

**Media and Social Licence: Becoming Publicly Useful in the Tasmanian  
Forests Conflict**

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This article analyses the role of media in the representation and circulation of the term 'social licence' within public debate. It does so in the context of an increasingly global political economy of forests, growing public interest in resource procurement and environmental sustainability, and new forms of mediatised environmental conflict that carry volatile notions of 'the affected'. Drawing on a longitudinal study of the three-decade-long conflict over forests and forestry in the Australia's southern island state of Tasmania, this research outlines the emergence, embedding and decline of the term 'social licence' in national and local media coverage. The article argues that the term's openness and strategic deployment by stakeholders in news media exposes industries, markets and communities to continuing conflict, while making the term a site for conflict itself. The article concludes by asking how – within the context of expanding international markets and complex supply chains, and sophisticated use of media by campaigners, corporations and governments – 'social licence' can be a publicly useful concept.

## **Introduction**

Media are a key site for the contestation and negotiation of environmental uses, risks and potential resolutions. From the earliest days of the press, publics have come together through media to debate and determine the future of the resources to which they have access and of the landscapes they inhabit. But media have always been more than simply an arena for this interaction. Media play a central role in identifying those with interests and those who are affected, and in assessing the credibility of concerns and potential impacts. Media define stakeholders, providing or denying access to the arena in which resource allocation and environmental outcomes are politically negotiated and contested. Through processes of selection of news sources and framing – in which voices, ideas and symbols gain or lose salience and resonance within public debate – media shape information as it is produced and circulated for news audiences and to be shared across increasingly complex communications networks. Media package ‘concern’ and ‘impact’ in images and words that resonate with emotion and history, and frame those with interests or who are affected in such a way to speak to all, or alternatively *for* all. When possible, media attribute responsibility and push for action (Cottle, 2006).

It is within this context that ‘social licence’ has emerged as a discourse and practice in industrial, environmental and social decision-making (Bice, 2014; Boutilier, 2014; Parsons and Moffat, 2014) and as a critical concept within ‘mediatised’ environmental conflict. The term ‘mediatisation’ recognises that social, cultural and institutional settings are increasingly subject to far-reaching media processes and logics (Cottle, 2006; Couldry, 2014; Hutchins and Lester,

2015). Mediatisation research asks 'what media do' with 'things'. 'Social licence', like all concepts circulating within and around public debate and conflict, cannot escape such processes. In each of its iterations since first appearing in Australian news media in the late 1990s, the term has been massaged and shaped by the social and political discourses that underpin – often invisibly and unrecognised – media content and flows. Given that media remain a key site for political and social engagement (Couldry et al., 2007) and media's acknowledged (if still poorly understood) influence on individual and public behaviours and policy formation (Dahlgren, 2009), it is vital to pursue 'what media do' with such a critical term as 'social licence'.

This article aims to help fill a notable gap in literature by analysing media roles in the construction and circulation of the term. To do this, it draws on a longitudinal study of media roles in Australia's longest-running environmental conflict, the three-decade-long dispute over forests and forestry in Australia's southern island state of Tasmania (see, for example, Lester 2007; Lester and Hutchins, 2012; Hutchins and Lester, 2015). Tasmania provides a significant case study opportunity. Although 'social licence' is considered an emergent concept in relation to forestry more generally (Moffat et al., 2015), Tasmania has maintained its reputation as a global pioneer in environmental conflict (Hay, 1991; Rootes, 2001; Lohrey, 2002) by hosting a public debate over forestry and the related pulp industry in which 'social licence' appeared in a high-profile role.

To unveil the term's media journey through the Tasmanian conflict, the research presented here analyses media content, supplementing news text analysis with monitoring and analysis of stakeholder-produced communications such as campaign and corporate websites and media releases, and interviews

with political actors. The article begins by providing a brief theoretical outline for understanding media roles in environmental conflict, before tracing the entry of the term 'social licence' into public discourse over forest use in Tasmania, and its relation to industry, media and community engagement. Cognate international developments of certification, corporate and social responsibility, and activist consumer and markets campaigns are also considered. The article then analyses how 'social licence' itself became both a prompt for action and a site of struggle, as major stakeholders in the Tasmanian forest debate sought to contain or expand those included in negotiations. Data suggests the term has faded from active use in media. I conclude by considering how 'social licence' might become publicly useful within dynamic contemporary media and communications settings.

### **Social licence and mediatised environmental conflict**

Definitions provided by the growing body of research analysing 'social licence' in relation to the mining, agricultural and increasingly forestry industries (see, for example, Gunningham et al., 2004; Edwards and Lacey, 2014) stress the term's openness. Moffat et al.'s comprehensive overview of research (2015), for example, suggests social licence can be defined as 'a broad acceptance' provided by communities and other stakeholders, while Boutilier warns that the spread of the term across various industries, professions and sectors is not accompanied by the 'the same understanding of its connotations and implications'. The danger, he writes, is that the 'meaning could become so blurred that its value as a tool for promoting collaboration becomes obscured or lost' (2014: 271).

Studies that have proven particularly useful are those that have investigated this openness of the term by focusing on associated discourses and discursive processes in industry produced and corporate management texts. Parsons and Moffat's 2014 study, for example, importantly highlights how these texts tend to a) remove agency, thereby exacerbating the vagueness of the term and associated practices, and b) choose words such as 'maintain' or 'sustaining', suggesting that a social licence was 'gained' at some indeterminate point in the past and thus avoid detailing how a social licence is, in fact, earned. The cumulative effect is to mystify agency, leaving existing power relations largely unchallenged. They write that:

... companies obfuscate processes of acquiring a social licence by making irrefutable assertions that present contestable claims as established facts, and by framing the task as one of maintaining the existing order. (Parsons and Moffat, 2014: 353)

These are serious findings that suggest a need to investigate if and how industry-produced discourses achieve purchase beyond their immediate audiences, and to compare these discourses with other understandings and uses of the term.

Focusing attention on media roles in the communication, negotiation and adoption of the term therefore stands to be fruitful. The absence of research with such a focus represents a major gap in understandings of 'social licence' as a critical concept within industrial and environmental debate and decision-making to date. By its very nature, achieving 'broad acceptance' encompasses a range of social and political communicative actions in which media play a central role.

These include knowledge gathering, framing and transfer; a variety of social and

political actors drawn from government, industry, science, civil society and the lay public; physical and/or virtual platforms where information is exchanged; and the capacity for meaningful engagement of affected publics in order to negotiate and form public opinion – opinion that social theorist Nancy Fraser stresses must be ‘legitimate and efficacious’ in that it can influence those with power to implement change (Fraser, 2014). Media and social licence as a publicly useful concept are inescapably linked.

While media coverage of climate change, for example, has highlighted the contestability of public negotiation and decision-making related to environmental risks and resource deployment (Painter, 2013; Boykoff, 2011), similar factors are known to impact on the communication and awareness of environmental issues more broadly, and are relevant to the aims of this study. These include: the competition between and among issues for space in the public arena (Hilgartner and Bosk, 1988); unequal access to media for news sources and issue promoters, such as politicians, scientists, lawyers, ‘lay voices’, environmental activists or ministerial advisors (Cottle, 2000); the role of spectacular images and symbols (Hansen, 2011; Lester, 2010, 2015); journalistic practices and logics (McNair, 2006); the expanded resourcing of public relations (McNair, 2006; Davis, 2009); adaptive protest strategies (DeLuca, 1999; Lester and Cottle, 2011); emerging media technologies and practices (Hutchins and Lester, 2015); and the role of political leadership in the construction of environmental concerns (Lester, McGaurr and Tranter, 2014).

In the remainder of this section, I briefly lay out four foci in the analysis of media roles in environmental conflict that are of particular use in understanding the public journey of ‘social licence’ within the Tasmanian forestry conflict. The

first is the way in which symbols circulate in and through media, producing a form of 'symbolic power' – that is, the power to influence debate and opinion (Thompson, 1995; Couldry, 2014). Just as an object changes meaning and value as it is handed from individual to individual, or between cultural or economic settings, so too do mediated messages change value and meaning as they travel (Appadurai, 2008 [1990]). In some settings and contexts, they can become intensely powerful, invoking not only emotional engagement from individual readers or viewers, but also political action. Publics can come together to act, even when they are physically distant from the source of the message. This makes media content highly contested, with struggles taking place over content before it is formed (through public relations/activism); at the point of formation (over journalistic practices); and as it travels (through, for example, internet sharing, re-publication or countering the credibility of content).

A second and related area of relevance is that of mediated visibility and, its opposite if equally powerful strategy, invisibility. For environmental activists, making risks and concerns visible through media has been a core activity, allowing them to promote issues and mobilise support. For industry, corporations and governments, commercial-in-confidence and other operational norms provided some protection for their activities and interests against negative campaigns. However, the internet has not only produced new ways of seeing and being seen, but it has changed how we can control what it is that is seen and by whom (Thompson, 2005). The gatekeeping and agenda setting functions of journalists and the public relations and campaigning activities of sources have undergone major change with the adoption of new technologies associated with digitization and the web, particularly web 2.0 and its social

functions (Flew, 2014). Business models have collapsed for mainstream press and broadcasters; new opportunities for and practices associated with mediated communications seemingly appear daily. Control over what is visible, how and by whom was never absolute, but the internet has meant that control is less certain than ever (McNair, 2006).

A third related focus, however, acknowledges that power is exercised at what preminent 'network society' theorist Manuel Castells calls 'switching points' (2004, 2009). Mediatized environmental conflict, illustrative of power dynamics in a globalized world, is enacted by the events and negotiations that occur at the 'switching points' or spheres of action: between (i) activist strategies and campaigns, (ii) journalism practices and news reporting, (iii) formal politics and decision-making processes, and (iv) industry activities and trade. The conflicting messages, representations, debates, and practices that constitute these switching points are how environmental conflicts are contested, bringing together interdependent networks of media, political and economic power. These networks traverse the local, national and transnational in varying degrees depending on the particular issue or site in question. The groups and decision-makers who exercise greatest influence in the midst of conflict are those present at the 'switching points' and able to determine what is made visible to opponents and wider publics (Hutchins and Lester, 2015).

The final focus is concerned with the geopolitical and technological shifts from which the emergence of a transnational or global public sphere is seen by many as inevitable (Volkmer, 2014). Here, among the networks and layers of interdependencies, is a space where public opinion can be formed across traditional state and national boundaries that is recognised as both legitimate

and effective by decision-makers. That is, distant others have the expectation of input. Others, however, ask if it is possible that shared opinions can be formed, mobilized and importantly heard and acted upon given that media is now divided between 'corporate global media, restricted niche media, and decentred internet networks' (Fraser, 2014: 24). As Fraser writes, how can public opinion be considered legitimate or efficacious when a) the 'who' of communication is a 'dispersed collection of interlocutors'; b) the 'what' of communication now stretches across a 'transnational community of risk'; c) the 'where' is 'decentralized cyberspace'; d) the 'how' encompasses a 'vast translinguistic nexus of disjoint and overlapping visual cultures'; and e) the addressee, once theorized as a sovereign state, is 'now an amorphous mix of public and private transnational powers that is neither easily identifiable nor rendered accountable?' (Fraser 2014: 26).

Combined, these interests can help explain the contemporary dynamics of mediatised environmental conflict broadly and media roles in the journey of 'social licence' through the Tasmanian forestry conflict more specifically. The methods used to track the movement of the term through this highly networked, interdependent and contested space of local and international activism, resource procurement, markets, publics and environmental expectations are the focus of the article's next section.

## **Methods**

In order to trace the mediatised journey of 'social licence' through the Tasmanian forests conflict, this study deploys two forms of analysis. The first follows the well-established method of discourse analysis, applying John

Dryzek's definition of discourse as a 'shared way of apprehending the world ... constructing meanings and relationship and helping define common sense and legitimate knowledge' (2013: 9) and using an approach described by Norman Fairclough (2013), which has been usefully applied to the analysis of media and environmental politics in numerous recent studies (see, for example, Carvalho, 2007). For this analysis, the following were searched for: a) relevant media practices within texts, including word and image choice, repetition and associations; b) stakeholder access and representation, evidenced through, for example, paraphrasing or direct quotes; and c) critical discourse moments, when meanings within discourse shift or become further entrenched through, for example, spectacular events or reframing of an issue by a powerful stakeholder (Carvalho, 2007). The second method requires tracking discourse 'objects' (that is, news issues or events) across time and space. Here, news items were followed from their generation – as, for example, media events, releases or interviews – through various media platforms, including newspapers, websites and social media, to audiences, monitoring textual and contextual changes that have occurred across time and space. In focusing on changing media texts, practices and technologies, and claims-makers and decision-makers, the research is informed by the 'grounded' and 'empirical turn' in media studies (Flew, 2001). This approach analytically connects media content with the social conditions and material culture of its production, use and flow (Appadurai, 2008 [1990]), and identifies 'modes of symbiosis' (Morley, 2009) between different media platforms.

News texts were accessed via comprehensive online news archives. Key websites and social networks of claims-makers were also monitored. News texts

were exposed to a two-step analysis: a quantitative measure of news stories around political activity and their content, followed by a closer qualitative analysis of the meanings and symbols embedded within the texts. Specifically, news articles were searched for the keywords 'social license' and 'social licence' on the Newsbank database between the years 2000-2014. Archives were accessed of the two highest-circulating of Tasmania's three daily newspapers, the Hobart-based *Mercury* and its Sunday edition *The Sunday Tasmanian*, part of the News Corp Australia group, and the Launceston-based *Examiner*, now owned by Fairfax Media. Also searched were the archives of the national newspaper, *The Australian*, and its Saturday edition, *The Weekend Australian*, which are considered News Corp Australia's flagship publications. For comparison and to cross-check findings, Fairfax's Sydney and Melbourne metropolitan newspapers, the *Sydney Morning Herald* and the *Age*, were also searched, although as interstate metropolitan newspapers their coverage of the Tasmanian forests conflict was limited.

The research sought to uncover the point of generation of media items through analysis of activist, industry and government websites and publicity materials. Interview transcripts from research conducted in 2014-2015, in which 45 Australian environmental movement leaders participated in long semi-structured interviews about their campaign and other political strategies, were searched for the terms 'social licence' and 'social license', as were the media releases, websites and other politically generated material. This approach recognises a need to supplement a news content assessment with other analysis and interviews 'in order fully to assess their success or failure in influencing agendas' (Anderson, 1997: 37; see also Davis, 2007, 2009).

## **The Tasmanian forests conflict**

The physical size of Scotland, Tasmania has a population of 500,000 that struggles to achieve average Australian socio-economic indicators and remains heavily reliant on primary industries and tourism – economic drivers that rarely sit comfortably side-by-side. However, as noted in the introduction, Tasmania is a world leader in environmental conflict. In terms of green politics, the state is home to the world's first green party (the United Tasmania Group, formed in 1972) (Lohrey, 2002), the first environmental campaign to obtain 'global stature' by attracting international attention (the Franklin Dam campaign ran from 1979-1983, culminating in the arrest of 1872 protesters during a blockade of the remote construction site) (Lester, 2007), and an electorate primarily focused on the environment from as early as the 1980s (Hay, 1991). The conflict over use of the island's substantial eucalyptus resources continued largely unabated from the mid-1980s, with national park and World Heritage boundaries, woodchip exports, pulp mill construction and big tree protection becoming critical issues within the three-decade conflict.

Throughout, the forests conflict has been notable for ongoing struggles over visibility of key actors and issues, and the attempts of industry and government to discursively contain symbolic power within the bounds of the island state. Here, for example, protesters, ignored by mainstream news media and government, chained and concreted themselves to the ground through the floor of old car bodies in the path of logging machinery, while others hid in the trees filming the workers' violent response. Uploaded onto YouTube within hours, the images urged international condemnation of Tasmanian forestry

practices, and forced local news media to cover the issue and local political leaders to formally respond (Hutchins and Lester, 2011). In another notable 'moment', environmental NGOs checking logging coupes for protected 'big' trees discovered the scorching of Tasmania's largest eucalypt that they had previously strategically named El Grande. It was small news in local media, contained by complex industry, scientific and NGO debate over the extent of the scorching and the tree's likelihood of recovery, but it was big news internationally where the symbolism of the burning of the 'world's largest flowering plant' cut through (Lester 2010).

A significant shift in the conflict was prompted in 2009-2010 by the biggest downturn in demand in the history of the Tasmanian forestry industry. While initially the slowdown was blamed on the global financial crisis, it became clear that international discomfit over the procurement of woodchips sourced from native forests was a contributing cause. The Wilderness Society, one of Australia's largest environmental NGOs, had campaigned for a decade in Japan, attempting to convince Japanese companies that Tasmanian forestry practices were unsustainable, while also establishing direct action protest in the forests with accompanying websites aimed at the Japanese consuming public (Lester, 2014). There was little evidence of impact of these activities until 2010, when the industry began to publicly acknowledge that 'certification' and 'social licence' were central concepts in securing long-term international markets for forest products. This prompted Tasmania's largest company and land owner at the time, and the world's largest exporter of hardwood native woodchips, Gunns, to belatedly replace its chief executive and board members, and to announce that it was withdrawing from all native forest logging and woodchip exports in order to

win a social licence for its \$2 billion-plus pulp mill proposal (Stedman, 2010). However, despite these efforts the company failed to find a financial backer and suffered a steep decline in share value until it was eventually placed in receivership in September 2012.

As Gunns retreated from centre stage, a new company emerged to take a lead role in the Tasmanian forestry industry and accompanying environmental conflict. Like Gunns, Ta Ann Tasmania enjoyed strong support from the federal and Tasmanian Government and Opposition, including \$10.4 million in establishment grants for eucalypt veneer mills and a 20-year guaranteed resource supply (Forestry Tasmania, 2012). Via a relatively complex supply chain, Ta Ann Tasmania – an offshoot of Malaysian company Ta Ann Holdings, one of six major forest companies in Sarawak – supplied wood from Tasmanian regrowth and plantation eucalypt forests as veneer to Japanese manufacturers and retailers of flooring. This market comprised approximately two-thirds of Ta Ann Tasmania's business, which it claimed contributed a total of \$45 million annually to the Tasmanian economy (Ta Ann Tasmania, 2012). However, from 2011, Ta Ann Tasmania became the target of a markets-focused campaign in which environmentalists drew on highly symbolic acts (see [www.observeertree.org](http://www.observeertree.org)), international coalitions, and relationships with the institutionalized Greens to target individual managers within Japanese corporations with reports and letter writing campaigns. These actions alleged breaches of agreements, causing companies to pull out of contracts with Tasmanian suppliers and the loss of industry jobs (Ta Ann Tasmania, 2012).

Meanwhile, against the backdrop of these campaigns being played on the international stage, self-selected industry and environmental groups began

historic roundtable 'peace talks' in Tasmania with the stated aims of putting the forestry industry on a sustainable footing and ending community and political conflict over the forests (Lester and Hutchins, 2012). This was a surprising turn. After almost three decades of highly visible and often bitter debate, the key protagonists effectively disappeared from media (Lester, 2007; Lester and Hutchins, 2012). It was three months before their absence was noted by a community fatigued by almost constant brawling over industry practices, scientific definitions and protest actions, and before journalists revealed that the absence was far from an indication of post-election inactivity. Rather, the 'secret peace talks', as they were predictably dubbed by journalists, included industry representatives from the Forests Industry Association of Tasmania and Timber Communities Australia; environmental organisations The Wilderness Society, Australian Conservation Foundation and the umbrella NGO Environment Tasmania; and the leadership of the powerful Construction, Forestry, Mining and Energy Union. Their negotiations were watched over and the outcomes ultimately blessed by relevant ministers from the Labor governments then in power at both state and federal level.

### **Social licence in the media**

As a concept, 'social licence' had potentially much to offer the struggling Tasmanian community through this crucial period of public negotiation and decision making. The term had entered Australian mainstream media shortly after its introduction within international mining industry discourse (Boutilier, 2014). In 1997, *Sydney Morning Herald* economics writer Ross Gittins attempted to introduce the term 'suasian' to describe how to bring a community on board a

development proposal (Gittins, 1997). Not surprisingly, it did not catch on. However, the following year another column in the *Herald* suggested that ‘all organisations operate under an implicit social licence’ that limits ‘the actions of organisations that pollute the environment, put employees’ health at risk, produce dangerous products, or test their new products on animals, etc’ (Saul, 1998: 46). For an opinion writer in the *Australian Financial Review* two months later, the fact that ‘Shell has now embraced the philosophies of corporate citizenship and its underpinning tenet – that companies have to earn their “social licence to operate” – has raised the stakes for all corporations’ (Lagan, 1998a). In these columns, ‘social licence’ is framed as ‘built on public confidence’ that adds to ‘the collective good’ (see, for example, Lagan, 1998b). It is also framed by what it is not; a legal licence, for example. Most notably, it is framed by what it should and could be; that is, in relation to its amorphous and thus malleable shape:

Surely, it is not asking too much of our leading executives that they see that their social licence may also properly be restricted to limit actions which throw people out of work, damage the traditional fabric of rural communities, or place employees under intolerable levels of workplace stress. (Saul, 1998)

As with broader use (Moffat et al., 2015; Boutilier, 2014), the first uses of ‘social licence’ in Tasmanian news media occurred in relation to mining, although with a tone that was familiar to Tasmanian newspaper readers in 2003. Under the heading, ‘Mine boss’ green blast’, the *Mercury* reported a mining executive as claiming:

... no matter how hard the industry tries to do the right thing, it would never be enough for the greens. 'They are like two-year-old kids . . . all they can say is, "no".' The answer, he said, was for mining companies to earn their 'social licence' so communities supported them. 'If we don't have a social licence we won't be in business,' Mr Lassonde said.

'Establishing you are accountable for your actions is key to obtaining the respect from your stakeholders.' However, there was no quick route to obtaining a social licence. 'A social licence, like reputation, is first and foremost built on trust. It can take years to build, and moments to lose.'

(Charles, 2003)

Here, the term is owned by industry, with the 'greens' excluded from relevant communities or as stakeholders on the basis of being 'like two-year-old kids'.

Searches found the term to be largely absent from Australian newspapers for the next five years until 2008, when the first mention explicitly in relation to forests occurred. In February 2008, *Mercury* chief reporter Sue Neales, covering an international forest management convention in Hobart, cited forest researchers who suggested that global pressure could force 'an end to logging in old-growth and regrowth forests as the world comes to grip with global warming and carbon trading' and that 'there is a distinct possibility that the logging of regrowth forests will lose its current social licence' (Neales, 2008).

The term was next used 14 months later under the heading 'Activists spell out mill opposition':

A giant banner spelling out opposition to the Gunns pulp mill was mounted on the controversial Tamar Valley site yesterday as part of a message to potential investors. Last week Gunns executive chairman John Gay vowed construction of the mill would begin by December. 'A picture tells a thousand words and we want to make sure potential investors know that investing in this pulp mill is buying into decades worth of conflict over wood resources and water resources,' Wilderness Society spokesman Vica Bayley said. 'We want them to know the local community won't stop protecting their valley because this is a high-risk and environmentally destructive proposal with no social licence.' (McKay, 2009)

'Social licence' entered news media more fully in 2010 at the same time as the existence of the historic roundtable talks were being revealed. The emergence of the term within media coverage of the Tasmanian forests issue in and around this crucial period is quantified in Figures 1 and 2 below.

FIGURE 1 HERE

**Figure 1:** Number of news articles containing ‘social licence’ or ‘social license’:  
*The Australian and Mercury – 2000-2014*

FIGURE 2 HERE

**Figure 2:** Number of news articles containing ‘social licence’ or ‘social license’:  
*The Australian and Tasmanian newspapers – 2000-2014*

A search of all news media items from 1990 in the *Mercury* and *Sunday Tasmanian*, including editorials, opinion columns and letters to the editor, found 111 overall uses of ‘social license’ or ‘social licence’, with 90 of those (or 81%) also containing the keywords ‘forest’ and 78 (70%) containing the word ‘Gunns’. This provides evidence that ‘social licence’ was carried to the public on the back of the Tasmanian forests conflict, and specifically with reference to Gunns’ decision to alter its business practices with the stated aim of ‘winning’, ‘gaining’ or ‘seeking’ a social licence.

When the term began to appear more commonly in Tasmanian newspapers in 2010, it appeared without explication or definition. On one hand,

journalists used the term – generally quoting sources – as though its meaning was self-evident and it were a fully fleshed out and well-understood concept. On the other, they usually enclosed ‘social licence’ in quotation marks – recognition in journalistic practice that the concept was neither widely accepted nor commonly used in public discourse. Behind-the-scenes monitoring of stakeholder activity through this period helps explain the term’s sudden appearance. Industry and activist websites were monitored through the first quarter of 2010, and actors involved in the talks that began after the March state election were interviewed. The overall quantity of news reporting and other media activity on the forests issue in Tasmania declined notably through this period (Lester and Hutchins, 2012), but when journalists eventually revealed that the talks were underway, ‘social licence’ was frequently used by those at the table to justify the talks both to surprised journalists and their audiences, and to the even more surprised membership of the groups represented at the table.

This suggests, in part, why the public emergence of the term in late April 2010 appeared to be so sudden. The fact that Gunns was ‘seeking a social licence’ became the framing device for both the talks between industry and environmentalists, and the industry shake up. An *Examiner* story from this period is typical. Under the heading, ‘Gunns bets its future’, it reported: ‘About 28,000ha of Gunns’ native forest land holding would be sold as it attempts to gain a “social licence” across its forestry operations’ (Examiner, 2010).

Gunns’ ‘desire for a social licence’ received some contextualization when the concept was joined by that of Forest Stewardship Council certification through the second half of 2010. As reports from this period repeatedly made clear: ‘The company is also seeking Forest Stewardship Council certification, for

which the company needs to obtain a “social licence” from the community for its activities’ (Mercury, 2010c). And: ‘FSC certification requires a “social licence” or broad community approval, hence the withdrawal from perceived old-growth logging areas’ (Mercury, 2010b). ‘Social licence’ and FSC certification appeared as a twinned concept for the following three months, better defining what was at stake while also increasing the value of social licence as a strategic environmental campaign tool. News stories took on an increasingly dueling and declarative tone through this period, with protagonists making unequivocal statements about the existence or otherwise of a social licence. ‘There is no social licence to build a pulp mill, as currently proposed, in the Tamar Valley,’ (Mercury, 2010a) and ‘He [Kim Booth] said Gunns had failed to earn “a social licence” to build the mill, meaning there was still widespread opposition, especially in the Tamar Valley’ (Mercury, 2010d).

In early 2011, Gunns’ new managing director Greg L’Strange attempted to flesh out the concept in a widely reported letter outlining the company’s proposed direction. As published in the *Mercury*, L’Estrange wrote: ‘Underpinning Gunns’ move to a new plantation-based value-adding business is what we have called gaining our social licence-to-operate’ (Mercury, 2011a). However, by then, the concept itself was under attack, and an explicit site of conflict in itself. High-profile Tasmanian author Richard Flanagan continued his media commentary on the forests conflict by writing in the *Mercury*: ‘Ironically, Gunns now desperately needs the support of conservationists for the much-vaunted social licence to get a funding partner that will help finance the mill’ (Flanagan, 2011). From the *Mercury* itself: ‘Gunns has a new-look board and a new chief executive officer. It has approached environmental groups in a bid to

win a “social licence”, a dreadful term that sounds more like an exercise in corporate spin than community consultation’ (Mercury, 2011b).

Industry supporters, including influential federal Tasmanian MP Eric Abetz, were also reported as attacking the concept:

‘You cannot trade off thousands of jobs in the sustainable native forest industry against a few hundred jobs in the pulp mill because of an outrageous attempt by a big company to get a social licence for its mill,’ Senator Abetz said. (Mercury, 2011c)

In the letters pages, ‘social licence’ joined the list of terms whose use had created confusion in the forests debate:

The protest groups have received much media coverage but little analysis of their position. This in part is a result of misleading information that has been promulgated by these groups (such as use of plantation timber) and a conservation language that covers complicated matters with simple but meaningless generalisations (such as ‘wild forests’, ‘high conservation value’, ‘sustainability’, ‘social licence’ and ‘intergenerational equity’). (Mercury, 2011d)

Scepticism became entrenched:

Meanwhile, he [head of Gunns Greg L’Estrange] has tried to build a ‘social licence’ for the pulp mill – a loose concept perhaps best defined in this

case as too few community opponents to hurt the financing. (Examiner, 2011)

Through 2012, proof of the existence or otherwise of a 'social licence' was demanded within the context of messages carried by trade missions to Asia – with the State Opposition 'inviting' the Premier to 'prove there was bipartisan support in the Tasmanian Parliament for the forestry industry and a social licence for the pulp mill' (Examiner, 2012a). Potential buyers of Gunns' assets demanded the same, according to news reports: 'Richard Chandler Corporation wants to find out if Gunns has a social licence and broad community support for its pulp mill before it invests \$150 million in the timber firm' (Mercury, 2012a).

Further attempts to pin down the concept followed. Existence was proven by a 'reasonable level of community support (or "social licence" to use the corporate jargon)' (Mercury, 2012b) or because '80 per cent of voters ticked Labor and Liberal boxes at the most recent state election' (Sunday Tasmanian, 2012). Yet, 'social licence' was also conceived by some of being inherently undemocratic: '...many such self-appointed arbiters actually have few members but threaten democratically elected governments with so-called "social licences" to promote their own agendas' (Examiner, 2012b). And it would become meaningless if the pulp mill site was sold to a Finnish-Chinese consortium: 'If it is a Chinese company then opponents will be whistling into the wind with any argument of a social licence' (Examiner, 2012c).

By 2013, 10 years after its first use in Tasmania, environmentalists were no longer excluded as stakeholders in public debate on social licence, but were considered – like corporations – to be in need of social licence themselves:

‘Tasmanian Liberal Senator Richard Colbeck said the [environmental] group did not have the “social licence” to make their claims against the project’ (Mercury, 2013). Searches show that the frequency of use of the term declined in national media coverage of the Tasmanian forests conflict through 2013. Most incidents of its use in 2014 were in Tasmanian news media, and were related to introspection by key protagonists or formal examinations of the ultimate failure of the ‘peace talks’ and the intergovernmental agreement that had resulted.

Research suggests that the loss of visibility of the term ‘social licence’ from 2013 was not isolated to news media coverage. A search of activist websites, for example that of The Wilderness Society, shows little evidence of the term’s use in media releases or other public statements and blogs after 2013. Interviews with 45 environmental leaders across various sectors in Australia – all conducted in 2014-2015 – also suggest a perception that the term was no longer publicly useful: only three leaders spontaneously used the term during our lengthy semi-structured interviews, which asked leaders to contextualize their motivations, practices and strategies. One was in relation to divestment of the fossil fuel industry; one in relation to the Lock the Gate movement that opposes coal seam gas extraction; and one in relation to the nuclear industry:

We aim to put as many obstacles in the front of this industry until the self-evident becomes self-evident. We want to reduce at every point and challenge at every point this industry’s social license. We want to encourage uncertainty and drive capital from this sector, and we want to reinforce the fundamental fact that this industry supplies a fuel that is

unique in its properties and risks, it fuels nuclear reactors, it fuels nuclear weapons and it becomes radioactive waste. (Interview, 9 October 2014)

None of the Australian environmental leaders interviewed used the term specifically in relation to the Tasmanian forests conflict, Gunns' demise or the forests agreement.

### **Discussion**

The analysis presented here suggests that the concept of 'social licence' entered media discourse during a crucial period for public debate and decision-making on the future of a key Tasmanian industry, but did so with little definition or explication. The nebulous properties of the concept and the poor explanation of its key features – 'a social licence; where do I get one?' as locals joked – meant it was available for strategic deployment by protagonists in environmental conflict. Campaigners, for example, were reported as threatening the 'granting of a social licence' via refusal to negotiate, staging highly visible and widely circulated acts of dissent, or strategic expansion of the issue to shift the boundaries of the 'affected' public to cross local, regional and national lines. Industry and government, on the other hand, could be seen to be 'seeking a social licence' while attempting to firm these boundaries via their own definitional work, evoking terms such as 'direct interest' to ensure a contained and easily identifiable community to whose concerns they could be seen to be responding.

In the Tasmanian case, while this definitional intangibility initially helped provide a space for protagonists to come together in the 'secret peace talks', it ultimately undermined the concept and its sustained usefulness. The Liberal

Party opposition at federal and state levels – which had been excluded from the talks – went to elections in 2013 and 2014 promising to scrap the intergovernmental agreement and legislation that had resulted. Following Liberal victories, the agreement that had traded ‘social licence’ and industry restructuring against forests protection was overturned in 2014. This was then followed by government attempts to introduce what was described as ‘draconian’ anti-protest legislation aimed at protecting the forests and mining sectors (Martin, 2013), suggesting there were serious limits to the concept’s public usefulness within the Tasmanian debate.

To tease out media roles in the journey of the term, including its subsequent decline in usefulness in promoting meaningful public debate, I return to the four foci in the analysis of media I introduced earlier in the article. These were related to i) the circulation or containment of symbols and associated power to influence debate and decisions, ii) the strategic pursuit of media visibility (and invisibility) that has marked contemporary environmental politics, iii) the identification of ‘switching points’ where power is enacted and exchanged within network society, and iv) the possible emergence of legitimate and efficacious transnational publics within environmental politics.

In considering the first, it is important to recognise how the concept of ‘social licence’ acted as a powerful symbol in itself within the Tasmanian conflict, holding the promise of a cessation to decades of often bitter conflict and a much needed economic and socially agreed path forward. It could do this in part through its implicit suggestion of empowering all stakeholders, not only those who had enjoyed power previously via their capacity to influence government policy either through direct engagement, such as industry, or through indirect

engagement, via protest and market campaigns designed to attract media attention. It promised the community a voice. The power of 'social licence' as a symbol is evidenced by its deployment by participants at the roundtable 'peace talks' to justify in public statement their coming together for the first time to attempt to negotiate a cessation to the conflict and renewed viability for the forests industry. However, as with all symbols, strategic deployment for political purposes risks diminishing the symbol's essential core, and in the Tasmanian case, this occurred irrevocably when participants at the roundtable deliberately chose to exclude the broader community in the initial phase of the talks while they retreated behind closed doors to find 'common ground'.

Which raises the second focus. After decades of a clear strategy of attempting to make visible otherwise hidden practices of industry and government through protest and other forms of dissent, the decision of the more elite environmental NGOs to trade their visibility for a place at the roundtable talks undermined not only their capacity to be representative of broader community voices but of the very concept of 'social licence' in itself. That journalists covering Tasmanian politics were slow to report on the crucial development also undermined public trust in media as an arena for public debate and knowledge-sharing on an issue vital to the state. The community was purposely excluded from the negotiations supposedly underway on its behalf, and its major forum for public debate became silent at the very time it was vital to communicate the meanings and implications of 'social licence'. When journalists forced participants of the talks to reengage publicly, media practices and logics that focus on day-to-day developments and the he-said-she-said style

of narration left 'social licence' poorly explained and open to a high degree of contestation.

We need to ask here why new forms of media and technologies, supposedly heralding an era of open communication and participation in matters of public importance, did not support the Tasmanian endeavor towards a wider understanding and debate about social licence. As Brett Hutchins and I have argued elsewhere (2015), a focus on 'switching points' as they operate within the network society helps provide an explanation. In the Tasmanian case, interlocking networks of media, political and economic power continued to operate, instantiating 'switching points' within the conflict. Electoral cycles, industry and environmentalist strategies and government policy met here, resulting in a level of control over the flow of information and stakeholder access. While media reporting and protest activity by groups outside and opposed to the talks –most significantly the Liberal Party opposition that was soon to be elected to government at both state and federal levels – eventually accessed and impacted these 'switching points', the initial strategy of silence controlled information across all forms of traditional and social media.

Focusing on an emergent transnational public sphere also helps explain the Tasmanian case. Since the inception of environmental protest in Tasmania, campaigners have understood the power of attracting distant concern. While the strategy was haphazardly implemented during the campaign to save Lake Pedder in the 1970s, it was fully integrated and politically sophisticated by the Franklin Dam campaign of the early 1980s, with national and international celebrities, journalists and politicians campaigning to protect the World Heritage-listed region. In the decades since, expanding global trade,

environmental awareness, particularly of climate change, and new media technologies and practices have combined to produce transnational networks of concern, and these in turn have increased capacity to influence emerging transnational corporations and governance regimes. In what is now commonly described as a global culture centred on 'consumer capitalism' (Lewis, 2014) where everyone can consider themselves 'affected' by environmental change, and within the context of an increasingly global political economy of forests (Dauvergne and Lister, 2011) 'social licence' is a difficult concept to contain. Tasmanian campaigners, with their strong national and international networks, capitalised on this, with news media struggling to make sense of the conflicting pressures from environmentalists wanting to expand the debate and industry and government wanting to keep it contained within tight bounds. Media practices provided little room for either side to justify their framing of the concept, or help the community determine whose opinion mattered.

Finally, it is worth considering the sometimes contradictory findings of this study in relation to those of Parsons and Moffat (2014), which analysed social licence within industry discourses. Where internal industry discourses analysed by Parsons and Moffat displayed agreement and mystified agency, media discourse in this study is dominated by competing voices, definitional contests and attempts to attribute responsibility. Significantly, in media coverage of the Tasmanian conflict, 'social licence' is not 'maintained' or 'sustained'. It is a 'desire', yet to be 'gained' or 'earned', that brings with it the very concrete reward of certification. Nevertheless, like its industry counterpart, media discourse still failed to detail how a social licence is, in reality, earned. The

implications of these different discourse outcomes are important and require further attention.

## **Conclusion**

The Tasmanian case shows that the term 'social licence' was never fully accepted in mediated debate despite its strategic deployment by key stakeholders in industry, government and the forests 'peace talks'. One possible explanation is that it was a concept that arrived too late to carry any credible meaning. By the late 1990s, the internet was already changing the rules for public engagement and policy development in wealthier nations. Web 2.0 a decade later cemented such change. This is not to suggest that all capacity for control, access and other forms of symbolic power disappeared. In some cases, the opposite is true. However, new conditions emerged and continue to emerge to undermine the idea that a 'local community', 'the affected' or 'direct interest' can be contained by a 20-kilometre radius or capacity to physically attend a town hall meeting.

Beyond industry, supply chains, markets and even consumers are publics, and it is here that the future of 'social licence' as a genuinely useful term sits. As with all concepts related to justice – 'responsibility', 'impact', 'standing', 'interest' – social licence is embedded within an 'inescapably discursive' process (Sen, 2011: 337). In the Tasmanian case, this discursive enslavement ensured the concept was subject to existing and emerging conditions of public debate: of the symbolic pulls within media flows; of strategic acts to achieve visibility or to remain invisible; and of repackaging and deployment at 'switching points' where political stakeholders and media actors engage. Importantly, the concept was also subject to the new conditions of public debate in which environmental

concerns have become global; transnational corporations, NGOs and governance regimes such as UNESCO continue to emerge; and the internet has redefined the idea of 'local community'.

To ensure social licence is effective in a range of contexts, negotiators need to be willing to identify and engage with a dynamic definition of 'local community'. No matter how hard industry tries to keep it mystified within its own discourses, the concept of a 'social licence' will inevitably produce and then be confronted by an expanded and amorphous 'affected public', whose constituent parts can make claims to environmental and economic interest and impact. This is what media do. Evidence from the Tasmanian forests conflict suggests that such mediatisation will increasingly occur, and the boundaries in which debate exists and publics now form will continue to be porous and volatile. If the myth of a bounded local community is not let go, the term will struggle to be publicly meaningful or useful.

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None declared

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