

Introduction  
Environmental Conflicts and Legal Disputes  
Across Media Discourse

The study of legal discourse from discourse analytical as well as linguistic and translational perspectives has experienced a boom in recent years, which is reflected in the publication of a considerable number of books, journals, and conferences and other events. A possible reason for the rise in interest is that legal discourse provides a remarkable and central example of how states intend to influence the life and thinking of its citizens. Statutes present normative preferences and value statements by governments and parliaments. Court decisions and the argumentative documents which support such decisions explicitly ‘translate’ shared norms and values into concrete instances and situations. Discussions and debate over legal norms, values and decisions by the civil society and individual citizens are great avenues for insight into not only linguistic and textual interaction and argumentation mechanisms, but also societal positions and discursal power struggles.<sup>1</sup>

Due to these characteristics, in the present special issue we have chosen to focus upon what environmental questions look like, when they enter the legal sphere. Our interest, however, is not legal. We are interested in the process of the environment getting into the legal sphere via conflicts over environmental questions in an epoch of public awareness and engagement. Hence, law is the communicative and discursal venue more than the topic of the works collected here. Instead, conflict and its representation in media discourse are central concepts.<sup>2</sup>

In its broadest meaning, conflict refers to situations where two or more parties seek to undermine each other because they have incompatible views, competing interests, or fundamentally different values.<sup>3</sup> In this sense, conflict is part of everyday life, which may in time become a state of hostility between groups and people and eventually lead to a legal dispute. In this context, the media representation of the conflicts and of the different positions from which the conflicts are built has an

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<sup>1</sup> See, among the others, Maarten Hajer and Wytse Versteeg, “A Decade of Discourse Analysis of Environmental Politics: Achievements, Challenges, Perspectives”, *Journal of Environmental Policy & Planning*, 7.3 (2005), and Roger Sidaway, *Resolving Environmental Disputes: From Conflict to Consensus* (London: Earthscan, 2005).

<sup>2</sup> Elizabeth Thompson and Peter R. R. White, eds., *Communicating Conflict: Multilingual Case Studies of the News Media* (London: Continuum, 2008).

<sup>3</sup> Mona Baker, *Translation and Conflict: A Narrative Account* (New York: Routledge, 2006).

overwhelming influence upon how the conflicts develop and whether they actually end up entering the legal sphere.

Media discourse has gained a central role in the information and participation of citizens in the evaluation of environmental risks, conflict and legal disputes.<sup>4</sup> Institutions and experts working within those institutions increasingly use new media to communicate and disseminate up-to-date environmental legislation and terminology, in order to actually avoid conflicts and disputes entering the legal sphere.<sup>5</sup> In this case, new media discourse offers a space for the dissemination of highly specialised discourse with ordinary lay people, who are far removed from the judicial system. Here, the topic of media discourse, environmental conflict and the legal sphere touches upon the field of popularization of law and legal institutions.<sup>6</sup> On the other side, thanks to new media, citizens have arguably become more inclined to share their opinions and participate in media discussions about public policy-making and new legislation.<sup>7</sup> Single citizens and vocal movements have also exploited the power of media to discuss legislation and offer a cross-cultural interpretation of legal distinctions and definitions within a host country. Thus, as noted above, choosing media discourse as the domain for legal discourse studies represents a door for the understanding of the positions and struggles going on in civil society at different points in space and time.

The special issue consists of eleven articles, divided into four interrelated sections, which study a number of poignant contemporary issues related to environmental legal disputes around the world and their representation in old and new media. The articles offer stimulating interdisciplinary discursive perspectives on specific case studies related to the dissemination and popularization in different countries of media responses to the disputes connected to mega industrial projects and environmental risk (coal mining, pipelines, fog), water pollution and plastic waste, climate change denial, environmental legislation and environmental policy. From a methodological point of view, we must acknowledge that the majority of authors have built a significant corpus, specifically compiled, for the analysis of their selected case study. Besides, they draw from a number of integrated methodological tools, which range from Corpus Linguistics to Genre Analysis, from Media Discourse to Critical Discourse Analysis and the Appraisal Framework. The domains of analysis range from media such as the printed press and television broadcast news to the Internet and online e-petitions, key-quotes, summaries, press-releases and blogs. All the papers address questions of media representation and power in regard to environmental legal issues.

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<sup>4</sup> Jan Engberg et al., *Popularization and Knowledge Mediation in the Law / Popularisierung und Wissensvermittlung im Recht* (Münster: LIT Verlag, 2018); Katherine E. Russo, *The Evaluation of Risk in Institutional and Newspaper Discourse: The Case of Climate Change and Migration* (Napoli: Editoriale Scientifica, 2018).

<sup>5</sup> Norman Fairclough, *Media Discourse* (London: Hodder Education, 1995), 77.

<sup>6</sup> Engberg et al., *Popularization and Knowledge Mediation*.

<sup>7</sup> Thompson and White, *Communicating Conflict*.

We decided to dedicate Part 1 to ‘Earth: Indigenous Environmental Justice’, which has, in the last decades, been increasingly addressed by international tribunals and courts. The legal campaigns selected here cover two remote British ex-colonies, Australia and Canada, and the disputes compiled by its respective Indigenous Peoples, who are actively protesting against the further scarring of the land, endangering water and air quality. In “‘Stop Adani’: Mining Conflicts and Legal Discourse in Australian Media Discourse”, Katherine E. Russo focuses on the evaluation of mining and climate change risks by analysing an opportunistic corpus to represent the Stop Adani legal network campaign. She discusses the ways in which the scientific and Indigenous Australian peoples perspective on climate change is re-evaluated in blogs and newspaper discourses. On the other hand, in Canada, as Maria Cristina Nisco underlines, the Grassy Narrows Community in north-western Ontario is one of the most toxic of the country. In her study of a corpus of news reports dealing with severe mercury poisoning due to the pollution of the Wabigoon River by the Reed Paper chemical plant, she argues that the newspapers under analysis tend to downsize the devastating consequences on the First Nations by rendering them almost invisible. A second Canadian environmental dispute is investigated in “Land Rights in Mediatized Indigenous Legal Discourse” by Anna Mongibello. It involves the provincial government of Alberta, the federal government of Canada and the First Nations over the Kinder Morgan pipeline expansion. The article examines the mediatization of Indigenous Law by analysing two corpora of news reports taken from two popular online information platforms (CBC.ca and APTN.ca). The corpus-based critical discourse analysis conducted on the data shows that in the news reports covering the pipeline expansion, legal knowledge is recontextualised strategically by means of lexical and semantic choices, in order to frame the legal dispute and circulate ideological positionings.

Part 2, “Water and Plastic Narratives”, takes us to the Balkan Peninsula in Southeast Europe where multilateral development banks have invested massively in the field of hydroelectricity. Such funding, as Bronwen Hughes points out in her transitivity analysis of press releases, has called into play two antagonistic factions with diametrically opposed ideas: on the one hand the local governments needful of economic gain and international visibility, on the other the local populations bolstered by international environmental organizations, who are well aware of the damage such investments can bring about. The following two articles engage in popular responses, even if from different perspectives, to plastic pollution. Antonella Napolitano concentrates on the Lightweight Plastic Bags Ban in Australia examining the recontextualisation of the environmental and legal issue of the single-use plastic bags ban in a collection of articles published by two of the major Australian online news outlets in 2017 and 2018 and the comments they generated. Instead, Maria Cristina Aiezza analyses a corpus collecting a selection of online petitions against unnecessary plastic usage published on the British version of one of the most popular e-petitioning platforms (*Change.org*), in order to uncover,

by integrating discourse and genre analysis perspectives, the recurring strategies exploited by petitioners to gain support for their environmental causes.

Part 3 “Legislation and Environmental Policy” opens with Antonio Fruttaldo’s article centred on the way the Great Smog of London was represented in the English press. By adopting a methodological approach that employs the appraisal systems of attitude and engagement, the study reveals how the event was discursively constructed as a deviation phenomenon, leading to the drafting and passing of the 1956 *Clean Air Act* by the UK Parliament. The author additionally analyses the Act itself in order to emphasise the linguistic processes that relate legal language to societal priorities and concerns. The following paper, by Margaret Rasulo, examines climate change denial theories and their impact on the public’s general understanding of anthropogenic causes of global warming and other environmental risks. Specifically, by drawing on data retrieved from a Canada based online counter-denial blog, the study explores the extent to which power structures such as large corporations, think tanks and political leaders rely on the discursive construction of denial strategies in North America to influence and weaken political resolve towards reinforcing climate change policies. In the meantime, in Canada, there is an ongoing lively parliamentary debate on Environment, as Federico Pio Gentile’s article points out. Gentile brings to the fore the Canadian *Environmental Assessment Act*, comparing the linguistic changes in the original 1992 version and the more recent 2012 one. He then discusses the linguistic implicatures of the environmental projects published online undergoing mediating revision before the formal approval.

The last Part “Popularizing Environmental Disputes” includes two articles expanding on the popularization of environmental issues by focussing specifically on the European Union and on the Council of Europe. Without doubt, as Stefania D’Avanzo writes in her article, environment is one of the top priorities of the European Union. She studies popularisation strategies in a corpus of Summaries of EU legislation on environmental issues. After analysing the commitment by the EU towards these issues via an analysis of the contextual features of the word ‘environment’ in the corpus under scrutiny, D’Avanzo compares the summaries with their source legal texts to single out the strategies employed to ‘reformulate’ legal concepts for a wider audience. The final paper of this special issue, “Human Rights Discourse and the Environment. Empowering Young Generations through Old and New Media” by Sole Alba Zollo, is based on the assumption that environmental protection is a fundamental human right. By using different media from the European Union’s and the Council of Europe’s websites, Zollo’s analysis detects the main verbal and visual discursive strategies of knowledge communication and dissemination in order to communicate the legal discourse on environmental protection and human rights to non-specialists with the aim of developing an eco-friendly consciousness, especially among the younger generations.

The lively debate on environmental legal disputes across media explored in this special issue will hopefully lead to further investigation on environmental risk and on climate change.