

NIMBY as a self fulfilling construct:

Local opposition in urban regeneration in Flanders

If men define situations as real, they are real in their consequences

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Introduction

In Flanders, urban regeneration projects or strategic urban projects have witnessed a renewed policy attention since the late 90ties. Many cities in Flanders are developing projects on strategic sites such as railway station areas, waterfronts, inner cities, abandoned industrial sites etc, that aim to make cities more attractive for living and working. These projects are mostly developed by public-private and public-public partnerships. The renewed attention is partially the result of a shift towards a more strategic oriented spatial planning policy, and partially because of the new emphasis of the Flemish Urban Policy on the physical aspects of urban development with new policy programmes and subsidies.

The implementation of most of these projects however is problematic. We observed several reasons why most plans are not translated into actions: *collaborative inertia* between project partners, the complexity of the growing legislation and juridical instruments, the technical feasibility and complexity of the project, external macro-economic factors, etc. In this paper we want to focus on disputes with local inhabitants as an important barrier to project implementation. Many projects in Flanders are confronted with increasingly well-organised fierce local opposition, that is typically categorised as NIMBY (Not In My Backyard) protest.

In this article we elaborate the hypothesis that the popular NIMBY-frame on conflicts, shared by project partners in conflict, shapes its own social reality and creates a self fulfilling prophecy. We want to present a rich and contextual description of a case of a land use dispute in Flanders, which was typified as NIMBYism by the some of the actors involved. For the case, 10 in depth semi-structured interview were conducted with key actors. Also written sources were studied such as news papers articles, internal mailings, reports and minutes.

This paper is constructed as follows: first we give a selective review of the literature on the NIMBY concept and its critiques. Next we present an analysis of the case Gent Sint Pieters. Finally we confront existing theories with the analysis of the case.

The NIMBY concept

The acronym NIMBY is probably the most popular and powerful concept to frame conflicts with local inhabitants in land use issues. Another variation on the NIMBY concept is LULU-projects or Locally Unwanted Land Use (Popper 1987). The concept gained academic attention since the 80-ties and originates mostly from US scholars, typically to explain strong local opposition to the siting of social facilities, waste incinerators (Petts 1992), nuclear waste (Benford, Moore, & Williams 1993), power plants (Ducsik 1987), wind turbines, new road infrastructure, Dear defines Nimbyism as the *protectionist attitudes and the oppositional tactics adopted by community groups facing an unwelcome development in their neighbourhood* (Dear.M. 1992). In the same line Hubbard defines Nimby protests as *locally organised campaigns opposing a locally unwanted land use, whether an industrial installation, human service facility or new housing* (Hubbard 2005).

Economists and game theorists explain NIMBY behaviour in terms of social dilemma's (Wolsink 1994). Public goods provide advantages or benefits for society as a whole, but the disadvantages or costs in terms of increased risk, decreasing land prices, pollution, noise, etc are concentrated on the local level. Local residents feel that they are saddled with the negative aspects of something that yields them a low positive return. NIMBYism is thus a mix of public goods and private bads . Under the condition of selfish and strictly rational

economic behaviour, the local residents will either oppose the development or will try to locate it elsewhere. Nimbyism is conceptually related to theoretical concepts of *free ridership* and *the tragedy of commons* : the tendency of under-investments in public goods in a market of egocentric oriented actors. The NIMBY term stems from game-theoretic oriented research in the 70ties, in which siting problems were conceptualised as “multi-person prisoners dilemma” (O'hare 1977). The prisoners dilemma is the typical example where individual rational behaviour produces irrational collective outcomes, and hence a social dilemma.

The causes of NIMBYs have been examined exhaustive, but are inconclusive. Based on a review of empirical evidence, Kraft and Clary (Kraft & Clary 1991) summarise the causes of strong oppositional behaviour, recognised as NIMBY, as a function of 1) the distrust of the project sponsors; (2) limited information about the siting issues; (3) attitudes toward the project that are local and parochial, and which do not consider broader ramifications; (4) an emotional orientation toward the conflict; and (5) a high level of concern about project risks. Freudenberg and Pastor (Freudenberg & Pastor 1992) identify three perspectives in the Nimby literature. The first perspective views NIMBY behaviour in terms of ignorant or irrational behaviour. In this position several authors stress the difference of the real risk or impact of a project and the perceived risk by the public. The second perspective is to view NIMBYism as a selfish and egoistic response of the public. The NIMBY frame suggest an egocentric parochial orientation of those who are confronted with changes in their environment preventing the attainment of societal goals (Lake 1993). The final characterisation of NIMBYism is informed by prudent behaviour of the public. In this more positive view local opposition is seen as based on well-grounded concern about impacts of new developments. However, according to the authors, the later view on NIMBYism only represents a minority view in the literature of the 80ties and the early nineties.

Answers or solutions to NIMBYism have been suggested in terms of compensation (Groothuis & Miller 1994) by those who conceptualise NIMBYism in terms of selfishness and in terms of public education or outreach by those who conceptualise NIMBYism as irrational and emotional behaviour (Matheny & Williams 1985) . If the diagnosis is a misfit between supra-local benefits and local costs, incentive packages and compensations try to alter the individual cost structure of the local residents. The aim is then to find out package deals with local inhabitants trough compensations (in terms of tangible benefits) and or side payments (monetary compensations), in such a way that the local costs of the new infrastructure are compensated. Techniques have been developed to estimate the willingness to accept (WTA) and the willingness to pay for public goods (WTP) of non market goods in order to asses the amount of compensations. Other techniques involve sealed-bid auction mechanisms (Kunreuther & Kleindorfer 1986;Quah & Tan 1998;Raiffa, Richardson, & Metcalfe 2002) or descending auctions. Here providers of unwelcome facilities offer compensations for the siting. Potential candidate receivers are invited to bid for the lowest compensation; the candidate accepting the lowest compensation then wins the bidding. The latter however is only useful if there are indeed alternative sites possible.

The NIMBY concept, and its underlying behavioural assumptions of selfishness and irrationality, also attained a lot of critique over the last 15 years. A first line of critique questions the selfish or self-interested motives as the basis for local opposition. Steelman and Carmin (Steelman & Carmin 1998), in their investigation on local resistance to the siting of a limestone mine on Laurel Mountain, have found that collective interests and community concerns may provide a stronger rationale for sustained opposition, rather than individual interests. The authors define community concerns as common local goods such as natural resources, aesthetic features, and quality of life characteristics ect.

Other studies have questioned the underlying assumption of irrational or ignorant behaviour. According to Luloff etal. (Luloff, Albrecht, & Bourke 1998) in their research on the siting of hazardous and toxic waste some of the supposed selfish arguments can even be fully rational and justifiable and can improve the technical solutions for siting problems. Based on a review of studies of Irwin, Petts and Wynne,(Irwin 1995;Petts 1997;Wynne 1996)

Burningham concludes *that far from being passive vessels which simply need to be filled with more or better information, members of the public are active in weighting up the usefulness and relevance of scientific informations. These studies show that members of the public are able to assimilate even very complex scientific information if they can see practical gains in doing so, and conversely may choose to ignore information if they do not trust those who are giving it or see no advantage in understanding it* (Burningham 2000).

Kraft and Clary (Kraft & Clary 1991) concluded their research of 4 public hearings on the siting of Nuclear Waste in the US, that most propositions about the causes of NIMBYism do not match empirical evidence. Their analysis suggests *that NIMBY is a multidimensional phenomenon that differs from the prevailing construct. These findings weight to our position that understanding of the politics of NIMBY-style public opposition to technological risks requires greater attention to contextual variables.*

Others have argued that the NIMBY language frame acts as a stigmatizing concept, giving power to proponents to justify their position and to marginalise the position of the opposing parties. Burningham therefore (Burningham 2000) urges scholars to analyse the use of NIMBY language, rather than to use it as an explanatory concept.

Lake (Lake 1993) offers a neo-marxist critique on the NIMBY concept, in which the construct of “social benefits” or “public goods” of LULU’s is considered problematic. In his eyes, *LULU’s constitute structurally constrained political solutions to economic problems that privilege the needs of capital.* In the same line Lake argues that *facility siting solutions constitutes a form of state intervention to alleviate economic crisis, where the mode of state intervention is constrained by the relationship of the state to capital.* Also Wolsink (Wolsink 1994) questions the assumptions the construct of “public goods”

Recently, many authors have advocated abandoning the concept completely in the light of the critiques above, its inability to explain local opposition and its indiscriminate use (Burningham 2000; Luloff, Albrecht, & Bourke 1998; Wolsink 1994). They advocate explaining local opposition as a multidimensional issue, in which structural, institutional, historical and contextual factors play an important role. Despite the critique among scholars however, the language of NIMBYism is still persuasive, especially among practitioners, such as urban planners and politicians. Although the strategic project in Gent Sint Pieters is not a typical example of the siting of noxious facilities, on which much of the research on NIMBYism has been based, some parts of the project involve the siting of public goods (new road, new parking, new office developments) that causes local bads.

The case Gent Sint Pieters

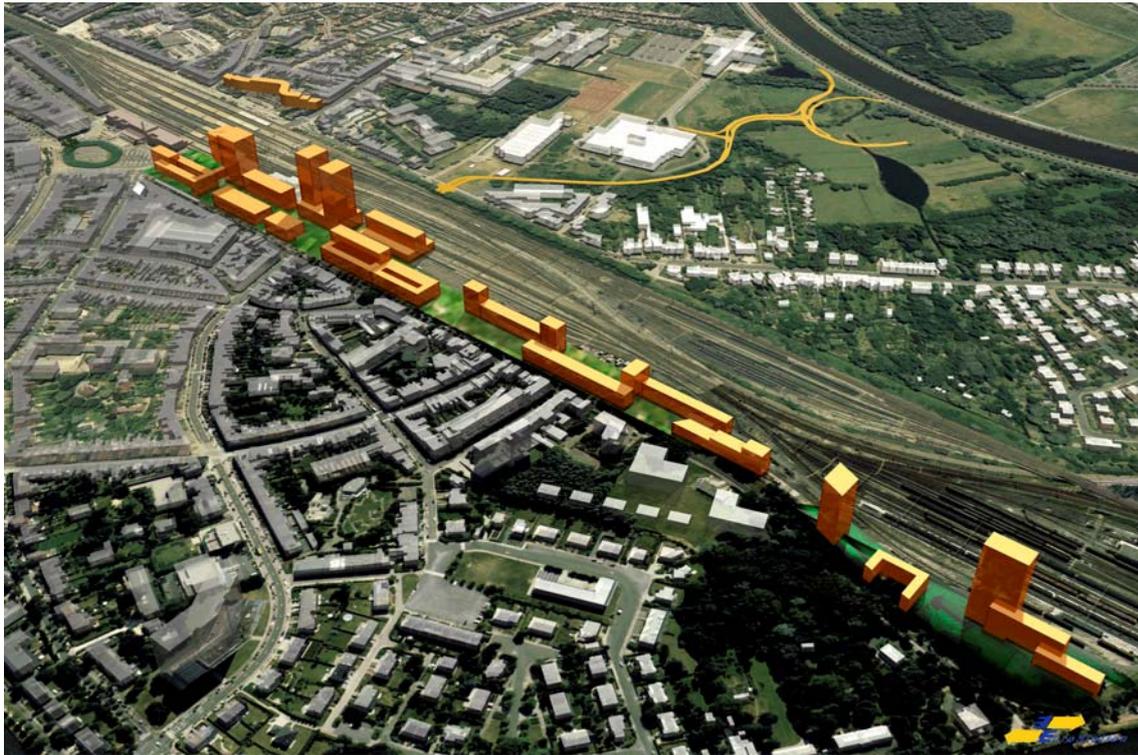


Figure 1: Overview of the project area, source: www.projectgentsintpieters.be

The railway station area in Gent-Sint-Pieters, the most important railway station in Flanders in terms of passengers, is facing a major renewal project in the coming decade. The project consists of three mayor parts. The first part aims to renew the railway station itself, providing a user-friendly integration and connection between the different public transport modes, and a new parking lot for bikes and cars. The second part aims to realise a new road connection to provide a better access to the railway station from the highway in the south. The third part aims to develop 200.000 m² new offices, dwellings and commercial activities along the railway tracks in the direct vicinity of the station. The implementation of this project is at the moment uncertain. The inhabitants of the area and some local and national organisations have, after a year and a half of intensive campaign of opposition, recently decided to go to court in order to block the planning permits of the project. With this lawsuit, the project now risks a serious delay. In the worst case scenario even a complete redesign may be necessary. An effort of almost 10 years of planning and design of a team of more than hundred people, an investment 386 mio euro now faces an uncertain future. How did it come this far?

The negotiation between the project partners

The decision making of the project already started up in 1998, when the city of Gent, the National Railway Company (NMBS), the regional bus and tram transport company 'de Lijn', the Flemish government and Eurostation teamed up to make an urban design for the area. Eurostation is a real-estate developer, founded in 1992 and owned by the national railway company. Its task is to renew railway stations in Belgium, and to valorise the real estate property of the railway company. The foundation of Eurostation has been part of the strategy of the railway company to cut back the enormous debts the company was facing at the end of the 80ties. The national railway company owned a lot of land around the station that could be developed for real estate and had the ambition to double the number of passengers over the coming two decades. It was the railway company and Eurostation who had taken the first initiative for the project. The other partners followed the initiative. The city had the ambition to build a modern railway station area as a new gate to the city, like other cities in Flanders

such as Leuven were successfully doing at that time. The regional transport company “De Lijn” was interested to increase the quality of its transport services, by offering a better tramway and bus accommodation and a better integration with rail transport.

In 1998, after some initial meetings, the partners organised a design competition, resulting in a first masterplan in 1999. This plan set the basic structure of the current development scheme. The designer made a rather ingenious proposal for the renewed railway station, in which the parking for 2000 cars and 5000 bikes and the stops for different transport modes would be integrated in a covered multi-level public square under the existing rail tracks. The design also provided a 290.000 square meter high-rise block development along the Fabiolalaan, an existing road parallel to the railway tracks. It argued the necessity of a new direct road connection between the R4- the outer ring around Gent – and the new car parking. Further it suggested some development strategies to increase the density of the existing urban tissue in the vicinity of the station. The plan however could not convince all the stakeholders. The city for instance, had serious doubts on the volume of the real-estate development and the quality of the public space. Other partners had their doubts on the technical feasibility of the renewal of the railway station.

Between 2000 and early 2002, the planning process did not made a lot of progress. One of the reasons was the lack of political support on different policy levels and the lack of resources among the partners to finance their share in the project. From 2002, the planning process took a renewed start. A new steering committee was installed with the 5 partners (Flemish government, the city of Gent, the National Railway company, the Lijn and Eurostation), this time with the influential mayor Frank Beke as chairman. Also due to the good contacts of the mayor with some Flemish ministers, the group attracted additional financial resources from the Flemish government.

Besides the steering committee, several administrative working committees came into existence. They were responsible for solving the technical, financial and juridical aspects of the project. These technical tasks were indeed immense: not only in terms of design, but also in terms of the juridical procedural aspects. In order to implement the plan, the partners had to make an environmental impact study, in which the impact of every possible alternative had to be studied. They also had to make a new zoning plan, providing the juridical base for the building permits in the next phase of the development. One of the working groups was installed to work out a communication plan. Between 2002 and 2004, the main focus of the planning team was thus aimed at the feasibility –juridical, technical and financial – of the project. It had been a very intensive and daunting task not only to seek acceptable technical solutions, but also to balance the different interests of the different project partners. In the fall of 2003, a new consensus design was made on the basis of the design of 1999 and solutions for several technical and juridical issues were underway.

It was only mid 2004, when the 5 partners signed an agreement which stipulated the specifics of the design, the financial aspects, and the different task and responsibilities of the partners. It could be argued that until the agreement, there was a high degree of uncertainty. None of the partners had made hard binding commitments in the past, and every partner could exit the decision making process at a relative small cost if the project would not meet their interests. But with the signing of the agreement, the partners had allied their interests and sealed their commitments. It seemed that the remainder of the project was a matter of implementation and concise project management. Quod non.

The public awakes

In 2001, two inhabitants of the Fabiolalaan in front of the newly planned high-rise development – by chance - caught a glimpse of the first masterplan. The new high-rise building would throw a huge shadow over their south oriented 19th century house. Shocked by the overwhelming volume of the development, they promptly organised a petition in the neighbourhood and handed it to the city. The city assured that they also opposed the plans – and that no such development would take place. From then on, several inhabitants started to

ask for more information about the project. The partners however decided not to communicate until the feasibility of the project was more certain. At that moment, even the partners were not very sure to what direction the project would go or not go. So they didn't want to disturb anxious citizens. Besides, although the partners had erected a working committee for communication, it was not yet functional at that time. The partners were still quarrelling about the division of the costs for communication. Although the mayor and the alderman warned the partners in 2003 several times for a growing negative attitude among inhabitants, especially the director of the LIJN opposed the idea of hiring a communication manager in this "early phase". According to the minutes of May, 20th, 2003 one of the members of the steering committee formulated this in the following way "*It is premature to communicate at this time, because there is no project, and I don't want to spend pointless money*". The budget for communication was estimated around 250.000 yearly. Over a ten year period, this would mean no more than 0.6% of the total investment costs. It took until March 2004 to decide to hire a communication manager. Her task was to set up an information point in September 2004. Another task was to decide on the logo and the template of the project documents. It took almost one year for the partners to agree on the latter.

The public gets organised

It was in March 2004 that the public was invited for the first time to a public hearing on the environmental impact study. According to the impact study legislation, public hearings are legally required. The public attendance was so overwhelming, that the organising partners had to organise a second hearing. Some of the inhabitants were astonished. Although the city had always communicated that the project was too premature, a detailed and elaborated masterplan was now presented. And some didn't like what they saw.

On a hot summer evening in June 2005, one year later, the parish hall in the neighbourhood was packed with hundreds of inhabitants. Five local environmental pressure groups, active in Gent, had organised a neighbourhood meeting on the plans of the railway station area. Some of the inhabitants were member of the executive committee of these organisations. It was a rather chaotic meeting: lots of people, lots of questions, lots of anxiety, lots of cross-talking. None of the inhabitants seemed to be aware of the upcoming changes in their neighbourhood. At the end of the meeting, the environmental organisations launched a call to set up a neighbourhood committee to coordinate the objections of the neighbourhood and to formulate an alternative to the plans of the project partners. The call was a success: no less than 50 inhabitants signed up to actively think about the future of their neighbourhood. The neighbourhood committee – *buitensporig* - was born. Among them some specialists on the issue and highly educated people: architects, planners, lawyers, public servants, researchers in public administration and a professor in environmental law. The station area is very close to the University of Gent and the neighbourhood is overrepresented by highly educated people. The committee was in a sense also an alliance between existing pressure groups in the neighbourhood and unorganised citizens. But for reasons of strategy, these existing pressure groups have presented themselves always to the outer world as independent from the committee.

The counter proposal

In the next months *Buitensporig* made a platform text, representing the main objections on the city plans. The committee installed two subcommittees: one for mobility, one for urban design. The inhabitants opposed the high-rise development along the Fabiolalaan for reasons of lights, views and scale. They also opposed the new road connection. The only possible route for the new connection crossed a protected natural area, *the Schoonmeersen*. Remarkably, a proposal a few years before to extend a tramway in this area, had been opposed fiercely by the city on the grounds of the natural values of the area. The Alderman had stated on a public hearing in 1999 on the tramway:

“I remember that we (the city and an environmental organisation) fought together to protect the Vosservaat and the Schoonmeersen in the past. In life, one has to choose. The prolongation of the tramway ... will pass this area. We choose not to do so. It's a matter of vision.”

The inhabitants also feared that the new road, with its direct link to the highway, would attract additional non-local traffic in the neighbourhood. The connection could indeed be used as a shortcut to the centre of the city, coming from the highway. Also the capacity of the new car-parking and the parking for bikes was contested: the first because of its overcapacity, the latter for its undercapacity. The proposal of the neighbourhood committee advocated a better public transport system to reach the railway station, in which several recently closed down peripheral railway stations should be reopened. They also demanded a 50% reduction of the development along the Fabiolalaan, with lower heights. As for the railway station itself, they were in favour of a modernisation as planned by the city, but advocated more space for bike parking. Finally, they opposed the car parking. Without such a huge car parking the new road connection would also become needless. An important objection to the general scheme was the fact that with the new connection road and the new car parking, the levels of emissions of fine particles would locally increase. It would increase the air pollution in an already polluted neighbourhood. The committee argued that their alternative plan would not.

The neighbourhood tactics

Meanwhile the neighbourhood committee tried to increase its influence on the decision making process in different ways. One subgroup was in charge of doing lobbywork among politicians. The local elections were coming up in 2006, and the political parties were already starting up their pre-campaign. The committee hoped to make the railway station renewal plans a major theme for the elections. So the lobby group especially focused its attention on the political opposition: the Christian democrats and the smaller Green party. In spite of its limited political power, the support from the latter was very important. The current majority of socialists and liberals had witnessed a loss of votes in the previous national elections. According to the polls, the coalition faced an uncertain future for the coming elections and they could lose their majority. In this case, the most probable scenario would be that liberals, socialists and the green party would have to make a tripartite coalition to keep the power. If the green party supported the ideas of the committee, which they did, it could force the other parties to reconsider the plans in the railway station area in the coalition negotiation. Another factor was that the main candidate for the green party in Gent was also the chair of the national green party, and a former minister in the Flemish government. She was a very influential person who could bring the issues of the railway station redevelopment under debate in the Flemish parliament.

The use of the press was a second instrument to influence public opinion and political strategies. The neighbourhood committee made several press releases on the project for local and national newspapers. The timing of these releases was carefully considered.

The third strategy was a cautious preparation for a juridical attack on the legality of the procedures and legal instruments that were used by the city and its partners. The committee surely had the capacity to do this, with a professor on environmental law in its ranks and specialists in urban planning. It also had good connections to national and global environmental pressure groups who have specialised staff in environmental legislation. It also had good contacts with public servants in the Flemish administration, specialised in environmental impact studies. And they had good contacts with the Flemish advisory panel on spatial planning (VLACORO), that legally had to give a (non-binding) advice on the plan to the Flemish government.

The mediation process

Tensions increased at the end of 2005. More and more, the city and its partners started to realise that the committee was becoming a potential threatening factor for the project. The juridical and procedural complexity of the projects was not to be underestimated; the

legislation itself was also in constant evolution and there was no previous experience with some of the procedures. The risk of making mistakes was real and they knew that every move was constantly watched and monitored by the experts of the committee and the environmental organisations. In the previous months they already had taken formal steps to block the decision making process. The neighbourhood committee wanted the city and its partners to listen to their counterproposal.

The city and its partners now faced a difficult dilemma. Almost 7 years of hard and intensive work had finally led to a compromise between the different project partners on the design and the finances of the plan. The compromise was fragile in a way; it had taken a lot of political will to close it. Opening up the decision making process to new partners with different demands would shaken up the compromise, and would open difficult and unpredictable renegotiations. Direct participation from the inhabitants would also put the partners in a very weak position. If they opened up all the information to the inhabitants, it could be used against them later in court. Another objection was the argument that the committee was not a representative voice for all the inhabitants. According to a press article, the Alderman had declared that the committee was infiltrated by green extremists, and only represented a minority position. On the other hand, the city could not neglect the committee. If they would not communicate, the chance on a lawsuit and an enormous delay was becoming very real.

So the city sought a compromise. They refused to allow the committee to participate the steering committee of the project. Instead, they erected a new communication body: the feed-back group. The city invited not only the committee *buitensporig* to the feed-back group, but also other non governmental organisations that could have a stake in the project. The feed-back group was chaired by a neutral expert – a professor in public administration. The feed-back group certainly was a strategic move from the city for several reasons. First, it would ward off the accusation of being not transparent and non-communicative. Secondly, if the committee was just one of the members of the feed-back group among other stakeholders, this could neutralise their extremist position. Third, the project partners hoped it would stop the committee from further litigation. The committee accepted the proposal – they couldn't refuse the offer – but stayed very sceptical about its potential benefits.

The feed-back group had monthly meetings from the second half of 2006. In the first phase, it focused on the exchange of information between the different parties. The city took the feed-back group seriously. It was always present with the top of the administration and the political key-figures. Its strategy in the feed-back group was mainly based on arguing the decisions made by the project partners. The city believed that through rational reasoning and additional accurate information, the members would alter their viewpoint on the project. It was a strategy of convincing. However, convincing proved not to be very effective. The representative members of the neighbourhood committee knew the arguments of the city and its partners already fairly well. Over the last year they had studied every possible public document on the project in detail. They had acquired additional information from various sources such as specialists, politicians, friendly organisations etc. It was clear that their opposition was not based on ignorant behaviour and that additional education would not solve the problem.

A stalemate in the running

Nobody exactly knew what to expect from the feed-back group. Protagonist and antagonist were talking. But at the same time, none of the partners was altering its viewpoints or strategies. From the beginning, the city stated clearly that the basic elements - the connection, the development along the Fabiolalaan and the parking - were not under discussion. The partners also tried to keep up the tight planning of the project as it was, so they were operating under a certain time-pressure. The project partners would only allow some changes at the margins.

On the other hand, the members of the neighbourhood committee were not impressed by the argumentation of the city. They didn't trust some of the experts the city hired, and they felt that their proposals were not treated seriously. They felt the feed-back group was a strategy of cooptation from the project partners. The invitation from the city for the feed-back group certainly did not stop their intentions to go to court. "*We negotiate and we litigate at the same time*", the spokesman of the committee said. Indeed, the bargaining strength of the committee is a function of the chance of winning a lawsuit. One problem by the way for both parties in conflict is that they don't know exactly what their bargaining strength is. Nobody knows how the court will judge. According to the city the lawsuit has a maximum a 10% chance in succeeding, according to the spokesman of the committee 80%.

After all, the feed-back group could also initiate some positive changes. Some of the members – other than the neighbourhood committees – appreciated the thorough work the project partners had undertaken over the last few years. For some groups, the plan gained public support. The project partners also acknowledged that, despite years of study, the design still had some considerable flaws. Some aspects needed better solutions: the capacity of the bike parking for instance, or the circulation patterns of the different modes of transport. However, the feed-back group was not able to solve the conflict with the neighbourhood committee. Very recently, leading members of the committee launched a bombardment of different lawsuits. No need to say that the atmosphere has deteriorated since then.

Discussion on “Nimby” as a conflict frame

The use of the “NIMBY” concept carries powerful conflict frames. Frames are defined as cognitive devices that shape, focus, organise the world around us (Lewicki, Gray, & Elliott 2002). Lewicki Gray and Elliot have identified three main generic frames in environmental disputes that are important to understand conflict dynamics: *identity frames*, *characterisation frames* and *conflict management frames*. Identity frames about the social identity of a party in dispute; characterisation frames are about beliefs that parties have over other parties in the dispute and *conflict management frames* finally are about the disputants preferable ways of settlement or management of the dispute. Frames inform the different parties behaviour in a conflict and play an important role in conflict escalation dynamics.

The NIMBY concept, as a mental construct, shapes these different frames in a very specific and recognisable way. It is what (Lewicki, Gray, & Elliott 2002) Lewicki et al have identified as a Whole Story Frame, or an encapsulated summary of what they believe the conflict is about . The NIMBY concept frames the initiators (identity frame) of the project as those who legitimate act in the general public interest and are allowed to make local sacrifices in return of the provision of public goods. It frames opposition as selfish, ignorant or irrational behaviour and it proposes conflict management techniques (conflict management frames) by outreach and education (in case of ignorant behaviour) or by compensations (in case of selfish motives), that alter the cost structure of the opponents.

There are several indications that most project partners share this frame. The head of the railway company, officers from the planning department of the city literally described the neighbourhood committee as NIMBYS. For instance, the head of the railway company commented on the local opposition in a national newspaper (2007):

“The action committee suffers from a nimby-syndrome – not in my backyard. We loose a lot of time because people out of selfish motives try to block the project that is very important for the city and for public transport”. In an interview an officer from department urban planning of the city refers to one of the leaders of the action committee as *“He is a typical example of the NIMBY reflex”*.

All the project partners also stress the supra-local importance of the project, implying that their actions are in the general public interest while the demands from the neighbourhood committee are only (inferior) local interest. The decreasing air quality in the neighbourhood is according to them a rightful sacrifice for the net gain of air quality in Flanders. Therefore,

local inhabitants are not considered as the (only) legitimate partners in the decision making process over their direct environment. A leading officer of the planning department puts it this way:

“We shouldn’t discuss this project with the neighbourhood committee. With whom then can we discuss about the project? The inhabitants of Ghent and by extension all inhabitants in Flanders”.

Or the alderman *“We should take care. This is a Flemish project. you can not only discuss it with local inhabitants. I really want to listen to their concerns, but at the end they are not the alderman, I am.”*

But the Nimby frame was not only present when the conflict came into existence. From the early phases of the project, the project partners have anticipated on expected NIMBY behaviour. The minutes of the steering committee show that the project partners only wanted to communicate to the general public when all commitments were taken and when all technical, financial and juridical difficulties were solved. The obviously didn’t want to leave room for attacks from local inhabitants on the project. The plan had to be waterproof before it could be released. It is this identity and characterisation frame that has determined the proposed conflict management strategy of the project partners. The purpose of the erected feedback group was according to the Alderman first to give information and education to the local inhabitants (outreach strategy to counter ignorant behaviour) and according to a leading planning officer to make deals with local inhabitants to change their internal cost-benefit structure (negotiation strategy).

The members of the steering committee hold a different frame on the conflict. They describe themselves (identity frame) as concerned and engaged citizens. One of the leaders of the committee stated that their mission is not to tackle the project but *to make a better project in his backyard*. In their perception, they are not defending local parochial interest, but larger public values, such as general air and noise quality norms, ecological values and urban spatial quality and democratic urban governance. Member of the committee stress the importance of their values instead over their interests when explaining their motives. Their characterisation frame of the project partners on the other hand is one of undemocratic and unreliable corporatist elite decision makers, that take decisions over the heads of the inhabitants. The members believe that they are not receiving all relevant information, do not trust the information given by the authorities or think crucial information is manipulated, and do not trust commitments of politicians. Their strategy (conflict management frame) is one of increasing their BATNA or bargaining strength by mobilizing inhabitants and friendly politicians and organisations, making coalitions, gathering counterfactual information, elaborating counter proposals, to make juridical threats and evoking public debate trough the press.

These two distinct frames are the main drivers for the escalation of the conflict. On the one hand, the project partners try to anticipate “nimby” behaviour by prudent and careful communication and by not allowing local inhabitants to put their parochial agenda in the decision making process. This triggers and reinforces the characterisation frame held by the neighbourhood committee and increases their motivation to mobilise opposition. Since the project partners frame opposition as NIMBY, this acts as a self fulfilling prophecy: the project partners anticipated to expected NIMBYism by strategies that on their turn created fierce local opposition. This pattern of self fulfilling prophecies could be explained by two psychological concepts: selective perception and attributional distortion. Selective perception is a well known cognitive bias in psychology. Once parties have expectations about the other side, they tend to notice the behaviour that fits these expectations. But this tendency to make observations that fit their preconceptions simply makes those preconceptions stronger. As a result, the actions of distrusted parties are seen as threatening, even when their actions are ambiguous. There is a tendency to misinterpret their behaviour, and to give them little benefit of the doubt. This may give rise to fear and defensive escalation. This process of selective

perception is further enforced by attributional distortion. Once one party has formed preconceptions about the other, any information that supports this hypothesis will be attributed to the opposing side's basic disposition. Any observations that do not fit their expectations, will be attributed to situational causes or regarded as a fluke. As a result, there is almost nothing that the opponent can do to dispel the party's negative expectations. These negative evaluations allow parties to rationalize their own hostile behaviour, which simply intensifies the conflict.

Conclusion

In the Case of Gent Sint Pieters we gave a detailed account on how a dispute over a land use issue originates and escalates. The case shows that rational choice theories of NIMBYism alone are not well equipped to explain local opposition. Conflicts and local opposition is in this case not a static conflict of selfish interest nor a problem of public ignorance. It originates, evolves and escalates through a subtle and complex interaction pattern between different parties that define the conflict through different frames. Although there is now a wide academic acceptance of the shortcomings of the theory of NIMBYism, public actors and politicians in this case used it as a mental frame and anticipate their strategies to expected NIMBYism. This in its turn creates a self fulfilling prophecy. This may suggest that conventional techniques of conflict mediation such as compensations are not always adequate or efficient means to deal with local opposition. It calls attention for a more process-oriented approach to conflict management and resolution techniques.

References

- Mondige burgers worden lastpakken. De Standaard . 19-5-2007.*
Ref Type: Newspaper
- Benford, R. D., Moore, H. A., & Williams, J. A. 1993, "In Whose Backyard - Concern About Siting A Nuclear Waste Facility", *Sociological Inquiry*, vol. 63, no. 1, pp. 30-48.
- Burningham, K. 2000, "Using the language of NIMBY: a topic for research, not an activity for researchers", *Local Environment*, vol. 5, no. 1, pp. 55-67.
- Dear.M. 1992, "Understanding and overcoming the NIMBY syndrome", *Journal of the American Planning Association*, vol. 58, no. 3, pp. 288-302.
- Ducsik, D. 1987, "Citizen participation in power plant siting: Alladin's lamp for Pandora's box?," in *Resolving Locational Conflict*, R. Lake, ed., Rutgers center for Urban Policy research, New Brunswick.
- Freudenberg, W. & Pastor, S. 1992, "NIMBY's and LULU's, stalking the syndromes", *Journal of Social Issues*, vol. 48, no. 4, pp. 39-61.
- Groothuis, P. A. & Miller, G. 1994, "Locating Hazardous Waste Facilities: The Influence of NIMBY Beliefs", *American Journal of Economics and Sociology*, vol. 53, no. 3, pp. 335-346.
- Hubbard, P. 2005, "Accommodating otherness: anti-asylum centre protest and the maintenance of white privilege", *Transactions of the Institute of British Geographers*, vol. 30, no. 1, pp. 52-65.
- Irwin, A. 1995, *Citizen Science, a study of people, expertise and Sustainable development* Routledge, London.
- Kraft, M. E. & Clary, B. B. 1991, "Citizen Participation and the Nimby Syndrome: Public Response to Radioactive Waste Disposal", *The Western Political Quarterly*, vol. 44, no. 2, pp. 299-328.
- Kunreuther, H. & Kleindorfer, P. R. 1986, "A Sealed-Bid Auction Mechanism for Siting Noxious Facilities", *The American economic review*, vol. 76, no. 2, pp. 295-299.
- Lake, R. 1993, "Rethinking Nimby", *Journal of the American Planning Association*, vol. 59, no. 1, pp. 87-93.
- Lewicki, R. J., Gray, B., & Elliott, M. 2002, *Making sense of intractable environmental conflicts frames and cases* Island Press, Washington, D.C.
- Luloff, A. E., Albrecht, S. L., & Bourke, L. 1998, "NIMBY and the hazardous and toxic waste siting dilemma: The need for concept clarification", *Society & Natural Resources*, vol. 11, no. 1, pp. 81-89.
- Matheny, A. R. & Williams, B. A. 1985, "Knowledge Vs. NIMBY: Assessing Florida's Strategy for siting Hazardous Waste Disposal Facilities", *Policy studies journal*, vol. 14, pp. 70-80.
- O'hare, M. 1977, "Not on my block you don't: facility siting and the strategic importance of compensation", *Public Policy*, vol. 25, no. 4, pp. 407-458.
- Petts, J. 1992, "Incineration risk perceptions and public concern: experience in the UK improving risk communication", *Waste Management and research*, vol. 10, no. 2, pp. 169-182.
- Petts, J. 1997, "The public-expert interface in local waste management decisions, expertise, credibility and process", *Public Understanding of Science*, vol. 6, pp. 359-381.
- Popper 1987, "The environmentalist and the LULU", *Environment*, vol. 27, no. 2, pp. 7-40.

Coppens, Tom, Nimby as a self fulfilling construct, 43nd ISOCARP Congress 2007

Quah, E. & Tan, K. C. 1998, "The siting problem of NIMBY facilities: cost-benefit analysis and auction mechanisms", *Environment and Planning C-Government and Policy*, vol. 16, no. 3, pp. 255-264.

Raiffa, H., Richardson, J., & Metcalfe, D. 2002, *Negotiation analysis the science and art of collaborative decision making* Belknap Press of Harvard University Press, Cambridge, Mass.

Steelman, T. A. & Carmin, J. 1998, "Common property, collective interests, and community opposition to locally unwanted land uses", *Society & Natural Resources*, vol. 11, no. 5, pp. 485-504.

Wolsink, M. 1994, "Entanglement of interest and motives: assumptions behind the nimby theory on facility siting", *urban studies*, vol. 31, no. 6, pp. 851-867.

Wynne, B. 1996, "Misunderstood misunderstandings, social identifies and public uptake of science," in *Misunderstanding science? The public reconstruction of science and technology*, A. Irwin & B. Wynne, eds., Cambridge University Press, Cambridge, pp. 19-46.