment will increase the quality of arguments in the debate, which on its turn will increase the general quality of the project.

As regards to the political context we recommend public authorities to broaden the existing participatory institutions rather than to reduce them. The current instruments for participation such as public hearings and review and comment procedures are insufficient to guarantee a collaborative and constructive conflict outcome. We recommend an open political context for strategic urban projects. Finally we recommend mediation as an alternative for juridical procedures.

I. Introduction: Conflicts in strategic projects

1.1 An appetiser: A conflict that could not be bridged. The unfortunate saga of the *Oosterweelverbinding* in Antwerp

In October 2009, the inhabitants of the city of Antwerp rejected one of the largest and most prestigious infrastructure projects of the last decades. In a municipal referendum, 60% of the voters voted against the project. The megaproject - a tunnel under the river Scheldt and a viaduct above the port area of Antwerp had been estimated between 2,5 and 3 billion euro investment costs. It had taken more than 14 years of decision making to achieve a political consensus; more than 10 years of engineering to prepare the design; dozens of technical studies and legal procedures. The Flemish government had already signed contracts with contractors to build the bridge. However, the citizens of Antwerp voted all this work to the garbage can. How this could happen? Well, this bridge had been taken down by something that started as local community protest, but grew out to a nationwide conflict that could not be tamed.

The *Oosterweel* saga starts in the mid nineties, when the road network around the city of Antwerp becomes increasingly congested. The port of Antwerp is the second largest maritime port of Europe[1] and provides a pivotal logistic function in the centre of the densely populated North-Western European Area. Because of the steadily growing port activities, but also because of the increasing national and international road traffic, road congestion in and around Antwerp was reaching unacceptable levels. Estimations had shown that road congestion on the Antwerp ring road had skyrocketed to about 800.000 lost hours per year[2].

Confronted with the growing immobility, the Flemish administration started to discuss the possibilities to increase road capacity in Antwerp[3]. A computer traffic model of the Antwerp region in 1999 concluded that a new road connection between the right bank and the left bank of Antwerp was the only viable solution to secure the road accessibility of the port and the city[4]. The existing ring road of Antwerp was in fact only half a ring, passing the southeast part of the city. The new connection would close the ring road in the north and relief the saturated southern ring road.

The governor of the Province of Antwerp - Camille Paulus picked up the idea of closing the ring road and pushed it forward. Paulus became the main political promoter of the project[5]. He hoped to grasp the opportunity to realise a prestigious bridge over the river Scheldt that would put Antwerp in the league of world cities with spectacular and famous megaprojects, such as the as the Golden Gate in San Francisco or the Brooklyn bridge in New York. The bridge would not only solve the congestion problems, but could increase the touristic attractiveness of the city and would contribute to the identity of the port city.

[1] www.portofantwerp.be, consulted in December 2010

[2] Source: Statistics of the Studiecentrum Vlaamse Regering

[3] Verelst, J, 2009, Een brug te ver, Manteau, Antwerpen

[4] Sluiten grote Ring, Document downloaded http://www2.vlaanderen.be/pps/documenten/dam/sluiten%20grote%20ring.pdf, consulted on 27/10/2010.

[5] Vijf geboden voor de Antwerpse economie, Camille Paulus, provincieraad, Antwerpen 1996

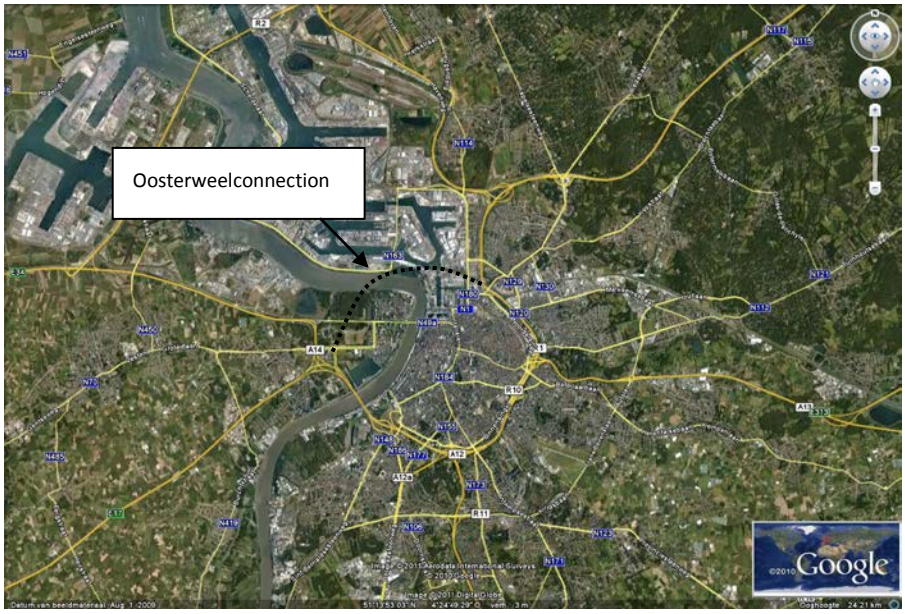

Figure 1: Antwerp, Ring Road, source Google Earth

It was soon realised that besides a new road connection, the congestion problem of Antwerp needed a multimodal approach. Under Camille Paulus the ideas for the bridge were integrated in a broader plan for the Mobility of Antwerp, which also included project proposals for rail and public transport for the Antwerp region. The feasibility study of the new connection over the Scheldt was made[6], it became clear that a bridge over Scheldt was for maritime transport reasons technically impossible. The study concluded that a tunnel under the river Scheldt (instead of a bridge) and a viaduct above the old port of Antwerp was the only feasible option to close the ring. Although Paulus had to abandon the dream of the bridge over the river, he thought that a viaduct over the old port could equally function as a new landmark for Antwerp.

With the results of the feasibility study, Paulus organised a *Staten Generaal* to discuss the road connection with local politicians and administrations[7]. This *Staten Generaal* was organised to achieve a consensus among local Antwerp politicians that had a bad reputation as regards to their loyalty to decisions of the Flemish government. As the largest city in Flanders, the relation between the Flemish politics and the local Antwerp politics was historically tensed, and it was feared

[6] ABM, 2000, Sluiten van de kleine ring R1, eindrapport mei 2000

[7] Verhoeven, K, Ysebaert, T, Het misterie van A, De Standaard, 14-06-2008

that internal political discord among Antwerp politicians would be a major barrier to realise the *Oosterweel* viaduct[8]. Therefore, the Flemish minister of road construction, Steve Stevaert stated that he would decide on the investments in Antwerp only if local policy makers achieved a consensus[9].

The fear proved to be valid, because the first discussion on the *Oosterweelverbinding* divided the city council. Alderman Delwaide responsible for port affairs feared that the viaduct would block the urban redevelopment of the old port of Antwerpen (the Eilandje)[10], whereas others councillors such as Alderman Van Peel blocked all criticism out of fear of losing the promised investments of the Flemish government in the Antwerp region. The camp in favour of the bridge won the discussion and the council gave green light to Paulus and the Flemish government to proceed with the viaduct.

With the consent of the city of Antwerp the governor Paulus and minister Stevaert, responsible for road construction, could now proceed to inform a more broader audience. In 2001, a second "Staten-Generaal" was organised[11]. It was a public hearing with representatives from different stakeholders form all sorts of organizations, including labour associations, the Chamber of Commerce and environmental groups. According to the governor, the second *Staten-Generaal* had expressed its unanimous support for the *Oosterweel* viaduct. With the public support of the main stakeholders in Antwerp, the legally required procedures could start up. However, public support was not as unanimous as the Governor had claimed. For the environmental organizations, the *Staten Generaal* was a fake alibi for participation, and a strategy to implement decisions that in reality did not have public support[12].

In any case, the Flemish government proceeded swiftly with the plans for the bridge. In 2003, a special purpose company was erected, the NV BAM, in charge of elaborating the design, organise a design-build-finance and maintain tender (dbfm) and to prepare all legally required procedures. With the establishment of BAM, the *Oosterweel* files went submarine: the communication with local

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[8] Verelst, J, 2009, Een brug te ver, Manteau, Antwerpen

[9] Persbericht Ludwig Caluwé, 27/04/2000, http://ibase552.scarlet.be/?navigatieid=95&berichtid=644, consulted on 26/10/2010

[10] Ibidem

[11] Bam, 2009, Masterplan Antwerpen, Historiek en stand van Zaken, report consulted on http://www.vlaamsparlement.be/vp/commissies/bam_stand_van_zaken_masterplan_commissie_ad_hoc_090825.pdf, consulted on 20/07/2011

[12] "*Minister Stevaert moet eens ophouden om deze Staten Generaal, die geen enkele wettelijke basis heeft, naar voor te schuiven als alibi voor zogenaamde inspraak, en om onder het mom dat Antwerpen in consensus achter dit plan staat, regeringsbeslissingen af te dwingen*". www.bondbeterleefmilieu.be, press release of 26/10/2001, webiste consulted on 16/12/2010.

politicians and certainly with local inhabitants stopped nearly completely, and the team of engineers of the BAM prepared a more detailed design for the viaduct/tunnel. During that period, even the city of Antwerp and its administration did not know exactly how the plans were developing[13]. The BAM kept its plans top secret. Some leaks reached the administration of the city of Antwerp and concerns about the impact of the viaduct on the development of the city were growing within the administration. The planning department of the city was preparing a redevelopment project for the old port area of Antwerp or the *Eilandje*. This area had been gradually abandoned by port activities over the last decades and provided an opportunity to redevelop with urban functions and housing. It was feared that the viaduct would be a serious barrier for the redevelopment of the *Eilandje*. Furthermore, the administration believed that the viaduct would block the northern growth of the city, a strategy that was formulated in the Structure Plan Antwerp. The city of Antwerp therefore urged the BAM to consider an alternative with a tunnel instead of the viaduct. After a short feasibility study, the BAM rejected the tunnel alternative.

In March 2005, the BAM invited the media and the members of the Flemish parliament to see the scale model of the viaduct. The design of the bridge was a spectacular piece of engineering; the BAM had proposed a design with a double deck viaduct over the old port area and a tunnel under the river Scheldt. The invited politicians from the Flemish parliament were impressed and lauded the work with many superlatives.

[13] I was employed in 2004 at the city of Antwerp, in charge of developing a strategic spatial plan for the city. The head of the NV BAM did not allow city officials to see or discuss the plans.



Figure 2: the design by Noriant of the prestigious Lange Wapper Bridge in Antwerpen, source BAMNV

Despite the enthusiasm of most Flemish politicians on the design, some inhabitants of the city and local organizations started to question the promised virtues of the viaduct. Among them, an organization called *Straten Generaal*, an Antwerp social movement with the aim to promote citizen participation. Two members of this organization had been involved in a dispute with a project developer and the city over the redevelopment of the railway station area in Antwerp, or the so-called Kievit district. In this struggle, they had been able to convince the project developer to change the development plans. The two men, notably a political essayist and an architect, had gained considerable experience and expertise in activism with the Kievit files. After their victory, they started to focus on the files of the *Oosterweel* project.

They carefully analysed all policy documents, technical studies and reports and concluded that the plans for the viaduct were not good for the city[14]. According to them, the new viaduct would leave a slash in the city, further isolating and fragmentizing the urban tissue. It would leave a trail of pollution, noise and poison

[14] http://www.stratengeneraal.be/ondernemingen/oosterweel/waaromgeen.htm, consulted on 05-02-2010

right in the heart of most densely populated and poorest districts of the city. In addition, it would not provide a solution for road congestion. It would at best displace road congestion to other bottlenecks. The two men started to develop an alternative design, to lobby within political and economical cenacles, make alliances with like-minded politicians, experts and public officers, and started to mobilize public opinion through the mass media[15].

Initially, nobody from the government or the BAM paid serious attention to these two men from *Straten Generaal*, who were using all their free time in making calculations, forecasts and alternative designs nobody actually was waiting for. The decision was made, and after all, they were lay people, failing to understand the technical complexity of viaduct construction and the political complexity of decision making[16]. What in heaven could they contribute to all the distinct and specialized knowledge of a team of more than 100 engineers, architects and planners that had designed and developed a double deck, bended, one sided cable bridge (viaduct)? Moreover, although the politicians and administration of Antwerp felt sympathy for the arguments of the activists, they did not believe that the plans for the *Oosterweel* could be changed (without too much political collateral damage). Therefore, they tolerated the BAM project. In a reaction on the critique on the BAM project, the Mayor of Antwerp cited the quote "Walk and don't look back" from the song of Peter Torch. An unfortunate quote that later would be turned against him[17].

In 2008 *Straten General* somewhat unexpected teamed up with a retired advertising consultant on the left Bank of the city of Antwerp (notably the former boss of the current Mayor of Antwerp). As a result, the Antwerp protest shifted to a higher gear. The advertising expert understood that the goal to stop the *Oosterweel* project was not achieved through a technical rational debate as *Straten Generaal* was doing, but via the heart and the emotions of the people. So through a carefully and professionally designed advertising campaign (according to the retired consultant his best advertising campaign ever), based upon the central, but simple and straightforward idea that the viaduct would negatively affect the air quality and thus the health of the inhabitants of Antwerp, he started to mobilize the residents of Antwerp and beyond.

The mobilization campaign with the name "Ademloos' (breathless) was an unprecedented success. The advertising consultant was able to mobilise scientists, medical doctors, architects and artists in his battle against the viaduct. Two famous Flemish artists recorded a Dutch parody on the song of Peter Torch: "*Walk*

[15] Interview with Manu Claeys, 21/07/2007

[16] Bam wijst alternatief Oosterweeltracé af, de Standaard, 26/10/2005

[17] Humo Files: de Lange Wapper Brug, Humo 3538, 24 juni 2008

and don't look back", and the quote of the Mayor became the main slogan of the protest.

The Antwerp politicians could no longer ignore the protest. Ademloos urged the city to consider the alternative proposal of Straten-generaal. In June 2008, The Flemish government therefore decided to order a second opinion comparing the BAM proposal with the proposal of *Straten Generaal* and the older proposal of the city to replace the viaduct with tunnels. It was hoped that this study would finally settle the debate and stifle the critique. The Flemish government was indeed very confident that the BAM proposal, developed by a team of more than hundred engineers, would outclass the proposal of two laymen. The study was made by ARUP, a well-known international engineering firm, with plenty of expertise in large infrastructure works and tunnels.

In April 2009, the study concluded that the BAM project was worse than the proposal of *Staten Generaal*. Furthermore - this was against all expectations - ARUP concluded that none of the proposed alternatives provided a real sustainable solution for the Antwerp road congestion. ARUP therefore proposed its own alternative proposal. The confusion was now complete. The liberal minister of spatial planning and ardent protagonist of the *Oosterweel* viaduct Dirk Van Mechelen, communicated that the ARUP study without no doubt had proven the superiority of the BAM proposal[18], whereas at the same time the action group Ademloos communicated that the ARUP study had proven that the *Straten Generaal* proposal outclassed the BAM proposal. In all the confusion, the Flemish government decided to continue with the building permit of the BAM proposal, but also ordered a further elaboration of the proposal from ARUP. The final decision would be made after the Flemish elections in June 2009, and no time would be wasted for the BAM proposal.

Another unexpected result of the ARUP study and the growing protest was that the support of the city authority was declining. The ARUP study also convinced the socialist Mayor of Antwerp that the BAM proposal was insufficient (or was used as a scapegoat to rationalise the political turn of the Mayor). The Mayor switched position and became one of the most ardent opponents of the *Oosterweel* project.

Meanwhile Ademloos was intensifying its protest campaign. Its goal now was to organise a referendum on the *Oosterweel* project, in which the people of Antwerp could decide which alternative (the BAM or ARUP proposal) should be realised. To do so, it had to collect signatures from more than 10% of the Antwerp population. In no time, more than 60.000 people signed the petition for the referendum. The city could not ignore the protest and started to organise a referendum.

[18] Felle kritiek op Van Mechelen omtrent Oosterweelverbinding, De Morgen, 05/03/09.

In the weeks before the referendum, a real media war busted out between protagonists (mainly the public authority and the economic elite of Antwerp) and the antagonists (mainly the protest group) of the megaproject. The city split in two: a No camp and a Yes camp. Politicians were accusing civilians of disinformation, civilians were accusing experts of disinformation, and experts were accusing politicians of disinformation. Disinformation was answered by even more disinformation. In any case, what really had been unseen is that a public authority[19], which had spent more than 1 million euro on advertising in less than 6 weeks to regain the hearts of the residents of Antwerp in favour of the bridge[20], had been convinced for disinformation in its campaign by the ethical commission for advertising. And despite all the advertising money and disinformation, 60% of the residents of the city of Antwerp voted "no" against the *Oosterweel*verbinding.

Since the referendum, the project landed in a serious political deadlock that had a strong impact on the newly elected Flemish government. The party of the Antwerp Mayor - the socialist party - very much opposed the mega infrastructure, whereas the Christian democrats, the Flemish Nationalist party NV-A took side in favour or the BAM project. In order to save the new Flemish government, the politicians had to find a political compromise on the *Oosterweelverbinding*. The project became one of the main concerns of the Minister-President of Flanders. After some months of political bargaining finally a compromise was reached. In March 2010, the Flemish Minister-President announced that the *Oosterweel* viaduct would be replaced by a tunnel, under the condition that a tunnel is financially and technically feasible.

After a 5-year battle between the public authority and local action groups of Antwerp, the BAM-plans for the *Oosterweel*viaduct were finally torn down. The action groups *Straten Generaal* and Ademloos had won their battle. David defeated Goliath. However, their victory turned out to be a Pyrrhic victory, since they soon realised that the tunnel was not a very well solution either. Until this day, September 2011, *Straten Generaal* and Ademloos are still preparing new actions to block the tunnel.

[19] More specific, the BAM that was responsible for communication had been convicted

[20] In the debate, the pro-camp uses the word "bridge", whereas the anti-camp uses the term "viaduct". Actually, a larger part of the construction will go over land than over water, so in that respect, technically the word "viaduct" is more adequate.

1.2 Characteristics of spatial conflict

Although this extreme and interesting case of the *Oosterweelverbinding* is not a case study of this research[21], it is exemplary for many conflicts in land use planning. We like to use our appetiser of the *Oosterweel* to make some characteristic observations on conflicts in strategic projects or land use projects.

1.2.1 The global pandemic of spatial conflicts

To start with, community protest in urban planning is a widespread phenomenon. Nearly every municipality in Flanders has its own little "*Oosterweelverbinding*", be it in a smaller and less intensive form as in the Antwerp case. The press article database Mediargus retrieved about 336 hits on protest cases for a four-year period[22]. A more detailed analyses of the cases behind these records confirms that protest can be directed against virtually anything[23]: a permit for an extension of a pig farm in Izegem[24], the construction of a waste disposal facility in Grimbergen[25], the construction of a new tennis court in Willebroek[26], protest against the development of new social housing estates or new road infrastructure, and even against new parks as has been the case with in the famous "Parkbos" in the *Gent* region. The latter project – notably a park in an agrarian area - even holds the current notorious record on the number of comments in a zoning plan procedure (RUP), with more than 11.000 objections[27].

The widespread phenomenon of land use conflict and protest is certainly not a Flemish concern only. Actually, it infects most industrialised countries, and spatial conflict has become pandemic. Scholars from for instance the US report similar cases of land use conflicts (Gray 2007;Lewicki et al. 2003;Susskind and Cruikshank 1987;Susskind and Field 1996). Susskind for instance notes that in a 12 year

[21] The case of the Oosterweelverbinding started only after the empirical data of this study had been selected and studied. I sincerely hope that the case will be picked up by other researchers

[22] Mediargus database; search term "actiecomité" between 1/1/2005 and 31/12/2008

[23] A list of protest cases from the Mediargus analysis is given in the attachments

[24] Bouw grote stal blijft voor beroering zorgen: Spandoeken tegen varkens, Het laatste Nieuws, 13/05/2005

[25] Buurt vreest stand van 50.000 ton Afval, Het Nieuwsblad, 22/01/2005

[26] Actiecomité De Wip wil tenniscentrum Piepel weg, Gazet van Antwerpen, 24/04/2005, p67

[27] SCHRIFTELIJKE VRAGEN, VLAAMS PARLEMENT, Vraag nr. 149, van 17 augustus 2007 van JOKE SCHAUVLIEGE

period, agencies in the US have not been able to build a single hazardous waste treatment facility (Susskind and Cruikshank 1987).

In their study on land use mediation, Susskind, Van der Wansem, and Ciccarelli (Susskind and others 2000) report 100 cases of land use disputes in the US, ranging from comprehensive planning cases, development and growth cases, environmental clean-up, facility siting, infrastructure design and natural resource management. Other scholars report similar cases of protest all over the world, such as to the siting of community facilities in the US (Pendall 1999), detention centres, drug treatment centres and imprisonments, homes for mentally retarded in the US (Dear.M. 1992; Takahashi and Dear 1997), waste facilities such as incinerators (Petts 1992) or nuclear waste disposal (Benford and others 1993), energy facilities such as power plants (Ducsik 1987) and wind turbines in the Netherlands (Wolsink 1994; Wolsink 2000). In Japan, Matsuura reports in his PhD that the implementation of large public works such as infrastructure works, watershed plans and urban renewal schemes in Japan have been blocked by community protest (Masahiro Matsuura 2006).

Cases of land use conflicts also have been reported in developing countries. Exemplary is the protest in Mumbai, India from the inhabitants of the neighbourhood Dharavi Mumbai (Patel and Arputham 2008), against the slum clearance in favour of a new urban development scheme. Dharavi is one of the largest slums in Asia. Although no exact figures exist, it is estimated that about 1 million people live in this part of Mumbai. According to the government of Maharashtra, conditions in the slum are very poor: "*Dharavi lacks toilet facilities and adequate water supply. Open sewage and garbage dumps are breeding grounds for rats, cockroaches, mosquitoes, flies and other harmful pests.*" (Sharma 2009).

Consequently, the government decided to develop and implement the Dharavi Redevelopment Project aimed to clear the slum. Modelled on the Shangai approach, the Indian government decided to involve the private sector to build and finance the redevelopment. The slum had been divided into sectors for which international companies would bid the right to develop. Commercial developers would gain development rights over the slum. In return, they were obliged to rehouse the existing residents. There were however serious concerns among the affected community that commercial developers would seek to minimize the costs of rehousing and maximise the amount of land cleared for commercial development. Furthermore, a sizeable part of the residents with no official papers or entitlements feared that they would lose their home without the right on a new settlement. In addition, many residents feared that they would lose the ability to develop home-based formal and informal economic activities. These activities constitute a considerable proportion of Mumbai's economy and are vital to the economic self-preservation of many households.

Different groups - academics, NGO's and local resident's associations- with different motives started to mobilise against the redevelopment scheme. They protested by sending open letters, demonstrations and by seeking international press coverage on their struggle. Here too, under pressure of the action groups, the Indian government aborted the initial plans for the redevelopment of Dharavi[28].

1.2.2 The persistence and escalation of spatial conflict

Land use conflicts are not only globally widespread and recurrent; apparently, they are also very persistent. The *Oosterweel* debate has been going on for at least 5 years now, but this is only a relative short period compared to other cases. In Flanders, there are examples of spatial conflicts that span over more than 4 decennia. Take for instance the protest in Deurne, a municipality in the southern belt of Antwerp. In Deurne, the regional airport of Antwerp is located, a small business airport for medium distance range flights. The protest group VATUV[29], has been protesting for more than 40 years[30]. Since the mid-sixties, the economic elite of the city has been lobbying to expand the regional airport, which is situated midst a highly populated district of Deurne. From the beginning, local protest organizations contested the expansion plans. Upon today, the struggle continues. From an external point of view, the fact that conflicts can last so long is a puzzle; only the amount of engagement to keep on struggling on both sides is enormous.

The *Oosterweel* saga also shows how spatial conflicts can escalate. What began as a relatively local dispute over a plan proposal between two citizens and the local public authority, ended up in a region-wide political deadlock. Through the escalation of the conflict, the number of conflict issues and conflict parties proliferated. The mobilization of both camps, especially in the weeks before the referendum divided Flanders literally in two parts. There were very little Flemish politicians or organizations left that did not take position in the debate. Due to the escalation, the costs of conflict are enormous. The costs for the current design have already skyrocketed, and compensations will probably have to be paid to break the contracts with the contractor when the design has to change. Besides compensations, also extra legal advice during the battle with the protesters, and advertising campaigns all add to the bill. Not only study costs will exceed all expectations, but also the time slippage of the project will be considerable.

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[28] The Dharavi case has been described extensively by Jacobson Mark, 2007, Mumbai's shadow city, National Geographic, May 2007

[29] The VATUV is the successor of the A.T.U.V., founded in 1973

[30] www.vatuv.be, consulted on 26/12/2010, A.T.U.V., 1974, Een nieuwe luchthaven Antwerpen? Algemeen onderzoek, unpublished report from A.TU.V

Whereas according to the first forecasts, the viaduct should have been in use already in 2005 (four years ago), current predictions aim at 2021. However, due to the required adaptations due to the conflict, even 2021 is a very unlikely end date. Besides the rather straightforward measurable costs of the conflict, there are many immeasurable costs.

Some conflicts over strategic projects however remain fairly well contained. The project *Spoor Noord* in the Northern district of Antwerp started as a dispute between the city and local inhabitants over the redevelopment of an abandoned railway platform. The railway platform was located in the 19th century belt of Antwerp in one of the most dens and pauperised districts. The landowner, the railway station, and the city hoped to build a new road, new houses and offices on the former railway platform, whereas the local inhabitants hoped to realise a park. The dispute ended up as a project for a park and offices that is often considered as Flanders best practice in urban strategic projects.

1.2.3 The juridicialisation of spatial conflicts

In many cases, community protest has been effective in blocking or changing spatial projects, certainly, if protesters have used means of litigation. Public officers confirm that litigation has become a main obstacle and that the number of legal procedures against spatial plans is increasing in recent years[31]. Off course, the increasing number of new spatial plans over the last years[32] is already part of the explanation for this juridical explosion, but experienced planners in municipalities and public administrations confirm that the reactions of the public to spatial plans are quite different from the past[33]. Individuals and protest groups defend their private interests more convincingly, and do not hesitate to go to the court when they think their interest are threatened. Some analysts have linked the growing tendency to litigate against the state to general broad social dynamics such as a growing individualization; and an increasing struggle of the distribution of environmental risks (Beck 1992)

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[31] Although no official figures are available, public officers from the Flemish government, the Province of Antwerp and the Province of Oost-Vlaanderen confirm this trend. We tried to collect data from the number of litigation cases against zoning plans (RUP) at the Raad van state. The Raad Van State has a database on litigation cases. However this database does not specify the type of litigation cases. The majority of the cases concerns litigation over building permits. The Raad could not provide us separate data from litigation cases over land use plans.

[32] Since the approval of the Structure Plan Flanders in 1997, many local plans had to be made to implement the structure plan. In total 308 municipalities had to make a Municipal structure Plans. Very often these new structure plans also result in new zoning plans.

[33] Reaction from the juridical advisor of the Flemish Government

Whatever the case, increasing litigation cases relates to the increasing opportunities for civil actors to litigate against spatial projects. Procedures and legislation in spatial planning and related fields such as environmental policy are in constant evolution. Not only the existing legislation is constantly changing, but also new additional legislation is constantly produced. A growing functional specialization of the Flemish bureaucracy, in which different policy sectors are developing their own legislation and policy instruments, is but one important explanation for this recent explosion. New sectoral administrations manifest themselves by developing new policy goals, new methods, instruments and new norms that are developed relatively independent from other sectoral administrations (Voets and others 2010). In addition, the growing bulk of European directives and regulation that affect spatial planning has been an important driver for the current legislative and procedural proliferation.

The result is an unseen procedural and juridical complexity (Voets et al. 2010). In the development and implementation of spatial projects, all these legal procedures have to be followed. Moreover, although some of these procedures might be logical from a purely administrative point of view, when they come together in a spatial project, it is very difficult to integrate them. They often turn out very unpractical or even contradictory. Not only the integration of these procedures is problematic, but also their novelty. The pace in which new rules and procedures grow is so high, that it is nearly impossible to be informed on all the latest juridical innovations (Voets et al. 2010). On some of the new legislation, also interpretation problems arise, certainly when no earlier applications exist. The bottom line is that procedural errors are easily made. When discontent citizens hire attorneys, they easily make a juridical case.

When angry citizens go to the court, it seldom settles a conflict in an acceptable way (Susskind and Field 1996b). In Flanders, litigation procedures for the *Raad van State* (the administrative court in Flanders) can easily take several years. Recently, the *Raad van State* for instance destroyed a permit from a dance club in *Leuven* after a 13-year litigation procedure. Often, the verdict comes when plans are already implemented a long time ago, long after the damage has been done. Such verdicts become redundant in the best cases, but in the worst cases, they lead to a Kafkanian verdict. Recently, the mayor of Bruges, Patrick Moenaert, wrote an opinion article in De Standaard[34], advocating passionately a more efficient and customer-oriented jurisdiction in land use projects and calling upon the responsibility of politicians, public officers and the magistracy. "*The current way of doing business*", Moenaert wrote, "*is professionally driving our country into demolition*".

[34] De standaard, July 6, 2009, "Bouwen op een tijdbom"

However, even if litigation reaches a verdict within an acceptable timeframe, it seldom provides satisfaction. Third parties in Flanders can only litigate in spatial planning on procedural issues, not on substantial issues. In addition, the judge can only declare a charge grounded, and suspend a plan, or ungrounded and overrule the charge. Nevertheless, a suspended plan is not always the goal of an angry citizen or a group of angry citizens. Sometimes, they agree with parts of the plan and only dislike specific aspects of the plan. The court can only suspend the whole plan, based upon procedural errors. On the side of the public authority, if plans are suspended based upon procedural issues, they can reproduce the same plan within a new procedure, so that the net result is only a lot of time wasted and money spent on attorneys. Finally, when the court has reached its decision, and the verdict is still relevant for the dispute, this does not mean that conflicts are really settled. Very often, the conflict seeks other battlegrounds than the court-yards. And very often, unresolved conflicts provide the foundations for new conflicts.

1.2.4 The parties in spatial conflict: governmental actors versus action groups

In land use conflicts, we also encounter a very specific social political phenomenon: protest groups, neighbourhood committees or protest committees. Many land use projects are challenged by groups of people, mostly residents that unify in temporal social collectives, with usually only one goal: to prevent or to change a land use decision. Such collectives relate to a certain geographical area and in many cases have no other political goals. The fact that politicians are challenged by such local, temporal and single-issue groups is very unique feature of land use policy. No other policy domain is challenged by such locally tied, single-issue collectives. Political decisions in other domains are challenged by the political opposition in the parliament or by nationwide interest groups, which are mostly professionally organized and have a certain tradition in political dealing and wheeling. Most politicians and public officers are used to this. However, confronted with local committees, they feel rather uncomfortable. For them it is mostly not clear who these people are, who they represent, what their motives are, by which rules they play the game, and what exactly they are trying to achieve.

1.2.5 Strategic projects and conflicts

Although land use conflicts can thus emerge in all types of land use changes, the social implications of conflict are larger when they arise in strategic projects. Strategic projects are defined here as public led large scaled and complex projects,

that aim to have a structural impact on the social, economic, spatial or ecological development of an area (Boudry and others 2006). Such projects are structural since they have an impact on a larger area than the project area itself. Typical examples of such projects are inner city regeneration projects, railway station area redevelopment projects, inner city housing projects, urban parks, business parks, leisure projects or infrastructure projects. Whereas the realisation of these projects has a societal impact, so does the non-realization of these projects. The non-realization of the *Oosterweel* Bridge for instance means that the legitimate demand to reduce road congestion and to increase the accessibility in Antwerp is not addressed.

1.3 Contradictory perspectives on land use conflicts: more or less participation?

The pandemic spread, the persistence and the escalating nature of conflicts urges us to reconsider the way we deal with spatial conflicts.

In 2009, three parallel parliamentary commissions have been erected in the aftermath of the *Oosterweel* debacle to discuss the problem of time slippage, complex procedures and litigation in large strategic projects[35]. There is a consensus among politicians that the approach for strategic urban projects has to be changed. However, this consensus easily breaks down, when solutions are discussed.

Broadly, we can distinguish two opposite camps in the debate (Albrechts 2002). One camp seeks to reinforce the institutions of the representative democracy. This is a position often held by “strong” political actors and economical elites. This camp starts from the assumption that decision power has been hollowed out by bureaucracy and overregulation, of which citizens make an impropriate use. The treatment for this "disease" is in the first place a strict diet for bureaucracy, with fewer rules and less procedures. In the second place, they advocate to revise the political institutions in order to give less power for bureaucrats and judges, less power for non-elected societal organizations, and more power for the elected politicians. “The primacy of politics”, is the slogan used. The argumentation for this position is that politicians, elected by the public, should have a strong mandate to take decisions in the public interest and to take full responsibilities for these decisions during their terms, even if these decisions are unpopular.

[35] Commissie Berx, Commissie Sauwens, DAM commissie. The author has presented some of the findings of this research in the commissie Sauwens

In the battle on the *Oosterweel*, Marc van Peel, a Christian Democrat Alderman in the city of Antwerp, and one of the most ardent defenders of the viaduct clearly is a representative of such a perspective. In a life internet chat on the site of a newspaper[36], an interviewer asked how the public authority could avoid such disputes like the *Oosterweel* in the future. Van Peel answers:

> *The new Flemish government has the intention to decide more efficient on important projects. With all our procedures, we risk to arrive at a situation in which no important decision can be made anymore. That is detrimental, certainly if you consider how new economies are outclassing us.*[37] *"*

Within this perspective of decision-making, the Flemish government approved in September 2009 a special regulation for large strategic land use projects. (*Ruimtelijke projecten van groot en strategisch ruimtelijk belang*). Such projects are defined as large scaled infrastructure projects that *are urgently needed for the improvement of the quality of live, the economic development or the accessibility, with an unusual socio-economic and spatial impact, and an unusual investment volume*[38]. The intention of the new regulation aims to speed up the decision making procedures in large strategic projects, by allowing to combine the development of zoning plans and to deviate from an approved structure plan. Moreover, the regulation allows also deviating from other legislations, such as the legislation on the preservation of heritage, or the environmental legislation.

Furthermore, this camp seeks to impose a very particular vision upon citizenship. It assumes that protest is motivated by a selfish, parochial and individualistic reaction, or NIMBY (not in my backyard) behaviour. In its most populist version, it considers most western European citizens as spoiled consumers, who have lost any responsibility on public interests. "*When everybody protects his or her own turf, nothing can be done anymore*", the argument goes. Van Parys, the president of Flanders DC[39], expresses such sentiments in his opinion article in De Standaard[40]. Reflecting on the many projects that have been blocked by angry citizens that litigate, van Parys concludes that we live in a country with a tyranny of a

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[36] Chat on the Gazet Van Antwerpen, dd 05-10-2009, http://www.gva.be/dossiers/oosterweel/chat-op-maandag-5-10-met-marc-van-peel-cd-v.aspx, consulted on 05/02/2010

[37] "De nieuwe Vlaamse regering heeft zich overigens voorgenomen om efficiënter besluiten te kunnen treffen over belangrijke werken. Nu dreigen we inderdaad met al die procedures te belanden in een situatie waar uiteindelijk geen enkele belangrijke beslissing meer genomen kan worden. Dat is een kwalijke zaak. Zeker als je ziet hoe sterk nieuwe economieën ons nu al verdringen"

[38] Codex Ruimtelijke ordening, hoofdstuk 3, afdeling 2.

[39] Flanders DC, or Flanders District of Creativity is a Flemish organization promoting entrepreneurial creativity

[40] Nimby, De standaard, 10-07-2009, p 23

minority, able to block the general interest of society: "*If the NIMBY syndrome rules*", van Parys writes, "t*he economy pays the price. In times of recession this is very regrettable*". Parallel with the ambition of putting elected politicians back in the driving seat, this camp calls for a type of citizenship, in which citizens are asked to give up their own little personal interests, and to take public responsibility in order to allow decisions for the public interest. Citizens therefore have to be re-educated.

Whereas one camp is advocating stronger politics and less bureaucracy, the other camp advocates solutions in the opposite direction. Instead of reinforcing the power of elected politicians, it is seeking to incorporate more direct forms of citizen involvement and participation in political decision-making. Here the argument goes that the representative democracy fails to be an adequate form of governance in our contemporary society. An elitist representative democracy functions well, only if policy is made and negotiated by actors that effectively represent the public. Nevertheless, the concept of representation is becoming more and more problematic. It has been demonstrated and documented that traditional political parties and socio-political groups are gradually losing their support base (Elchardus and others 2000; Huyse 1987; Elchardus et al. 2000). Less and less people identify with the traditional ideologies of these socio-political groups, and the traditional individual loyalty to these groups is declining. The individual citizen is therefore becoming more volatile in his or her political preferences. The decline of these traditional socio-political groups implies that the capacity to negotiate policy by these traditional organizations also declines. The increase of land use conflicts is symptomatic for such broad socio-political changes. Therefore, our political institutions should seek new ways to discuss politics more directly with its citizens, who we can no longer catch in the traditional channels of representation. Thus, together with broad societal changes, we need changes in the political institutions. The hope is that new forms of participation will reduce the level of conflicts.

Another argument for more participative, or better, collaborative forms of policy making has been developed within the planning theory literature during the nineties, notably by Innes, Forester, Sager and Healey (Innes 1995; Innes and Booher 1999; Innes 1996; Sager 1994; Forester 1999). Those authors represent the collaborative planning paradigm that has gained influence in the planning theoretical literature since the early nineties. Although this school recognizes that representation is a problematic concept in current policy-making, it is not their main argument to promote more participative forms of governance.

Based upon the ideas of the German philosopher Habermas, their aim is to develop a mode of egalitarian governance based upon inclusive deliberation and communicative rationality. It is believed that through inclusive public deliberation and argumentation consensus can be achieved over our common affairs, including

land use conflicts. Such a consensus is achieved through the power of the arguments brought into the deliberation. Collaborative planners admit that such a perspective is idealistic. It can only be achieved under certain idealistic conditions, such as the absence of domination and power plays in the debate.

Nevertheless, forms of collaborative planning have been used with success in practice. A well known case is the Sacramento Water Forum in California reported by Innes and Booher (Innes and Booher 2003). To tackle the problem of limited and irregular water supply in California, a group of stakeholders from environmental organizations, businesses, local government and agriculture with conflicting issues and claims engaged for 5 years in a collaborative policy dialogue. Through this dialogue, they were able to find an agreement on controversial water management procedures and quantities of water to be provided to different users during droughts. They also succeeded to reach an agreement on two state-wide bond issues amounting to nearly 3 billion dollars for new water-related infrastructure and environmental restorations. Part of the outcome of this dialogue was a general acceptation of environmental values by other more traditional sectors such as farming and urban development. The approach had been so successful that also other contentious policy issues have been dealt with collaborative dialogues.

The collaborative planning perspective provides an inspiring and promising perspective. Argumentation could be a superior way to settle our conflicts than rude power plays, zero-sum litigation or majority voting. Although there has been done a great deal of work on the implementation of ideas of collaborative planning in Flemish strategic planning (Albrechts et al. 2002;Albrechts et al. 2003;Albrechts 2004) or integrated area based planning (*geïntegreerd gebiedsgericht beleid*) (Albrechts and others 1999), the development of these ideas in strategic projects has been less elaborated.

Furthermore, the gap between theory and Flemish practice of project planning is still large. Communicative planning is a sort of a universal perspective, which has to be connected with the local, culturally bounded institutions of our representative democracy. As a theory, it is disconnected from local political practices, from its regulations, from its complex procedures, from the everyday routines planners and policy makers are caught within. In fact, the gap between the current the political institutions and the communicative ideal are at this moment so large, that the communicative perspective is easily dismissed as irrelevant to practice.

Furthermore, collaborative planning based upon a communicative philosophy has not been explicitly developed to address land use conflicts. Communicative planning is above all a philosophical perspective. It does not aim to explain empirically how conflicts emerge and escalate, nor by which mechanisms communicative planning should be an answer to an increasingly contested planning

practice. Thus unless collaborative planning is more grounded in the analysis of the development of land use conflicts, it provides no guarantees as a better way to settle land use conflicts.

1.4 Research aims and context

1.4.1 Research aims

From the above discussion, we can conclude that conflicts in land use projects are recurrent, persistent and often have societal undesirable outcomes. The topic is therefore relevant and actual, not only for planning practitioners, politicians or developers but also for all those that are affected by the societal outcomes of these conflicts. Despite the societal relevance of land use conflict, there is however still little understanding on their dynamics. Moreover, a clear understanding how land use conflicts emerge and why they are so persistent, is lacking.

Furthermore, there is an ongoing dispute among planning practitioners and politicians in Flanders on how to work with land use conflicts. Although the need is felt strongly to reform our institutions, the direction of these reforms is still unclear. Some advocate restoring the power of the elected representatives, whereas others advocate more participation from citizens in order to deal more constructively with conflicts. Although collaborative planning might provide an interesting theoretical perspective to address land use conflicts, it has to be contextualised to spatial decision making in Flanders and to be related to the analysis of conflict dynamics.

This research therefore has a double aim. The first aim is to contribute to academic theory building by original empirical research on the dynamics of land use conflicts. The literature on social conflicts will be our guide for the analysis. Although the literature on social conflicts is a well-established field of research in the social sciences (including sociology, psychology, social psychology), the application of these theories on land use conflicts has been less well elaborated. Since we consider land use conflicts as a special type of social conflicts, it is our aim to use general theories on social and interpersonal conflict to analyse and explain land use conflict.

Since the aimed theoretical contribution is to apply vested theories on social conflict to land use conflict, we must warn for some consequences of this aim. All theories tend to frame or simplify reality by accentuating some aspects of reality while neglecting other aspects. Since theories on social conflict and interpersonal conflict focus upon the dynamics of the (social and psychological) relations between two conflicting parties, other important aspects related to land use conflict and land use decision making processes will be less articulated. For

instance, we do not aim to explicitly deal with more structural theories on land use conflict such as Harvey's work (Harvey 1976) or Castells' work on urban social movements (Castells 1983). These theories analyse the causes of conflict from a broad societal neomarxist perspective, while paying less attention to the fine-grained conflict interaction that results from this latent conflict. Nor do we discuss the tension between scale politics in land use conflicts as Cox and Johnston (Cox and Johnston 1982). Furthermore, we also will spend less attention to the internal dynamics and power plays of policy making itself. Although agenda setting and implementation dynamics do play an important role in the development of policies and explain the position that public authorities take in a conflict, decision-making dynamics will not be the focus of our analysis.

Our second aim is to contribute to the current ongoing discussion on how to deal with conflicts in practice. Especially since the *Oosterweel* case, the discussion on decision-making processes of large infrastructure projects and participation in strategic urban projects has become an actual political topic in Flanders. As mentioned, as a result of the *Oosterweel* story, the Flemish government is reforming the decision making processes for large infrastructure projects. This research provides an opportunity to contribute from an academic perspective to this ongoing discussion. Here too a warning is needed. Recommendations are never *linea recta* the result of scientific empirical research, but always involve personal values and judgements. Whereas the scientific method is an excellent way to analyse and explain how we act, it is very poor in giving advice how to act. Although we will be transparent about these values and provide argumentation for the recommendations, these recommendations are not scientific is the strict meaning of the word. They do not represent *the* truth, but are useful (and fallible) guidelines based upon scientific research and insights.

1.4.2 Research context

The goals of this research relate strongly to the research context of this research. Therefore, it is important to situate how this research project has developed.

This research is a part of a larger research program, SP2SP: from Spatial Planning to Strategic Projects. It is funded by the IWT (Flemish institute for technology), in a policy programme called SBO, or Strategic Basic Research. With the programme Strategic Basic Research, the IWT wants to encourage research in between fundamental research and applied research. The aim is to generate knowledge that is applicable, but at the same time generic enough to find applications in different contexts. The SBO programme has a double goal: it aims to contribute to scientific development, but it also aims to have a real impact on practice. The IWT encourages research programmes in which the targeted end-users of the developed knowledge participate in the development of the research.

The general aim of SP2SP was *to develop new and innovative approaches for strategic projects*. When the proposal was written in 2004, there was a need to develop a research programme around Strategic Projects. In 1997, the Flemish government had approved a new legislation, with the aim of developing a more strategic approach in land use planning. It was felt that traditional land use planning – being a more passive planning approach aimed at controlling land use through a zoning system and regulations- seems unfit for tackling the challenges that countries, regions and local governments were facing (Albrechts 2001).

At the same time, a parallel shift in policy instruments occurred in the Flemish urban policy. The Flemish urban policy administration was experimenting with a new policy instrument, called S*tadsprojecten (Boudry and others 2003)*. Whereas the traditional Flemish urban policy had been largely using defensive social policy instruments, aimed at improving the worst areas in the city, the new approach of S*tadsprojecten* was a more offensive socio-spatial instrument. It focused upon the role of urban form, the public domain, the relation between urban form and development and the power of urban form to transform the social, economic and cultural development of a city (Loeckx 2002; Loeckx and De Meulder 2003). In that period, the policy programme S*tadsvernieuwingsprojecten* financed promising projects in cities. The use of the new instruments also increased the need to develop a research agenda on urban projects.

Drawing upon these evolutions in spatial planning and urban policy, the SP2SP proposal identified strategic projects as an important instrument of a more strategic spatial planning approach. Strategic projects were defined as *spatial projects, coordinated by public actors in close co-operation with the private sector, and other semi–public actors, that transform the social, economic, cultural and spatial development through a punctual intervention.*

The SP2SP project identified 3 types of strategic projects: urban projects, post-rural projects and business parks. These types constitute the "vertical tracks of the research proposal". It also identified 3 horizontal research tracks involving (1) sustainability and spatial quality, (2) tools for multi-actor and multi-level governance and tools for feasibility, (3) juridical aspects and land acquisition. Different researchers have been assigned to different work packages. The SP2SP project resulted in different end products: a report for every work package, a handbook for practitioners, an academic book, and several articles in national and international journals, conference proceedings and a database of strategic projects. The SP2SP project also produced three PhD's of which this PhD is one of them.

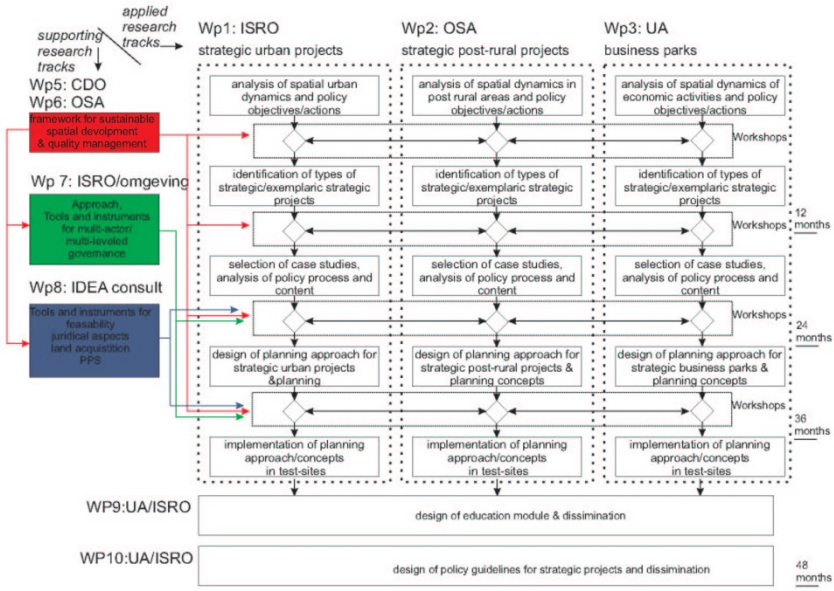

Figure 3: SP2SP design, source proposal 2004

My own contribution in the research project was Work Package 1: strategic urban projects and this Phd. My research track aimed to *develop an integrated, qualitative and sustainable approach for public project- and process management and innovative concepts and strategies for strategic urban projects*[41]. As the reader can notice, this initial aim was not only very ambitious; it was also somewhat ill formulated. The scope of the work package was too broad and too abstract to generate interesting research results. Therefore, especially in the first year of the research we tried to refine the research aim and the research questions. This was done in cooperation with the user group of the SP2SP project. The users were representatives of different public and private organizations in Flanders that are involved in spatial planning, and were invited to discuss the research progress and findings on a regular basis.

The idea to study conflicts in strategic projects emerged after a user conference at the end of 2006 in Kortrijk. On this meeting, the user group asked us how they should deal with "small groups of radical citizens who block the implementation of strategically important projects". This question has remained the central question of this research. A "how to" or a "how should we" question is a prescriptive

[41] KU Leuven, UGent, UA, SP2SP proposal, 20/02/2004, p 20

research question. The nature of the SBO research programme is very well suited to deal with such questions. However, the answer on such a question can never be answered by science only, and must start from certain underlying values. Moreover, whatever the underlying values of any approach are, I believe that an approach should also start with a better empirical understanding of the phenomenon of spatial conflict.

1.5 Research questions

As written in the paragraphs above, I argue there is a lack of a theoretical and empirical understanding how land use conflicts emerge and how they develop. The numerous examples of conflicts in strategic projects given above illustrate that conflicts are recurrent. However, at the same time some projects are implemented without overt conflict. For every example given above, an example can be given for a similar project that did not have to cope with overt conflict (such as the Spoor Noord example). The question is thus how this variance in conflict emergence can be explained or more specific, what factors increase the chance of developing community protest in complex strategic projects. Knowledge on how conflicts emerge might help to avoid the emergence of land use conflicts, or - for those who have different values - help to stimulate conflict.

This observation leads to the first research question.

RQ1: Why do land use conflicts emerge?

Furthermore, we observed that land use conflicts are not easily resolved. Some conflicts evolve into what scholars have labelled as "intractable" conflicts (Campell 2010), such as the example of the *Oosterweel* or the airport of Deurne given above. Other conflicts, such as the Spoor Noord project are more easily settled. There is thus a large variance in conflicts escalation. We are thus interested in understanding those elements that feed the conflict, or keep the conflict going on. If we know the factors of escalation, it should be easier to develop approaches and to design institutions, which make land use conflicts easier to settle.

This observation leads to the second research question:

RQ2: Why are land use conflicts so persistent?

Following the second main goal of this research, we will address how we can work more constructively with conflicts in the Flemish practice. The answer for this question will not only depend on the findings of RQ1 and RQ2. First, we will have

to state from which perspective and from which values we look at community conflicts. Moreover, we will have to specify how ideas and theories of conflict management and resolution can be embedded in Flemish practice. The third question is hence a prescriptive question and will result in a set of generic policy recommendations.

RQ3: How can we work more constructively with land use conflicts?

1.6 Research hypotheses

In this thesis I will defend three major hypotheses relating to the three research questions

H1: the emergence of land use conflicts depends as well on the characteristics of the project, as the mobilization capacity of the project area, as the political context in which a project has been developed.

The first hypothesis relates to the first research question. In the dominant theories on land use conflict such as the externalities theory of the NIMBY theory, land use conflict emergence is usually explained by the characteristics of the land use project only (the so-called LULU's or locally unwanted land use). Although the characteristics of the project are indeed an important explanative variable, I will defend that the variance of protest emergence is better explained if we also consider the mobilization capacity of the neighbourhood in which the project will be sited. Furthermore, I will argue that also the political context relates to the emergence of protest. These three factors and their interplay determine for a large extend the dynamics of protest emergence.

H1a: The mobilization capacity of a neighbourhood depends on the homogeneity of the neighbourhood, the existing networks, intellectual skills and the structure of interests within a project impact zone

This hypothesis involves two sub-hypothesis relating to the different elements of the main hypothesis. The first hypothesis is that the mobilization capacity relates to the homogeneity of the host community, the existing community ties, and the intellectual skills to challenge a project. The last element of this hypothesis is that the capacity to mobilize relates to the values, interests or goals of the different parts of a neighbourhood towards the project. I will defend the position that protest is more likely to emerge when these interests and goals are complemen-

tary. Alternatively, to put it differently, the more internal dividedness in a neighbourhood as regards the project, the less likely protest will emerge.

H1b: The emergence of protest relates to the amount of openness of the political context in which the project has been developed

By this hypothesis, I will defend that the way the decision making process over a project has been organized matters in explaining protest emergence. I will show that political openness or closeness is a crucial variable. By political openness, we mean the amount of formal or informal influence the citizens are given in a decision making process. Although it is generally assumed that more political openness (and more participation) leads to less protest, I will nuance this assumption. I will argue that also a very closed decision making process, with no participation at all, can stifle protest. Protest emergence is thus most likely when the decision making process of the project is not completely closed, nor completely open.

The second main hypothesis, which relates to the second question of my research is:

H2a: Land use conflicts are more difficult to resolve because they escalate

On first sight, this hypothesis might seem a bit a truism. The reverse statement: *escalating conflicts are difficult to resolve* indeed is. Escalating conflicts are always difficult to resolve, since escalation basically means an increase of conflict intensity. However, I will demonstrate that land use conflicts are not difficult to resolve because the initial interests of the conflicting parties cannot be resolved, or the impossibility to find compromises, but because through the dynamics of conflict interaction initial interests transform into new interests and issues, which are more difficult to resolve. These dynamics of conflict are their turn dependent on the broad strategic and tactical orientations of the different parties in a conflict.

Furthermore, I will defend the position that such an oppositional role of protest groups is reinforced by the lack of proper formal (and informal) institutions to mediate conflicts. Moreover, the current conflict mediating institutions such as formal comments encourage oppositional conflict tactics, which further contribute to conflict escalation.

A third hypothesis relates to the final research question. The latter is however not a strict scientific hypothesis, but more a prescriptive hypothesis. It is not com-

pletely speculative since we will base the hypothesis upon the findings of the analysis, and upon theory and empirical experiences elsewhere. I will defend the hypothesis that

H3: Land use conflicts in Flanders can be resolved more constructively through the management of project characteristics, organizational capacity and by developing additional collaborative conflict mediating institutions in land use planning decision-making processes

It is our thesis that the three main factors that relate to conflict emergence and escalation (project characteristics, organizational capacity and political context) can be managed in order to have more constructive conflict outcomes. We will also show how methods of alternative dispute resolution can provide additional conflict mediating institutions in urban planning.

1.7 Research strategy and data

1.7.1 General research strategy

Since the research questions have a different character, for each of the research question, we will use a different research strategy (see Figure 4) .

The first two research questions are analytical in nature and require a more traditional scientific approach. First, we will review the relevant conflict theories. We will develop a theoretical frame for conflict emergence and for conflict escalation. Next, for each research question, a different research method is developed, taking into account the specificities of the theories that have been developed.

As for the first research question, a comparative case study will be made between two cases with a varying degree of protest emergence. The systematic comparison between two conflict cases will allow us to address the different factors that have enabled or disabled protest emergence. We will make use of as well qualitative data as quantitative data for the comparison, using a mixed methodology.

For the second research question, we will use a qualitative case study method on a single case of conflict escalation. For this, one of the two cases of the comparative study will be further examined from a different theoretical perspective.

The third question is a normative question and needs a different strategy. The elaboration of this question requires a normative theoretical perspective. We will review collaborative planning theory and it critics and formulate an adapted version of collaborative planning. Furthermore, we will relate collaborative

planning approaches to the conflict variables found in the analytical part of this research. In this way, we will connect collaborative planning principles with conflict variables. This finally results in a list of practical policy recommendations for strategic spatial projects in Flanders.

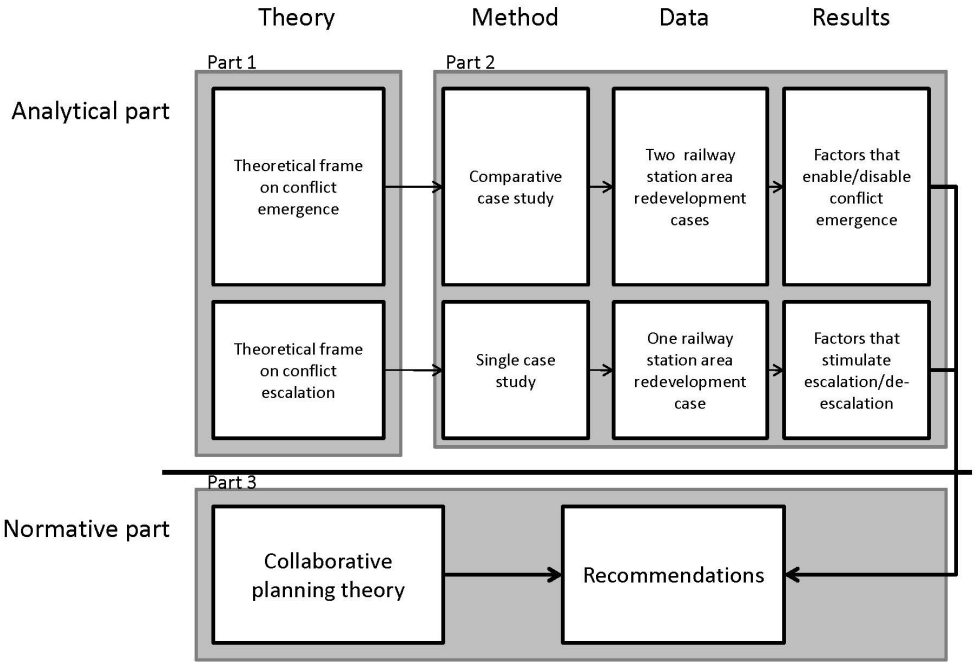

Figure 4: General research strategy

1.7.2 The data of this research: railway station area redevelopment projects

Since the set of strategic projects is a large and internally diverse set, we opted to narrow down to a specific subset of strategic projects, namely railway station area redevelopment projects. One practical reason for this selection was that the users or the SP2SP project suggested a conflict case for further analysis, which happened to be a railway station redevelopment project (the *Gent* Case).

However, the choice is also justified by other methodological and theoretical considerations. Railway station area redevelopment project are considered

strategic projects, since they have the potential of improving the accessibility of inner cities, to promote more sustainable means of transport, to stimulate economic development and to redefine the spatial structure of a city. The set of railway station area redevelopment cases in Flanders is also an interesting set because of the comparability between the context and content of cases on the one hand, and the variance of protest and conflict on the one hand. As we will show, railway station projects offer an interesting breeding ground for potential conflict, but this potential is not always transformed into real or overt conflict.

1.8 This volume in outline: structure and content

The menu of this volume consists in three major parts: a theoretical part, an empirical part and a prescriptive part. Whereas research question 1 and 2 are addressed in part 1 and 2, part 3 is entirely devoted to the question how we can work more constructively with conflict.

- In chapter 2 we will first introduce some basic concepts on social conflicts, since we consider land use conflicts as a special case of social conflicts. These concepts will be of use in the further development of the theories.
- In chapter 3 we develop a theoretical frame on the emergence of land use conflicts. We will start with a simple theory on externalities, and add some complexity by adding theories on social movements and political opportunities. We conclude chapter 3 with our own interpretation of these theories.
- In chapter 4 we review the literature on conflict escalation and apply it to land use conflict escalation.

In the empirical part we develop a comparative case study analysis between two cases and a qualitative case study of one of these cases.

- Chapter 5 develops a methodological perspective, and justifies our choice for railway station redevelopment projects and the selection of two cases: the case of Stationsomgeving *Gent-Sint-Pieters* and the case Kop van *Kessel-lo*.
- In chapter 6, we give a chronological overview of the cases.
- In chapter 7 we make a comparison between the factors of conflict emergence in *Leuven* and in *Gent*. Here we will use a mix of qualitative and quantitative data to understand the variance in protest emergence in both cases.
- Chapter 8 will apply the theory of conflict escalation to the data of the case of *Gent*.

Part three finally addresses the last research question.

- In chapter 9, we return to the question how to work constructively with conflicts. We first review collaborative planning theory, and then we link the variables of conflict with collaborative planning approaches.
- Chapter 10 finally draws some conclusions on the findings, the usefulness of the used theory and methodology and the context of this research. We end by formulating some suggestions for further research.

Part 1: A theory on conflict emergence and escalation

II. Analysing land use conflicts in strategic urban projects: definitions and organiîing concepts

2.1 Defining conflicts

Before we start analysing *land use conflicts* it is necessary to give a more precise definition of *conflict* in order to delineate our object of study more precisely. Different authors and in different fields of study have defined the word "conflict". The Oxford Dictionary defines conflict as (1) *a serious disagreement or argument*. (2) *A prolonged armed struggle and* (3) *an incompatibility between opinions, principles, etc.: a conflict of interests*.

Academic definitions have been given within different disciplines of the social sciences. Coser (Coser 1956) defined social conflict as *a struggle between opponents over values and claims to scarce status power and resources*. Game theorist Thomas Schelling has defined conflict as *a bargaining situation in which the ability of one participant to gain its end is dependent on the choices or decisions that the other participant will make* (Schelling 1960). And organizational psychologist Thomas Kenneth defines conflict as '*the process which begins when one party*

perceives that another has frustrated, or is about to frustrate, some concern of his' (Thomas 1992). Folger, Poole and Stutman (Folger and others 1997) define conflict as *the interaction of interdependent people who perceive incompatible goals and interference from each other in achieving those goals*. Social psychologist Kriesberg (Kriesberg 2003b) finally defines *social conflicts as the process that arises when two or more persons or groups manifest they believe that they have incompatible goals*.

These definitions share some common elements that need our further attention. First, all definitions here share the idea that conflicts are a type of *social or interpersonal interaction*. A conflict is not a static condition, but a changing relationship marked by continuing contention. Although conflicts can refer to the internal tendencies within an individual (forms of individual dilemma's), or incompatibilities between impersonal things (such as the conflict between the economy and ecology), we take the pattern of interpersonal or social interaction and the behaviour of actors in conflict thus as the focus of our analysis.

Secondly, the definitions all mark the importance of *perception of belief* in conflicts. We take hereby also a different approach to conflicts than for instance the analysis of class conflicts in Marxist or Neomarxist approaches. Marxist scholars generally take the analysis of real or "objective" economic contradictions as the object of study (Harvey 1973; Harvey 1976), which may be hidden for the suppressed classes in society through their "false consciousness" or an Gramscian imposed "cultural hegemony". Thus while in the Marxist tradition it is perfectly possible to speak of conflict from a viewpoint of external observers and without any conflict interaction between parties (latent conflict), our definition requires that conflict is also perceived by its participants, and manifests itself through particular interpersonal social interactions. Situations that Marxist theorists regard as a latent conflict might however have the tendency to become perceived social conflicts.

2.2 The components of conflict: parties, issues, strategies and tactics

2.2.1 Conflict parties

The parties of a conflict may involve individuals or groups. Although in theory many parties can be involved in a conflict, for analytical purposes they are often reduced to only two parties. Most real conflicts evolve into dyadic conflicts (Pruitt and Kim 2004). In many psychological or game-theoretical studies on conflicts, the unit of analysis is mostly the conflict behaviour of individuals.

However, since most land use conflicts involve conflicts between groups, we are particularly interested in conflicts between groups of people. When one of the parties of a conflict is a group, such as an action or protest group, there are some similarities with the processes of individual behaviour in conflicts. Groups are in the end composed by individuals, who have individual thoughts and acts. There are however also significant differences. When groups of individuals become involved in conflicts, conflict dynamics are more complex. Besides the external conflict interaction between groups, there are also internal group dynamics at work. Also the fact that social conflicts require a form of collective action adds further complexity to the dynamics of conflict (Klandermans 1997a).

2.2.2 Conflict issues

Conflicts are always about issues, and about the different goals or aspirations of the different parties with these issues. A distinction is often made between three different types of conflicts, depending on the character of the conflict issues involved (Thomas 1992). *Instrumental conflicts or cognitive conflicts* involve differences over empirical or factual issues between partners who share a common goal. These types of conflicts are also defined as controversies. *Interest conflicts* arise when the goals in a conflict - or what a party tries to achieve in a conflict - is generated by underlying interests. Fisher and Ury define interests as the desires and concerns of a party in conflict (Fisher and others 1999). According to Raiffa (Raiffa and others 2002) interests refers to something that *motivates and satisfies* people in making decisions.

Fisher and Ury (Fisher et al. 1999) distinguish between positions and interests. A position is what is demanded by a party in conflict, whereas an interest is the underlying concern for that demand. For instance, an action group can demand to reduce the height of a building as a position, but this position can reflect many underlying interests such as the fear for additional traffic, the fear that the buildings will take away sunlight, etc.

Moore (Moore 2010; Moore 2003) finally defines *interest conflicts as a condition of actual scarcity in which one or more parties believe that gains for one or more party may mean a loss for another*. Such conflicts are also referred as distributional conflicts (Susskind and Cruikshank 1987), since the conflict is generally about the distribution of scarce goods. High-stake distributional conflicts such as conflicts over basic needs as water or land tend to be very difficult to resolve.

The third category is *value conflicts or normative conflicts*. Value conflicts involve substantial issues such as ethics, rights, identity, religion, respect, moral values, worldviews, etc. They are sometimes also referred as ideological conflicts or dissensual conflicts (Moore 2003). One group's most fundamental assumptions

about the best way to live may differ radically from the values held by another group. They may have different standards of rightness and goodness and give fundamentally different answers to moral dilemmas. In some cases, one group may regard the beliefs and actions of another group as so fundamentally evil that they exceed the bounds of tolerance and require active, committed opposition.

Although the typology is somewhat artificial for real life conflicts and boundaries between facts, interest and values are often blurred, it draws our attention to the variance of depths of conflicts. This analytical distinction is important, because the conflict management approaches for the different types of conflict vary.

A conflict of interest involves negotiable and intrapersonal tradable issues, whereas value conflicts mostly have a more non-negotiable character. People are usually willing to trade on objectives and interests, but not to compromise on deep-rooted values and worldviews. Other scholars have proposed similar typologies. Burton (Burton 1990) for instance makes a distinction between *disputes* and *conflicts*. Disputes are short-term conflicts on negotiable issues, whereas the term conflict is reserved for long-term *non-negotiable* interest. As regards to public disputes, Susskind and Cruikshank (Susskind and Cruikshank 1987) make a distinction between *high-stake distributional disputes* that focus on the allocation of funds, the setting of standards, or the siting of facilities and *constitutional disputes* that refer to fundamental constitutional rights.

2.2.3 Conflict strategies

Conflict scholars in social psychology have argued that the actual behaviour of a party in conflict is dependent on the chosen conflict strategy of a party (Thomas 1992; Pruitt and Kim 2004; Kriesberg 2003a; Kriesberg 2003b). Conflict strategies are broad generic mental orientations towards a particular conflict; they are the meta-goals of the conflict. Conflict strategies provide a general idea for the repertoire of actions that will be employed in a conflict. In theory, the number of generic conflict strategies is limited.

Until the mid-1960ties, theorists tended to conceptualize these general intentions into one-dimensional terms, such as cooperative versus competitive, or cooperative versus conflictful. Rappoport (Rappoport 1960) made a distinction between three modes of conflicts: fights, games and debates. Fight is a mode in which the different parties in conflict try to eliminate each other. The goal of a fight is to harm, destroy, subdue, or drive away the opponent. A game is a struggle in which the opponents bind themselves to certain rules. The opponent is assumed to handle rational. The goal is not to harm the opponent, but to outwit the opponent. Finally, in a debate, the goal of a conflict is to persuade the opponent.

In more recent work, these one-dimensional models had been replaced by two-dimensional models. The influential conflict model of Thomas (Thomas 1992), based upon earlier work of Blake and Mouton (Blake and Mouton 1964), for instances has distinguished five pure strategic intentions towards a conflict, being avoiding, accommodating, competing, contending, compromising and finally collaborating.

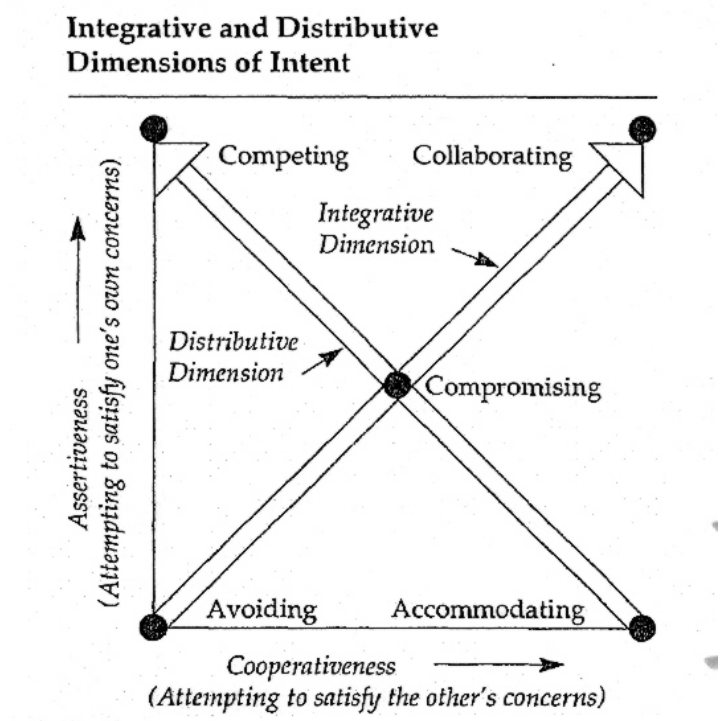

Figure 5: Strategic orientations of conflict, source Thomas 1992

Avoiding is a conflict strategy in which a party chooses not to engage in a conflict. Although the party is thus aware that other parties are pursuing incompatible goals, the party avoids in engaging in a conflict relation with its adversaries. The motive for such non-engagement can be that the party thinks either that the actions of its adversaries are not threatening, or that interaction with its adversaries is for some reason not possible. Pruitt distinguishes between withdrawal from a conflict versus inaction (Pruitt 1983). Whereas in *inaction* the conflicting parties still do have contact, they fail to address the conflict. Withdrawal means that one of the parties avoids contact with the other party.

The strategy of *accommodating* refers to a strategy in which one party gives up its own preferred goals in order to satisfy the other party. In such a strategy, the

desire to keep a peaceful relation going on is larger than the desire to achieve its preferred goals. Thus accommodating is a strategy that prioritizes the relationship above a party's own aspirations.

Competing is a strategy in which a party will seek to impose its goals to its adversary. Competing is typically a strategy when a conflict is perceived as a zero-sum game, in which wins for one party are perceived as losses for another party and vice versa. The goals of both parties are thus perceived to be opposite.

The fourth and the fifth possible generic conflict strategy are *compromising* and collaborating. *Compromising* is a strategy in which one party partially gives in on some issues, in exchange of a concession of the other party on other issues. Compromising is a strategy in which both parties thus sacrifice some of their ambitions in order to seek a solution for their conflict. Typically, within a compromising strategy, the parties bargain with each other. Collaborating differs from compromising in the sense that a solution for the conflict is sought in which none of the parties has to scarify its ambitions of goals. Such a strategy is thus oriented at creating a win-win situation for both parties.

Several models have been proposed to explain what determines the actual choice between the different general strategies. The dual concern model for instance predicts that the choice for a strategy is based upon two underlying variables, namely the amount of assertiveness or the concern about one's own outcome on the one hand and the amount of cooperativeness or the amount of concern about one's other outcome on the other hand. Thus, when a party has high concern about its own outcome, and low concerns about the other's outcome, a competing strategy is very likely. A party that has high concern for the other's outcome, but low concern for its own outcome is likely to accommodate. When both are low, avoiding is a probable strategy. When both are high compromising or collaborating are likely the chosen strategies. The dual concern model has been confirmed by other studies (De Dreu 2000), and has proved to be a solid predictor of the adopted conflict strategy of a party.

However as Pruitt and Kim (Pruitt and Kim 2004) notice, next to the dual concern model, also other factors play an important role in explaining the strategic choice. The *expected feasibility perspective* for instance draws attention to the extent to which a strategy seems capable of achieving a party's goals at an acceptable cost. Ex-ante considerations of the feasibility and risks of potential strategies towards the conflict play thus an important role in adopting a conflict strategy. According to Pruitt and Kim, collaborating or compromising is perceived more feasible under certain circumstances, such as when parties have a perceived common ground, share a level of trust and perceive a low risk of engaging in problem solving. Important is to remark that in case of unequal power compromising or collaborating are likely not to be chosen.

Contending or competing is more feasible when one party perceives that it has more power or resources than its opponent does. Ceteris paribus, contending is also perceived more feasible if the other party seems weak or undetermined. In the case of conflict between groups, the perception of internal dividedness might give a stimulus for a competitive approach. Yielding or accommodating, finally is perceived more feasible if a party is under serious time pressure, or when it perceives its opponent much more powerful.

Although conflict strategies provide an important analytic insight, in reality such strategies are seldom in their pure form. Moreover, it is perfectly possible that a party in a conflict uses a mix of different strategies, such as a mix between compromising and competing, or that different strategies are used by one and the same party in different episodes of a conflict. Nevertheless, as we will show, the actions or tactics that are deployed as a result of one strategy sometimes exclude actions or tactics related to other strategies.

2.2.4 Conflict tactics

A choice of a conflict strategy determines the repertoire of actions or tactics used in the conflict by the different parties.

Avoiding tactics might include for instance denial, or actions that detract the parties from the conflict, such as appointing talk committees to camouflage inaction. Other avoidance tactics are making convincing excuses why interaction cannot take place.

In the literature, most attention has gone to those tactics that relate to competing or contending, and those tactics that related to problem solving, compromising or collaborating. The different tactics of competition are coercion, reward and persuasion. Coercion is defined by Kriesberg (Kriesberg 2003a; Kriesberg 2003b) as actions, including symbolic ones, which injure or threaten to injure the adversary; they are presented as efforts to intimidate and deter the opponent, or to force the opponent to comply with the demands made by the coercer. Rewarding on the other hand are conditional benefits that are promised or actually given to an opponent when the opponent meets the requirements of the rewarders. Finally, persuasion is an attempt to change an opponents' belief or value system in order to comply with the persuader's interests. Kriesberg remarks that persuasion is seldom an effective contention tactic, since a party in conflict is unlikely to accept argumentation as genuine and trustworthy from their opponents.

A strategic orientation towards compromising or collaborating will make use of another set of conflict tactics. Compromising tactics are aimed at convincing the other party that a negotiated solution will yield the best possible outcome for both parties, or that the other parties options next to a negotiated agreement

(BATNA's or best alternative next to negotiated agreement) are lower than expected. A collaborating strategy requires that parties are open as regards to their real interest and ambitions. The more "open" and "honest" they are, the more likely that they can find mutual gains during collaboration. There is however a dilemma involved: the more a party reveals its true interests, the more vulnerable the party becomes to be exploited by the other party. This dilemma between competing tactics and collaborative tactics has been labelled in negotiation theory as the negotiator's dilemma (Raiffa et al. 2002).

2.3 Game theoretical models of conflict

Game theoretical models have been very helpful to model and understand the logic of strategic interaction in conflicts and the outcome of conflicts. In game theory, conflicts are simplified and modelled as "games" between different players who try to maximize their payoffs P by adopting a certain game strategy S, and who are mutually dependent in achieving these payoffs. In the terminology of game theory a player is the equivalent of a party in the conflict theory terminology, and the payoffs equals the outcome of a conflict.

Much of the pedagogical power of game theory comes from non-cooperative two player games. In these types of games, there are only two players, who have two strategies at their disposal and in which there is a set of 4 possible payoff constellations related to each combination of the strategies. Furthermore, it is assumed that both players have perfect and complete information about their and their opponents' strategies and the payoffs of these strategies. Such games are very often displayed in a matrix format as shown in Figure 6

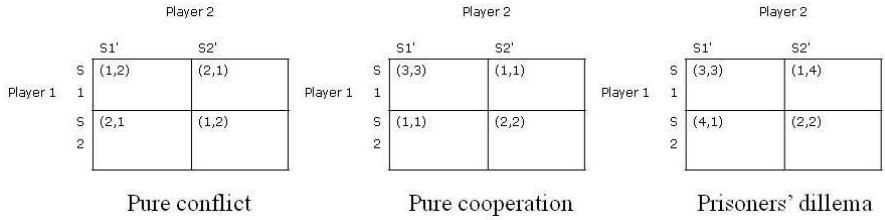

Figure 6: game constellations

Based upon the constellation of the payoffs, different types of games can be distinguished. The simplest game is that of *pure conflict* (or zero-sum or constant sum games), in which one side must lose what the other side gains, and constellations of *pure cooperation* in which all actors can maximize their own payoff by agreeing on concerted strategies.

As can be seen in the first constellation of Figure 6 the situation between player 1 and player 2 is a pure conflict constellation. If player 1 chooses S2, player 2 best answer is S'2, but if player 2 chooses S2', player1 best answer is S1. Both players can never agree which strategy to follow, because the other player loses what one player wins. Such a game is also called constant *sum gamed or zero-sum games* because the aggregated sum of the payoffs of the players remains constant, no matter what strategy has been chosen. In the different possible outcomes, only the distribution of the total payoff changes, not the overall sum of the payoffs.

The second constellation represents a game of pure cooperation. If the players have complete information and if they act rational, the players will always agree to choose strategy S1, because this will yield them both the best payoff. There is thus no conflict between the strategies of both players.

Most real life conflicts are however neither pure conflict nor pure cooperation, but mixed. The so-called mixed motive games have both a distributive as a cooperative component. Here again, depending on the type of constellation of the payoff matrix different types of mixed games can be distinguished.

The "prisoners' dilemma" is probably the most well known mixed motive game. In the prisoners' dilemma, the dominant strategy of both players is strategy S2 and S'2. Although for both players S1and S1' would be the best strategy returning both a payoff of 3, it is safer for both players to choose S2 in order not to risk a payoff off 1 when the other player goes for S2'. If the players opt for the dominant strategy, the outcome of the game will be (S2, S2') with a payoff of 2 for both. The players end up with a suboptimal result. If they could trust each other completely, and make binding agreements they would end up with a (3, 3) payoff.

The prisoners dilemma has been used to explain all sorts of social phenomena such as over fishery and overexploitation of natural resources or even traffic jams (Ostrom 1990; Hardin and Resources for the Future 1982; Hardin 1968). The dilemma explains how purely individual rational strategies can result in suboptimal societal outcomes.

2.4 A phase model of conflict

In the study of individual and social conflict, conflict scholars were early to see some regularity and predictability in the pattern of conflict interaction. Many authors in different fields of study, such as organizational sociology, psychology, and peace studies have argued that conflict interaction patterns develop through different stages (Pondy 1992), phases or episodes (Kriesberg 2003b). Other authors have argued that conflicts can be understood as spirals or conflict cycles (Carpenter and Kennedy 2001).

The stage model offers a descriptive device for the empirical reality of social conflicts and provides a fertile ground for theory building. The core idea of the phase model of conflicts is that a conflict can be seen as a serial succession of phases in which each phase has a particular interaction pattern with its own distinct internal logic and development. Or as Pondy argues (Pondy 1992):

> *Each conflict relationship is made up of a sequence of interlocking conflict episodes; each episode exhibits a sequence or pattern of development, and the conflict relationship can be characterized by stable patterns that appear the sequence of episodes (p347-348).*

This stage model of conflict defines the different phases of conflict interaction as (1) latent conflict, (2) emergent conflict, (3) conflict escalation and (4) conflict de-escalation.

- Latent conflict refers to the antecedent or underlying conditions of conflict. It is the phase in which a conflict between interests or goals is present, but not felt.
- Emergent conflict is the phase in which at least one party in the conflict develops an awareness of its incompatible interest, needs or values.
- Escalation refers to the process in which the conflict strategies and tactics of the different parties are developed and in which their incompatible goals are pursued. Destructive escalation occurs when the conflict tactics become harder, in which the number of issues of conflict broadens and/or the number of parties increases.
- Finally, a de-escalation phase is the phase in which the intensity of a conflict decreases, mostly because the parties have arrived at a stalemate. A de-escalated conflict can result in a sustainable solution for all parties involved or can enter a new cycle of escalation and de-escalation.

The phase model sees each phase as a necessary but not a sufficient condition for a conflict to evolve into a next phase. Thus, it is only under certain conditions that a latent conflict is transformed into an emergent conflict and only some emergent conflicts become escalating conflicts and so on. In this way, conflict dynamics are approached as a funnel, in which from the whole set of latent or structural conflicts, only a subset of emergent and escalating conflicts develops.

Pondy and Kriesberg both stress however that not all conflicts go in one line through all the stages identified; the stage model is helpful to consider these stages and to understand why some conflicts move from one to another stage. Understanding conflict requires then a theory which (1) describes the different dynamics in the different phases, and (2) that formulates hypothesises under which conditions one stage of conflict is likely to transform into a next phase.

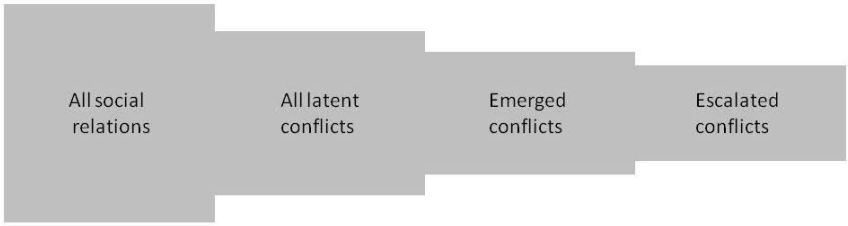

Figure 7: Conflict funnel, adapted from Kriesberg, 2003, p21

2.5 Conflicts in strategic projects

2.5.1 Issues of conflicts in strategic projects

The issues of conflicts in strategic projects can be very diverse. In this analysis, we focus on conflicts that start around the perceived direct or indirect effects of an intended land use transformation. We define a land use transformation as a long term change in the use of a site or the change of spatial arrangement of a site. A land use transformation may be enabled by a change in the institutionally addressed development rights (fi in zoning plans), but can also occur within the existing institutionally addressed development rights. In the remainder of this text, we will consequently label conflicts in strategic projects briefly as *land use* conflicts.

Land use changes can vary from the construction of one building to the planning of a whole new city district. In this research we are interested in land use conflicts in complex and larger land use transformations: land use transformations in strategic projects such as large infrastructure projects, urban redevelopment projects and economic land use projects such as business parks.

Furthermore, we will consider land use conflicts as a special class of social conflicts. Following the general definition of social conflict, land use conflicts can then be defined as the *social interaction pattern that arises when a group of citizens holds the perception that an intended land use transformation by a public agency is incompatible to their interests, values or needs*.

2.5.2 The parties of land use conflicts

Although land use conflicts can involve many parties, we will analyse land use conflicts as dyadic conflicts, with only two main parties. One the one hand there are the promoters of the project, usually a public authority or a private developer,

and one the other hand there are those who challenge the project, usually local protest groups[42].

We acknowledge that this is a rude simplification for most land use conflicts, because the two parties are mostly not internally homogenous. From the part of the promoters, there are often many parties involved in the development strategic projects: public authorities, public agencies, private developers. All these parties often have different interests in the project, and from these different internal interests conflicts can emerge. The public authority for instance might want to provide new functions such as houses or amenities such as parks and sport infrastructure, whereas private developers are mainly interested in financial profit. Some public agencies might defend their own sectoral goals, leading to conflict interests with other public agencies or administrations. Certainly in complex strategic projects, the political dynamics between different policy scale levels can have an impact on the behaviour of public agencies in conflicts with communities.

The side of the challengers might be internally divided too. A community or action group is a collective of local residents and other alleys that opposes a planned land use transformation and organises protest strategies and actions to block or change a land use transformation. Although residents that are directly affected by a land use transformation mostly compose the core of such a group, it is possible that the group has alleys outside the community such as members of political parties, environmental activists, or others.

The simplification from a multi-actor conflict to a dyadic conflict is justified in order to reduce the analytical complexity. Although there are internal differences within one party regarding the different conflict issues, most land use conflicts can be conceptualised as a conflict between those who defend a project proposal and those who challenge a proposal. The focus of the analysis is thus on the conflict relation between the promoters and the challengers of a strategic project. This does not mean however that we will not analyse how internal conflicts within one party affect the conflict relation between the two parties. For instance, internal conflicts might affect the strategic orientation of a party in a conflict. This issue will be further elaborated in chapter 3 and 4.

[42] Although individual conflicts in land use certainly exist, such as individual conflicts between land owners and public authorities on expropriation issues, we will restrict our analysis here to conflicts with collective social entities such as neighbourhood committees or protest groups.

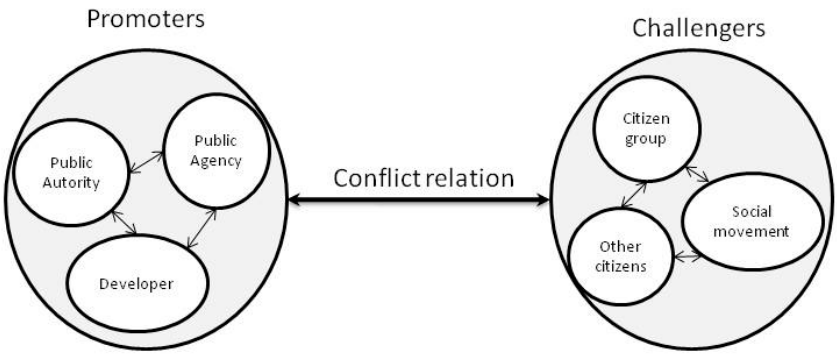

Figure 8: Composite conflict parties

2.5.3 Land use conflicts as public disputes

Land use conflicts are furthermore a special class of *public disputes*. Carpenter and Kennedy define public disputes *as controversies that affect members of the public beyond the primary negotiators in public policy (those involved in decision-making)*. Such disputes may focus on a proposed project, on the development or application of regulation, or on questions of local, state, or federal policy. According to Kennedy and Carpenter public disputes have some distinctive characteristics that make them different from other types of disputes (Carpenter and Kennedy 2001) .

- First, public disputes mostly involve a broad and complicated network of interests. The parties in the conflict are very different as regards to decision making procedures, accountability, power and technical knowledge. The parties also lack a long-term relationship as in labour-management or family conflicts.
- Secondly, there are mostly no standard procedures to handle conflicts. Whereas in labour-management conflicts and in international diplomacy certain procedures, norms or institutions have crystallized, the availability of public dispute resolution institutions is mostly lacking.
- Third, public disputes mostly involve also a broad range of issues. Issues transform throughout the conduct of conflict, new issues emerge, and old issues disappear.
- Finally, the issues in public controversies entail strongly held values. Public disputes are often about worldviews on what is wrong or right, and what is just or unjust.

Thus, if land use conflicts are a special class of public disputes, some of the general characteristics of public disputes are equally valid.

2.5.4 Phases of land use conflicts

In line with the phase model of conflict, we will also analytically distinguish different phases in a land use conflict: a phase of conflict emergence, a phase of conflict escalation and finally the conflict outcomes. The phase of conflict emergence is the phase in which residents *start to realise that a proposed land use transformation is likely to negatively affect their environmental quality*. Here we must make a distinction between individual awareness and collective awareness. Awareness must always start at an individual level. It is an individual and not a group that has the physical brains to be aware of a situation, and therefore awareness is always an individual attribute. However, awareness is not isolated from its social context. It is constructed and shaped by social and communicative interaction, thus in this sense it also an attribute of groups of individuals. We will consider land use conflict emergence as the phase that begins with individual awareness but ends with the formation of a collective awareness that has formed a strategy how to engage in the conflict.

The phase of conflict escalation is consequently the phase in which this group starts to develop its conflict strategy and tactics, and how the public agency reacts to these strategies and tactics.

A framework that wants to explain land use conflict must thus consider both phases. In the subsequent chapters, our task will be to develop such a framework.

2.6 Conclusion

In this chapter, we elaborated some organizing concepts of this thesis. We distinguished some important components of conflict such as conflict issues, strategies and tactics, phases. Strategies are the broad mental orientation towards a particular conflict. Tactics are the repertoire of actions that are associated with a conflict strategy. Game theoretical models help to understand and predict broad strategic orientations of different parties in conflicts.

The phase model of conflict argues that in the conflict interaction between conflict parties, different phases can be distinguished: latent conflict, emergent conflict, escalating conflict and de-escalating conflict. A theory on conflict should explain how one phase is transformed into the next phase.

Drawing upon the general definition of social conflict, we defined land use conflicts in strategic projects as the *social interaction pattern that arises when a*

group of citizens holds the perception that a planned land use by a public agency is incompatible to their interests, values or needs.

Since we consider land use conflicts as a special type of a social conflict, we applied some of the concepts developed within social-psychological and game theoretical approaches to the object of land use conflict. We also identified some specific characteristics of land use conflicts as a social conflict. We defined the parties and the issues of land use conflicts.

We will now apply a phase model of land use conflict, in which a difference is made between the emergence of land use conflict and the escalation of land use conflicts. In the next chapter we will focus on theories of land use conflict emergence and theories of land use escalation.

III. Understanding conflict emergence in strategic projects

3.1 Introduction

The goal of this chapter is to construct a theory of the conditions under which land use conflict is likely to emerge. As stated in chapter 2, the emergence of conflicts is the phase in which latent (or potential) conflicts are transformed into manifest conflict interaction. We have already mentioned that we are particularly interested in collective protest, rather than individual protest actions. Our definition of emergence is therefore, *the phase of a conflict in which one or more collective parties starts to undertake actions to try to change an intended land use transformation*.

Our analysis will start with a selective review of the findings of the relevant literature. As the reader will notice, such a theoretical review on community protest in land use is not without problems. The theory on community protest in land use conflicts is certainly not a consistent body of study. Land use conflicts have been addressed in numerous disciplines in the social sciences, such as urban

planning, economics, geography, sociology, psychology, anthropology and policy analysis, which all have developed different theoretical concepts and frames in their own scientific jargon. Scientific knowledge on the topic is thus scattered over different scientific disciplines, which speak different languages, have different methodologies and focus on different aspects of the problem. Furthermore, the findings in these disciplines are mostly unrelated to each other. Because of the methodological barriers between those disciplines, research findings on community protest in one field are seldom transferred to another field. Rather than developing new theories, our main challenge will thus to connect, synthesize and integrate the different perspectives and findings of these different disciplines.

In our review, three different disciplines have been examined. The first discipline is planning theory. Although the theme of conflict is well established in the planning literature, the scholarly attention within planning theory has been devoted rather to prescriptive or normative theories on conflict than to the analysis of the behavioural dynamics that feed planning conflicts. The result is that planning theory actually provides little understanding on the emergence of community conflicts or protest. We will start our theoretical exploration with the discussion in planning journals during the 80's and the 90's on the so called NIMBY problem, which provides a fruitful starting point. The NIMBY theory explains protest in terms of social dilemma's of rational calculating actors. The problem of protest is then conceptualised as a social dilemma. We will start with this "simple" theory, and gradually add more complexity and realism by integrating other theories.

A second discipline comes from psychology. Psychological theories are needed to relax the strong assumptions of rational behaviour of the NIMBY theory, and to allow models of bounded rationality (Simon 1955). The *risk perception* literature merits our attention in explaining community conflicts. This literature suggest that the acceptance of land use transformations is related to the perception of risk. Risk perception theory is a theory on how “objective” risks (or better scientifically assessed risks) are subjectively perceived and assessed by lay people. Risk perception theory is in other words, the study of the subjective judgment that people make about the characteristics and the severity of risk. Such judgements play an important role in the acceptance of a land use project.

The third discipline we will addressed is the sociological literature on social movements and protest movements. A more sociological theory was needed to understand protest as a collective action, rather than an individual action. The NIMBY theory and the risk perception theory are both individualistic theories; they provide explanations on the acceptance of individuals on planning proposals. But they are unable to explain how collective behaviour emergences from individual dispositions. And since we are interested in the emergence of collective conflict parties, the emergence of collective action needs to be explained.

Social movement theory studies the emergence of protest movements, its dynamics and decline. Although scholars in this field did not have in mind land use protest in particular, some of the more general theories are useful for understanding protest movements in land use conflicts. Especially the insights on collective group behaviour are useful to understand how collective action can arise from individual and collective grievances. The theory of political opportunity within this field of study provides clues on how protest movements and thus land use conflicts are related to the political context in which they arise.

This chapter is structured as followed. After our partial and selective review of these theories, we will integrate elements of the different theories into a coherent analytical framework in which we distinguish relevant variables in explaining protest emergence in land use conflicts.

3.2 The underlying causes of land use conflict: The Nimby theory and project externalities

Before there is protest, there must grievance. But where do these grievances come from in spatial projects? What is the motivation for such protest? Probably the most widespread explanation for land use conflicts is the theory of *spatial externalities*, or its more popular variant, the NIMBY - or Not in My Backyard - theory. Briefly, this theory argues that land use conflicts are the result of the (unequal) distribution of externalities of a land use transformations. We will first address the externalities theory, and then move on to the NIMBY theory, which is a more specific elaboration of the spatial externality theory.

3.2.1 Spatial externalities

In traditional economics *externalities* are defined *as actions of actors that affect the utility or production possibilities of other market actors in a way that is not reflected in the market-place* (Just and others 2004). In the case of externalities, prices on the market do not reflect the full cost or benefits in production of consumption of a product or service. The existence of externalities is therefore generally considered an important cause of land market failure

Thus, in the same line *spatial externalities* are defined as land use transformations or transactions that affect the use value or the exchange value of other actors in a way that is not included in the market transaction (J.Papageorgiou 1978). Positive spatial externalities are land use transformations or transactions that increase the use value or production value whereas negative spatial externalities decrease the use value or production value of adjacent locations.

Externalities in the land use market are omnipresent. Nearly every change of use or a spatial transformation or land use change on one site potentially has a positive or negative impact on the use value or the exchange value of a plot in its proximity. The attributes of a location are always dependent on the attributes of other locations in their proximity. Typical land use externalities related to land use conflicts are impacts that diminish environmental quality such as noise or air pollution, but also impacts that affect liveability of a place in general such as accessibility or the availability of public amenities. For instance, the shadow of a high-rise building affects the sun exposure of the adjacent plot, or diminishes the view on the landscape from other plots. When a plot is used for garbage disposal, odour and visual pollution are exported to the adjacent plots. There are also many examples of positive externalities such as the increased accessibility through road construction, or the commercial attractiveness of a site through the localization of a shopping centre. Spatial proximity thus creates fields of externalities in the land use market (Dear 1976). Positive externalities are often also referred as local public goods.

According to the Coase Theorem (Coase 1960), externalities in the land use market are problematic because the land property rights of land owners are always incomplete. Property rights over land not only involve the ownership of the land itself, but also the right to use or build the land within the institutionally addressed rights. In Flanders, for instance, the development rights of a plot are institutionally determined by zoning plans, which provide prescriptions for the rights of use for that plot. Thus, a buyer of a plot of land buys not only the material substrate of the land, but also the institutional rights to build this substrate.

The use value and the exchange value is however not only dependent on its development or use rights, but also on the constellation of positive or negative externalities that are attached to the location of the plot. For instance, the plot might be located in a residential area with low crime rates, a beautiful view on the landscape, accessibility to the road network, proximity to public facilities, good air quality etc. When land is transacted, the externalities will be reflected in the land prices. A plot of land with a beautiful scenic view or with a good accessibility will cost more on the market than a plot without such a view.

Thus, although price formation on the land market mostly takes into account the availability of externalities, the property rights do not include these externalities. For instance, a house with a beautiful view on a landscape has a higher price than a similar house without a view, but the buyer does not obtain the right over this beautiful landscape in its transaction. He or she has no “property rights” over the beauty of the landscape. There is thus a discrepancy between on the one hand the incomplete property rights that are traded and the market price formation of that transaction.

The consequences of externalities and the incompleteness of property rights are also that local public goods can be destroyed or reduced without any cost. An actor that diminishes a local public good through a land use transformation is not required to compensate other users of the local public goods, because nobody holds the property rights on these public goods, and no market exists to trade these local public goods. For instance, a development of a new office building can increase the congestion in a location, reducing the overall accessibility of the location, without having to compensate the residents of that location. As long as there is no market for traffic capacity, no market compensations are possible. In general, whenever public authorities create a new project, negative externalities can decrease the availability of local public goods. The resulting loss of use value for the residents and users of the area, relative to the existing situation, can be a potential base for discontent.

As a general rule in spatial externalities, one can expect that the impact of a spatial project decreases with increasing distance (Dear 1976; J.Papageorgiou 1978). For instance, noise levels, visual impact or traffic attraction mostly decline, until after some distance, the impact is negligible. It is therefore reasonable to assume that discontent arises within a restricted impact zone around a land use transformation.

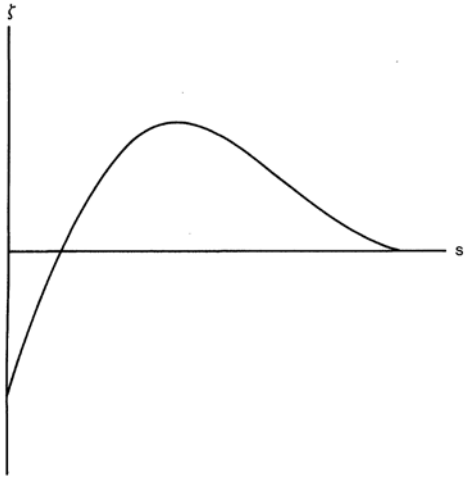

FIG. 1. Distance-response function. This example may reflect the impact of a freeway upon its surroundings. The gradient of a park, however, will decrease monotonically away from the origin.

Figure 9: Distance-response function, adapted from Papageorgiou 1978

3.2.2 The Nimby theory

A special case of the externalities theory is the so-called NIMBY theory[43] (Anon 2007;Benford et al. 1993;Burningham 2000;Dear.M. 1992;Freudenberg and Pastor 1992;Groothuis and Miller 1994a;Groothuis and Miller 1994b;Lake 1993;Luloff et al. 1998;Mazmanian and Morell 1990;Pendall 1999;Quah and Tan 1998;Schively 2007;Wolsink 2000). The acronym NIMBY stands for "Not In My Backyard" and refers to the hostile reaction of residents to the siting of an unwelcome spatial facility in their direct environment (Freudenberg and Pastor 1992; Wolsink 1994).

In the Nimby theory, protest behaviour is explained as the result of an unequal spatial distribution of externalities of technical facilities such as waste disposal facilities, nuclear power plants, road and rail infrastructure or social facilities such as homeless shelters or homes for disabled. Such functions are often also labelled as "LULU's" of locally unwanted land use.

Although such facilities may provide general benefits for the whole society, they can have important local negative externalities, in terms of increased environmental or social risks. Thus, the provision of such a "useful" facility for society as a whole requires sometimes sacrificing local interests of the community in which the facility is sited. The result is that a local community will try to resist the siting of the facility and relocate it elsewhere: hence the label "not in my backyard". Nimby'ism refers thus to an attitude in which the general usefulness of a facility is recognized, but in which local communities refuse to accept the local spatial externalities associated with the facility.

The aggregated effect of such local behaviour is that it becomes increasingly difficult to provide facilities that are in the public interest. Therefore, NIMBY behaviour has been frequently described as a *social dilemma* or a *multi person prisoner dilemma*[44]: society at large would be better off to produce such facilities, but from a local perspective such facilities are unwanted. The local resistance to such facilities will resort in an underproduction of the facility, by which society as a whole will eventually pay the price.

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[43] Since the acronym NIMBY has been developed, several variants on the acronym have been developed pointing to other motives for protest. The acronym NIABY's (Not in any backyard) or NOPE's (Not on Planet earth) refers for instance to protest which is motivated by a moral refusal of the facility. Thus is a typical motivation for protest for instance against nuclear waste disposals. BANANA's of "Build absolutely nothing anyware" refers to protest which is motivated by a strong opposition to further urbanization.

[44] See chapter 2 on the prisoner dilemma

The “NIMBY” label is in its popular daily use often associated with irrational, ignorant or selfish motives for protest (Freudenberg and Pastor 1992). However, several scholars have found evidence that in many protest cases the motives for protest hardly can be classified as purely selfish or ignorant (Kraft and Clary 1991; Wolsink 1994). Moreover, some scholars have even warned against the use of the label NIMBY to describe community protest, because it is based upon a superficial or even false understanding of community protest (Burningham 2000; Lake 1993). The use of the NIMBY label by government actors in a community conflict works as a stigmatizing term and can even give rise to self fulfilling prophecies (Coppens 2007).

3.2.3 The role of risk perception: Objective externalities versus perceived externalities

There is a growing literature concerning the relation between risk perception and the public acceptance of land use changes (Rogers 1998; Fort R and Rosenman 1993; Webster-Herber 2004; Fort and Rosenman 1993). Scholars have found that there is an inverse relation between risk perception of a land use change and its acceptance. Risk in its technical sense means the product of the probability and the magnitude of the impact. The perception of risk is the subjective assessment of risk by psychological individuals.

As we explained above, land use transformations change the existing bundle of local public goods by imposing externalities within the project impact zone. Some of these externalities will only come into existence in the future, after realization of a project, so they are mostly uncertain on beforehand. Therefore, potential externalities of a land use change pose a certain risk on residents.

In essence, the risk perception literature adds the dimension of uncertainty to the externalities theory. Whereas the externality theory, an economic theory, posits fully rational utility-maximizing individuals with complete information, the risk perception literature posits psychological individuals who expect certain utilities, but who are to a large extend uncertain and must decide under uncertainty.

An important source of uncertainty comes from the lack of information on the land use transformation or form the lack of capacity to process this information(Schively 2004). Most residents within an impact zone will have limited information about the planed land use transformation. This information will therefore not allow making an accurate evaluation on the future impact of a plan. Furthermore, a large group of residents will not be reached, or is not interested and ignores the available information.

When the host population receives information, they have mostly also little capacity to process it. It is difficult for lay people to understand design drawings

and to understand the technical language of the experts involved in designing the plan. First, there is uncertainty how paper plans, renderings and drawings will turn out in a three dimensional reality. No matter how good simulation tools in design are, there is still a large gap between the rather abstract and usually overoptimistic representations of how a space will be and the reality of a real built space with its light, noise, odour, and all types of unexpected uses. But even when plans are understood, it is difficult to assess future causal links between a proposed land use transformation and its potential impact on local public goods. There is thus uncertainty about the magnitude, scope and frequencies of the externalities associated with the plan.

In the risk perception literature, it is well recognized that there is substantial variation among individuals in regard to their perceptions of impacts from land use transformations, and that there is a considerable difference in formal scientifically assessed risks and the perceived risks by laymen (Kahneman and Tversky 1979; Slovic 1987). The psychological theory of risk perception states that people use a set of mental strategies or heuristics in order to make decisions in an uncertain world. Instead of making a rational and analytical calculation, people use cognitive shortcuts and intuition to assess whether risk is acceptable or not.

Intuition or cognitive heuristics are a sort of brain-shortcuts. They allow our brain to make fast and mostly efficient decisions. However, the efficiency of such a decision is often at the expense of accuracy. Although these decision rules are valid in many cases, in other cases they lead to large and persistent biases; with serious implications for risk assessment (Kahneman 2003;Kahneman & Tversky 1979;Slovic 1987). Psychometric laboratory studies on environmental risk by Slovic etal (Slovic 1987) have shown that the perception of risk is actually often related to other qualitative dimensions of risk. Slovic found that voluntariness, immediacy of the effect, personal knowledge of the risk, scientific knowledge about risk control over risk, newness, chronic versus catastrophic effect, and dread of risk play an important role in the intuitive assessment and acceptance of risk.

In their review of risk perception studies, Cohrssen and Covello found a similar, but more expanded list on the different qualitative dimensions of risk that influence risk perception (Cohrssen and Covello 1989).

Dimension	Conditions Associated with Higher Perceived Risk	Conditions Associated with Lower Perceived Risk
Severity of consequences	Large numbers of fatalities/ injuries per event (e.g. airplane crashes)	Small numbers of fatalities/ injuries per event (e.g. deaths from falls)
Probability of occurrence	High probability of occurrence (e.g. heart disease among heavy smokers)	Low probability of occurrence (e.g. rare diseases)
Reversibility	Irreversible consequences (e.g. AIDS)	Consequences appear reversible (e.g. gonorrhea)
Delayed effects	Chronic effects that are delayed in time (e.g. cancer)	All effects immediately realized (e.g. burns)
Impact on future generations	Risks borne equally or greater by future generations (e.g. ozone depletion)	Risks borne primarily by current generation (e.g. sunbathing)
Impact on children	Children specifically at risk (e.g. birth defects)	Risks threaten adults only (e.g. occupational risks)
Victim identity	Identifiable victims (e.g. sailor lost at sea)	Statistical victims (e.g. highway fatality estimates)
Familiarity	Unfamiliar risks (e.g. ozone depletion)	Familiar risks (e.g. household accidents)
Understanding	Lack of personal understanding of mechanisms or processes involved (e.g. nuclear power plant accidents)	Personal understandings of mechanisms or processes involved (e.g. fires; slipping on ice)
Scientific uncertainty	Risks unclear or uncertain to scientists (e.g. disagreements among scientists about the risks of nuclear power)	Risk relatively well know to scientists (e.g. auto accidents)
Dread	Risks evoke fear, terror, or anxiety (e.g. toxic chemicals in an abandoned hazardous waste site)	Risks not dreaded (e.g. food poisoning)
Voluntariness	Involuntary exposures (e.g. air pollution)	Risks taken at one's own choice (e.g. skiing)
Controllability	Little personal control over risk (e.g. traveling as a car or airplane passenger)	Some personal control over risk (e.g. driving an automobile)
Clarity of benefits	Benefits from or need for activity generating risk questioned (e.g. nuclear power)	Clear benefits (e.g. traveling by car)
Equity	No direct benefit for those at risk from an activity (e.g. people living near an abandoned hazardous waste site)	Seemingly equitable distribution of risks and benefits (e.g. vaccinations)
Institutional trust	Lack of trust in institutions responsible for risk management (e.g. regulatory agencies with perceived close ties to industry)	Responsible institutions well trusted (e.g. management of recombinant DNA research by the National Institutes of Health and universities)
Personal stake	Individual personally at risk (e.g. living near an abandoned hazardous waste site)	Individual not personally at risk (e.g. disposal of hazardous waste at a remote site)
Attribution of blame	Risk cause by human failure (e.g. explosion at an industrial plant caused by negligence)	Risk caused by nature (e.g. lightning)
Media attention	Much media attention (e.g. airline crashes)	Little media attention (e.g. on-the-job injuries)

Source: Cohrssen and Covello (1989, 10-11)

Form this table, one can conclude that in absence of knowledge of the objective probabilities of a hazard, or of the magnitude of a hazard, people or groups of people tend to rely more on their perceptions of the qualitative, intuitive dimensions of risk. According to Shively (Schively 2004), when individuals or groups are uncertain about the magnitude and/or probability of risk (quantitative dimensions), either because out of their own limited knowledge, the limited knowledge

of the experts, or disagreement among the experts, they will be uncertain about the acceptability of that risk and about what should be done about it. They take decisions, guided by the other dimensions of risk, resulting in a systematic over- or underestimation of the risk.

Risk perceptions are persistent. It has been shown that once risk perceptions have formed, it is difficult to change these perceptions. Individuals who are highly uncertain will attribute low expected value to additional information and will be unlikely to expand resources to acquire it (Morgan and others 1990). Under conditions of uncertainty of risk, people tend to reconfirm their previously hold believes, and to negate alternative claims about the risk of hazard (Schively 2004). Research has shown that persons who perceive the presence of environmental risk are certain about their perceptions and are unlikely to trust information that suggest that the risk doesn't exist (Johnson and Scicchitano 2000). Selective perception in the search process of available information leads to "hypothesis-consistent" evidence rather than to evidence, which challenges pre-existing believe.

Overall, the risk perception literature provides important clues how varying and even conflicting perceptions upon the projected impact of a land use transformation might exist, and how they result from psychological decision-making processes. The literature shows that people in the face of uncertainty stemming from (1) the lack of information and (2) the lack of processing the information; tend to rely on intuitive and biased judgments on the impacts of a facility. This in turn determines the acceptability of a proposed land use transformation

3.3 Community protest and social movements

In the previous paragraphs, we discussed the externalities theory to explain how a spatial project can cause discontent, and how psychological biases on risk perceptions play a role in the acceptance of such externalities. However, the gap between individual dispositions and collective protest is still large. Moreover, the individualistic theories, such as the Nimby theory or the risk perception theory, seem to ignore the fact that protest is a form of collective action. Moreover, in the second chapter we stated that we are particularly interested in those cases of land use conflicts in which the challenging party is a group of citizens.

The emergence of collective action out of a set of shared grievances is certainly not self evident or self-explicative. Between the individual disposition of accepting or rejecting a proposed land use change and the actual social organization of protest are indeed many "barriers". In other words, the availability of (individual) discontent might be a necessary condition, but is certainly not a sufficient condition for the emergence of conflicts in strategic projects as the Nimby theory

seems to suggest. To explore the aspect of collective action in protest and conflict more in depth we will make a necessary detour into theories of social movements.

3.3.1 Social movements

The long-standing research field on social movements and protest movements might add additional insight how from a set of shared grievances, temporal or long-standing organizations can emerge. Social movements or protest movements have been defined by Turner and Killian *as a collectively acting with some continuity to promote or resist a change in the society or organization of which it is part (Turner 1987)*. Zald and McCharty see a social movement *as a set of opinions and beliefs in a population which represents preferences for changing some elements of the social structure and/or reward distribution of a society, whereas a social movement organization is a complex, or formal, organization which identifies its goals with the preferences of a social movement or a countermovement and attempts to implement these goals*" (McCarthy and Zald 1977).

In the theoretical developments of social movements, early work of the 60ties and the 70ties were preoccupied with the question why social movements emerge. Early perspectives considered social movements as irrational, dysfunctional and inherently undesirable, and described those who joined them as disconnected from the intermediate associations that would link them to more productive and less disruptive social pursuits (Meyer 2004). Early theories such as those from Le Bon, (LeBon 1978) and Hoffer (Hoffer 1951) focused on societal strains, deprivation and discontent as basic explanatory factors for explaining movement emergence. The common assumption was that the emergence of social movements could be explained by analyzing shared and/or imposed grievances and generalized beliefs or ideologies about its causes. Shared grievances were related to concepts such a strain, stress, emotion, alienation, frustration or relative deprivation.

However, in subsequent empirical studies, this relation turned out not so straightforward as initially thought. There was evidence that more objective or subjective deprivation not necessarily leads to more instances of social movement organizations, but also that prior shared believes are sometimes absent, before the emergence of social movement (Klandermans 1984; Klandermans 1997a).

In the early 70ties, some US scholars developed new corrective perspectives on social movements. Rather than conceptualizing social movements as the result of irrational, frustrated or emotional action, some scholars started to accept the idea that social movements could be rational responses of excluded groups to advance their interests. Social movements and their rational collective actions were conceptualized as *'politics by other means*' or as non-institutionalized forms of

political action. As a form of collective action they were considered as a mean for individuals to achieve a specific goal, a mean to be chosen from other action repertoires available in society. Lipsky for instance, defines protest *as a mode of political action oriented toward a objection to one or more policies or conditions, characterized by showmanship or display of an unconventional nature, and undertaken to obtain rewards from political or economic systems while working within the systems* (Lipsky 1968). The main question that prevailed in this line of research was not so much *why* social movements emerge, but more *how*. It was accepted that discontent or strain are indeed necessary conditions for movement emergence, but at the same time it was assumed that "*that there is always enough discontent in any society to supply the grass-roots support for a movement if the movement is effectively organized and has at its disposal the power and resources of some established elite group*" (McCarthy and Zald 1977).

Because the assumed rationality of movement participation, the seminal work of Mancur Olson - *The logic of Collective Action* - has been very influential (Olson 1965). Not only because this theory explains collective behaviour from a rational perspective, but also because it explained very well why individuals often *do not* participate in social movement organizations. Since movements are seen as a mean to fulfil the individual interests of its members, Olson reasoned, and since the individual effort to contribute to a movement does not relate directly to the marginal success of a movement, individuals have the tendency to *free ride*, making in the end that the movement cannot be sustained. Thus, while sympathizing the goals of a movement, most individuals do not contribute the necessary resources that are needed to run the movement. Whereas in small organizations, social control or reciprocity might prevent free rider behaviour, such mechanism become less relevant the larger the social movement gets. Therefore Olson concluded that the larger movement organizations become, the more difficult they can mobilize resources.

Despite the iron logic of Oslon's dilemma, large social movements exist and flourish. The *free rider* problem is thus for movements theorists one of the most pertinent analytical puzzle. In explaining collective behaviour and collective action, special attention should go to the incentive structure for mobilization and the costs and expected benefits of movement participation. The resource mobilization theory (RMT) from Zald and McCharty (McCarthy and Zald 1977) has been an influential theory within this new perspective. It posits that a movements' success depends largely on the resources in terms of labour, capital, knowledge etc it can mobilize for its goals. And the success of mobilization relates on its turn to the type of strategies social movements use in mobilizing. RMT thus focuses consequently on the different strategies and tactics of mobilization. It distinguishes between the different target groups of mobilization, such as supporters, mass and elite publics and the different tactics that can be used in involving target groups.

For Zald and McCharty, these strategies imply dilemmas, since the amount of resources given to an organization is limited, and the choice for one tactic may exclude another tactic. It is thus by the careful study of the use of these strategies and tactics that a movements' success or failure can be explained. RMT suggest in an almost cynical way that the societal support for the goals or ideologies of social movements are of secondary importance in explaining a movement success. RMT turns the casual relation upside down: rather than arguing that general feelings of discontent result in collective action, social movements strategically create support for the social movement's goal.

In Europe the study of social movements had taken a somewhat different direction(Klandermans 1997b). Rather than focusing on the strategic behaviour of social movements as collectives, for European scholars the construction of meaning and identity became the central focus in research in explaining social movements (Benford and Snow 2000). Castells work on the grassroots movements in cities for instance explains protest as the expression of class struggle and of the resistance against cultural globalisation (Castells 1983). The European literature in general argued that (1) grievances, resources and opportunities are not objectively given, but they are socially constructed, and (2) that identification with one or more social movements is constitutive in identity formation. Whereas the decision to participate in social movements in the US line of research has been explained by calculated rational behaviour, the European scholars focused upon explanations which include ideology and identity. The analytical attention thus focused on how social movements can act as sponsors of meaning and carriers of identity for different groups in society. Klandermans (Klandermans 1997b) for instance focuses on collective action frames of social movements that are constructed by public discourse, persuasive communication and consciousness raising during episodes of collective action. The argumentation is that such collective action frames overcome purely self-interested behaviour as postulated by resource mobilization theorists.

Rather than seeing the different research lines in the US and in Europe as opposite, we consider them complementary. Some movements exists and flourish because they provide clear benefits to their members, other movements exists and flourish because they provide identity and a sense of belonging to their members (such as nationalist organizations), and still other movements provide both. If the goals of a movement are purely instrumental, such as professional lobby-groups, it is probably more likely that the motives for membership are also instrumental. If the goal of the movement is ideological and encapsulates a certain world-view, its members are probably more attracted by the identity the movement's memberships provide.

3.3.2 The emergence of collective action in land use protest

It is clear that in the social movement literature the emphasis shifted from explaining the structural sources of social conflict such as relative deprivation or strain towards explanations that involve theories of mobilization and collective action. A similar reasoning can be made for land use conflicts. A successful theory on land use protest cannot focus only upon the underlying sources for land use conflicts (such as the externalities or Nimby theory). Equally important is to analyze how these sources of conflict are or are not transformed into collective action. Referring to the definition of a social movement given above, *a protest group in a land use conflict is a collective with some continuity to promote or resist a land use transformation.* The findings in the broad field of social movement theory are thus potentially also relevant for community protest to spatial projects.

If protest groups can be considered as forms of socials movements, the next question is *how* the social mobilization theories can explain protest emergence in land use conflicts. Following the *politics with other means* perspective taken in the movement literature, protest emerges out of a rational calculation of its members and strategic mobilization of resources. The *cultural theory* on the other hand, explains its emergence more in terms of emotional ideological decisions and the mobilization of meaning. Above, we have already mentioned that both explanations are complementary and depend much upon the agenda and goals a social movement wants to achieve.

However, in the case of land use protest, we argue that it is more likely that collective action in land use protest is driven mainly by rational motivations or at least goal oriented behaviour. Since the primary goal of a protest group is to change or block a proposed land use change, it is much less likely that protest groups in land use conflicts are constitutive in identity formation, or that protest groups have strong binding ideologies.

Protest groups are indeed directly related to a proposed land use change: without a land use change, there simply would be no protest group. Thus, since the project is the only reason why a protest group exists, protest is very unlikely to provide a coherent worldview that is supportive in identity formation. This does not mean that some individuals might be motivated to participate in a protest group out of ideological reasons (for instance environmental ideologies or political ideologies). However, all the members in the group do not necessarily share these ideological motivations. The ideological motivation is not the glue that keeps the protest group together. Moreover, a strong ideological orientation of a protest might be a disadvantage, since residents that potentially support the goal of the protest group (change or block a proposed land use change) might be deterred by its ideology.

3.4 Resource Mobilization in land use conflicts

In order to be able to block or change a project, it is necessary that those affected by the impact of the proposed project support the goals of the protest group. The more support it has among the local residents, the more likely decision makers and politicians are responsive to the demands of the protest group. Thus, from the viewpoint of the protest group, more local support means more chance on success.

Scholars such a Tilly, Dahrendorf and Kriesberg have identified factors which increase the ability to mobilize protest coalition. Tilly (Tilly and others 1981) argues that mobilization is affected by the degree of solidarity within a group. Solidarity organization is a product of *catness* and *netness,* called *catnet* for short. Catness refers to the strength of a shared identity in a group and the sharpness of social boundaries that comprise all those who share a common characteristics. *Netness* refers to the density of networks among group members that link them to each other by means of interpersonal bonds. Solidarity increases with catness. Mobilization in turn can be measured by the amount and kind of resources in a group multiplied by the probability that these will be delivered for the pursuit of group goals, when needed. Dahrendorf (Dahrendorf 1959) has specified three conditions that allow the mobilization of quasi groups into conflict groups: (1) technical conditions including leadership, charter and ideology, shared norms, material resources (2) political condition such as the freedom of association (3) social conditions such as the ability to communicate. In the same line, Kriesberg (Kriesberg 2003a; Kriesberg 2003b) identifies 4 similar and related characteristics that foster the emergence of a collective protest group: (1) homogeneity of its members, (2) ease of communication, (3) clear boundaries and (4) organizational potential.

The *homogeneity* of the affected group and their boundaries with the rest of the world increases the group solidarity and the ease of forming a collective identity. *The ease of communication* depends upon the number of the population, their social and technical skills, the sharing of a common language, and the social and non-social links among them. Finally, the *organizational capacity* of a conflict group depends upon the availability of leaders and pre-existing networks.

3.4.1 Project impact zone and resource mobilization

Although the above mentioned factors affect the mobilization capacity of conflict groups in general, we could also theorize specific resource mobilization characteristic for spatial conflicts. Given the fact that the spatial impact of a project declines with distance (see paragraph 3.2.1), potential supporters of the protest group are

most likely to find in the vicinity of the project site. We will call the zone in which the inhabitants think the project will have an impact on their environmental quality the *Project Impact Zone* (PIZ).

The PIZ will of course vary with the type of the project proposed and the character of its impact. For a residential high-rise building, a PIZ might be fairly limited to the adjacent houses only. However, for a nuclear plant, the PIZ might span over a whole region.

Based upon Tilly, Dahrendorf and Kriesberg, we advance the hypothesis that the ability to mobilize within the PIZ depends on

1. The density and homogeneity of the residents of the impact zone
2. the availability of existing networks such as existing citizen groups, but also the relations between neighbours
3. the intellectual skills of the residents

Within the PIZ, there are generally three positions regarding the project, defining three groups (see Figure 10). The first group are individuals who reject the project (the rejecters) and thus support the goals of the protest group. Not all rejecters will actively protest however. Within this group, only a fraction also actively contributes resources to achieve the goals of the protest group (the contributors).

The other rejecters either *free ride* on the resources of the contributors or may have decided that the costs of protest participation (in terms of invested free time or money) exceeds the expected gain of protest participation. Contributions can also vary from very low cost contributions such as the display of support in a petition to very high cost contributions such as spending personal time and resources in the protest.

The second group are individuals who are indifferent to the project or who are ignorant of the project. The indifferents are affected by the impact of the project, but judge its impact as neutral. The ignorants are individuals whose environmental quality is affected, but who are not aware of the intentions of the project promoters. Since they are not informed and not aware, it is impossible for them to take a position regarding the project.

The third group supports the project and thinks the benefits outweigh the burdens.

Generally, successful mobilization strategies for spatial conflicts are therefore:

- turn rejecters into contributors within the impact zone
- turn ignorants, indifferents into rejecters
- turn supporters into rejecters

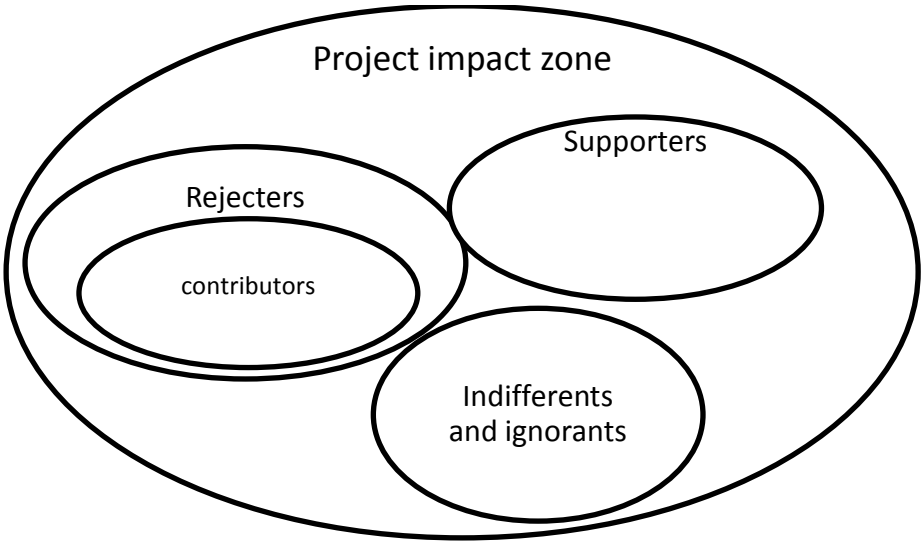

Figure 10: Project Impact zone

Things become more complicated, if the distribution of the impact of a project is unevenly distributed in an area. For instance, when one part of the PIZ is negatively affected by a project and another part is positively affected. A project that changes the distribution of traffic in a certain neighbourhood is a typical example in which different areas might have competing goals because of the uneven impact. Because of the uneven distribution of externalities, and also the uneven perception of these externalities, the goals of protest and thus the structure of interest of a neighbourhood might be quite divergent.

We will call the set of goals of the groups in the PIZ, the *Structure of Interests*. Thus, there might be different groups of rejecters within the PIZ. Generally, these different rejecters within the PIZ can have either (1) common goals, (2) complementary goals or (3) competing goals, depending on their evaluation of the impact of a project.

1. Individuals have common goals when they reject the project for the same issues. In the case of common goals, there are strong incentives to form a protest coalition between the different groups of rejecters.
2. When groups have complementary goals, they reject the project for different but non-rival reasons. In the case of complementary goals, there are also incentives to from a protest coalition. The coalition is however more vulnerable, than a coalition based upon common goals. It breaks up very easy when one or more parts of the coalition have achieved its goal, or have found other ways to achieve its goal.

3. When the rejecting groups have opposite goals, they reject the project for different and rival reasons. In this case, it becomes more difficult or even impossible to form a protest coalition.

When in a PIZ, different groups of rejecters exists that form separate protest groups, we expect that the chances of success decline for all these protest groups. The promoters of the project can easily exploit the internal conflicts of the residents in the PIZ. None of the groups will be accepted as a legitimate partner for negotiation, since none of the groups can claim that it has a representative position.

It is thus in the interest of all protest groups to overcome internal differences between the residents and to make coalitions, even if the goals of the different groups of rejecters differ. When individuals or small groups of individuals want to form a coalition with other individuals, they have to find a negotiated common protest frame. This includes a shared collective viewpoint on what is wrong with the project, a notion of who is to blame for this project, ideas how the project might be improved and finally ways to set up a protest campaign.

3.5 Protest and the Political context

As explained above, resource mobilization theory focuses in particular on the agency of protest movements: it argues that a protest movement's success depends on its organizational capabilities and the resources it can mobilize for its purpose. However, in the empirical research on social movements and activism, it became clear that resource mobilization theory alone could not explain the variance in the periodicity, content and outcomes of activist's efforts over time across different institutional contexts (Meyer 2004).

In search for better explanations, some scholars therefore started to pay more attention to the context in which social movements or protest arises. One element of this context that received the most attention was the political context. The theory of "*political opportunity structure*" grew out of the idea that the interaction between protest movements and mainstream political institutions is a crucial variable in explaining a protest movement emergence and success. The "structure of political opportunities" are the elements in the political and institutional context that sets the grievances around which activists mobilize, and which makes some strategies of protest movements more attractive or effective than others. Kischelt defines opportunity *structures as specific configurations of resources, institutional arrangements and historical precedents for social mobilization, which facilitate the development of protest movements in some instances and constrain them in others* (Kitschelt 1986).

Although political opportunities have been a widely debated topic in movement research, it is certainly not a univocal theory. What is perceived as being a relevant aspect of the political context varies from author to author. In his review on political opportunity theory, Meyer (Meyer, 2004) traces the origins of the theory back to Eisinger's work on riots in American cities and Tilly's studies on the evolution of the British democracy (Tilly et al. 1981; Eisinger 1973). Eisinger has been the first to introduce the concept of political opportunities. He focused on the openness of urban governments to more conventional political inputs and found that cities with a combination of what he termed "open" and "closed" structures for citizen participation were most likely to experience riots. Cities with extensive institutional openings pre-empted riots by inviting conventional means of political participation to redress grievances; cities without visible openings repressed or discouraged dissident claims to foreclose eruptions of protest. Thus according to Eisinger, protest is most likely to emerge when there are few institutional openings to policy making, but when there is at the same time a perspective that protest can be effective in achieving the activist's goals. This all suggests a curvilinear relation between political openness and protest emergence.

In from Mobilization to Revolution, Tilly (Tilly 1987) started to reformulate Eisingers findings into a more comprehensive theory of political opportunities. For Tilly, the political context determines to a large extend the "*repertoire of contention*" of the challengers of mainstream politics. Taken together, social movements can be considered as a form of purposeful political action outside of the mainstream intuitional realms of the representative democracy. When choosing such a "*repertoire of contention*", the costs of non-institutional forms of protest are outweighed against the costs of institutional efforts. Thus, when there are many opportunities to interact with mainstream politics at a low cost, and when these interactions have the desired effect, non-institutional forms of protest are unlikely to emerge. On the other extreme, when the cost of non-institutional protest is extremely high, for instance through repression, protest is likely to be suppressed. Tilly argues, (Meyer 2004) that *protest occurs when there is a pace of toleration by a polity and when claimants are neither sufficiently advantaged to obviate the need to use dramatic means to express their interests, nor so completely repressed to prevent them from trying to get what they want*. In his research, Tilly thus reaffirmed the curvilinear relation between political openness and protest emergence.

Other scholars working on political opportunities have expanded the concept since Eisinger and Tilly, looking for other elements in the political context than political "openness". Kitschelt (Kitschelt 1986) for instance, discussed political opportunity structures in his study on protest movements on antinuclear movements in different countries. Kitschelt found that not only the openness or closeness at the input side of the political system that matters, but also the capacity to implement public policy at the output side plays a role. The output side of the policy cycle thus also shapes social movements and offers them points of access and inclusion in policymaking. Thus, according to Kitschelt, the capacity of political opportunity structures to implement policies – as well as their openness to societal demands – ought to be seen to determine the overall responsiveness of politics to social movements. This leads to a paradox in which so-called "strong states" might provide opportunities at the output side for political change, but not at the input side, whereas weak states might provide opportunities at the input side of the policy cycle, that are however never translated in effective implementation.

Also for Klandermans, political opportunity structures play an important role in the emergence of protest:

> *Grievances, resources and meaning may be significant concepts in theories on movement participation, but without the concept of opportunities any attempts on theorizing will necessarily fall short. Political opportunities determine a movement's trajectory and chances of success. (Klandermans 1997b)*

Klandermans offers a typology of opportunities in which a difference is made between *structural* and *conjunctural* political opportunities. Structural opportunities depend on the *state strength* (based upon Kischelt), on the *amount of repression or facilitation* of protest (based upon Tilly), on the landscape of *political party systems* and on the *presence of neocorporatism*. Transitory opportunities are *access to policy*, *destabilization in political alignments*, *changing political alliance structures* and *divided elites*. However, Klandermans also draws our attention to an important idea that these opportunities are never "objective"; they would not have any impact if they are not perceived as such.

Opportunities are perceived by organizers and by movement participants, and are translated into expectations of success, and perceived costs and benefits of collective action. Thus, while political opportunities do relate to protest emergence and participation, this is not in a mechanical way. Political opportunities are also socially constructed by as well the agents of mobilization as those who are challenged.

3.5.1 Political opportunities in land use protest

Political opportunity theory puts an emphasis to the political context in which protest against spatial projects does arise. Certainly for land use planning, an activity that is mostly carried out within the realm of public decision making, this dimension simply cannot be ignored. Thus taken the "political opportunities" theory back to its basic arguments, we expect that community protest is more likely to emerge if there is a moderate institutional openness in the decision making process of the project. This means that residents must see some opportunities to change the project on the one hand, and that the lack of institutional opportunities drives them towards non-institutional forms of protest. The theory also predicts moderate conflicts when the institutional context is either very open or either very closed. In a very open context, the residents of the PIZ will have participatory institutions to influence land use decisions. In a closed context, residents of the PIZ will perceive that protest is an ineffective strategy and refrain from it. By this hypothesis, "openness" or "responsiveness" of political decision-making and perceived impact on decision making in the political context are thus considered as key variables.

What is interesting about the political opportunity theory in land use conflicts is that it might provide an answer to what is often felt as the *participation paradox* in urban planning and the diverging perspectives on community protest described in the introduction. On the one hand, there is this idea that more open planning processes reduce the level of protest. Thus protest can be reduced by climbing up the participation ladder. But on the other hand, there is the dominant idea -

mostly among politicians - that openness of decision making processes will lead to increased citizen protest.

The first group therefore mostly advocates more citizen participation as a solution to resistance, while the latter group mostly advises less participation to avoid angry citizens. At first sight, both perspectives seem to be in contradiction to each other. However, the curvilinear relation between citizen participation and protest as assumed by political opportunity theory does seem to reconcile both perspectives.

Thus, protest is likely to arise at a moderate level of institutional openness. The level of participation must be high enough to provide objective or subjective opportunities to change planning decisions, but on the other hand not so high that citizens need to engage in non-conventional forms of politics. Or formulated differently: the more closed a planning process is, the more manipulation and even repression stifle potential protest. In addition, the more open a planning process is, the more the institutional available means to change a project reduce the need for protest.

3.5.2 Procedural fairness in political decision making

Although the theory of political opportunities provides a starting point to theorize on the relation between protest and the political context in land use conflicts, we observed that a crucial variable is missing in the theory on political opportunities. Not only the institutional opportunities of protest matter to explain the emergence of protest, but also the procedural fairness of the decision making process. There is indeed substantial literature on the relation between the perceived fairness of a decision making process and the acceptance of the output of that decision.

It has been suggested by several authors that people who experience procedural justice in a decision making process are more likely to accept authority decisions (Bies and Shapiro 1988; Floger 1977; Grimes 2006; Wolsink and Devilee 2009; Lind and Tyler 1988). Procedural justice is here defined as the perceived fairness of the rules of the decision making process (Bies and Shapiro 1988). Whereas distributional justice refers to the fairness of the outcome of a decision or an allocation (fi what share of the pie one is getting), procedural justice refers to the fairness of the process whereby outcomes are allocated (Folger et al. 1997; Hunold and Young 1998) (by which rules the pie has been divided in different shares). The procedural fairness theory predicts thus that a certain distributive outcome of a decision will be accepted more likely if the process by which the decision has been taken is regarded as fair.

The ideas on procedural justice in social psychology originated in the work of Thibaut and Walker (Thibaut and Walker 1975) who found that different procedures of dispute resolution and arbitration resulted in a different satisfaction of the outcome of that procedure, regardless of the outcome of that procedure. Their work was inspired upon the work of philosopher Rawls, who developed the idea of procedural justice (Rawls 1971).One of the most consistent findings of this research on procedural fairness is that people perceive procedures that give "voice" as more fair than procedures than "mute" procedures, even when the decision is unfavourable to them. Voice procedures are those procedures that allow people an opportunity to provide inputs to the decision maker, and mute procedures are those that do not provide such an opportunity (Folger et al. 1997).

Procedural fairness theory has been applied in land use planning controversies and conflicts. Hunold and Young for instance have discussed the role of procedural justice in Hazardous Siting controversies in a case in Switzerland (Hunold and Young 1998). Unlike the more empirical scientific social psychological literature, Hunold and Young start from a normative position, grounded in ideas of deliberative democracy. The authors argue that questions of justice cannot be limited to the distribution of benefits and burdens, but should be expanded to the procedures for deciding such issues of distribution. They argue that justice requires a participatory communicative democratic process for siting hazardous facilities in two respects: "*It is prima facie unjust to impose a risk on citizens without their having participated in the siting process. Participatory communicative democratic procedures in facility sitting, moreover when structured according to specific norms of discussion and inclusion are likely to yield the most just outcomes.*". Although the article provides an interesting theoretical normative elaboration of justice, the article of Hunold and Young lacks any empirical evidence to support their strong claim.

Empirical evidence for the procedural justice theory is however found in Grimes 2006 (Grimes 2006). Grimes has found in a panel-data survey in Sweden that perceived procedural fairness had a positive influence on the acceptance of the decision of the Swedish Rail Administration to build a new railway line. Grimes defined procedural fairness as the degree of receptivity, the degree of information and the degree of consideration given by the rail administration. A regression analysis found that people who perceive the decision making process of the planning of a new railroad as fair, are more likely to accept the outcome of the decision making process. Moreover Grimes found that people that perceive procedural fairness are more favourable to a decision, regardless their perception on the actual control of that decision: "*Contrary to what certain strands of democracy theory suggest, satisfaction with the opportunities to influence the decision outcome are not a crucial component ....in a person's willingness to accept a decision outcome. Furthermore, satisfaction with one's perceived ability to*

influence the decision outcome did not have a stronger influence on decision acceptance among those who had been actively involved in the issue than among those who had not been actively involved".

This means that having the opportunity to speak and being heard is more important than having real decision-making control. Similar findings on the relation between perceived procedural fairness and the acceptance of land use decisions have been reported by Wolsink in the siting of wind turbines (Wolsink and Devilee 2009), and by Zoellner et al regarding the acceptance of renewable energy in Germany (Zoellner and others 2008).

The procedural fairness theory thus predicts that regardless the distributive outcome of a land use transformation, the way in which a decision making process is organised matters in the acceptance of that decision. Decision making processes that give voice to those who are affected, regardless their actual control over the outcome, are more accepted than decision making processes that do not give voice.

3.6 Conclusion

On the basis of the arguments in the theories above, it can be summarized that the emergence of protest depends on three major groups of independent variables

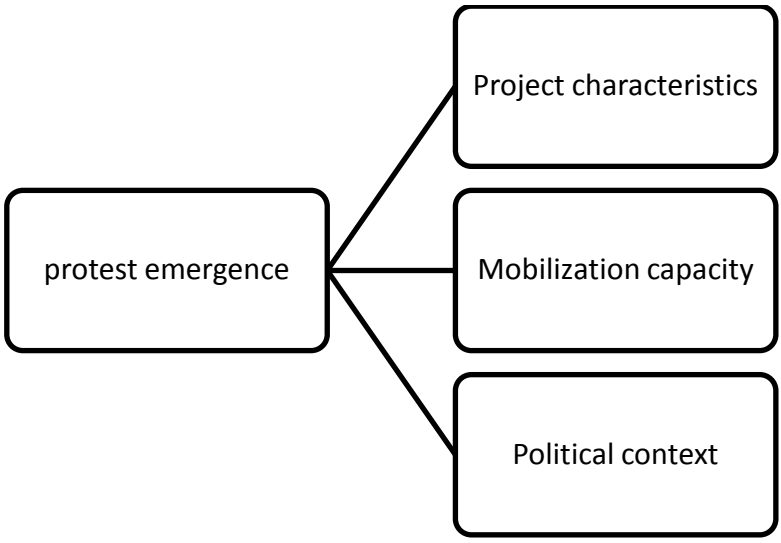

Figure 11: Variables explaining conflict emergence

The first group of variables relates to the **project characteristics** itself. The spatial externality theory and the Nimby theory predict that spatial projects with a strong uneven distribution of externalities, or a local concentration of externalities are very susceptible to protest. In order to relax the assumptions of strong rationality, we addressed psychological theories. The risk perception theory adds understanding how and why subjective perception of externalities is biased. However, as we argued, the externality theory cannot explain the variability in protest when project characteristics are kept constant. Furthermore, the externality theory and the risk perception theories are theories of individual decision makers and cannot explain collective behaviour.

In order to address this weakness we added a second group of factors, relating to the characteristics of those who are affected by the project. Moreover, the **mobilization capacity** of the residents within the PIZ affects the chances of conflict emergence. We used resource mobilization theory from the social movement literature, where the strategic ability to mobilize resources by adversaries is considered as a crucial condition for the gradation of protest emergence. The ability to mobilize is on its term largely dependent on the organizational and mobilization capacities of the residents living in the project impact zone (PIZ). We added the "structure of interests" within the PIZ as an important explanation for the mobilization capacity specific in land use conflicts.

Although the combination of the externalities theory and resource mobilization gives a more realistic explanation of protest emergence, it is still insufficient

because it leaves out the role of the government in planning conflicts. The third group of factors is thus related to the characteristics of the decision making process or the **political context**. By using political opportunity theory, we argued that the emergence to protest is also related to institutional opportunities of protest. Basically this theory states that protest is likely to happen when (1) there is a lack of institutional opportunities to express grievances and (2) when there are other perceived opportunities to influence decision making. We argued that as well objective as subjective opportunities matter. Furthermore we added perceived procedural fairness as an important variable in the acceptance of land use decisions.

The three factors are considered as complementary to each other. None of the theories alone can explain protest emergence. The theories thus provide necessary conditions for protest to emerge, but not sufficient conditions. The question now is, to what extend the different theories play a role and how they relate to each other in real empirical settings.

Variables of protest emergence	Aspects
Project characteristics	Objective externalities Subjective externalities
Mobilization capacity	the number of potential protesters within the PIZ the social characteristics and the homogeneity of the neighbourhood the existing networks, quasi-groups and the community ties. the intellectual skills the structure of interests within the PIZ
Political context	Objective institutional opportunities Perceived institutional opportunities Perceived procedural fairness

IV. Understanding conflict escalation

4.1 Introduction

Now we have developed a theory on how land use conflicts emerge in the previous chapter it is now time to turn to our next research question: “why are spatial planning conflicts so persistent?". Spatial conflicts are not easily resolved (Lewicki and others 2003; Campell 2010). In Flanders, there are even cases in which a conflict, once emerged, can last for decades. Take the land use conflict in Deurne for instance. There, a protest group VATUV[45] is protesting against the expansion of the local airport since the mid 70ties. Up until today, the protest group is still active and the issue of the airport expansion is still not resolved. Although the case of the VATUV is somewhat exceptional in duration, other cases of protest last easily several years to even a decade.

Conflicts over land use plans do not only last long, they can be quite intensive too and have an impact on the wider societal and political system. As already mentioned in the case of the *Oosterweel* Bridge in Antwerp, small conflicts over land

[45] VATUV stands for “Verenigde Actiegroepen Tegen Uitbreiding Vliegveld”, which initially was ATUV, or "Actiegroep tegen de uitbreiding van het vliegveld te Deurne". ATUV has been established in 1973

use can easily grow into large political struggles. The case of the *Oosterweel* became even the most difficult issue in the negotiation of the formation of the new Flemish government after the elections of June 2009. The Flemish socialist party - the party of the Mayor of Antwerp - took a strong position against the viaduct, whereas the Flemish Christian democrats (*Cd&V*) and foremost the liberals (*Open vld*) took a strong position in favour of the bridge. So the Socialists would not enter the new government unless a compromise was found for the viaduct in Antwerp.

Seen from outside, such escalating conflicts may seem highly irrational, destructive and inefficient. The amount of negative energy spent in combating land use projects and vice versa the amount of negative energy combating protest groups sometimes takes enormous proportions. For instance, in the viaduct case of Antwerp the organization of the referendum to settle the conflict had cost about 800.000 Euros, and the propaganda campaign from the government before the referendum had cost almost 3 million Euros. Some members of protest groups, non paid volunteers, worked almost day and night during the campaign before the actual referendum. The amount of resources spent on this conflict is probably much higher than both parties wanted to spend at the onset of this conflict to defend their interests.

In this chapter we will thus seek for the mechanisms that make conflicts escalate and make it difficult to resolve or intractable. Understanding the mechanisms of complex conflict escalation is an important prerequisite to manage conflicts. According to Campbell 2003 and Yamsi etal (Campell 2010;Yamsi. 2007;Yamsi.Y et al. 2006) the literature on land use conflict escalation or environmental conflict escalation is still in its nascent phase. We will therefore draw upon the social psychological literature of social conflicts and public disputes in order to understand the dynamics that play a role during conflict escalation.

4.2 Understanding conflict Ŝscalation

4.2.1 Conflict escalation

Conflict escalation is defined by Kriesberg (Kriesberg 2003a; Kriesberg 2003b) as *the increase in the magnitude of inducements used and in the scope of participation in a conflict*. In the same line Pruitt and Kim (Pruitt and Kim 2004) *define conflict escalation as the use of heavier tactics and/or the increase in the intensity of a conflict as a whole*. Generally, a number of incremental transformations of the issues, the goals, the used strategies and tactics and finally the parties of a conflict characterize conflict escalation.

A first transformation relates to the issues of conflict. It has been found that issues tend to proliferate in escalating conflicts (Kriesberg 2003a; Pruitt and Kim 2004; Kriesberg 2003b). Issue expansion can be the result of an increased awareness of new issues during conflict, that previously did not attract the attention of the parties. However, new issues can also arise as a result of the conflict interaction between the parties. The issues of conflict under escalation also tend to transform from very specific issues to more general and moral issues (Coleman 1957). Some conflicts start around very specific tangible interests, but end up as a conflict between irreconcilable all encompassing world views or ideologies.

A second transformation occurs in the strategies and the tactics used by the parties in conflict. Moreover, there is the tendency of the parties to shift from cooperative strategies into competitive strategies of conflict, and from light to heavy tactics. (Deutsch 1958) . In an initial stage, the party's goals are oriented towards securing their interests. However, when the conflict evolves, the goals of the parties tend to be supplanted by more competitive goals and even revanchist goals. At the onset of the conflict, the goal of the party is mostly to do well for its own sake, regardless the outcome of the other party in the conflict. Nevertheless, during conflict interaction, motives that relate to the outcome of the other party may emerge. Feelings as revenge, anger and hostility change the initial motivation for the conflict and provide the sources for new motivations. Together with the strategic orientation of the conflict, also tactics shift from light to heavy. Light tactics include for instance ingratiation, shaming, the use of conditional promises, and persuasive argumentation. More heavy tactics include the use of treats and coercive commitments. Finally, the use of violence and aggression may arise as the heaviest tactic in conflict interaction.

The third transformation occurs in the parties of the conflict. As the conflict escalates, and the number of issues increases, the number of parties that is involved in the conflict tends to grow. During escalation, other groups with different interests might become involved for either strategic reasons of one of the parties, or either out of the dependency of these different groups on the new issues that arise (for instance if two conflicting parties export their problem to a third party). If a party is unresponsive to the tactics used by another party, this party is likely to increase its power base by mobilizing other actors who might have an interest in the conflict (Kriesberg 2003a; Kriesberg 2003b). This corresponds to the discussion on resource mobilization theory of McCarty and Zald in the previous chapter (McCarthy and Zald 1977). The chance of accomplishing a conflict goal is strongly related to the number of resources and the power base of one party vis-a-vis the other party. The number of parties might even grow to a point in which the whole community surrounding the conflict parties becomes involved. This mostly results in a sharp polarization on the conflict issues within the community itself. Together with this polarization, more and more binding

social networks between the conflict parties disappear to the point that there are no more intermediaries in the conflict.

Conflicts that escalate become increasingly difficult to resolve. Some conflicts evolve then into "intractable conflicts". Northrup defines intractable conflicts as " *a prolonged conflictual psychological process between (or among) parties that has three primary characteristics: (1) it is resistant to being resolved, (2) it has some conflict-intensifying features not related to the initial issues in connection, (3) it involves attempts (and/or success) to harm the other party, by at least one of the parties*". (Norhrup 1989)

4.2.2 Conflict escalation in public disputes

Carpenter and Kennedy (Carpenter and Kennedy 2001) have studied how public disputes or conflicts between public authorities and citizens on policy issues escalate (see chapter 2 for a definition of public disputes). They have identified 9 different steps in what they call *the spiral of unmanaged conflict* (Figure 12)

Figure 12: The spiral of unmanaged conflict, after Carpenter and Kennedy

step 1: The problem emerges. A public agency announces a plan. This is the first time that community members are made aware of the impending action. They are concerned about the potential impacts on their community and try to get more information. They do not get satisfying answers to their questions. With increasing anxiety, they begin to imagine worst possible outcomes.

Step 2: Sides form. More people become aware of the issue and believe they have a stake in the outcome. A group of concerned citizens come together. The media cannot resist framing the issue as adversarial. More people get involved

step 3. Positions harden. After repeated attempts to communicate with the public agency, the citizens believe their concerns do not matter at all. The resource agency says they have no choice in the matter; they are merely following policy. Fearful they will not be able to influence the outcome through dialogue the citizens group turns to the courts. Lawyers are hired and positions are formalized in lawsuits. People tend to seek out others who reinforce their positions and avoid those with differing views.

step 4. Communication Stops. Once the dispute reaches the courts, direct communication between the citizens group and the public agency ceases. Communication is now in the hands of the attorneys. The attempt to resolve the dispute slows to a low pace, typical of legal proceedings.

step 5. Resources are committed. Legal proceedings are costly. Technical experts are hired to shore up positions, further adding to costs. Staff time and energy are diverted from other projects and devoted to winning rather than problem solving.

step 6: The conflict goes outside the community. As resources are stretched to the limit, the citizens group seeks outside support. They comment to political leaders and national organizations that are sympathetic to their cause. If political and interest based coalitions are formed, the issue is absorbed into a larger agenda and local citizens lose control. The attacks become more vicious as the outsiders are less likely to be concerned about maintaining long-term civil relationships. Outsiders attack from a safe distance. They do not have to worry about running into a neighbour with a differing opinion in the grocery store.

step 7. Perceptions become distorted. Stereotypes are formed. Even neutral parties are suspect. All knowledge supplied by the other side is untrustworthy.

step 8. Sense of crisis emerges. A sense of utter hopelessness sets in. No one can make a decision. The parties resort to threats and intimidation. The goal is to win at all costs. Groups are motivated more by getting even than by rational thinking.

step 9. Outcomes vary. More litigation may ensue. The parties may pursue a political solution. Or the agency may make a unilateral decision. In all cases, the result is that the community loses control over the final outcome. The dispute intensifies with animosity and distrust. The next dispute that arises which involves these parties will be more difficult to manage. The initial dispute might have been averted if the resource agency had openly and genuinely involved the public early in the decision-making. However, as the spiral escalates, simple options that were available earlier are no longer appropriate. At each turn it becomes more difficult to break the spiral.

The descriptive different steps of Carpenter and Kennedy show well how during public disputes, issues, goals, strategies and tactics transform and how these transformations all add to the escalation of a conflict. However, the scheme lacks an explanation as to why and under what conditions a next phase of escalation is likely to occur.

A similar description of conflicts in natural resource management has been found by Yasmi, Schanz and Salim (Yamsi. 2007). In a review of 118 cases of natural resource conflicts, they identified 8 steps of conflict escalation. (1) feeling anxiety; (2) debate and critiques; (3) lobby and persuasion; (4) protest and campaigning; (5) access restriction; (6) court case; (7) intimidation and physical exchange; (8) nationalization and internationalization. Yasmi etal however concluded that no generic pattern fits all conflicts. The authors argue that natural resource conflicts are more complex than social conflicts, because of the multiple parties involved and conclude with a call for a better understanding of the patterns of escalation in natural resource management conflicts.

Figure 13: Escalation steps after Yamsi et al, 2006

Stage	Manifestation dimension
1. Feeling anxiety	Feelings of worry, complaints, rumours, unhappiness, anger, grievance, discontent, disagreement over decision/issues, fear of job lost
2. Debate and critique	Open debate, intense debate, verbal clash, accusation, quarrel, critiques to government policies
3. Lobby and persuasion	Lobbying government, lobbying for compensation, persuading government to acknowledge local rights, lobbying politicians
4. Protest and campaigning	Protest by local people, protest against logging plan, demonstration, mass protest, street rally, convoy of tractors, farmer rally, public rally, logger rally, truck convoy, marching, strike, campaigning and protest by environmental groups, media campaign, letter-writing campaign, protest by religious leaders, protest against a particular plan
5. Access restriction	Squatter invasion, picketing of companies, peaceful take over of the park, blockading logging road, preventing from working on particular areas, imposed restriction on subsistence activities, blockading ports, removal by force, eviction, forced resettlement, displacement, relocation by force, fencing land by big land holders, invasion by landless, closing the road, occupation
6. Court	Court appeal, litigation, regional court case, federal court, lawsuit
7. Intimidation and physical exchange	Threat, death threats, intimidating, threat of boycott, confiscation, machete fight, killing, injury, shooting, ambushing, murdering, attacking, strife, fight, war, violence clashes, bandit attack, damaging district forestry office, assassination, vandalism of park officials' vehicle, burning base camp, arresting, burning opium fields, hiring gunmen, military retaliation, police arrests, putting fire on forest, destroying pipeline, detention, seizing company's equipment, mobilizing soldiers & military hardware, military action, police involvement
8. Nationalization and internationalization	Protest in national and international media (e.g., newspapers, magazine, video), National High Court, State Superior Court, national referenda, bilateral negotiation, influencing national congress, widespread international protest, appeal to International Court of Justice, fight in WTO and NAFTA

4.2.3 Theories on the escalation of social conflicts

Despite Carpenter and Kennedy's descriptive scheme above, the analysis of escalation in public disputes - and more specific environmental disputes - is not well elaborated. Carpenter and Kennedy for instance do not give an explanation why public disputes tend to escalate. Explanations for escalation have been

addressed however in the literature on social conflicts and more specific armed and military conflicts.

Broadly two analytical perspectives can be found in the literature (Leng 2004). The first perspective and the oldest tend to explain escalation as the result of rational strategic action of one or more parties. This perspective also has been labelled as the realist perspective on conflict escalation (Leng, ibidem). The other perspective takes a more social-psychological stance and explains escalation in terms of emotional or irrational behaviour.

4.2.3.1 Rationalist explanations

Rational escalation has been prescribed for instance by military conflict strategy scholar Thomas Schelling (Schelling 1960). Realists do not deny the roles played by emotion and misperception in interstate conflict, but their policy prescriptions are based on the assumption of competition with a rational, calculating adversary.

The bargaining that takes place for instance in military disputes and crises is presumed to be coercive and manipulative. It is competition in risk-taking, where the risk is war. The amount of risk each party is willing to accept is a function of its perception of the structure of the dispute, that is, the comparative interests and war-fighting capabilities of the two sides. It is presumed that, as the crisis escalates, each party gains a better understanding of the capability and motivation of the other party, without crossing the threshold to full-scale violence. Escalation is in this respect comparable to a poker game, in which a strong increase in bets signals a strong hand of a player (or a strong bluff). Escalation in bets then occurs when two players try to over bluff each other and try to persuade each other that they have better cards.

Rational models of escalation perceive escalation thus as a deliberate bargaining strategy, in which the different parties in a conflict try to balance their bargaining power (Kriesberg 2003a; Kriesberg 2003b). If one party is not responsive to the conflict strategies and tactics of the other party, that one party is likely to increase its efforts and to use heavier tactics. Such an escalation pattern in which a unilateral increase in tactics has been described as the contender-defender model by Pruit and Kim (Pruitt and Kim 2004)

Whereas the *contender-defender model* traces escalation to the contender's effort to take something from the defender, another model named the *conflict spiral model*, traces escalation to a vicious circle of action and reaction. When a party uses contentious tactics to achieve some goal, another party might react in a retaliatory or defensive way to these tactics. This reaction might provoke further contentious action from the party, completing the circle and starting on its next iteration. In a conflict spiral, the motivation on both sides is partly a matter of

revenge - to punish the other party for the suffering it has produced. The motivation is also partly a matter of defence or deterrence - to protect against the other party' preparation, to teach the other party a lesson and to make the other party suffer enough so it will stop its conflict behaviour.

4.2.3.2 Psychological explanations

The second perspective on escalation draws our attention to the more irrational and emotional aspects of escalation. (Pruitt and Kim 2004). The structural model of Kim and Pruit for instance posits that escalation is not only the result of action and counteraction, but that during the interaction patterns conflict parties undergo a structural change, bringing the conflict interaction to a whole new level or episode.

These changes are considered "structural" because they change the perception and the attitudes of the conflict parties and hence the way strategic and tactical choices are made. In this way, structural changes form the basis of self-enforcing feed-back mechanisms in the conflict. Such structural changes result from prior escalation and contribute at the same time to further escalation, ending up in a vicious conflict spiral. Kim and Pruit have identified *psychological changes*, *group changes* and *changes in the community* that all contribute to these structural changes.

Psychological changes occur in the minds of the individuals that form the conflict parties and affect their conflict conduct. Such changes can be induced by strong emotions such as blame, anger, fear and the perceived loss of image. However, more persistent psychological changes are formed by changing attitudes and perceptions upon the conflict. Some psychological mechanisms play an important role in these changes. Kriesberg (Kriesberg 2003a) identifies for instance cognitive dissonance, conflict entrapment, selective perception as the main mechanisms for escalation in conflict situations.

The first mechanism, *cognitive dissonance*, is the mechanism by which individuals seek consistency between what they do and what they think they should do. When a party uses severe tactics, the party will rationalise its behaviour ex-post by adjusting its view upon the conflict accordingly to the used tactics. For instance, when using violent tactics, these tactics will be legitimised by stressing and seizing the importance of the goal the party wants to achieve. Such a legitimisation is not only rhetoric then for the party, but will actually change the way a party understands and perceives a conflict. This new interpretation of the conflict will act as a new basis for new, heavier, conflict tactics.

The second mechanism relates to *conflict entrapment* or the so-called sacrifice trap. Entrapment is a process in which a party, pursuing a goal over a period,

expends more of its time, energy, money, or other resources than he or she would have done at the onset. The phenomenon of entrapment occurs for instance in daily life when we are spending resources in a failing old car, without knowing whether the next reparation will keep the car in traffic long enough to justify the costs. When we decide to repair the car; we feel obliged to use the car longer to justify the costs of the reparation. But when during this period the car shows another deficit, we are entrapped in an escalation of costs and reparations. Entrapment also occurs in conflicts, when the party's decision to further engage in a conflict is based upon the sacrifices that have been brought in the past.

The third mechanism is *selective perception*. This is the psychological mechanism by which evidence that supports the own position or view in a conflict is affirmed and counterfactual evidence as regards to one's own position is ignored, discounted or considered deceptive. Selective perception forms the basis of *attributional distortion* (Rosenberg and Wolfsfeld 1977). In the psychological literature, attributions are causal inferences about other people's behaviour in social interaction. As we interact with others, we seek to explain their behaviour by our own hypotheses we have about their motives. Attribution distortion is a systematic error that arises in attribute formation. Information about the other party that supports a party's own hypothesis about the motives of the other party tends to be attributed to dispositional causes, whereas information that is discrepant with party's hypothesis tends to be attributed to situational causes. In this way, no matter which motives an opponent has for a certain conflict action, his or her actions will always be explained as hostile motives.

Group changes during conflict interaction also contribute to the escalation of conflicts. These changes relate to how a group functions as a conflict party. Changes such as increased solidarity and cohesion between group members, the emergence of militant leadership and the strategic involvement of new parties to the conflict can contribute to further conflict escalation.

Pruitt, Kim and Kriesberg (Pruitt and Kim 2004; Kriesberg 2003a) found that cohesiveness and solidarity within a party grows during conflict escalation. Their common enemy unifies the individuals of the conflict group. Group cohesiveness affects group behaviour in various ways. Important is the evolution of new group norms that justify group behaviour and contentious group goals. Group polarisation also occurs because of these new group norms. Polarisation is the process in which the attitudes and perception becomes more and more antagonistic to the attitude and perception of the other party.

The emergence of militant leadership is the phenomenon in which other candidate group leaders who promote more extremists views and radical courses of action increasingly challenge group leaders. When such extremist leaders gain support in the conflict group, more moderate leaders either sharpen their own

view upon the conflict of either get replaced by new leaders. When leaders that are more militant take over, group goals and group norms change in a way that more radical courses of action are legitimized.

The strategic involvement of new parties is the result of resource mobilization strategies. However, when new parties enter the conflict group, they can have effects on the group goals, the conflict strategies and tactics. According to Kriesberg (Kriesberg 2003a), new members often have more radical views on the conflict and often have more radical conflict means at their disposal.

The last type of change relates to the *community*. As the conflict grows in intensity, and resource mobilization strategies are deployed, more and more members of the community become involved, or are obliged to choose a side in the conflict. As a result, the community becomes increasingly polarised. Community polarisation has at least two effects on conflict escalation. First, through community polarisation both camps find new resources to sustain and increase their struggle. Secondly, the number of crosscutting bonds between the two camps diminish. In this way, communication lines and mediating third parties disappear, together with those parties that can take an intermediary role in the conflict.

4.2.3.3 Factors that increase escalation

Kriesberg (Kriesberg 2003a) identifies five conditions that affect the escalation of conflict: (1) the strategy chosen of the conflict party, (2) the issues in contention, (3) the interaction among the adversaries (4) the changes within the adversaries, and (5) the social context in which the conflict takes place.

- The strategy chosen by one party influences the response strategy of the other party[46]. When one party overtly chooses a competitive conflict strategy and the related competitive or contentious goals, the other party is likely to respond in a similar way.
- The nature of the issues in contention also determines whether conflicts escalate. In general, moral conflicts tend to escalate more easy than conflicts of tangible interests. Susskind and Cruikshank (Susskind and Cruikshank 1987) distinguish distributional disputes from constitutional disputes. Distributional disputes are those that revolve around participant's interest and the allocation of resources, and in which the gains and losses are tangible. These types of disputes are considered relatively easy to resolve, and are thus less prone to escalation. Constitutional disputes are those in which constitutional issues, basic rights and basic values are at stake. These disputes are not easy to resolve and can easily escalate.

[46] For a more extended discussion on conflict strategies and conflict tactics, see chapter 2

- Internal developments of the parties: Parties with little internal diversity tend to better sustain increases in the severity of a conflict, whereas opponents with specialized agencies to wage struggles are more capable of increasing the severity of a conflict without widespread constituency support.
- Interaction between adversaries: reactions as non-responsiveness, overacting and overreaching, and at the same time over accommodation can lead to the escalation of the conflict.
- Finally, elements of the social context such as the social linkages between different conflict groups, the partisan's engagement in other struggles or the reaction on outside parties to the conflict can contribute to further escalation. As regards to the social context Kim and Pruit also mention the availability of conflict-limiting norms and conflict-limiting institutions as important factors that influence the escalation of conflicts.

4.3 Conclusion: escalation in land use conflicts

In this chapter, we developed an analytical framework to understand the escalation of land use conflicts. Scholars as Carpenter and Yamsi have identified and described escalation patterns in land use conflict. It has been documented that escalation develops through different successive stages, in which the conflict intensity increases. A clear explanation on the mechanisms of escalation is however lacking.

The social-psychological literature on conflict escalation suggests two types of escalation mechanisms: rational or instrumental escalation and psychological escalation. Whereas the first is a deliberate conflict strategy, the latter is a by-product of individual psychological mechanisms and group behaviour during conflict interaction.

Based upon the theoretical overview above, we will use the following analytical concepts in the study of conflict escalation

- The analysis of the conflict strategies and tactics of the protesters and the project promoters: as regards to the strategies and tactics, the escalation literature suggests that during escalation conflict strategies and tactics change. As the strategies and conflict goals change, more heavy tactics are used. We will therefore analyse the strategies and tactics of both sides in different phases of episodes of the conflict.
- The transformation of the conflict issues: conflict escalation theory suggests that the nature and scope of issues in conflict increases.

We will therefore analyse how these issues change over the different episodes of the conflict.

- The transformation of the conflict parties: during conflict escalation, group changes occur. Our analysis will be oriented at group behaviour during escalation.
- The strategic and psychological drivers of escalation: we will finally address the sources of conflict escalation and assess to what respect these sources are the result of strategic behaviour or psychological behaviour.

Theoretical concepts	*Indicator/descriptor*
Conflict strategy and tactics of action groups	What is the general conflict strategy of the action group What actions did the NC organise? Why did the NC organise these actions?
Conflict strategy and tactics of public authority	What counteractions occurred? Why did PA react in this way?
Issue proliferation	How does the number and type of issues changes over the conflict
Party developments	How the number and type of party changes over the conflict
Drivers of escalation	Nature of strategies, psychological changes

Part 2: empirical part

V. Research methodology and design

5.1 Introduction

In the previous part, we developed a theoretical framework on land use conflicts. In this chapter, we will develop a methodological approach, in order to test how these theories work in empirical settings.

This research uses a mixed method, combing qualitative and quantitative research methods. There is a long-standing discussion within the methodologies of the social sciences between qualitative and quantitative research methods. We acknowledge that both methods have their strengths and qualities, but also their weaknesses. Qualitative approaches perform well in taking the complexity of social phenomena into account, but are poor in making reliable external generalisations. Quantitative approaches allow generalisation, but reduce the complexity of social phenomena. A mixed method tries to combine the strengths of both. The epistemological basis of the mixed method is philosophical pragmatism. Pragmatism sidesteps metaphysical assumptions and does not make a-priory choices on theories or methodologies, but assesses theories and methods as regards to their practical consequences.

The mixed method is used in a research design with two cases of conflict in strategic projects. Although the overall design is a qualitative comparative case study, we used quantitative data from a panel survey within the cases.

In this chapter, we will start to motivate our choice for a mixed method, by discussing the differences between qualitative and quantitative research methods. Next, we briefly discuss the epistemological basis for such an approach. Finally, we discuss how we will use a mixed methodology in our research strategy and design.

5.2 The Mixed method

5.2.1 Qualitative versus quantitative research methods

As regard to the research methods, the social sciences are divided in two distinct camps (Johnson and Onwuegbuzie 2002). There are on the one hand the quantitative methods and one the other hand the qualitative methods. The distinction between quantitative methods and qualitative methods is often made on the basis whether the research contains numeric data and statistic operations or not. Quantitative methods require sampling and use techniques such as correlation analysis, regression analysis or other bi- and multivariate techniques. Qualitative methods are mostly associated with certain techniques such as participant observation, focus groups, in depth interviews, discourse analysis etc.

But this is actually a superficial way of looking at their differences, since numeric data are just a symbolic representation of other kinds of empirical information. Quantification of empirical material cannot be the discriminating criteria between qualitative and quantitative approaches since in many contemporary qualitative research, information is also represented in numbers (for instance in some discourse analysis techniques). The quantification of empirical data only does not turn a qualitative research method necessarily into a quantitative method.

I agree in this respect with Yin (Yin 1989), that the main difference between quantitative and qualitative research lies in the demarcation of the unit of research, and the number of units. In qualitative research, the number of units (n) under study in the total population of the topic (N) is small. However, in return of the small n, the attention of the researcher goes to the complexity and the internal relations of variables within the unit, and the relation between the unit and its context. In quantitative research, the number of units (n) is large in comparison with the total population. In return for the quantity of units, the complexity of the unit has to be reduced into a limited set of measurable variables.

It has been well recognised that both approaches have their strengths and weaknesses (Tashakkori A and Teddlie C 2003). The advantage of small N research

is that it easily takes into account the great complexity of social life and social behaviour (Yin 1989). It takes into account the possibility that a phenomenon can be explained by the interaction of multiple simultaneous causes (Ragin 1987). It acknowledges the problem that not every variable can be quantified, it can accommodate the use of a variety of sorts of empirical evidence (in depth interviews, newspapers articles, document analysis, discourse analysis, photographs, maps and images) and uses "thick" description as a research strategy. The research strategy uses all possible evidence supporting or disproving a certain hypothesis. In such an investigation, the link and the interplay between all the different empirical data, or what Yin's calls *the chain of evidence (Yin 1989)*, plays an important role. Furthermore, qualitative research is useful to gain an intimate and detailed knowledge on the subject, and is thus very helpful in building theories and formulating hypothesis.

But small N research also has disadvantages. The external validity of small N research is always a problem. In fact, it is very difficult to make reliable generalizations based upon only a small number of observations[47]. Also internal reliability might be a problem. Since there is a large methodological freedom within small N research, it has the risk of seriously being biased by the researchers predispositions. The researcher only searches for hypothesis-confirming data, while ignoring or overlooking data which undermine his or her hypothesis. This might even lead to research which is at the end purely political, and only set up to "prove" the highly idiosyncratic values and "truths" of the researcher.

[47] Flyvbjerg (Flyvbjerg 2006) argues that "*One can often generalize on the basis of a single case, and the case study may be central to scientific development via generalization as supplement or alternative to other methods. But formal generalization is overvalued as a source of scientific development, whereas "the force of example" is underestimated*." I do not agree with this statement. I acknowledge that theoretical generalization is not impossible through a case study (fi by finding a Popperian Black Swan that contradicts a existing theory), or that casestudies can provide a fertile ground for theory building. However this is a completely different statement than to promote single case studies as a basis for generalizations as Flyvbjerg does. I doubt that one "can often" generalize on the basis of one case. Contrary, I think there is plenty of evidence in daily life (and in the history of science) that generalizations made on the basis of 1 case often lead to unreliable statements and even to unethical practices such as racism. What can we generalize for instance on the motives for crimes based upon the observation of one crime? What can we generalize on gender discrimination on the basis of one case of discrimination? What can we generalize on cancer treatment on the basis of one cancer patient? What can we generalize on pseudoscience as homeopathy on the basis of one successful treatment? I think that it is one of the great accomplishments of science and statistics to warn us against hasty generalizations based upon a limited number of observations. To throw the basic propositions of statistics away with so little argumentation, like Flyvbjerg does, is irresponsible.

Large-N research on the other hand has the advantage of using the power of statistics, making external generalizations of the findings more reliable. When N is large enough, the findings of the research can be considered valid for all other N's in the population, even those that not have been included in the research. The research therefore can have a predictive power. Since the tradition of quantitative research has been longstanding, and the research on methodological aspects is abundant, there is a more consolidated way of internal control of the researchers findings. For instance, all sorts of biases and ways to prevent them have been researched and documented, and methodological justification tends to be more rigorous in quantitative research designs.

But quantitative research has its problems to. In order to be able to process large quantities of units, the information on the individual units must be limited, and hence, the complexity and the details of the unit has to be reduced drastically. In addition, sometimes the clue for understanding some social phenomena lies in the details and the interplay between these details. Through the reduction of the empirical complexity, there is a risk that the research findings do not grasp the local specificities. Quantitative research methods are also very poor in detecting interaction problems and multi-causation (Ragin 1987). Furthermore, despite the power of statistics, the interpretation of research findings can often be confusing. The contemporary statistical algorithms and tests have become increasingly complex, the use of parameters (such as alfa coefficients) is often chosen arbitrary, so that the interpretation of the reliability of results has become difficult and often not transparent. Further, there are some practical difficulties. Quantitative research requires - by definition - a large amount of units. Moreover, sometimes this large amount is just not available. For instance, in this research, the number of comparable protest cases is limited, so that it is impossible to achieve statistically significant results for all protest cases.

5.2.2 Positivist versus Interpretative Epistemologies

The two methods are usually also connected with to two distinct epistemological stances: the quantitative methods are usually associated with a *positivist/empiricist philosophy* whereas the qualitative methods are usually connected to the *interpretative/phenomenological philosophy* of science (Mulkay 1991; Tashakkori A and Teddlie C 2003; Tashakkori A and Teddlie C 1998).

The ideas on sociological positivism were developed by the founders of sociology as August Comte and Emile Durkheim (Smith 1998). Positivism assumes that there is an external social reality (Durkheim's social fact) which is independent of our interpretation or knowledge of it. This external reality is governed by universal regularities or laws. Its epistemology states that we can know this reality and

uncover its regularities and laws, by careful and systematic objective observation of empirical data.

A positivist research in the social sciences is typically built up according the so-called *hypothetic-deductive* method, as in the natural or "hard" sciences. The researcher will formulate at the onset of the research a hypothesis concerning the relation between different variables of the reality (dependent and independent variables) using induction or former observation. Next the researcher will try to prove this hypothesis through the reliable and objective retrieval and observation of data. Actually, since Popper's falsification criterion, there has grown a consensus that scientific theories cannot be "proven" to be right, they can in fact only be disproven to be wrong by observation. According to Popper (Popper 1959), the truth is not an absolute concept, but evolves in the face of growing empirical experiences. Thus, in this sense, scientific knowledge about the external reality is always provisional, and scientific theories only hold until an observation is in contradiction with this theory[48]. A positivist philosophy of science prefers quantitative methods, because reliable statements about social regularities can only be tested on statistically significant samples.

The interpretative philosophy of science rejects such a vision upon knowledge (Guba.E 1990). Max Weber is often regarded as the basis founder of the interpretative philosophy of social science, who argued that the object of sociology is not to uncover abstract social laws but *to interpret the meaning of social action and thereby give a causal explanation of the way in which the action proceeds and the effects which it produces. By 'action' in this definition is meant the human behavior when and to the extent that the agent or agents see it as subjectively meaningful (Weber 1978)*

For this perspective, an abstract universalist knowledge cannot exists, because how we observe the world is always shaped and formed by interpretation in our cultural, ethnical and socio-economic context. Therefore, all human knowledge is socially constructed. Researchers within this perspective argue that time- and context free generalizations are not possible neither desirable. Purists such as Guba (Guba.E 1990) claim that knowledge cannot be separated from the subjective knower, and that thus the subjective knower can be the only source of reality. The aim of scientific research is therefore not to uncover an imagined objective external truth, but to understand the interpretation subjects make of their life world. This perspective radically opts for typically qualitative research methods such as case studies, ethnography, participant observation, action research, ... etc.

[48] Popper used the thought experiment of the black swan; the statement that "all swans are white" is contradicted by the observation of just one black swan

Only qualitative research methods offer the ability for a rich and contextualized description of knowledge.

Both perspective in their radical forms are so different that they have been declared incompatible by Howe (Howe 1988). We argue that when both perspectives are pushed to their limits they become internally inconsistent or contradictory. When the interpretative or social constructivist framework evolves into an extreme relativist position, it becomes logically inconsistent. The statement that "all knowledge is socially constructed" would contain a knowledge claim that is socially constructed too. Thus the statement can only by true if “not all knowledge it socially constructed”, or at least all knowledge except for the knowledge that “all knowledge is socially constructed”. But this would be contradictory to the statement itself.

But apart from this semantic contradiction, such a statement is absurd if confronted with some direct experiences from the external world. The socio-cultural interpretation of a subject of the laws of gravity, does not matter much to the survival chances when a subject jumps of a ten storey building. Furthermore, if the goal of research should uncover “interpretations of subjects”, and to build intimate contextualized knowledge, then a new problem arises to which respect the researcher can have unmediated access to the interpretative world of the subject under study. The interpretation the researcher reconstructs, would be a reconstruction mediated and constructed by its own cultural and social dispositions, and thus can never be a true representation of the interpretation of the subject under study. And to go even one step further, the reader of the research - yet another subject - reads and assesses the findings and knowledge of the researcher through its own personal interpretation again. At the end, if knowledge is always subjective, this also means ultimately that knowledge cannot be transferred from one subject knower to another subject knower.

As for the other positivist extreme, it is also extremely naive to think that sciences and scientific research are free from power, values or cultural dispositions, and that there are no social or historical forces involved in the construction of scientific knowledge. As noted by Johnson and Onwuegbuzie (Johnson and Onwuegbuzie 2002), “positivists” claim that science involves confirmation and falsification by empirical experience. The scientific method requires procedures that are to be carried out objectively. However, ardent positivists disregard the fact that many human decisions are made throughout the research process and that researchers are members of various social groups. Researchers are by no means purely technical eunuchs who leave their values, cultural codes and norms at home when they are at work. As Thomas Kuhn has demonstrated scientific enquiry always proceeds in a cultural web dominated by intellectual paradigms (Kuhn 1970). Especially for the social sciences, values and cultural norms are often difficult to separate from facts.

5.2.3 Pragmatism and the Mixed Method as a third way

As regard the discussion between qualitative and quantitative methods, we agree with Howe (Howe 1988) and Johnson and Onwueggbuzie (Johnson and Onwuegbuzie 2002) that (1) both methods are not necessarily the exclusive domain of one of the different epistemologies, (2) nor do we consider both epistemologies as rival or mutually excluding.

As regards to the first statement, it is possible for instance to develop a research design with a positivist epistemology on only a small amount of N and even for N=1. A positivist researcher would explain such a research strategy as an explorative research strategy, in which a social phenomenon is examined in its complexity in order to formulate a hypothesis, that later can be confirmed or falsified in more quantitative research designs. The research would not be representative, and the outcome would be to a large amount speculative on a theoretical level (though not on an empirical level), but nevertheless would the research output be considered as a valuable output. It is also possible to imagine an interpretative research design in which research findings from in depth interviews are quantified. Interpretative research does not rule out the possibility of using statistics as a tool for analysis. For instance, in methods of discourse analysis, it has become common to quantify the analysis of texts and speeches.

As regards to our second statement, we reject the dualism and take a position in between an objectivist and a subjectivist approach. The world as we experience it, is nor purely objective, nor purely subjective. Such a middle position in between different methods and epistemologies is supported by a pragmatist philosophy of science (Tashakkori A and Teddlie C 2010). Pragmatism has been elaborated in the early 20th century by writers as Dewey and James (Dewey 1948; James 1905) and more recently by Rorty (see (Baert 2004) for a discussion on Rorty's contribution). Pragmatism sidesteps the contentious metaphysical issues of truth and reality and accepts, philosophically, that there are singular and multiple realities that are open to empirical inquiry and orients itself towards solving practical problems in the ‘‘real world’’ (Dewey 1948). In a pragmatist philosophy, knowledge is neither pure abstract, nor pure subjectivists, but is constituted through the interaction between our actions and their consequences. Knowledge is constructed by acting upon the world and by evaluating the consequences of one's actions. To know then means that one is able to better control and predict the interaction between its actions and its consequences.

The *pragmatic rule* or *maxim* or *method* states *that the current meaning or instrumental or provisional truth value of an expression is to be determined by the experiences or practical consequences of belief in or use of the expression in the world* (James 1905)

One can apply outcome-oriented rule through thinking (thinking about what will happen if you do X), practical experiences (observing what happens in your experience when you do X), or experiments (formally or informally trying a rule and observing the consequences or outcomes).

A pragmatist view on knowledge is thus fundamentally empirical, but supports methodological diversification or mixed methodologies (Johnson and Onwuegbuzie 2002; Tashakkori A and Teddlie C 1998). Mixed methods are studies that combine qualitative and quantitative approaches into the research methodology of a single or multiphase study (Tashakkori A and Teddlie C 2003). Such an approach certainly does certainly not advocate methodological anarchy, or an "anything goes" attitude. According to Tashakkori and Teddlie, in a pragmatist view, *what is most fundamental is the research question: research methods should follow research questions in a way that offers the best chance to obtain useful answers.*

Yin (Yin 1989) also advocates such a position. Yin distinguishes different methods or research strategies in the social sciences ranging from experiments, panel surveys, archival analysis and case study research. According to Yin, the choice of the method is related to the type of research questions, the amount of external control over behavioural events or whether the research focuses on contemporary events or not. Yin recommends to study "how" and "why" questions with qualitative techniques, whereas "who", "what", "where", "how many", "how much" questions with quantitative techniques.

Mixed research methods are also considered as a way of combining the strengths of both qualitative and quantitative methods, and as a way for methodological triangulation. According to Tashakkori and Teddlie (Tashakkori A and Teddlie C 2010), *adding qualitative interviews to quantitative panel surveys helps to check and discuss the issues under investigation and tap into participants perspectives and meaning will help to avoid some potential problems with the panel survey method. And in a qualitative research, the researcher wants to supplement its findings by measuring certain factors considered important with a closed-ended panel survey.*

5.3 Applying a mixed method in the research strategy

5.3.1 General Research strategy

As we have stated, a mixed methodology and a pragmatic approach does not make a-priori choices on the research method. It starts from the premise that the nature of the *research question* should guide the selection of the research method. Since we have three research questions, we also have three different research methods.

The first research question of this research is "*Why do land use conflicts emerge*". There are several elements that advocate for a qualitative approach for this research question:

- the complexity of the phenomenon of land use conflicts
- the interplay between different variables (and theories) within a case: in the theoretical part we distinguished three different sets of variables that explain emergence
- the interrelatedness between context of the case and the conflict in the case: cases of conflict emergence have to be related to their historical and political context in order to understand emergence
- the impossibility to find enough cases to collect a representative sample.
- the ill-defined character of the set of cases: the set of "strategic projects" is too broad and internally diverse to make generalisations upon
- the time-intensive character of one case study analysis due to its complexity

Since a qualitative approach is thus appropriate, we opted for a comparative study of two cases. The overall strategy used is one of comparing similar cases, in which the context of the cases are very similar, but differ in their emergence of conflict (the dependent variable). This allows us to isolate those factors (the independent variables) that have contributed to conflict emergence. It is thus a strategy in which we compare one case with a certain outcome (conflict emergence), with the most similar case without this outcome (no conflict emergence). Such a strategy is similar to twin studies in the medical sciences, in which researchers want to research genetic or environmental effects on individual development.

Although the overall research strategy is qualitative, we used quantitative techniques within the cases. Since in our theory, the proportion of protesters, rejecters, ignorant and supporters of the project within the PIZ (project Impact Zone), the amount of organizational capacity, and the individual perception on political decision making are considered important factors, there was the need to measure and quantify some of these elements by doing a panel survey. It is

impossible for instance to know the proportion of the set of rejecters of a project by using techniques such as in depth interviews or participant observation. The only way to test the theory is thus via a panel survey of the residents. The panel survey is complemented by qualitative research methods. Besides the panel survey, we used also in depth interviews, newspaper articles, websites and policy documents to understand the emergence of action groups, to understand the context of the panel survey and to make an interpretation of the results of the panel survey.

Our second research question was "*Why are land use conflicts so persistent?*". Since the theories on conflict escalation stress the importance of the strategies and tactics, the interpretations, intentions and perceptions of individuals in conflict, here a qualitative research was more appropriate. The aim of our empirical investigation is to explore how general vested theories on conflict escalation in social psychology can provide explanations for land use conflicts.

As regards to the final research question, no extra empirical data was collected. Research on the third question will be based on the findings of research question 1 and 2 and the existing literature. As we already stated, the third research question will be addressed only by logical deduction and thought experiments and is not backed up by new empirical evidence. Although our recommendations should not be considered as purely "scientific" (since they involve the arbitrary choice over values) they are not purely speculative. We will refer to existing empirical evidence to support some of the claims.

5.3.2 Selection of the types of cases: railway station area developments.

The object of the SP2SP study and this study is land use conflicts in *strategic projects*. Strategic projects have been defined as public led land use developments, that aim to transform the spatial, social, ecological and economic development of a wider area through a punctual intervention (Boudry et al. 2003).

The population of strategic projects is a large and internally diverse set ranging from infrastructure projects, business parks, residential developments and mixed-use developments, but also landscape projects, parks and nature reserves. Not only there is a large diversity in the types of programmes of these projects, also the location of the projects can vary: in the city centre, the 19th century belt and the fringe of the city or even outside urbanised areas. In order to be able to compare different cases with each other, we opted to narrow down to only one type of strategic project: railway station redevelopment projects. This reduces the complexity and allows us to focus more on the variables that explain the variability of protest by keeping the type of project programme more constant.

The choice to study railway station developments was also determined by a very specific research opportunity. Railway station projects became popular over the last two decades in Flanders. Most railway station areas in the late eighties in Flanders had run down through years of underinvestment and neglect. However, since the early nineties, the railway station areas of larger cities such as *Gent* and Antwerp and regional cities such as *Leuven*, *Sint-Niklaas*, *Brugge*, *Kortrijk*, *Aalst*, *Mechelen* and *Hasselt* have been renewed or are currently being renewed.

This wave of railway station area renewal of the last two decades is related to two independent reinforcing evolutions that started in the early nineties. One evolution has been the tendency of the Belgian Railway Company (NMBS) to develop and valorise its own land. By the end of the eighties, the Belgian government decided to participate in the High Speed Railway network in Western Europe. It agreed with the UK, France, Germany and the Netherlands to build a high-speed network between London, Paris, Brussels, Amsterdam and Koln. However, since the debts of the Belgian Railway Company and the Federal government already skyrocketed by the ends of the eighties, it was decided that the costs related to the HST had to be financed by the revenues of the HST exploitation and by additional incomes of real estate development (Albrechts L. and Coppens T 2003).

The National Railway Station Company (NMBS) is one of the major public property owners in Belgium, and in many cities, the company owns vacant or underused land near railway stations or on strategic locations in the city. To develop this strategically located land, the NMBS established two subsidiary public private companies “Eurostation” and “Euro-immostar”. In cities as Brussels and Antwerp, where the railway station had to be adapted to provide a new terminal platform for the High Speed Train, the renovation of the railway station provided a direct stimulus to develop land near the railway station. In other railway stations, vacant or underused land or infrastructure adaptations provided opportunities to start a renewal process. For the NMBS and Eurostation, the motivation for a railway station renewal project is therefore not only to increase the accessibility and comfort of its railway station infrastructure, but also to valorise its land by real estate development. In most of the railway station projects, new car parks, commercial facilities and offices are therefore important elements of the project program.

A second evolution has been the development and the approval of the Structure Plan for Flanders (RSV) in the nineties. This policy document sets out a vision for the spatial development for Flanders. One of the main ambitions of the structure

plan Flanders is to reinforce the urban areas and to stop suburbanization. Railway station areas play an important role in this ambition[49]

> *In the urban areas and the urban networks, the railway station areas provide strategic locations. Around the main railway station high densities and activities oriented on public transport should be attracted...Within these areas, with respect to the liveability of the area, new offices and retail should be developed.*

By increasing the density in railway station areas and by providing space for offices and retail, it was hoped that this would result in a general modal shift from car to public transport, and hence to a more sustainable mobility in Flanders. To implement this policy, the Flemish administration started new planning processes in the large and regional cities to guide the development of important railway station areas. Therefore, from the year 2000 on, many railway station projects were being planned or implemented.

Railway station area redevelopments provide an interesting case for conflict research because of the inherent latent conflict between the policy goals with railway station areas. On the one hand, railway stations are mobility machines. They are nodes in a national and international multi-modal and multi-layered mobility network. Railway stations function as an interchange between different modes of transport such as rail, car, coach or tram, and as interchange between international, regional and local transport networks. Because of their accessibility, railway stations are also nodes of economic development. Ever since the industrial revolution, accessibility by rail attracted workshops and industries to locations near the railway station. When the industries moved out, workshops were often gradually replaced by tertiary sectors activities. And more recently, in a society which is evolving into a network society (Castells 1996), economic locations on nodes in the international network of infrastructures are becoming increasingly important.

On the other hand, railway station locations are often located near or at the fringe of inner cities. They are thus also densely populated residential areas, in which environmental quality and the quality of life often conflict with the ambitions as an economic node or mobility machine. For Castells, this contradiction has been conceptualised in his ideas on Space of Flow and Space of places (Castells 1996). Besides space as the historically rooted physical expression of society (space of places), our society is increasingly being constructed around flows: flows of capital, flows of people, flows of goods, flows of images. These flows are the expression of processes dominating our economic, political and symbolic life.

[49] Ministerie van de Vlaamse Gemeenschap, Afdeling Ruimtelijke planning, 1997, Structuurplan Vlaanderen, Brussel, p507-508

Material support is needed for these flows. The space of flows is seen as the new spatial form of social practices that dominate and shape the network society. Nodes constitute a crucial layer in the space of flows. Because function and power in our societies are organized in the space of flows, the structural domination of its logic essentially alters the meaning and dynamic of places. In reality, the space of flows is often imposed on the space of places. Castells writes (Castells 1997):

> *The domination of the space of flows over the space of places induces **intra-metropolitan dualism** as a most important form of social/territorial exclusion, that has become as significant as regional uneven development. The simultaneous growth and decline of economies and societies within the same metropolitan area is a most fundamental trend of territorial organization, and a key challenge to urban management nowadays. (p14)*

That the development of railway station areas can lead to real planning conflicts had already been proven in the 60ties in Noordwijk in Brussels. This densely populated area around the North Station in Brussels had been wiped off completely by the *Manhattenplan* in the 60ties and replaced by a modernist plan with high-rise office buildings[50]. The brute urbanisation that took place in the Noordwijk lead to a national collective symbol of bad urbanism. Despite the lessons from the planning disaster at the Noordwijk in Brussels , the conflict between space of flow and the space of places manifested more recently again at the South station of Brussels. When the south station in Brussels had been selected as the location for the first High Speed train station, a new development scheme and speculations from real estate developers had a destructive impact on the neighbourhood. From their case study on the development of the Brussels South area, Albrechts and Coppens (Albrechts L. and Coppens T 2003) conclude:

> *The Brussels case illustrates that the dichotomy between the space of flows and the space of places puts additional pressure on the quality of the local environment and influences the location of economic development. One of the persistent challenges is how to reconcile the legitimate programs and projects supporting the space of flows with the equally legitimate concerns of the space of places: how to provide guarantees that subsidiarity is used in its real sense of taking decisions as close to the citizens as possible? Within the context of a renewed strategic view, planning controversies must be seen as political problems and not as mere technical/rational management and economic problems.(p223)*

Although there are thus good theoretical reasons to assume that there is an inherent potential conflict in railway station redevelopment projects, this latent conflict is not always transformed into emergent conflict or into an escalating

[50] Vzw Bral, 2006, Man Had een PLan, vzwBral, Alert, 324

conflict. In Flanders, there are only 13 medium sized or larger cities in Flanders, and all of these cities have already started to renew their railway station areas. In the projects that have been realised or are being realised, there is a large variety in the reactions of the residents. In table 1, an overview is given of protest cases, based upon the analysis of press articles in the media.

City	Project	Action groups	Escalated protest?
Antwerpen	Renewal central station area and Kievit Sqaure	Yes, the Kievit project was contested by several resident groups and supralocal social movements	Yes
Gent	*Gent-Sint-Pieters*	Yes	Yes
Turnhout	Renewal railway station area	No	No
Mechelen	Central station and *Arsenaalsite*	Minimal protest against new road connection	No
Hasselt	Railway station area	No	No
Genk	No	No	No
Leuven	Railway station area: Martelarenplein and *Kop van Kessel-lo*	Minimal protest against high rise buildings *Kop van Kessel-lo*	No
Aalst	Railway station area	Minimal protest against bike parking	No
Sint-Niklaas	Railway station area	No	No
Brugge	Renewal Railway station area	No	No
Kortrijk	Railway station	No	No
Oostende	Railway station	No	No
Roeselare	Renewal railway station area	No	No

Table 1: overview of railway station area development projects and protest

From this overview, it can be concluded that there are more cases without protest in railway station areas than cases with protest. In 5 of the 13 cases, action groups contested the development. And from the 5 cases, only in two cases protest was a real threat for the implementation of the project. The puzzle is thus not only to explain why conflicts emerge and escalate, but also why latent conflicts do not emerge at all despite the inherent conflict of railway station development.

From the table we choose two cases. In the railway station area of *Gent* protest emerged and escalated. In the case of *Kessel-lo*, *Leuven*, protest emerged but did not escalate. What is particularly interesting about the comparison between those two cases is the variability in protest development. In the case of *Gent*, protest was clearly manifest. A seemingly well organized protest group, called Buitensporig, was able to draw a lot of local and supra-local attention and media coverage and managed even to become a symbolic protest case in Flanders. In *Leuven* on the other hand, protest was existent but it was rather limited and mild. There was a protest group "*Belle-Vue*", but this protest group nearly organised protest actions. Furthermore, both cases are very similar in their planning logic; the programs and functions of the projects have many resemblances.

5.4 Conclusion

In this chapter, we developed our methodological approach. We started by a discussion on qualitative and quantitative research methods. Whereas quantitative methods are more appropriate to generalize over a larger population, they are often less suited to research the complexity of social life. Whereas qualitative methods are better to cope with complexity and multi-causation, they are poor as regards to their internal and external validity. A mixed method aims to combine the strengths of both methods.

We argued that research methods are not necessarily related to positivist or interpretative epistemologies on a one to one basis. Based upon a pragmatically philosophy of knowledge, we argued that the nature of the research question determines which method to use.

As regards to the question why conflicts emerge, we use the method of a comparative case study analysis with a mixed methodology. As regards to the second question, we argued that a qualitative case study is more appropriate.

The topic of land use conflicts covers a broad and very diverse range of types of projects. In order to reduce the complexity, we opted to select railway station area redevelopment projects. Because of the inherent tension between the (top-down) policy ambitions and the quality of live in these projects, there is always a potential for conflict. However, this latent conflict is not always transformed into an emergent conflict. Therefore, the variability of protest in such projects provides

an interesting opportunity to study conflict emergence and conflict escalation. From the list of railway station projects, we selected two projects that will be further analysed.

VI. Description of the ŏase studies

6.1 Introduction

In the following chapter, we will present the two selected cases. We will first discuss the case in *Gent*, and next the case in *Leuven*. The description of the cases acts as a general introduction to the empirical data. In the subsequent chapters, the empirical data will focus upon data related to the theoretical concepts. For each case, we will now describe (1) the context of the project (2) a brief chronology of the decision making process (3) the content of the project programme and finally (4) the chronology of protest development.

As for the chronology of the cases, we have to remark that these cases are still in their implementation phase. None of the cases can be considered as completely finished, since as well the decision making process in these cases as the protest activities are still ongoing. The data of the case has been collected in the year 2007-2008. Therefore, we will not discuss the development of the case after 2008.

Furthermore, we have to remark that also the starting point in history of a case is somewhat arbitrary. All cases have a prehistory, which traces back to the first construction of the railway infrastructure in these cities. In order to delineate the

chronology of our cases, we have selected a specific (but somehow arbitrary) period, which is not earlier than 1990 and no later than 2008.

For all cases the sources of the chronological reconstruction mainly came from newspaper articles selected via the Mediargus database, interviews with key actors (for a list see 11.1) and official reports and minutes from the public authorities involved. In the case of *Gent*, the website of the action group and the newsletters of the actions groups have also been a good source of information. Since the information from this source can be rather one-sided, it has been triangulated with other evidence.

6.2 Case Gent-Sint-Pieters

6.2.1 Situating the project Gent-Sint-Pieters



Figure 14: Belgium, source NGI online resources

The project *Gent-Sint-Pieters* is located in the city of *Gent*, the second largest city in Flanders and the capital of the province of Oost-Vlaanderen, with a population

of 243.000 inhabitants[51]. The project is situated at the railway station of *Gent-Sint-Pieters*, the largest railway station in terms of passengers in Flanders, located south-west of the historical city.

The first railway station in *Gent* was constructed in the historical city at the current "*het Zuid*" as a terminus. The railway station *Gent-Sint-Pieters* was constructed in 1912 in the context of the world exposition in *Gent* of 1913[52]. At that time, it was located outside the fortifications of the historical city, on mainly agricultural land along the railway line towards Bruges (Figure 16). It was only later that the railway station at "*het Zuid*" started to lose its importance and the Gent-Sint-Pieters railway station became the primary station for the city.

The railway station district itself is composed by different districts (see Figure 15). Due to the east-west orientation of the railway tracks, which are elevated one floor above the surface level, the northern part and the southern part of the railway station area are strongly separated. The district *Pantijntje* and *Ganzendries*, sometimes referred to as the *Rijsenbergwijk*, are located North-west of the railway station, in between the railway tracks and a branch of the river the *Leie*. This district is made up by a fragmented and seemingly unplanned mix between 20th century social housing estate, working class row houses and small workshops. The north-eastern part is made up by the radial streets of the well planned 19the urban extension. This part with its central square in front of the railway station - the *Maria Hendrikaplein* - has been planned and developed together with the construction of the railway station in the early 20th century. It is made up by a system of radial urban lanes converging in the *Maria Hendrika* square. The buildings along the lanes are more representative and mainly date from the interbellum period.

The district in the south east, along the *Sint-Denijslaan* is a more open district, with detached and semi-detached houses and apartment buildings from the mid 20th century. A large part of the eastern part had been developed more recently as a educational campus for the *Hogeschool Gent*. The district is bordered by a natural area the *Overmeersen* between the outer ring of *Gent* and the railway station district. In the east it is bordered by the Voskenslaan, an important north-south connection in the city of *Gent* with a tunnel under the railway tracks. Eastern to the Voskenslaan, the district of *Aalst-Sint-Pieters* is located. This is a more dens area on the former settlement *Sint-Pieters-Aaigem*, with mainly 19th century row houses and former workshops. Since the different districts around the railway station area have been urbanised in different periods, the urban structure of the area is rather fragmented

[51] Figures of 2009, source City of Gent, dienst Burgerzaken

[52] Source, city of Gent, http://www.gent.be/eCache/WSN/43/123.html, consulted on 09/06/2010



Figure 15: Project site, street atlas, source: maps.google.com

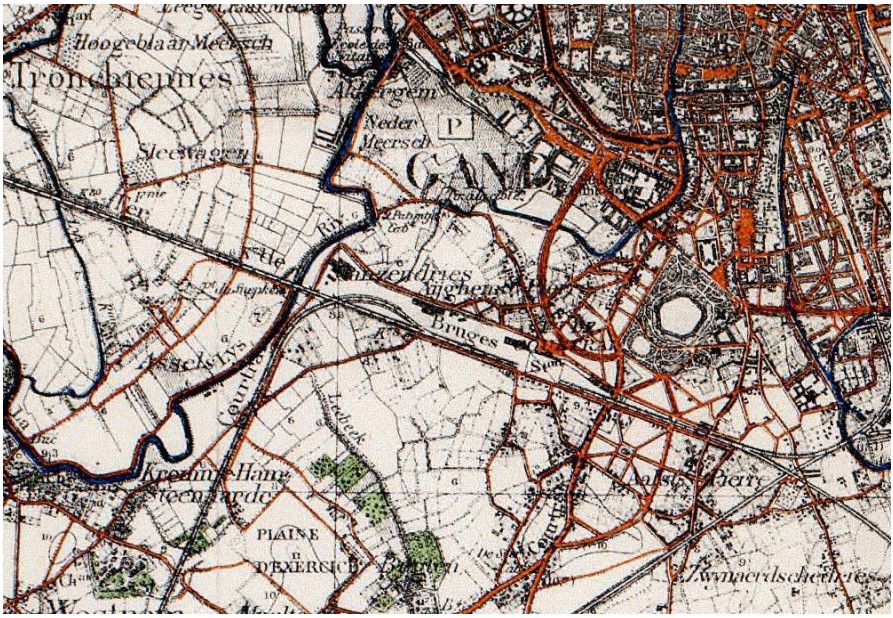

Figure 16: Project site, historical map 1:40000, Source NGI



Figure 17: Project Site, Ortho-photo, source: maps.google.com

6.2.2 Decision making process

The first ideas for the renewal of the railway station area in *Gent* emerged somewhere in the mid nineties. At that moment, the infrastructure and the spatial organization of the railway station of *Gent-Sint-Pieters* was becoming increasingly dysfunctional to accommodate the steep growing number of commuters. The number of rail passengers had grown to about 34.000 passengers per day[53] by which the railway station had become the largest railway station in Flanders in terms of passengers. The outworn railway station building from the early 19th century needed some urgent renovations. Some parts needed a profound restoration; other parts were outdated and not adapted to the huge volume of daily commuters. In addition, the connections between the different modes of transport in the railway station area were not well arranged. Although the *Maria Hendrika* square in front of the railway station had been renewed very recently, the connection with busses and trams had not been well designed and the regional Bus and tram company was dissatisfied with the accommodation.

With the growth of the traffic volumes to and from the railway station, the pressure on the neighbouring districts increased over the years. Especially, cut through car traffic was increasingly being felt as a problem for the Rijsenbergwijk, north of the railway station. Residents had been complaining about increased traffic in their streets for several years[54]. A related problem was the lack of parking places, both for cars and bikes. Due to a lack of capacity at the railway station building, many commuters and passengers parked their cars and bikes – very often irregularly - in the neighbouring streets of the railway station. For many residents of the districts this was increasingly disturbing[55]. In reaction to the complaints of several residents, the city, the regional bus company “de Lijn” and the national railway company the NMBS prepared a project for a new car parking at the back entrance of the railway station[56]. However, the Flemish government had contested this project.

The city government then urged the NMBS to find a solution for this capacity shortage, and to build new park facilities for cars and bikes. The NMBS and the city of *Gent* could not agree however on the location of these new facilities[57]. As for the bike parking, the NMBS had proposed to build a parking under the *Maria Hendrika* square, in front of the railway station. The city however had refused the

[53] Sint-Pieters trekt nieuw pak aan, 23-04-1997, Gazet van Antwerpen, p14

[54] Stad stelt NMBS keihard ultimatum, 17-10-1998, Het Nieuwsblad, p15

[55] Meeste klachten komen uit stationsbuurt, 05-02-1999, Het Nieuwsblad, p17

[56] Collegebesluit Stad Gent, dd 21-03-1996

[57] Stad stelt NMBS keihard ultimatum, 17-10-1998, het Nieuwsblad, p15

building permit for this parking, because it feared that the new bike parking would damage the existing trees on the square[58]. The conflict between the railway station company and the city over the extension of the car park reached an impasse.

In 1998, the situation changed. The NMBS had ordered Eurostation to prepare the redevelopment of the railway station area. Eurostation is a public real estate developer, in charge of developing the land of the railway station company. Eurostation had been developing other railway station areas, such as the Brussels Midi area and the railway station area of Antwerp and *Leuven*, so it gained experience and know how on railway station project development. The railway company's goal was to reorganise and to renovate the railway station building, and to construct a new car park to attract additional commuters. The railway station company also wanted to make money from the development. Adjacent to the railway tracks, the company owned developable land that was currently underused by a car park and technical facilities that had become dysfunctional. This land provided a good opportunity to develop a project with a mix-used program.

In the same period, the city was developing its structure plan (strategic plan), independently from this project. In this structure plan, the city had formulated the ambition to increase the density of railway station areas in *Gent*, in order to provide opportunities for less car dependent developments[59]. This ambition was an implementation of the policy options of the Flemish government in the Structure Plan Flanders (see paragraph 5.3.1) Thus, also the city favoured a development along the *Fabiolalaan* for economic and residential functions. Furthermore, the city planners had the ambition to create an area for high-rise buildings in order to complete the skyline of the city *Gent*[60].

[58] NMBS bestudeert parking voor vijfduizend fietsen onder sporen, 17-03-1999, Het Nieuwsblad, pagina 15

[59] Stad Gent, 2003, Structuurplan Gent

[60] Stad Gent, 2003, Structuurplan Gent

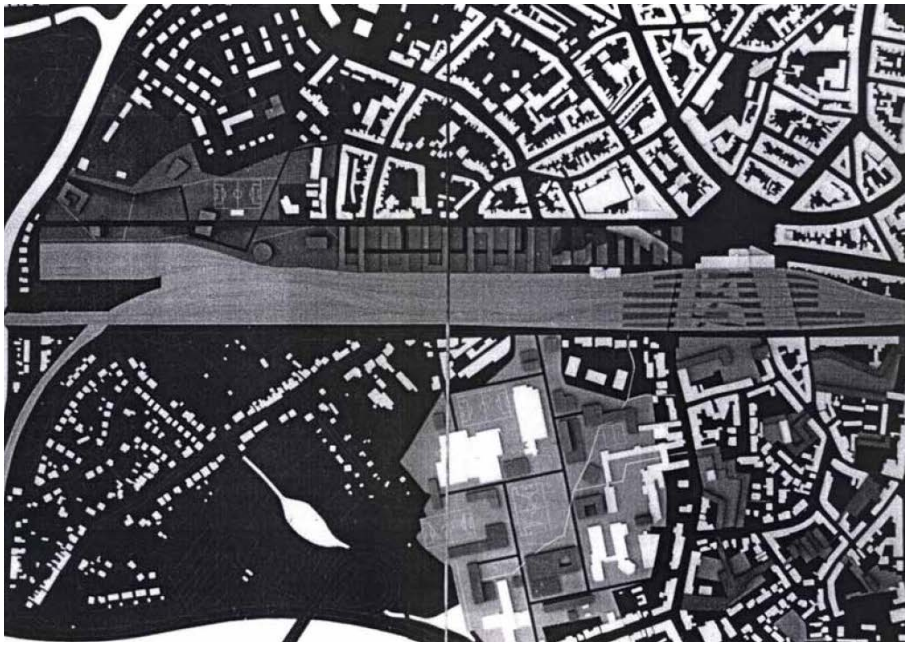

Figure 18: Plan De Geyter, 1999, source Stad Gent



Figure 20: plan De Geyter, 1999, source Stad Gent

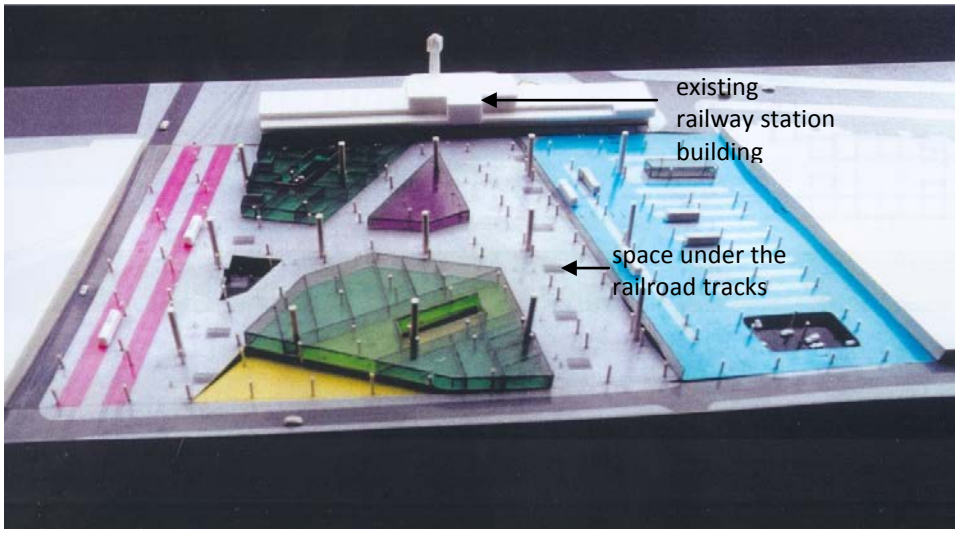

Figure 19: plan De Geyter, 1999, source Stad Gent

Since Eurostation and the city had complementary interests, both partners agreed to organize a design competition for the *Gent* railway station area. This design should meet both the ambitions of the railway station company and the city

The design competition was won by *Xaveer de Geyter* architects (see Figure 19 and Figure 20). By the end of 1999, the first results of the design study had been presented to the city and the Flemish ministers responsible for spatial planning and mobility. The plan proposed to excavate the space under the railway tracks. In this new space under the railway platform, *de Geyter* provided a bike parking, and integrated a new underground bus station, a car park, and new shops and facilities oriented at railway station passengers (green and purple volumes in Figure 19). As for the *Fabiolalaan*, *de Geyter* proposed a massive volume of new offices, retail and dwellings (see Figure 20). Furthermore, the plan of *de Geyter* proposed several new buildings (grey volumes) in the existing building blocks in order to increase the density of the districts. Parallel to the design study of *de Geyter*, the city of *Gent* had ordered a mobility study[61]. This study concluded that a new road connection between the railway station and the outer ring would be necessary to increase the accessibility of the railway station, the new car park and the new office development and to preserve the existing streets from additional traffic. The new road would cross a natural area, called the "Overmeersen", at the south side of the railway station area.

The city and the NMBS had mixed feelings with the plan of *de Geyter*. For the NMBS, the plans would require a massive investment. This was not evident, certainly because at the federal level, the government had decided that the NMBS had to take austerity measures. Decisions on the investment plans of the NMBS are made on the federal level, and the priorities of the investments are always the subject of a fierce political debate. Therefore, for the NMBS such a far going renewal of the railway station and the amount of budget required was not evident[62].

The city on the other hand was satisfied with the general options of the plan, but was not convinced of the design quality for the *Fabiolalaan*[63]. Alderman *Temmerman*, responsible for spatial planning thought that the volume and the height of the new buildings were too voluminous and could not be reconciled with the scale of the houses at the other side of the street. Nevertheless, despite the concerns about the costs and the scale of the development, liberal and socialist politicians started to lobby to attract the necessary investments to realize the plan. By the end of 2001, the effort of the lobby work was rewarded when the Belgian Federal

[61] Nogmaals plannen voor stationsbuurt - verbinding R4, 25/11/2000, Het Nieuwsblad, p9

[62] NMBS maakt 4 miljard vrij, het Nieuwsblad,14/02/2001 p12

[63] Rekening houden met de schaal van de stad, Het Nieuwsblad, 02/07/2001, p13

government decided to spent 6 million Euros on the renewal of the railway station[64].

In February 2002, the city and the NMBS restarted their negotiations on the project. Two new partners, the regional bus and tram company *De Lijn*, and the Flemish government were attracted to participate in the project[65]. *De Lijn* is an important partner, because it is responsible for the bus and tram infrastructure and exploitation. *De Lijn* was interested in a new station for its busses and its trams, with a better connection to the railway station and with more comfort for its passengers. Furthermore, *De Lijn* also wanted to increase its capacity, and this required adaptations to its infrastructure at the railway station[66]. The department road infrastructure of the Flemish administration was involved to finance the new road connection from the underground parking to the R4, whereas the department spatial planning was involved to coordinate the planning process.

In November 2002, the partners signed an intention agreement (*intentieverklaring*)[67]. In order to coordinate the decision making process with all these partners, a steering committee (*stuurgroep*) was erected, chaired by the mayor *Beke* of *Gent*. The steering committee was the chief decision making structure for the project, and was composed by the different financing partners of the project: the railway station company (NMBS), the city of *Gent*, the Flemish regional bus and tram company (*De Lijn*), and the Flemish government[68].

Euro-immostar was appointed as project manager for the project. From 2002 on, under the steering committee, several parallel working groups came into existence in charge of developing specific aspects of the project such as urban design, mobility, communication, and the design of the public domain. In these working groups, technicians from the city and private consultants prepared the decision making process. Many issues regarding the project had to be tackled in the *stuurgroep*. A first issue was the design of the general layout of the masterplan. Very soon, it became clear that the plan of *de Geyter* needed adaptations and improvements in order to be more feasible and acceptable[69]. Moreover, since *de Lijn* and the Flemish government were added as new partners in the project, some parts of the design had to be adapted to meet new demands. The original plan from *de Geyter* was considered not feasible in terms of the location of the bus and tram station, and in terms of exploitation by *de Lijn*. Furthermore, the steering

[64] Zes miljard voor Sint-Pieters, 31/03/2001, Het Nieuwsblad, p9

[65] Stad Gent, 2002, Collegebesluit dd 21/11/2002

[66] De Lijn, Masterplan Gent-Sint-Pieters, Ambitienota VVM De Lijn, Versie mei 2003

[67] Stad Gent, 2002, Collegebesluit dd 21/11/2002

[68] Verslag van de stuugroepvergadering dd 19 februari 2002, stad Gent

[69] Stad Gent, 2003, Verslag van de vergadering van de stuurgroep van 18/03/2003

committee commissioned two additional urban design studies for the area, one for the second entrance square of the railway station along the *Sint-Denijslaan*.

This design was made by *KCAP,* a Dutch architectural design firm. A second urban design study, made by *Alain Magritte*, elaborated a design for the public domain in and around the railway station area.



figure 21: adapted development plan for the *Fabiolalaan* of *Xaveer De Geyter*, 2003, source city of *Gent*

The second important issue involved the juridical procedures that had to be followed and the different legally required studies that have to be produced. At the time of the development of the plans of the project, the Flemish government had approved new environmental legislation on environmental impact assessments. Although environmental impact studies had been required for certain constructions before the change of the legislation, in the new legislation it became obliged to make an impact study on major spatial plans, such as the plans for the railway station area. The project Gent-Sint-Pieters was one of the first projects in Flanders that followed this new procedure[70]. The project partners also ordered an

[70] Wes, 2005, Milieueffectenrapport Masterplan Station Gent-Sint-Pieters en omgeving, definitieve versie september 2005

additional (not legally required) impact study for high rise development, to examine the impact of the sunlight exposition and wind climate on the *Fabiolalaan*[71]. Since such a study was innovative for the Flemish urban planning practice, expertise had to be sought at the department of spatial planning of Amsterdam in the Netherlands. Another obstacle to overcome was the development of a zoning plan (*Ruimtelijk Uitvoeringsplan*) for the railway station area. A zoning plan was necessary to change the designation of the area along the *Fabiolalaan.* Also the legislation on spatial planning had been changed in 1999. In the elaboration of the project, the city of *Gent* was also obliged to follow the new rules of the new legislation.

In the negotiations, the different partners had to reach an agreement on the division of responsibilities, the division of the costs for the preparatory studies and design and the actual construction of the project. An agreement had to be reached on the general ambition level (and thus the total cost of the development) and on the distribution of the costs. Certainly, during the first year in which the steering committee was active, this was not an easy discussion. The ambition levels and the available financial resources varied from partner to partner.

Despite the difficult technical and juridical issues, by July 2004, the different partners reached an agreement over the basic layout of the plan, its programme and the division of the costs[72]. These elements were laid down in a binding contract (*samenwerkingsovereenkomst*) between the different partners. In April 2005, the city made a synthesis of all the studies and plans in the "*syntheserapport*"[73], in which an agreement was reached over the different elements in the plan.

By the end of the year 2005, the different project partners started the procedure for the *Ruimtelijk Uitvoeringsplan* (zoning plan) for the area and the building permit for the first phase of the development. One year later, in 2006, the first preparatory works in the area started, such as the renewal of the sewerage system. From 2007, the actual construction of the project began. The construction of the project has two main phases[74]. In a first phase of the implementation, between 2007 and 2010, the car park and the new road connection has been realised. From 2011 till 2017, the railway station building, the new *Maria Hendrika* square and the development at the back side of the station and the new bus station will be realised. The end of the construction phase is foreseen in 2017. In

[71] Dienst Ruimtelijke Ordening, Gemeente Amsterdam, Hoogbouw effect Rapportage, oktober 2004

[72] Samenwerkingsovereenkomst "Herinrichting van het station en de stationsomgeving"

[73] Syntheserapport Ontwikkeling Stationsomgeving Gent Sint-Pieters, april 2005, Stad gent

[74] Presentation Hilde Weemaes, Euro-immostar, 18/06/2007, Algemeen overzicht van de Werken, consulted on www.projectgentsintpieters.be

total the development time for the project from early initiation (1997) to the end of the works (2017) will thus be about 20 years.

6.2.3 Project programme

In the *synthesedocument* of 2005[75], the programme of the project has been specified in 6 sub-projects

- a new road connection between the ring road of *Gent*, the R4 and the new underground car park along the *Fabiolalaan*
- the redevelopment and renovation of the railway station: the railway platforms are currently elevated above street level. In the new design for the railway station, the space underneath the railway platforms will be excavated, and we be used to make a large public square underneath the railway tracks with commercial and passenger facilities. The new square will also provide direct access to the new tram and bus station. The new bus station will be located next to the railway station.
- a new development on a former car park at the *Sint-Denijsplein* of about 3000m² commercial facilities and 9000m² offices and dwellings.
- the development of the *Fabiolalaan* zone A (project 4): this includes the construction of a new underground car park adjacent to the new bus station, and the development of zone B (project 5) and zone C (project 6) with the construction of in total 220.000m² of new offices, shops and dwellings in a strip between the existing *Fabiolalaan* and the railway tracks. Some of the new buildings will be high-rise buildings up to maximum 90m

[75] Stad Gent, 2005, Synthesedocument, Maart 2005, inclusief revisie april 2005

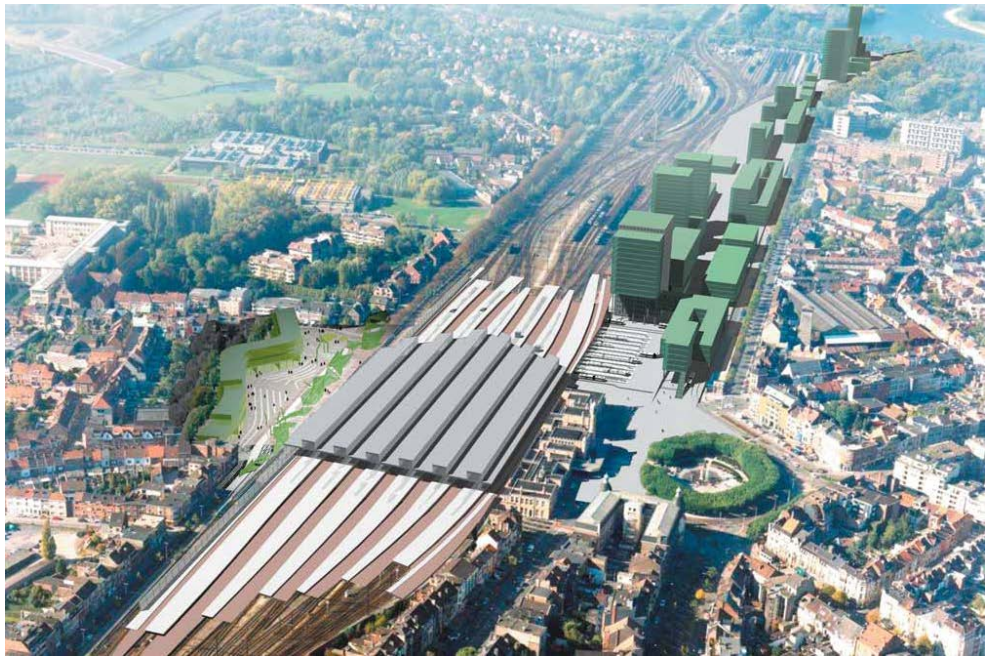

Figure 22: Perspective of the railway station development *Gent-Sint-Pieters*, source city of *Gent*

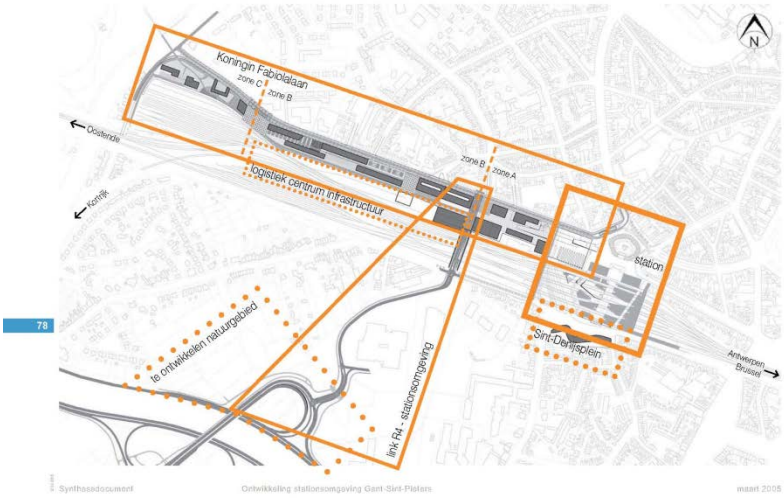

Figure 23: overview of the project; source Synthesenota city of *Gent*, p 78

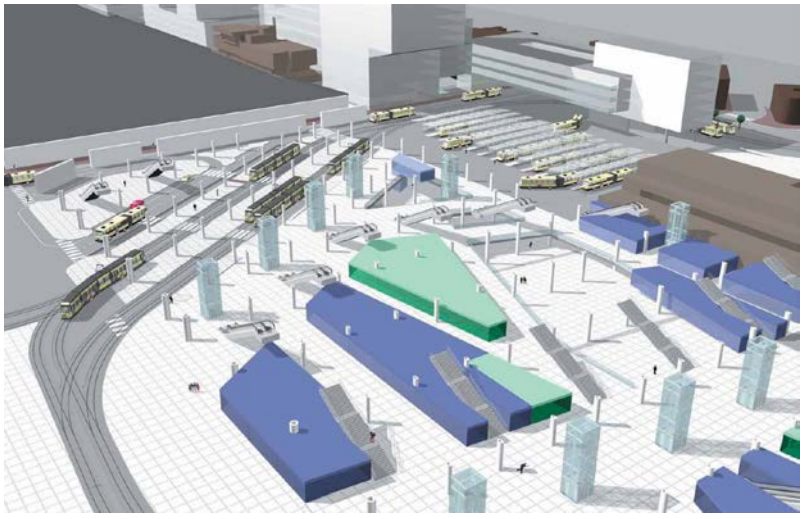

Figure 24: isometric perspective from the railway station building, source synthesenota 2005, city of *Gent*

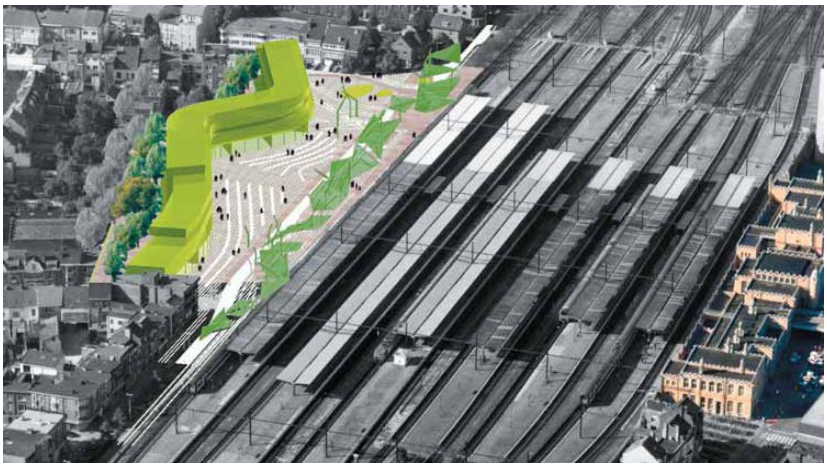

Figure 25: development along the Sint-Denijsplein, source synthesenota, city of *Gent*



Figure 26: high rise buildings at the Fabiolalaan, source syntesenota 2005, city of *Gent*

In 2005, an additional project for landscape development was added to the *Gent-Sint-Pieters* project. This project was the result of the Flemish legislation on nature conservation, in which the so-called standstill principle orders that the net surface

of natural land must be preserved in any spatial plan. Whenever natural area is destroyed, this should be compensated by new natural land elsewhere. Since the new road construction would destroy a part of the natural reserve the *Overmeersen*, the project partners had to compensate this loss. For this reason, a new ecological park on the *Overmeersen* had to be developed.

6.2.4 Protest in Gent-Sint-Pieters

The first signs of protest in *Gent-Sint-Pieters* emerged in 2000. The residents of the *Fabiolalaan* became aware of the development of the plan of *de Geyter*. Some residents of the *Fabiolalaan* were upset about the massive development of new offices that would take place before their doors[76]. In addition, a local environmental organization, the *Milieugroep Sint-Pieters-Aaigem* had been protesting against the new road connection[77]. However, these early protest actions were rather uncoordinated and ineffective.

In June 2005, the protest increased, and a group of residents established an action group "Buitensporig"[78]. *Buitensporig* organized many different protest actions from 2005 on. It held regular public meetings with the residents on the progress of the project, and on their activities. They also organized a conference on railway station development. *Buitensporig* communicated its activities abundantly via different media. A website on the project was developed with information and its critique on the project (www.*Buitensporig*.be), and several newsletters and pamphlets have been spread in the neighbourhood. It produced many press releases for the local and the national press with their critique on the project. Members of the protest group lobbied with local and supra-local politicians. *Buitensporig* also developed an intensive juridical campaign. Two different lawsuits were initiated: one lawsuit making use of the new instrument *Milieustakingsvordering*, another lawsuit for the *Raad van State (*the administrative court). Buitensporig also submitted a complaint to the Governor of the province of East Flanders and to the European Commission.

From 2006 on, the city of *Gent* established the *Klankbordgroep* or feed-back group, mainly in reaction to the critique of *Buitensporig* on the project. The *Klankbordgroep* was established as an instrument to dialogue with the residents and users of the project *Gent-Sint-Pieters*. *Buitensporig* was one of the actors, invited to participate in the *Klankbordgroep*. Other actors were for instance the

[76] Bewoners Fabiolalaan tegen, Gazet Van Antwerpen, 04-07-2001, p15

[77] Protest tegen autoweg door Schoonmeersen, 28-04-2003, De Standaard, p14

[78] Buitensporig is a inventive wordplay. It is literally translated as "exessive"; but is also means "outside" (buiten) the tracks (sporig), referring to the neighborhood along the rail tracks

association of pedestrians and bikers, the *Milieugroep Sint-Pieters-Aaigem*, the local dean, and representatives of the local schools. The *klankbordgroep* had meetings on a regular basis, about 4 times per year[79].

Despite its participation in the *klankbordgroep*, *Buitensporig* did not stop its litigation. However, in the current of 2008 it became clear that the juridical campaign from *Buitensporig* was failing. None of the verdicts of the different lawsuits was in favour of the protest group. The protest did not disappear completely after the verdicts of the judges. *Buitensporig* is still active as a protest group, although the intensity of the protest has decreased. *Buitensporig* is still disappointed about the project and its achievements in the *Klankbordgroep*[80]. According to their evaluation, they achieved only small changes in the plans.

[79] www.projectgentsintpieters.be, consulted on 19/05/2010

[80] www.buitensporig.be, http://buitensporig.be/2009/11/evaluatie-klankbordgroep-gent-sint-pieters/, evaluatie klankbordgroep Gent Sint-Pieters

6.3 Leuven, *Kop van Kessel-lo*

6.3.1 Project site and context



The project *Kop van Kessel-lo* is situated in the regional city of *Leuven*, capital city of the province of *Vlaams-Brabant*, with about 92.000 residents. *Kessel-lo*, located at the east side of the historical city, is the largest formerly independent municipality of *Leuven* with about 28.000 inhabitants. The railway station area is located in between the historical city of *Leuven* and *Kessel-lo*.

It has been first in use in 1837, and was constructed at the edge of the historical city of *Leuven*. The rail infrastructure has been built as a tangent on the ring of the medieval city, crossing the east-west oriented hills. This created an enormous barrier between the inner city and the later developments in *Kessel-lo*. A cutting up to 200 metres across and 9 metres deep divided *Kessel-lo* from the city of *Leuven*. The number of east-west road connections between *Kessel-lo* and the city is restricted to two connections (the *Diestsesteenweg* and the *Tiensesteenweg*). Next to these road connections, the railway station itself acts as an important

pedestrian and bike connection between the city of *Leuven* and *Kessel-lo*.

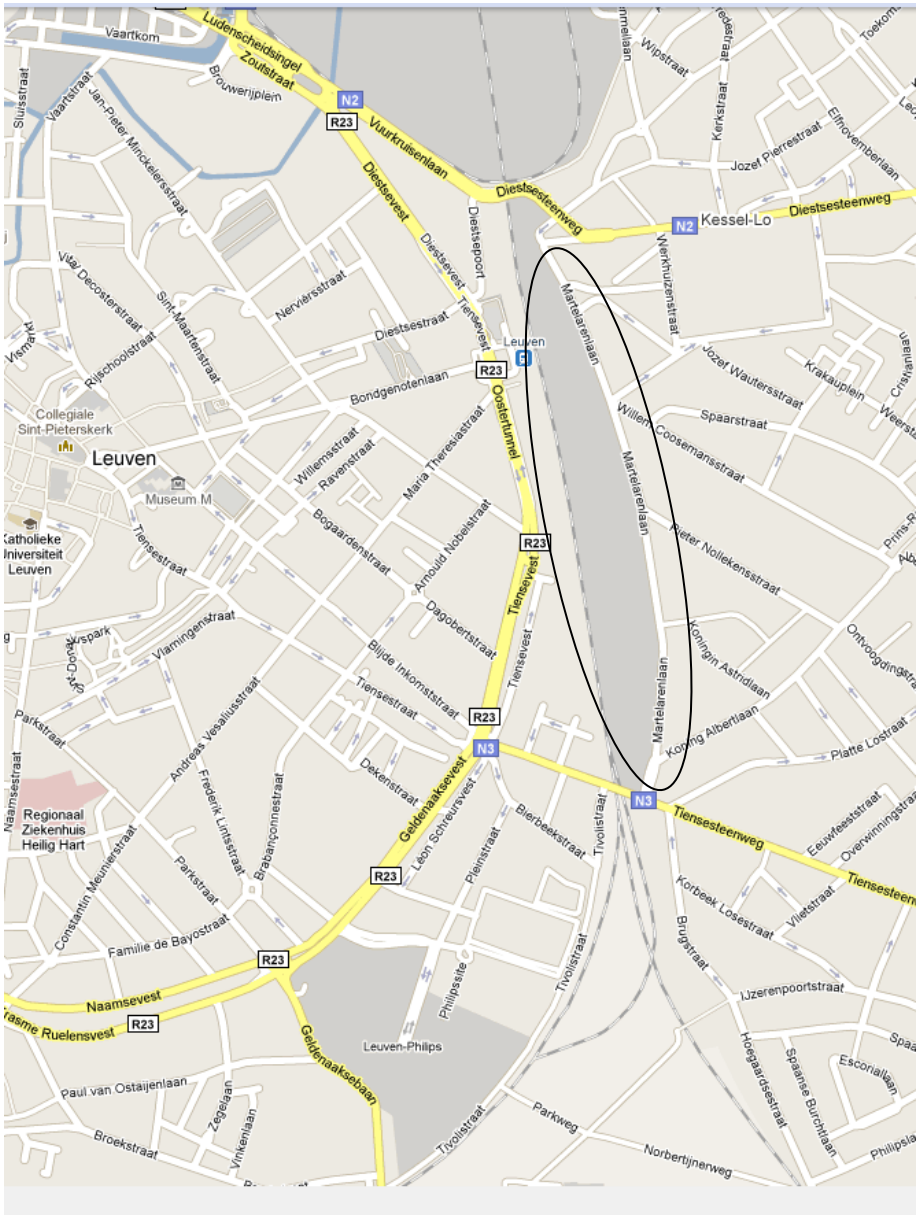

Figure 27: Project site, street atlas, sources:maps.google.com

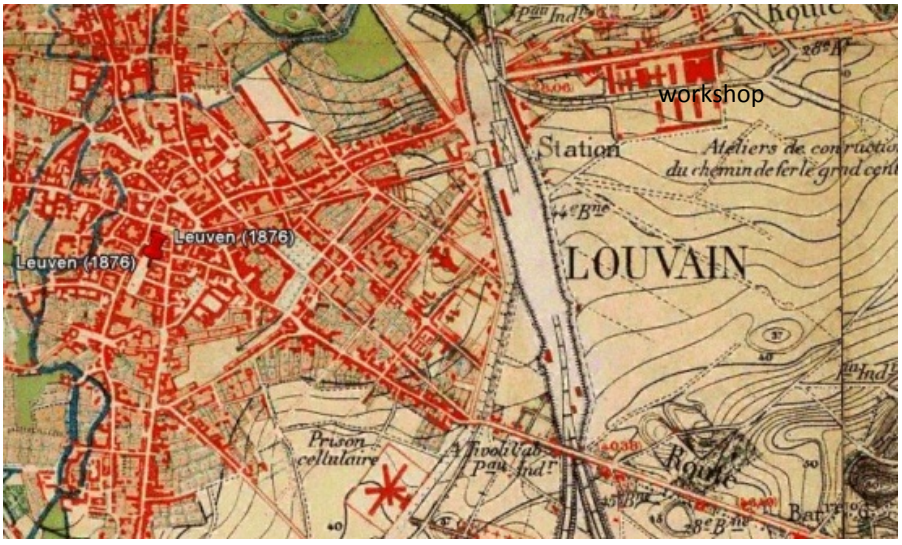

Figure 28: *Leuven* in 1876, Source Google Earth, originally from Dépôt de la Guerre et de la Topographie, 1876, Bruxelles



Figure 29: Project site, Ortho-photo, source, maps.google.com

Whereas the historical city of *Leuven* had been developed rather systematically during the 19th century, following the plans of town architect *Laenen* (1844), the development in *Kessel-lo* occurred rather sudden and unplanned. In the 19th century, the railway station company located a workshop (*Centrale Werkplaatsen*) for its trains at the east side of the railway tracks. Together with the workshop, new houses were built for the workers of the site. This resulted in a dense urban scheme with row houses with small gardens on small and irregular parcels, along the main routes leading to the different settlements in the area. The structure of the development largely followed the existing agrarian roads and parcelling. In subsequent plans from *Crignier* in 1927, *V Bourgois* 1937 and 1954, *Kessel-lo* was further urbanized. The *Martelarenlaan*, the road that connects the southern with the northern connection at the *Kessel-lo* side, has been developed as a sort of a façade of *Kessel-lo* towards the medieval city of *Leuven*. The larger buildings along the *Martelarenlaan*, mostly detached 3 story-houses or apartment buildings, date from the interbellum and later, and contrast with the older and smaller worker's houses behind the *Martelarenlaan*

6.3.2 Decision making process

The project *Kop van Kessel-lo* is a part of a much larger renewal scheme for the eastern tangent of the city of *Leuven*. This larger renewal scheme has been developed in the early nineties. In the 1989, the city of *Leuven* ordered an urban design study for the "*Vaartkom*", the inner port of *Leuven*, which has been the main location for 19th century industrial activities of the city of *Leuven*. Since many of the industrial buildings were becoming obsolete or underused in the eighties due to the ongoing deindustrialisation, the city of *Leuven* wanted to study how this part of the city could be redeveloped. Professor *Marcel Smets* and his team *Projectteam Stadsontwerp* made this study[81].

Soon after this study, the study area extended to the entire eastern tangent of the city ranging from the *Vaartkom* in the north, to the *Tiensepoort* in the South. The study area had been extended because of various reasons. In the early 90ties, the NMBS decided to move some of its functions out of the area[82], leading to the vacancy of a large amount of buildings and land near the railway station and the workshop in *Kessel-lo*. Furthermore, because of the decision to construct a new track for the high-speed train in the railway station, the railway station infrastructure had to be redesigned and the accessibility by car of the railway station had to

[81] Projectteam stadsontwerp, "Ontwikkelingsplan Vaartkom Leuven", Leuven, 10.12.1990

[82] M. Martin, E Taverne, 1993, Spoorweggebied in Leuven, Studie van het Projectteam Stadsontwerp , Archis, nr. 9, pp. 22-28

be improved. Earlier disputes over the different ambitions and plans over the redevelopment of these vacant buildings and land between the city of *Leuven* and the NMBS lead to the decision to make a general masterplan for the area. The study for the railway station area was ordered by the city of *Leuven*, The Flemish government, the NMBS and the regional bus company De LIJN. By the end of 1992, the *Ontwikkelingsplan voor het spoorweggebied Leuven*, was finished[83].

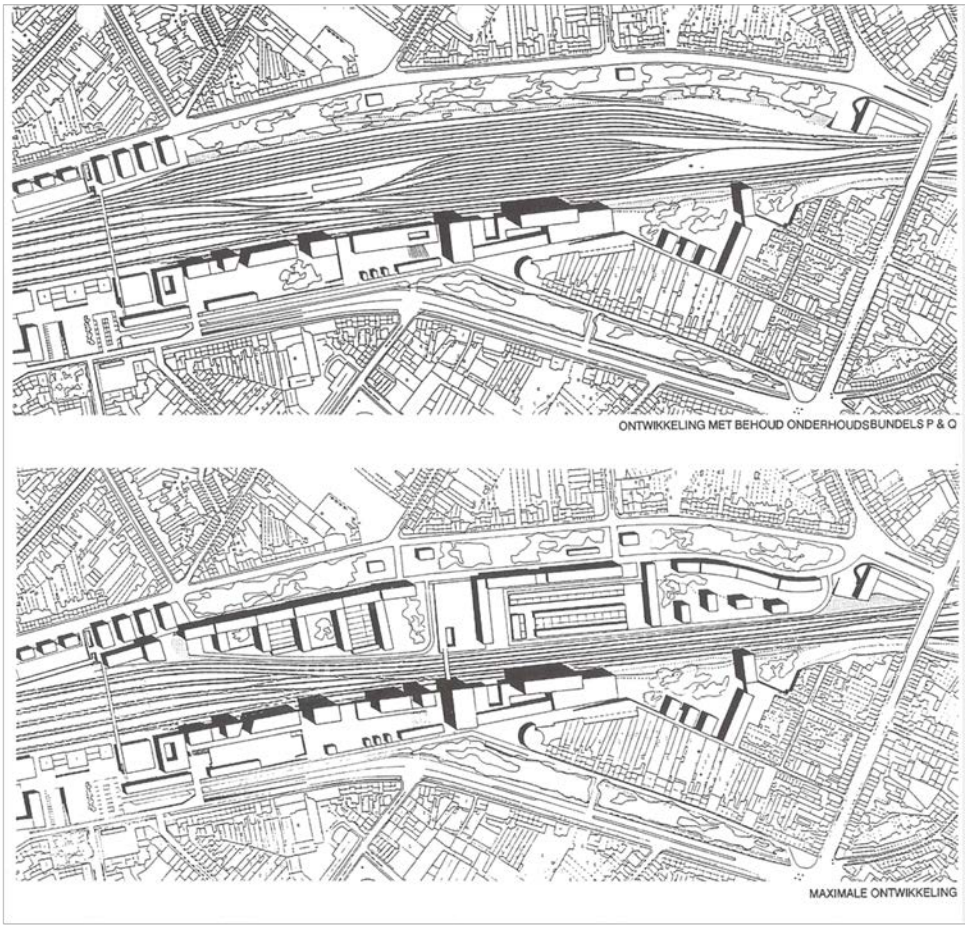

Figure 30: Development proposal Kop Van *Kessel-lo*, Ontwikkelingsplan, Projectteam Stadsontwerp, 1992

[83] Projectteam Stadsontwerp, "Ontwikkelingsplan spoorweggebied Leuven", 01.10.1992

The *ontwikkelingsplan* was considered as innovative study. It was one of the first attempts to develop an "urban project" or *Stadsproject* in Flanders, using an urban design strategy. In the early nineties the practice of urban planning was dominated by a type of bureaucratic zoning planning and statutory development controls. Loeckx (Loeckx 2002)comments on this period as follows:

The prevailing juridical and administrative frame, the mainstream office and window practices, the concepts and methods on the designers table, the methods of participation and communication are all adjusted to ad hoc building permits and spatial developments within an amorphous and riskless zoning plan and not to a structural and strategic approach towards spatial and infrastructural developments" (p74)

The *ontwikkelingsplan* however wanted to break with the passive and bureaucratic zoning planning, and followed a new emergent strategy of *urban design (Stadsontwerp)* to cope with spatial developments and conditions. For Loeckx (Loeckx 2002), the ideas on *urban design* even marked a paradigm shift in the practice of urban planning. The approach of urban design puts explorative design in the center of urban planning. Explorative design is seen as a dialectic and iterative method between analysis, debate and design. It focuses on the interaction between what is and what could be, in an iterative process of analyzing the spatial, morphological and socio-economic context, making proposals and evaluating different proposals by different stakeholders. This approach is action-oriented and calls for an active role in the development of urban spaces. De Meulder and Loeckx argue that urban design results in a *stadsproject,* a concrete development proposal (Loeckx and De Meulder 2003). It generates projects on the "middle scale" in between planning and architecture that can be realized within a middle range time perspective. The output of the method of urban design thus also breaks away from the traditional output of comprehensive zoning plans or regulatory plans of traditional land use planning; Instead of producing area-wide plans, it focuses on strategic projects, on punctual spatial interventions (mostly on public space) that are able to transform the overall spatial and socio-economic development of a larger area. The *ontwikkelingsplan* has to be understood in this context of the emergence of new ideas on urban planning.

The *ontwikkelingsplan* considered the north-south spatial barrier between *Leuven* and *Kessel-lo* caused by the railway tracks as the most important challenge. The main ambition of this plan was to find a solution for the historic rift the railway infrastructure had caused between *Leuven* and its eastern hinterland. The redevelopment of the railway station district played an important role in this strategy. At the *Leuven* side of the district, the *ontwikkelingsplan* proposed to rearrange the existing bus stops and the road traffic on the square in front of the railway station. By putting the ring road under the square, a more pedestrian and bike friendly environment could be created. Under the new *Martelaren*square in

front of the railway station building, a new car park could be developed in direct connection with the underground ring road and access to the railway station platforms. In this way, the connection between road and rail transport could be increased considerable. On top of the new square, a new bus station and offices for the regional bus company *De Lijn* would be developed.

The *ontwikkelingsplan* also made a development proposal for the *Kessel-lo* side of the railway station, the area along the *Marterlarenlaan* between the two roads connecting *Leuven* and *Kessel-lo* (*Vuurkruisenlaan* and *Tiensesteenweg*) (see Figure 30). This project area was further divided in two parts: the *Kop* (head) and the *Staart* (tail). For the *Kop*, the ambition was to create a better road and pedestrian connection between *Leuven* and *Kessel-lo*. The study proposed to make a new pedestrian connection from *Leuven* to *Kessel-lo*, using the pedestrian tunnel under the railway platform. The new pedestrian connection provided access to the different railway platforms of the railway station and the underground car park under the *Martelaren*square. Furthermore, the plan proposed to rearrange the northern road connection by rerouting the roads and demolish a building block. For the *Staart,* two different scenarios have been developed, one containing a new development on existing tracks, and one without this development. In both scenarios, a new linear park, "*park Belle-Vue*" would be developed along the *Martelarenlaan*.

After the completion of the *Ontwikkelingsplan*, not much progress was made with the realization of the plans of the *Projectteam Stadsontwerp*. The city had ordered the *Projectteam* to start making the juridical zoning plans for the area (BPA's), in order to create the legal conditions to implement the plan. However, the financial means, and more important, the approval of supra-local authorities such as the road administration and the NMBS were still lacking. According to the former Alderman for urban planning, there was also a lack of political consensus within the city itself[84]. Furthermore, the city of *Leuven* had no previous experience in an urban development of that scale. Therefore, the knowhow to actually realize a plan of this volume and scale was missing.

In 1995 the realization of the *ontwikkelingsplan* accelerated when Louis Tobback became the new mayor for *Leuven* (Smets 2002; Massart 2002) . This socialist politician of *Leuven* had been active in the 70ties in the city council, and made carrier as one of the most important national politicians in the 80ties and the 90ties[85]. Louis Tobback had been the president of the Socialist Party and minister of internal affairs in the nineties for the Federal government. As a Belgian politician, former minister of internal affairs and president of the Socialist party,

[84] Interview Alderman B Massart

[85] CV of Louis Tobback on, consulted on 14 januari 2010

Louis Tobback had the necessary authority to put all the different partners on one line and to attract Federal and Flemish financial means to *Leuven* to invest in the railway station area. The new Mayor was the main driving force for the further implementation of the *Ontwikkelingssplan* from 1995 on.

Priority was given to the development of the Martelarensquare in front of the railway station at the *Leuven* side of the rift: the construction of the new road tunnel, the new bus station on the new square and the rearrangement of the ring road of *Leuven*. For this project, the city of *Leuven* had formed a partnership with the main participants in the development project: the NMBS, the Flemish public transport company the LIJN and the Flemish Community (department of Environment and infrastructure). Professor Smets was appointed as the project manager for this project. Between 1995 and 1998, additional technical and design studies were made and the design for the roads, square and the building were further elaborated. From 1998 the construction of the first phase of the front side of the railway station project started. The new square and parking was finalised in 2001.

With all the policy attention and public investments going to the front-side of the railway station area (the *Leuven*-side), meanwhile little attention was paid to the *Kessel-lo* side of the railway station area. The land along the *Martelarenlaan* had been in use as a temporary construction site for the redevelopment of the *Martelarensqaure* at the front side of the railway platform. Some of the land was also used to organize a temporary car park and kiss and ride zone. Therefore, most of the land was not vacant[86]. Furthermore, a dispute with the NMBS over the size of the development programme along the *Martelarenlaan* caused a serious delay on the further realization of this part.

The NMBS owned almost all the land along the strip between the *Martelarenlaan* and the railway tracks. As in other railway station area developments, the NMBS wished to valorise its land and had ordered Eurostation to make a masterplan for a new development along the *Martelarenlaan*. For the city, the size of the development programme proposed by Eurostation was considered too large. Whereas the NMBS considered building the whole strip between the *Martelarenlaan* and the railway tracks, the city wanted to preserve a large part to make a public park. The city however never abandoned the ideas of the development intentions of the *ontwikkelingssplan*, and had started to acquire property in the building block that had to be demolished in order to execute the plans for the *Kop*[87].

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[86] KU Leuven ism Ontwerpteam Johan Van Reeth, 2005, Stadsontywerp Kop van Kessel-lo/Martelarenlaan, KU Leuven dd 21 oktober 2005

[87] KU Leuven ism Ontwerpteam Johan Van Reeth, 2005, Stadsontywerp Kop van Kessel-lo/Martelarenlaan, KU Leuven dd 21 oktober 2005

In 2003, a compromise between the NMBS and the city was made. The development along the *Martelarenlaan* would be concentrated in the northern part of the strip, close to the entrance of the railway station, whereas the southern part would be preserved from further development. The NMBS could valorise this northern part and would sell the southern part to the city in order to realize a park, called "*Belle Vue*". The NMBS decided to organize a design-build tender for the construction of offices, commercial functions, a movie theatre and congress centre in the northern part. The land would be sold to the winning team. The tender was granted to a consortium NV *Kop van Kessel-lo*, based on the winning design of two design consultancy firms: *seARCH and AR-TE*[88].

Since the tender only covered the land of the NMBS located at the *Kop*, the city of *Leuven* ordered a masterplan in order to incorporate the winning design from *seARCH* and *AR-TE* in a larger development scheme for the whole railway station area at the *Kessel-lo* side. The new masterplan was based upon the plans of the *Ontwikkelingsplan* of the projectteam Stadsontwerp from the early nineties.

By the end of 2005, the city approved the Masterplan "Stadsontwerp *Kop van Kessel-lo/Martelarenlaan*", made by *Johan Van Reeth*, a former collaborator of professor *Smets*. The architectural design of the Kop from *AR-TE and seARCH* had been adapted accordingly to the new masterplan. The city and the NV *Kop van Kessel-lo* established a public private partnership in order to realize the developments at the *Kop*, including the rerouting of the *Martelarenlaan* and Diestsesteenweg, the construction of a pedestrian tunnel under the *Martelarenlaan*, and the development of 44.000 m² of mixed-use buildings and a car park of 975 cars along the *Martelarenlaan*. The construction of the first phase, the *Kop* started in 2008. As for the second phase of the project, the park "*Belle-Vue*", the city of *Leuven* together with the Flemish Architect organized a design competition. In 2008, the design firm *H+N+S* won the competition. The construction of the new park is estimated for 2012[89].

[88] ibidem

[89] www.leuven.be, consulted on 08052009



Figure 31: New *Martelarenlaan* along the park *Belle-Vue*, source city of *Leuven*

6.3.3 Project programme

The zoning plan gives more details on the programme of the project[90]. Figure 32 gives an overview of the project *Kop van Kessel-lo*. The project in *Leuven* has four important subprojects.

- The first subproject (see Figure 33) is the development of maximum 44.000m² with a hotel, dwellings and retail along the railway tracks. As can be seen in Figure 33, the development comprises one large platform on which three groups of volumes are imposed. The towers of these volumes are max up to 40m height. Underneath the platform, there is room for a car park for in total 975 cars, and 1600 bikes. This new development is planned on land which is currently used as a park-and-ride and a car parking.
- The second subproject is the development of a new park along the railway tracks, *park Belle-Vue*. The park will be developed on a strip of vacant or underused land along the railway tracks. The existing road connection (*Martelarenlaan*) along the railway tracks now functions as an important traffic connection between north and south *Kessel-lo*. By relo-

[90] Stad Leuven, 2007, Gebiedsgericht ruimtelijk uitvoeringsplan GGR-K2 Martelarenlaan, ontworpen door Buur, bureau voor urbanisme.

cating this road in the shoulder of the railway tracks, closer to the railway tracks, and downgrading the existing road to a local connection by decreasing its width, space can be won to make a linear park.

- The third project is a residential development project between the Nollekensstraat and the *Coosemansstraat* of maximum 90 dwellings on formerly undeveloped land.
- The fourth is also a residential development project on the crossing of the *Martelarenlaan* and the *Diestsesteenweg*. For this development, several houses have been expropriated.



Figure 32: design for the Kop van Kessel-lo, source Ontwerpteam Johan van Reeth

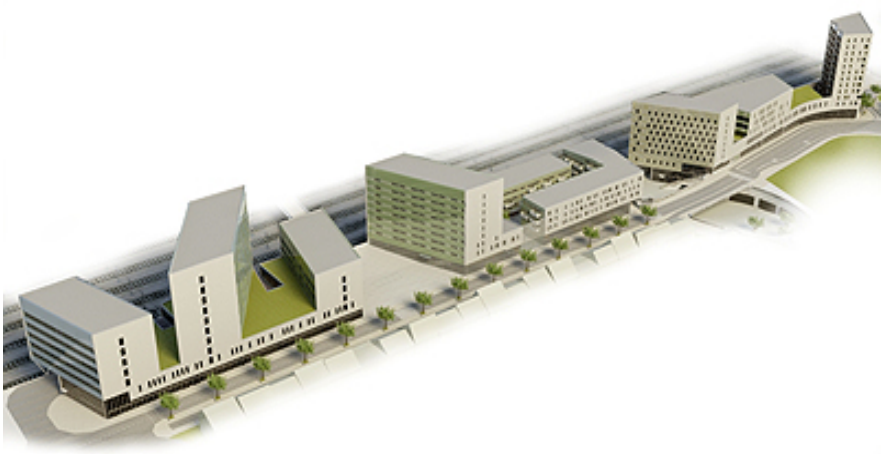


Figure 33: Development for the "Kop" along Martelarenlaan, source Stad Leuven

6.3.4 Protest in *Leuven*

Although a protest group named "*Belle-Vue*" has contested the project Kop van *Kessel-lo*, the protest has been rather limited. The group *Belle-Vue* has a long history. In the early 90ties, before the *ontwikkelingsplan* of the Projectteam, other proposals had been made for the railway station area. One of these proposals, including a 60.000 m² development, proposed to cover the railway tracks with a large commercial building. The developers announced the project in the local press[91]. Some residents of the *Martelarenlaan* were disturbed about the impact of these plans on their neighbourhood and started a protest group, "Buurtcomite *Belle-Vue*". Although these plans had been rejected very soon by the city and by the team of professor Smets, *Belle-Vue* started to follow up the ongoing *Ontwikkelingsplan* with suspicion.

During the nineties, the members of *Belle-Vue* acted as an intermediate between the city and the residents of the neighbourhood. According to the protest group, the residents received very little information on the ongoing planning processes of the *Ontwikkelingsplan* of professor Smets. Therefore, the protest group started to gather and spread information through newsletters on the project actively in their neighbourhood. When in 1997 the construction of the Martelarensquare at the *Leuven* side started, the city of *Leuven* started to communicate more intensively. The city hired communication specialists and installed an information desk for the ongoing construction works at the Martelarensquare. The information desk was also in charge of informing on the *Ontwikkelingsplan*, including the plans for the *Martelarenlaan*. Since the plans for the *Martelarenlaan* at the *Kessel-lo* side were not making any progress at that time and since the need to spread information decreased, the attention of the protest group for the ongoing planning process diminished. The activities of the protest group remained restricted to the organization of social activities. The initial protest group gradually transformed to a resident association for the *Martelarenlaan*.

When before the summer of 2005 the public became aware of the new masterplan through information leaks from the city council, the protest group was surprised. The members of the protest group had not been informed or consulted. They were not aware of the design and build tender and the plans that had been made for their neighbourhood[92]. When in September 2005 the city organized a public hearing on the plans, the atmosphere was already tensed. Day before the public meeting, the protest group made a press release in which they protested

[91] Financieel ondersteund projekt klaar, Streekkrant dd 03/10/1991

[92] Buurtcomité klaar voor infovergadering, Het nieuwsblad 26/10/2005, p13

against the masterplan[93]. Especially the height of the buildings along the *Martelarenlaan* and the necessary expropriations were considered problematic. The protest group made a list of changes they would like to see and handed the list to the city. In 2006, the city of *Leuven* organized a second public meeting to start up the procedure of the review and comment procedure related to the zoning plan (RUP). Several groups of residents had organised a petition in the neighbourhood during the comment procedure[94]. Most of the comments have been rejected. Furthermore, in that period individual homeowners kept on protesting against the expropriation necessary for the plan. When in 2008, the construction works at the *Martelarenlaan* started, *Belle-Vue* protested again against the lack of information and the impact of the construction works and handed a new list of remarks to the members of the city council[95] [96].

In 2008, during the construction phase of the *Kop*, several protest groups and neighbourhood associations in *Kessel-lo* united in the "Overleggroep buurtcomités *Kessel-lo*", and took over the activism in *Kessel-lo* and the *Kop van Kessel-lo*. The main goal of this new group is to deal with car traffic in the neighbourhood and to make the streets safer for pedestrians and bikers. The group organized a demonstration in August 2008, demanding the NMBS and the LIJN to construct a new bike connection over the railway tracks.

6.4 Conclusion

From the overview of the cases of railway station redevelopment projects, we can pinpoint some important similarities. First, the projects developed in the cases share to a large extend the same overall concept and program. The two cases aim to improve the accessibility of the railway station area for all different transport means and to locate new economic developments near nodes of public transport. The accessibility by car is improved by providing an underground car park with a direct access to the railway station infrastructure.

The cases provide a substantial amount of economic functions on underused or vacant land along the railway tracks. In the cases, these new economic functions are organized in a development scheme with high-rise buildings.

The concept and the programme of these railway station redevelopment projects reflect broad societal ambitions such as creating a modal shift for car transport to

[93] *Kop van Kessel-lo* wil geen hoogbouw, De Standaard, 26-10-2005; p56

[94] Stad Leuven, 2006, RUP K2, bundel met bezwaarschriften

[95] Bewoners vragen klaarheid over *Kop van Kessel-lo*, De Standaard, 30-01-2008, p66

[96] Buurt vreest effect van werken, Het Nieuwsblad, 30-01-2008, p21

other modes of transport and to concentrate new economic functions near nodes of public transport. Therefore, the cases can be considered in a certain way as top-down projects. The programme comes from societal needs that are formulated from outside the railway station area itself. As predicted by Castells (Castells 1996), such top town ambitions risk to come into conflict with the local context of the railway station area. A railway station is also at the same time a residential area and a specific part of the city, which might be neglected by the ambitions of the supra-local programme that is imposed on the area.

In Gent, this latent tension is the most manifest. The developments of the *Fabiolalaan* do not seek connection with the local context: the programme of the project does not seem to tackle local needs or problems. The *Gent* project creates a rather introvert development strip along the *Fabiolalaan*, which also seems to negate the existing urban structure of the *Rijsenbergwijk* and *Sint-Pieters-Aaigem*. Although the *Leuven* case starts from the same development logic as the other case, it is more attentive to local needs. One of the main ambitions of the *Leuven* plan is for instance to overcome the barrier of the railway track by creating new passages from *Leuven* to *Kessel-lo*. The idea for the park *Belle-Vue* is also directly related to the ambition to increase the liveability along the *Martelarenlaan*.

Despite the similarities in the project's concepts and their underlying latent conflict, there is a large difference in how this latent conflict emerges. In *Leuven*, although conflict emerges rather quick and the action group *Belle-Vue* openly contests the plans, the intensity of the conflict is low. The action group *Belle-Vue* has undertaken very few actions to change the project. In *Gent* on the contrary, when the conflict fully emerges, its intensity is immediately very high. The action group has organised a full range of protest activities to block or change the project. In the following chapter, our goal is to explain protest emergence and protest escalation. In Chapter 6, we will analyse the variation of protest emergence and intensity by comparing the cases of *Leuven* and *Gent*. In this comparison the dependent variable (protest emergence) differs, which allows us to contrast the data of the cases (see table 2). In chapter 7, we will analyse more in depth the pattern of escalation in the case of *Gent*.

Table 2: Comparison of conflict phases in *Leuven* and *Gent*

Conflict characteristics	Conflict emergence intensity	Conflict escalation	Conflict outcomes
Leuven	Low intensity	No	No changes
Gent	High intensity	Conflict increases in intensity	Small change

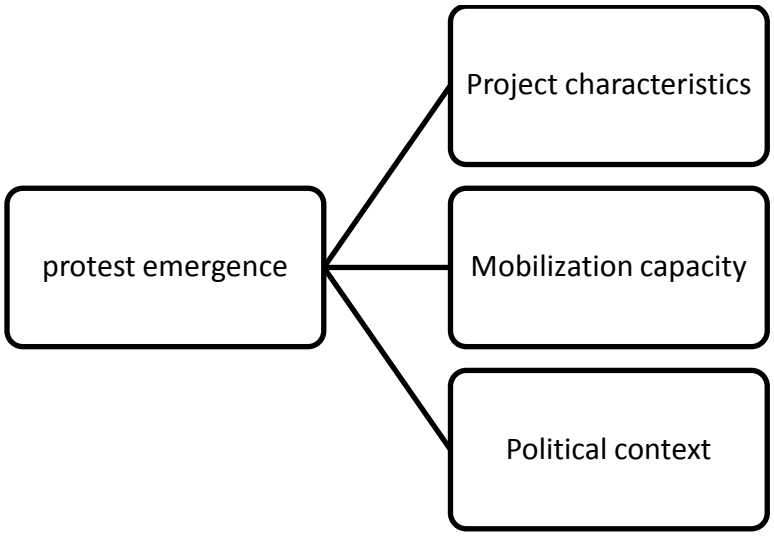
VII. Comparing protest emergence in *Gent* and *Leuven*

7.1 Introduction: from theory to analysis.

In Chapter III we have argued that the emergence of protest depends on three major groups of independent variables

The first group of variables relates to the project characteristics itself. The spatial externality theory predicts that spatial projects with a strong uneven distribution of externalities are very susceptible to protest. In order to relax the assumptions of strong rationality, we addressed psychological theories. The risk perception theory adds understanding how and why subjective perception of externalities is biased.

The second group relates to the characteristics of the host communities. The ability to mobilize is on its term largely dependent on the organizational and mobilization capacities of the residents living in the project impact zone (PIZ). We added the "structure of interests" within the PIZ as an important explanation for the mobilization capacity.



The third group relates to the political context. By using political opportunity theory, we argued that the emergence to protest is also related to the political context. This theory states that protest is likely to happen when

(1) There is a lack of institutional opportunities to express grievances and

(2) There are other perceived opportunities to influence decision making.

Furthermore we added perceived procedural fairness as an important variable in the decision making process in the acceptance of land use decisions.

The three factors are considered complementary to each other. None of the theories alone can explain protest emergence. The theories thus provide necessary conditions for protest to emerge, but not sufficient conditions. The question now is, to what extend the different theories play a role and how they relate to each other in real empirical settings.

Before we start the actual analysis of the case studies, it is necessary to translate the different theoretical concepts and variables into an operational methodological framework. Some of the theoretical concepts addressed above remain too abstract to link them directly to the empirical data of the case studies. We need for instance to decide how we will measure variables as the level of protest emergence, organizational capacities or openness of the decision making protest in the two cases.

We will therefore develop operational concepts with indicators for both *the dependent variable* and the *independent variables*. Following a mixed methodol-

ogy (see chapter 5.3), these indicators can be both quantitative as qualitative. Various complementary sources of evidence will be used and triangulated.

Quantitative indicators will come mainly from a panel survey held among the residents within the PIZ of both projects. The survey has been conducted at the end of 2007 and in the beginning 2008. In the case of *Leuven* we did N=146 interviews, and in *Gent* N=117. A more detailed description of the method of the panel survey is given in the methodological appendix. All interviews were face-to-face interviews. This allowed the interviewer to specify the questions and to tap additional information. The results of the panel survey have been processed by a SPSS software package.

Qualitative indicators are based upon numerous sources such as in depth interviews, newspaper articles, policy reports etc. For the case study in *Gent* about 11 in depth interviews were taken, whereas for *Leuven* about 6 in depth interviews with key actors were taken (city representatives, activist, politicians, residents, external experts).

The methodology of the panel survey and a list of the persons interviewed and their functions can be found in the methodological appendix (see 11.1).

7.1.1 Measuring protest emergence

The dependent variable of our study is *protest emergence*. There are three different available data sources to assess to what respect protest has emerged in a case.

(1) We reconstructed the number and type of collective protest actions of protest groups that took place in the case. These protest actions include demonstrations, mailings, petitions, press releases etc. For the reconstruction we used newspaper articles, interviews with activists and documents of the protest group. Although the list of activities gives us a certain indication of protest emergence, it is difficult to assess the exact scope of these protest activities. It is for instance unclear to what extend the protest groups are representative for the residents of the project impact zone or just the action of a few hard activists.

(2) Besides the history of activities, we used the panel survey to measure protest emergence. Two indicators were developed: the first indicator is *protest participation*, and the second is *protest willingness*[97]. The ratio between protest willingness and protest participation reveals the gap between latent and emergent conflict.

[97] The alfa conbach's value, α, is an indicator of the internal consistency of a scale. A value of 0.7 is considered as a good value. This means that the scale is internally sufficiently consistent, or that the different items of the scale measure the same underlying concept.

These indicators are constructed as scales varying from 0 to 6[98], based upon the answers whether the respondent did (protest participation) or would participate (protest willingness) in:

- signing a petition against the project
- hanging a protest pamphlet
- attending a demonstration against the project
- attending a meeting of a protest group
- writing complaint mails about the project
- organizing protest actions themselves

It was assumed that these items represent varying degrees of protest participation and protest willingness. Signing a petition is considered as the weakest degree of protest, whereas organizing protest action is considered as a strong degree of protest .

The respondents could answer with yes or no on all six items. A Yes was coded 1, whereas a No was coded 0. Respondents with a score of 0 on *protest participation* did not participate in protest actions. Respondents with a score of 1-5 on *protest participation* did participate in one or more protest actions. A similar method has been used to construct the *protest willingness* scale.

The data from both scales were for some uses rescaled in a binominal variable with 2 levels including: no protest or protest. For some analytical techniques, a binominal variable gave better results in terms of statistical significance (given the relatively low number of respondents versus the large numbers of variables).

(3) A final source of protest emergence are the formal comments of citizens. According to the spatial planning legislation in Flanders, whenever a new zoning plan or *Ruimtelijk Uitvoeringsplan* (RUP) is made, a *review and comment procedure* is required before the plan can be approved. The main purpose of this review and comment procedure is to give residents or other interested parties the opportunity to express grievances or to signal factual errors[99]. These comments from citizens provide a good source of information on the protest activities, but also on the issues that inform the protest. Since we are only interested in collec-

[98] With an Alpha Cronbach's value > 0.7 for both scales in both cases

[99] The making of a RUP follows a predefined procedure. First a voorontwerp (preliminary design) has to be approved by the public authority and the administration in the so-called *plenaire vergadering* (plenary meeting) between the local and supra-local authorities. When the *voorontwerp* is approved, citizens have the opportunities during a period of 60 days to send in a comment. Comments have to be send by registered post. After 60 days, all the comments are handled by the *commissie van advies*, a commission composed of experts and representatives from non-governmental organizations. Finally, the RUP is approved or altered based upon the (non-binding) advice of the *commissie van advies*.

tive forms of protest, the analysis of the comments will be restricted to collective comments or petitions from protest groups.

7.1.2 Measuring project externalities

7.1.2.1 objective externalities

Constructing an objective, external account of the externalities of a land use transformation is not unproblematic. As explained already above, externalities are socially constructed. What is considered as a "negative" or "positive" impact, depends for instance on the scientific insights of certain causal links, current cultural values and norms, and from the perspective of the evaluation. Some will for instance consider urban densification as a positive impact, while other might consider it as a negative impact.

Despite the problematic character of the objective evaluation of externalities, it is possible to quantify some externalities in a systematic way. Some externalities are more prone to quantification than others are. For example, the expected impact on noise, air quality, traffic distribution is rather easy to quantify, whereas the visual impact or the impact on a neighbourhood identity can only be described in qualitative terms.

An interesting source for the data on externalities is provided by the *environmental impact assessment* (EIS) of the project. An EIS is a study, in which the impact of the project has to be assessed and compared with other possible project alternatives and the status quo. Such a study is obligatory for larger projects, such as the projects in the case study, before a land use zoning plan (RUP) for the site can be approved. Public authorities also have to take into account the results of this study and provide measures to mitigate negative impacts.

Such a study is normally (1) made by using best available scientific forecasting techniques and models and (2) conducted by external experts who have no stake in the project.[100] As for the case studies, a EIS only has been made for the case of Gent-Sint-Pieters, and not for the case of *Leuven*[101]. We will try to backup this lack

[100] In practice, the neutrality of an EIS is often disputed, especially in contested projects. Despite all the modelling, the ultimate assessment whether an impact is significant negative or positive still depends on a subjective judgment. Since the external experts are paid by the government, there is always a possible bias of the evaluations in favour of the public authorities preferential project

[101] At the time the RUP's for these two projects had been made, the new MER-Legislation just had been approved. In this period, the implementation of the new MER legislation proved to be a very complicated issue for many local public authorities. In the case of Leuven, although the new legislation was already binding, the city at that time claimed that it was not necessary to conduct a MER because of the limited scale of the project.

of data by a minimal comparison between the expected externalities in *Gent* and the project in *Leuven*. Although such an approach might be considered speculative, we think that reliable comparisons between the *Gent* case and the *Leuven* case are still possible.

7.1.2.2 Perceived externalities

The perception on the project externalities has been measured by the panel survey. We asked respondents via Likert items their perception on the impact of the project. We addressed the impact on different dimensions: Noise levels, Air Quality, Traffic Safety, Accessibility, Density, Real estate prices and Aesthetics. We expected these dimensions to be the most relevant dimensions for the two projects under study. The dimensions had been mentioned either by respondents of the in-depth interviews or had been formulated by the action groups. We acknowledge however that these dimensions do not necessarily cover the full evaluation individuals make of a project.

The following statements were formulated

- This project will improve air quality
- This project will reduce traffic safety
- This project will improve the accessibility of my home
- When this project is finished, I will feel much safer on the street
- this project will bring too much pressure on the neighbourhood
- the project will cause additional noise
- there will be more recreational space for me after the project is finished
- After realisation, land and home values will increase
- The new building do not fit with the existing buildings
- When the project is finished, it will be more difficult for me to get around

These statements were scored on a 5-point Likert scale, including a “don’t know” option. The questions have been formulated in both a positive and a negative manner to avoid confirmation bias and socially desired answers from the respondents. The scores were transposed by SPSS, so that a positive score on the answers relates to a positive perception on the impact. Based on all the questions, a new variable was constructed giving an overall scale of the expected impact by taking the mean value for the different answers.

Furthermore, we included a Likert item on the overall appreciation of the project. We asked whether the project will be a general improvement after realisation and during construction the phase. Although it was our intention to construct a

regression analysis for the general appreciation of the project with the different impact dimensions, this analysis did not give statistically significant results.

7.1.3 Measuring organizational capacity

Organizational capacity is an important variable in order to explain the development of collective action from individual discontent. We advanced the hypothesis that organizational capacity increases with

- the number of potential protesters within the PIZ
- the social characteristics and the homogeneity of the neighbourhood
- the existing networks, quasi-groups and the community ties.
- the intellectual skills
- the structure of interests within the PIZ

The number of potential protesters comes from an analysis of the population within the PIZ and the proportion of the residents that is willing to protest.

The social characteristics and the homogeneity of the neighbourhood will be assessed by various sources. We also included home -ownership as a variable.

The availability of existing social networks and quasi-groups will be reconstructed upon the basis of interviews with activists and experts in the area. Furthermore we will use the results of the panel survey in which we asked to what extend the people in the neighbourhood know each other and to what extend the respondent knows the people in his or her street.

Finally, the intellectual skills will be assessed on the general educational level of the neighbourhood and the description of the biography of the main activists in the action groups.

In order to assess the structure of interests in the area, there are two separated sources of information. The first source comes from the interviews with the activists within the protest group. A second source comes from the analysis of the appeals of the formal comment and review procedure.

7.1.4 Measuring political openness and perceived procedural fairness

As regards to the political context of the strategic projects, we are particularly interested in the institutional "openness" of the decision making process and the perceived procedural fairness.

As for the institutional openness, we will address two indicators

- the (objective) formal institutional and participatory opportunities for citizens to influence decision making in the project in each project
- the (subjective) opportunities perceived by (potential) activist to have an impact on public decision making in each project

As regards to the first indicator we made an inventory of all the different participation and communication moments during the decision making process of the projects.

The data for the second indicator came from the panel survey and from in depth interviews with activists. In the panel survey we asked whether

- the respondents thinks the city in general takes into account protest of its residents
- the respondent thinks it is still possible to change the plans.

The items were scored as Likert items ranging between strongly disagree and strongly agree.

As for the variable perceived procedural fairness, we constructed a scale variable, based upon the answers of three questions regarding to the perception of the decision making process. The three questions reflected three components of procedural fairness: timely information, correct information and receptivity of the promotors of the project to local concerns. Such a operationalisation of perceived procedural fairness is comparable to Grimes (Grimes 2006).

We asked

- if the respondent had received information on the project on time
- if the respondent had received correct information
- if the respondent thought that the city took into account the interests of the residents for the development of the project

The items were scored as Likert items ranging between strongly disagree and strongly agree. From these answers, we constructed the scale variable *perceived procedural fairness*[102]. The variable perception of procedural fairness was coded on a scale from -2 to 2, where -2 is negative and +2 is positive

[102] ∝ Cronbach value 0,597 for Gent and 0,706 for Kessel-lo.

7.2 Overview of the Concepts, indicators and the data sources

Concept	Indicator	Data sources
Protest emergence	Protest participation in the past	Panel survey
	Protest willingness	Panel survey
	Protest potential	Panel survey
	Formal Comments	Analysis of the comments
Project externalities	General context	Various
	Planned land use transformations	Study documents of the project
	Expected externalities	Environmental Impact study
	Risk profiles of externalities	
	Perceived externalities	Panel survey
Organizational and mobilization capacity	Numbers of households within impact zone	Panel survey
	Homogeneity of the neighbour-hood	Panel survey / Socio-economic data
	Existing social networks/ quasi-groups and relations with neighbours	Interviews; newspaper analysis / Panel survey
	Intellectual skills	Panel survey
	Interest structure of the neighbourhood	Comment procedure
Institutional opportunities	Political context of the project	Description from various sources
	Openness to citizens influence	Timing and types of participation moments in policy making process
	Believe that city actors are responsive to protest	Panel survey

	Believe that plans still can be changed	Panel survey
Procedural fairness	Quality of information Timeliness of information Responsiveness of PA	Panel survey

Table* 3*: Operationalisation of the theories and data sources

7.3 Comparing the dependent variable: protest emergence

7.3.1 Protest activities

As already described in chapter VI, both cases vary in their protest emergence. Whereas in *Gent* protest was manifest, in *Leuven* protest actions were rather limited. The protest in *Gent* was mainly organized by a protest group, called *Buitensporig*. In *Leuven*, the protest was mainly the work of a protest group *Belle-Vue*.

In *table 4* an overview is given of the different actions in which the protest groups have been involved within the period from 2005. As can be seen from this table, the protest actions of *Buitensporig* were both more diverse as more intensive. *Buitensporig* communicated abundantly to local residents via several newsletters and postcards and to a larger public via the national media and conferences. The group maintains a well-documented website (www.*Buitensporig*.be) with documentation on its activities and viewpoints.

The action group *Belle-Vue* communicated particularly via informal networks in the neighbourhood. It has a minimal website (hosted on the website of the city of *Leuven*), with reference to a few newspaper articles on the project. It did not coordinate petitions, conferences and demonstrations among the residents. From this, we can conclude that the total efforts of the protest groups are significant lower in the case of *Leuven* than in *Gent*.

Protest activities	*Buitensporig* (*Gent*) from 2005	*Leuven* (Belle-Vue) from 2005
Petitions	One large petition on the initiative of the protest group (more than 500 signatures). Also other petitions	No petitions on the initiative of the protest group. Several other petitions
Complaint letters to city officials	Yes	Yes
Protest pamphlets	Yes	No
Protest group meetings	Yes, two to three times a year general public meeting Several meetings with activists	Yes, bi-annual Several meetings with activists
Newsletters	8 newsletters (until 2008)	No
Protest demonstrations	Yes	No
Conference	Yes	No
Press releases	Yes, as well in national as in local paper	Yes, few press releases to local newspapers
Website	Yes, extensive documented website	Yes, but very limited website

Table 4: actions of the protest groups

7.3.2 Individual Protest participation and protest willingness

The panel survey provides an additional source on the level of protest emergence in both cases. Table 5 presents the answers from the respondents on the question whether they or a member of their family participated in one or more protest actions (protest participation). In *Gent*, 72% of the population within a 100m range of the project has not participated in protest action in the past, whereas 23% has participated in one or more protest actions and about 5% was involved in the organization of protest actions.

In *Leuven*, protest participation levels were much lower. Here, 88% did not participate in protest, only 11% participated in protest actions, whereas only 1% (1 respondent) was involved in organizing protest actions (such as petitions).

We also asked whether, based upon their current knowledge of the project, the respondent would be willing to participate in one or more protest actions (protest willingness). In *Gent*, about 51% of the population would engage in protest actions and 5% would organize protest actions, whereas in *Leuven*, 52% would engage in protest actions and 2% would organize protest actions. The total willingness to protest (protest participants + protest organizers) in total is thus about the same in *Gent* and *Leuven* (56% versus 54%).

This is an interesting finding: although protest participation levels in the past have been much lower in *Leuven* than in the *Gent*, the actual protest willingness is almost equal in both cases.

	***Gent-Sint-Pieters* (N=117)**		***Leuven* (N=145)**	
	Participa-tion	Willing-ness	Participa-tion	Willing-ness
No	72%	44%	88%	46%
Participate in one or more protest actions	23%	51%	11%	52%
Organize protest actions	5%	5%	1%	2%
Total	100%	100%	100%	100%

Table 5: Protest participation and protest willingness, source Panel survey

In both cases it can be remarked that the willingness to protest is much larger than the actual protest participation in the past. A possible explanation for the difference between *protest participation* and *protest willingness* is a methodological explanation. Although intentions in psychological studies are considered as the best antecedent of actual behaviour, it has been reported there is a substantial gap between intentions and actual behaviour (Ajzen and Fishbein 2005). This so called *intention-behaviour* gap is known in psychological studies. If respondents state that they would participate in any protest actions in the future, this might not be a guarantee that they actually will do. Meta-analysis in psychological studies have shown that the correlation between intentions and actual behaviour varies between 0,44 and 0,62., with an average of 0,53 (Sheeran 2002).

The behaviour-intention gap explains the difference between participation and willingness within one single case, but does not explain the large difference between the intention-behaviour gap of *Gent* and *Leuven*. In *Gent*, the gap

between willingness and actual participation is about 50% (more or less consistent with Sheeran 2002). The numbers of protesters is about 50% the number of those who are willing to protest. The gap in *Leuven* is about 20%. If the difference is only the result of methodological issues, we would expect an equal intention-behaviour gap for both panel surveys

Another more likely explanation for the difference between the cases is that a relatively large proportion of the population did not have the opportunity to engage in collective protest actions in the past. They would do however if they had such an opportunity in the future. Then the difference between *protest participation* and *protest willingness* tells us something about the level of collective protest emergence. Although individual willingness to protest is equal in *Gent* and *Leuven*, for some reason collective action in *Leuven* has not emerged.

The gap between *protest participation* and *protest willingness* is further analyzed in table 6. The rows of the table give the protest participation frequencies, while the columns represent the frequencies for protest willingness. Here, it becomes clear that in the case of *Leuven*, 43% of the population did not engage in protest actions in the past, but is willing to do this in the future. In the *Gent* case, this is only 31%. It is also clear that respondents who have protested in the past are still motivated to protest in the future.

		***Gent* (N=117)**			***Leuven* (N=145)**		
		Willing to protest			**Willing to protest**		
		no	yes	total	no	yes	total
protest in the past	No	41%	**31%**	72%	45%	**43%**	88%
	Yes	3%	25%	28%	1%	11%	12%
	Total	44%	53%	100%	46%	54%	100%

Table 6: Protest participation versus protest willingness

Table 7 gives the frequencies of the protest actions the respondents in both cases are willing to participate. From this table one can see that the type of actions slightly differ in both cases. In *Gent*, there is in proportion significant more willingness to sign petitions and hang protest pamphlets, while in *Leuven* there is more willingness to attend a meeting or send complaint mails. The actions in *Gent* are protest actions that expose a clear sympathy with a protest group, whereas the actions in *Leuven* are protest actions that do not necessarily sympathize with protest groups. During the interviews, it became clear form instances that curiosity is the motive of many respondents to attend a community meeting. The

figures tell us that in *Gent* the frequencies for participating in collective actions are much higher than the figures that are more individual expressions of protest. This again supports the finding that in *Leuven*, individual discontent has not been transformed into collective action.

Are you willing to?	*Gent* (percentage positive)	*Leuven* (percentage positive)
Sign a petition	20%	15%
protest pamphlet	17%	11%
attending meeting of committee	27%	34%
participating demonstration	10%	11%
sending complaint letters	23%	27%
organization of protest actions	3%	2%
Total number of protest actions	216	168

Table 7: distribution of protest activities in both cases

7.3.3 Analysis of the comments

The comments in the RUP procedure give us additional information on the level protest emergence in both cases. It also gives us information on the issues on which the protest is based, which we will use later on in the analysis. In both cases a substantial amount of comments has been sent (see *table 8*).

In *Leuven*, public consultation on the RUP was held in the period between July 13 and September 10 in 2006. In total 204 objections were received, of which 20 are individual comments and of which 184 are collective comments in 6 separate petitions. Of the 20 individual comments, 14 came from residents of the area, whereas the other came from other interested parties that had a stake in the development.

In Gent, the consultation was held between February 27 and April 27 in the year 2007. There were 42 individual comments, and 2 collective comments, signed by 512 residents. The figures confirm the outcome of the panel survey, in which protest participation levels are much higher in *Gent* than in *Leuven*. However, the number of petitions in *Leuven* also reveals (1) there was a substantial amount of individual discontent and (2) that some collective action had taken place.

Total number of formal comments	*Gent*	*Leuven*
Collective comments (petitions)	2 separate petitions with 512 signatures	6 separate petitions with 184 signatures
No of individual comments	42	20 (14 residents)
Total citizens involved	554	204

Table* 8*: number of formal comments, source VLACORO (for Gent) and GECORO Leuven (for Leuven)

From the collective comments, 4 came from the residents of the *Coosemans* and the *Nollekensstraat*, one from the residents of the *Martelarenlaan* and one from the residents of the Rondestraat. Petition 2,3 and 4 from the Coosemans and the Nollekensstraat are very similar.

The two collective comments in the *Gent* case are in fact two forms (an extensive comment and a summary) of the same comment. So they can be treated as 1 petition.

This data again supports the hypothesis that the emergence of protest in *Leuven* has been blocked. We can see clearly that protest in *Gent* was coordinated (one petitions with more than 500 signatures), whereas in *Leuven* different protesting individuals and quasi-groups were not coordinated.

7.3.4 Conclusion

From the figures of the panel survey and from the analysis of the comments it can be concluded that protest has emerged in both cases, but clearly to a different extent. In Gent, a considerable larger proportion of the population has been engaged in protest activities in the past than in *Leuven*. The protest is strongly coordinated by *Buitensporig*. In *Leuven*, a smaller fraction of the population has been engaged in protest actions, and the protest actions are uncoordinated. This is confirmed by the analysis of the comments in *Leuven*, in which 6 different petitions from different parts in the neighbourhood were handed.

Despite the lower participation in protest activities, protest willingness in *Leuven* is equal to the protest willingness in *Gent*. There is a considerable difference in the gap between intentions and actions in both cases, which cannot be explained by methodological considerations only. We conclude from the figures that the residents from both cases are equally motivated to protest at the individual level, but that for some reason protest has not emerged at a collective level. This raises

the important question why coordinated protest did not emerge in *Leuven* despite the individual willingness of many respondents?

7.4 Comparing project characteristics

7.4.1 General spatial context of the projects

Although both projects are railway station area redevelopment projects, they differ on a number of aspects as regards to their spatial context. First, the project of *Leuven* is located in a provincial city, whereas the project of *Gent* is located in a larger city. Whereas *Leuven* has about 92.000 residents, *Gent* has a population of about 237.000. Compared with each other, *Leuven* is a rather compact city, whereas the city of *Gent* is more a patchwork of different neighbourhoods with a different morphology. Not only the cities in which the project is located differ a lot, but also the urban structure and morphology of the sites of the projects is different in a number of ways.

The railway station district in *Kessel-lo* has a more homogenous urban structure. It is composed by building blocks with mainly single-family row houses with gardens from the 19th and 20th century. Only along the *Martelarenlaan*, there are some apartments and multi-family houses. The neighbourhood in *Gent* on the other hand has a more heterogeneous urban form and structure. At the north side of the railway tracks, there are mainly single-family row houses and old industrial warehouses. The *Koning Boudewijlaan*, the *Fabiolalaan*, the *Koning Astridlaan*, the *Princes Clementinalaan* are wider lanes with larger *belle-etage* houses, apartments and multi-family houses. These lanes have been built as a coherent urban structure together with the renewal of the railway station in 1912. The south-west side of the railway station district is dominated by larger 20th century detached or semi-detached houses, whereas the southeast side is dominated by smaller row houses. As we will show, this heterogeneity of the built structure is also reflected by a more heterogeneous social composition of its residents.

7.4.2 Planned land use transformations

Both projects share some characteristics, especially the real estate development projects along the *Fabiolalaan* and the *Martelarenlaan* resemble in a number of aspects. As well in *Kop van Kessel-lo* as in Gent-Sint-Pieters a new underground car park is constructed next to the railway station in order to attract additional car commuters to rail. Both projects also aim to develop a new programme with predominantly economic functions in a narrow strip between the railway tracks and the existing street. Both developments include substantial higher buildings

than the existing buildings. Furthermore, both projects aim to increase residential density around the railway station area.

However, these projects also differ on certain aspects. The development along the *Fabiolalaan* in *Gent* is much larger than the development along the *Martelarenlaan* in *Kessel-lo* in terms of heights and volumes. In *Kessel-lo*, the largest part of the strip along the railway tracks will be transformed to the park *Belle-Vue*. In addition, although in *Gent* one of the subprojects is the development of a natural area Overmeersen, no substantial additional green spaces are created in the immediate neighbourhood.

Furthermore, the new road connection, crossing a formerly natural area, is also an important element that distinguishes the *Gent* case form the *Leuven* case.

Main Characteristics of development project	**Gent**[103]	**Leuven**[104]
Bike Parking	7.300 (total)	1.600 (extra)
Underground Car Park	1500 (commuter)+ 1.310 (destination)= 2.810	600 (commuter) + 375 (destination)= 975
New developments along railway tracks	Max 220.000 m² of offices, houses, hotel, public functions	Max 44.000 m² offices, dwellings, retail, hotel, recreation, congress facilities
Heights of tower development	Max 90m	Max 40 m
Green spaces	Redevelopment of the Overmeersen	Park *Belle-Vue*
Additional road infra-structure	**Yes**	**No**

[103] Figures based upon, Ministerie Vlaamse Gemeenschap, afdeling Ruimtelijke Planning, RUP Gent-Sint-Pieters, definitieve vaststelling , dd 15.12.2006

[104] Figures based upon KU Leuven ism Ontwerpteam Johan Van Reeth, Gebiedsgericht ruimtelijk uitvoeringsplan GGR-K2 Martelarenlaan, definitieve vaststelling, dd 26.02.2007

7.4.3 Project externalities

7.4.3.1 Expected project externalities by the Environmental Impact study in *Gent*

The environmental impact study (EIS)[105] analyses the expected environmental impact of the project *Gent-Sint-Pieters* for 10 different domains: (1) mobility, (2) noise, (3) vibrations, (4) air quality, (5) soil and ground water, (6) surface water, (7) fauna and flora, (8) Monuments and Landscapes, (9) Human-environmental effects and finally (10) human-health aspects.

Furthermore, an assessment is made for three different periods of the development: the first period between 2006-2008, the second period between 2008-2015, in which the project will be under construction and third period after 2015, in which the total project will be completed.

The EIS furthermore makes not only an assessment for the project as foreseen, but also for some variants and alternatives in which no parking and no road connection are foreseen. We will focus here especially on (1) the project as foreseen, (2) the period after 2015 and (3) the effects of the projects on humans including domain 9 and 10. These effects are indeed the most relevant for analysing the impact of the project.

As for the human-environmental effects, the study expects as well positive effects as some negative effects (WES 2005) . The main positive effects for the residents are (see Figure 34)

- a general improvement of the railway station area: a more coherent spatial structure, more functions, increased environmental perception of the area
- a general improvement of the railway station itself: increased comfort and ease of use for the different transport modes
- reduced noise impact from the railway station itself
- reduced traffic in the Voskenslaan and the western part of the Sint Denijslaan
- increased accessibility for bikes and pedestrians

[105] WES, 2005, Milieueffectenrapport, Masterplan Station Gent-Sint-Pieters en omgeving, definitieve versie.

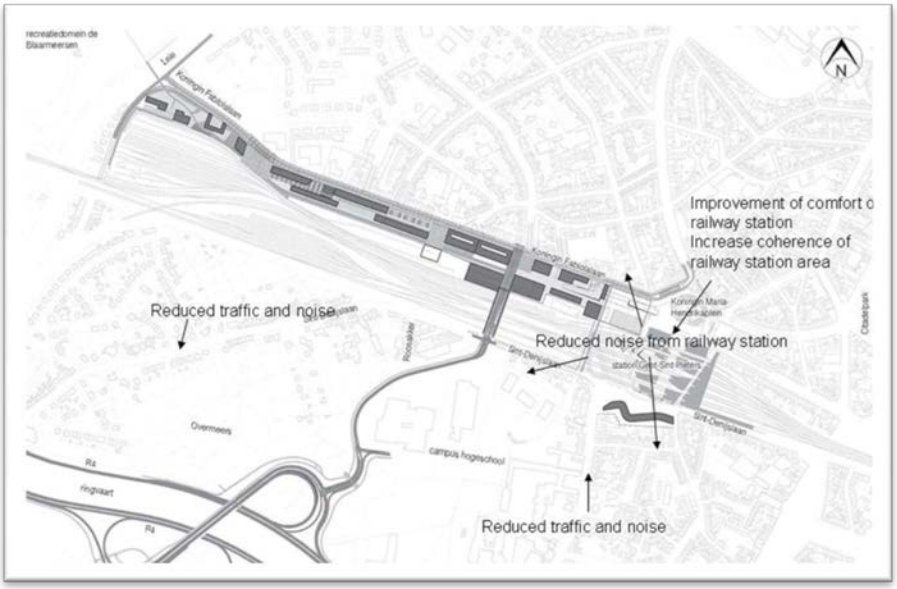


Figure 34: expected positive impact, based upon Wes 2005

The main expected negative impacts are (see Figure 35)

- increased traffic in parts of the *Sint-Denijslaan* and the *Fabiolalaan*
- increased noise levels in the *Fabiolalaan*, the *Sint-Denijslaan*, the *Roosakker*
- shadow from the towers in the Fabiolalaan
- Potentially decreased climate comfort in the *Fabiolalaan*.
- Decreased public security in the underground access to the railway station
- Loss of environmental perception of the natural area the Overmeersen

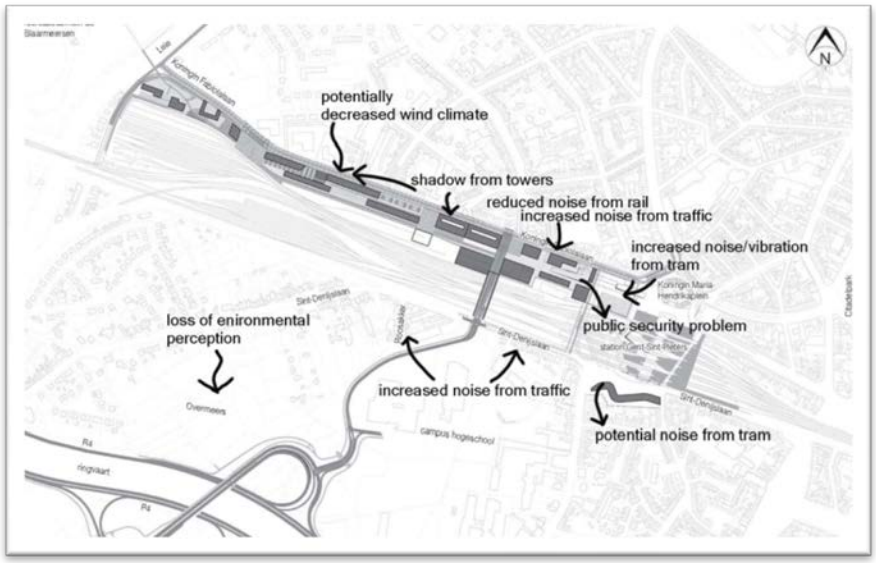


Figure 35: expected negative impact, based upon WES 2005

If we focus on the mobility impact of the project, it is expected that traffic in some streets will increase above their capacity, whereas in some streets traffic load will decrease in 2015. Table 9 lists the impact on traffic load for the different streets in the neighbourhood. In the second column, the ratio between the expected traffic load and the current traffic load is given. Figures more than 100% reflect an increase of traffic load, whereas figures below 100% mean a decrease of traffic loads. In the third column, the ratio between the expected traffic load in 2015 and the actual estimated capacity of the road are given, based upon existing norms of road capacity (WES 2005) Figures above 100% mean that traffic load has trespassed an acceptable traffic load for the given road.

It is clear that especially the eastern part of the *Fabiolalaan* and the *Sint-Denijslaan* will attract additional traffic. Furthermore, some streets, such as the *Sint-Denijslaan* (East), the *Koning Boudewijnstraat*, de *Koning Albertlaan*, *de Voskenslaan* and the *Snepkaai* will exceed acceptable traffic load after completion of the project.

Street	Increase or decrease of expected traffic load in 2015 versus current traffic load	Expected traffic load in 2015 versus capacity of the road
Sint-Denijslaan (West)	- 40%	48%
Sint-Denijslaan (East)	159%	128%
Koningin Fabiolalaan (West)	-7%	74%
Koningin Fabiolalaan (East)	472%	95%
Rijsenbergstraat	51%	10%
Koning Boudewijnstraat	53%	168%
Koning Albertlaan	4%	154%
Voskenslaan	-48%	140%
Snepkaai	-17%	133%
Kortrijksesteenweg	27%	85%

Table 9: increase and decrease of traffic load when project is realised, source MER p.116

As regards to the impact of the project on noise levels it is expected that noise levels will increase in the eastern part of the *Fabiolalaan* and the *Sint-Denijslaan* and in the *Roosakker* as a result of the increased traffic load and the new road construction with 1 to 3 dba. On the other hand, noise levels will decrease in the other part of the *Sint-Denijslaan* and especially in the streets close to the back entrance of the railway station (p 184).

As regards to air quality and Particulate Matter concentrations, it must be noted that the area at this moment has low air quality. Moreover, at this moment in several streets the European norms for PM10 and NO2 are already trespassed. The EIS concludes that after the completion of the project there will be a general increase in the number of annuals exceeding of the norms on Particulate Matter (PM10), except for the western-part of the *Sint–Denijslaan* and in the *Voskenslaan* (WES, 2005, p258).

7.4.3.2 *Leuven*

As already mentioned above, for the project of the *Kop van Kessel-lo*, no impact study has been made. However, based upon an elementary comparison with *Gent* it can be expected that the new functions (+ 44.000 m²) and the new car park in the area (975 cars) will attract additional traffic. In the plan, no additional measures are taken to reduce the traffic load.

This new traffic will all have to pass via the *Martelarenlaan* and the Diestsesteenweg. In the upper part of the *Martelarenlaan*, the road will be relocated near the rail tracks. The existing road will only be used by local traffic. This means that for this part, although more car traffic can be expected, the net result in terms of impact will be neutral or even positive. Since the distance between the road and the houses will increase, noise levels will decrease and also traffic safety will increase.

However, in the lower part of the *Martelarenlaan*, the traffic will have to pass over the existing road. This means that for this part, a considerable increase in noise levels can be expected. Moreover, in this part a new front of high-rise buildings will be constructed reflecting the noise of car traffic from one façade front to the other front. The front with high-rise buildings also has its impact on the sunlight exposition of existing houses in the *Martelarenlaan*. The facades of these houses are oriented west, and the new buildings will block the sunlight in the afternoon (see figure 37). The effect will even be more pronounced than in the *Gent* case.

Furthermore, it can be expected that air quality norms will be trespassed. An officer of the Flemish Environmental Impact Administration stated that the norms of air quality in this part of *Leuven* were already trespassed, and he expected that the project would further deteriorate air quality, because of the increase of car traffic to the new car park and functions.



Figure 36: impact of the project *Kop van Kessel-lo*

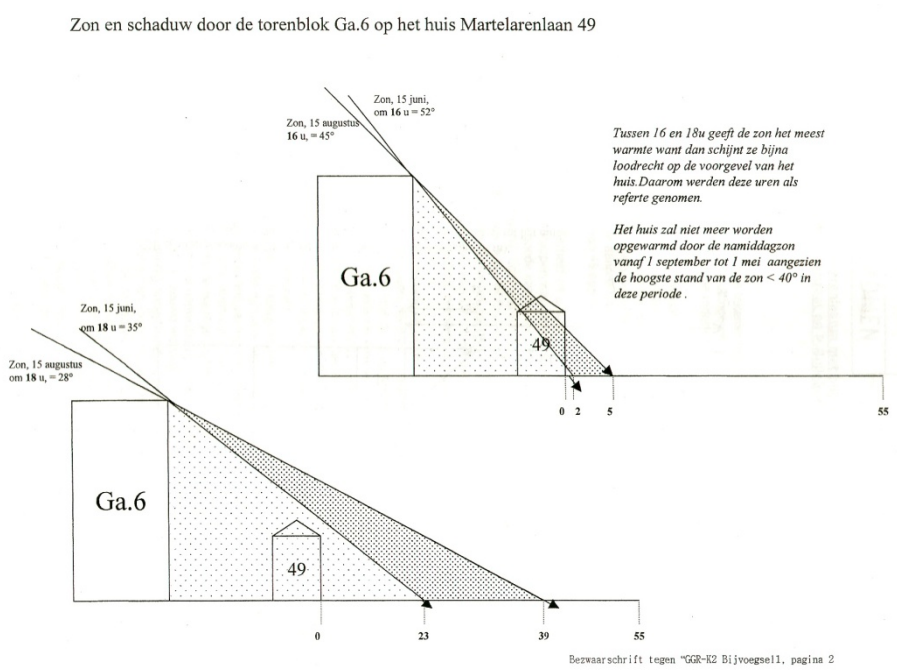


Figure 37: impact on sunlight exposition, source Comment and Review procedure RUP K2, city of *Leuven*

7.4.3.3 Perception on externalities

The perception of the externalities of the respondents is more negative in *Gent* than in *Leuven*, both for the construction phase as after the completion of the project. Table 10 represents the answers to the question "to what extend the actual construction works improve or deteriorate your own situation". In *Gent*, about 54% (22,5%+31,5%) thinks the actual works have a negative impact for own situation, whereas 48,1% (17%+ 31,1%) in *Leuven*. On the other hand, only about 1,8% thinks (0,9%+0,9%) that the construction works have a positive impact on their situation, whereas 19,3% (15,6%+3,7%) in *Leuven*.

It must be noted that during the interviews, parts of the *Martelarenlaan* were blocked from traffic, so that the traffic load was considerably lower than usual. This might explain the "positive" perception of the construction works.

To what extend the actual construction works improve or deteriorate your personal situation?			
	Gent	*Leuven*	Difference *Gent-Leuven*
Strong deterioration	22,5%	17,0%	5,5%
Small deterioration	31,5%	31,1%	0,4%
No change	44,1%	32,6%	11,5%
Small improvement	0,9%	15,6%	-14,7%
Strong improvement	0,9%	3,7%	-2,8%
Total	100,0	100,0	

Table 10: perceived externalities during the construction phase, source Panel survey

In table 11, the answers to the question "to what extend will the project, once completed, improve or deteriorate your situation". Here too, respondents from *Leuven* have a more positive perception of the project. About 34,2% (11,7%+22,5%) in *Gent* thinks the project is a deterioration, while only 15,5% (4,4%+11,1%) in *Leuven*. In *Leuven*, 28,1% thinks the project will even be a strong improvement for their situation. Actually, in *Gent* only 10% thinks the project is a major improvement for its own situation.

To what extend will the project, once completed, improve or deteriorate your situation?			
	Gent	*Leuven*	Difference *Gent-Leuven*
Strong deterioration	11,7%	4,4%	7,3%
Small deterioration	22,5%	11,1%	11,4%
No change	12,6%	14,8%	-2,2%
Small improvement	28,8%	27,4%	1,4%
Strong improvement	10,8%	28,1%	-17,3%
No idea	13,5%	14,1%	0,6%
Total	100%	100%	

Table 11: perceived externalities after realisation, source Panel survey

Last, in our panel survey we asked respondents on their perceived impact on different aspects of their environment. In table 10, the mean value and the standard deviation of the answers is given. In general, the respondents in *Leuven* perceive the impact of the project more positive than in *Gent* for the different aspects.

In *Gent*, the most positive rated aspects are an expected increase in real estate prices (0.85), an increased accessibility of other functions (0.79) and an aesthetic

improvement of the neighbourhood. Most negatively rated are the impact on air quality (-0.99), the compatibility of the new buildings with the existing buildings (-0.65) and the impact on noise levels (-0.63). In Kessel-lo, the aspects that are rated as most positive are: the increase of the real estate prices (1.27), aesthetic improvement (1,13), and an improvement of the accessibility of the functions in the area (0.85). Most negative aspects are the impact on air quality (-0.58), a decreased home accessibility (-0.16), and an increase in environmental stress (-0.06)

Perceived impact of the project on different dimensions.				
Perceived Impact on	Gent		Leuven	
	Mean	Std. Deviation	Mean	Std. Deviation
Real Estate Prices	0,85	1,026	1,27	0,625
Accessibility of other functions	0,79	1,036	0,85	0,808
Aesthetic improvement	0,25	1,130	1,13	0,780
Traffic Safety	0,19	1,074	0,69	0,946
Accessibility of my home	-0,14	1,181	-0,16	1,023
Traffic Safety	-0,23	0,879	0,69	0,946
More recreational space	-0,26	1,054	0,60	1,045
Social Safety	-0,28	1,102	0,05	1,059
Noise	-0,63	1,180	0,36	1,218
Compatibility with existing buildings	-0,65	1,369	0,07	1,213
Air Quality	-0,99	0,968	-0,58	1,102

Table 12: overview of the perceived impact on different aspects, source panel survey

From the results, it can be concluded that in both cases, the impact on air quality is expected to be the most negative. For the case of *Gent*, the EIS also indicates that the project will result in a general decrease of air quality, except for a few streets. Moreover, the MER shows that the local contribution of air pollution is only marginal if compared with the general background values in Flanders.

The fact that air quality is perceived the most negative aspect, can be explained by a psychological bias in the assessment of risk of air quality (see dimensions of risk and their effects on risk perception). Air pollution and more specific PM10 pollution has irreversible consequences, has a delayed effect, has an increased impact on children, is unfamiliar, is involuntary, is uncontrollable and has received considerable media attention over the last years. All these dimensions contribute to a biased overestimation of the real risk of air pollution (see page 66)

7.4.4 Conclusion

As regards to the project characteristics, both projects are very similar to a number of aspects, but also very different. Both projects have a similar logic. The projects aim to improve the accessibility of the railway station, to develop new functions and to increase the density of the railway station area. Both projects develop underused land on a strip adjacent to the railway tracks with new offices, commercial functions and dwellings.

As a result, there are also similar externalities of the project. The increased density and the improved accessibility both increase the traffic load on the existing streets. With this increased traffic load logically comes a decreased traffic safety, increasing noise levels and increasing PM level. A second similar externality is related to the high-rise buildings in both projects and their effect on the sunlight exposition of the existing houses.

There are however important differences. The project in *Gent* is much larger than the project in *Leuven*. The negative impact of the project in *Leuven* is also more concentrated to one part, whereas in *Gent* there are different kinds of impacts that are dispersed over the railway station area. Last, the new road link between the railway station and the ring in the plan of *Gent* is a major source of negative externalities, which is off course absent in the *Leuven* plan.

As an expected consequence, the perception of the impact in *Gent* is more negative than in *Leuven*, and a larger proportion of the impacted population thinks the project has negative consequences when realized. One could conclude from this that the magnitude of the impact and the associated perception of the impact already give a good explanation for the difference of the emergence of protest. The project in *Gent* provides objectively more breeding ground for protest in *Gent* than the project in *Leuven*. However, this conclusion somehow contradicts the finding that the individual willingness to protest is equal in both cases. This means that in *Leuven* discontent must come from other sources than the perceived negative impact.

7.5 Organizational and mobilization capacity

7.5.1 General characteristics and homogeneity

Both railway station areas differ considerably in terms of number of residents, age and household composition. In table 13, aggregated figures are given for the different statistical sectors adjacent to the project site. From this table it can be seen that the potentially impacted population is much larger in *Gent*. There are 11632 persons in *Gent* and 5595 in *Leuven* living in the statistical sectors adjacent to the project.

This is logic, because in *Leuven* the project is located on one side of the railway tracks, and the statistical sector adjacent on the west side contains no inhabitants (only rail tracks). The project in *Gent* impacts on both sides of the tracks. However, when the number of residents is calculated within a 100m range from the project site (taken from the borders of the RUP), a different picture emerges. The number of houses (doorbells) within this range is larger in *Leuven* (1231) than in *Gent* (1068), of with respectively 999 and 971 houses. This means that the area immediately around the project site is more dens in *Leuven* than in *Gent*.

Number of households	*Gent*	*Leuven*
Total addresses (doorbells) within range of 100m of RUP	1068	1231
Total estimated addresses with a residential function within range of 100m of RUP	971	999
Ratio residential addresses/total addresses	91%	81%

Table 13: number of households within a 100m range

The neighbourhood in *Leuven* is an attractive neighbourhood for younger families with children. This is reflected by its population statistics for the statistical sectors around the project in table 13 and table 15. The *Leuven* neighbourhood has a relatively younger population and on average larger households than in *Gent*. In *Leuven* the number of residents <18 years is about 20% of the population, whereas in *Gent* 14%. The average household size is also larger in the *Leuven* neighbourhood than in the *Gent* neighbourhood (2,07 versus 1,79).

These figures are confirmed by the panel survey. There are more single household families in *Gent* than in *Leuven* (34% versus 24%), and thus also more larger households in *Leuven*

Age category	*Gent*	Percentage	*Leuven*	Percentage
0-17	1599	14%	1121	20%
18-64	7939	68%	3625	65%
65+	2094	18%	849	15%
Total population	11632	100%	5595	100%
No of households	6505		2693	
Avg household size	1,79		2,07	

Table 14: Residents and ages for Gent (station, Ganzendries, Pantijntje, Aaigem, Sint-pieters-aalst) and Leuven (Blauwput-centrum, Kessel-lo Achter Centrale, Klein rijsel, Belle-Vue) on 31/12/2007, source: National institute for statistics.

Household type	*Gent*	*Leuven*
single household	34,2%	24,1%
Household with 2-4 members	57,3%	60,0%
Household with more than 4 members	8,5%	15,9%

Table 15: household composition: source panel survey

The typology of the houses in *Leuven* differs strongly from *Gent*. In *Leuven*, the majority of the doorbells within the 100m area from the project are single-family houses (85%), with only 15% apartments or studios. In *Gent*, the majority of the doorbells belong to studios and apartments (62%), whereas only 38% are single-family houses. Furthermore, from table 16, it can be seen that in *Leuven* there is considerably more home-ownership than in *Gent* (79% versus 54%). Whereas the home-ownership in *Leuven* is about the same of the Flemish average, home-ownership in the railway station area of *Gent* is strongly underrepresented.

Last, the average duration of residence is longer in *Leuven* (17,76) on average than in *Gent* (13,41). Further analysis shows that the proportion of residents who live less than 5 years in *Gent* is much larger than in *Leuven* (43% versus 28%).

Housing characteristics	*Gent*	*Leuven*
Proportion of single family houses / total	38%	**85%**
Home ownership	54%	**79%**
avg years of residence	**13,41**	**17,76**

Table 16: ownership, housing typology and years of residence, source panel survey

7.5.2 Organizational capacity

7.5.2.1 Membership of environmental organizations and past protest activities

In table 17 figures are given for the membership of environmental organizations in both cases. From this table it is clear that the number of respondents that is involved or member from an environmental organization is significantly higher in *Gent* with (21%) than in *Leuven* (14%). Furthermore, about the same proportion of respondents was active in protest against other projects in their neighbourhood.

		Leuven	*Gent*
Member of environmental organization	No	86%	79%
	Yes	14%	21%
Participated in protest in past	No	81%	82%
	Yes	19%	18%

Table 17: Membership of environmental organization and past protest activities

7.5.2.2 Community ties

In order to have some indication of community ties in the neighbourhood we asked several questions in our panel survey. We asked to what respect the respondents know the other residents in the street, to what respect other people know each other in the street and to what respect the respondent would miss the other people in the street when he or she had to move.

		Gent		*Leuven*	
		N	%	N	%
We have many contacts with other residents in our street	disagree	61	52%	47	33%
	agree nor disagree	15	13%	21	15%
	agree	41	35%	76	53%
	total	117	100%	144	100%
People in our street know each other well	disagree	52	45%	48	34%
	agree nor disagree	24	21%	26	18%
	agree	40	34%	69	48%
	total	116	100%	143	100%
If I would move, I would miss the people in this neighbourhood	Disagree	66	56%	68	47%
	agree nor disagree	26	22%	17	12%
	agree	25	21%	59	41%
	total	117	100%	144	100%

Table 18: indicators of social cohesion, source panel survey; all frequencies are significantly different for p<0.00001

Whereas in *Leuven* 53% of the respondents agrees on the statement "We have many contacts with other residents in our street", in *Gent* only 35% agrees. 48% of the respondents in *Leuven* also tend to think that other people know each other well, while only 34% in *Gent*. Last, 41% of the respondents in *Leuven* would miss the people in the neighbourhood when they had to move, whereas in *Gent* only 21%. From this table, we can conclude that community ties in *Leuven* are significantly better than in *Gent*

7.5.2.3 Pre-existing community networks

The protest group *Buitensporig* in *Gent* holds many ties with existing social networks in the area and with social and environmental movements outside the area. In the emergence of the protest group, these existing social networks played a crucial role[106].

In the southern part of the area, an environmental organization *Milieugroep Sint-Pieters-Aaigem* has been active for many years. The *Milieugroep Sint-Pieters-Aaigem* has many ties to other environmental organizations in and outside the neighbourhood. It is for instance a subsidiary of *Natuurpunt Gent*, which is a citywide environmental organization and which is active in the development and

[106] Interview with Thomas Block

maintenance of some of the protected natural areas in *Gent*[107]. Members of the board of the Milieugroep are also members of the board in *Natuurpunt*.

In the northern part of the area at the *Maria Hendrikasquare*, right in front of the railway station, the offices of the *Gents Milieufront* are located. This organization is an environmental movement that aims to increase the environmental quality of the city and its surroundings, focusing on waste prevention and recycling and sustainable materials. It is also very active in following up the environmental policy of the city[108]. A member of the *Gents Milieufront* is for instance a representative in the GECORO, the advice commission of the city on spatial planning issues. In the same building of the *Gents Milieufront*, the organization *Voor Moeder Aarde* is located. This social movement is a subsidiary of the international organization Friends of the earth.

Two members of the board of the *Gents Milieufront* are professional activists. They are full time professional collaborators of the *Bond Beter Leefmilieu* (BBL). The BBL is in fact one of the largest environmental movements in Belgium and is a sort of an umbrella organization of more than 140 local environmental movements. It is active in following up the Flemish, Belgian and European policy and is equipped with a professional staff to do so. The BBL was not only involved because of the close ties with the local residents and the organization, but also because they considered the case Sint-Pietersstation an important precedent for the new Particulate Matter policy[109].

Next to the environmental organizations, there was also an existing neighbourhood committee in the Northern part of the neighbourhood. The *Rijsenberg committee* organizes social activities in the neighbourhood, but also defends the interests of the residents of the area in policy issues. The *Rijsenberg committee* had been protesting against the increasing car traffic and the lack of parking for resident in their neighbourhood. It feared that with the new road connections, the traffic load in their neighbourhood would increase.

As stated, the environmental organizations played a crucial role in the emergence of the protest group *Buitensporig*. In the spring of 2005, the environmental organizations of the neighbourhood (Sint-Pieters-Aaigem, Gents Milieufront, Bond Beter Leefmilieu, Voor Moeder Aarde) organised a public hearing on the plans for the railway station[110], based upon the information they had been able to gather.

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[107] www.natuurpuntgent.be, consulted on 15/09/2009

[108] www.gentsmilieufront.be, consulted on 15/09/2009

[109] Interview with Eric Grietens, employee of BBL and inhabitant of Gent

[110] Decruynaere, E,2005, Tiens Tiens , Nr 3

In contrast to *Gent*, in *Leuven* no environmental organizations were involved in the emergence of the protest[111] [112]. According to a political representative of the Green party, the project just escaped the attention of the environmental organizations. Furthermore, the environmental organizations are not convinced that urban development can contribute to the reduction of PM. According to the committee urban development will just shifts problems "from one street to another"[113]. For them, the problem of PM has to be addressed at the source, namely in the technology of the cars.

To conclude, the large difference between *Gent* and *Leuven* is that in *Gent* the action group is initiated by and embedded in a network of several local and supra-local environmental organizations. This means that in *Gent* the action group is able to rely on the resources of the network of environmental organizations. The resources in this network are important to mobilize successfully. The network provides access to information on political and administrative information (such as information discussed in the GECORO), but also access to information on how to mobilize strategically.

In *Leuven*, the action group is a standalone group. It is composed by local inhabitants that are not embedded in a network of organizations. Hence, this group misses necessary network resources to mobilise and organise effective protest activities.

7.5.3 Intellectual skills

7.5.3.1 General educational levels

In table 19, figures are given for the highest completed educational levels of the interviewed households. According to these figures, educational levels are significant higher than the general mean educational levels: in Flanders, only 12% of the population between 18-64 holds a university degree[114] . This is partially explained by the fact that both neighbourhoods lie in university towns, where higher levels of education are not unusual. Furthermore, it must be noted that these figures represent the highest achieved level of a family member, instead of the educational level of the respondent. According to these figures, the respondents of *Gent* seem to have higher educational degrees. The differences between *Leuven* and *Gent* are however not statistically significant (chi square analysis

[111] Interview with members of Belle-vue

[112] Interview with Frans Dumont, representative of the Green Party

[113] Mail conversation with Danny Vandeput, chairman of the MIRA in Leuven on 15/09/2009

[114] Studiedienst Vlaamse regering, 2006

shows that there is only a 5% chance that the differences are real differences). So it can be concluded that both areas do not differ in terms of educational levels of the residents.

Highest achieved education level of head of the family in %	*Leuven*	*Gent*
primary school	1 %	0 %
secondary school	25 %	20 %
Higher education short type	23 %	26 %
University degree	51 %	54 %
Total	100 %	100 %

Table 19: educational levels of the respondents, source panel survey

7.5.3.2 Specialized expertise

In *Gent*, the neighbourhood is inhabited by an exceptional concentration of people with the capacity and specialized knowledge to organize protest against a spatial project. Many of the driving members of the protest group all are professionally related to planning or environmental issues.

We already mentioned that leaders of the local and national environmental organizations played an important role. Some of them had past experiences in protest and activism, and one even has written a guideline for local protest groups how to organize[115]. A central figure of the protest group is a professor in environmental law, who is a judge at the *Grondwettelijk hof* (constitutional court), and who is a member of the board of the federal advice board for sustainability. As a juridical expert in environmental legislation, this person has been crucial in developing juridical strategies. Other driving members of the protest group work for the Flemish administration. Furthermore, in the neighbourhood there are individuals with special expertise who have been involved in the protest group such as a professor in social geography and urban development, architects and researchers in public administration.

In *Leuven*, contrary to *Gent*, the leaders of the protest group had no special expertise in spatial planning or in environmental issues, neither have they recruited or attracted additional expertise.

[115] Tien ingrediënten voor een succesvolle bewonersgroep, Thomas Dierckens in De Morgen, 12-07-05

7.5.4 Structure of interests of the neighbourhood

The residents of the *Gent* neighbourhood contested the project for different reasons. The southern part of the project, the Sint-Denijslaan and Sint-Pieters-Aaigem very much contested the new road connection. The main concern of the environmental organization *Sint-Pieters-Aaigem,* was the loss of the natural area the Schoonmeersen which they have been trying to protect from other developments from the nineties. Furthermore, the residents of the Roosakker are directly confronted with increasing noise-levels from the new road connection. The Roosakker is currently a calm residential street, ending in a natural area and a school campus. This natural area and the connection with the school campus will thus disappear partially for the construction of the new road.

The residents of the *Fabiolalaan* on the north side of the development are confronted with the impact of the high-rise buildings and the new car parking. The high-rise buildings will have an impact on the sunlight exposition and on the existing views from the dwellings. Some residents also fear additional traffic and additional noise in the street. Moreover, the residents think that the volume of the development (200.000m²) is too much for the site.

For the Rijsenbergwijk, north of the Fabiolalaan, the potential increase of cut-through traffic is the biggest concern. It is feared that the new road connection will be used as a shortcut from the ring of *Gent* to the city centre. This traffic will have to pass via the already quite saturated roads of the Rijsenbergwijk. In the past, the Rijsenbergwijk had issues with illegally parked cars of commuters. The other districts in the area do not have a large impact of the project, except for the Voskenslaan in which traffic load will decrease considerably.

All the issues with the project from the different neighbourhoods are complementary. None of the issues raised are positive for one part of the neighbourhood and negative for another part. Therefore, the different issues could be aggregated in a common platform text. This was done in a few meetings after the hearing of the environmental organization. Remark that all the different interests of the different districts in the neighbourhood are neatly represented in the protest pamphlet (table 20).

In general

- The project should be reduced with 50%;
- It should have a balanced mix between offices, dwellings, shopping and recreation
- a phased implementation, based upon the demand and supply in the office and home market
- a qualitative urban design via a design competition
- Built environment
- the density and the heights of the new buildings should be adapted to the environment
- the most dense development should be close to the railway station
- if possible, some buildings can be constructed above the railway tracks

Traffic

- the car park capacity should be "frozen" according to the stand still principle (520-620 parking lots)
  - additional capacity should be created via the development of public transport and safer bicycle paths
- no additional traffic in residential streets
- Cut through traffic should be suppressed by an adapted planning; the connection between the Voskenslaan and the Albertlaan should remain.
- additional traffic for the new offices and the railway station should be restricted as much as possible.
- a new road connection between the R4 and the neighbourhood is not necessary
- local traffic from the residents should not be obstructed by cut through traffic and work related traffic.

Green

- the existing nature (Schoonmeersen) in the neighbourhood should remain;
- there should be a green axe with pedestrian pathways and bicycle routes between the Citadelpark and the Blaarmeersen over the site of the Fabiolalaan

Residential quality

- noise levels from rail traffic should decrease
- the capacity of the existing streets cannot be exceeded
- the air quality norms (NO_2 and PM10) have to be respected
- the transport of construction material should be organized by ship or rail instead of trucks
- the visual pollution of the current use of the site should be undone as soon as possible;

Table 20: Protest pamphlet from Buitensporig, source www.buitensporig.be, consulted on 31/06/2008

A closer analysis of the petitions in the comment procedure for *Leuven* shows that there are different motives for protest in the neighbourhood (table 21).

The first four petitions came from the residents from the Coosemansstraat and the Nollekensstraat. Their protest is clearly oriented against the residential development project on formerly agricultural land. The protest is motivated out of a fear that the residential densification will result in less social safety, less traffic safety, less privacy and diminishing parking space and open space.

Then there is the petition of 37 residents of the Rondestraat, which is oriented against the development in the building block of the Rondestraat. Their protest is motivated by the difference in building heights between the existing houses and the new buildings.

District / Sender	No of signatures	Objection to which part of plan	Main issues
Petition 1 from W Coosemansstraat and P Nollekenss-traat	57	Development of residential street between Nollekensstraat and the Coose-mansstraat	Privacy Increasing criminality Additional car traffic Reliability of NMBS as partner Part of the plan should remain park
Petition 2 from W Coosemansstraat and Nollekenss-traat	54	Development of residential street between Nollekensstraat and the Coose-mansstraat	Integration within existing urban structure Density of the develop-ment Lack of open space Additional car traffic in the Coosemansstraat Lack of parking space for residents Lack of public consultation
Petition 3 W Coosemansstraat and Nollekens-straat	13	Development of residential street between Nollekensstraat and the Coose-mansstraat	Identical to petition 2

Petition 4 W Coosemansstraat and Nollekens-straat		5	Development of residential street between Nollekensstraat and the Coose-manstraat	Identical to petition 2
Petition *Martelarenlaan*	5	18	Development of high rise buildings	Discrimination between Northern and Southern part of the *Marte-larenlaan* Sunlight exposition Sight and views Lack of car parking for residents Increase of Traffic load
Petition Rondestraat	6	37	Development in the Rondestraat	Building heights of the new buildings

Table* 21*: overview* of the *collective comments, source GECORO Leuven

Finally, there is the petition of the residents of the northern or lower part of the *Martelarenlaan*. They are concerned about the large differences of the impact of the project between the southern part (in which the park will be constructed) and their own part. This is felt as an unfair discrimination, in which the southern part is confronted with all the benefits of the project, whereas the northern part has to take all the burdens in terms of increased urban density, high-rise buildings, increased traffic and the lack of parking spaces for the residents. In the neighbourhood, a strong shortage is felt in free parking space for residents. Ironically, the new parking at the *Martelarenlaan* of 900 new car parks is oriented to train commuters, and not for residents. Remarkably, residents of the southern or upper part of the *Martelarenlaan* sign no comments or petitions.

In an interview with activists from the committee *Belle-Vue*, the members confirmed that they were aware of these petitions and the different grievances in the neighbourhood, but they deliberately have not coordinated the petitions. As for the residents of the Nollekensstraat and the Coosemanstraat, they could not fully support their issues. The leading members of *Belle-Vue* considered some of the issues raised in the petitions were not ethical.

> *We knew about the petitions from the Coosemansstraat, but honestly, we did not agree. They claimed that social safety would decrease, and some of the*

remarks were even racist. In a city, it is normal that new houses are constructed in backyards, so we did not support the protest (IDI24)[116]

As for the grievances of the lower *Martelarenlaan*, it is important to know that the leaders of the protest group *Belle-Vue* own a house in the southern or upper part of the street. The impact of the project on this part of the *Martelarenlaan* is very positive, since the residents will enjoy a new park in the future, and traffic safety will increase considerable.

The leaders of the action group agreed that the impact of the project is problematic for the residents of the lower part of the *Martelarenlaan*. However, they did not want to act as the spokesmen of this part of the *Martelarenlaan*. The protest group did not want to seek a hard confrontation with the city, since they supported the plan to a large extend. In comparison with the first plans from the NMBS, there has been a substantial improvement for them. *Belle-Vue* even feared that too much criticism would block the entire project, including the development of the new park *Belle-Vue*.

Yes, for the people living in the lower part...that is a problem. We can testify that many residents just left the area because of the project. There are not many homeowners in that part, and those who rented just left. ...At a certain time, some inhabitants contacted us to support their claims, because they knew we could talk to the Alderman. We understand their problem, but we didn't felt that we should take over their struggle. (IDI24)

The lower part of the *Martelarenlaan* on the other hand lacked the capacity to organize protest. In this part, most of the residents are not homeowners. According to some of the residents, many moved or sold their house since they became aware of the project. In addition, some homeowners in this part choose to sell their house and to move because of the project plans. Some of the homeowners of this part asked the committee *Belle-Vue* to represent their interests, because they acknowledged that organizing protest without support from the neighbourhood would be unsuccessful.

According to a collaborator of the communication department of the city, the lack of a unified interest has been one of the main reasons why there has not been a lot of protest against the project:

Nothing is easier for a public authority than when two protest groups fight each other during a public hearing". (IDI19)

[116] IDI refers to the index of in depth interviews given in chapter 11.1. A more detailed description of the respondents can be found under this heading.

7.5.5 Conclusion

From the above analysis, it can be concluded that both neighbourhoods differ significantly on a number of aspects. The railway station area in *Leuven* is a stable, urban middle class residential area, with high densities, many singly family houses and high home-ownership proportions and a relatively long duration of residence of its residents. It is characterized by a high level of social cohesion between its residents.

The railway station area in *Gent* on the other hand is more a transit area, with a more heterogeneous social composition of students, single households and families. It is further characterized by a high proportion of apartments and studio's, relatively low home ownership and a shorter duration of residence.

The above comparison gives a strong indication that the residents of *Leuven* are more attached to their neighbourhood than the residents of *Gent*, and that there are more community links in *Leuven* than in *Gent*. According to our hypothesis, protest is thus more likely to emerge in the *Leuven* case than in the *Gent* case. The evidence in the two cases does clearly not confirm this.

A further comparison between *Leuven* and *Gent* shows that the organizational capacity in both cases differs a lot. The evidence shows that the difference in organization capacity between the two cases is not so much dependent on general social characteristics such as education levels. A closer analysis on the networks and individuals active within the action groups shows that organizational capacity is more related to the availability of both very specific existing networks and the specific expertise of the activists in urban planning or environmental issues. The case of *Gent* is exceptional on this aspect. There are many connections between active individuals within the neighbourhood, and the activists have many connections with professionals and experts outside the neighbourhood as well. Especially the connections between local actors and surpa-local environmental organizations proved to be of great importance in the organization of the emergence of protest. Furthermore, expertise in the neighbourhood is impressive, certainly on environmental and juridical issues. In *Leuven*, both the networks and the specific expertise were missing.

Furthermore, it is clear that the structure of interest in the case of *Leuven* clearly has been an important barrier to collective action. The internal dividedness of the neighbourhood, caused by the differential impact of negative and positive externalities of the project, made the emergence of collective action very difficult in *Leuven*.

The existing action group did not want to defend the interests of other groups in the neighbourhood, partly because the existing action group considered the project proposal as a major improvement for their situation, and partly because

the existing action group could not identify with the issues raised by other groups in the neighbourhood.

The group of residents of the lower part of the *Martelarenlaan* was not able to organize collective action, because it lacked the organizational capacity. In *Gent*, the issues raised by different groups and individuals in the neighbourhood were complementary and could be aggregated in a common platform text for collective action.

7.6 Characteristics of the political context

7.6.1 General political context

7.6.1.1 *Gent*

The *Gent* city council is composed by a majority of socialists and liberals (and the nationalist party VU), which has been in power since 1988. The Christian Democrats have been in the opposition ever since 1988. The coalition has been led by the socialist Mayor Frank *Beke* from 1995 until 2006. From 2006 on, *Daniel Termont* (Socialist) is the new Mayor of *Gent*. Karin *Temmerman*, daughter of the former Mayor of *Gent* (SP) is the Aldermen responsible for urban development. In the 2000 municipal elections, the socialist party SP was the largest political party with 25,07% of the votes and 14 of the 51 seats. The liberal party VLD had 21,03% of the votes and 11 seats. In order to have a majority, the VU-ID party with 3,97% of the votes and 1 seat was added to the coalition. In the 2006 elections, the socialist party increased its position with 31,58% of the votes, whereas the position of the liberal VLD remained even on 21,04%. It must be noted however that the SPA in the 2006 elections formed a cartel with Spirit, a progressive nationalist party that separated from the former VU-ID. Termont has 19.800 votes and is the most popular politician of *Gent*. The Liberals and Socialists have a small majority with 52% of the votes.

The strong position of Socialists and Liberals is also linked to the fact that some influential and popular national politicians come from *Gent*, and have a seat in the city council. Liberal *Guy Verhofstadt* for instance has been the Belgian prime minister in the period between 1999 and 2008, whereas the socialist *Freya Van den Bossche*, daughter of former minister *Luc Van den Bossche* was vice prime minister of Belgium between 2005 and 2007.

7.6.1.2 *Leuven*

In *Leuven*, a coalition between Socialists (SP) and Christian-democrats (CVP) has been in power since the municipal elections of 1994. Since the elections of 2006, both parties had formed a cartel with two smaller parties. The socialist party joined with SPIRIT, and the Christian democrats joined with the NV-A. Together these two parties have almost 65% of the votes, which is a comfortable majority.

The political culture in *Leuven* is very much influenced by the style of its Mayor *Louis Tobback*. The Mayor of *Leuven* is the former vice-president of the socialist party in Belgian and played an important role in national Belgian politics as a minister during the eighties and the nineties. From 1988 until 1994, *Tobback* was the minister for internal affairs. In 1994, after an important corruption affair (Augusta scandal) in which the socialist party was engaged, Tobback became the president of the socialist party until 1998.

In 1994, Tobback also came up as a candidate Mayor in municipal elections in its home-city *Leuven*. Until 1994, the city council had been dominated by the Christian democrats. The socialist party gloriously won the election with 40,5% of the votes (increasing its votes with more than 15% since the 1994 elections), and Tobback became the new Mayor of *Leuven*. The socialist party remained the largest party in the subsequent 2000 elections with 31,7% of the votes and in 2006 with 38,7% of the votes. In the last elections, Tobback had more than 13.000 preferential votes (from +/- 60.000 total votes). Due his popularity, Tobback is the undisputed leader of the city.

Tobback's political style is described as authoritarian[117]. He is a believer of a strong representative democracy, in which politicians are mandated during their term to take decisions on behalf of the electorate, and in which the electorate can reveal its democratic preferences during the elections. Therefore, the mayor is not a believer in participative decision-making. In an interview[118], *Louis Tobback* for instance says that

> *We are elected to represent the public good, those who complain are not. I want to give everybody the opportunity to express his ideas, as long as they realize that I am **not** going to take into account their ideas blindly. (Emphasis added)*

[117] Interview F Dumont, and Maes

[118] Jean-Luc Dehaene (66), Louis Tobback (68) en Herman De Croo (69) over Het Grootste Buurtonderzoek en de geneugten van de burgemeestersjerp, Het Nieuwsblad, 3 september 2006. Literal citation: "*Wij* zijn verkozen om het algemene belang te dienen, niet de burgers. Ik wil ook iedereen inspraak geven, als die maar niet gelooft dat ik hem zomaar ga volgen"

The political opposition in *Leuven* of liberals and the Green party have been criticizing the authoritarian character of decision-making style of the Mayor for years. Together with his bullying rhetorical style, Tobback has received the nicknames as the "*the pit-bull of Leuven*", or the "*emperor of Leuven*". *Louis Tobback* is for instance also an infamous character in a popular satirical column of the Flemish political magazine Knack.

Opponents of the project in *Leuven* from the protest group, as well from the political opposition remark that critique is not appreciated by the Mayor, and that they even feel threatened by the Mayor and his bullying rhetorical style in the municipality council. (IDI22)

The authoritarian character of politics in *Leuven* is also reaffirmed by a panel survey held for the city monitor of the administration Urban Policy (Vlaams Stedenbeleid) in 2008 by the University of *Gent*. In this panel survey respondents could express their agreement with the following statement: "The city council does an effort to involve its citizens in decision making". Only 20,7% respondents agreed or agreed strongly with this statement. Of the 13 regional cities that were involved in the panel survey, *Leuven* ranked 10th with this number.

With *Tobback* as Mayor, the physical environment of *Leuven* has changed a lot. Not only the railway station area project, of which the *Kop van Kessel-lo* is only a part, but also other parts in the city have been redeveloped. Urban development and strategic urban projects are considered as a key policy area and the Mayor plays a crucial and decisive role in larger urban projects.

7.6.2 Openness of the decision making process

7.6.2.1 *Gent*

In the early phases of the decision-making process of the project, also in *Gent* there has been ample interaction between the residents of the area and the decision makers of the project. In the period between 1999 and 2004, the project partners had spread several uncoordinated press releases on the project in the local and national newspapers. There was however not really a coordinated communication strategy between the project partners.

The first official public hearing for residents has been organized in March 2004. This (legally obliged) meeting informed the residents on the upcoming environmental impact procedure. A second public hearing has been organized in October 2005. On this meeting, the project as approved by the steering committee has been presented. More than 1000 people attended the hearing. A third public hearing has been organized in March 2006. The purpose of this meeting was to inform the residents on the upcoming public inquiry on the RUP. The public

inquiry on the RUP was held between January 27 and April 27 in 2006. All these meetings aimed to inform the residents on decisions that had been taken. There were no direct participative opportunities for citizens to influence the decision making process in the crucial period of the decision making process of the project

Since the emergence of the protest of *Buitensporig* in 2005, the city and its partners started to change their communication strategy. In response to the growing community protest, the city also decided to start up a dialogue with the neighbourhood via the *klankbordgroep* (feedback group). In this *klankbordgroep,* several organizations from the neighbourhood, including *Buitensporig*, and other interest groups, such as the pedestrian and the bicycle association were included. The klankbordgroep had 16 meetings between June 2006 and June 2009. In these meetings, the project itself, the organization of the construction site and the communication have been discussed with the residents.

An overview of all the interaction moments specific to the project *Gent-Sint-Pieters* in *Gent* is given in table 22

Next to the official communication moments, there have been several informal contacts between *Buitensporig* and the Mayor and the Alderman. A first informal meeting between *Buitensporig* and the Mayor took place early 2006. There have also been several unplanned contacts between involved politicians and residents, active in the protest group.

It must be noted that apart from the interaction on the project *Gent* Sint-Pieters, the city of *Gent* interacts with the residents via other policy domains and policy programmes. Although the participative opportunities for the project *Gent-Sint-Pieters* have been very limited, the city council of *Gent* is in contrast to *Leuven* not principally against forms of participative government. Other projects in *Gent*, such as the *Brugse Poort*, are well known for their participative decision making processes. The city of *Gent* for instance has a policy programme of *wijkgerichte werking* (area-based policy). This policy programme aims to improve citizen participation in the different districts of *Gent*. By the end of 2005, the department of *wijkgerichte werking* organized workshops and panel surveys in both the southern as the northern part of the railway station area on specific local issues in the districts. In April 2006, a debate was organized in which the residents could express their ideas to the city.

The city of *Gent* also has a policy programme to support bottom up citizen initiatives in the districts. The policy programme "Wijk aan zet" finances initiatives that aim to improve the liveability or social cohesion of the district. Local citizen organization can apply for these subsidies with a project proposal. The proposals from the citizen's organizations are evaluated by a jury of local citizens and by the city administration. With this programme of the "Wijk aan zet", the city clearly introduces forms of self-governance in the city of *Gent*.

Remarkably, the action group *Buitensporig* also received subsidies in 2009 from the "Wijk aan zet" policy program. So, actually a part of the protest against the project had been financed by the city itself. The financing of *Buitensporig* with public money is clearly an example of a strong political opportunity for protest.

Thus although residents in the neighbourhood did not have a direct opportunity to participate in the decision making process of the project, there are many other institutional opportunities for citizens in *Gent* to participate in public decision-making. Therefore, the political context for the project in *Gent* is best described as half-open: although the decision making process on the project was rather closed to citizen participation, the political context in the city itself was rather open. The group *Buitensporig* started to exist because of the lack of participative opportunities within the decision making process of the project, and was at the same time supported by the political opportunities given by the city to protest.

Date	What
25/03/2004	Closed consultation with the residents of the *Sint-Denijslaan*
29/03/2004	Public hearing on the EIS for the whole project
27/09/2005	Closed consultation with the residents of the south side of the railway station
3/10/2005	Public hearing on the whole project
13/12/2005	Closed consultation with the landowners on the plans for the Overmeersen
7/03/2006	Public hearing on the RUP of whole project
27/03/2006	Review and comment procedure
28/04/2006	Debate on the development of the district “wijkgerichte werking”
3/07/2006	Klankbordgroep 1
28/08/2006	Public hearing on the *Sint-Denijslaan* and the Princes Clementinalaan
11/09/2006	Klankbordgroep 2
17/10/2006	Klankbordgroep 3
7/11/2006	Klankbordgroep 4
12/12/2006	Klankbordgroep 5
23/01/2007	Public hearing on the RUP Sint-Denijsplein
8/02/2007	Klankbordgroep 6

8/03/2007	Klankbordgroep 7
3/05/2007	Klankbordgroep 8
21/05/2007	Public hearing on the plans for Overmeersen
7/06/2007	Public hearing on the Princes Clementinalaan
18/06/2007	Public hearing for the retailers in the railway station area
22/07/2007	Public inquiry for the expropriation
11/09/2007	Klankbordgroep 9
4/10/2007	Public hearing on the Rijsenbergwijk
22/11/2007	Klankbordgroep 10
22/01/2008	Public hearing on the plans for Overmeersen
25/01/2008	Review and comment procedure for the RUP Overmeers
21/02/2008	Klankbordgroep 11
22/05/2008	Guided tours on the wharf
2/06/2008	Klankbordgroep 12
11/09/2008	Klankbordgroep 13
18/11/2008	Public hearing on the K Elisabethlaan and the Kortrijksesteenweg
2/12/2008	Klankbordgroep 14
6/03/2009	Public hearing on the Vaerwyckweg
12/03/2009	Klankbordgroep 15
2/06/2009	Public hearing on the Maria-Hendrikasquare
2/06/2009	Klankbordgroep 16

Table 22: list of public information and consulting activities in *Gent* Sint-Pieters, source: infopunt *Gent* Sint-Pieters

7.6.2.2 *Leuven*

Formal interaction with the residents of the neighbourhood during the planning phase of the project has been very limited. Although plans for the *Kop van Kessel-lo* have been made since 1992, it was only in 2005 the city actively started to spread information on the project.

The first interaction moment on the project was on October 25 in 2005. A closed meeting was held with the residents who would be expropriated. On October 26, an open public hearing was organized for the other residents.

In this meeting the Mayor made a strong opening statement which has been recorded by two independent journalists and some residents[119]:

Everybody can see that this is the best solution. You have to take it or leave it

With this statement, the Mayor referred to the discussions in the past with the Railway Company and Eurostation, who had had plans for a much larger development without a park. The Mayor presented the project thus as a major achievement relative to previous plans for the site. Furthermore, the Mayor insinuated that the city had negotiated the best possible outcome, and that actually the residents should be very happy with this achievement of the city. The statement also suggested that a critique on the plan would be inappropriate, since it would re-open difficult negotiations with the railway station company. Actually, the statement reveals clearly that the Mayor leaved no openness for critique.

A second hearing on the plans had been organized on 29/06/2009 on the RUP of the *Kop van Kessel-lo*. The public consultation on the RUP was held in the period between July 13 and September 10 in 2006.

A third information moment had been held on the 13th of February in 2008. In this public hearing, information was given on the practical organization of the construction works in the *Martelarenlaan*. An overview of the communication moments is given in

Date	What
01/09/2004	Press release on the winning design
25/10/2005	Closed consultation with owners that are affected by expropriation
26/10/2005	Public hearing on the masterplan
29/06/2006	Public hearing on the RUP
13/02/2008	Public hearing on the start of the construction works

Table 23: communication moments in *Kop van Kessel-lo* (2004-2008), source infohuis *Leuven*

According *Belle-Vue*, there have been several informal contacts with the Mayor and the Alderman on the project, mainly during receptions or other activities that have been attended by the Mayor or the Alderman.

[119] Het laatste nieuws, "Plannen voor *Kop van Kessel-lo* op tafel", 27/10/2005, p17 and de Standaard, ""Beste oplossing" voor Kessel-lo, 27/10/2005, p 52

7.6.3 Perceptions on decision making fairness and political opportunities

The next question is whether the "openness "of the decision making process as described above is also perceived as such by the residents of the neighbourhood. We asked three questions in the panel survey related to this issue. The first question relates to how residents in general perceive the responsiveness form the city authorities to community protest. In table 24, the answers from both panel surveys are given. More than 57% in *Leuven* disagrees with the statement that the city is responsive to protest, while in *Gent* 44% disagrees. The differences in political style as described above are thus clearly reflected in the perceptions the residents have on their political authorities. This means, from a protesters viewpoint that the opportunities for protest are better in *Gent* than in *Leuven*.

The city is in general responsive to protest from citizens	*Gent*	*Leuven*
Disagree strongly	14%	21%
Disagree	31%	36%
Disagree nor Agree	19%	20%
Agree	30%	21%
Agree strongly	6%	3%
	100%	100%

Table 24: responsiveness to community protest, source panel survey

Furthermore, we asked the respondents whether they agreed on the statement: *"It is now too late to change the plans of the project*". Both panel surveys were taken in the period September 2007 – February 2008. As well in *Gent* as in *Leuven*, in this period the first construction works had been started. In *Leuven*, the preparations had been made to make a pedestrian connection from the railway station under the *Martelarenlaan*. Several buildings (community building and several houses) had been demolished. In *Gent* at the timing of the panel survey, several buildings had been demolished (the post building), the pit for the car parking had been made and the preparatory construction works for the new road tunnel to the car park had been made. Both panel surveys thus took place at the onset of the construction phase.

The opinions vary considerably. In *Gent*, 31% is convinced that change is still possible, whereas in *Leuven* only 10% thinks the plans can still be adapted. This again provides support for the political opportunity theory.

It is too late to change the plans	*Gent*	*Leuven*
Disagree strongly	11%	3%
Disagree	20%	7%
Disagree nor agree	7%	9%
Agree	28%	54%
Agree strongly	35%	26%

Table 25: Too late to change the plans, source panel survey

7.6.4 Perceived procedural fairness

The data from the panel survey on the timeliness and correctness of information shows that there are hardly no differences in the frequencies on the questions regarding information between the two cases (see table 26 and table 27). The majority of the respondents agrees or even strongly agrees on the question whether they have received information on time (+/-76% for both cases) and whether they have received correct information (+/- 75%).

This is remarkable, because we expected for both cases that a majority would disagree. As well in *Gent* as in *Leuven*, the inhabitants received information on the project, only after the project had been decided by the project promoters (however before the start of the actual construction phase). Furthermore, in Gent-Sint-Pieters, the project communication was more intensive than in *Leuven* (which was very limited), thus one might expect a different outcome in the two surveys.

We received information on the project on time	*Gent*	*Leuven*
Disagree strongly	9%	6%
Disagree	9%	14%
Disagree nor agree	4%	4%
Agree	54%	53%
Agree strongly	23%	23%

Table 26: perceived timeliness of information, source panel survey

Information was correct	*Gent*	*Leuven*
Disagree strongly	1%	4%
Disagree	14%	11%
Disagree nor agree	10%	11%
Agree	50%	60%
Agree strongly	24%	14%

Table 27: perceived correctness of information, source panel survey

Table 28 lists the answers to the statement "*In developing this project, the city has taken into account the wishes and desires of the residents of this area".* Despite the fact that the decision making process in *Gent* was more interactive, more residents in *Gent* think that their interests have not been taken into account. Almost 80% disagrees on this statement, whereas 50% in *Leuven*. This is seemingly a paradox, since the residents should have had more opportunities to interact with policy makers in *Gent*, certainly from 2007 on.

This paradox could be explained by the fact that the residents think that these institutional opportunities are not satisfying or not effective for them.

Indeed, in several interviews with representatives from the protest group there was a lot of scepticism as regards to the *klankbordgroup*, in which in principle most interaction between city and residents take place. One of the leaders of the action group *Buitensporig* for instance has been involved in the *klankbordgroep* since the start. He commented on the klankbordgroep that

> *So now in the first klankbordgroep the Mayor Termont opened by saying that there was no possibility anymore to change the plans of the road and the parking. The only thing that could be changed a bit was the height of the buildings, but in the RUP is clearly stated that the height will be between 60 and 90m. So, even here much change is not possible. And ultimately, it is our ambition to discuss all these issues. But seemingly there is no discussion possible on the big issues. I hope that we will receive an answer to all our questions related to these big issues, but I don't expect too much from it. (IDI19)*[120]

[120] IDI refers to the index of in depth interviews given in chapter 11.1. A more detailed description of the respondents can be found under this heading.

In developing this project; the city has taken into account the wishes of the residents of this area	Gent	*Leuven*
Strongly disagree	41,2%	26,3%
Disagree	37,6%	23,8%
Disagree nor agree	8,2%	23,8%
Agree	10,6%	22,5%
Strongly agree	2,4%	3,8%

Table 28: taken into account the interests of residents, source panel survey

7.6.5 Conclusion

From the data above, it can be concluded that the decision making process in *Leuven* has been more "closed" than in *Gent*. There has been substantial less objective interaction or opportunities for interaction between residents and policy makers in *Leuven*. This is related to the political context in *Leuven*, in which most decision making processes are top-down.

The decision making style in *Leuven* is best described as the DAD-decision making style: Decide, Announce and Defend. The way decision-making processes are made in *Leuven* is also closely related to the perspective of the Mayor on the representative democracy and the role of politicians. Due to the strong position of the Mayor in the city, and the fact that participation is not encouraged in *Leuven*, there are few institutional opportunities outside the project to develop protest strategies.

In *Gent*, the interactions with the residents have been very limited during the first phases of the decision making process (1999-2004). Since 2005 however, there was gradually more openness and interaction with the residents of the area. The "closeness" during the first phase of the decision making process does not relate to ideological arguments such as in *Leuven*, but more to contextual elements such as the difficulties in reaching an agreement with the project partners. Thus whereas the decision making process was closed, there were plenty of institutional opportunities in *Gent* to develop protest strategies. The fact that Buitensporig was partly financed by the city to protest is a clear evidence of such an institutional opportunity.

This is not only confirmed by the description of the political context and the analyses of interaction moments of the decision-making. It is also reflected by the perception on responsiveness and political opportunities. The population of

Leuven is less confident that protest has an impact on change than the *Gent* respondents and that it is still possible to change the plans.

It seems thus that the lack of openness in *Leuven* and certainly the perception thereof has suppressed the emergence of protest, whereas the perceived openness of the perceived opportunities by the residents of *Gent* have been crucial for the emergence of protest. The evidence from the cases seems to confirm the theory of institutional opportunity structures.

Last, it has been found that more respondents in *Leuven* think that their wishes have been taken into account than in *Gent*. This might seem contradictory given the absence of such opportunities in *Leuven*. This finding might reflect that the respondents felt that despite the formal opportunities such as the klankbordgroep, the effective influence on the decision making process is restricted.

7.7 Regression analysis of Protest Participation

A regression analysis is further used to determine to what extend the different variables of the panel survey predict individual *protest participation*. This type of analysis can reveal the motives for protest in the different cases. It explains within a case which variables from the panel survey can predict protest participation.

A logistic regression analysis is a statistical analysis, in which the value of the dependent variable are dichotomies (participated in protest or not). The dependent variable (protest participation) is predicted by a function of a set of independent variables. A logistic regression resembles a simple linear regression, but it does not assume a linear relation between the variables, nor a normal distribution of the variables. Furthermore, it models changes in the log(odds) of the dependent, not changes in the dependent itself as a normal linear regression does. Logistic regression is thus a good alternative if one or more variables are nominal or ordinal, which is the case with our dependent and independent variables. Such an analysis can tell us how much of the variance of the dependent variable is explained by the independents, what independents matter and how they contribute to changes in the dependent variable.

The odds of the dependent is the ratio of the chances of having a 0 or a 1 value. In our case, the ODDS is the ratio of the chance of protest participation versus the chance of having no protest participation. An odd of 1 thus means that chances are equal (both 50%). An odd above 1 means more chance on protest participation, while an odds below 1 means more chance on no protest participation.

Since values of the odd vary between 0 and infinite, the log function is taken from the odds. A logistic regression is thus described as

- $z = b_0 + b_1X_1 + b_2X_2 + ... + b_kX_k$

- where z is the log(odds) of the dependent variable and
- where b0 is the constant and
- where there are k independent (X) variables

We want to predict the dependent variable *protest participation,* based upon the answers given on the other questions in the survey. The dependent variable was coded 0, if the respondent did not participate in any protest actions. It was coded 1, if the respondent did participate in one or more of the following protest actions[121]

- Sign a petition against the project
- Hanged a pamphlet against the project
- attended a protest demonstration
- wrote a comment or complaint
- organised protest actions

In order to test the externalities theory, we included the following predictors[122]

- Perception of the impact of the construction works: coded on a scale from -2 to 2, where -2 is negative and +2 is positive. The variable is named IMP_PRO
- Perception of the impact of the project after realisation: coded on a scale from -2 to 2, where -2 is negative and +2 is positive. The variable is named IMP_WHA

The result for *Gent* is

Variables in the Equation: Logistic regression *Gent* Sint-Pieters

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1	IMP_PRO	-,639	,211	9,157	1	,002	,528
	IMP_WHA	-,645	,312	4,287	1	,038	,524
	Constant	-1,709	,390	19,171	1	,000	,181

[121] In the first scale of protest participation, we included the question "did you attend a meeting of the action group". During the conduct of the interviews it became clear however, that this is not necessary an act of protest. For many, curiosity is the main motivation to attend such a meeting.

[122] Since our samples only contained N=112 and N=145, we had to restrict the number of independent variables in the equation in order to achieve significant predictors. The more independent variables are used, the less significant their contribution becomes (the greater the chance that their contribution is attributed by chance). We choose to restrict the number to 5 independent variables.

Table 29: Logistic regression for protest participation in *Gent* Sint-Pieters

While the result for *Leuven* is

Variables in the Equation: Logistic regression *Leuven*

		B	S.E.	Wald	df	Sig.	Exp(B)
Step 1	IMP_PRO	-,742	,261	8,075	1	,004	,476
	IMP_WHA	-,773	,314	6,077	1	,014	,461
	Constant	-2,019	,366	30,492	1	,000	,133

Table 30: Logistic regression for protest participation in *Leuven*

From the results, we can see that in both cases protest participation is a function of both variables. The log functions are then

- For *Gent*:
  Log (ODDS(Protest participation)= -1,709-0,639*IMP_PRO-0,645*IMP_WHA
- For *Leuven*:
  Log (ODDS(Protest participation)= -2,019-0,742*IMP_PRO-0,773*IMP_WHA

We do not want to go too much technical detail here (the full statistical report can be found in the attachment), but these results tell us that both variables are statistically significant predictors of protest. With this formula, it can be predicted whether an individual will protest or not. The column B tells us how the variable contributes to the odds of protest. An increase of 1 unit in the independent will cause a increase of the exp(B) value in the odds.

With this formula, we are able to make a prediction of protest behaviour, based upon the two independent variables. The formula gives 76% right predictions in the case of *Gent* and 88% in the case of *Leuven*. We can conclude that the more a respondent thinks that the project will have a negative impact on their situation, the more likely that the respondent has protested. This off course completely matches our expectations.

However, from the analysis we can also see that these variables are not sufficient to explain the variance in protest. Goodness of fit test variables such as the Cox and Snell R^2 and the Nagelkercke R^2 give a measure to how good the variance of protest participation is explained by our equation (Similar as the R-value in a simple linear regression). An R^2 close to 1 means that all the variance is explained, whereas an R^2 close to 0 means that none of the variance is explained by the independent variables. These values are low for *Gent* (Cox and Snell $R^{2=}$ 0,165 and Nagelkercke $R^{2=}$0,242) and for *Leuven* (Cox and Snell $R^{2=}$ 0,108 and Nagelkercke $R^{2=}$0,202). This is consistent with our claim that externality theory is not sufficient in explaining protest.

In order to examine what other predictors play a role we used the analytical exploratory tools of SPSS. We started with many variables, and we dropped variables that were not statistically significant. It must be noted here, that in order to have statistically significant predictors, the number of variables must be limited. This is because the N's for both panel surveys are too small for advanced multivariate analyses with many variables. Therefore, we included only the variables that refer to the perceptions of political opportunity and procedural fairness.

- perception of the general responsiveness of the city to protest: coded on a scale from -2 to 2, where -2 is negative and +2 is positive
- perception on the possibility to change the plans: coded on a scale from -2 to 2, where -2 is negative and +2 is positive
- procedural fairness, coded as a scale variable between -2 and +2

In table 31 the results of a logistic regression in SPSS for both cases is given for the dependent variable *protest participation* (yes or no). The independent variables are given in the first column.

From this table it can be seen that except for a constant value in *Gent the perceived responsiveness* with a B=-0.86 contributes the most to the chance of protest participation, whereas in *Leuven* the *perceived procedural fairness* B=-1.5 contributes the most.

Not all independents however contribute in a statistically significant way. When the significance in the column sig. however is less than 0.05, we can say that we are 95% confident that the contribution of the variable is not the effect of chance. For *Gent* we can see that only three variables have a significant (with p =0,05) contribution in explaining protest: *the perceived impact* of the project after realisation, *the perceived responsiveness* of the city to protest and the *perception whether it is too late to change the plans*. For *Leuven*, the only variable that is statistically significant is the *perceived procedural fairness*. The fact that we did not found statistically significant result does not rule out the possibility that in reality those variables play a real role. The only thing we can conclude upon our dataset is that for those variables with a p value>0,05, we cannot rule out that the relation we found is the effect of chance. A larger dataset might have come to different conclusions however.

With the new variables, the R^2 values improved considerably. These are high for *Gent* (Cox and Snell R^2 = 0,338 and Nagelkercke $R^{2=}$ 0,543) and for *Leuven* (Cox and Snell $R^{2=}$ 0,338 and Nagelkercke $R^{2=}$0,533). This means that our model now fits much better to the variance of protest.

From the table we can conclude that the odds of protest versus no protest vary by change in the perception of the perceived responsiveness, the idea that it is too late to change the plans and the perceived impact of the project after realization in *Gent*. Thus, individuals are more likely to protest when they are negatively

affected by the impact of the project and if they think that protest will have an impact on the decision-making process. These findings are consistent with our hypothesis regarding the *externalities theory* and the *political opportunity* theory.

The parameters for *Leuven* however tell a different story. Here, protest is best predicted by the *perceived procedural fairness*. An increase in this variable of 1 on a scale of -2 to 2, means a 0.22 reduction of the odds of protest. One can conclude from this table that those that protest in *Leuven* is motivated by the discontent over the way the decision making process over the project occurred, rather than discontent over the project itself.

Gent						
Independent variables	B	S.E.	Wald	df	Sig.	Exp(B)
perceived impact of the construction works	-0,64	0,45	1,98	1	0,160	0,53
perceived impact of the project after realisation	-0,65	0,30	4,87	1	0,027	0,52
perceived procedural fairness	-0,61	0,48	1,59	1	0,207	0,54
perceived responsiveness to protest	-0,86	0,42	4,21	1	0,040	0,42
too late to change the plans	-0,76	0,27	8,31	1	0,004	0,47
Constant	-1,53	0,57	7,28	1	0,007	0,22
Nagelkercke R square 0,543; 79% of cases are predicted correct						
Leuven						
Independent variables	B	S.E.	Wald	df	Sig.	Exp(B)
perceived impact of the construction works	-0,46	0,40	1,36	1	0,244	0,63
perceived impact of the project after realisation	-0,24	0,34	0,51	1	0,477	0,78
perceived procedural fairness	-1,50	0,60	6,25	1	0,012	0,22
perceived responsiveness to protest	-0,61	0,49	1,60	1	0,206	0,54
Too late to change the plans	-0,20	0,46	0,19	1	0,663	0,82
Constant	-1,94	0,81	5,70	1	0,017	0,14
Nagelkercke R square 0,533; 88% of the cases are predicted correct						

Table 31: logistic regression coefficients for protest participation

The conclusion of the logistic regression is that our hypothesis regarding the role of political opportunities is supported. Furthermore, we can conclude that the motives to protest in both cases differ. Whereas in *Gent* the substance of the project and the perceived protest opportunity is the main motive to protest, in *Leuven* the perceived procedural fairness is the main motive. Inhabitants of *Leuven* that protested, protested mainly against the closed decision making process, whereas inhabitants in *Gent* protested mainly against the project. This can explain the finding that in *Leuven* the impact of the project was considered more positive, but that the willingness to protest was equal to *Gent* and supports the hypothesis that the motivation to protest comes from a negative perception

on the impact of the project, whereas protest in *Leuven* is more motivated by the perception of procedural unfairness.

7.8 Summary table

Summary table	Important similarities in	Important dissimilarities in
Protest emergence	In both cases there were petitions from residents against the project The willingness to protest in both cases is equal	Petitions in *Leuven* were uncoordinated, and coordinated in *Gent* Protest participation is larger in *Gent* Protest activities in *Gent* were more intense
Project characteristics	The concept and the programme of both projects is very similar Both projects have an impact on traffic distribution and air quality. In both projects high rise buildings have a negative impact on their direct environment	The project in *Gent* is a larger project and has more impact The impact in *Gent* in perceived more negative than in *Leuven* Negative impact is more concentrated in *Leuven*
Neighbourhood characteristics	Both neighbourhoods have highly educated residents	Social composition of *Gent* is more heterogeneous Social cohesion is larger in *Leuven* More specific expertise in *Gent* on spatial planning Specific networks in *Gent*, alliances with environmental organizations Structure of interest is complementary in *Gent* and opposite in *Leuven*
Political context	Participative opportunities in the decision	Decision making style in *Gent* is more participative than in *Leuven*

	making process Institutional opportunities for protest Perceived fairness	Opportunities for protest are better in *Gent* than in *Leuven* Protest in *Leuven* is motivated by perceived procedural fairness, whereas protest in *Gent* is motivated by the perceived impact

Table 32: summary table

7.9 Conclusions

7.9.1 Empirical conclusions

The comparison between the two cases started with the findings that

(1) In the case of *Gent* more residents participated in protest activities than in *Leuven*,

(2) that the level of collective protest was higher in *Gent*

(3) that protest was strongly coordinated in *Gent* and largely uncoordinated in *Leuven*.

We also found that the share of the population that is willing to protest is equal in both cases. With this finding, we concluded that despite the individual willingness to protest, collective protest in *Leuven* did for some reason did not emerge as intensive as in *Gent*. In line with our theoretical frame we sought to explain this difference by examining and comparing the project characteristics, the social characteristics of the neighbourhood and the political context of the decision making process.

As regards to project impact, we found that both projects share many similarities, but that the project in *Gent* objectively has a larger (negative) impact on its surrounding area due to the larger scale of the development and the extra road connection. This objective difference is also reflected in the perception of the residents of the impact. From this finding, we would expect that protest participation levels and protest willingness is larger in *Gent*. In addition, although this expectation is confirmed for protest participation, the evidence for protest willingness does not confirm it. This means that in *Leuven* other sources than the perception of the project impact cause a willingness to protest. From a logistic regression analysis we found that the perception of the fairness of the decision making process was the main motive to protest in *Leuven*.

As regards to the neighbourhood characteristics, we found no evidence for the assumed relation between homogeneity and the capacity to mobilise. We did also found no evidence for the relation between general educational level and the capacity to organise. However, the two cases differed strongly in the availability of specialized expertise and the links to local and supra-local environmental organizations. The availability of specialised expertise in urban planning, environmental legislation or in *Gent* was exceptional, whereas such expertise was totally lacking in *Leuven*. In Gent, we found that the role of environmental organizations has been crucial in the emergence of collective protest. The non-emergence of protest in *Leuven* is also related to the lack of support from local or supra-local environmental organizations.

Furthermore, the structure of interests in the PIZ provided evidence for a collective action problem. Due to the distribution of externalities in *Gent-Sint-Pieters*, the interests in the different districts of the neighbourhood were complementary. Therefore, it was rather easy for the residents to make coalitions and to find consensus over the protest. In *Leuven*, the different districts had different issues, and especially the interests of the lower part of the *Martelarenlaan* were opposite to the interests of the upper part of the *Martelarenlaan*. The different districts were internally divided, and this hampered the development of coalition formation.

As for the political opportunities, we found evidence from the regression analysis that the perception on the responsiveness to protest is an important variable in explaining the variance of protest. The qualitative analysis showed large differences in the political context of *Leuven* and *Gent*. In *Leuven,* there are little opportunities for participation within the project decision making. However, there are also little opportunities for protest strategies in the political context: there is a strong Mayor, and a weak opposition. In *Gent*, there were also little opportunities to participate, but there are more opportunities for protest strategies. These findings are consistent with the curvilinear relation between "political openness" and "protest" in the theory of political opportunities.

7.9.2 Theoretical conclusions

From the data of the case studies, it can be concluded that all three major groups of independent variables play a role in explaining conflict emergence. As well project characteristics, as social characteristics of the residents and their mobilization capacity and the political context have an impact on the development of protest. We found convincing support in the logistic regression analysis that the perceived political opportunities better explain the variance of protest than the externalities theory only. We also found convincing evidence for collective action problems caused by the structure of interests.

We have found some support for the theory of externalities. However, the analysis also suggests that the theory of externalities is too limited. The impact of a project is thus not the only source of discontent. From the case of *Leuven,* we found that the perception on the fairness of decision-making was a better predictor for protest than the perception of the impact of the project itself. This implies that the externality theory gives a too narrow focus, and that discontent over projects is not only related to the perceived impact of those projects.

We found support for the theory of mobilization capacity. However, we found that not so much general socio-economic or general community ties and education levels matter. From the analysis of the action groups, we found that the availability of very specific expertise is more important. Furthermore, it has been showed that specific networks such as links to environmental organizations are more important than general community links. Last, it has been shown how the structure of interests impedes collective action.

Last, we also found support for the theory of political opportunities. There was a large difference between the limited protest opportunities in *Leuven* and the available protest opportunities in *Gent*. These opportunities played a crucial role in the development of protest.

VIII. Escalation in Gent-Sint-Pieters

8.1 Introduction

In chapter IV, we have developed a theoretical frame on conflict escalation. We defined different concepts and mechanisms that explain social conflict escalation. We concluded that the following aspects were crucial in understanding land use conflict escalation:

- analysis of the conflict strategies and tactics of the protesters and the project promoters: as regards to the strategies and tactics, the escalation literature suggest that during escalation conflict strategies and tactics change. As the strategies and conflict goals change, more heavy tactics are used. We will therefore analyse the strategies and tactics of both sides in different phases of episodes of the conflict.
- transformation of the conflict issues: conflict escalation theory suggests that the nature and scope of issues in conflict increases. We will therefore analyse how these issues change over the different episodes of the conflict.

- transformation of the conflict parties: during conflict escalation, group changes occur. Our analysis will be oriented at group behaviour during escalation.
- strategic and psychological drivers of escalation: we will finally address the sources of conflict escalation and assess to what respect these sources are the result of strategic behaviour or psychological behaviour.
- institutions of conflict; last we will look how existing conflict mediating institutions function during conflict escalation.

Theoretical concepts	*Indicator/descriptor*
Conflict strategy and tactics of action groups	What is the general conflict strategy of the action group What actions did the NC organise? Why did the NC organise these actions?
Conflict strategy and tactics of public authority	What and when counter reactions? Why did PA reacted in this way?
Issue proliferation	How does the number and type of issues changes over the conflict
Party developments	How the number and type of party changes over the conflict
Drivers of escalation	Nature of strategies, psychological changes

We will analyse these different concepts in the case of *Gent-Sint-Pieters*. Although the emergence of conflict in *Gent* has been analysed in the previous chapter, the focus on the analysis in this chapter will be different. Whereas in the previous chapter, we analysed how and under what conditions action groups emerge, in this chapter the analysis will focus on the interaction pattern between action groups and public authorities, once the action group has emerged.

In paragraph 2.5.2, we already explained that we will analyse land use conflicts as dyadic conflicts between project promoters and project challengers (see Figure 38). The project promoters are the City of *Gent*, the NMBS, the LIJN and the Flemish government. The project challenger is Buitensporig. This however does not mean that we will not analyse the internal composition of the parties. In order

to explain the conflict behaviour of the party, it will be necessary to look at internal developments within one party as well.

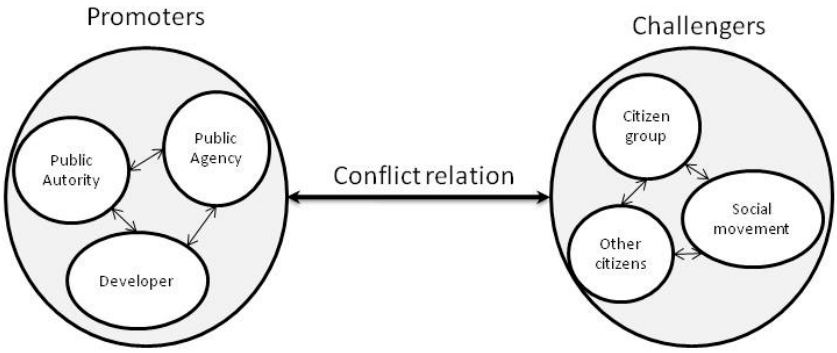

Figure 38: Analytical focus on dyadic conflict

The time frame of this case will be the period between 2005 and 2008. As already mentioned, the action group *Buitensporig* emerged in the spring of 2005. However, in order to understand the escalation pattern in this conflict we have started our reconstruction of the conflict somewhat before the emergence of the protest group.

In fact, several actors in the neighbourhood played an important role in the early formation of the protest group. It is important to analyse their previous interaction with the public authority to understand the further development of the conflict and the protest group.

The conflict in *Gent-Sint-Pieters* had not yet ended at the time this PhD was written. Buitensporig was still active. However, we end our analysis at the moment in which the litigation procedures of Buitensporig turned out to be in favour of the city in the current of 2008. This was also the period in which the data for this research has been gathered. Although it is strictly not the subject of the analysis, we will very briefly describe the further developments until 2010.

8.2 Methodology

For the reconstruction of the case study data came from in depth interviews (N=11). We interviewed respondents from the public authority (N=5), respondents from the action groups (N=4) and respondents that are involved in a more neutral position (N=2). The respondents have been selected by a snowball methodology: we have asked the respondents which key actors should be interviewed. All the interviews have been taken in 2007-2008, the period in which the relations between Buitensporig and the city had already deteriorated.

The duration of the interviews was about 1 to 1,5 hours. All interviews (but one) have been recorded and/or transcribed. Since the respondents all speak Dutch, the original interviews were always in Dutch. Citations have been translated in English by the author. It was impossible to make literal translations, since some expressions in Dutch do not have the same connotation as expressions in English and vice versa. We tried however to stay as close as possible to the message given. We also filtered the citations from grammatical errors. Furthermore, since the conflict is still ongoing, it was necessary to use the interviews with discretion. Therefore, some respondents are made anonymous in the text. Quotes are referred to with an index number (IDI), which is listed in Chapter 11.1. More information on the position and role of the respondent can also be found under this chapter.

Other data came from document analysis. The internet, and more specific the site of the city (www.projectgentsintpieters.be) and the site of *Buitensporig* (www.buitensporig.be) have been an important source of information. Both websites contain minutes of meetings, reports, newsletters, etc. Also on websites from environmental organizations, useful data has been found. Furthermore, we also visited weblogs that have commented on the ongoing conflict. Other documents involve the minutes of the steering committee of *Gent*, city council documents and newspaper articles. Via the *Mediargus* databank, more than 100 articles in local and supralocal newspapers have been retrieved on the project and the conflict in *Gent-Sint-Pieters* in the period 2005-2008.

In table 33 and overview is given of the different concepts and the data sources.

Theoretical concepts	*Indicator/descriptor*	*Where to get data?*
Conflict strategy and tactics of action groups	What is the general conflict strategy of the action group What actions did the NC organise? Why did the NC organise these actions?	Interviews, website,
Conflict strategy and tactics of public authority	What and when counter reactions? Why did PA reacted in this way?	Interviews website
Issue proliferation	How does the number and type of issues changes over the conflict	Inventory of issues listed in interviews, and newsletters
Party developments	How the number and type of party changes over the conflict	Inventory of actors and composite actors involved in the conflict
Drivers of escalation	Nature of strategies, psycho-logical changes	Interviews

Table 33: Escalation concepts and data sources

8.3 Conflict development in *Gent*

8.3.1 Early conflict developments.

As stated before, in order to understand the early developments of the conflict in *Gent*, we have to go back before the period of *Buitensporig*. As soon as the first ideas and designs of the project Gent-Sint-Pieters became public, several actors organised uncoordinated protest actions.

8.3.1.1 The milieugroep Sint-Pieters-aaigem

A first important actor was the local environmental group *Milieugroep Sint-Pieters-Aaigem*, active at the south side of the project. The *Milieugroep* is a local environmental organization. The members of the Milieugroep, some of them local residents of the *Sint-Denijslaan*, had been involved since the nineties in the

protection and maintenance of the 18 ha nature reserve the *Schoonmeersen*, south to the railway station district. This natural area was designated as an area for housing, but the *Milieugroep* succeeded to change the designation into a natural reserve[123] in the nineties.

However, soon after the designation of the area, the natural reserve was threatened by plans of the Regional Bus and tram company (*De LIJN*) to build a tramway through the natural reserve. The Milieugroep had fiercely opposed these plans, and remarkably, the city of *Gent* had been the main alley in this protest. In a public hearing on the tramway connection on September 24, 1999, the Alderman (the later mayor of *Gent*) had opposed the proposal to cross the Schoonmeersen quite determined

> *As for the bridge over the Ringvaart: if you want to build a new tramway over the bridge, connecting the schools and the Voskenslaan, then you will damage the nature reserve the Vosservaat and the Schoonmeersen. Our council succeeded to protect this area as a nature reserve. You will cross right through the area. I remember that you and I fought for the protection of the Vosservaat and the Schoonmeersen, and that was the right thing to do. ...We didn't protect it to allow the LIJN a few years later to draw a new tramway through it (IDI13)*

In the same period, the City and the NMBS were discussing the design of a Masterplan for the railway station of *Gent-Sint-Pieters*. The first sketches had been made to provide an underground car park, but the feasibility of the project was still very uncertain. It was at that time highly uncertain that the NMBS, the city, and the Flemish government would find the financial resources to invest in the project. The city of *Gent* was also developing mobility plans for the districts of *Gent*, which aimed to increase the liveability of the districts[124][125]. Parallel with the development of the masterplan, the city of *Gent* and its consultancy firm Tritel developed the idea to make a new connection between the new parking and the R4 to relieve the area from cross-through traffic. The idea was still very premature since it was dependent on the realisation of the railway station project and the parking.

The Milieugroep had become aware of the ideas of the new road connection. With the new connection, this nature reserve was now threatened again. Needless to say that the *Milieugroep* was quite surprised about the proposal. The plans were

[123] Filiep T'Jollyn, 2010, Op de schoot bij, Piet Dedecker, Snep!, p66-67

[124] Minutes of the hearing, hoorzitting Verkeersleefbaarheidsplan 23 november 2000

[125] Minutes of the hearing, Hoorzitting Verkeersleefbaarheidsplan, 22 februari, 2001

just the opposite of what the Alderman had fiercely announced on the public hearing some months ago about the tramway. In reaction to the plan, the *Milieugroep* promptly organised a public debate between the different political parties on the mobility of the neighbourhood, right before the municipal election of 2000. The secretary of the *Milieugroep* comments

> *We already organised in 2000 a huge public debate right before the municipal elections. The debate concerned the mobility in our neighbourhood. All the political parties have said then that there would be no road connection between the railway station and Flanders expo. (IDI14)*

After the elections, the project of *Gent-Sint-Pieters* did not make much progress because of the lack of engagements from the different partners for the financial resources. It was only in 2002 that the decision-making process was restarted. In that period, the *Milieugroep* frequently wrote letters to the city with questions on the project, but did not receive the requested information. Frustration and distrust were consequently growing. The secretary of the *Milieugroep* comments:

> *Our big problem was the lack of information on the whole project. We never received the information we requested. And even when we wanted to consult the Environmental Impact Study of the project to formulate our comments, they told us that the project was only in an premature stage and that it was too early to show us the mobility studies or the high rise impact study. (IDI14)*

Meanwhile, by the end of 2002, the city of *Gent* was finishing its structure plan. The structure plan stated clearly that the city would construct a new road connection [126]. This was indeed a necessary step in the realisation of the project *Gent-Sint-Pieters*. According to the Flemish legislation, structure plans are binding for public authorities. This means that after the approval of the structure plan, the city of *Gent* cannot undertake spatial developments that are not in concordance to its structure plan. So, since the city of *Gent* had intentions to develop the project *Gent-Sint-Pieters* and the new road connection, it had to mention this intentions in the structure plan. Again, this came as a surprise for the *Milieugroep*: the city had always denied that there were elaborated plans for the new road, but now these plans were included in the structure plan of the City.

The discussion on the road connection and the project in the structure plan in 2002 also attracted the attention of other supra-local environmental organizations in *Gent*. Next to the local environmental group *Milieugroep Sint-Pieters-Aaigem*, also city wide environmental organizations such as *Natuurpunt*, *Gent Milieufront*, *Voor Moeder Aarde*, *Gents Ecologisch Centrum* started to become involved. Some of these organizations had a direct link with the neighbourhood. The *Gents Milieufront* for instance has its office right in front of the railway station on the

[126] Stad Gent, 2003, Structuurplan Gent, indicatief gedeelte, p 292

Maria Hendrikaplein and thus right next to the project. Some organizations have links with each other via their boards. For instance, the *Milieugroep Sint-Pieters-Aaigem* is a subsidiary organization from *Natuurpunt Gent*. In addition, the president of the *Gents Milieufront* is a professional collaborator of the Flemish umbrella organization *Bond Beter Leefmilieu*.

Some of these environmental organizations participate in different advisory boards of the City of *Gent* on environmental and urban planning policies. For instance, the advisory board for the spatial policy of the city is the GECORO (*Gemeentelijke Commissie van Advies*). Members of this board are either selected experts in spatial planning, or representatives of organizations such as the labour union, the employer's organization, the farmers association and the environmental organizations of *Gent*. Since the general task of this board is to discuss and advice the spatial policy of the city, the GECORO had to formulate an advice on the Structure Plan of *Gent*. In addition, in the discussions within the advisory board, the intentions of the city to build the new road, the car park and the high-rise developments were noticed by the environmental organizations.

In the procedure of the approval of the structure plan, a review and comment procedure had been held. Several environmental organizations, among which the Milieugroep *Sint-Pieters-Aaigem*, reacted by sending different comments to the city, protesting against the new road connection and the destruction of the natural area *Schoonmeersen*. These comments were handled by the GECORO. Ironically, notably the same organizations that made comments had to advice the comments in the GECORO. Not unsurprisingly, the GECORO followed the arguments of the protesting environmental organizations and advised the city to drop the road connection[127] in the structure plan. The GECORO wrote

> *The planned road connection through the Schoonmeersen (the road cuts the natural reserve) will attract additional car traffic with additional air and light pollution, a take-up of natural area and decreasing traffic safety and is for those reasons unacceptable. It is necessary to develop a better public transport connection ... to take up the additional traffic to the railway station, and to ease the traffic in the district... The GECORO argues that the new road connection to the railway station is not consistent with the principles of an A location, that should be oriented to public transport to the utmost.*

The project partners ignored the advice and approved the structure plan with the road connection. For the city, the new road connection was seen as an instrument to relief car traffic in the streets of the railway station districts, and for the NMBS the road connection was necessary to feed the large underground parking and to attract extra commuters. In reaction, in April 2003, soon after the approval of the

[127] Gecoro, 28/11/2002, advies ruimtelijk structuurplan Gent

structure plan, the *Milieugroep Sint-Pieters-Aaigem* organised a first public protest action against the decision of the city. Some 100 participants - mostly members of the environmental organization - attended a protest walk through the *Schoonmeersen*[128].

8.3.1.2 Inhabitants of the Fabiolalaan

Somewhat independently from the environmental organizations, a group of inhabitants of the *Fabiolalaan* also started to undertake protest actions from the year 2000 on. Immediately after some press releases of the project of *De Geyter*, some inhabitants raised a petition in the *Fabiolalaan* against the plan for high-rise buildings in their street[129]. The group collected about 105 signatures in the *Fabiolalaan* against the project. They handed the petition to the Mayor *Beke* and Alderman *Temmerman*. The Mayor assured the residents that the city also opposed the plans of the *de Geyter* for the *Fabiolalaan*, and that the design of this part would be reconsidered.

But although the plans of *de Geyter* had been rejected, the Mayor and the Alderman did not oppose the idea of high rise building along the *Fabiolalaan*. Just like the case of the road connection, in 2002 the option to built high-rise buildings near the *Fabiolalaan* had been consolidated in the Structure Plan of the city. The city planners argued that a densification of the railway station district also implied high-rise buildings. They also argued that the new high-rise buildings would contribute to the skyline of Ghent[130]

In the review and comment procedure of the Structure Plan, several inhabitants had made a comment against the high-rise development. The GECORO in this case did not follow the arguments of the protesters. The GECORO argued that high-rise buildings in the railway district should be allowed, but that the effects of the high-rise buildings had to be studied more in detail[131]. The GECORO wrote

> *It is a very clear policy choice from the city of Gent to increase the density of the railway station district. This is a general policy option of the Structure Plan Flanders. The liveability will be addressed by the principles of the Structure Plan for the site, the design for the project and a high-rise impact study*

In 2004, the city communicated the plans for the project Gent-Sint-Pieters for the first time. The city had organised a (mandatory) public hearing to present the procedure of the environmental impact study. In principle, such a hearing has the

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[128] Protest tegen Autoweg, De standaard, 28/04/2003, p14

[129] Bewoners Fabiolalaan tegen, Gazet Van Antwerpen, 04-07-2001, p15

[130] Stad Gent, 2003, Ruimtelijk Structuurplan Gent, p281

[131] Stad Gent, Advies Gecoro, 28/11/2002, p39

function to inform the residents on the upcoming project and the different alternatives that will be studied in the EIS. Residents were also invited to send written comments to the EIS administration on the project. The environmental organizations and a representative of the group of the residents of the *Fabiolalaan* (notably a professor in environmental legislation) protested against the fact that the decision on the project had already been made, without studying alternatives without road connection and car park. The EIS administration followed the argumentation and obliged the city and the project partners to study this alternative.

8.3.1.3 Residents of the Rijsenbergwijk

A last group who had expressed their concerns about the project to the city was the resident association of the *Rijsenbergwijk*. This is is a neighbourhood north of the railway station. This dense 19th century neighbourhood is already overloaded with crosscutting traffic, and a local resident association (the *Rijsenberg committee*) had been struggling for years for less car traffic and more traffic safety[132]. The city had already addressed this issue in the *Verkeerleefbaarheidsplan* (traffic liveability plan) and had taken measures to reduce the cut-through traffic. The local resident committee however feared that the new road connection and the massive development programme would attract additional cut-through traffic to their neighbourhood.

8.3.2 Response by the public authority

The early uncoordinated protest actions of the different protest groups did not have a direct impact on the decision making process of the project. Mailings and requests for information had been unanswered, comments had been rejected, and the advice of the GECORO on the road connection had been largely ignored.

Although there was no direct interaction with the protesters, the project partners did anticipate to some of the concerns that had been raised by the GECORO. In the current of 2003, the city ordered an impact assessment on the impact of the high-rise buildings on the *Fabiolalaan* on the adjacent houses to address the concerns of the group of the *Fabiolalaan*. The city also examined more in detail the size of the car park. However, in general, the strategic conflict orientation of the project partners in this phase of the conflict was to ignore the protest. The project partners did not intent to negotiate or to dialogue with the different protesting groups.

[132] Minutes of the Hearing, Hoorzitting verkeersleefbaarheidsplan, Gent-Sint-Pieters, deel stationsburrt Noord. 15/02/2001

To understand the strategic orientation of the project partners in the early phase of the conflict, we have to analyse more in detail the internal composition of the project partners since the public party in the project *Gent-Sint-Pieters* is characterised by a political -administrative complexity.

The different partners have different resources and competences that are needed in order to realise a transformation of the railway station area. For instance, the investment to renovate the railway station is decided by the NMBS, whereas the investments to reorganise bus and tram infrastructure have to come from De LIJN. The decision to make up a RUP (zoning plan) and investments for the new road connection come from the Flemish Government, and the renovation of the public domain is the competence of the city. The different partners are thus mutual dependent to realise the project. If one partner decides not to invest, the whole project stops.

Within this constellation of mutual dependency, the different partners also have conflicting interests and ambitions. As stated before, Eurostation is a public developer for the NMBS and its goal is to valorise the land of the National Railway Company. Since the Railway Station Company was land owner of a large part of the strip along the *Fabiolalaan*, it was preliminary interested in inflating the development rights of the plot. Furthermore, as well the *De LIJN* as *the NMBS* were more focussed on the progress and the efficiency of the decision making process. For those partners the operational exploitation of the bus, tram and rail infrastructure was of main importance. The city was more concerned about the public support for the project, integrating different interests of different parties during the decision making process, and increasing the overall quality of the project.

Next to the differences in interests and goals, the project partners also have different decision-making structures, and are tied up in the different policy levels of the complex political system of Belgium:

- Decisions within the city are made by the Mayor and the Alderman, or by the city council.
- Decisions of the Flemish administration are made by the Flemish government
- The NMBS holding itself is a public company, and falls under the Federal policy level (minister of Mobility and the minister of Public Companies). It is divided in two parts. The rail infrastructure is provided and maintained by Infrabel, whereas the NMBS is responsible for the exploitation of public rail transport. The NMBS holding makes decisions on investments of the railway station in its investment plans. Since the NMBS is a public company, the regional division of the investments of Belgium is always a political struggle. For instance, there is an agreement between the Flem-

ish speaking community and the French speaking community that 60% of the investments go to Flanders, whereas 40% of the investments have to go to the Walloon part. Furthermore, since the budget is limited, and priorities have to be set, there is a competitive struggle between the larger cities for attracting investments in railway station infrastructure. Thus in order to attract the investments to *Gent*, the politicians of *Gent* had to lobby intensively[133][134].

- *De LIJN* is a regional Flemish public entity, of which the Flemish government is the main shareholder.

The fact that the different partners depend upon different policy levels (city, region, federal level) implies that there is little overall control over the decision making process. In the period before 2002, the project was still very uncertain because not all partners had agreed upon the intention to invest in the project.

It was only in 2002, that all partners shared the intention to invest in *Gent-Sint-Pieters*. In the period between 2002 and 2005, the project partners discussed the project and the financial engagements in the project of the different partners. Moreover, although the different partners had signed an *intentieovereenkomst* or an intention agreement, none of the partners had taken definitive financial engagements in the project. For some partners, the project was still very uncertain, since they were not sure whether they would be able to provide all the necessary financial resources, neither that they would agree upon the modalities of the project.

The political and administrative complexity and the resulting uncertainty of the project partners had its effect on project communication and participation. For the city, project communication and public support were of secondary importance in that phase. The Alderman *Temmerman* commented on that period that

> *It has been very difficult to achieve a consensus between the different parties, certainly with the Flemish government and the NMBS. In addition, we have to coordinate and to safeguard some elements, but that was already very difficult. We were already very happy that the NMBS and de LIJN were willing to invest money. So maybe it was possible (red. to organise participation), but I didn't saw an opportunity. My biggest concern was to achieve a consensus with the partners in order to be able to start the project. And then there is the pertinent blame that there is too little consultation of the neighbourhood. (IDI13)*

[133] We moeten Verhofstadt wakker schudden, 06-11-2003, p14

[134] Vinck vindt toch centen, Het Nieuwsblad, 20-11-2003, p16

Thus unlike in *Leuven*, the city of *Gent* was in principle not against forms of citizen participation in the project, the specific decision making context did not allow this. As long as the four partners did not have a final agreement on the project, the city felt it was impossible to spread accurate information to the wider public. Since negotiations were ongoing, the design as well as the project programme was still in constant evolution, and information was only temporally valid.

The closed decision making process for *Gent-Sint-Pieters* is also justified (ex-post) by the Alderman by the specific character of the project. According to the Alderman, the railway station project is a project that is of strategic importance on a higher scale level than the neighbourhood itself. The densification of the area and the option to make the railway station more accessible by car are very important on a macro-level scale, since such a development would contribute to a more sustainable modal split in Flanders

In addition, the other project partners thought it was too premature to communicate with the residents before the project partners reached a definitive agreement on the project. In a discussion in the steering group of the project in 2003 between the city and *de Lijn* over the division of the costs of the communication budget, for instance the CEO of the regional bus and tram company stated that

> *It is premature to communicate at this time, because there is no project, and I don't want to spend pointless money"*[135].

Consequently, project communication had been given a low priority. Although the steering group had been discussing the aspect of communication during several meetings, it took almost two years of discussion to agree upon a project logo and a communication style.

A staff member of one of the project partners noticed the lack of attention and the low priority given to project communication.

> *And yes, I think they denied that there were problems as regards to the public support. So the profile of the communication staff was not up to the job. They didn't take it seriously. The discussion was more about the communication style such as the logo etc, but they lacked a good communication plan. I'm not a communication specialist, but you just can feel that it was not right. (IDI11)*

Because of the uncertainty of the project and the consequently low priority for communication, the project partners lacked the organizational resources to coordinate their project communication. Although the different partners did have

[135] Minutes of the steering group Gent-Sint-Pieters, May 20, 2003

their own communication staff, none of these departments was mandated to coordinate all the information and the communication with the public.

8.3.3 The development of Buitensporig

Frustrated by unresponsiveness of the city, some of the key actors started to change their strategy. Especially the environmental organizations realised that in order to achieve changes, the protest needed more public support and better coordination. In June 2005, 6 environmental organizations organised therefore a public meeting in the local community centre to inform the public on the upcoming plans of the city.

About 200 residents attended this meeting. The environmental organizations not only presented the information on the project, but also launched a call among the residents to participate in an action group. About 50 people volunteered to participate, among them residents of the *Fabiolalaan*, and residents of the *Rijsenberg* neighbourhood[136]. The public meeting brought the different protesting groups in the neighbourhood together for the first time. These groups had been unaware of their mutual concern before. The organization of a public meeting by the environmental organizations attracted also inhabitants that previously had been inactive in the conflict. This resulted in a larger pool of resources in terms of manpower, knowledge and expertise, networks and public support for the project.

However, with these additional partners, also the issues changed. In return of the expansion of parties, a consensus had to be sought over the issues and the argumentation of the protest. This was done in the different workshops leading to the platform text. During the summer of 2005, the newly emerged protest group organized four workshops[137]. On the first meeting, the group brainstormed and the points of critique on the project were listed. In the subsequent meetings, two workgroups were established to develop alternatives: one to prepare an alternative design for the buildings and one to prepare the mobility issues. On the third meeting, the protest group developed its platform text, in which the goals of the protest groups were stated and discussed. In the final preparatory meeting of September 8, the platform text was approved, and the different workgroups presented the results of their work. The protest group was named "*Buitensporig*".

In the platform text of *Buitensporig*, the issues listed are

[136] Decruynaere E, 2006, Op het verkeerde Spoor?, Tienstiens, no3, www.tienstiens.org, consulted on 05/08/2007

[137] Pamphlet from Buitensporig, 28/09/2008

In general

- The project should be reduced with 50%;
- It should have a balanced mix between offices, dwellings, shopping and recreation
- a phased implementation, based upon the demand and supply in the office and home market
- a qualitative urban design via a design competition
- Built environment
- the density and the heights of the new buildings should be adapted to the environment
- the most dense development should be close to the railway station
- if possible, some buildings can be constructed above the railway tracks

Traffic

- the car park capacity should be "frozen" according to the stand still principle (520-620 parking lots)
  - additional capacity should be created via the development of public transport and safer bicycle paths
- no additional traffic in residential streets
- Cut through traffic should be suppressed by an adapted planning; the connection between the Voskenslaan and the Albertlaan should remain.
- additional traffic for the new offices and the railway station should be restricted as much as possible.
- a new road connection between the R4 and the neighbourhood is not necessary
- local traffic from the residents should not be obstructed by cut through traffic and work related traffic.

Green

- the existing nature (Schoonmeersen) in the neighbourhood should remain;
- there should be a green axe with pedestrian pathways and bycicle routes between the Citadelpark and the Blaarmeersen over the site of the Fabiolalaan

Residential quality

- noise levels from rail traffic should decrease
- the capacity of the existing streets cannot be exceeded
- the air quality norms (NO2 and PM10) have to be respected
- the transport of construction material should be organized by ship or rail instead of trucks
- the visual pollution of the current use of the site should be undone as soon as possible;

Remark in the list that all the different interests of the different groups in the neighbourhood are represented in the protest pamphlet. For instance, the issues regarding the built environment are informed by the concerns of the inhabitants of the *Fabiolalaan*, whereas the concerns regarding the exiting nature (*Schoonmeersen*) and the road connection are issues from the *Milieugroep*. A member of the *Milieugroep* comments the development of the discussion in the workgroups on the issues as follows

> *Buitensporig actually originated at the other side of the railway station, at the Fabiolalaan. Off course, we jumped upon their chariot, and we support all their actions. They are more concentrated upon the issues with the high-rise buildings; we contest the parking and the new road. But off course, we understand that they protest against the high rise buildings of 90 m, right in front of the Fabiolalaan, this is really outrageous. (IDI14)*

In the protest pamphlet, also new issues have been raised. For instance, the issue on design quality or the issue on the transportation of materials had never been raised before. In the development of the strategy of the protest group, we already mentioned the crucial role of the environmental organizations and their networks. The involvement of these organizations had put environmental issues such as air quality and sustainable transport more prominent on the agenda of the protest group. Their involvement and support for the protest group was also motivated by the environmental impact of the project. A collaborator of one of the six supra-local environmental organization that was involved in the different workshops comments

> *Environmental criteria are very important to us. Generally, we get only involved in local protest if there are environmental problems. We are not so much interested in land use projects without a substantial impact on nature, on air-quality or water quality. That is the reason why we supported the protest in Gent. From the environmental impact assessment, it became clear that the construction of the new road and the car park would have a negative impact on the air quality and the PM particles, and that is a serious environmental problem. (IDI15)*

And although PM had never been addressed by local protesters, since the involvement of these organizations, the issue of PM and air quality became more and more important in the external communication of *Buitensporig*. For instance, in a pamphlet spread in the neighbourhood by *Buitensporig*, the issue of Particulate Matter even became the central message (see Figure 39).



Figure 39: Pamphlet from Buitensporig, source Buitensporig

The collaborator of the environmental organization also stated that finding a consensus between the different interests in the neighbourhood was not evident

> *I have to say that it was not always easy. The railway station district is a rather affluent district, it is not the cheapest district, and also a more liberal and conservative district. There were some inhabitants that found that we stressed too much upon the environmental aspects and neglected the issues of density. But we as environmental organization are not very much concerned about density. Off course we are not in favor of a tower of 90meters in a residential area without such towers, and there is a problem of scale, but this was not for us an existential problem. (IDI15)*

During the development of the platform text, the argumentation of the protest rationalised. In the discussion on the workshops, the most extremist or emotional viewpoints were filtered from the platform text and the different issues had been ordered into a coherent frame. Moreover, all the individual issues were formulated on a more general level.

With the emergence of *Buitensporig* also new conflict strategies were discussed. By the end of the summer of 2005, the group prepared a mission statement[138]. The mission statement clearly reveals a competitive/compromising conflict strategy. It stated that

> *The goal of the action group ... is to adapt the project, in collaboration with all the project partners (the city of Gent, the NMBS, the project developer) in order to increase the liveability for the adjacent neighbourhoods of the railway station*

Next to the mission statement, the action group made a list of protest actions on the short term and on the longer term. This list of strategic actions to achieve the mission statement included[139].

- To speak to the different policy makers on all levels (city, Province, Flemish government, *De Lijn*, NMBS, VLACORO) and the project partners to persuade them from the legitimate requests of the protest group
- To develop alternatives for the mobility and for the layout of the buildings or to look for organizations that are prepared to deliver sound alternatives
- To prepare a motivated comment for the RUP procedure
- To inform the neighbourhood about the project (by a newsletter) to create support for the vision of the action group and its protest actions
- To communicate the vision of the protest group to the local and supralocal press to gain publicity for the course of the group
- To increase our knowledge on specific aspects (such as the real estate office) in order to be prepared
- To make contact with action groups in similar projects
- To organise street actions

It is clear that the different tactics all have the aim to increase the bargaining position of the action group. In this respect, the escalation of the conflict in this stage is a strategic escalation as described by Kim and Pruitt and Kriesberg.

After the summer of 2005, the city organised a second public hearing on the project. This time the subject of the hearing was the approval of the masterplan for *Gentπ* Sint-Pieters. The new committee Buitensporig who clearly expressed their discontent on the project attended the meeting[140]. After the public hearing, *Buitensporig* started to implement its actions; pamphlets were made and spread

[138] Minutes of the action committee meeting dd28/07

[139] Minutes of the action committee meeting dd28/07

[140] Torenhoog protest tegen hoogbouw Fabiolalaan, Het Nieuwsblad, 05/10/2005, p14

in the neighbourhood, politicians were approached; and a comment was written to anticipate to the approval procedure of the RUP. In the fall of 2005, *Buitensporig* held two more meetings with its members to discuss their strategy.

Buitensporig also send a letter to the Mayor, with the request to meet the Mayor on the project and the request to have two representatives of *Buitensporig* in the Steering committee of the project partners. The request to participate in the steering committee was rejected. However, the Mayor accepted the invitation to meet the representatives of *Buitensporig*.

By the end of 2005, *Buitensporig* also deployed its first juridical tactics. When the masterplan had been approved by the city council on 19 December 2005, *Buitensporig* wrote a letter to the governor of the Province of East Flanders to question the legal base of the approval. *Buitensporig* argued that the approval was invalid and that the governor should suspend the city council decision. The governor did not follow the arguments of *Buitensporig.*

8.3.4 The confrontation between the city and *Buitensporig*

The competitive strategy of *Buitensporig* did not miss its effect. By the end of 2005, the city and the project partners started to realise that the strategies and actions of *Buitensporig* formed a potential threat for the progress of the project. The city also felt that it had to change its strategy towards the action group. It changed its strategy from avoiding to compromising. The head of the planning department of the city of *Gent*, who had been involved in the project from the beginning, comments

> *After the public hearing, we started to realise that our traditional approach - to announce the plans, to listen and then to adapt the plans - failed in this case. It didn't work because such fundamental issues were in discussion, and the margins to change things was too small.*
>
> *All these fundamental decision had been taken in the past. So by the end of 2005, the mayor and some civil servants organised a meeting around the issue. On that meeting we decided that we should make a covenant, ...well you have the social dialogue between labourers and employers, we should have something like a spatial dialogue where we can negotiate. We make a railway station with a car park, so what does the neighbourhood gets? So you make a kind of a deal with them and in return they drop their lawsuits (IDI10)*

Since the city and the other project partners had refused to give access to *Buitensporig* to the steering committee of the project[141], the city came up with the

[141] Stad Gent, verslag van de stuurgroepvergadering 19 van 06/12/2005

idea of the *klankbordgroep* to negotiate with *Buitensporig*. The *klankbordgroep* would act as a forum in which in the first place information on the project could be given, and in the second place in which the design options could be discussed, without discussing the fundamental policy choices that had been made. The city thought that the discussion should be held with a wider group than only with *Buitensporig*. So next to *Buitensporig* other local stakeholders were invited in the *klankbordgroep*.

In January 2006, the Mayor and the Alderman received the representatives of the action group. The first meeting between the city and *Buitensporig* was not very constructive. To increase the pressure upon the city, *Buitensporig* had spread a press release day before the meeting with the Mayor, in which they expressed not only their issues with the project but also complained about the lack of participation in the city of *Gent*. Three national newspapers published the press release[142]. The city was not amused by the negative publicity. The Mayor felt that *Buitensporig* was blackmailing the city with its press actions and with the letter to the governor concerning the city council decision. A collaborator of Eurostation that was present on the meeting comments:

> *And so that evening, we had a meeting with Mayor Beke and Buitensporig. The Mayor said: "guys, we have to be very clear…" -thus before the conversation really started- "guys, we have to be very clear, in this context we cannot have an open conversation". So in the morning there was a press article and in the evening they wanted to dialogue with the city. There was clearly a lack of trust. There were some questions from the action group, but the Mayor said; " I don't want to go in confrontation in that way" (IDI12)*

Nevertheless, despite the negative atmosphere the Mayor and the Alderman were determined to continue with the strategy they had discussed. The Alderman comments

> *On this meeting we said: We can still talk about a lot of things. There are however a few things that have been decided and cannot change anymore. What are these few things? Well first, there will be a development along the Fabiolalaan. ....Secondly, it has to be a multimodal node, so a car park is necessary. And three, the car park will be connected with a new road (IDI13)*

Furthermore, the Alderman and the Mayor also announced that the request to participate in the steering committee of the project had been rejected by the project partners. They proposed to established a *klankbordgroep,* in which the project could be discussed with Buitensporig and other interested organizations.

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[142] Buurtbewoners laken inspraak, De standaard 31 jan 2006; Buitensporig plant acties in 2006, Het Laatste Nieuws, 31 jan 2006; Buitensporig is boos, 31 jan 2006, Nieuwsblad:

The proposal of the *klankbordgroep* did not impress *Buitensporig*. Since all the decisions were made by the steering committee, they felt that the klankbordgroep was just an act of window dressing. The proposal from the city to participate in the klankbordgroep was discussed thoroughly by the members of Buitensporig. A leading member of Buitensporig comments

> *And then they proposed the klankbordgroep. It is just an advisory board that can make suggestions. But the big problem is that the first meeting will be held in June, whereas the comment procedure of the RUP will be held in March and the building permit will be submitted in April. This means that all the options are already fixed. This- off course - makes a meaningful dialogue impossible. They have committed themselves to these options. (IDI9)*

The members of the action group thus knew very well that it would be very hard to revise decisions regarding the design once they had passed the comment and permit procedure. This meant that there were hardly any margins to negotiate the project.

Despite its scepticism, Buitensporig accepted the invitation to participate in the klankbordgroep. However, this did not mean that it would drop its protest actions and juridical strategies, as the city had hoped. One of the leading members of Buitensporig explains

> *Our strategy is to participate in the klankbordgroep ...and to increase our juridical strategies at the same time (respondent laughs...). We believe that we can only reach a compromise if we are able to increase our bargaining strength via juridical procedures (IDI9)*

In the spring of 2006, Buitensporig increased the pressure upon the city. Together with a local city magazine, it organised a public debate with the Alderman, new protest pamphlets were spread in the neighbourhood, newsletters were made and press releases were send to national newspapers.

Buitensporig also increasingly deployed juridical and administrative actions. In the period between March and April 2006 the review and comment procedure of the RUP was held. Buitensporig had prepared a comment, which had been spread among the residents of the neighbourhood. More than 550 inhabitants send the comment against the RUP.

Buitensporig also started to question the legal base of the building permit. A letter was written to the top of the railway station company and to the minister of public works with the request to cancel the building permit. However, none of these strategies succeeded. The comments of the inhabitants regarding the RUP were rejected by the VLACORO, or the Flemish advisory commission of spatial planning. Nor the top of the railway station company, nor the Flemish Minister of public works reacted to the request from Buitensporig.

8.3.5 The klankbordgroep



Figure 40: Klankbordgroep, source www.gentsintpieters.be

In July 2006, the city held its promise and the first *klankbordgroep* took place. The *klankbordgroep* was composed by 15 external members, including *Buitensporig*, *Milieugroep Sint-Pieters-Aaigem*, *The Rijsenberg Commité*, the local schools, the association of bikers and pedestrians.[143]. Also all the project partners were delegated in the *klankbordgroep*. The *klankbordgroep* was mediated by a professor in public administration from *Gent*, an expert in participation and policymaking. The expert became involved after he moderated a public debate between *Buitensporig* and the Alderman earlier that year. After this meeting, the city asked the expert to moderate the upcoming *klankbordgroep*. (IDI8)

In the first meeting, the mediator explained the purpose and the goals of the *klankbordgroep*. In a minimal scenario, the aim was to inform the different members on the project and on the construction phase of the project. In a more ambitious scenario, the *klankbordgroep* could be a forum to consult the members about the design proposals of the project partners. In a maximal scenario, the *klankbordgroep* could play an important role in the co-production of the decision making process of the project. The mediator however stressed that such a

[143] Remind that Buitensporig was in fact a coalition between the inhabitants of the Fabiolalaan, the Milieugroep Sint-Pieters-Aaigem and the *Rijsenberg Committee*. However, for strategic reasons, Buitensporig did not present itself in that way. Therefore it was able to have a larger representation in the Klankbordgroep

maximal scenario was only possible if there was enough trust among the different members of the *klankbordgroep*. It was also promised to evaluate the *klankbordgroep* by the end of the year[144].

In the next meetings of the *klankbordgroep*, the emphasis was consequently on the exchange information. The city administration thought that it was necessary to give information to justify the policy choices that had been made. Moreover, some city actors thought that it was necessary to persuade the *klankbordgroep* of the choices that have been made. Some believed that the protest was driven mainly by anxiety, and that more information should take away the anxiety. A collaborator of one of the project partners explained

> *I think there is a lot of anxiety regarding the project. I would be afraid too, if I would live in the neighbourhood and I would be confronted with such a huge development. I think this anxiety for something so new and big is perfectly normal. You moved in this neighbourhood, and then the neighbourhood changes so dramatically. I can image that if you are anxious, a lot of questions remained unanswered. (IDI11)*

So consequently, the *klankbordgroep* should

> *Well I think that we have to go to the klankbordgroep and give answers to all their questions. You have to be able to say "Look guys, this is how it works". You have to start a dialogue, ... I mean to take away their anxiety. But you don't have deny the problems. When we will start up the works, there will be problems. (IDI11)*

So in the regular meetings hold in the current of 2006, the different partners explained the different policy options as regards to mobility issues, the choices regarding the parking and the high rise buildings.

The strategy of persuasion however failed to convince the members of Buitensporig. On the question whether the arguments given in the klankbordgroep had changed their opinion, a leading member comments

> *Until now, we have not been impressed by the arguments of the city. We listened to the arguments of the urban planning officer. He told us something about "city gates", and about ideas of "the completion of the skyline of Gent"... (Respondent laughs hard to express that he thinks the arguments are absurd...). The bottom line is that they have developed the project too far without consulting those who have to live right next to it. (IDI9)*

By the end of the year 2006, the *klankbordgroep* was evaluated by its members. According to the minutes of the *klankbordgroep*, the evaluation of the klankbordgroep was positive. However, interviews with the members of the action

[144] Verslag 060703/1 - Klankbordgroep van 3 juli 2006

group showed that the scepticism regarding the *klankbordgroep* did not disappear. Moreover, the action group found that there was too little openness to discuss their issues. Nevertheless, they continued their participation:

> *The only thing we still have is the klankbordgroep. We played their game, and after all it was useful to attend the klankbordgroep. At the end of the year, I was doubting if it was worth the effort. But eventually we hoped to get a reaction on our questions. That is the reason why we continued (IDI21)*

8.3.6 Worsening relations

As already mentioned above, the *klankbordgroep* did not stop *Buitensporig* from its attempts to increase its bargaining power by protest actions. In 2006, the group increased its pressure upon the city.

In the summer of 2006, *Buitensporig* saw a political opportunity in the upcoming municipal elections in the fall. *Buitensporig* hoped to use the elections to force the political parties to choose sides. In 2005, *Buitensporig* had already asked the different political parties in *Gent* to reveal their opinion about the project. *Buitensporig* learnt that the Green Party shared the concerns of the action group. Moreover, the Green Party was an important partner in its struggle. As the liberal party and the socialist party were the initiators of the project, they off course were in favour of the project.

In the current of 2006, different polls before the municipal elections had shown that the ruling coalition of liberals and socialist would probably not have the majority. The most likely scenario was then that the Liberals and Socialist had to take a third party on board to keep their majority position. The green party was thus a very likely candidate to participate in the next coalition. *Buitensporig* hoped that in this scenario the Green Party could renegotiate the conditions of the project *Gent-Sint-Pieters*. Furthermore, it hoped that by making the project a theme for the elections, the Green party would strengthen its position in *Gent*. So in the summer of 2006, *Buitensporig* wrote a letter to all the political parties in *Gent* to ask their opinion on the project *Gent*π Sint-Pieters. The different answers were put together in a newsletter and spread in the neighbourhood.

The strategy however did worsen the relations between the politicians of the socialist party and *Buitensporig*. In an interview[145] before the elections socialist *Daniel Termont* - the new upcomming candidate Mayor at that moment - ventilated his frustrations with the position of Green party and the action group *Buitensporig*

[145] De standaard, Groene polarisatie moet stoppen, 19/9/2006, p4

The green Party is taking an unrealistic point of view about this project. But even worse is that they keep on polarising and attacking me. The action group Buitensporig, the antagonist of the railway station project, is infiltrated by the green party. I don't have to explain that the fundamentalists are taking the overhand. But if they don't change their position on the railway station project, then participation (by the green party) in the city council is excluded.

Buitensporig reacted promptly[146] in a press release, stating that they were not infiltrated by green extremists. They also noted that *Termonts' words didn't help in creating a constructive dialogue*.

Moreover, in that period mutual stigmatisation and stereotyping between the different parties increased. *Buitensporig* had organised a public debate on railway station renewal projects. The programme of this debate consisted in a comparison between the railway station project in *Leuven* and the Project *Gent-Sint-Pieters*. The debate was announced under the title: "*The beauty and the beast*", where the beauty referred to the project *Kop van Kessel-lo* and the beast to the project in *Gent*. The city administration was displeased. The director of the spatial planning department of the city comments

Some while ago, there was a public debate in the community centre Sint-Paulus, co-organised by Buitensporig. The "ugly and the beast" or something or "the beauty and the beast". The beauty referred to Leuven whereas the Beast...well they didn't comment on that...(laughs). But then you see that someone that is not well informed speaks on behalf of the project Gent‒Sint-Pieters. For the project in Leuven, the designer of the project was invited, who clearly is well informed. But then you see that x (the officer refers to a member of the action group) is not telling the truth before an audience that expects that the information will be objective. Luckily, I was present on that debate, but if you see how people are manipulated...I think that is serious. (IDI12)

After the elections in October 2006, against expectations, the liberal party and the socialist party could remain their majority position in *Gent*. So the political strategy of *Buitensporig* failed. *Buitensporig* hoped however that the new Mayor *Termont* would take a different position in the *klankbordgroep* than Mayor *Beke*. However, in the first meeting in February 2007 with the new Mayor, this hope soon disappeared. A member of the Milieugroep comments:

So now in the first klankbordgroep the Mayor opened by saying that there was no possibility anymore to change the plans of the road and the parking. The only thing that could be changed a bit was the height of the buildings,

[146] De standaard, Buitensporig geïnfiltreerd door politieke partijen?, 22/09/2006, p20

but in the RUP is clearly stated that the height will be between 60 and 90m. So, even here much change is not possible. And ultimately, it is our ambition to discuss all these issues. But seemingly there is no discussion possible on the big issues. (IDI14)

8.3.7 Litigation strategies

Besides this political strategy, *Buitensporig* also persisted in developing juridical strategies. By the end of 2006, the members of *Buitensporig*, disappointed by the poor results of the *klankbordgroep*, decided to proceed with litigation[147]. As already mentioned, one of the driving members of these litigation strategies was a professor in environmental law. In February and March 2007, members of *Buitensporig* launched an impressive juridical "carpet bomb":

- 10 inhabitants litigated against the zoning plan for the *Raad van state*[148]
- 3 inhabitants litigated against the building permit of the railway station for the *Raad van state*
- 6 inhabitants litigated against the road connection for the *Raad van state*
- 2 environmental organizations litigated against the zoning plans and the building permits for the *Raad van state*
- 30 inhabitants demanded an "Environmental suspension procedure" or a *milieustakingsvordering*. In this procedure, one can litigate if the environment is threatened by a project. Normally such a procedure can only be started by a public administration or an environmental movement. However, since a new legislation in 2005, also citizens could start this procedure.

The issues of litigation were the lack of participation and the environmental impact of the project. The strategy to litigate was motivated by the need to increase the bargaining power of Buitensporig. As one of the leading members of the action group argues:

Interviewer *So you are litigating, but I understand that you rather do not want to block the project*

Respondent: *Off course not, in our letters we always stated that we are in favor of a development along the Fabiolalaan and the renewal of the railway*

[147] Buitensporig, Newsletter 6

[148] The *Raad van State* is the administrative court in Flanders. Citizens who think their constitutional rights have been violated by public actors can litigate for this court. The Raad van State can only suspend an administrative decision based upon procedural errors. It does not judge the opportunity of an administrative decision

station. The development of the Fabiolalaan should have started even earlier, because this site is really a black spot.

***Interviewer**: but if you proceed with the litigation, aren't you afraid that you will block the renewal project?*

***Respondent**: That would be regrettable, but it's their own responsibility. They have linked the parking and the railway station renewal and the renewal of the Fabiolalaan in one project. We would not object the railway station renewal apart from the rest, but… they have linked everything.*

(IDI14)

Consequently, the relations with the city and the project partners worsened again. The city and its partners decided to suspend all communication with the action groups, because of the interference with the juridical procedures.

The city wished to wait the verdict before they could proceed with giving information. Later, an attempt by the judge in one of the litigation procedures to mediate between the parties to prevent the procedure of *milieustakingsvordering* also failed[149].

Not only communication stopped, also the stigmatizing continued. Since a juridical offensive of this size in land use projects was new and unique in Flanders, the national media covered story abundantly. The national newspaper *De Standaard* for instance titled a special issue on *Gent* with the title "*Highly educated citizens become troublemakers*"[150]. In this special issue, the CEO *Jannie Haeck* of the NMBS ventilates his vision upon the conflict:

The damage of these action is enormous. The activists say that they stand up for ecological ideals, ..., but we think the suffer from the NIMBY-syndrome; Not In My Backyard. We lose an enormously amount of time because people try to block a project out of selfish behaviour that is very important for the city and for public transport. If we have to give away for Particulate Matter, then we have to remove our railway stations out of the city. That is not in the public interest.

Meanwhile in 2007, the construction phase of the project started. In May 2007, the first preparatory construction works were executed. Together with the start of the construction phase, the communication team became fully operational. The project partners installed an information point right in front of the railway station. An extra communication specialist was hired to coordinate the project communication. With the new communication team, city and its partners started to communicate more intensively to the neighbourhood.

[149] De standaard, Verzoeningspoging Sint-Pieters Faalt, 2 mei 2007

[150] De standaard Weekend, mondige burgers worden lastpakken, 19 mei 2007, p11

8.3.8 Further developments

Despite the worsened relations, *Buitensporig* continued to attend the *klankbordgroep*. In the period of 2007 and 2008, the verdicts of the different juridical procedures were still unknown. The protest activities of *Buitensporig* however became less intensive, and the action group started to take up a new role as a communication channel between the inhabitants of the neighbourhood and the project partners. Its aim shifted to monitor the impact of the construction works and to ensure whether the mitigating measures from the EIS were implemented. Its role became more and more that of a watchdog.

On the 26th of May 2008, the *Raad van State* sentenced a provisional verdict on the litigation procedures against the building permit and the zoning plan. The *Raad* rejected the request to suspend the construction works. The first verdict was in favour of the city and the project partners. *Buitensporig* realised that its chances of winning the definitive procedure were becoming very small and thus they were disappointed. The city on the other hand communicated widely in a newsletter that the *Raad* had rejected the request. Later, also the complaint for the European commission was rejected.

Despite its unsuccessful juridical strategies, *Buitensporig* decided to continue their struggle. The newsletter of the group announced that

> *We will not throw in the towel. On the one hand we will strictly monitor the litigating measures of the building permit and on the other hand we will write a complaint to the European Commission. The building permit mentions that all the mitigating measures from the EIS should be implemented*

Consequently, the members of *Buitensporig* attended the *klankbordgroep* during 2008 and 2009, in which they fulfilled their new role as watchdog.

In June 2009, the mediator asked the different members to evaluate their experience with the *klankbordgroep*. *Buitensporig* made the following evaluation[151]:

> *As regards to the function of the klankbordgroep as a communication channel, we are partly satisfied. We received a lot of information on the progress of the construction phase and on the planning. However, the information was given too late, that the information was not sufficiently followed up, and a lot of the information has been filtered.*
>
> *As regards to its function as a forum for dialogue, there was never a real discussion. In 2006 and 2007, you can say that there was an exchange of information, however from 2008 on, there is a one way traffic of information*

[151] www.buitensporig.be, consulted on 02/06/2010

from the project partners to the klankbordgroep. Moreover, the agreements made were not followed up, and were not binding for the project partners.

As regards to its function as active instrument for co-production of policy, the klankbordgroep could never fulfil this role at any moment, there was even not participation possible on the colour of the street stones...

Moreover, Buitensporig also thought the klankbordgroep had been just a strategy of co-optation and window dressing. In many of the publications on the project, the city had communicated that the project had been developed collaboratively, and the klankbordgroep had been an important instrument for participative decision-making. In the second newsletter on the project in 2007[152], the new Mayor for instance writes in the introduction that

As the new Mayor, I will follow up Frank Beke as president of the Steering Committee. Communication and participation are still utmost important for the city. I will make sure that every stakeholder is informed on time and with correct information; and that there is always an open dialogue over this project possible.

But a member of Buitensporig reacts with

I'm bothered very much with the fact that I have to read over and over again that the klankbordgroep is the evidence that the residents participate in the decision making process of the project Gent-Sint-Pieters (ID14)

At this moment, in September 2011, the project *Gent-Sint-Pieters* is still running. Moreover, in the current planning, the construction works for the project will at minimum last until 2017. In addition, the *klankbordgroep* is still operational, and *Buitensporig*, the Milieugroep and the *buurtcomité Rijsenbergwijk* still participates the meetings. Although the number of protest actions of *Buitensporig* has declined since the verdicts, the action group still fulfils its function as a watchdog for the interests of the inhabitants during the construction phase. *Buitensporig* is however still disappointed with the project, and it will probably exploit every juridical opportunity to block the project.

Although the direct impact of *Buitensporig* had been minimal (in comparison with its demands in 2005), the indirect impact on the substance of the project and the decision making project cannot be underestimated. As regards to the impact on the project, the design had been adapted in many ways. One substantial indirect effect was for instance the work of the "Quality advisory board". In 2007, the city established a quality advisory board in collaboration with the Flemish government architect. The function of this quality advisory board was to assess the design

[152] Stad Gent, Nieuwsbrief februari 2007

quality of the real estate developments along the *Fabiolalaan*. It could also formulate suggestions for improvements of the design.

The quality advisory board formulated an extensive critique on the project, and some of the points of this critique matched very well with the critique form *Buitensporig*. Through the quality advisory board, some substantial improvements were made in the design of the project development. The work of the quality board had probably never been so focussed upon the impact of the build environment on the *Fabiolalaan* and the *Rijsenbergwijk*, without the protest of *Buitensporig*.

Next, the city also started to work on the traffic issues of the *Rijsenbergwijk*. In 2007, the city started to make up a traffic plan for the neighbourhood, after a wide consultation of the inhabitants. This traffic plan aims to reduce the traffic load in the neighbourhood and to increase traffic safety. And although the city had probably made a traffic plan anyway, the protest from *Buitensporig* increased its priority. Furthermore, the city also developed a nature development project in the *Schoonmeersen*, partly as a compensation for the loss of natural area. In the development of this area, the residents and the environmental movements have been consulted more intensively.

8.4 Discussion: Escalation in Gent-Sint-Pieters

Now we have described the case of *Gent-Sint-Pieters*, we will return on the discussion of conflict escalation. Following the definition above, escalation is a process in which the magnitude of inducements used and in the scope of participation in a conflict increases. Such a process is characterised by a transformation in the issues, the goals of the conflict, the strategies and the tactics and the parties of the parties.

8.4.1 Transformation of the strategic orientations and tactics of the conflict

We have found evidence in the case for the transformation of the strategic orientation of the conflict, as well from Buitensporig as from the city.

Before the establishment Buitensporig, most actors did not have a clear coherent strategy regarding the conflict. At best, the strategy of the different groups in the neighbourhood was to display their concern and to raise attention for their issues. For instance, the petition of the group of the *Fabiolalaan* in a very early phase of the project and the demonstration in the *Schoonmeersen* was merely to raise political attention to the concern of both groups. There was no clear strategy as to alter the course of action of the city and its partners.

A coherent conflict strategy emerged when *Buitensporig* was established. There was initially a strong believe that it could find *a compromise* with the city regarding the issues on the project. This had been clearly stated in the mission statement of the action group. But also the development of an alternative project supports the idea that *Buitensporig* intended to negotiate a compromise with the project partners. *Buitensporig* also hoped that it would be able to *collaborate* with the project partners and asked to participate in the steering committee of the project.

However at the same time, *Buitensporig* deployed tactics to increase its bargaining power. The experiences with broken promises in the past (fi the promises of the city not to cross the Schoonmeersen), lead to a situation in which the trust between the leaders of the action group and the city had eroded. The tactics to increase their bargaining power included political lobbying and creating political discord, creating public support for their course and gaining technical expertise. However, when the conflict evolved, the action committee shifted more and more to juridical tactics. Again, these juridical tactics were not seen as an instrument to block the project, but as an instrument to increase the bargaining power of Buitensporig.

In the phase before the emergence of Buitensporig, the project partners remained largely unresponsive to the conflict. The strategic orientation was one of *avoiding*. Evidence for this is given by the fact that the city and its partners did not invest in well organised project communication, nor in a well organised dialogue with the residents. However, the city and its partners were not totally unresponsive to the first protesting actions. Moreover, the city acknowledged the issues of the different groups and *anticipated* to the issues in the technical elaboration of the project. For instance, the development of a high-rise impact study (a study that had never been done in Flanders), was largely motivated by the concerns of the residents of the *Fabiolalaan*. The city knew that the residents of the neighbourhood would challenge the project on this aspect. The unresponsiveness is partly explained by the lack of attention focus of the project partners, but also because of the felt impossibility to communicate over uncertain decisions.

When Buitensporig emerged, the city did not immediately respond. It took 4 months for instance between the request from the inhabitants to meet the Mayor and the actual meeting. The strategy of avoidance thus still prevailed. However, when Buitensporig started to increase its juridical tactics, the city shifted its strategy *to compromising* by establishing a klankbordgroep. However, there is evidence supporting the thesis that even with the *klankbordgroep* the city and their partners did not really want to negotiate with the action group. The margins to negotiate set by the city and its partners were very small, it did not want to compromise on the most fundamental issues. Some city actors also conceived the *klankbordgroep* as an instrument for communication, rather than consultation or dialogue. Furthermore, the city deliberately did not want to negotiate on a one to

one basis with *Buitensporig*, but co-opted them in a larger group of stakeholders. By engaging other less passionate groups in the *Klankbordgroep*, the city isolated the point of view of *Buitensporig*, resulting in a decrease of the bargaining power of the action group.

After the establishment of the *klankbordgroep*, the bargaining power of *Buitensporig* started to trickle down. One reason was that the verdicts had been in favour of the city and its partners. Another obvious reason was that the project construction was making progress, and thus the margins to change the project became smaller and smaller. *Buitensporig* realised that it could not achieve its initial conflict goals anymore, and reoriented its goals towards the monitoring of the impact of the construction works.

8.4.2 The development of the parties of the conflict

Consistent with the theory on escalation, also the number of parties in the conflict increased.

Whereas in the early phase of the conflict, only some local individuals had been involved, after the emergence of *Buitensporig*, a relative stable group of 50 to 100 people have been actively involved. During the conflict, not only the number of parties increased, but also the type of actors involved changed. Initially the protesters had been local residents that were personally affected by the project. But as the conflict grew, new supra-local alleys had been attracted. Thus whereas early protest had been motivated by personal interests, in the later stages also values and worldviews became entangled in the conflict. The involvement of supra-local environmental organizations was motivated by the wish to set a precedent as regards to the Particulate Matter legislation. As Buitensporig developed political strategies, the conflict also became a political struggle between different political parties. The Green Party took a strong position in favour of Buitensporig, and the project became a theme for the municipal election. There is however no evidence that the local community polarised over the conflict.

8.4.3 Transformation of the issues

There was clear evidence for the transformation of the issues in the conflict of *Gent-Sint-Pieters*.

Consistent with the theory on escalation, the number of issues increased. The first issues raised by the residents and local environmental groups concerned a limited number of issues. However, during the formation of *Buitensporig*, more and more issues were added; for instance the design quality of the development along the

Fabiolalaan, the issues concerning construction work traffic etc.... The increase in the number of issues was the result of the coalition formation between different groups with different issues. The issues of the different groups were aggregated in one platform text. However, the list of issues after coalition formation was not only the sum of the issues of the different groups. During the discussion on the project, new issues had been "discovered" and added.

Consistent with Carpenter and Kennedy's findings, the issues also moved from specific to more general. During the conflict, for instance the issue of air quality and the theme of participation became more and more prevalent as an overarching issue. Whereas in the beginning very specific issues such as building heights and the loss of natural area were the main issues, during the development of *Buitensporig* these issues shifted to more general aspects such as air quality and democratic values. Moreover, the concern with air quality had become the main theme of *Buitensporig*. The shift from specific to general is explained by the addition of supra-local partners that joined the protest with the motive to create a precedent. However, juridical tactics also caused the shift. When *Buitensporig* started to litigate, the accent on environmental aspects increased. The juridical argumentation to block the project became more and more the general argumentation against the project.

Furthermore, the nature of the issues also shifted in character. The issues in the early phases related mainly to the substance of the plan. When the conflict evolved, more procedural issues emerged. For instance, the dissatisfaction with the *klankbordgroep* and the lack of participation became more important after the emergence of Buitensporig. For the city, the juridical manoeuvres of the committee Buitensporig also became an issue during the development of the conflict.

8.4.4 Drivers of escalation in *Gent-Sint-Pieters*

The escalation in *Gent* fits well to the spiral model of escalation. This spiral of conflict was set off by the *unresponsiveness* of the public authority to the concerns of the residents. Because of this unresponsiveness, the residents shifted to a compromising strategic orientation and used the tactics of a light *strategic escalation*. The unresponsiveness in the early conflict phase by the city is explained by (1) the lack of *attentions focus* to public support and (2) uncertainty *regarding the project implementation*.

In a next circle of the spiral, *Buitensporig* increased the strategic escalation by increasing it tactics. These tactics caused the project partners to shift from unresponsiveness towards a strategy on compromising. However, the city and its partners remained very ambivalent as to their intentions. Although the city had established the klankbordgroep in order to negotiate with *Buitensporig*, at the

same time it restricted the margins for negotiation. And for some actors within the city, the klankbordgroep was an instrument to persuade, rather than to negotiate. This caused Buitensporig to engage in litigation strategies. The ambivalent position of the city is also explained by the vision of the city partners that *Buitensporig* is not a legitimate negotiation partner, since the project *Gent-Sint-Pieters* affects supra-local interests.

Although the initial pattern of escalation was strategic and rational, when the conflict evolved there was also evidence of psychological changes. For instance, there was evidence of mutual stigmatisation and of attribution in newspaper articles, but also in the interviews with the different parties. However, it is unclear to what respect such psychological changes did have an impact on the conflict escalation. Despite the mutual stigmatisation, the different parties of the conflict remained rational and professional. Communication never stopped completely. On the other hand, there has been more evidence of *group changes* as driver for escalation. The establishment of Buitensporig and the group solidarity did clearly have an impact on the conflict development and the further escalation of the conflict.

8.4.5 Theoretical conclusions: escalation in land use conflicts

Although the theories on escalation have been mainly developed for military conflicts or armed conflicts, the case of *Gent-Sint-Pieters* shows how escalation occurs in land use conflicts as well. Moreover, the earlier descriptive work of Carpenter and Kennedy on the pattern of unmanaged public disputes has been confirmed to a great extend by the empirical evidence of *Gent-Sint-Pieters*. What started as some fragmented and anxious reactions from citizens developed into a well-organised broad protest reaction against the project *Gent-Sint-Pieters*. The conflict has resulted in a mutually reinforcing interaction pattern, in which new issues had been formed, new parties became involved and harder oppositional tactics had been used. The conflict has fuelled new conflicts, and sets now the context for new conflicts to emerge in *Gent-Sint-Pieters*. This escalation pattern makes that the land use conflicts are increasingly difficult to resolve.

In addition to Carpenter and Kennedy's descriptive work on public disputes, we have sought for explanations of escalation. From the case study, we found that a combination of *unresponsiveness* of the public authority together with a *strategy of strategic escalation* from the residents has been the initial driver for escalation. In *Gent,* the unresponsiveness of the public authority was explained by the lack of attention focus, and the uncertainty regarding the project. This conclusion calls for conflict management institutions and approaches that increase responsiveness to early conflict development.

We have also found that one of the crucial tactics in strategic escalation is *litigation*. However, the procedure of litigation fosters new oppositional tactics and forces the conflict interaction to become a zero-sum game: one party wins and the other party looses. Furthermore we found how under the pressure of litigation issues and relationships transform, and make the conflict more difficult to resolve. This calls for the development of complementary *alternative conflict management institutions* in urban planning.

Part 3: Prescriptive Part

IX. Constructive strategies for land use conflicts

9.1 Introduction

As we have stated in the introduction, our aim is to develop policy recommendations for constructive conflict management in strategic projects. This aim relates to the general aim of the SP2SP research, of which this research forms a part, to develop a generic and innovative policy approach for strategic projects. Within this broad goal of the SP2SP research, we have focused in particular on conflict and conflict management in strategic urban projects.

Furthermore, we aim to contribute to the ongoing discussion on decision-making processes of strategic project in Flanders. We have mentioned that because of the failure to realise the *Oosterweelverbinding*, the Flemish government aims to design new procedures in order to speed up decision-making in large strategic projects. We can roughly distinguish two camps in the discussion: one seeking to increase participatory opportunities in Flanders, whereas the other camp is oriented to restore political power.

The question how to deal more constructively with planning conflicts has been one of the central themes throughout the debates in planning theory. In most planning theoretical writings, such as theories on collaborative planning, conflict is

addressed from a normative perspective. These theories are a valuable starting point to develop policy recommendations, because they offer a direction in which planning approaches can develop. What is considered as "constructive" outcomes in planning conflicts largely depends on the normative perspective one has. Such a perspective is certainly not neutral. It involves certain values and worldviews, and believes as to what the goal of planning and strategic projects should be.

However, we believe normative theories alone are not sufficient to provide practical advice. We think practical advice should be related to a thorough analysis of the emergence and the dynamics of conflict. If we want to change how conflicts turn out, we first must understand how they work. We noticed that theories explaining the emergence and dynamics of planning conflicts are less elaborated.

In the previous chapters, we have analyzed how spatial conflicts emerge and why they escalate. To recall the main elements of our analysis in the previous chapters, we have found that

- Protest emergence is dependent on variables relating to (1) the project characteristics, (2) mobilization capacity and (3) the political context.
- Land use conflicts are difficult to resolve because they escalate. The more intense a conflict becomes, the more difficult to find a constructive solution for the conflict. Escalation is caused by the strategic orientation of avoidance, but also by the institutional opportunities for "politics with other means.

Some of these variables such as project characteristics, mobilization capacity and political context, can be manipulated trough institutional design and process management of strategic projects. In this chapter, we will discuss how the management of the different conflict variables might provide strategies for constructive collaborative conflict management. Before discussing conflict strategies, we will review collaborative planning theory to provide a normative frame on constructive conflict and give a direction in which these variables can be managed.

9.2 Conflicts and conflict resolution approaches in planning theory: the collaborative planning perspective.

9.2.1 The emergence of a new paradigm of collaborative planning

The collaborative planning model or paradigm grew as a critique against rational comprehensive planning model or synoptic planning (Healey 1992;Healey 2003;Innes 1996). In the rational comprehensive model of planning, rational

decision-making and technical rationality formed to core of planning. The experts-planners' task was to analyse and plan, to give objective and neutral advice to those in power, and to implement plans through the machinery of state bureaucracies.

The collaborative model radically broke with the idea of objective rational and technical analysis as the sole basis for planning. In the collaborative planning model, debate and deliberation amongst a variety of stakeholders or interest groups became the new core. Theorist in collaborative planning advocated a shift in the role of planners from the technical expert to that of a process moderator or facilitator of deliberation processes in a complex web of public and private stakeholders.

Proponents of the collaborative perspective argue that deliberative planning processes can produce better and more innovative decisions that better approximate the public interest (Innes 1995;Innes 1996), are able to include other forms of knowledge than formal technical knowledge, foster more innovative solutions, achieve more just and democratic outcomes (Healey 1992;Healey 1996;Healey 1997;Healey 2003) and generate more public support for planning decisions (Innes and Booher 2004) than the traditional synoptical planning. Innes and Booher (Innes and Booher 1999) distinguished three orders of effects of collaborative planning. In the first order, collaborative processes increase the social, intellectual, political capacity, lead to high-quality agreements and innovative strategies. The second order effects involve the emergence of new partnerships, new joint action and coordination, joint learning, implementation of agreements, changes in practices and changes in perceptions. The third order effects are systemic; they involve new collaborations, more co-evolution and less destructive conflict, results on the ground, new institutions, new norms and heuristics and new discourses.

The theoretical ideas informing the literature on collaborative planning originated in two very distinct sources of inspiration: the theory conflict resolution on the one hand, and the philosophy of communicative rationality of the philosopher Jurgen Habermas on the other hand[153].

The first source of the collaborative planning approach - we will label it the neo-incrementalist perspective - has been the growing practice of environmental conflict mediation and conflict resolution techniques. Especially in the US, a new practice of collaborative alternative dispute resolution techniques had been

[153] Good ideas often have many fathers. It must be noted here that - relatively independent from the theoretical developments - in practice collaborative and participative approaches were increasingly used in practice in the 70ties and the 80ties. In Flanders and Brussels there are examples of collaborative planning such as the planning process in the Rupel Area. However, Anglo-Saxon scholars dominated the theoretical developments on collaborative and communicative planning.

introduced in environmental conflicts during the late seventies (Susskind et al. 2000). These new techniques had been developed within the wider scientific discipline of decision-making and negotiation. The incorporation and use of game theory into the science of decision making by scholars as Raffia (Raiffa 2002; Raiffa et al. 2002) and Schelling (Schelling 1960) had significantly increased the knowledge on rational decision making with multiple decision makers, and had opened new prescriptive avenues on rational negotiation. From this branch a whole new programme (the Harvard school) around negotiation emerged with bestsellers such as "Getting to Yes" from Fisher and Ury (Fisher et al. 1999), or "The manager as negotiator" from Lax and Sebenius (Lax and Sebenius 1986).

The basic prescriptive argument of this new field is that nearly all negotiation situations can be transformed into win-win situations (under the condition that all negotiators behave rational). Consequently - since conflicts are a special type of a negotiation setting - nearly all conflicts can be transformed into joint problem solving in which mutual gains for all the conflicting parties are sought. For instance, the basic message from Ficher and Ury's bestseller "Getting to yes" is that conflicts in real live are seldom zero-sum games, but mostly variable-sum games (Fisher et al. 1999). This means that even in the most ardent conflicts, there are always opportunities for joint value creation for the parties. According to Ficher and Ury such gains can be created if positions are separated from interests, people are separated from the problem, options for mutual gains are invented and objective criteria are used.

Although the first experiments with these new negotiation techniques had been developed and used in a military and diplomacy context (fi in the negotiations in Camp David), the techniques of negotiation and mediation had been quickly transferred to other domains such as labour negotiations and business negotiations, but also environmental conflict and land use conflict. Planning scholars as Susskind, Field, and Forester but also Innes have been pivotal in importing models of conflict management and conflict resolution into the planning discipline (Forester 1987; Innes 1995; Innes and Booher 2004; Innes 1996; Consensus Building Institute. and Susskind 1999; Susskind and Ozawa 1983; Susskind et al. 2000).

Although initially collaborative conflict management in planning was seen as an ad hoc practice, as a technique to remediate conflicts, Innes broadened its scope and promoted collaborative planning to the new paradigm for planning (Innes 1995). Techniques of collaborative conflict resolution were no longer seen as remediation techniques when conflicts emerged, but also as a new general method of spatial policymaking. It was argued that planning through interactive and collaborative debate outclassed traditional planning in many ways (Innes 1996). The argumentation of Innes echoes much of the earlier critique of Lindblom's on synoptical planning, hence we use the label of *neo-incrementalism*. In his model of incre-

mental planning and partisan adjustment also Lindblom argued that planning through negotiation was superior to the synoptic model of planning (Lindblom 1965). Lindblom argued that the synoptic ideal could never be reached since the lack of knowledge of a central decision maker of all the individual preferences and values over planning decisions (Lindblom 1959). When however planning policies are made through series of interactive negotiations between different interest groups in society, there would be more guarantees that policies reflected the real preferences of the public.

The second source of collaborative planning came from a very different intellectual tradition. The communicative branch of collaborative planning grew out of the philosophy of Jurgen Habermas. It reacted against the primacy of technical rationality - eg the formal expert knowledge and scientific knowledge - in planning. Drawing upon postmodern philosophy of knowledge, communicative planners challenged the validity of objective universal knowledge upon which many planning approaches had been based. However unlike postmodern relativists, they did not accept that knowledge could be pure arbitrary, and that there was no discriminating basis between different knowledge claims.

Instead, based upon the philosophy of Habermas, they argued that knowledge and reason may take many different forms, including moral and aesthetic reasoning, storytelling and subjective statements. Such knowledge is generated and validated through communicative interaction: it is through communicative deliberation - critique and counter critique - that individuals can make sense out of the world and can generate true - or better - intersubjective knowledge. Hence the notion of communicative rationality. Or as Healey has put it (Healey 1992b; Healey 1992a)

> *Communicative rationality offers a way forward through a different conception of human reason, following the work of Habermas. Habermas argues that far from giving up on reason as an informing principle for contemporary societies, we should shift perspective from an individualized, subject-object conception of reason to reasoning formed within intersubjective communication. Such reasoning is required where "living together but differently" in shared space and time drives us to search for ways of finding agreement on how to address our collective concerns (p150)*

Consequently, the communicative planning model had put deliberation and argumentation at the centre of the planning profession. Here too, the role of the planner shifted from the expert or the designer towards the facilitator of communicative interaction between stakeholders.

Both branches of the theory on collaborative planning- as well the neo-incrementalist as the communicative - are rooted in very different intellectual traditions. The first stemmed from game theory, decision and negotiation theory and the practice of conflict resolution, whereas the latter is rooted in a discussion

on the philosophy of knowledge and rationality. Despite the large differences between the two intellectual paths, they ended up with practically the same conclusion for planning practice, namely that planning should proceed through deliberation and negotiation with all the stakeholders involved rather than via neutral experts analysing and designing or planning via state bureaucracies.

However, under the surface of these similarities there are also deep differences between the two approaches within collaborative planning. Whereas the neo-incrementalist approach could be best described as serial deal making between different stakeholders and interest groups, the communicative collaborative planning puts an emphasis on deliberation, social learning and the search for truthful, genuine action.

In a neo-incrementalist approach, collaborative processes are dominated by instrumental rationality. The stakeholders collaborate, simply because they can achieve their goals or satisfy their needs and interests better by collaboration than through unilateral action. According to negotiation analysis (and game theory), collaboration is only rational if the outcome of a collaborative processes does better than your BATNA, or your Best Alternative Next to a Negotiated Agreement. Collaboration is thus not an act of altruism, or a superior ethical perspective, it is just an act of self-interest for the parties involved in the collaboration process.

The communicative approach considers collaborative processes as a learning process. It is oriented at finding the truth. Its goal is to find a deep consensus and mutual understanding among the participants over the course of action to be taken. Such a deep consensus is reached by genuine argumentation. The learning process alters the worldview of the participants, and transforms the initial interests or values. The outcome of such a process is communicative rational only under the conditions of ideal speech or undistorted communication in which all participants can speak free and open. Communicative theorists acknowledge that communicative rationality is a theoretical ideal that in practice never can be reached, but is worth striving for (just as bounded rational individuals never reach instrumental rationality).

Collaborative planning offers thus both a minimum perspective (neo-incrementalist perspective) and a maximum perspective (the communicative perspective). The minimum perspective on conflict of collaborative planning is one of negotiating and deal making. We call it a minimum perspective, because it does not require that the parties change their interests or worldviews. The parties in conflict seek to find mutual gains in order to arrive at a compromise that is satisfying for both parties. Mutual gains are created by transforming the conflict into a setting of joint problem solving and the search for creative planning and design solutions that satisfy the needs, interests and values of both parties

(Susskind and Field 1996a; Susskind and others 1999; Susskind and Cruikshank 1987; Susskind et al. 2000). This does not mean necessarily however that the parties in conflict have to give up or change their basic interests, values or worldviews.

The maximum perspective of collaborative planning is one of consensus building and mutual learning. Through genuine argumentation and deliberation, initial beliefs and claims are transformed into a new shared worldview The maximum perspective believes that through communicative rationality a deep consensus can grow that transcends the conflict. The argumentation built up during deliberative processes is then so convincingly that the parties in a conflict change their initial position and interests. (Healey 1992a; Healey 1997; Forester 1999).

9.2.2 Critique on the communicative planning model

Collaborative planning has later been criticized for (1) its blindness for structural inequalities and positions (Fainstein 2000; Huxley and Yiftachel 2000; Yiftachel and Huxley 2000), (2) its inability to transform these inequalities and (3) its potential to produce unjust outcomes and (Fainstein 2000; Voogd /1; Voogd 2001) (4) its practical inadequacy (Fainstein 2000). Fainstein argued that the focus of communicative planning theorists upon the role of the planner as facilitator or mediator has blinded them for the more structural inequalities in society. If communicative planners theorist focus their attention only upon thick hermeneutic descriptions of the communicative acts of planners (such as the interpretative studies of Forester), they tend to overlook the structures that produce the sometime deep value and interest differences of these groups. In this respect, planning theory loses its overview and its ability to take a critical position.

Fainstein also claims that collaborative practices themselves cannot alter these structural inequalities, nor does communicative rationality. Structural positions in society exist, regardless what people think of their own position. Therefore, these structural positions cannot be reasoned away by communicative acts. People cannot talk themselves out of poverty for instance. Fainstein (Fainstein 1996) hereby refers to Marx and Engels who have stated that only struggles and mobilization can lead to real structural change:

> *Marx and Engels, in their critique of the Hegelians, asserted that the world was changed through struggle, not the force of ideas. They did not mean, as they are often misinterpreted, that economic structures automatically determine outcomes and that human agency is helpless to affect them. But they did mean that words will not prevail if unsupported by a social force carrying with it a threat of disruption. To put this another way, the power of words depends on the power of the speakers (p178)*

Moreover, processes of deliberation only reinforce the position of those who already have power and leads therefore to a reproduction of societal power relations.

Furthermore, Fainstein argues that collaborative planning runs into the fundamental issues of pluralist theory; that is that open processes can produce unjust or unsustainable results. Finally, Fainstein argues that collaborative processes run into practical problems. Participatory processes require a lengthy time, leading to burnout among citizen's participants and disillusions, as nothing ever seems accomplished.

In addition, Hillier and Flyvbjerg criticised communicative planning for its naïve belief that an ideal communicative speech can be achieved in reality, the possibility to create transcendental understanding and agreement for all participants, and the negligence of power and structural inequalities. According to Hillier, in reality many actors may see little benefit in behaving *communicatively rationally when strategic, instrumental powerplays and manipulation of information could result in more favourable outcomes for themselves* (Hillier 2003*).* Or to use the words of Flyvbjerg (Flyvbjerg 1998): "*why use the force of the better argument, when force alone will suffice*". Hillier's and Flyvbjerg's arguments have been demonstrated by increasing empirical evidence of planning processes where communicative rationality and consensus-formation are rarely achieved (Tewdwr-Jones and Thomas 1998; Flyvbjerg 1998). More fundamentally, Hillier argues that the communicative planning paradigm tends to stifle conflict in the name of consent and thereby abolish or sterilise politics. According to Hillier, "*conflicting differences between different groups' conception of the good are not negatives to be eliminated but rather diverse values to be recognised in decision processes (p41)*" (Hillier 2003).

Based on the work of Mouffe, Arendt and Foucault, Hillier defends therefore a form of agonistic decision-making:

> *Since we cannot eliminate antagonism, we need to domesticate it to a condition of agonism in which passion is mobilized constructively (rather than destructively) towards the promotion of democratic decisions that are partly consensual, but which also respectfully accept irresolvable disagreements (p42)*

The critique of this group thus boils down to the argument that in planning controversies a Habermasian "unifying consensus" – if ever possible in the social world – is even not desirable. They advocate thus to deal constructively with pluralism, but to leave room for dissonant values, interests and frames of references.

9.2.3 Reaction to the critics

As regards to the critics, we argue that many of the arguments used above do not necessarily should dismiss collaborative practices. Some of the critiques are mainly oriented to the underlying philosophical ideas of communicative rationality, and less to the practice of collaborative planning.

As regards to its blindness to power relations, we disagree with Fainstein that collaborative practices necessarily blinds planners from structural inequalities. Here we must address two different aspects of this critique. First, the critique seems to suggest that collaborative planners will not be aware of structural inequalities. The second aspect of the critique suggests that collaborative practices are unable to transform structural inequalities.

The mere fact that planners in practice use collaborative settings does not impede planning theory (or other disciplines such as geography or sociology) and planners to analyse from a critical distance how structural inequalities manifest and reproduce through planning practices. There is no reason to assume that collaborative practices in planning have to transform the attention focus nor the research methodology of planning scholars in planning or in social geography. There is no one-to-one relation between the collaborative methodology in practice and the constructivist or critical philosophy of knowledge of the academic community. The critique of power blindness is thus more a critique on the qualitative research method and the philosophy of knowledge of some scholars within the communicative planning perspective (such as John Forester) than it is a real critique on the practice of collaborative planning.

The argument that collaborative planning is unable to change structural inequalities has been answered before by Healey (Healey and Barrett 1990; Healey 2003b), and by Innes (Innes 2004). Drawing upon the structuration theory of Giddens, Healey argues that there is a dialectic relation between structure and agency: individuals act accordingly to their positions in larger societal structures, but at the same time have the opportunity to act differently and change structures. Healey explains (Healey 2003a):

> *In my own work, as outlined, I draw on Giddens' structuration theory and its development into a social-constructivist view of institutional dynamics. In this conception, social 'order' is continually emergent, and the product of dialectical tensions between a range of structuring 'forces' interacting with the active creative force of human agency. (p111)*

The dialectic relation between actor and agency means that collaborative planning practices do have a potential transformative power through individual actions.

Structures, such as institutions and power relations can be altered through the concrete actions of individuals.

Innes takes a similar line of argumentation and uses the metaphor of complexity theory and complex adaptive systems to demonstrate the transformative power of collaborative planning (Innes and Booher 1999). In complexity theory complex supra-local structures can emerge just from a replication of very simple local rules (or fractals). Innes explains

> *Emergence is the idea that simple elements that are governed by a few simple rules and operate through trial and error with interaction and feedback can produce persistent and systematic patterns. ... The result is increasing competence of the system as a whole in the form of greater productivity, stability or adaptiveness. (p417)*

In the same vein, Innes considers collaborative practices as the fractals from larger societal structures. As people interact through deliberation, they learn, and new ideas emerge and as well substantial as procedural innovations can occur. These innovations can spread throughout society and become systemic. Thus, refering to the butterfly-effect, also incremental and small-scaled societal changes can have structural effects.

Fainstein, Hillier and Flyvbjerg have a point in stating that it is unlikely that in uneven power relations the *powerful* are unlike to debate and agree with the *powerless*. Why bother with collaborative processes if the state has the power to implement its own decisions? When there is full power, force will suffice. However, the reality is that the state in most cases does not have these unlimited power to implement land use decisions. The cases given in the this thesis, and certainly the cases in the introduction on the *Oosterweel* show very clearly that the state and state bureaucracies often lack this power to unilaterally implement its decisions.

But also theoretical and empirical work has showed that the power of the government to unilaterally decide and implement policy is decreasing. The growing literature on policy networks, interactive policies and the "governance without government" thesis has sufficiently shown that governments are actually increasingly dependent on other actors to implement their policies (Rhodes 1997; Klijn and Teisman 2003; Klijn and others 1997; Klijn 2005; Rhodes 1997). Rhodes (Rhodes 1996) argues that the hollowing out of the State is responsible for the steering capacities of the State. The process of hollowing out has been driven by (1) privatization, (2) the loss of functions by central and local government departments to alternative delivery systems, (3) the loss of functions to the European Union institutions, and (4) the limits set to the discretion of public servants through the new public management, with its emphasis on managerial accountability, and clearer political control through a sharper distinction between politics

and administration. The process of hollowing out implies that the powerful are not as powerful as supposed by Fainstain, Hillier or Flyvbjerg and that the cases in which can be decided and implemented by brute force are - in most Western democracies - only theoretical.

Moreover, we agree with Schelling and Raiffa (Schelling 1960; Raiffa et al. 2002) that power is a multifaceted concept, and that certainly in situations of mutual interdependency, power can come from many unexpected sources. Nobel Laureate Schelling (Schelling 1960) writes

> *"Bargaining power", "bargaining strength", bargaining skill", suggest that the advantage goes to the powerful, the strong, or the skilful. It does, of course, if those qualities are defined to mean only that negotiations are won by those who win. But, if the terms imply that it is an advantage to be more intelligent or more skilled in debate, or to have more financial resources, more physical strength, more military potency, or more ability to withstand losses, then the term does a disservice. These qualities are by no means universal advantages in bargaining situations; they often have a contrary value (p22).*

As Schelling argues, bargaining strength should not be equated automatically with the structural positions some interest groups have in society. What power has a capitalist developer confronted with inhabitants that have a good juridical case against his or her development? Or what power has the democratic state when the public opinion has turned against its leaders. Moreover, bargaining power is not a static concept. During collaborative processes, power relations may change, because of new information, new alliances between partners, new legislation, etc. And even in collaborative processes with uneven power relations, only the prospect that other parties can potentially increase their power base (such as by using means of litigation) might be a good reason to engage in argumentation.

We therefore do not completely agree with Hillier's argument that collaborative planning necessarily sterilises politics. Hillier has a point in arguing that collaborative processes can easily be used to co-opt protesters in decision-making processes in the hope that arguments can be marginalized or sterilized. However, organizing more critical debate and negotiation in planning procedures does not impede the emergence of (antagonistic) interest groups (such a action groups) nor the interest groups to increase its bargaining strength by resource mobilization. If collaborative processes are just talk shops, or try to marginalize or sterilize certain interests or worldviews, it is very likely that mobilization processes outside the collaborative arena will continue, as clearly was the case in *Gent* with Buitensporig and the *Klankbordgroep*.

The final point of critique of Fainstein is that collaborative processes are unpractical. Collaborative processes indeed demand a substantial effort of public

authorities. However, the real question is: unpractical compared to what? There is no fixed standard of "practical" decision making, so if there is a claim that collaborative decision making is unpractical, we should compare it with other alternatives of decision making. Based upon the many cases of protest, we could argue that there is now much more evidence in Western democracies that non-collaborative, top down processes are increasingly unpractical. The conflicts sketched in the introduction, but also the evidence given in the analysis of *Gent-Sint-Pieters* in the chapter on escalation showed that non-collaborative processes easily end up in lengthy destructive juridical battles and more destructive power plays.

We agree tough with the critique that collaborative practices can produce unjust or unsustainable outcomes and we consider this a challenge for collaborative practices in planning. The risk of unjust or unsustainable outcomes increases when the outcome of collaborative processes are "grey" compromises (Kaza 2006). When collaborative processes lead just to political "horse trading" or "negotiated nonsense" then the burdens of a compromise are easy transferred to voiceless stakeholders (Kaza 2006). This calls for a special attention for inclusiveness in collaborative planning processes, and methods of empowerment of those not represented (Albrechts 2003). But even when there is a attention for representation, it is practically impossible to represent all stakeholders in collaborative practices. Some stakeholder have no voice at all (for instance nature), some stakeholders are too weak to represent their interests (for instance non organized minority groups), some stakeholders are still unknown (for instance the future users or inhabitants of a new project) and some stakeholders are not even born yet (future generations).

We believe Innes (Innes 2004) is overoptimistic as regards to the issue of representation in collaborative planning practices. In defence of the collaborative planning paradigm, Innes had found that in 8 analyzed cases of collaborative planning in California the public interest has been approximated by "good argumentation" (Innes 1995).

> *The findings support the idea that consensus building's results can often be regarded as approximating the public interest as conceived in the unitary version favoured by planning theorists (and most common in popular usage of the term), rather than as the version which is an aggregation of individual interests. ...The goal of consensus building is deliberation that is informed, takes into account the interests of all including the weakest, and uses only "good reasons" to persuade (as opposed, for example, to selfish reasons or because a player has the power to insist). The findings show that these "good reasons" came to include protecting each other's interests (because agreement depends on that) and promoting what is good for the resource or region.*

First of all, methodologically these findings do not "prove" the rather strong claim that consensus building leads to outcomes that serve a unitary public interest. As Popper stated, the observation of hundreds of white swans does not prove that all swans are white, whereas the observation of one black swan does prove that not all swans are white (Popper 1987). There is indeed already enough evidence of black swans within the pool of collaborative processes (Flyvbjerg 1998). Thus, the claim held by Innes is either not true or only true under certain conditions. If we accept the latter, this leads to the logical conclusion that only other factors than the collaborative setting of decision making determine whether the outcome reflects a unitary public interest.

Furthermore, if we accept the idea that "good argumentation" leads to the public interest, this argument leads to a contradiction for the project of collaborative planning itself. Innes argues that non-represented interests (such as those of the region or the source) can be represented by other stakeholders in collaborative processes through the process of communicative rationality and "good arguments". However, if stakeholders in collaborative settings can transcend their own personal interests, then by the same argument also politicians in a city council or in a parliament can. Alternatively, why not an independent think tank of scientists that just deliberates and argues communicatively over policy issues? Innes is thus implicitly claiming that communicative rationality and "good arguments" can be developed independent from those who deliberate them (knowledge independent from knower), and thereby falls in the same epistemological trap of positivism. From this also follows logically, that the representation of interest groups is not a necessary condition in collaborative processes in order to arrive at just outcomes. Thus if we fully accept Innes idea of a "good argument", the logical conclusion must be that collaborative planning can proceed in a non-collaborative way. Such a conclusion is off course absurd and in contradiction with the basic idea of collaboration.

9.2.4 Pragmatic collaborative planning as a guiding principle for constructive conflict?

Now we have reviewed the collaborative planning paradigm and its critics, we now turn to the application of collaborative planning theory to conflict management. The basic assumption of collaborative planning regarding conflicts is that conflicts can be resolved more constructive through compromise, debate and deliberation than via rude power plays, majority voting or litigation. We agree with Kaza (Kaza 2006), that the position of collaborative planning processes should be seen as a complement to the representative democracy, rather than a new paradigm that substitutes the institutions of the representative democracy and the state bureaucracy. Moreover, the institutions of the representative democracy

are necessary to support collaborative practices. In order to have successful collaborative processes, rude power plays, majority voting and litigation have to remain alternative potential courses of action at the background.

Hereby we take a realist or *realpolitikal* approach towards collaborative planning, without losing attention for the quality of the substantive outcome of collaborative processes. In a similar way, we argue that communicative rationality should not substitute formal scientific knowledge produced by logical reasoning and empirical observation, but should be seen as an addition to it. Only when both forms of rationality interact in collaborative settings, the chances of having just and sustainable outcomes increase.

Collaborative planning offers both a minimum perspective (neo-incrementalist perspective) and a maximum perspective (the communicative perspective). Rather than choosing for one perspective, we consider both perspectives as both ends of the collaborative continuum. In most collaborative processes, there will be a mix of deal-making on the one hand and consensus formation on the other hand. For a selective set of issues, it will be possible to find a consensus and agreement through a process of mutual learning. Some stakeholder might revise their initial interests and values. However, for most distributive issues only a compromise or package deal will be possible. The latter is not a necessarily a "grey" or "unjust" compromise. Also "mutual gains" can lead to substantial or even institutional innovations, and creativity can play an important role in these collaborative processes. The quality of the outcome of collaborative processes furthermore can be tested against scientific or design expertise and criticism in order to prevent such "grey" or "unjust" solutions.

To conclude a *pragmatic collaborative conflict strategy* is thus an approach for conflicts which

- Prefers dialogue and communicative interaction above power plays or majority voting
- Seeks to transform conflict situations into joint problem solving and win-win outcomes
- Encourages critical debate and joint fact finding among the conflicting parties
- Is oriented to a mutual learning process, but acknowledges value differences and does not reject bargaining and deal making
- Accepts other forms of knowledge to be brought into debate, without rejecting expertise and the scientific method as a method of knowing.
- Is open to a variety of stakeholders, and is sensitive to groups that are not represented

- Seeks sustainable and qualitative outcomes for deliberative practices through its openness for external criticism.

9.3 Strategies for collaborative conflict management in strategic urban projects

Now we have laid down our normative approach, we will now relate collaborative planning to the conflict variables. In our analysis of conflict emergence we identified three important groups of variables that contribute to the emergence and the escalation of conflict. We found that conflict emergence is dependent on (1) the project characteristics, (2) the mobilization capacity and (3) the political context.

The different variables contributing to conflict and conflict escalation can be managed in a certain way by carefully designing institutions and decision-making processes. These variables can be manipulated to stifle conflict or to suppress criticism. However, they can also be manipulated in order to achieve a more constructive collaborative practices and more sustainable and qualitative outcomes. In the next paragraphs, we will address the different variables and make recommendations on how these variables can be managed in order to achieve more collaborative processes and more sustainable outcomes. Examples will be given for each recommendation by referring to the case studies.

We must warrant however that these recommendations are not absolute, nor universal. Given the complexity of social and spatial conflict, we cannot provide absolute guarantees that they will work in any situation. They are still the result of a theoretical frame that highlights some aspects of reality, but ignores other aspects. Whereas some of the recommendations can be applied for most spatial projects, other recommendations are more suited for specific spatial projects.

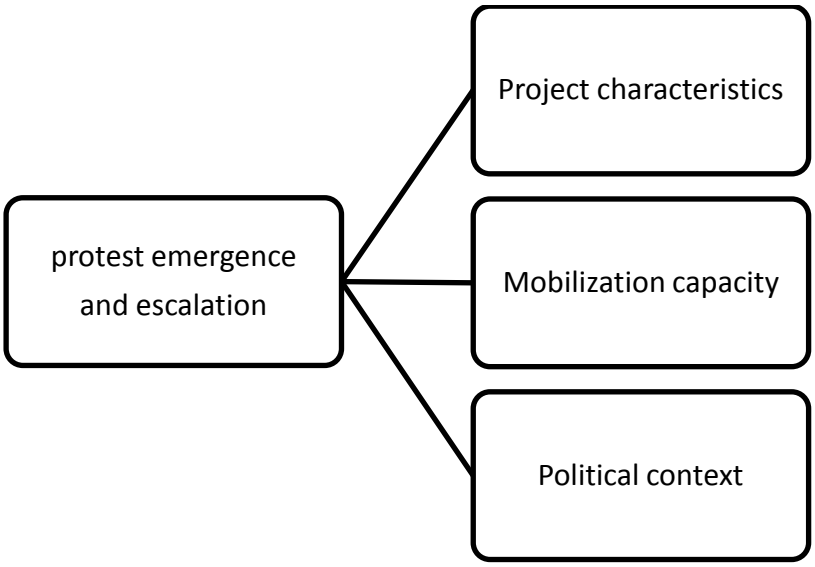

Figure 41: Variables of conflict emergence and escalation

9.4 Managing project characteristics

As we have shown in chapter 4, the development of discontent is related to the perceived impact of a project. Nearly every land use transformation affects the land in its vicinity, be it in a negative way or in a positive way. Mostly, a project yields as well benefits as disbenefits to residents of a neighbourhood. Furthermore, the spatial distribution of benefits and disbenefits can be very uneven. Whenever the perceived disbenefits exceed the perceived benefits of a project, there is reason for individuals to develop discontent. In addition, as we have explained in chapter 4, discontent is a necessary condition (but not a sufficient condition) to develop individual protest willingness.

9.4.1 Managing project externalities

9.4.1.1 Internalising externalities

The first rather evident strategy to prevent the development of discontent is to reduce the negative externalities, or internalize externalities. This strategy is already present in practice, certainly in the environmental impact studies that are obliged in many spatial projects. An environmental impact study is oriented to

detect possible negative impacts and to propose mitigating measures. Although such a study already provides an important instrument to reduce potential externalities, the scope of such a study does not fully cover the way a project is evaluated by residents of the surrounding neighbourhood.

An environmental impact study is restricted to measurable environmental parameters such as air quality, traffic, noise etc and their impact on humans. The analysis of the impact on social and economic parameters is often limited or even left out. Environmental impact studies usually do not consider for instance social safety, criminality, land prices, identity issues, and social fragmentation as parameters, whereas these elements can be very significant in the development of discontent.

9.4.1.2 Compensating externalities

Reducing or eliminating all negative externalities is not always a feasible option. Some spatial programmes have intrinsic externalities that cannot be reduced, because the technology is lacking or because a reduction of the externalities is not feasible. In this case, an often-overlooked strategy could be to compensate negative externalities. Moreover, two kinds of compensation exist: monetary compensation or compensation by local public goods.

The first kind of compensation has been developed by public choice theories. It is assumed that economic agents can make trade-offs between different values, and that financial compensation could cover the personal losses caused by negative externalities. It is assumed that compensation is able to increase the acceptance of unwanted public facilities. However, there is substantial evidence that monetary compensation is less accepted than local public good compensations in the case of the siting of hazardous programs (Field and others 1996; Frey 1996).

The second kind of compensation involves the creation of local public goods, for instance by adding elements to the programme of the project that improve the environmental or social conditions of a neighbourhood. Positive externalities can provide compensations for the negative externalities of a project, so that the general evaluation of the project is still positive for the neighbourhood.

Compensating negative externalities by creating positive externalities of a project is in particular a good strategy for “top-down” projects or LULU-projects (Locally Unwanted Land Use). Many projects in Flanders are the result of a demand for a very specific function that has to be sited somewhere in Flanders. Typical examples of such functions are waste disposal centres, jailhouses and detention centres, sport stadia, social dwellings, business parks…. Although these functions provide benefits for society as a whole (or the benefits for society are hardly

contested), their local impact is mostly considered very negative, and typically they meet heavy resistance when sited.

A solution could be therefore to broaden the scope of these kinds of projects in order to create local positive externalities, which benefit the local population (Field et al. 1996). Too often, these projects are considered in isolation from the neighbourhoods in which they are sited, so that they only provide disbenefits for the neighbourhood. But by incorporating functions, or by adapting the urban and landscape design to local needs and conditions, the impact on the residents is more mixed. Moreover, the investments that come with such projects can often be an advantage to increase the general condition of a neighbourhood. A Lulu-project then becomes a kind of a package deal, in which some local sacrifices are compensated by other local benefits. In constructing such a package deal, it is important to know what kind of packages can be made that address local interests. This requires an intimate tacit knowledge of local social needs and interests.

In the cases of this research, compensation strategies have implicit or explicit been used. The *Leuven* project clearly differs to the *Gent* to this respect. Whereas the *Gent* project is a top down project (siting of offices and parking in the vicinity of the railway station), developed from a supra-local logic (railway stations as nodes of economic development), the *Leuven* project clearly addresses also some local issues, such as the local demand for more green spaces and the demand to increase traffic safety. And although the *Leuven* project clearly has a negative impact on some parts of the neighbourhood, and probably will lead to increased traffic along the *Martelarenlaan*, these negative externalities are compensated by positive impact of the new park. The *Leuven* project is therefore a package deal: a densification of the railway station area is compensated by a park. The protest had been different if both projects were not coupled in one project.

Such a strategy could have been applied in the *Gent* case too. The project did not address local issues, or did not take local issues as a starting point. For instance, the project in *Gent* might have met more public support if the renewal of the public domain in the surrounding neighbourhood had been included in the project, or if the development in the strip along the *Fabiolalaan* provided a specific amenities that are needed in the Rijsenbergwijk.

Compensation strategies are not always successful however. The problem is often that the positive externalities and the negative externalities are not equally distributed in an area, and that individuals or households in a neighbourhood value them differently. This has been illustrated in the *Gent* case. The city and the project partners made a package by including the project of the renewal of the nature reserve Schoonmeersen, as a compensation for the loss of natural area by the new road connection. The nature development project of the Schoonmeersen could benefit some members of environmental organizations, but for the resi-

dents next to the new road, the new nature development project was not considered as a sufficient compensation for the noise and the increase of traffic.

We can conclude from this that compensations packages with public goods have to be sufficiently integrated in space and time within a project. Packaging is thus no solution when there are no spatial or functional relations between the “good” parts and the “bad” parts of a project.

9.4.1.3 Managing project borders and scope

The management of externalities of a project might also require reconsidering the scope and the borders of a spatial project. Projects are always designed within certain project borders. However, the choice of these project borders is made very often from the perspective of land-ownership of the initiating partners. By enlarging or shrinking the project borders, and by developing additional actions within these new borders, it sometimes becomes possible to change the mix of externalities and the overall evaluation of the project. Thus by changing the scope and the borders of a project, the mix between positive and negative externalities might change in a positive way, resulting in a better local acceptance of the project.

9.4.1.4 Preventing the export of externalities

As we have stated before, there is a risk that compensation package deals create new externalities at the expense of unrepresented groups. The outcome of collaborative processes can therefore create new conflicts elsewhere. In order to avoid that parties in conflicts arrive at solutions that are unjust or unsustainable, we follow the recommendation of de Bruijn, ten Heuvelhof and in 't Veld (de Bruijn and others 1998) to confront negotiated outcomes with critical, neutral experts and scientists. In most projects, an environmental impact study offers a good tool to critically assess the different solutions generated by negotiation. When an impact study is not required, a system of "quality boards" or *kwaliteit-skamers* can provide such a critical appraisal. These quality boards are composed by experts and scientists and have the function to reflect upon the quality of planning and design proposals. The parties in conflict can agree that the quality board will judge all new planning proposals after negotiation, and that all solutions have to pass the test of critical appraisal.

The instrument of a quality board has been used in *Gent* and had a large impact on the development plans for the strip along the *Fabiolalaan*. Due to the critical comments of the members of this board, the project partners did change the initial plans in order to have a better integration of development of the *Fabiola-laan* with the Rijsenbergwijk.

We can conclude that the management of externalities is a feasible strategy to reduce conflicts in designing land use projects. The acceptance of a project would increase significant if negative externalities are reduced, if intrinsic negative externalities are compensated by positive externalities in integrated packages, and/or if the project borders and scope do include more positive externalities.

9.4.1.5 Managing externality perceptions

As we have discussed in chapter 4, the perception of externalities is more important than the real or objective externalities of a project as regards to the public acceptance of a project. From the risk perception literature we have learnt that (1) the perception of lay people of an externality is quite often different than an objective assessment of externalities, (2) that in the judgement of risks (or externalities) several qualitative dimensions of the character of the risk play a role and (3) that perceptions are very hard to change. Thus, next to the actual management of the externalities itself (however they are judged by experts), the management of the perceptions of externalities are equally important.

Risk communication if often seen as an important instrument to manage risk perceptions (Johnson and Scicchitano 2000). It is believed that the risk perception can be altered if the risk is sufficiently communicated. This view was for instance given by one of the collaborators of the city of *Gent* in the project *Gent* Sint-Pieters. The collaborator believed that objections against the project would disappear by providing good information. There is however substantial scientific evidence that the provision of information alone is an insufficient strategy to alter biased perceptions on risk (Cohrssen and Covello 1989; Johnson and Scicchitano 2000; Kunreuther and Patrick 1991; Rogers 1998; Schively 2004). Trust and credibility are an important variable in the acceptance of risk information. If public agencies are not trusted, it is unlikely that the information they provide will be accepted. Moreover, during conflicts, levels of trust decrease dramatically as the conflict intensity increases. Thus, especially in conflicts, information from one party is very unlikely to be accepted by the other party.

Susskind and Field propose joint fact finding techniques in order to manage risk communication (Susskind and Field 1996a). Joint fact finding is a collaborative process in which the different parties seek to find a consensus on the nature of the issues and their risk or impact. This method generates knowledge that is acceptable to all parties in the conflict. Susskind advices not only to provide open access to citizens as regards to all the information that is analysed, but also to let citizens participate in this process of information gathering and analysis (Consensus Building Institute. and Susskind 1999). For instance, the results of the environmental impact study in *Gent* could have been better accepted if members of Buitensporig had been involved in the development and the deliberation of the

impact study from the early start. Now *Buitensporig* had no control over the way their proposal (variant without road connection) had been evaluated. Hence, there was little trust that the outcome of the impact study really was objective.

Today, forms of participation in environmental impact studies in Flanders are still very restricted. EIS studies are conceived as a purely technical studies, left over by specialised consultancy firms. However, impact studies do have an important collaborative potential. By engaging citizens in the deliberation of impact analyses and the deliberation of alternatives, the public support for decisions is likely to increase, as well as the credibility of the study. This by no means suggests that the analysis of risk should be left over to laypeople. Impact analyses should be conducted by experts and the best available scientific knowledge. However, expertise and scientific knowledge should undergo the test of critical communicative debate.

9.4.2 Managing mobilization capacity

As we have discussed in Chapter 4, neighbourhood characteristics do play a crucial role, especially in the development of collective action. From the analysis of *Gent* and *Leuven* we found that specific networks and specific expertise are crucial in the development of a protest group. Moreover, also the structure of interests of a neighbourhood plays a vital role in the emergence of protest groups. For *Leuven*, we found that internal dividedness has been a strong barrier for collective or joint action in the neighbourhood.

9.4.2.1 Managing organizational capacity

The idea of managing neighbourhood variables might be a bit an odd idea at first sight. Some variables related to organizational capacity, are very difficult or even impossible to manage because they are out of our control of those who initiate a project. Nevertheless, when there are different alternative locations possible for the siting of a specific spatial program, neighbourhood characteristics such as organizational capacity could in theory guide location decisions. In neighbourhoods with a very heterogeneous population, low education levels, low home-ownership, with ample in- and outbound networks to environmental organizations and local politics, chances on protest development from within the neighbourhood itself is less likely than in neighbourhoods with a strong organizational capacity such as Gent-Sint-Pieters.

Thus, project promoters that seek to avoid conflict might deliberately choose for sites with low organizational capacity. Such a strategy can hardly be seen as constructive. If decisions on the siting of land use projects are explicitly guided by the organizational weakness of a neighbourhood to prevent the emergence of

land use conflicts, this would be not only very unjust on a societal level, but it would also result in unsustainable projects. It would imply that the weakest in society are systematically saddled with the externalities of the least wanted spatial programmes. Although such strategies might prevent the development of immediate, organised and purposeful collective protest, they do create latent conflicts and latent anger. In the longer term, latent frustrations might add up just to a point in which they burst out into overt conflict, in often unexpected and uncontrollable ways.

On the contrary, some have argued to enforce the capacity of citizens to understand and criticize a project (DRYZEK 2000; Forester 1999). Albrechts (Albrechts L. 2003; Albrechts 2002) urges progressive planners to "*promote structural change in order to improve the individual and collective potential to respond to implementation processes aimed at solving problems, tackling needs, realizing visions and potentials and responding to challenges so that these individuals and groups can take an active part in the planning and decision making process (p18)*".

Albrechts advocates thus especially for deprived groups or groups with low organizational capacity to elaborate a special approach for public involvement. Therefore Albrechts etal (Albrechts et al. 1999) suggested a fourth track to the three track planning approach developed by Van den Broeck (Van den Broeck 1987). Next to developing visions (first track), taking short term actions (second track) and consultation with the stake holders (third track), the fourth track is oriented at capacity building and empowerment of the local community. According to Albrechts (Albrechts 2002) the fourth track approach should be tailored to the planning context at stake, and more in particular the historical context of the territory, the nature and content of the policy issues, the identity and the position of the stakeholders, the power relations, the time frame of the planning project (long, medium, short) and finally the geographical scale and/or policy level.

Albrechts and Albrechts etal (Albrechts et al. 1999) identify a long term strategy to prepare weaker stakeholders, focused upon building up knowledge, self-awareness, levels of trust and participatory capacity in general. In such a strategy, the recognition and empowerment of existing social networks and organizations is an important element. Albrechts also identifies a short term strategy oriented at involving a learning method that enables the weaker stakeholders to prepare themselves in an intensive dialogue in very specific projects, within a very specific time frame. Such a process is dependent on the local context, but should aim to increase the organizational capacity of a neighbourhood. This can be a process of preparatory forums.

The "fourth" track approach might be perceived at first sight as a contradictory strategy to reduce conflict. It aims to stimulate criticism and opposition, in order to overcome planning conflicts. Such an approach is grounded in a Habermasian

belief that the force of the better argument can solve conflicts constructively. However, in order to have an authentic deliberation of arguments, all involved parties have to be able to fully express their interests and concerns and need the capacity to develop communicative rational argumentation. In planning conflicts this is mostly not the case, since citizens often lack expertise knowledge, resources and the proper cultural codes of debating with government officials and trust in the government. In many protest cases, citizens are confounded by the technical authoritarian argumentation of the government, so that a real deliberation of arguments is impossible. For instance, in the *Gent* case the protest of the residents from the *Fabiolalaan* against the high-rise buildings had been responded by the city with the argument that a 45-degree rule[154] is a generally accepted norm in urban planning. Residents that are not professional urban planners cannot assess whether the argument is indeed widely accepted among urban planners or not.

In line with the fourth track approach, we suggest that public authorities in large projects should provide resources to support action groups with external, neutral land use planning experts. In this way, such experts can advocate the interests of the residents. This might be an unusual idea, but in fact, it might rationalise the conflict and make it more resolvable. An external "trusted" expert can inform residents on technical issues, can sort out rational from irrational protest arguments, and organise a debate among the residents to increase internal consensus on preferred solutions. This will increase the chances of having a qualitative outcome of collaborative processes. In some way this idea integrates the idea of advocacy planning (Davidoff 1965) into collaborative planning. We suggest that public authorities appoint neutral experts to action groups to advocate their case, just as attorneys advocate the cases of their clients.

9.4.2.2 Managing neighbourhood interest structures: divide et impera?

Protest groups are coalitions between individuals or smaller groups that often oppose a project for different reasons. Within a protest group, different individuals or fractions can oppose a project to different degrees: some fractions require only minor changes; other would like the whole project to be dropped. We have labelled this as the structure of interests. In *Leuven*, the differences in interests and the discord within the neighbourhood proved to be an important barrier to the formation of collective action. In *Gent*, a consensus was reached between the different interests of different districts in the neighbourhood, leading to a platform text of the protest group *Buitensporig*.

[154] This rule regulates the distance-height ratio between different buildings. It says that the height of a new building should be restricted within an envelope of 45 degrees, taken from the foot of the adjacent existing building.

The chances for a protest group having an impact on decision making decreases steeply when there is no consensus among the residents on the project. Protest groups often know that this is their weak spot. Stefan Claeys, one of the members of the protest group in *Gent* puts is as follows[155]: "*Every step you take as a protest group, has to be taken together. We spend a lot of time in consultation in order to have one single vision before we communicate. It would be wrong if different versions circulate, because the public authority or the press could use this to create internal dividedness*"[156]. Manu Claeys, the leader of the protest against the *Oosterweel*verbinding in Antwerp comments on in a similar way [157] "*It is important to keep everybody on board and to keep the noses in the same direction. Internal communication is therefore important*"[158]

Deliberately creating or exploiting internal discord – generally known as "divide et impera" -is a powerful strategy to prevent collective action and the outbreak of organized protest. Discord can be actively created by a differential treatment of the different fractions of a protest group. For instance in *Gent*, a public officer hoped that one of the environmental organizations *Natuurpunt*, would drop their collaboration with the protest group *Buitensporig*, if they would be compensated with the development of the natural landscape park in the Overmeersen. Furthermore, the city of *Gent* started to develop separately a mobility plan in close collaboration with the actors from the Rijsenbergwijk at the time of the protest. There is no evidence that this was a deliberate part of a "divide and rule" strategy, but the timing of the start of this mobility plan and the timing of the protest give some indication. Thus, by giving different parties in the protest coalition a different treatment, or to give different parties something they are interested in separately, such a strategy can then break up the coalition and decrease the power of a protest group.

"Divide et impera" is certainly not always successful. What the city of *Gent* for instance didn't knew, is that *Natuurpunt* acted very strategically. It had agreed with other environmental organizations and the protest group to "pretend" that they accepted the compensation. In fact, they never dropped their collaboration with the protest group behind the screens. In that way they were able to secure

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[155] Tien ingrediënten voor een succesvolle bewonersgroep, De morgen, 12-07-2005

[156] Citation in Dutch: "Elke stap die je als buurtcomité zet, moet gezamenlijk genomen worden. We steken veel tijd in overleg om te komen tot een eenduidige inhoudelijke visie alvorens we die naar de buitenwereld communiceren. Het zou verkeerd zijn mochten er verschillende visies circuleren, want dan zou de overheid of de pers die kunnen gebruiken om ons tegen elkaar uit te spelen."

[157] Ibidem

[158] Citation in Dutch: "Het is belangrijk om iedereen mee aan boord te houden en de neuzen in dezelfde richting te sturen. Vandaar ook het belang van interne communicatie"

the compensation from the city (the development of the natural landscape), and at the same time proceed with the struggle against the project. The effectiveness of such a strategy thus depends also upon the degree of solidarity within the protest group.

In any case, the "Divide et Impera" strategy can be considered as an attempt to undermine the mobilization capacity of a neighbourhood and to stifle the debate instead of stimulating it. In this respect, it cannot be considered as a constructive strategy. Moreover, it is very likely that such a strategy will be answered by a similar strategy of the action groups by creating internal (political) discord within the project promoters. This will eventually create more distrust and result in conflict escalation.

On the other hand, listening to the interests of different factions within a protest group can contribute in finding a win-win arrangement. We have shown in the case of *Gent* that protest groups construct a protest discourse that transcends the individual claims of the different factions within the protest group. This protest discourse is used in a way to mask individual concerns, and to reduce the risk of being stigmatized by the opponent. However, in constructing such a discourse, solutions for the conflict become more difficult. Adherents of the Harvard model (Raiffa et al. 2002; Susskind and Field 1996a; Susskind et al. 1999; Susskind and Cruikshank 1987; Lax and Sebenius 1986) advise us to separate positions form interests in order to find mutual gains. When an action group has constructed a shared protest discourse, it has taken certain position on the different issues (for instance a 50% reduction of the overall project programme).

These positions reflect different interests of the different groups within an action group. In order to create mutual gains, it is necessary to go beyond the positions and to probe for the real interests of the different fractions.

9.4.3 Managing political openness

We found that the "openness" or "closeness" of political decision-making is an important variable in protest emergence. According to the political opportunity theory, the relation between openness and protest is a curvilinear one. In a very "open" participatory process, individuals or groups of individuals in principle have the participatory institutional means to have an impact on decision-making processes. If these participatory institutions are effective enough from the perspective of the affected interest groups, there is in principle no reason to develop a strategy of protest or "politics with other means". On the other hand, we found that closed political decision-making or the perception thereof can in principle reduce conflict. If there is the perception that there are no political opportunities to change policies, then overt protest is less likely to emerge. This

curvilinear relation suggests two courses of action to reduce protest in strategic urban projects: either more or either less openness. More openness means the design of additional participative institutions and thus more forms of direct democracy, whereas less openness means the reduction of participative institutions and more decision power for elected politicians.

9.4.3.1 More or less openness?

In the recent discussions within the Flemish parliament on large strategic projects, some have defended the idea to reduce the participatory openness and to increase the political decision power in large strategic projects. The Flemish *Rekenhof* for instance advised to use "urgency decrees" for large infrastructure projects, in order to reduce the litigation opportunities from citizens[159]. Other advocates of such a perspective have been cited in the introduction of this thesis.

From a normative collaborative and democratic perspective, suppressing conflict by "closing" decision making processes should be rejected. However, it can also be rejected for simple pragmatic and empirical reasons. In the case of *Leuven* we found how subtle forms of repression could refrain residents from action. But the case of *Leuven* had a quite exceptional political context, with the dominance of a political party and a strong Mayor and the absence of activists that could capitalise on political opportunities.

This context is a-typical for most cities and for most projects. Moreover, the institutional opportunities to have an impact on decision-making are generally increasing. As we have already mentioned in the introduction, especially litigation opportunities have increased considerable over the last years due to the steep increase of new legislation. Over the last 5 years, a new environmental legislation came into existence in Flanders, the decree on spatial planning has been adapted several times, new environmental guidelines and decrees on Particulate Matter, Noise exposure, water infiltration, etc have been established.... The explosion of new legislation is not only the result of the growing European bulk of regulations, but also the result of the strong internal development of the Flemish administration.

Thus, in practice it is very difficult to implement a project consistent to all these regulations. Procedural errors then provide excellent institutional opportunities for litigation. We therefore argue that a strategy of closed decision-making is highly likely to fail, since it will only shift strategies from action groups to other political and juridical opportunities such as referenda or other international or

[159] Vlaams Parlement, 2010, Advies van het Rekenhof aan de Commissie Versnelling van Maatschappelijk Belangrijke Investeringsprojecten van het Vlaams Parlement, stuk 55, nr.1 dd 8 februari 2010.

European legislation. Therefore, in order to deal more constructively with conflicts, more openness and participation is not only the only moral alternative; it is also the only practical alternative.

9.4.3.2 Opportunities for additional participatory institutions in strategic projects

From the theory of social movements and the evidence in the case studies, we have found that protest can be considered as "politics with other means". It is a form of political action, which is played outside the rules of the regular political institutions. Political opportunity theory considers protest and political institutions therefore as a sort of interconnected tanks. The more opportunities within the political system for protesters to influence the outcome of policy decisions, the less need to develop actions outside the political system.

Furthermore, we have found that the means and tactics action groups use, fundamentally transform the conflict and contributes to a destructive conflict escalation. As well, the process of mobilising public support, the use of the media and the use of litigation make conflicts often evolve into zero-sum situations. The "politics with other means" of action groups create thus highly uncontrollable conflict developments. Since action groups do not follow the rules of conventional political action, protest is often very confusing for the political system.

From the above arguments follows that in order to avoid more destructive outcomes of conflict, we advocate to internalise more participatory institutions within the political system. Such institutions should not be designed to control opponents, or to stifle conflict, but rather to keep control over the process through which different stakeholders with different interests and values can find a mutual agreement over a project.

In the current institutional context of Flanders there are only a few legally required instruments to organise participation (and openness) in large strategic projects. In the procedure of spatial planning and zoning (*Ruimtelijke uitvoeringsplanning*), only *public hearings* (*hoorzittingen*) and *comment and review procedures* (*openbaar onderzoek*) are required. Although some cities and municipalities organise additional instruments for participation and deliberation, the majority of the local and supra-local authorities sticks to the legally required minimum.

- Public hearings have a use in informing the residents on the project, but they are not suited to organise a deliberation or a public discussion on the project (Innes and Booher 2004). In most public hearings, the information is one-directional. Since all the decisions have been made before the public hearing, the only purpose of such a hearing is to inform

and defend, and citizens can only applaud or protest. Depending on the amount of applaud, public hearings can however give a useful indication for the general public support for a plan or project. But is it impossible to have an informed idea from a public hearing why the public reacts in a certain way.

- The *review and comment procedure* is a useful instrument to detect errors and omissions, or to detect the public support for a specific plan, but the instrument is also not suited for a public dialogue. In a review and comment procedure, individual residents have to send a written comment to the public agency with their objections to the plan. As we have witnessed in the two cases, the review and comment procedure is also used by action groups to protest. The results of the review and comment procedure are processed by advisory committees (*commissies voor ruimtelijke ordening*) on the different policy levels. These committees are composed by neutral experts in land use planning and representatives of different interest groups. The advice of the commissions to the municipal, provincial or regional government is not binding.

Many large strategic projects - but not all- are also obliged to make an environmental impact study. Here too, the opportunities for participation are very limited. The environmental impact legislation obliges to organise a public hearing and a review and comment procedure before the actual analysis of the environmental impact. Residents are invited to send (again written) suggestions to the Flemish environmental administration. The administration then integrates the suggestions into a guideline for the elaboration of the environmental impact study. The current participatory instruments in strategic planning projects give residents very little control over the outcome of their complaints, reactions or suggestions. From an activist point of view, such participatory instruments are not very effective as means of protest. Thus if an action groups wants to achieve its conflict goals, they will seek alternative political and institutional opportunities such as litigation.

In September 2009, the Flemish government approved a special regulation for large strategic land use projects. (Ruimtelijke projecten van groot en strategisch ruimtelijk belang). Such projects are defined as projects large scaled infrastructure project, that are urgently needed for the improvement of the quality of live, the economic development or the accessibility, with an unusual socio-economic and spatial impact, and an unusual investment volume[160]. The intention of the new regulation aims to speed up the decision making procedures in large strategic projects. Moreover, the regulation allows also to deviate from other legislations,

[160] Codex Ruimtelijke ordening, hoofdstuk 3, afdeling 2.

such as the legislation on the preservation of heritage, or the environmental legislation. The only participative institutions in the new procedure is a 90 or 60 day comment procedure (depending on which policy level).

In the Flemish practice of strategic urban projects, there are also informal participatory institutions. In some strategic projects, there are examples in which non-legally required deliberative participatory instruments have been used. For instance, the use of the instrument *klankbordgroep*, has been adopted in other cities and projects (for instance in the railway station redevelopment project of Mechelen and i*n new Zurenborg).* In addition, the instrument of workshops and focus groups has been used in several projects (Spoor Noord in Antwerp, or de Kaaien in Antwerp). However, these initiatives have mostly a non-committal character. Unlike the public hearing and the comment procedure, these initiatives have no formal statute in the spatial planning or environmental legislation.

Therefore, a clear commitment as to how these instruments will affect political decision making is often lacking. In most projects, despite these voluntary initiatives, the p*ublic authority keeps in fact full c*ontrol over the substantial outcome of these deliberative processes. There is also the tendency to use these instruments in "save" projects: projects that are unlikely to be contested. This might create the illusion that there is a relation between the use of such participatory instruments and the emergence of conflict. It is thus more likely that there is a sort of reverse relation; there is more use of participatory and deliberative instruments in projects that are not very conflictual. If thus informal voluntary instruments of participation have no real impact, there is little chance they will affect protest dynamics in projects that are conflictual. In order to create real institutional opportunities within the political system, we argue that public authorities should be committed to the outcome of these participative institutions.

We already argued that the instrument of the environmental impact Study could provide additional opportunities to increase participatory opportunities in strategic projects. An environmental impact study, if broadened to a societal impact study, is in principle an instrument to assess and compare different alternative solutions and to make a rational choice of the "best solution"'.

Today this instrument is merely used as a technical instrument. The development of alternatives, and their assessments is done by "neutral" technicians. However, this instrument could also be conceived as an interactive instrument for deliberative interactive policymaking. This implies that the development of alternatives could be open to all stakeholders, including action groups and residents. In addition, the criteria by which the alternatives will be assessed could be the subject of deliberation with all stakeholders.

The same argument can be made for larger strategic projects in which an environmental impact study is not legally required, and which only follow the procedure for zoning (RUP). In the current procedures of the zoning plans, there is no room for interactive deliberation. Opposite to the environmental legislation, the current legislation does not even require to assess different alternatives and their effects in zoning plans. The result is that although most designers of RUP's mostly considered different design alternatives during the making of the design, the different alternatives, the evaluation of these alternatives and the choices are never made explicit. This makes that RUP's are often poorly motivated. The development of different alternatives (research by design) and their explicit evaluation in RUP's however would increase the substantial rationality of the plan. Similar as in the procedures for the environmental impact study, the development and the evaluation of the different alternatives can provide opportunities for public deliberation.

9.4.3.3 From control over the output to control over the process

The use of participatory instruments requires a shift form policy processes oriented at the control of the substance over the project towards the control of the process. Since real participation implies openness in the outcome of policy processes, the substance of a project cannot be predetermined. When participation is organised, it should still be possible to discuss alternative projects and solutions. Real participation requires thus open ended policy processes (De Bruijn and others 1998) (De Rynck and Dezeure 2009).

The consequence is a shifting role for planners and politicians in the development of strategic urban projects (De Rynck and Dezeure 2009). Whereas planners, designers and politicians often consider themselves as the producers of the substance of spatial policy - the masterplan, zoning plan or structure plan- , in an open process they become co-producers among other stakeholders. De Bruijn, Heuvelhof and in't Veld argue that the focus of designers has to shift from technical or substantial rationality of planners to procedural rationality. Instead of the role as designer, their role becomes that of a process manager (De Bruijn et al. 1998). The process architect only formulates the rules of the game by which the different stakeholders come to an agreement, and does not interfere with the substance of the outcome of these deliberative processes. This radical viewpoint of De Bruijn would however completely ignore the value of substantive rationality and design expertise in strategic urban projects. The substantive rationality of planners and designers can play an important role in creating innovative solutions.

9.4.3.4 Some limits of process-openness

Although in principle decision-making processes should strive for a maximum participation and openness in the decision making process of strategic urban projects, there are however also limits for political openness. This upper limit is determined by (1) *implementation considerations*, and (2) *the principle of subsidiary*.

From the perspective of project implementation, decision-making procedures cannot be endlessly open. At some point, decisions have to be taken, and discussions have to be closed. Otherwise, there can be no progress in the implementation of a project. At some point decisions have to be made that mark a "go - or no go" or a point of no return. Decision-making cannot strand in endless discussions without conclusions. At some time, these strategic decisions have to be translated into an efficient operational implementation of the project by bureaucratic agencies. This means that in practice there has to be a mix between "open" episodes of decision making processes and "closed" episodes. During the open and participatory parts, discussion should be stimulated, information and alternative solutions should be generated and choices should be made. However during the more closed parts the choices have to be technically elaborated and the project has to be managed in an efficient way (Boudry et al. 2006)

The amount of "openness" is also limited by the principle of subsidiary. The Oxford English Dictionary defines subsidiary as the idea that a central authority should have a subsidiary function, performing only those tasks which cannot be performed effectively at a more immediate or local level. So, following this definition, projects that provide functions or have an impact beyond the local authority should be handled by higher levels of government. We already mentioned that collaborative processes can reach to an unjust or unsustainable outcome, certainly when social dilemma's are involved (Voogd /1; Voogd 2001). If projects have positive externalities on a supra-local level, but negative externalities on a local level, the rational thing to do for local actors in collaborative processes is to try to block the project and have it located elsewhere. In such cases, accordingly to the principle of subsidiary, decisions should be taken by supra-local actors. In the case the question is how much "openness" should there be in decisions from supra-local governments for local stakeholders? In practice, the organization of institutional openness is most difficult in projects with multiple levels of government (De Rynck and Dezeure 2009)

In the case of *Gent*, the tension between supra-local interests and local interests was clearly present. For the politicians, this was one of the main arguments to explain why they objected participation. It was argued that the densification of the railway station area and the need to increase its accessibility had been decided by supra-local authorities in the structure plan Flanders, so

therefore local residents could not discuss these decisions. The same argument was made when the *klankbordgroep* was established: the city did not tolerate to discuss the size of the development, nor the size of the car park and the road construction. We agree following the principle of subsidiary, that the decision on the development of railway station areas in large cities as *Gent* have a supra-local importance and hence justify supra-local policy goals. Nevertheless, from this does not follow that the solutions proposed by the project partners (car park, road and high rise buildings) could not have been open to deliberation with local stake-holders. There are indeed many alternative options possible to achieve these supra-local policy goals.

Although the principle of subsidiary might thus impose participatory limits upon the policy goals and policy targets, there is still room for deliberation on the policy solutions and design options for local stakeholders.

9.5 Alternative dispute resolution in strategic urban projects: a potential solution for land use conflicts in Flanders?

Although the recommendation and the procedures given in this chapter may help to reduce and prevent destructive conflicts in land use conflicts, they provide no absolute guarantee that there will be no protest at all or that litigation will disappear completely. Despite all efforts to increase participation, there might still be groups of residents that do not want to participate in collaborative approaches.

Furthermore, in many ongoing cases such a collaborative procedure has not been followed. In such cases, techniques of Alternative Dispute Resolution (ADR) may prevent destructive conflict interactions. ADR is an alternative for the growing juridicalisation of conflicts. It starts from the assumption that court verdicts seldom provide satisfaction for the parties in conflict. The verdict of a court mostly results in win-lose outcomes. Moreover, courts as the administrative court (*Raad van State*) only judge the procedural aspects of decisions, without evaluating the opportunity of a decision. The court decision in public disputes often does not settle the conflict, but creates the foundations for a new cycle of conflict. We have already mentioned in the introduction that procedures for courts are often costly and that the terms to reach a verdict can take several years. These terms are often inacceptable in land use conflicts, since often when verdicts are made, they are obsolete.

The basic argument of ADR is that most conflicts can be transformed into a win-win outcome, or at least better than an outcome that can be reached in court for both parties. More specific, ADR is a set of techniques and informal procedures

that help the conflicting parties to arrive at a mutual satisfying solution for their conflict, usually with the help of one or more third-party neutrals. The main characteristics of ADR are (Emerson and others 2003)

- participation is voluntary
- the parties or their representatives must be able to participate directly in the process
- all participants must have the option to withdraw from the ADR process and seek a resolution through a more formal process, such as litigation
- the third-party neutral must not have independent, formal authority to impose an outcome but rather should help the parties to reach their own agreement
- the parties must agree to the outcome or resolution of the dispute. The purpose of the process is to help parties reach their own solutions, which requires their consent to the decision or recommendations

The techniques of ADR can be divided into consensus-based processes and quasi-juridical processes (Emerson et al. 2003). Consensus based processes are often used in the early phases of non-escalated conflict, whereas quasi-juridical procedures can be used in more escalated conflicts. In the next paragraphs, we will describe a few of these techniques based upon Emerson et al

9.5.1 Consensus based processes

The lightest technique of alternative dispute resolution is the *conflict assessment*. The conflict assessment is a thorough analysis of the conflict, mostly by in depth interviews of the different parties in conflict. The goal of an assessment is to gain insight in the nature of the issues, the parties, their positions, interests and values and potential routes for conflict resolution. The parties in a conflict are often unaware of the real interests and the values of the other parties. A conflict assessment helps to create insight in the conflict situation and the motives of the other parties. It is possible that these new insights provide new opportunities for the resolution of the conflict, for instance because new package deals can be made. Besides an analysis of the conflict, a conflict assessment can also provide insight in the willingness of the different parties to engage in alternative dispute resolutions.

We already mentioned the technique of *Joint Fact finding* to resolve controversies or disputes over factual information. In many cases, the different parties in conflict contest the information from the other side (fi the discussion on PM particles in the *Gent* Case). Persuading is useless, unless the information can be made trustworthy. Joint fact finding is thus a process in which the conflicting

parties agree on how reliable and trustworthy knowledge can be generated. Parallel with joint fact finding, we could imagine a process of joint design research, in which both parties agree how reliable and trustworthy design research can be generated.

Facilitation aims to create the conditions for a constructive dialogue between the different parties in a conflict. The task of the facilitator is to normalize and optimize the communication between the parties. The facilitator helps to structure the mediation process by setting up a joint agenda for negotiations, and by developing the rules of the mediation process.

Negotiation goes a step further than facilitation. In the process of negotiation, third parties do not only structure the mediation process and facilitate communication; they also make proposals for resolution. A well know technique is *principled negotiation*: the negotiator tries to find package deals based upon the underlying interests of the conflict parties in order to create mutual gains and agreements on the different issues of the conflict (Fisher et al. 1999). Third parties can also play a role in shuttle diplomacy, in which sensitive information is tested against other parties in the conflict. In the process of negotiation in strategic urban land use projects, research by design can play an important role. The outcome of a negotiation process is not binding, unless the parties agree so. It is assumed that mediation leads to a better solution for both parties, than the parties could have achieved by more adversarial conflict tactics such as litigation. When the outcome of mediation creates gains, there is little reason to continue litigation.

9.5.2 Quasi-juridical processes

Quasi juridical processes are often applied when conflicts have escalated, and positions have hardened. Such processes are also voluntary and aim to inform the disputants on the strength or weakness of their cases and arguments. In these processes the parties are informed by external experts about the merits of their cases, their best alternatives next to negotiated agreements and are provided with a loop back to mediation processes. Such processes may de-escalate the conflict and rationalize the demand of the different parties involved.

There are different forms of quasi-juridical processes, but the idea is always that an external party arbitrates the conflict. Early neutral evaluation are for instance purely informative experts opinions on the strength and weakness of the cases of the parties. Mini-trials or summary jury trails are trails that are organized by the parties themselves. The parties agree upon a panel of experts that will do the arbitration. The parties can agree upon a non binding or binding outcome.

9.5.3 Experiences with ADR in land use conflicts in the US

There is a growing experience in the US with the practice of mediation in land use conflicts and environmental. According to Susskind, Van de Wansem and Ciccarelli (Susskind et al. 2000), mediation techniques in land use conflicts have been used for the first time in the early 70ties in Washington State to settle successfully a long-running dispute over the proposed location of a flood control dam on the Snoqualmie River. The practice of mediation has spread since then and has been partly institutionalized in the legal framework. The US Environmental Protection Agency was the first agency that integrated mediation processes in its legal framework. The Negotiated Rulemaking Act of 1990 and later the Administrative Dispute Resolution Act of 1998 anchored the principles of mediation in the legal frame, and encourages the use of ADR in litigation procedures. In 1997, the Institute for environmental conflict has been established[161], an agency that provides support in public environmental and spatial conflicts. The practice of ADR has been adopted in other European countries, however on an informal and sporadic base. In the Netherlands, for instance the *Stichting mediation in Milieu en Ruimtelijke ordening* provides a database of trained mediators for environmental and land-use conflicts..Also in Belgium, alternative dispute resolution is promoted by the federal government in civil law.

Proponents of ADR in land use conflicts and environmental conflicts argue that ADR (Susskind et al. 2000)

- fosters more efficient use of resources and better compliance
- resolves underlying issues and develops a shared base of knowledge
- achieves more creative, longer-lasting outcomes that take account of the best available technical information
- increases confidence in government officials and helps empower disadvantaged groups, thus offering greater overall satisfaction with the mediated outcomes

There is evidence to support these claims. Lampe and Kaplan (Lampe and Kaplan 1999) made an in depth analysis of eight cases in the US which mediation had been used to resolve land use conflicts. In most cases, the experience with mediation process was positive. The parties believed that the process in which they participated was more efficient and less costly than alternative legal processes. Many indicated that they would employ mediation as a "first resort" in future conflicts. Lampe and Kaplan identified however also some critical success factors for mediation processes. Mediation requires a substantial motivation of

[161] http://www.ecr.gov/

the disputants to reach an agreement and commitment to the process. The motivation of the different parties depends on (1) the perception of the feasibility of other alternatives (such as litigation), and (2) the prospect of a more favorable outcome than could be assured by continued conflict. Conflict meditation fails when commitments are not followed through, hidden agenda's play, and agreements are not implemented. These factors obscure the development of trust, and sabotage a conflict resolution process.

Quantitative studies on land use and environmental conflict resolution have been done by Bingham (Bingham 1986), Sipe (Sipe 1998), Susskind and CBI (Consensus Building Institute. and Susskind 1999), Andrew's (Andrew 2001), Frame, Gunton and Day (Frame and Day 2004), US institute for Environmental conflict resolution (United States Institute for Environmental Conflict Resolution 2004). These studies have measured the success of reaching an settlement through mediation. As can be seen from table 34, the success rate of the use or mediation and alternative dispute resolution is very high and varies between 78% and 93%.

Author	*N*	*Succes rate*
Bingham (Bingham 1986)	132	78%
Sipe (Sipe 1998)	21 mediated and 125 non-mediated	85% for the mediated cases, 71% non mediated
Susskind and CBI (Consensus Building Institute. and Susskind 1999)	100	77%
Andrew's (Andrew 2001)	54	81%
Frame, Gunton and Day (Frame and Day 2004)	15	93%
US institute for Environmental conflict resolution (United States Institute for Environmental Conflict Resolution 2004)	24	87%

Table 34: Review of qualitative studies on environmental alternative dispute resolution

The study of the Consensus building institute and Susskind of 1999, analyzed the satisfaction rate of the participants of ADR processes in Land use planning, whether mediation was perceived less costly and more efficient and whether the role or the mediator was important. They found that

- 85% respondents described the process a favorable or very favorable
- 69% thought the solution was more robust than they could have achieved by litigation
- 88% was convinced that ADR produced more creative solutions
- 81% thought that the process was less costly and took less time than litigation
- 84% thought the role of the mediator was important of crucial.

The study also found some obstacles for land use mediation. ADR was likely to fail if (1) Public health or safety requires that action be taken immediately, (2) precedent setting is important, (3) participants do not recognize the other side's rights, (4) the party providing financial support insists on complete control over the process, (5) the process is being used as a means to delay real action or create an illusion that something is being done. Obstacles to mediation come from (1) tension between stakeholders (in 52% of the cases), procedural obstacles (28%) or issues and substantive obstacles (20%).

From this different studies and the practice in the US, we can conclude that mediation and environmental dispute resolution is a successful alternative to litigation. In the next paragraph we will assess how processes of mediation can be integrated in the Flemish context.

9.5.4 The application of ADR in Flanders?

The use of techniques of ADR in land use conflicts in Flanders are not explicitly used at the moment. Although there are e few examples of collaborative conflict resolution in practice, most cases land use conflicts are handled either in an informal way (such as the bilateral no ad hoc conversations between action groups and politicians) or they are resolved through litigation procedures. The instruments of ADR and the aid of third parties could fill the huge gap between informal conflict handling institutions such as bilateral unstructured conversations on the one hand and formal conflict handling institutions of litigation on the other hand. The introduction of a range of new intermediary institutions can prevent conflicts from escalating.

The instruments of mediation may however meet as well normative obstacles as practical obstacles.

As regards to the on normative obstacles, many politicians (as cited in the introduction) today stress the importance of the primacy of politics and strong politics. Such a viewpoint might be hostile to forms of ADR, basically because resident action groups are not representative and do not have a democratic mandate to negotiate. Hence, the outcome of such a negotiation process would

be considered as undemocratic. Therefore, negotiations with resident groups are in principle not possible since they do not behave in the public interest.

As regards to this argument, we argue that such a vision on politics and democracy is idealistic. In the current practice of land use projects there are constant negotiations with non elected parties, that are not democratically legitimate. For instance in the Project *Gent*-Sint-Pieters, and in the Project *Kop van Kessel-lo*, the city negotiated with the land lords of the project. In fact, in the evolution towards more and more public-private partnerships in strategic projects, governments are increasingly negotiating over land use projects with private, non elected actors. Some actors such as investors and land lords do have important resources that are needed to realize a strategic project and are thus considered as legitimate negotiation partners. In a similar way many residents have resources to block or to sabotage a project. In this way they are equally important negotiation partners.

Furthermore, there is a more pragmatic argument. If the outcome of non negotiations is a strong implementation delay, or an increased implementation uncertainty, the choice not to negotiate might have more detrimental outcomes for the public interest. For instance, when a construction of a project is suspended, and therefore a neighborhood misses opportunities, the decision has probably done more damage to that neighborhood than a negotiated agreement would have done. The pragmatic argument is that public authorities should assess their BATNA (best alternative to negotiated agreement), instead of taking a priori normative decision which might turn out to harm the public interest.

Besides principle objections, there are also practical obstacles, such as the lack of trained third parties, the lack of resources to support mediation and the lack of knowledge of ADR. These practical obstacles can be overcome by promotion of ADR in environmental conflicts, by the establishment of an ADR agency on the Flemish level to support governments in ADR procedures and by integrating the principles of ADR in the education curricula of urban planners.

9.6 Conclusion

The aim of this chapter was to develop new approaches and practical recommendations to work more constructive with conflicts. In the previous chapters we had analyzed how conflicts emerge and escalate. In our current institutional context, many land use conflicts end up in destructive struggles for the parties involved but also for society as a whole.

We started this chapter by elaborating a normative theoretical perspective on conflicts. Drawing upon the theory of collaborative planning, we found as well normative arguments as pragmatic arguments to promote debate and argumentation as an alternative to more contentious tactics of conflict such as "politics with other means" and litigation. The normative argument is based upon ideas of deliberative democracy. This perspective holds the belief that conflicts can be transcended by consensus building and mutual understanding. Such a perspective places communicative rationality at its centre.

The pragmatic argument comes from ideas of neo-incrementalism and conflict resolution. In this perspective, policy making is considered as bargaining games.

We took a middle perspective, arguing that deliberation and bargaining are both ends of the collaborative continuum. Furthermore, we also took the position that communicative rationality should substitute substantial or technical rationality, nor that a deliberative democracy should substitute the representative democracy, but that they rather should be seen as complementary.

Next, we related the collaborative perspective to the different conflict variables of land use conflict we have analyzed in the previous chapter. We discussed (1) the management of the project characteristics, (2) the management of mobilization capacity and (3) the management of the political context.

As for the project characteristics, we argued that externalities should be reduced or compensated and that project border and scope should be carefully chosen. Project borders and scope determine the mix of positive and negative externalities of a project. Although this is strictly not a collaborative approach, the careful adjustment of borders and scope of the project can help to find mutual agreements. Furthermore, in order to manage the perceptions of the impact of a project, we argued that joint fact finding can create a mutual consensus and trusted knowledge in disputes over impacts and data.

As regards to the management of neighborhoods, we recommended organizational capacity building. Such an approach is often necessary, not only to prepare socio-economic weaker stakeholders to a collaborative process, but also to rationalize the debate. Here we suggested a mix of advocacy planning and

collaborative planning, in which communities can make use of planning advocates for their case.

As regards to the institutional openness, we argued that the current institutional context encourages the use of adversarial tactics and politics with other means. We argued that more political openness is not only the only moral choice, but also the only practical choice. New conflicts institutions are needed in order to canalize conflicts, and make them manageable. We argued that real openness requires legal guarantees for participation in the procedures for strategic projects.

Finally, we advocated the use of alternative dispute resolution in land use conflicts in Flanders. Environmental dispute resolution has proven merits in the US, and might be applicable in a Flemish context.

X. Conclusions

10.1 Introduction

This research started out of a growing concern among a group of professional planners with conflicts in strategic projects in 2006. The planners and public officials in the user group of the SP2SP project were increasingly confronted with what they called "small groups of angry citizens" that block strategic projects. Moreover, planning professionals were concerned about the increasing litigation in planning and the immobility that resulted from this. Planning conflicts were therefore considered as an important barrier for the implementation of strategic projects that are in the public interest. This concern formed the starting point of our inquiry.

Our inquiry focussed upon three research questions

1. *RQ1: Why do land use conflicts emerge?*
2. *RQ2: Why are land use conflicts so persistent?*
3. *RQ3: How can we work more constructively with land use conflicts?*

In the next paragraphs we will first address how our research and our data have contributed to these research questions.

Next we will make an evaluation of the theories we have used, the methods and the context of the research.

We end our conclusion by formulating suggestions for further research

10.2 Reconsidering the hypothesis

In the introduction, we advanced several hypotheses relating to the research question.

H1: the emergence of land use conflicts depends as well on the characteristics of the project, as the mobilization potential of the project area, as the political context in which a project has been developed.

From the analysis of the case studies, it can be concluded that all three major groups of independent variables play a role in explaining conflict emergence. As well project characteristics, as mobilization capacity and the political context have an impact on the development of protest. We found convincing evidence in the logistic regression analysis that the perceived political opportunities better explains the variance of protest than the externalities theory only.

We have found some support for the theory of externalities. However, the analysis also suggests that the theory of externalities is too limited. The impact of a project is thus not the only source of discontent. From the case of *Leuven* we found that the perception on the fairness of decision making was a better predictor for protest than the perception of the impact of the project itself. This implies that the externality theory gives a too narrow focus, and that discontent over projects is not only related to the perceived impact of those projects. Further research is needed to better understand the various basis of discontent in urban strategic projects.

H1a: The mobilization capacity of a neighbourhood depends on the homogeneity of the neighbourhood, the existing networks, intellectual skills and the structure of interests within a project impact zone

We found support for the theory of mobilization capacity. However, we found that not so much general socio-economic or general community ties and education levels matter. From the analysis of the action groups, we found that the availability of very specific expertise is more important. Furthermore, it has been showed that specific networks such as links to environmental organizations are more important than general community links. Last, there was support for the theory on the structure of interest in the cases of *Leuven* and *Gent*.

H1b: The emergence of protest is related to the amount of openness of the political context in which the project has been developed

Last we also found support for the theory of political opportunities. There was a large difference between the limited protest opportunities in *Leuven* and the available protest opportunities in *Gent*. From the interviews with activists and members of the opposition in *Leuven* there was clear evidence that the opportunities to protest in *Leuven* are limited. This refrained potential activists to organise collective protest actions. The case in *Gent* shows clearly that the protest group on its emergence develops a full range of conflict tactics that use the institutional political context. The opportunities for protest played an important role in the emergence for protest.

The second main hypothesis, which related to the second question of my research, was:

H2: Land use conflicts are more difficult to resolve because they escalate

Although the theories on escalation have been mainly developed for military conflicts or armed conflicts, the case of *Gent-Sint-Pieters* shows how escalation occurs in land use conflicts as well. Moreover, the earlier descriptive work of Carpenter and Kennedy on the pattern of unmanaged public disputes has been confirmed to a great extend by the empirical evidence of *Gent*-Sint-Pieters.

What started as some fragmented and anxious reactions from citizens developed into a well organised broad protest reaction against the project *Gent*-Sint-Pieters. The conflict has resulted in mutually reinforcing interaction pattern, in which new issues had been formed, new parties became involved and harder oppositional tactics had been used. The conflict has fuelled new conflicts, and sets now the context for new conflicts to emerge in *Gent-Sint-Pieters*. This escalation pattern makes that the land use conflicts are increasingly difficult to resolve.

In addition to Carpenter's and Kennedy's descriptive work on public disputes, we have sought for explanations of escalation. From the case study we found that a combination of *unresponsiveness* of the public authority together with a *strategy of strategic escalation* from the residents has been the initial driver for escalation. In *Gent* the unresponsiveness of the public authority was explained by the lack of attention focus and the uncertainty regarding the project.

We have also found that one of the crucial tactics in strategic escalation is *litigation*. However, the procedure of litigation fosters new oppositional tactics and forces the conflict interaction to become a zero-sum game: one party wins

and the other party looses. Furthermore we found how under the pressure of litigation issues and relationships transform, and make the conflict more difficult to resolve. This calls for the development of complementary *alternative conflict management institutions* in urban planning

The third hypothesis relates to the final research question. I defended the hypothesis that

H3: Land use conflicts in Flanders can be resolved more constructively through the management of project characteristics, organizational capacity and by developing additional collaborative conflict mediating institutions in land use planning decision-making processes

Drawing upon the theory of collaborative planning, we found as well normative arguments as pragmatic arguments to promote debate and argumentation as an alternative to more contentious tactics of conflict such as "politics with other means" and litigation. The normative argument is based upon ideas of deliberative democracy. This perspective holds the belief that conflicts can be transcended by consensus building and mutual understanding. Such a perspective places communicative rationality at its centre.

The pragmatic argument is based upon ideas of neo-incrementalism and the theory and practice of conflict resolution. In this perspective, policy making is considered as bargaining games with those that have resources to realize of to block a project.

We took a middle perspective, arguing that deliberation and bargaining are both ends of the collaborative continuum. Furthermore, we also took the position that communicative rationality should substitute substantial or technical rationality, nor that a deliberative democracy should substitute the representative democracy, but that they rather should be seen as complementary.

Next, we related the collaborative perspective to the different conflict variables of land use conflict we have analyzed in the previous chapter. We discussed (1) the management of the project characteristics, (2) the management of the neighborhood and (3) the management of institutional openness.

As for the project characteristics, we argued that project border and scope should be carefully chosen. Project borders and scope determine the mix of positive and negative externalities of a project. Although this is strictly not a collaborative approach, the careful adjustment of borders and scope of the project can help to find mutual agreements. Furthermore, in order to manage the perceptions of the impact of a project, we argued that joint fact finding can create a mutual consensus and trusted knowledge in disputes over impacts and data.

As regards to the management of neighborhoods, we argued that in order to have a rational and informed debate, decision making processes should develop a track of organizational and intellectual capacity building. Such an approach is often necessary, not only to prepare socio-economic weaker stakeholders to a collaborative process as Albrechts etal have argued, but also to rationalize the debate. Here we suggested a mix of advocacy planning and collaborative planning, in which communities can make use of planning advocates for their case.

Finally, as regards to the institutional openness, we argued that the current institutional context encourages the use of adversarial tactics and politics with other means. We argued that more political openness is not only the only moral choice, but also the only practical choice. New conflicts institutions are needed in order to canalize conflicts, and make them manageable. We argued that real openness requires legal guarantees for participation in the procedures for strategic projects. These recommendations have been applied in a ideal-typical procedure for decision making in strategic urban projects.

Finally, we advocated the use of alternative dispute resolution in land use conflicts in Flanders. Environmental dispute resolution has proven merits the US, and might be applicable in a Flemish context.

10.3 Strengths and weaknesses of the used theories

The overall perspective on land use conflict in this thesis was that land use conflict can be considered a special case of social conflict. Consequently we borrowed some general concepts from the study of social conflict to organise our research. Land use conflict has been conceptualised as an interaction pattern, in which different phases can be distinguished. Two phases, namely conflict emergence and conflict escalation, have been further examined.

In order to understand land use conflict emergence, we started our theoretical review with planning theory. Here we found that although conflict had been addressed planning theory from a normative or prescriptive perspective, there is a lacuna in the analysis of conflict. We started with the externalities theory on land use conflict. We pinpointed some of the shortcomings of this theory, and tried to find better explanations by involving theories from the social movement literature.

The contribution of this research to the scientific debate on the emergence of conflict lies not so much in inventing new theories or improving existing theories, but in integrating existing theories from previously unrelated fields of study. We used as well insights from planning and geography (such as the externalities theory) psychology (fi on risk perception), from sociology and social psychology (fi on conflict phases; on the collective action problem, resource mobilization and political opportunities). The advantage of such an approach is that it fits better the full complexity of land use conflict.

Whereas theories of mobilization have been used before to explain urban activism, the theory of institutional opportunities has been less debated. With the theory of institutional opportunities we were able to explain the *participation paradox*. We also related the emergence of protest to the institutional opportunities for protest, a not well studied link in the literature land use conflicts.

By combining and integrating these theories, we were also able to construct new insights. For instance by combining the theory of the decreasing externalities and the ideas of resource mobilization, we developed a theory on the Project Impact Zone. We made the hypothesis that the structure of interest in a project impact zone is a crucial variable in explaining the barriers for collective action in land use conflict.

Consequently, with the idea of land use conflict as a special case of social conflict, we applied theories on social conflict escalation to address the often intractable character of land use conflicts. Here too, strategic mobilization and institutional opportunities proved to be important variables.

The different groups of variables (externalities, mobilization and political or institutional opportunities) provided also a good background to think about innovative strategies to create conditions for more constructive conflicts. Whereas the conflict resolution literature is only oriented at the collaborative process, we also elaborated some considerations regarding the project itself (border and scope) and regarding the neighbourhood characteristics.

We have experienced also some weaknesses in our theoretical approach. Whereas the strengths lie in the integration and combination of theories of different fields, this is at the same time also its weakness. Moreover, the use of theories of disciplines and fields that are so different as regards their epistemology and methodology may result in a sort of theoretical *bricolage.*

Using theories from other fields always holds the danger that the nuances of the theories are not well understood, or that the insights we have borrowed are already outdated and replaced by new (emerging) paradigms. The cost of integration is paid with the lack of specialisation. Thus although the combination of the theories might be new, the insights in the theories in these different disciplines are probably not. We took this risk since we were interested in generating practical advice, that is theoretically based, but also broad enough to grasp the complexity and the different aspects of the phenomenon under study.

Furthermore, we think that the interrelation between the different theories also needs further attention. For instance, we developed "mobilization strategies" and "risk perception" as two separate concepts. However, it is reasonable to assume that both are strongly related. Since the perception of risk is partly socially constructed, mobilization strategies should have an impact on how risk is perceived in a project impact area. The same argument can be made for the relation between perceived political opportunities and mobilization. This integration is difficult since it faces a fundamental problem that has been unresolved in the social sciences: the link between agency and structure, or between methodological individualism and structuralism. For instance, risk perceptions are socially constructed and amplified, but at the same time they are the result of psychological heuristics. In land use conflict cases, this problem comes down to a sort of a chicken and egg problem; is it mobilization that moulds risk perceptions, or are risk perceptions the engine for mobilization?

Last, we acknowledge that by focussing upon dyadic conflict, we made a rude simplification of conflicts that is not always justified. Moreover, certainly in complex projects with many actors and many policy levels, the internal dynamics within the public authority are often crucial in understanding the development of conflicts. The dyadic approach makes abstraction from the dynamics of agenda setting and policymaking, and political powerplays. This lacuna could be addressed by adding political theories however.

10.4 Strengths and weaknesses of the used method

We used a mix methodology method, in order to overcome the dichotomy between qualitative and quantitative studies. By combining qualitative and quantitative evidence, we could make use of the strengths of both methods of inquiry.

The combination of quantitative evidence and qualitative evidence in our comparative study between *Gent* and *Leuven* was fruitful. The qualitative data supported the interpretation from the quantitative data, and the quantitative data supported the claims made upon qualitative data. For instance, the context of political decision making was supported by data on the perception of political openness. From the regression analysis we found clear evidence for the theory of externalities and political opportunities.

Also the systematic comparative analysis between the two cases was fruitful. Because of the differences in the outcome and the similarities of the project, we could draw some important conclusions on how mobilization and political opportunities played a role in the emergence of conflict.

In doing the research, we also detected some weakness in the methodology.

The first obvious weakness is the depth of both the qualitative data and the quantitative data. Since research time is limited, it has to be spread over both sources of data. Especially the quantitative data took more time than initially planned, since the response proved to be a problem. Although the sample size was acceptable to be representative, the sample size did not allow very complex statistical techniques with many variables. Thus although our panel survey had many questions (57), the statistical power was insufficient to consider all these variables. As for the qualitative data, the depth of the data is also limited for the same reason.

In the discussion on the qualitative-quantitative debate we argued that quantitative data is better suited for theoretical generalizations. This is however not proven by our research design. The quantitative data only has external validity on level of the case: the quantitative data supported the empirical conclusions within the case. However, this does not mean that the conclusions have external validity for the whole set of land use conflicts. The relations we found between protest participation and the perceived impact of the project and the perceived political opportunities, are no prove for the validity of these theories. In essence this means that the method of this research remains a qualitative approach.

10.5 Strengths and weaknesses of the used research context

As we have explained in the introduction, this research is funded by the IWT within the research programme of Strategic Basic Research. This research programme wants to bridge academic research and professional practice. It therefore puts an emphasis on the practical use of the results of the research for professionals. Therefore, the research has been a participative research with planning professionals and public officers.

We evaluate this kind of research as very positive. The participatory research approach led to a process of mutual learning between the user group and the researchers, certainly in shaping and moulding the research topics and questions.

Because of the practical nature of the research, we were able to get involved in the public debate on citizen involvement in large decision-making processes (see list of output in popular media in attachment).

However, we also experienced that there is often a tension between a purely academic output and an output focussed upon practical advice. Whereas academic work focuses upon understanding and analysing complexity, professional practice is largely oriented at problem solving and reducing complexity. Both outputs have a different audience and different expectations. This often leads to dilemma's and compromises in the research trajectory.

10.6 Suggestions for further research

By doing the research on conflict, we found several answers to our research questions, but the research also raised new questions.

- We already mentioned the some weaknesses of the theory we used. One weak point was the relation between perception and mobilization. In our research design we measured the perceptions of the residents when the action groups were already active. In their mobilization for public support, they communicated with other residents on the project. Thus the perception we measured in the panel survey in *Gent* on the project might have been moulded by the action groups. On the other hand, the residents might have received also information from the city. In order to understand better the relation between perception and mobilization, a longitudinal study of perceptions and mobilization could shed more light upon the issue.

- Furthermore we found that the mobilization capacity and the organization capacity is related to specific networks within the area, and networks with actors outside the PIZ. However, in our study we did not explore this findings in depth. A social actor network analysis could provide more insight how these networks are structured and how different types of networks contribute to the mobilization capacity of an area.
- We acknowledged the weakness of the dyadic model to incorporate political dynamics. Integration of the conflict model with political theories could improve the theory
- We found good support for the institutional openness hypothesis. The institutional openness hypothesis should predict that protest against locally initiated projects is very different from protest against supra-local initiated projects. If we assume that local political mobilization strategies have more impact upon local authorities, we should expect that protesters will try to use local political tactics as a strategy. If on the other hand we assume that political mobilization has less effect upon supra-local authorities, we expect that other protest tactics such as litigation are more used. This might also require different conflict mediation strategies for the different policy levels.

- The use of the mixed method has been fruitful in this design and could be expanded to other research topics. Moreover, the concept of mixed method allows developing innovative combinations of qualitative and quantitative research techniques in urban planning.

- We also suggested to implement forms of ADR. Here too, although the results of ADR have proven merits in the US, research on pilot cases or test cases could evaluate this practice for Flanders. This again, could be done by a form of action research.

XI. Attachments

11.1 Attachment 1: List of in depth interviews

IDI1	17/08/2005	Project manager at the Flemish administration, responsible for the urban policy in Flanders; initiator of the White book urban policy and driving force for the "stadsvernieuwingsprojecten"
IDI2	03/05/2005	Double interview with two collaborators of the cabinet of the Alderman of Ghent, responsible for spatial planning. These collaborators have been involved in the project Ghent Sint-Pieters on behave of the Alderman
IDI3	24/11/2006	Project leader of the Planningscel Antwerpen in charge of the project Spoor Noord
IDI4	08/02/2006	Project collaborator of the Planningscel Antwerpen in charge of the project Spoor Noord
IDI5	22/02/2006	Project leader at the real estate developer Eurostation, responsible for the project Spoor Noord and involved in the *Gent-Sint-Pieters* Project
IDI6	23/02/2006	Interview with the general director of AG Stadsplanning Antwerpen
IDI7	15/01/2007	Academic researcher in urban policy, resident of the railway station area and supporting member of *Buitensporig*
IDI8	22/01/2007	Professor in Public Administration in Ghent, Chairman of the *Klankbordgroep Gent* -Sint-Pieters, expert on participation and Policy making.
IDI9	22/01/2007	President and driving force of *Buitensporig,* professor in Environmental Law, Judge at the *Arbitragehof,* resident of the *Fabiolalaan*, participant of the klankbordgroep.
IDI10	22/01/2007	Head of the department of spatial planning of the city of Ghent; has been involved in the project from the early start as a public officer. Worked before at the Flemish administration Spatial planning, and was in this position also

		involved in the Ghent Sint-Pieters Project
IDI11	07/02/2007	Project manager at real estate developer Eurostation, responsible for the general project management of *Gent-Sint-Pieters*
IDI12	07/02/2007	Head of the department Spatial planning, mobility and public transport of the city of Ghent. Has been involved very closely in the project Ghent Sint-Pieters
IDI13	22/02/2007	Alderman Ghent, responsible for Spatial Planning
IDI14	23/02/2007	Secretary Milieugroep Sint-Pieters-Aaigem, member of Buitensporig, driving force behind protest in the Southern part, resident of the Sint Denijslaan, participant of the *Klankbordgroep;* Teacher.
IDI15	02/06/2007	Collaborator of the Bond Beter Leefmilieu, responsible for spatial planning issues. The Bond Beter Leefmilieu is the largest environmental organization in Flanders. Resident of Ghent. Actively Involved in the protest in Ghent Sint-Pieters. Member of the board of a local environmental organization in Ghent.
IDI16	01/07/2007	President of the environmental organization "Groene Gordel Front".
IDI17	21/07/2007	Member of the nongovernmental organization *Straten Generaal* in Antwerp. *Straten Generaal* aims to implement more participative forms of democracy in environmental policy Political essayist. Leading figure in the protest against the Kievit Project in Antwerp, and the *Oosterweel*verbinding.
IDI18	28/08/2008	Chief communication manager of the "Infohuis *Gent*". Former Journalist. The *infohuis* is responsible for informing the residents on the project *Gent*-Sint-Pieters. It has

		been established in 2007.
IDI19	14/08/2008	Chief communication manager of the "Infohuis *Leuven*" The *infohuis* is responsible for informing the residents on the project Kop Van *Kessel-lo* and the railway station project.
IDI20	05/09/2008	Head of the technical department, *Leuven*, involved in the decision making process of the project Ghent Sint-Pieters
IDI21	21/02/2009	President of the Milieugroep Sint-Pieters-Aaigem, member of Buitensporig, driving force behind protest in the Southern part, resident of the Sint-Denijslaan, professor at the university of Ghent in agricultural engineering
IDI22	07/08/2009	Member of the city council for the Green Party, *Leuven*, main political opponent of the project Kop van *Kessel-lo*
IDI24	19/08/2009	Double interview with the driving members of the Buurtcomité Belle Vue, Residents of the *Martelarenlaan*

All names of the interviewees are anonymous

11.2 Methodological notes on the panel survey

11.2.1 Introduction

In the case of *Gent* and the case of *Leuven*, we organised a panel survey among the residents of the area. The purpose of this panel survey was to gain insight in the knowledge of the project, the motives for protest, protest participation in the past and the individual willingness to protest. Moreover, the results of the panel survey should give more insight in the variability of the level of collective protest in both cases.

11.2.2 Selection of the reference population

The initial reference population of this panel survey are the residents living near the site of the project. But "near" can off course mean many things; it spans a range from "next to" to "located some hundred meters from the project" to "located in the same urban agglomeration". We therefore had to find a pragmatic approach to select our reference population. Since the literature suggests that the felt impact of a project declines with the distance, our task was to set a specific range in which our target population would fall. There were two main considerations for selecting this range: the first was the amount of interviews that could be taken, the second was an assessment of the magnitude of the range that would be necessary to include potential protesters. The amount of interviews was restricted to maximum 300 interviews per site, or 600 in total.

This was derived from a (rather optimistic) calculation of what two job students could achieve in one-month work (15 interviews per day x 20 days of work). For a panel survey to be representative with a confidence level of 95% and a confidence interval at +/-5%, a maximum of 1370 households could be selected as the target population. Furthermore, we assessed rather intuitively that the impact of a railway renewal project would be felt most strongly within a range of 100 meters.

A second pragmatic consideration was to determine the measurement of the distance from a project. Since a project is not a point, but a shape, the distance from a project is not unambiguous. So we decided to measure the orthogonal distance from the project from the borders of the zoning plans (RUP) that were made up for the project. In both cases, they represent the outer borders of the area in which the land use transformation takes place.

11.2.3 Selection of the respondents

The next problem was to obtain a dataset of the population within the area. It was impossible to achieve a full dataset with individual records on households without the permission of the privacy commission. Since the application for a permission would delay the project disproportionally, this was no option. Instead, we obtained a GIS - dataset of addresses coming from the ATLAS streetnet. This dataset contains streets and street numbers for the Flemish region. It was also impossible to gather general social-economic aggregated data on the population. The latest general socio-economic panel survey containing relevant socio-economic data on the level of the neighbourhood – the statistical sectors - dates from 1991 and 2001.

With the ARCVIEW GIS software package we selected addresses within different distances from the project. In *Gent*, the 100m distance resulted in a list of 1068 addresses; in *Leuven* the list contained 1231 house numbers. Form the dataset of addresses; we did not know the number of households living on these addresses. Some of the addresses are not in use for living (for instance shops and offices), and some addresses had more than one household living in (for instance apartments or student houses). Nevertheless, we used this dataset as a base to start from, and we instructed our interviewers to make a reference list based upon these addresses.

11.2.4 Sampling methodology

The sampling methodology had to face a double problem. First, we did not have a complete dataset on the total population. Our database containing street addresses had no information on the actual households living on these addresses and on the functions of the buildings on these street addresses. The most appropriate sampling method therefore was a systematic sample method. In this method, every n^{th} element is selected from the population, with a random starting point. Thus in every street included in the dataset, we selected 1 doorbell on N doorbells, assuming that every doorbell represents one household. In this way, we were also able to adjust at the same time our reference frame. On visual inspection by our interviewers, street addresses with no housing function were left out of the reference frame. Street addresses with more than one doorbell (apartments, student residences) were included in the reference frame. In this way, the reference frame of *Gent* contained 971 doorbells, and the reference frame of *Leuven* had 999 doorbells.

The sample size had to be large enough to achieve a 5% confidence interval with a 95% confidence level. This means that the results have with 95% certainty a chance of having an error of +5 or -5. This confidence level is common for panel surveys. In this way we calculated that the sample of *Gent* should at least have 275 panel surveys, whereas in *Leuven* 278 interviews were needed in order to achieve the confidence levels. In *Leuven* we selected 1 on 4 doorbells, starting from a random number at the beginning of every street. This resulted in a sample list of 284 households. In *Gent*, we selected 1 on 3 doorbells, resulting in a sample of 337 doorbells. The calculations were done by a sample calculation with a correction for a finite population (sample > 0.05xpopulation).

The second sampling problem was to select one individual from each household. We limited our reference frame to individuals older than 18 years. Thus, we had to select an individual older than 18 from one household. In an ideal scenario, within every household, a person should be randomly selected. This was impossible since the lack of a dataset on the individuals within the households. We also assumed that working with selected individuals would result in a very low response, since it would be very hard to contact all the selected individuals, make individual appointments, and do a face-to-face interviews. This was not feasibly for organizational reasons. Thus, we opted to select an individual through convenience sampling. We simply selected the individuals with which first contact was made and who was willing to answer. We assumed that opinions within one household would not diverge too much. Therefore, it is reasonable (1) to speak of an opinion of a household and (2) that this opinion could be expressed by anyone within the household. Off course, this assumption is violated if many respondents do not share there opinions with the other members of the household. So we included in our panel survey a question to ask whether there are large differences in opinion within the household. As shown in the table, more than 95% of the respondents did not think there were large differences in opinions within the household on the project.

Are there differences in this family in the opinion on the project?			
		Gent	*Leuven*
Valid	No	107	119
	Yes	5	8
	Total	112	127
Missing	Missing	12	19
Total		124	100,0

11.2.5 Method of interviewing

All the interviews were taken face-to-face by interviewers. Before the actual interviews, we posted a letter to the selected households with an announcement that they would be contacted by our interviewers for an interview on their opinion on the project (see attachment 1). The interviews were taken as well during day time (9:00-18:00) on weekdays and in the weekends, and in the evening. By spreading attempts to contact the respondents in time, we were able to (1) avoid a selection biases for non-working respondents (2) and to increase the response. The interviews were done by job students and by myself (about 30 interviews). The students received a brief training in interview techniques and on the substance of the project and the panel survey on beforehand. The interviewers were also trained to score the answers given by the respondents, particularly for the questions regarding the information they have on the project. The interviewers were instructed to contact the household with a standardised introduction. They had to interview the person who was willing and able to complete the panel survey. In case the person was willing, but not able at the moment, a new appointment was scheduled with that same person. In case the person was not willing, it was instructed to not persuade the person further. In the case no contact could be made, it was (initially) instructed to reattempt no more than 4 times on different moments.

The interviews in *Leuven* took place during the first half of September 2008. Due to a low response rate, new attempts were made to interview the households in October and September 2008. The interviews in *Gent* took place in the second half of September 2008. New attempts to increase the response were made in October, weekends in December, and February. No interviews were held in January because in that period was impossible to find job students.

Since the interviews were conducted face to face, additional information on viewpoints and opinions was given by the respondents during the interview. An interview took between 15 minutes and 45 minutes to complete, depending on the amount of additional information given by the respondent. Some of the respondents were contacted via email after the panel survey to clarify unusual answers.

11.2.6 Analysis of Non-response

We distinguished on beforehand between different types of response:

R: the interview was completed successfully

NR/W: non response type 1: the interviewer made contact with the respondent, but the respondent refused to cooperate

NR/I: non response type 2: it was impossible for the interviewer to contact a household. This category includes unoccupied addresses, or addresses with no individuals that are able to act as respondents.

NR/U: non response type 3: after more than 3 attempts on different times, no contact had been made with any respondent.

11.2.7 Response in *Gent*

In *Gent*, a total of 117 interviews have been completed, 72 households did not wish to cooperate, in 49 cases it was impossible to contact and 70 cases were unattainable. The gross overall response is only 38%, even after many attempts[162] to decrease the number of the NR/U. Subtracting the NR/I category (49 street addresses) from the population, the net overall response for *Gent* increases to 45%.

There were proportionally more cases in the categories NR/U and NR/I than in *Leuven*. During the interviews, it became clear that in *Gent*, there is a larger proportion of student housing than in *Leuven*. Many houses were subdivided into student accommodations, with many doorbells on one door. This group was very hard to reach on any time. For many doorbells for student residences, it was also unclear whether they were occupied or vacant.

The estimated numbers of NR/I on the total population is 0.159 x 971 = 154. The net population equals then 971-154 = 817 households. The actual confidence range becomes 8% within a 95% confidence level. This means thus that with 95% certainty we can say that the measured proportions are +/- 8% of the actual proportions within the population.

Response in *Gent*	Frequency	Percent	Valid Percent	Cumulative Percent
R	117	38,0	38,0	38,0
NR/W	72	23,4	23,4	61,4
NR/I	49	15,9	15,9	77,3
NR/U	70	22,7	22,7	100,0
Total	308	100,0	100,0	

[162] Extra attempts to increase the response were made during the weekends of 8/11/2008, 05/12/2008, 07/02/2009 and 14/02/2009.

11.2.8 Response in *Leuven*

In *Leuven*, 146 panel surveys were completed, 65 households were not willing to cooperate, 47 households could not be reached after several attempts and on 28 doorbells it was impossible to contact a household. This means that the overall response at first sight is 51,0%. However, the group of NR/I, contains addresses that should be excluded from the reference frame, because they do not represent actual households in the population. Then the actual response increases to 57%.

A fairly larger group (47) of households was unattainable after several attempts. Although we initially thought that 3 attempts would be enough to contact the household, during the interviews, it became clear very soon that more attempts were needed. Moreover, we tried to contact these households as many times as possible. For some of these contacts, there were more than 15 unsuccessful attempts.

Since we did not anticipate such low levels of response, the confidence levels decreased and the confidence range increased. However, as indicated also the population decreased because of the number of NR/I. Extrapolating the proportion of NR/I to the total population, it is estimated that 98 doorbells in the reference frame are not valid. This brings the total estimated population down to 901 households.

With 146 interviews, the panel survey is reliable for the population of 901 households within a 7,5% range and with 95% confidence (with p=0.05).

Response in *Leuven*				
	Frequency	Percent	Valid Percent	Cumulative Percent
R	146	51,0%	51,0	51,0%
NR/W	65	22,7%	22,7	73,8%
NR/I	28	9,8%	8	83,6%
NR/U	47	16,4%	16,4	100,0%
Total	286	100,0	100,0	

11.2.9 Evaluation of the representativeness of the sample

Unfortunately, we are not able to assess the response bias on the panel survey, since we do not have any accurate data on the population frame. The National Institute of Statistics (NIS) only has data on sex, age and household size on the level of the "statistical sector". These statistical sectors do not match the selection of the addresses by the buffers around the project. Furthermore, the data of the NIS only provides information on residents that are domiciled on the addresses. Especially in *Gent*, there is however a large amount of secondary residences, mainly occupied by students.

Nevertheless, to have some tentative indication of the representativeness of our sample, we have compared the data of our sample with the data for the statistical sectors that are most relevant for our selection. For *Leuven*, these are "Blauwput centrum", "*Leuven* Achter Centrale" and "*Belle-Vue*". We left out "Centrale werkplaatsen", "Klein Rijsel" and "Sint Antonius", because too few addresses (addresses are indicated in dots on the map) in these statistical sector belong to the population frame. As shown on figure, the figures of the statistical sectors comprise a much wider area than the area of which the population was selected. For *Gent*, we compared the sample with the aggregated figures from the sectors "Pantijntje, Ganzendries, Station, Aigem and Sint-Pieters Aalst.

11.2.9.1 Evaluation of the samples for sex and age

In , the results for the sample in *Gent* are given. Here, the sample is representative for age distribution and sex for the population. We obtain a p value of 0,62, which means that there is no significant difference between the frequencies in the population and the observed frequencies in the sample. The sample is thus representative for sex and age.

sex	age	popula-tion		ob-served in sam-ple	%	ex-pected	differ-ence
M	20-29	1210	12%	19	17%	14,13	4%
	30-39	1053	11%	9	8%	12,30	-3%
	40-49	748	8%	7	6%	8,74	-2%
	50-59	660	7%	11	10%	7,71	3%
	60+	1030	10%	7	6%	12,03	-4%
F	20-29	1292	13%	14	12%	15,09	-1%
	30-39	838	9%	9	8%	9,79	-1%
	40-49	721	7%	9	8%	8,42	1%
	50-59	700	7%	10	9%	8,18	2%
	60+	1595	16%	20	17%	18,63	1%
		9847		115			0%
N=9847, df=9, chi square = 7,105, p = 0,626							

Table 35: representation of age categories GENT: Source : NIS statistics for the statistical sectors on 31/12/2005

In table 36 the frequencies for gender and age categories for the population as a whole (aggregation of the statistical sectors), the observed frequencies in the sample and the expected frequencies of the sample are given. The column expected frequencies for the sample is calculated on the basis of the proportions in the population.

Sex	age	population	%	observed in sample	%	expected	difference
M	20-29	407	10%	7	5%	14,49	-5%
	30-39	456	11%	9	6%	16,23	-5%
	40-49	358	9%	6	4%	12,74	-5%
	50-59	294	7%	17	12%	10,46	5%
	60-69	154	4%	9	6%	5,48	2%
	70+	238	6%	7	5%	8,47	-1%
F	20-29	513	13%	14	10%	18,26	-3%
	30-39	396	10%	20	14%	14,09	4%
	40-49	356	9%	20	14%	12,67	5%
	50-59	280	7%	13	9%	9,97	2%
	60-69	182	5%	10	7%	6,48	2%
	70+	384	10%	11	8%	13,67	-2%
		4018	100%	143	100%		
N=4018, df=11, Chi square=28,3, p=0,003							

Table 36: representation of age categories Leuven:Source: NIS statistics for the statistical sectors on 31/12/2005

The chi square test is very significant with a p-value of 0.003. This means that the chance that observed differences can be attributed to coincidence is less than 0,3%. Or vice versa, that we can be 99,7% sure that there is a real difference between the frequencies in the sample and the expected. It can be stated that the following groups are underrepresented

- males between 20-49 year and over 70
- women between 20-29 years and over 70
- The following groups are overrepresented
- males between 50-69 years
- females between 30-69 years.

The overrepresentation of women in the *Leuven* panel survey relates to the more traditional household composition in this area than in *Gent*. Since more women from traditional families (two parents and children) stay at home, the chances are higher of selecting a woman during daytime. The underrepresentation of the category 70+ is in line with our experience during the interviews. Most of these people are not interested to cooperate (I'm too old for this) or felt suspicious doing the interview and refused to open the door.

11.2.9.2 Evaluation for household composition

In table 37, the figures for *Gent* are given, where there is also a substantial and significant difference in household composition between the sample and the population.

Household Type	popu la-tion	%	sam ple	%	Ex-pected	differ-ence
single household	3560	55%	40	34%	64,14	-21%
Household with 2-4 members	2757	42%	67	57%	49,67	15%
Household with more than 4 members	177	3%	10	9%	3,19	6%
	6494		117		117	
N=6494, df=2, chi square = 29,7 , p < 0,0001						

Table 37: representation for household type Gent

In Table 38, it can be concluded that there is a significant difference ($p<0.0001$) between the sample and the population in *Leuven*. There is a substantial and significant underrepresentation of single household families. This underrepresentation can be explained by the method of interviewing. Since all interviewers sought contact door-to-door, an interviewer has more chance of finding a person at home when a household has more members. Since the selection of the actual respondent within a household is made by convenience sampling, it is evident that households with more individuals will have a higher response rate.

Household type Household type	popu-lation	%	sa mp le	%	ex-pected	differ-ence
single household	1053	43%	35	24,1%	62,17	18,7%
Household with 2-4 members	1237	50%	86	59,3%	73,03	8,9%
Household with more than 4 members	166	7%	24	16,6%	9,80	9,8%
	2456		145		145,00	
N=2556, df=2, Chi square= 34,74878, p =0,000						

Table 38: representation for household types Leuven

11.2.9.3 Evaluation for housing types

Our experience in doing the interviews is that there is a large difference in response behaviour between apartments and housing. Whereas the number of R for houses is overrepresented, the number of the categories of NR are underrepresented for regular houses. Apartments or flats show an opposite picture. The differences are significant with a p value = 0,008, meaning that there is less than 0,8% chance that the observed frequencies are different by chance.

The reason for this is that apartments mostly have an intercom, and there is no eye-to-eye contact when calling on the doorbell. In this way it is easier to refuse an interview or more difficult to convince the respondent to collaborate. Furthermore, the student population is a very difficult group to reach, even during the evening or in the weekends. This also partly explains why the response rate in *Leuven* is better than in *Gent*. In *Gent* there are proportionally more apartments and student dwellings than in *Leuven*.

Response category		Apartment or house? House	Apartment	Total
R	Count	59	58	117
	Expected Count	44,8	72,2	117,0
	% within response	50,4%	49,6%	100,0%
NR/W	Count	22	50	72
	Expected Count	27,6	44,4	72,0
	% within response	30,6%	69,4%	100,0%
NR/I	Count	14	35	49
	Expected Count	18,8	30,2	49,0
	% within response	28,6%	71,4%	100,0%
NR/U	Count	23	47	70
	Expected Count	26,8	43,2	70,0
	% within response	32,9%	67,1%	100,0%
Tota	Count	118	190	308
	Expected Count	118,0	190,0	308,0
	% within response	38,3%	61,7%	100,0%
N=308, df=3, Chi square = 11,4, p = 0,008				

Table 39: representation for Houses/apartments Gent

		House/Apartment		
		house	apartment	Total
R	Count	131	15	146
	Expected Count	124,8	21,2	146,0
	% within response	89,7%	10,3%	100,0%
NR/W	Count	59	6	65
	Expected Count	55,5	9,5	65,0
	% within response	90,8%	9,2%	100,0%
NR/I	Count	19	5	24
	Expected Count	20,5	3,5	24,0
	% within response	79,2%	20,8%	100,0%
NR/U	Count	32	15	47
	Expected Count	40,2	6,8	47,0
	% within response	68,1%	31,9%	100,0%
Total	Count	241	41	282
	Expected Count	241,0	41,0	282,0
	% within response	85,5%	14,5%	100,0%
N = 241, df=3, Chi square = 15,8, p= 0,001				

Table 40: representation for houses/apartments in Leuven

11.2.9.4 Conclusion

Despite the response bias, we choose not to weigh the panel survey for the different age categories, gender or household composition, mainly because the available figures on the total population themselves are not accurate or representative for the actual population. Furthermore, the respondents acted as representatives for their households, so it is reasonable to assume that age categories and gender do not play a crucial on the different variables in the panel survey.

11.4 Attachment 4: Questionnaire

Voorbehouden voor enquêteur

Initialen enquêteur:

Datum en uur enquête: ____/_____/2008 om ___u _____

Adres enquête: (straat en huisnummer) _____

Noteer hier wie geselecteerd werd voor interview:

Vader	
Moeder	
Kinderen	
Inwonend familielid	
Andere	

RESPONS

- R
- NR/Weigering
- NR/Onmogelijk
- NR/Onbereikbaar

1. Hoelang woont u hier : _____jaar
2. In welk jaar werd u geboren?
3. Geslacht M/V
4. Hoeveel leden telt het gezin? 1 2 3 4 5 6 7 8 9 10
5. Hoeveel kinderen zijn er in het gezin jonger dan 12 jaar?
6. Hoeveel kinderen zijn er in het gezin ouder dan 12 jaar?
7. Wat is de hoogst behaalde opleiding van het gezinshoofd?
   - Geen
   - Lager onderwijs
   - Middelbaar onderwijs
   - Hoger onderwijs KT
   - Hoger onderwijs LT
8. Heeft uw gezin concrete verhuisplannen binnen de komende 3 jaar ?
   - Neen
   - Ja
9. Is deze woonst eigendom van het gezin of wordt ze gehuurd?
   - Huurder
   - Eigenaar
10. In welke mate bent u tevreden of ontevreden over deze buurt? (buurt = deze straat en aanliggende straten)

Zeer tevreden	Eerder tevreden	Noch tevreden noch ontevreden	Eerder ontevreden	Zeer ontevreden

In welke mate zijn de volgende stellingen van toepassing voor U?

11. We hebben veel contacten met andere mensen in de straat

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens

12. De mensen in deze straat kennen elkaar goed

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens

13. Als ik zou verhuizen zou ik vooral de buurt missen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens

14. Als ik zou verhuizen zou ik vooral mijn huis missen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens

15. Als ik zou verhuizen zou ik vooral de mensen uit mijn buurt missen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens

16. In welke mate acht u zich op de hoogte van het project Gent-Sint Pieters?

- ☐ Zeer goed op de hoogte
- ☐ goed op de hoogte
- ☐ matig op de hoogte
- ☐ een beetje op de hoogte
- ☐ nooit van gehoord (einde interview indien respondent geen weet heeft van project)

17. Heeft u informatie over de volgende aspecten van het project ?

Vraag	**G/NG**
1 heeft men u geïnformeerd waar het nieuwe tramstation zal komen? Zo ja, waar?	
2 heeft men u geïnformeerd waar er een nieuwe verbindingsweg komt? Zo ja, waar?	
3 heeft men u geïnformeerd waar er nieuwe bebouwing komt? Zo ja, waar?	
4 heeft men u geïnformeerd welke nieuwe gebouwen er komen langs de Fabiolalaan? Zo ja, welke?	
5 heeft men u geïnformeerd wat er met de bestaande tunnel onder de sporen aan de Voskenslaan zal gebeuren? Zo ja, wat?	
6. heeft men u geïnformeerd tot wanneer de werken vermoedelijk zullen duren? Zo ja, tot wanneer?	
7. heeft men u geïnformeerd waar het nieuwe busstation zal komen? Zo ja, waar?	
8. heeft men u geïnformeerd hoeveel parkeerplaatsen voor wagens zullen er voorzien worden? Zo ja, hoeveel?	

18. Hoe hebt u informatie over het project gekregen (meerdere antwoorden mogelijk)?

Bewonersbrief van het project	
Stadsmagazine	
Via de klankbordgroep	
Contact met het Infopunt	
Hoorzitting / infoavond	
Streekkrant/dagbladen	
Website van het project	
Andere internetwebsites	
Mailings	
Televisie	
Van andere mensen in de buurt	
Werfbezoek	
Werfpanelen of lichtkranten	
Andere	

19. Uit welke bron kreeg u de beste informatie?

bewonersbrief van het project	
Stadsmagazine	
Via de klankbordgroep	
Contact met het Infopunt	
Hoorzitting / infoavond	
Streekkrant/dagbladen	
Website van het project	
Andere internetwebsites	
Mailings	
Televisie	
Van andere mensen in de buurt	
Werfbezoek	
Werfpanelen of lichtkranten	
Andere	

20. Bent u van mening dat uw woonsituatie is veranderd door de huidige werf?
- ☐ Ja
- ☐ Neen, ga naar vraag 22

21. In welke mate is uw woonsituatie veranderd door de werken?

- ☐ Tijdens de werken verbetert mijn situatie sterk
- ☐ Tijdens de werken verbetert mijn situatie een beetje
- ☐ Tijdens de werken verslechtert mijn situatie een beetje
- ☐ Tijdens de werken verslechtert mijn situatie sterk

22. Bent u van mening dat na voltooiing van de werken, uw eigen woonsituatie zal veranderen?

- ☐ Ja
- ☐ Nee, ga naar vraag 24
- ☐ Weet niet, ga naar vraag 24

23. In welke mate zal uw woonsituatie veranderen wanneer de werken gedaan zijn?

- ☐ Door het project verbetert mijn situatie sterk
- ☐ Door dit project verbetert mijn situatie een beetje
- ☐ Door dit project verslechtert mijn situatie een beetje
- ☐ Door dit project verslechtert mijn situatie sterk

In welke mate bent u het eens of oneens met volgende stellingen? U kan antwoorden met helemaal eens, eerder eens, eens noch oneens, eerder oneens of helemaal oneens.

24. Door dit project zal de luchtkwaliteit verbeteren.

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

25. Door dit project zal er minder verkeersveiligheid zijn

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

26. Door het project zal ik mij veiliger op straat voelen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

27. Dit project maakt de buurt te druk

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

28. Het project zal aanleiding geven tot bijkomend lawaai

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

29. Door het project zal er meer ruimte zijn om zich buiten te ontspannen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

30. Door het project zullen er minder verkeersslachtoffers vallen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

31. Door het project zal mijn woning gemakkelijker bereikbaar zijn

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

32. Door het project zal de waarde van de woningen en de gronden in de buurt dalen

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

33. Het project zal deze buurt mooier maken.

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

34. De nieuwe gebouwen passen niet goed bij de bestaande gebouwen in de buurt.

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

35. Het project is een voorbeeld van goede ruimtelijke ordening.

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

36. Wanneer het project af zal zijn, zal ik minder gemakkelijk overal geraken

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

37. Dit project was echt noodzakelijk voor de buurt

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

38. Wij hebben steeds tijdig informatie gekregen over dit project

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

39. De informatie die we over het project kregen van de stad was steeds correct

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

40. Er is voldoende rekening gehouden met de wensen van de bewoners tijdens de uitwerking van het project

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

41. Het stadsbestuur doet over het algemeen goede zaken voor de Gentenaar

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

42. Als er protest is van bewoners, houdt de stad Gent daar meestal rekening mee.

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

43. Het is nu veel te laat om nog iets te wijzigen aan de plannen van het project.

Helemaal eens	Eerder eens	Eens noch oneens	Eerder oneens	Helemaal oneens	Geen idee

44. Hebt u in het verleden geprotesteerd tegen dit project?

- Neen
- Ja

45. Heeft een ander gezinslid geprotesteerd tegen het project?

- Neen, ga naar vraag 47
- Ja

46. Op welke manier heeft u of het gezinslid geprotesteerd?

- ondertekenen van een petitie
- ophangen van een protestpamflet
- deelname aan bewonersvergadering over het project
- deelname aan een demonstratie tegen het project
- sturen van mails of brieven naar het stadsbestuur
- organiseren van protestacties tegen het projecten
- andere.

Zou u op basis van de huidige ervaring met het project:

47. Een petitie van een actiecomité ondertekenen tegen het project?
    - Ja
    - Neen

48. een protestpamflet van een actiecomité ophangen?
    - Ja
    - Neen

49. Deel nemen aan bewonersvergadering van een actiecomité over het project
    - Ja
    - Neen

50. Deel nemen aan een demonstratie van een actiecomité tegen het project
    - Ja
    - Neen

51. Een geschreven klacht zoals brief of mail richten aan het stadsbestuur met betrekking tot de werken?
    - Ja
    - Neen

52. Zelf protestacties organiseren?
    - Ja
    - neen

53. Leven er in dit gezin verschillende opvattingen onder de gezinsleden over dit project?
    - Ja
    - Neen
    - Weet niet

54. Is één van de leden van het gezin actief bij een milieuorganisatie zoals Greenpeace, Natuurpunt, Bond Beter Leefmilieu of andere ?
    - Ja
    - Nee

55. Hebt u ooit al aan protest tegen andere projecten in uw buurt deelgenomen?
    - Ja
    - Nee

56. Zouden we u nog mogen contacteren voor een verder gesprek?
    - Ja zeker
    - Liever niet

57. Mogen wij eventueel uw email-adres?
    _____

11.5 Conflict cases in Flanders

bron	plaats	type project	omschrijving project	Reden van protest
Belga 02102005	Vossem	afval	waterzuiveringstation	tegen inplanting waterzuiveringstation
NB 25022006	Grimbergen	afval	asfaltcentrale	actiecomité is tegen uitbating asfaltcentrale
NB 04052005	Nazareth	energie	windturbines	tegen bouw windturbines
LN 20112004	Tielt	energie	windturbines op industriezone in Tielt	
LN 15062004	Turnhout	industrie	uitbreiding van industriezone Veedijk	tegen uitbreiding Veedijk
LN 156072004	Nijlen	industrie	zone voor KMO's op de bist	tegen zone KMO
LN 05082004	Bornem	industrie	bouwvergunning Inter Shipping / betonbedrijf	tegen verlies natuur
LN 16102004	Rieme	industrie	bedrijventerrein voor zware industrie	
DS 10112004	Kortrijk	industrie	research park in Kortrijk	angst voor producerende bedrijven op RP
GvA 0412 2004	Sint-Katelijne-Waver	industrie	omzetting agrarisch gebied naar industriezone	
LN 19 04 2005	Schorisse	industrie	bedrijf	petitie tegen herstelplaats helikopters op bedrijvencentrum
GvA 21062005	Mol	industrie	uitbreiding bedrijventerrein Berkenbossen	tegen verdwijnen van bosgebied
LN 28072006	Aalst	industrie	aanleg bedrijventerrein Siesegemkouter	tegen komst bedrijventerrein
LN 06092006	Waregem	industrie	uitbreiding vorkheftruckbedrijf Thermote & Vanhalst	uitbreiding, parkeerplaatsen in waardevol landschappelijk gebied
NB 12122006	Sint-Niklaas	industrie	11Ha industrieterreine en +/- 700 woningen	tegen nieuwe industriezone

GvA 09072005	Deurne	infra-structuur	verlenging tramspoor	handelaars tegen verdwijnen parkeerplaatsen
LN 13092005	Hamme	infra-structuur	doortrekking N41	tegen verlening van N41 door Hamme
DS 15092005	Oosten-de	infra-structuur	onderwaterdam en sterkdam ter beveiliging tegen overstroming	?
LN 07042006	Mels-broek	infra-structuur	tegen asfaltering van kasseiweg	actiecomité vreest sluipverkeer
DS 08062006	Doel	infra-structuur	plannen havenuitbreiding	tegen onteigening doel
LN 04072006	Brakel	infra-structuur	gasleiding	tegen gasleiding in habitatge-bied
LN1811 2006	Elewijt	infra-structuur	rooilijnplan	tegen verschuiving rooilijn, waardoor voortuinen verdwijnen
LN 13052005	Izegem	land-bouwfunctie	varkenshouderij	tegen vergunning varkenshou-derij
Belga 20 05 2005	Oosten-de	luchtha-ven	Luchthaven	geluidsoverlast luchthaven
GvA 14062005	Deurne	luchtha-ven	luchthaven Deurne	lawaai
DM 10112005	Zaven-tem	luchtha-ven	uitbatingsvergunning luchthaven	tegen lawaai
LN 04012005	Meise	private woning-bouw	Appartementsgebouw	schaadt het residentiële karakter van buurt
Gva 20012005	Ekster-laer	private woning-bouw	groepswoningbouw 540 woningen	bouwproject 540 woningen maakt buurt onleefbaar
BL 21022005	Diepen-beek	private woning-bouw	groepswoningbouw dubbelwoonst	buurtbewoners tegen dubbele woonst; verkeerd ingelicht
LN 16032005	Lier	private woning-bouw	Appartementsgebouw	beschermd stadsgezicht
LN 01 06 2005	Kontich	private woning-bouw	groepswoningbouw Quater 211 woningen	hoogte gebouwen, watertoets, advies monumenten en landschappen
LN 171220	Merel-*Beke*	private woning-	Appartementsgebouw 24 woningen	tegen appartementen

05		bouw		
LN 040420 06	Drogen-bos	private woning-bouw	woonwijk en rusthuis	actiecomité voor behoudt groene ruimte
LN 070420 06	Erembo-degem	private woning-bouw	appartementsgebouw 209 wooneenheden in oud fabrieksgebouw	hoogte ontwikkeling
LN 240220 04	Keerber-gen	private woning-bouw	1,5 Ha residentiele verkave-ling	Buurtcomité is tegen residentie Berkendael
LN 030520 04	Brugge	recreatie	cinemacomplex aan station	Buurtcomité" eist MER
NB 040520 05	Nazareth	recreatie	motorcrossterrein	tegen aanleg motorcrossterrein
NB 080420 05	*Gent*	recreatie	nachtclub Tijuana	lawaai
GvA	Wille-broek	recreatie	tennisterrein	tennishal grenst aan tuinen
LN 070520 05	Burgge	recreatie	Hotel	buurt Prinsenhof is tegen inrit hotel in woonerf
Gva 040220 06	Deurne	recreatie	bouw topsporthal	actiecomité wil parking bij topsporthal
NB 020720 06	Tongeren	recreatie	land van ooit	tegen komst van park
LN 040820 06	Hofstade	recreatie	uitbreiding BLOSO terrein	Uitbreiding in natuurgebied
LN 050920 06	Tongeren	recreatie	sportcomplex	nieuw voetbalstadium en sporthal
BL 140520 04	Tongeren	retail	bouw colruyt in de Molen-straat	tegen project
NB 280720 04	Vilvoor-de	sociale functie	inplanting Moskee	tegen inplanting moskee
LN 121220 05	Brugge	sociale functie	Campus Hogeschool Brugge-Oostende	tegen komst van nieuwe campus
LN 140720 06	Ranst	sociale functie	seniorencomplex	bouw op speelpleintje
Gva 140320	Nijlen	sociale woning-	Sociale Verkaveling	buurtbewoners zijn tegen onteigening tuin door

05		bouw		verkaveling
NB 15072005	Zingem	tele-communicatie	gsm mast	landschappelijke impact gsm mast
LN 08112006	Deinze	tele-communicatie	gsm mast	tegen bouw van gsm mast in Kouterlosstraat
LN 30092005	Kortrijk	woon-wagenpark	woonwagenpark	tegen komst van woonwagen-park

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