

Stop Adani:  
Risk Communication and Legal Mining Conflicts  
in Australian Media Discourse

**Abstract:** The evaluation of environmental risk often leads to conflict and legal disputes. Legal verdicts and actions are in turn mediated by news media, which call lay people to think about them either as active participants or interested observers. During the last decade, new media have intensified their role as a channel for the communication of legal discourse regarding environmental risk and conflict. The spreading of news across ‘genre chains’, is central to the present study on the evaluation of mining legal disputes and climate change risks in new media. The article provides an analysis of the recontextualisation and appraisal of legal discourse in a media genre chain regarding the Stop Adani legal action campaign network against the instalment of a coal megamine in central Queensland. The analysis was carried out by analysing a corpus (2014-2018), specifically compiled to represent different interrelated discourse genres. The data is analyzed according to an approach which draws upon findings in Critical Discourse Analysis, Appraisal Linguistics, and Corpus Linguistics. Accordingly, it situates quantitative analysis and qualitative analysis within a wider analytical framework which includes extra-linguistic social variables.

Keywords: *environmental legal discourse, risk communication, climate change discourse, news discourse*

## 1. Introduction

In 2016, Indigenous Australian leaders started their battle against plans by the Indian firm Adani to install a megamine in central Queensland, running four separate legal challenges to the project. Their fight was closely related to the Legal Campaign Network, Stop Adani, and strategically supported a series of environmental communication campaigns on the risks and outcomes of the mining proposal: its impact upon the Great Barrier Reef and the groundwater and fauna at its site, and its carbon emissions which would generate an estimated 4.7 billion tonnes of greenhouse gas emissions. Although the Indigenous battle was based on deep knowledge of environmental risks, the news media were quick to frame the Indigenous fight against the instalment of the Adani mine as a claim against the invasion of sacred sites vs. economic growth and development. The stakes were all in Adani’s favour, but the

cases were aided by the Stop Adani campaign, which has been the biggest environmental campaign seen in Australia since the 1980s: “It is talismanic. It’s the litmus test. Adani has become shorthand for ‘are you serious about climate change?’.”<sup>1</sup> Up until the present day, Adani’s proposed mine remains highly uncertain because the Queensland government will not extinguish native title over the land while the outstanding Traditional Owners’ court action is unresolved.

The Adani case may be regarded as one of the most interesting examples of communication on environmental legal disputes of the last decades. Risks are “threats to outcomes that we value”, yet while everyone agrees that some outcomes, such as car mortality, should be defined as risks, other outcomes such as climate change are contested and their measurement often leads to legal controversies.<sup>2</sup> Legal verdicts and actions are in turn mediated by blogs and news media, which call lay people to think about them either as active participants or interested observers. During the last decade, new media have intensified their role as a channel for the communication of legal discourse regarding environmental risk and conflict. In order to make risk decisions, citizens seek information, which is circulated through online news media, and later arises in social media such as facebook and twitter, or face-to-face conversations. This process of mediation is defined by Norman Fairclough as a ‘chain’, which through the networking of different social practices constrains and transforms language realisations. The spreading of news across ‘genre chains’, is central to the present study on the recontextualisation of mining legal disputes and climate change in new media discourse since it may affect the citizens’ evaluation of legal decisions.<sup>3</sup>

The article provides an analysis of the appraisal of climate change risks in legal discourse in a media genre chain regarding the Stop Adani legal action campaign network. The analysis was carried out by analysing a corpus (2014-2018), specifically compiled to represent different interrelated media discourse genres. The data is analyzed according to an approach which draws upon findings in Critical Discourse Analysis, Appraisal Linguistics, and Corpus Linguistics.<sup>4</sup> Accordingly, the article situates

<sup>1</sup> Katharine Humphrey, “Federal Labor Feels the Heat over Adani, and Coalition Is Sweating Too”, *The Guardian* (26/05/2017).

<sup>2</sup> Baruch Fischhoff and John Kadwany, *Risk* (Oxford: Oxford U.P., 2011), 22.

<sup>3</sup> Norman Fairclough, *Analysing Discourse: Textual Analysis for Social Research* (London: Routledge, 2003); Jan Blommaert, *Discourse* (Cambridge: Cambridge U.P., 2005), 46; Vijay K. Bhatia, et al., eds., *Legal Discourse across Cultures and Systems*, Hong Kong U.P., 2008.

<sup>4</sup> Paul Baker, *Using Corpora in Discourse Analysis* (London: Bloomsbury, 2006); James R. Martin and Peter R.R. White, *The Language of Evaluation: The Appraisal Framework* (Houndmills: Palgrave Macmillan, 2005); Elizabeth Thomson and Peter R.R. White, eds., *Communicating Conflict: Multilingual Case Studies of the News Media* (London: Continuum, 2008); Marina Bondi and Anna Mauranen, “Editorial: Evaluative Language Use in Academic Discourse”, *Journal of English for Academic Purposes*, 2(4) (2003), 269–71.

quantitative analysis and qualitative analysis within a wider analytical framework which includes extra-linguistic social variables.<sup>5</sup>

## 2. Background: The Adani case

Over the past fifteen years environmental issues have been addressed by a growing number of national and international courts and tribunals. The so-called Adani case has many of the main characteristics of most environmental disputes.<sup>6</sup> In 2010, Adani Mining, a wholly owned subsidiary of India's Adani Group, proposed the Carmichael coal mine in the north of the Galilee Basin in Central Queensland, Australia, with a 16.5 Australian dollars billion investment. The proposal entailed the instalment of one of the largest mines in the world. It would be the first of a number of large mines proposed for the Galilee Basin, with exports leaving the country via port facilities at Hay Point and Abbot Point after being transported to the coast via rail, thus requiring a new 189 km rail line to connect with the existing Goonyella railway line.

The contestation of the Carmichael mine case entailed several different disputes. In May 2014 the Queensland Coordinator General recommended the project be approved and there was a call for public comment and objections. Coast and Country, represented by Environmental Defenders Office Queensland, brought the “The Adani Mining Pty Ltd v Land Services of Coast and Country Inc.” case to the Queensland Land Court. They contended that:

- Adani grossly overstated to the public the number of jobs, and royalties the mine would have for Queensland;
- The mine, rail and port as well as the burning of coal will cause damage to the Great Barrier Reef from climate change and ocean acidification;
- The mine will destroy the core population of endangered Black Throated Finch and may impact Waxy Cabbage Palms, and the potatoes grown in the area too;
- The mine will threaten the base flow of the Carmichael River and may threaten the ancient springs estimated to be one million years old; and
- The project is extremely risky and unlikely to be financially viable.<sup>7</sup>

<sup>5</sup> Martin Reisigl and Ruth Wodak, *Discourse and Discrimination: Rhetorics of Racism and Antisemitism* (London: Routledge, 2001).

<sup>6</sup> Richard Lazarus, *The Making of Environmental Law* (Chicago: University of Chicago Press, 2004).

<sup>7</sup> Environmental Law Australia, “Carmichael Coal (‘Adani’) Mine Cases in Queensland Courts”, <http://envlaw.com.au/carmichael-coal-mine-case/>, last accessed 20 October 2018.

In January 2015, the Mackay Conservation Group, based in Mackay, challenged the July 2013 federal approval of the Carmichael project by Greg Hunt, Environment Minister, under the Environment Protection and Biodiversity Conservation Act 1999 in “Mackay Conservation Group v Commonwealth of Australia and Adani Mining”. The Group was represented by the Environmental Defenders Office of New South Wales. The case involved three main contentions:

1. That the Minister unlawfully excluded consideration of greenhouse gas emissions to emissions directly associated with the operation of the mine. The Minister did not consider the much larger emissions associated with burning the coal from the mine.
2. That the Minister failed to consider Adani’s poor record of environmental management in India, including building without approvals and illegally clearing mangroves, instead relying on a statement from the company that it has a good track record.
3. That the Minister did not consider “approved conservation advice” for two endangered species that would be affected by the mine, the yakka skink and the ornamental snake, as required by federal law.<sup>8</sup>

The Federal Court set aside the approval on the latter ground. Both cases entailed a large legal effort and required extensive factual investigations, numerous witnesses, and considerable legal research and knowledge of the area in dispute due to the complex and evolving nature of environmental legal precedent. Moreover, due to scientific and technical complexity and uncertainty, lawyers had to commit long hours to the effort consulting documents and a wide diversity of people at the local, regional, and national level. Scientists and technical experts provided information about the short and long term impacts of the mine, and defenders and prosecutors had to evaluate large volumes of information that required expertise and that was subject to differences of interpretation.

As in most environmental disputes, it was not a two-party dispute. Environmental impacts from industrial operations have ill-defined boundaries because these impacts can spread across time and locations. Many individuals and organizations were involved since the implications of the decisions had effects across administrative and legislative jurisdictions (i.e., the Queensland and Federal Court). The fact that the decision would have far reaching climate change effects also raised the stakes of the decision and ultimately attracted wide public attention and brought new people into the dispute such as environmental and conservation groups.

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<sup>8</sup> Environmental Law Australia, “Carmichael Coal (‘Adani’) Mine cases in the Federal Court”, <http://envlaw.com.au/carmichael-coal-mine-federal-court/>, last accessed 20 October 2018.

The Traditional Owners of the land on which the mine was proposed, the Wangan and Jagalingou People, also initiated several disputes about the mine with hearings in the National Native Title Tribunal (NNTT) and the Federal Court under the Native Title Act 1993. The Wangan and Jagalingou People rejected an Indigenous Land Use Agreement proposed by Adani for the grant of the mining lease and had applied in 2004 for acknowledgment of their native title for the area in central Queensland. Registration of their native title claim gave the Wangan and Jagalingou People a right to negotiate in relation to government decisions that may affect their native title interests, such as the grant of a mining lease.

The Adani group was thus challenged by the Wangan and Jagalingou people and by two small conservation groups. The cases were presented solely by non-profit Law firms, thus representing the quintessential Indigenous and environmental justice disputes pitting small struggling non-profit organizations against a large and powerful corporation. As in many environmental disputes, the Indigenous peoples and the so-called “environmentalists” were endowed with less financial, legal, and technical resources when compared to the Adani Group.

### 3. Environmental Legal Discourse in New Media

One of the distinctive characteristics of environmental disputes is that they are often grounded in fundamental value differences or opposing ideologies between parties. In the case of the battle against Adani, the legal campaign network Stop Adani united numerous communities committed to environmental conservation and reached an enormous scale, stopping the gigantic enterprise in a country that has been profiting from mining since its foundation. As a matter of fact, the Carmichael legal disputes taken under consideration in this study had a lifespan that extended greatly beyond their specific communicative moment. This was arguably possible due to the unlimited reach and pervasive nature of new media. Stop Adani employed new media for several purposes:

- Communicating news on events related to the legal disputes through online newspapers and blogs;
- Sharing and remediating news through social media;
- Framing and recontextualising public opinion on scientific specialized information through online news media, blogs, etc.;
- Enabling the rise of independent activists;
- Creating campaign pressure points through the use of geotags and hashtags;
- Online fund-raising;

- Online petitions.

Through their popularisation in news genres, such as reports and editorials, the legal disputes moved considerably beyond legal settings and genres. Yet, new media also had a direct impact on the cases because funding was raised through online promotional genres such as fundraising letters and petitions. The latter have been one of the most versatile and fast developing areas of discourse due to the explosion of information technology and the new media and the overpowering influence of promotional activities in the contemporary overly competitive world.<sup>9</sup> Moreover, the conservation groups which initiated the case and the legal organizations representing them set up their own blogs accounts where readers could follow them on a more intimate level. While blogs are not accepted as a legitimate news reporting platform, the most important stories were often broken on blogs. Hence, the legal disputes were supported through several related genres which shared the overlapping communicative purpose of promoting legal counselling to potential customers and supporters and of creating a dialogue with the community.<sup>10</sup> The Stop Adani campaign may be considered as a media ecology and discourse contact zone with a nexus of genres which needs to be analysed with multidimensional methods. As Vijay Bhatia notes, such cases call for a shift in emphasis from analyzing genres as mere artefacts to integrating text-external factors by using ethnographic and other multidimensional methods.<sup>11</sup>

Drawing upon findings in Critical Genre studies and Critical Discourse Analysis, Bhatia argues that the appropriation of semiotic resources across genres, professional practices and disciplinary cultures, should be considered when mapping the semiotic cycles of events, actors, discourses and their interaction.<sup>12</sup> Moreover, according to Fairclough in representing a social event one is incorporating it within the context of another social event. Specific social fields, networks social practices and genres have associated with them recontextualising principles.<sup>13</sup> One can also identify differences between texts in this regard by analysing the relationship between the discourses and features of a genre, in the sense that genres can be seen as ‘framing’ devices for organising relationships between discourses. For instance, as Susan Ehrlich pointed out, in the case of legal disputes, “speakers may have unequal access to and control over contextualising spaces (as is true in many contextualising spaces), these transformations in meaning can be deeply implicated in larger patterns of social inequality”.<sup>14</sup> For these

<sup>9</sup> Bhatia, *Critical Genre Analysis: Investigating Interdiscursive Performance in Professional Practice* (London: Routledge, 2017).

<sup>10</sup> Marina Bondi, “Blogs as Interwoven Polylogues”, *Language and Dialogue*, 8.1 (2018), 44-66.

<sup>11</sup> Bhatia, *Worlds of Written Discourse: A Genre-based View* (London: Continuum, 2004).

<sup>12</sup> Bhatia, *Critical Genre Analysis*.

<sup>13</sup> Fairclough, *Analysing Discourse*.

<sup>14</sup> Susan Ehrlich, “Legal Discourse and the Cultural Intelligibility of Gendered Meanings”, *Sociolinguistics*, 11 (2007), 457.

reasons, the notions of recontextualisation, interdiscursivity, intertextuality and genre networks are central to the present analysis of the appraisal of climate change risks in legal discourse and in the media genre chain regarding the Stop Adani legal action campaign network. In other words, the article will focus on how environmental risks were evaluated in legal discourses and in new media genres in the process of accomplishing a socially motivated goal.<sup>15</sup>

Corpus Linguistics methodological tools such as quantitative techniques (lists of frequency, concordances and collocational analysis) have been combined in the study with the analysis of context and discourse structural evaluation through qualitative assessments.<sup>16</sup> The analysis considered several aspects. Firstly, in order to obtain a more comprehensive rather than fragmented view of the evaluation of risk, the analysis focused on concordance and collocation. The analysis was conducted with the AntConc concordance tool to consider the terms co-text and later focused on collocation, in order to gain some insights on the semantic preference of the terms under investigation within specific discourse genres. Following Pedersen,<sup>17</sup> factors which were considered in the individuation of collocates are: frequency, statistical significance, extension of the phrase, distribution in the texts, distribution across text types, collocation structure. Finally the search was narrowed from bulk data retrieval to qualitative analysis to combine a corpus-assisted discourse and appraisal approach to the analysis of terms in the corpus.

#### 4. The Stop Adani Corpus

The Stop Adani Corpus (hereafter, SAC) includes the case documents of the environmental law disputes. They include court pleadings, expert reports, and decisions.

<i>Adani Mining Pty Ltd v Land Services of Coast and Country Inc.</i>						
Decisions under EPBC Act	Objections	Opening Submissions	Affidavit	Approval for the mine	Judicial review challenge	Expert evidence
5	3	2	3	4	8	22
Total Texts 47			Tokens 110.512			

Table 1. Legal Discourse Subcorpora

<sup>15</sup> Fairclough, *Media Discourse* (London: Hodder Education, 1995).

<sup>16</sup> Baker, *Using Corpora*.

<sup>17</sup> Jan Pedersen, "The Identification and Selection of Collocation in Technical Dictionaries", *Lexicographica*, 11 (1995), 60–73.

<i>Mackay Conservation Group v Commonwealth of Australia and Adani Mining</i>				
Decisions under EPBC Act	First and second Approval for the mine	Statement of reasons	Application for judicial review	Judicial review challenge
3	1	2	5	3
Total Texts14			Tokens 55.567	

Table 2. Legal Discourse Subcorpora

The SAC was further designed by selecting texts from an interrelated nexus of new media genres from the years 2015-2018. It includes an Online News Reports subcorpus (tagged as <ONR>). The latter was designed by selecting newspaper reports from Australian quality newspapers, such as *The Australian*, *The Sydney Morning Herald*, and *The Age* covering the years 2015-2018 with the query terms ‘Carmichael’ and ‘Adani’ with the help of the comprehensive news search engine Newsbank. The news reports are balanced per year and newspaper. The corpus also included a blog posts subcorpus (tagged as <B>), which includes different types of law blogs: the law firms blogs, the conservation groups blogs and the STOP ADANI campaign blog. These were also balanced per year and blog.

<b>New Media</b>	<b>ONR</b>	<b>B</b>	<b>Total</b>
Texts	132	145	277
Tokens	355.000	355.000	710.000

Table 3. New Media Discourse Subcorpora

## 5. Results and Findings

Before proceeding with the analysis, given the different size of the subcorpora, all the data were normalized on a 10,000 basis following a standard procedure in the field for opportunistic corpora. The first line of analysis took into consideration the term ‘climate change’ (n. 2300), with a distribution which in the case of the legal subcorpora is predictably more frequent in the documents submitted by the legal defenders and experts (Decisions Under EPBC Act n. 3, Objections n. 9, Opening Submissions n. 10, Affidavit n. 0, Approval for the Mine n. 0, Statement of Reasons n. 2, Judicial Review Challenge n. 2, Expert Evidence n. 23, Online News Reports n. 88, Blogs n. 156). The AntConc collocates tool was employed to ascertain the statistically significant use of collocates in the subcorpora in comparison with a reference corpus, the British National Corpus (see Table 4). The combined analysis of collocations (context horizon, 5 L and 5 R) further revealed that in the sections of the corpus climate change risks are evaluated upon a meaning continuum that changes considerably in



lexical terms, but also that there is a great difference in the values which are salient in the different genres that were taken under consideration.

Legal documents		Blogs		News reports	
1.179.170	unfccc	1.279.170	credible	1.179.170	save
1.179.170	happening	1.179.170	Our	1.079.170	personal
1.179.170	amplify	1.179.170	formerly	1.020.674	existential
1.179.170	alleviate	1.179.170	Article	1.020.674	Government
1.179.170	adaptation	1.179.170	amplify	979.170	court
1.152.867	acidification	1.079.170	Saying	979.170	essentially
1.120.674	websites	979.170	Shark	879.170	Wangan
1.120.674	warming	979.170	Pursue	846.977	poor
1.086.570	gases	979.170	Help	846.977	fossil
1.083.932	change	946.977	Fight	820.674	pollution
1.079.170	irrespective	920.674	Society	803.682	highly
1.079.170	harms	920.674	Battle	789.253	spokesman
1.079.170	droughts	879.170	Former	788.481	challenge
1.074.108	contributing	879.170	Ahead	779.170	Queensland
1.020.674	united	851.868	mackay	770.424	investment
1.020.674	mitigation	846.977	Fossil	762.178	federal
1.020.674	nations	837.795	Change	746.977	legal
979.170	longevity	833.227	Ocean	733.227	firm
958.525	greenhouse	833.227	Civil	714.785	many
951.160	burning	809.126	We	709.126	people
946.977	ocean	809.126	member	703.682	you

Table 4. Climate Change Collocates in different genres of the SAC Corpus.

The examination (minimum collocate frequency 20) suggested that in the legal documents ‘climate change’ has a quite restricted range of statistically significant collocates. Many of the collocates are predictably related to the causes and effects of climate change, i.e. specific terminology such as ‘acidification’. As previous studies have shown, terms of high frequency in legal discourse consist in terms which have undergone semantic shift by narrowing or extension from general usage into special usage, such as ‘warming’, and terms which have shifted from special to general usage such as ‘greenhouse gas emissions’. The frequency search combined with the matrices of term formation also revealed that novel complex noun phrases and compounds are employed as micro-definitions, such as

‘anthropogenic climate change’, ‘greenhouse gas abatement’, ‘mitigation policies’ and ‘mitigation measures’.

The general preference for nominalization or grammatical metaphor is also observable. Grammatical metaphor was defined by M.A.K. Halliday as a language item transferred from a more expected word class to another, as in the case of the verbs ‘mitigate’ or ‘acid’ transformed in ‘mitigation’ and ‘acidification’.<sup>18</sup> The terms ‘acidification’, ‘mitigation’ and ‘warming’ have an extremely high statistical significance in the legal documents. As John Humbley proposes, such terms may be defined after Halliday as “theoretical constructs” which emerge in response to the needs of unfolding discourse as grammatical metaphors and are taken up by the discourse communities, i.e., grammatical categories allow human experience to be transferred through language into knowledge.<sup>19</sup> Yet, from a critical point of view, nominalisation, which typically replaces verb processes with a noun construction, may obscure agency and responsibility for an action.<sup>20</sup> Grammatical metaphors “provide excellent linguistic resources for those who wish to replace actual concrete processes, identities and settings with abstractions”.<sup>21</sup>

The analysis of nouns on the left side of the concordance line in the legal documents corpus uncovered that climate change risk is mainly defined as an environmental harm caused by greenhouse emissions and which has an effect on ocean acidification. Obviously the evaluation changes according to the legal procedure. For instance, in the Opening Submission by the Australian Conservation Foundation (ex. 1), the causes and effects of climate change are communicated as an undoubted finding through the use of boosters such as ‘significantly’, the repetition of the active verb ‘cause’, the use of negative lexemes such as ‘threat’ and ‘catastrophic’.

Evidence is also foregrounded in legal documents. Expressions of evidentiality and the endorsement or disendorsement of intertextual references (i.e. ‘precise’ and ‘detailed’ referred to sources or evidence of statements and information, such as The Great Barrier Outlook Report, documents, EIS) are used to give information and support legal claims.<sup>22</sup> Moreover, there is a strong appeal to concrete elements (i.e. the Great Barrier Reef, specific flora and fauna) as concrete evidence is fundamental to legal disputes:

<sup>18</sup> Michael A. K. Halliday, “Language and Knowledge: The “Unpacking” of Text”, in Johnathan J. Webster, ed., *The Language of Science* (London: Continuum, 1989), 24–84.

<sup>19</sup> John Humbley, “Accounting for Term Formation: Terminology”, *Science and Research*, 20 (2009), 1-15.

<sup>20</sup> David Machin and Andrea Mayr, *How to Do Critical Discourse Analysis* (London: Sage, 2012), 137.

<sup>21</sup> *Ibid.*, 164.

<sup>22</sup> Monika Bednarek, “Evaluation and Text Types”, *Functions of Language*, 15.1 (2008); Bednarek and Helen Caple, *News Discourse* (London: Continuum, 2012).

## Ex. 1

Greenhouse gas emissions significantly contribute to anthropogenic climate change, which causes seawater to become warmer. Carbon dioxide emissions cause seawater to become more acidic.<sup>10</sup> The warming and acidification of seawater are the two most serious threats to the Great Barrier Reef,<sup>11</sup> and are the only threats that the Great Barrier Reef Outlook Report 2014<sup>12</sup> (the Outlook Report) rated as “almost certain” to occur and as having “catastrophic” consequences by reference to six specific measures.

The EIS included documents containing a precise inventory of the mining emissions, a detailed analysis of mitigation and abatement measures, and an environmental management plan containing specific commitments directed to mitigation and abatement (*Opening Submission by Australian Conservation Foundation*, filed 5 April 2016).

Instead, the analysis of concordance lines in the blog section reveals the discursive construction of a community, that needs protection, which may be regarded as a peculiarity of the Blog corpus (see ex. 2 and ex 3). The semantic sets including ‘our’ and ‘we’ and ‘pursue’, ‘battle’, ‘fight’ and ‘combat’ are salient in the blog corpus. The strength of these collocations is particularly significant in comparison with the dispute files since they implicitly define climate change as an enemy and employ the *topoi* of ‘militarisation’ and ‘securitisation’<sup>23</sup> to categorize social actors and align readers with the environmental campaign.

## Ex 2.

## Our water, Our Lifeblood

Water is the life blood of Queensland. Regional and farming communities work hard to put food on our dinner table every week – and they rely on clean water for their survival. Yet if built, Adani’s proposed mega-mine would:

Drain an estimated 12.5 billion litres of water per year from nearby catchments.

Threaten ancient spring oases that provide permanent water and habitat during drought.

Leave behind 6 unfilled coal pits that will drain millions of litres of groundwater every year.

When more than two thirds of Queensland is suffering from drought, we need to ask ourselves – what are the real, long term impacts of Adani’s mine on our communities? And how can we ensure our precious water resources are protected for generations to come? We’ve known for years the damage we’re causing to our precious environment. Yet here I am, asking you to urgently support us to help people like you use the law to fight for a safer climate. (*Lock the Gate Blog*, <https://www.lockthegate.org.au/watermackay>, 12 April 2016)

<sup>23</sup> Reisigl and Wodak, *Discourse and Discrimination*, 52.

Ex. 3

Will you please make a tax-deductible donation to EDO Qld before 30 June? Every dollar you donate to EDO Qld this tax-time will be matched by a generous donor, up to a maximum total of \$25,000.

We need your support to continue to take on David-and-Goliath legal battles - like the recent landmark victory won on behalf of Queensland farmers objecting to the Acland coal mine expansion, and the Adani Carmichael Coal court challenges.

With a State election looming; it's even more important that your experienced non-profit EDO Qld lawyers are here to fight to keep and strengthen our environmental laws, upon which our communities depend for a safe climate, clean air, clean water and the protection of nature and the Great Barrier Reef.

Will you please make a donation to EDO Qld today to help even the scales between well-resourced corporate interests and the community's underfunded legal voice?

Are you ready to stand-up with us? (*Edo Queensland Environmental Defenders Blog*, [https://www.edoqld.org.au/donate\\_cc](https://www.edoqld.org.au/donate_cc), 16 November 2017)

Ex. 4

What is happening to the Great Barrier Reef is a tragedy for Australia. We must not look away and instead pursue real action on climate change to help give our reef a fighting chance.

(*Australian Conservation Foundation Blog*, [https://www.acf.org.au/study\\_on\\_coral\\_death\\_on\\_the\\_great\\_barrier\\_reef\\_in\\_2016\\_is\\_shocking\\_but\\_not\\_surprising](https://www.acf.org.au/study_on_coral_death_on_the_great_barrier_reef_in_2016_is_shocking_but_not_surprising), 19 April 2017)

With a similar rhetorical move, the Wangan and Jagalingou people posted the following online petition on their blog:

Ex. 5

Stop Adani destroying our land and culture

We, the Wangan and Jagalingou people, are the Traditional Owners of the land in Queensland's Galilee Basin. Corporate conglomerate, Adani, wants to use our ancestral lands for their Carmichael coal mine.

**SIGN OUR PETITION**

We do hereby firmly **REJECT** a Land Use Agreement with Adani for the Carmichael mine on our traditional lands.

We **DO NOT** consent to the Carmichael mine on our ancestral lands.

We **DO NOT** accept Adani's "offers" to sign away our land and our rights and interests in it. We will not take their "shut up" money.

We will **PROTECT** and **DEFEND** our Country and our connection to it.

Why is this important?

We are gravely concerned about the push by Adani and the Queensland and Federal Governments to open up the Carmichael Mine on our traditional lands. Our traditional lands are an interconnected and living

whole; a vital cultural landscape. It is central to us as a People, and to the maintenance of our identity, laws and consequent rights. ...

We know that many other people who care deeply about conserving natural places, vital water resources, the great fauna and flora of central Queensland, and a health planet share our concerns about this mine.

Please stand with us in our Defence of Country.

When we say No, we mean No. (*Wangan And Jagalingou Family Council Blog*, <https://wanganjagalingou.com.au/our-fight/>, ongoing petition)

The analysis of blogs suggests a correlation between speculations about climate change and discourses of chaos and catastrophe, which insistently foreground the magnitude and catastrophic impact of the hazards. The supporters of climate change greatly resort to affect, mobilizing fear and a sense of urgency in order to persuade people by highlighting relevance and describing risk outcomes as terrible things that will certainly happen to them if they do not do what the message recommends.

Ex. 6

Ms Millie Telford, National Co-Director of the Seed Indigenous Youth Climate Network, said Adani's mine will destroy country and the climate forever and devastate the ancestral lands, waters and culture of Aboriginal peoples in the region as well as Indigenous communities who are already on the frontline of climate change. (*Bob Brown Foundation Climate Action Blog*, [https://www.bobbrown.org.au/bob\\_brown\\_launches\\_stop\\_adani\\_mine\\_campaign\\_bigger\\_than\\_the\\_franklin](https://www.bobbrown.org.au/bob_brown_launches_stop_adani_mine_campaign_bigger_than_the_franklin), 13 May 2017)

Moreover, in the blogs, promotional values are fundamental since they are generally used to fund the legal campaigns. The evaluation of information is based on general knowledge and information is treated as a 'given' or as undoubted evidence since it is part of the communal epistemic background shared by the community (see ex. 7):

Ex. 7

Given that climate change is the greatest threat to the survival of the Reef, Mackay Conservation Group says that the Minister should have considered greenhouse gas emissions arising from the burning of the coal by Adani in India, not just the emissions from mining the coal. (*Environmental Defenders Office New South Wales Blog*, [https://www.edonsw.org.au/mackay\\_conservation\\_group\\_v\\_commonwealth\\_of\\_australia\\_and\\_adani\\_mining](https://www.edonsw.org.au/mackay_conservation_group_v_commonwealth_of_australia_and_adani_mining), 13 August 2015)

Ex. 8

Our elected representatives have the legal options. Our elected representatives have the clear evidence that climate change is damaging the Great Barrier Reef. They know the majority of Australians oppose this

polluting mine. (*Australian Conservation Foundation Blog*, [https://www.acf.org.au/acf\\_statement\\_on\\_legal\\_advice\\_about\\_stopping\\_adani\\_coal\\_mine](https://www.acf.org.au/acf_statement_on_legal_advice_about_stopping_adani_coal_mine), 28 February 2018)

Ex. 9

Mr Shorten has seen with his own eyes what these new finding tells us about what climate change is doing to our reef. The Prime Minister should immediately visit these areas too and develop a greater understanding about the damage the 2016 mass coral bleaching events caused. (*Australian Conservation Foundation Blog*, <https://www.acf.org.au>, 19 April 2018)

Conversely, online news reports introduce complexity and scientific uncertainty becomes a salient theme.<sup>24</sup> For instance, in ex. 10 and ex. 11, the attribution to ‘anonymous’ scientists and environmental activists may be regarded as an example of non-endorsement on behalf of the reporter. Moreover, the thought verb ‘agree’ is counteracted by the adversative sentence which incorporates an element of doubt or mitigation with respect to the reported information through the use of premodifiers (‘considerable uncertainty’, ‘actual’, ‘precise’).

Ex. 10

The scientists agreed that there is no doubt about the global warming itself and its links to anthropogenic activities, but there remains considerable uncertainty about the actual warming rate and the precise nature and magnitude of the consequences of climate change.

Ex. 11

Environmental activists have begun a legal bid to prevent the creation in Queensland of Australia’s largest mine, citing its contribution to global climate change and potential impact on water and biodiversity. (*The Guardian*, 20 March 2015)

In the following example, the reporter on the Queensland court’s initial approval of the mine remains neutral through the repeated use of the structuring verb ‘say’ and the introduction of the main lines of argument of both parties:

Ex. 12

Conservation group Coast and Country challenged the proposal in the Land Court in Brisbane on the impacts the mine would have to groundwater, climate change and biodiversity, including black-throated finches, an endangered species.

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<sup>24</sup> Maxwell Boycoff and Jules Boycoff, “Balance as Bias: Global Warming and the U.S Prestige Press”, *Global Environmental Change*, 14.2 (2004), 125-126.

Coast and Country lawyer Derec Davies said it was a disappointing result.

“Today’s decision will pave the way to the destruction of some of Queensland’s most beautiful ecosystems,” he said.

The Queensland Resources Council chief executive Michael Roche said the decision showed the group’s claims were unfounded.

“This judgement is a comprehensive rejection of the activist argument against this huge job generating project, it’s rejected the activist arguments around the financial viability of the project, it’s rejected the activists arguments around the issue of climate change,” he said. (*ABC News*, 15 December 2015)

In online news reports, the main focus is on the arguments of the two opposing political views – environmental risks and climate change vs. the economic investment and job revenues. Yet, while in ex. 13 and ex. 14 the opposing views seem to be simply set up against each other, the reporter also implicitly gives voice and strength to the ideology of economic growth and capitalist development through the quoting of the 16.5 billion investment and the quantifiers “largest”, “huge” and “biggest” against the spiritual claim of the Indigenous peoples:

Ex. 13

Mr Adani asked Mr Turnbull to fix native title laws in order to help clear the way for a \$21 billion coal project in central Queensland, assuring the Prime Minister the project would create 10,000 jobs and inject *huge* sums into the economy. (*The Australian*, 11 April 2017)

Ex. 14

“Protecting our common home and all those who live here is an essential part of each of our faiths,” they wrote in the letter to Adani chairman Gautam Adani. The leaders oppose all new coal mining in the Galilee Basin, with fears it could impact on water supplies, climate change and the Great Barrier Reef.

Adani has argued the \$16.5 billion Carmichael mine would be a boon for jobs in struggling areas of regional Queensland. (*Sydney Morning Herald*, 18 April 2018)

Ex. 15

Adani is facing a fresh legal battle over its planned Carmichael coal mine, a day after announcing workforce arrangement. (*Sydney Morning Herald*, 7 December 2016)

In the following example, the reporter introduces doubt through the headline:

Ex 16

Who wants to capitalise on the Galilee Basin?

A challenge by Indigenous interests to the Carmichael mega mine in Queensland’s Galilee Basin is shaping up as the *biggest* test of Australia’s Native Title law in almost two decades.

Traditional owners from central Queensland today presented the Speaker of the Queensland Parliament with a Defence of Country Declaration opposing the \$16 billion Carmichael project, which will cover more than 200 square kilometres and be one of the world's largest black coal mines.

The Wangan and Jagalingou (W&J) people, who lodged a native title claim over most of the Galilee Basin in 2004, said the Carmichael mine would destroy their ancestral lands and cultural heritage.

"The Mundunjurra, we call the giver of water. The water comes up and travels through that land, it feeds everything, it feeds the whole area of the Carmichael River to the Belyando River, out to the Burdekin and out to the ocean and it feeds all the surrounding areas of all the other tribes," W&J people lawman Adrian Burragubba told ABC RN Breakfast.

"So this is the starting point of life. We consider this as our place of where we come from, our dreaming.... "If this mine proceeds, it will destroy every connection there is with our ancestors and our laws and customs." (*ABC News*, 17 March 2015)

Perhaps the greatest difference in the online news reports subcorpus is related to epistemic modality and predictions. Scientific findings are generally expressed with great caution through modal verbs conveying possibility. Reporters refer to different opinions in the science and political debate on climate change with regard to social actors, generally adopting a neutral stance. A further confirmation is that in cases in which positive judgement realizations related to prediction or forecasting are used, they are hedged or non-endorsed by reporters. In the following examples, the reporter refers to a forecast by an expert, but frames it as a hypothesis through the use of 'would'.

Ex. 17

The extraction of coal from Australia's biggest mine would not directly affect the Great Barrier Reef, but burning it would help push the climate to a dangerous state, a Queensland court has heard.

Conservation group Coast and Country is objecting to Adani's plans to build the \$16.5 billion Carmichael Mine in the Galilee Basin. (*Sydney Morning Herald*, 7 April 2015)

Ex. 18

The Indian mining giant intends to export at least 50 million tonnes of coal a year from the Abbot Point terminal, north of Bowen. Coast and Country claims the project would contribute to climate change when the coal is burnt overseas, and carbon emissions would damage the Great Barrier Reef through ocean acidification. (*Sydney Morning Herald*, 7 April 2015)

Ex. 19

The Queensland Land Court heard on Tuesday a United Nations agreement across 200 countries dictates global warming should be kept under 2C. That threshold would be reached after the emission of roughly



850 gigatonnes of CO<sub>2</sub>, University of Queensland's Ove Hoegh Guldberg told the court. (*The Guardian*, 7 April 2015)

## 6. Conclusions

The analysis of the corpus has confirmed that evaluative items and discourse structural evaluation patterns related to the popularization and evaluation of legal procedures regarding climate change risks are principally influenced by the communicative purpose of genres. Moreover, they are influenced by co-text and context, and by specific domains, institutional settings, special professional and communicative roles, as well as the various kinds of specialised and lay knowledge of participants. This is probably due to the fact that the communicative purpose of filling a gap in the knowledge of the audience entails the transformation of legal discourse into 'everyday' or 'lay' knowledge, as well as a re-contextualization of scientific discourse.<sup>25</sup>

The analysis also suggests that although sciences scholars have reached a high level of consensus on anthropogenic climate change, the scientific perspective on climate science undergoes a re-evaluation in blogs and online newspaper discourse due to the influence of the journalistic norms of personalization, authority and balance. In the case of blogs, in order to maximize persuasion and reach the lay audience, communication operators often background planning and forecasting and privilege the recruitment of people though the appeals to community building and correlated underlying ideologies of protection and securitisation. In online news reports the popularization of science, which often employs caution and probability measures, has been translated into scientific uncertainty as a salient theme in numerous cases. While news reporting follows a well-established tradition, which claims to be 'objective', 'neutral' and 'impartial' and which often obscures the subjective role of the journalistic author in constructing the text, the analysis has found that in the corpus news reporters balance supportive and sceptical views of climate change in order to represent all political views and ideologies. In particular, news reporters overtly included the ideological opposition of Indigenous spiritual claims to the land vs. the Minister's appeal to economic growth and development, thus resorting to ideological squaring, i.e. the use of opposing classes of concepts built up around participants.

<sup>25</sup> Helena Calsamiglia and Teun A. van Dijk, "Popularization Discourse and Knowledge About the Genome", *Discourse and Society*, 15.4 (2004), 369–389.