



Discursive institutionalist approach to conflict management analysis – The case of old-growth forest conflicts on state-owned land in Finland[☆]



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ABSTRACT

The purpose of the paper is to present an analytical framework for studying conflict management processes. The paper draws on discursive approaches to new institutional theory in integrating three inter-related elements of conflict management: collaborative practices; formal and informal institutions; and the ways the policy issues are understood and communicated (framed) by the different actors in contested situations. The Discursive Institutional Conflict Management Analysis framework (DICMA) draws focus to the interaction between these three elements during conflict management efforts. It also helps to identify challenges related to each of the elements when improving conflict management, and contributes to formulating necessary policy reforms.

A case study looking at the management of old-growth forest conflicts on public land in Finland is used to illustrate the applicability of the approach. The empirical analysis shows that the 'old new institutionalist' analysis is useful in explaining how history shapes the paths of the institutional reforms, how informal norms affect behaviour of natural resource management agencies, and how institutional structures create counterproductive incentive structures for the conflict management practices. However it takes the discursive approach, here applied through frame analysis, to understand the responses and strategies of natural resource management agencies in the face of the institutional challenges. Institutional and frame analyses in combination shed light to the logic behind the state forest agency's seemingly unproductive approaches to the conflicts.

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1. Conflict management – making the most of disagreements

Dealing with diverse interests and the conflicts emerging between them has become a key task for forest policy and planning. According to the theories of conflict regulation, disagreements or conflicts should not be considered as problems *per se* (Dahrendorf, 1969: 223–231). A pluralistic democracy must allow for the expression of dissent and conflicting values and interest, and environmental disputes can work as important catalysts for positive social change (Kyllönen et al., 2006; Mouffe, 1999). However, persisting conflicts with decreasing levels of trust between actors can have adverse environmental impacts, create insecurity and frustration and hinder necessary policy reforms (Hellström, 2001). This makes successful conflict management an integral part of environmental decision-making, and highlights the capacity of different planning and decision-making processes to function as conflict regulation mechanisms that are able to utilise the constructive potential of disagreement.

Despite the commonly used term *conflict resolution*, complex and enduring policy conflicts with social, cultural and economic aspects may be impossible to 'resolve' in a sense that the disagreements

would be erased (Walker and Daniels, 1997). In many cases, however, it is possible to settle specific dispute episodes in particular places. Although *dispute settlement* may not resolve the underlying conflict, the way disputes are addressed can help foster trust, and thereby promote collaborative problem-solving and reduce the escalation of the conflict (Putnam and Wondolleck, 2003: 37–38). Walker and Daniels (1997) use the term *conflict management* synonymously to *conflict regulation* to describe desirable and feasible situation improvement, which may or may not result in the resolution of the conflict.

The preconditions for successful conflict management are discussed widely in collaborative planning and environmental dispute resolution literature. Existing research shows that the acceptability of the outcome depends on the legitimacy of the planning and decision-making processes (Beierle and Cayford, 2002). Collaborative planning is a process that seeks to achieve this through face-to-face meetings between concerned stakeholders in order to reach a mutually acceptable outcome – ideally in advance of disputes (Gray, 1989; Innes and Booher, 1999; Wondolleck and Yaffee, 2000).

Simultaneously, there is a growing literature paying attention to the role external factors to a collaborative process play in determining the acceptability and outcome of such processes (Saarikoski et al., forthcoming; McGuirk, 2001; Fischler, 2000). The broader societal structures, within which the planning processes are embedded, restrict the options of both the management agencies and decision makers as well as

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the leverage of the different stakeholders in a conflict. Through the concept of Best Alternative to Negotiated Agreement (BATNA), negotiation theorists highlight the asymmetrical distribution of negotiation skills, resources and power of the parties (Fisher and Ury, 1981). The differences in BATNAs are in part formed by legislation, and legal studies have shown that successful participation and integration of diverse interests in planning depend to a significant extent on sufficient legislation and enforcement mechanisms that level the playing field between powerful and weaker actors (Boswell Franklin, 1998; Sinclair and Doelle, 2003).

The purpose of this paper is to present a framework for analysing conflict management processes that combines the 'micro' perspective of the collaborative planning theory with the 'macro' perspective of the socio-political contexts of such processes and thereby provides a more comprehensive conceptualisation and understanding of conflict management processes than either of the approaches alone can achieve. In doing this, I will turn to the most recent takes on the new institutionalist theory that allow for the incorporation of what here are perceived as the three inter-related elements of conflict management: dialogue between actors through collaborative practices; formal and informal institutions; and the ways in which policy issues are understood and communicated (framed) by the different actors in contested situations. A case study looking at old-growth forest conflicts on public land in Finland is used to illustrate the applicability of the discursive institutionalist approach to conflict management analysis.

2. Institutions and conflict management

2.1. The four new institutionalisms

New institutionalist theory (NI) emphasises the role that structures play in determining individual behaviour and the outcome of political processes. Institutions – understood as rules of game and distinct from organisations as players of that game – are strategically selective, thus creating a greater regularity in human behaviour that would otherwise be found (Hall and Taylor, 1996; Hay, 2002; Hay and Wincott, 1998). Institutions encompass both formal rules such as laws and regulations and more informal norms and standard operating procedures. They distribute power unevenly across social groups by providing better opportunity structures to some strategies and actors while discouraging others (North, 1990). They affect the BATNAs of parties involved in a conflict, including those of the natural resource managers and decision-makers – hence their importance for understanding and analysing conflict management.

The three traditionally recognised 'new institutionalisms' – rational-choice institutionalism (RI), historical institutionalism (HI) and sociological institutionalism (SI) – have all seen institutions more or less as given, static, and constraining (Table 1, Schmidt, 2010). However, the different traditions emphasise different mechanisms through which institutions 'matter'. RI assumes rational actors, who pursue their fixed preferences according to 'a logic of calculation' within the purposefully designed institutional incentive structures (Hall and Taylor, 1996; Schmidt, 2010). HI emphasises instead the historical struggles and 'logic of path dependence' that determine the way institutions come

to regulate rights and access of different groups to resources (Johnson, 2004: 409; Schmidt, 2010). In contrast to RI and HI, sociological institutionalism (SI) relies on a broader definition of institutions. The culturally specific 'logic of appropriateness' that guides human behaviour is not only based on the way in which institutions define what is to be done, but also on the way institutions provide mental models that actors use to frame meaning and guide human action (Fréchette and Lewis, 2011; Schmidt, 2008).

Scholars in all three neo-institutionalisms have traditionally explained change as a result of some type of exogenous shocks (Schmidt, 2010, Table 1). More recently there has also been interest in analysis that is sensitive to the ideational, perceptual or discursive factors of the political reality in creating change (Arts and Buizer, 2009; Hay, 2002; Schmidt, 2008). The turn to ideas and discourse has taken place to varying degree within all the three neo-institutionalisms, but it has also been described as a fourth new institutionalism – discursive institutionalism (DI) (Schmidt, 2008, 2010; Arts and Buizer, 2009).

DI is an umbrella concept for many different approaches that see ideas as constituting the policy narratives, discourses and frames of reference which serve to (re)construct the actors' understanding of interests and redirect their actions within institutions (Schmidt and Radaelli, 2004: 195). It focuses both on the meaning content of ideas and the interactive processes by which 'homo interpreter' conveys and searches ideas and meaning, following a 'logic of communication' (Arts and Buizer, 2009:341; Schmidt, 2008: 304). The main difference between the three 'old new institutionalisms' and DI is its focus on institutional change (or stability) and the way it is explained through agents' ideas and discourses and through learning from experience (Hay, 2002: 210; Schmidt, 2008: 322). While sociological institutionalism is closest to DI in that it also focuses on cultural norms and the way they affect the actors' perceptions of their interests, the difference is that in DI, norms and ideas are two separate concepts and they are perceived as dynamic constructs rather than as static structures.

At the same time, and in contrast to some other discourse approaches to policy analysis where discourses are more 'free-floating', DI sets ideas and discourses in their institutional context (Arts and Buizer, 2009). In doing this, Schmidt (2011) suggests that rather than seeing the three 'old new institutionalisms' as rivals to one another and to DI as is often the case, RI, HI and SI should instead be treated as background knowledge to DI, providing "shortcuts to the uncontested regularities and rationalities of institutionalised behaviour and interactions" before turning attention to the dynamics and change in institutions. Institutions – whether understood as incentive-based structures, historically established patterns or socially constituted rules – "define the institutional contexts within which repertoires of more or less acceptable (and expectable) ideas and discursive interactions develop" (Schmidt, 2008: 314).

However, some feminist theorists have opposed of combining 'institutionalism' and 'discourses' under the headline of discursive institutionalism, claiming that there is a fundamental incompatibility between (a Foucauldian) discourse analysis and any institutionalism (Rönblom and Bacchi, 2011). According to the critics, NI theory imposes unnecessary rigidity when conceptualising institutions as fixed

Table 1
The four new institutionalisms (adapted from Schmidt, 2010).

	Rational choice institutionalism	Historical institutionalism	Sociological institutionalism	Discursive institutionalism
Definition of institutions	Incentive structures	Macro-historical structures and regularities	Norms and culture of social agents	Meaning structures and constructs
Object of explanation	Behaviour and interests of rational actors	Historical rules and regularities	Cultural norms and frames	Ideas and discourse
Logic of explanation	Calculation	Path-dependency	Appropriateness	Communication
Approach to change	Static – continuity through fixed preferences and stable institutions	Static – continuity through path dependency	Static – continuity through cultural norms and rules	Dynamic – change (and continuity) through ideas and discursive interaction
Explanations of change	Exogenous shock	Exogenous shock by critical junctures	Exogenous shock	Endogenous processes through reframing, recasting of collective memories

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