

individual breaches of environmental laws in cases from public administration files

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The characteristics of environmental transgressions and transgressors involved in 1,505 files handled by 4 public administrations were assessed. These administrations were in charge of environmental law enforcement in a highly protected setting, across federal, state, island, and municipality jurisdictions. Special attention was given to the transgressors' written responses to administrative sanctions included in the files. These were analyzed integrating the approaches of neutralization techniques and of accounts as strategies of conflict management. Results suggest that most environmental transgressions under study were carried out by private individuals in the personal domain of everyday life, and that transgressors' accounts of environmental transgressions were short, straightforward, and questioned the legitimacy of the environmental law being broken.

INTRODUCTION

Environmental law is a fragmented and difficult-to-coordinate field in many Western countries. It involves administrative, civil, and criminal regulations, enforced at the federal, state, and local levels.¹ Thus, breaches of environmental law are not always considered crimes in the strict legal sense, but very often incur substantial fines. Although these transgressions involve actions that harm both the environment and human beings, it has said (Korsell 2001) that environmental transgressions are not universally perceived as illegal, or even reproachable, as their "wrongness" is not always obvious. This may be why, in many cases, society prefers to refer to this type of violations as

¹See, for example, Situ and Emmons (2000) for a description of the United States, United Kingdom, and Australia, and Parejo-Alfonso (2005) or <http://www.mma.es/portal/secciones/normativa/> in relation to Spain, where this study was run.

“accidents” or “human errors” instead of crimes (Mårald 2001). Indeed, most people have difficulty in distinguishing between legal and illegal anti-ecological behavior, partly because many anti-ecological behaviors become illegal only when they exceed the limits established by the law or when a specific license to carry out an action has not been obtained (Korsell 2001). Thus, environmental transgression is a rather peculiar form of illegal behavior in its consequences, sanctions, and victims.

The consequences of environmental transgressions are not always immediate or indeed evident, and in some cases even experts disagree in their evaluation of the harm done, depending on whether or not they are involved with the interests of the different parties (Mårald 2001). Furthermore, as the incident often occurs for the first time, there is frequently no precedent to allow evaluation of the actual situation and predictions of the consequences for the immediate and more distant future. This situation is worse when the punishable effect is not the harm itself but the risk of such harm occurring.

The very severe penalties that do exist for environmental transgression are seldom imposed (Mårald 2001). This could be because the environmental laws have generally been drawn up in response to extreme, catastrophic events, which are in fact infrequent (Korsell 2001). Also, as these incidents are perceived as exceptional, the risks of future occurrence and the need for subsequent surveillance are underestimated. Therefore, although the sanctions for those found responsible for ecological disasters are considerable, the infrequency of this type of event makes legal precedents scarce. As a result, prison sentences are very rare, and fines are the most common sanction applied (Korsell 2001; Watson 2005). Unfortunately, for corporate transgressors, the fine is minor compared to the routine cost of doing business legally, so it is often more economical to pay the fine (Wilson 1986).

Victims, when compared to those of regular offenses, are not specific individuals but are often a large, indeterminate group of people affected in the short or long term. In some cases, environmental transgressions can affect present and future populations and even an entire region. The characteristics of these victims, then, have consequences for the

detection of breaches of the law and for public perception of ecological transgressions. As there are no individual victims who feel compelled to report the incident, detection of environmental transgression depends almost exclusively on the efforts of administrations in finding and sanctioning anti-normative behavior.

It is possible to distinguish among different types of environmental transgressions. Situ and Emmons (2000) consider five categories of environmental crime, to the extent that they can be carried out by individuals: (a) as private citizens, (b) in the course of a legitimate job, (c) to benefit a legitimate company or organization, (d) as members of a criminal organization, (e) serving an administration. The last four categories can be included in the concept of "white collar crime" in the sense of being occupational or organizational crime (Sutherland 1940). If we take into account only these four categories, environmental transgression could be considered a subcategory of economic crime, as both types of misconduct share characteristics such as that: (a) the victims are diffuse in terms of their dispersion and lack of specific profile, and (b) the anti-environmental behavior is carried out by corporations and individuals who are not offenders in the usual sense of the term (Korsell 2001).

But although corporations, the military, organized crime, and even governments have traditionally been blamed for environmental damage (see Situ and Emmons 2000), private individuals may also act illegally against the environment, both within the work domain and in the course of recreational activities (Situ 1998). Individual breaches of environmental laws in the private domain are not economic crimes or ordinary offenses.² Furthermore, they are not uniformly a type of anti-social behavior, as proposed by Corral-Verdugo et al. (2003), because they do not always harm the resources, well-being, and interests of people, nor are they always the result of the human tendency to behave in one's own benefit. Lastly, although the motives for individual environmental transgressions could be more a question of commodity and the saving of small amounts of money in

²The term "ordinary" offenses (offenders/criminals) refers to theft, murder, and other common offenses and is used as opposed to "white collar" offenses (Sutherland 1940).

personal domains of everyday life (Situ and Emmons 2000), their exclusive conceptualization as a form of "folk crime" (Ross 1983) also seems to be problematic.

Ross (1983) defined "folk crimes" as illegal behaviors, carried out usually by ordinary citizens, without significant social reproach because the laws being broken have low perceived legitimacy. They have also been termed "recreational crimes" or "mundane crimes," and normally involve casual incidents by occasional offenders who are not the object of attention of either the criminal system or the mass media (Gabor 1994). Although both Gabor (1994) and Situ (1998) have linked the concepts of environmental crime and "folk crimes," it is not clear whether the concept of folk crime itself could add something to the concept of perceived legitimacy of the law (Tyler 1990, 2006) in the understanding of environmental crime. However, the two core characteristics underlying the concept of "folk crime" could be useful themselves for the study of environmental transgressions committed by individuals in personal domains of everyday life. Indeed, both characteristics, that environmental transgressors are ordinary people and that the law being broken has low perceived legitimacy, have been reported several times from other frameworks in relation to some forms of environmental crime.

With regard to the profile for the environmental transgressor, it has been stated that environmental transgressions are often committed by people "radically different from ordinary criminals" (Mårald 2001:158). Research by Situ (1998) shows that the environmental transgressors in a New Jersey sample were ordinary people without criminal records. They were mostly men, within an age range of 18 to 74 years. The illegal activities concerned were the intentional dumping of wastes, construction and demolition debris, and household appliances. This behavior was motivated by saving small amounts of money. Situ also reports data from a questionnaire survey showing that people admit illegally dumping household trash in wooded areas, or releasing used oil into sewage, and that they know other people who do the same.

The second core feature, the low perceived legitimacy of environmental laws, is also found in previous studies. Tyler (2006) has defined legitimacy as "the belief that authorities,

institutions, and social arrangements are appropriate, proper, and just" (p. 376). In Situ's (1998) study transgressors claimed that their illegal behavior was not an offense. Both transgressors and the officers involved in environmental law enforcement knew that the behavior was illegal, but they did not understand why. The officers thought that they would be better employed in persecuting perpetrators of "real" crimes (p. 149). Situ also reports that prosecutors were reluctant to bring criminal charges against environmental offenders because of the difficulty of establishing criminal intent and of proving serious consequences.

Similar evidence of low perceived legitimacy of the environmental laws by enforcement personnel is reported by Du Rées (2001), in a Swedish context. Law enforcement officers were asked, among other questions, why their agencies do not report all suspected offenses. Most of the enforcement personnel used as justification "the lack of confidence in the capacity of the legal system to deal with the breaches in a satisfactory manner" (p. 120). As in Situ's study, they reasoned that the breaches had not resulted in direct harm, or that the consequences were not very serious. Lastly, the enforcement officers referred to the need to safeguard "their relationships with the enterprises in question and/or with local authority politicians" (p. 121).

Although promising, the evidence discussed up to here has some shortcomings. For example, Situ (1998) worked only with transgressions at the county level and her interviews with transgressors involved only five cases. Du Rées (2001) studied the enforcement personnel's perception of environmental law and her interest was focused on the effectiveness of the law. Therefore, she did not address important questions related to the nature of environmental transgressions or transgressors.

The main limitation of these studies, however, is that transgressors' explanations of their behavior were limited to assessment via Sykes and Matza's (1957) approach. Sykes and Matza's (1957) neutralization theory explains how individuals who break the law are able to act normatively in other contexts. From their point of view, transgressors use neutralization techniques to make distortions and rationalizations that allow them to reinterpret their behavior as socially acceptable, or even pro-social. In this way, they

avoid guilt and protect their self-esteem. Neutralization techniques have received empirical support in relation to embezzlement, delinquency, economic crime, violation of civil rights, police failure to report gender violence incidents, and poaching, among other offenses (Maruna and Copes 2005; Walters 2002).

Sykes and Matza (1957) originally described five neutralization techniques: denial of responsibility, denial of injury, denial of the victim, condemnation of the condemner, and appeal to higher loyalties (Maruna and Copes 2005; Walters 2002). Five additional techniques were subsequently added by other authors: the metaphor of the ledger, defense of necessity, denial of the necessity of the law, the claim that everybody else is doing it, and the claim of entitlement (Eliason and Dodder 1999; Fritsche 2002; Maruna and Copes 2005).

The use of neutralization techniques is not the only way to approach transgressors' accounts of their misconduct in general and accounts of environmental law violations in particular (Fritsche 2002). It is true that to our knowledge no other empirical studies on transgressors' accounts in the environmental domain have been published. However, there has been research on conflictive situations in which a norm has been violated and individuals are asked for the reasons underlying their behavior. According to these studies, transgressor accounts are used in social interaction to reduce conflict (Schönbach 1990), for self-presentation purposes (McLaughlin et al. 1992), and as a way to avoid punishment (Itoi et al. 1996).

Most of this research is based on Scott and Lyman's (1968) classic taxonomy on justifications and excuses as means of reducing the attribution of responsibility for wrongdoing. Later, Schönbach (1990) added concessions and refusal to the types of accounts, enlarging the continuum of conflict mitigation-aggravation. Walton (1985) proposed the same four categories while including and specifying the elements within the categories of justification and excuse. Thus, justifications include negating the rule, appealing to higher goals, denying damage, and appeals to reciprocity. On the other hand, excuses include denying knowledge, denying control, and denying intent. The result is a comprehensive coding scheme useful in the classification of judgments of blame-worthiness in natural settings.

Lastly, Fritsche (2002) added to Walton's (1985) and Schönbach's (1990) work the new category of "referentialization," as a type of account able to function as an intermediate strategy of interpersonal conflict management. In this case, transgressors neither deny that a specific norm has been violated (justification) nor their connection with the behavior (excuse). They invalidate the opponent's approach without invalidating the opponent's definition of the situation, adding information that was not included in the opponent's reproach and that allows the transgressors to reduce their guilt. This information relates their behavior to another norm, another person, or other behavior. The types of accounts included in the category of referentialization are: defense of necessity, appeal of higher loyalties, reference to laziness, reference to the helplessness of the individual, reference to the sins of others, metaphor of the ledger, and promised reform.

As some of the strategies of referentialization were already described by Sykes and Matza (1957), Fritsche's (2002) formulation is a comprehensive model able to integrate the research on transgressor accounts in conflict situations with the research on neutralization techniques and, therefore, becomes useful as a broader conceptual framework.

In this context, the general purpose of this study is to analyze the characteristics of environmental transgressions and transgressors included in the files of four public administrations in charge of environmental law enforcement in a highly protected environment. Special attention is given to the analysis of the transgressors' accounts found in the written statements submitted by the accused during the administrative process to avoid sanctions, and that are added to the files by the administrations. This analysis integrates the approaches of neutralization techniques and of accounts as strategies of conflict management.

It is expected that the most frequent transgressions reported in the files will be predominately those committed by individuals as private citizens in personal domain of everyday life, regardless of the level of administration (federal, state, or local). Secondly, it is anticipated that transgressors' accounts of environmental transgressions are related to a questioning of the legitimacy of the environmental law

being broken, even when the environmental safeguards are highly important in the study setting.

METHOD

Study Setting

Data were collected in a setting, the Island of Tenerife, considered especially suitable for the research purposes due to two reasons. Firstly, Tenerife is a highly bubble-like space given that 48.6% of its 2,034 km² surface is environmentally protected. The areas under environmental protection include 43 sites of natural interest with a high number of endemic species of flora and fauna (see <http://www.puntoinfo.idecnet.com> for more detailed information). Secondly, Tenerife is the largest of the Canary Islands, one of Spain's 19 autonomous regions, resembling in many aspects the legal and enforcement federated model of many other Western countries. Environmental laws and environment enforcement agencies in the island are therefore distributed across national (herein federal), autonomous (herein state), island and municipal (local) jurisdictions. For more information on environmental laws and on environment law enforcement agencies in Spain and in the Canary Islands see <http://www.mma.es/portal/secciones/normativa/> and <http://www.gobiernodecanarias.org/cmayer/normative/index.html>.

The administrations that collaborated in the research were: the Environmental Protection Service of the Civil Guard (federal agency; 609 files), the Urban and Natural Environment Protection Agency of the Canary Island Government (state agency; 608 files), the Environmental Area of the Tenerife Island Council (island agency; 158 files), and the Ecology Police of the municipality of San Cristóbal de La Laguna (municipal agency; 182 files). The municipality of La Laguna was selected because (a) its territorial limits encompass urban and rural areas, coastline, and protected natural spaces, (b) its historical and cultural center is under special protection as a declared World Heritage Site by UNESCO, and (c) it is the seat of the University of La Laguna with 25,000 students who patronize an urban area of evening leisure, within which residents' complaints about noise are very common.

The files from the federal and island agencies involved the total number of reports and records handled by these administrations in Tenerife during 2002. The files from the state agency comprised the total number of files from the Natural Environment Section and 64% of the files from the Urban Environment Section of Tenerife. The rest of the files from this section were not analyzed because they were not available at the time of data collection due to administrative reasons. However, as construction violations were already considerably more numerous than all the other types of transgression, and as the similarity among these transgressions was so high, we considered that adding more cases would only be redundant. Lastly, the files from the municipal agency were only 40% of the total number of reports handled by the Ecology Police of the municipality, because we concentrated on the violations not covered by the other administrations (noise, transgressions related to the protection of historical buildings, etc.).

Sample

The final sample was composed of 1,505 cases, because some of the files analyzed eventually included more than one transgression, and/or were handled by more than one administration and therefore eliminated to avoid duplication. From these, 33.7% were from the federal agency, 43.4% were from the state agency, 10.4% from the island agency, and 12.4% from the municipal agency.

Instruments and Procedure

To integrate the main contents of the different types of files analyzed, each administration was visited and a sample of the different forms used in each was gathered. A single form was constructed and used in the collection of all data from the four administrations. When no fixed format was available and/or the structure of the files varied in the types of transgression and the degrees of completion of the documents, a general schema of the most common contents was developed by examining the different types of cases indicated by the administration officers. Differences in the sources of the information, in the format, and in the importance attributed to each single item of data by each administration were disregarded. Nevertheless, information

of psychological relevance was prioritized as much as possible.

The final instrument (available from the first author upon request) included four blocks: Characteristics of the transgression, characteristics of the transgressor, summary of the facts, and transcriptions of the accounts included in the written statements by the accused. As said before, in the Spanish legal system, the accused may submit written statements (know as *alegaciones* in Spanish) during the administrative process to avoid sanctions. The administration then must give a written answer to the accused's claims and to add both the accused's original statements and the administration's answer to the case file.

The data collection procedure was the same in the four administrations. One member of the research team stayed in each administration and was handed the files one by one. She read each file carefully and extracted the relevant information, using the instrument described earlier as a guideline. Another collaborator independently coded the first 25 files, in which there was total agreement between herself and the coder. The coder also made a summary of the main facts of the file and, where present, a literal transcription of the accounts included in the written statements made by the accused during the administrative process. Later, two trained judges categorized each single meaningful segment or proposition of the transcriptions of the accounts, according to a coding schema elaborated ad hoc. The inter-coder agreement, measured by Cohen (1960)'s Kappa, was 0.87.

The coding scheme was elaborated using Fritsche's (2002) comprehensive model and Walton's (1985) empirical study and included 11 categories, grouped in four general sets: Acceptance/compensation, Justification, Excuse, and Denial. The definitions of the 11 categories as well as some examples of the quotes coded in each are displayed in the Appendix.

The set Acceptance/compensation refers to accounts in which the author admits a wrong behavior, apologizes and/or offers to repair the damage. Walton (1985) has a similar category, Compliance, but it is Schönbach (1990) who more clearly outlines the idea of restitution that is reflected in our category of Reparation measures. The other category

included in the set, Compensation, is a version of the metaphor of the ledger, one of the neutralization techniques added by Minor (1981) to the original list of Sykes and Matza (1957).

In the Justification set were coded accounts in which the actor admits her or his voluntary involvement with the behavior but denies that her or his conduct was wrong. This set appears in all the accounts' taxonomies, but it is Walton (1985) who specifies the different categories to be included. In the present coding system, the categories within the Justification set are: Negating the norm, Denying the damage and/or victim, Condemning the condemners or appealing to reciprocity, Emotional/prosocial objectives, and Material/economic objectives. All these categories are in Walton's (1985) taxonomy although there is one difference; while she uses a single category, Appeal to higher goals, we prefer to distinguish between Emotional/prosocial vs. Economic objectives. Likewise, four of the original neutralization techniques of Sykes and Matza (1957) are reflected: Denial of injury, Denial of the victim, Condemnation of the condemners, and Appeal to higher loyalties. The differences here are that Appeal to higher loyalties is modified into Emotional/prosocial objectives and that Denial of the victim and Denial of the injury are included in the same category, as Minor (1981) suggests.

The set Excuse involved categories in which the actor admits that her or his behavior was wrong but denies her or his voluntary involvement with the behavior. The categories included are Denying knowledge/Ignorance of the facts and Denying intention/responsibility. Both categories are present in Walton's (1985) taxonomy and the last one is Sykes and Matza's (1957) Denial of responsibility. Walton also includes Deny control, but we consider that, for the present research, this category is redundant with Denying intention/responsibility.

Lastly, the set Denial refers to refusals of involvement with the behavior or the existence of the fact itself. This meta-category appears both in Walton (1985) and in Schönbach (1990), although neither differentiates internal categories. For the present research we distinguish between the categories Denial of authorship and Redefining the fact as two different strategies of refusal.

RESULTS

The data were analyzed in relation to the characteristics of the transgressions, the characteristics of the transgressors, and the transgressors' accounts.

The Environmental Transgressions

Seven characteristics of the environmental transgressions were analyzed: type of transgression, context, level of environmental protection of the setting, temporality, origin of the files, seriousness, and proposed sanctions.

The first and second most frequent transgressions are illegal construction (46.4%), and inadequate disposal and/or or management of both waste and hazardous materials (23%). The most common type of illegal construction is house building, followed by house reform/enlargement, and finally, the building of walls and fences. Common types of waste included construction debris, cars, fuel and oil for vehicles, as well as sewage.

The third most frequent category of ecological misconduct, "non-extractive activities" (9.2%), is defined as (a) illegal use of natural resources and (b) non-authorized activities and illegal modification of environmentally protected spaces. Among the most recurrent non-extractive activities are non-authorized breaking-up, removal, clearing and leveling of soil, and driving and parking cars in protected spaces. (Information on the nine remaining, less frequent, categories are available from the first author on request.)

Environmental misconduct occurred mainly in rural contexts (51%), followed by urban (29.1%), sea/coast (10.6%), and forest/natural (9.3%) contexts. However, there is a significant relationship between the type of misconduct and the context in which it occurs ($\chi^2(30, n=1,476) = 893.066, p < .001$). Illegal construction is the most frequent transgression in rural settings (66.5%), whereas inappropriate disposal is the leading activity in urban settings (44.9%). For sea/coast contexts, illegal construction (27.7%), inappropriate disposal (20.1%), and animal (cetacean) abuse (17.6%) share importance. Lastly, non-extractive activities (30.9%), such as driving and parking cars outside the permitted areas, characterize the misconduct occurring in forest/natural spaces.

It is worth mentioning that although the most frequently reported activity may be the same in two contexts, the nature of such activity is completely different. For example, the substances usually involved in inappropriate dumping in urban settings are waste from car repair businesses, such as oil and fuel for vehicles, and paper dirtied by hydrocarbons (26.2%), whereas the most common substance reported as dumped into the ocean was sewage (59.4%). Likewise, the type of illegal construction most reported in rural areas is house building (48%), while along the coasts, construction incidents are more related to construction in natural caves (46.3%), which some local people traditionally use as informal week-end accommodation.

Most of the transgressions occurred in environmentally non-protected spaces (88%), although, as stated earlier, 48.6% of the island is under environmental protection in one way or another. Flora-related transgressions and forest fire-starting are reported in the same percentage (50%) in both protected and non-protected settings. Similarly, even though violations of the law of environmental impact, illegal camping, and non-extractive activities occur more frequently in non-protected spaces, they are also found in protected spaces (31.7%, 35.7%, and 21.2%, respectively).

Most of the files (81.3%) reported transgressions happening only once. This is true for all types of transgression except for air pollution and noise, where in 94.1% and 87.2% of the cases, respectively, the transgression was repeated two or more times ($\chi^2(11, n = 1,302) = 328.771, p < .001$).

In relation to the origin of the files, transgressions were disclosed mainly by public administrations (84.2%). Reports from individuals (12.6%) or ecology organizations (2.5%) occur in few cases. Mass media, politicians, corporations, and so on are responsible for the initiation of only 0.7% of the reports. This pattern is similar for all activities except air pollution, in which 66.7% of the cases were initiated after reports by individuals, maybe because reports about bad smells (e.g., those caused by domestic animals or farms) are included in this code. In the case of noise, although public administrations initiated the highest percentage of cases (49.3%), the reports by individuals (41.8%) and by civil organizations (9%) when considered together, suggest a higher public involvement in the prosecution of this type of activities ($\chi^2(33, n = 1,500) = 190.79, p < .001$).

The seriousness of the transgressions was determined by law (see Decreto Legislativo 1/2000). The laws specified in the files were mainly state (81.6%) and federal laws (18.4%). Four levels of seriousness were included in the analysis, ranging from offenses to minor transgressions. Only one case was an offense (0.3%) whereas 23.7% of the sample was considered very serious, 48.1% serious, and 27.8% minor transgressions.

Information on sanctions was included only in files by the island and state agencies. Of the island agency files, 87.3% included a proposed sanction. In all these cases, the sanction was a fine, ranging from €30 to €27,360 with the most frequent amount being €601. As to the type of activities, the files with most sanctions were non-extractive activities (26.1%), illegal constructions (16.7%), and flora (13.8%). The percentages of the other activities are small and similar, with the lowest percentages for pollution (0%), environmental impact (0.7%), and extractive activities (0.7%) ($\chi^2(11, n = 158) = 19.62, p < .05$).

Of the state agency files, 69.5% included a sanction, as provided by law (see Decreto Legislativo 1/2000). In this instance, however, fines appeared in only 29.7% of the sanctioned cases. The fines imposed ranged from €60 to €300,506 with the most frequent amount being €451. The nature of the most frequent sanctions was related to the type of activity most persecuted and therefore most sanctioned; that is, illegal construction (71.4% of the sanctioned cases). Inappropriate disposal accounted for 14.5% of the sanctioned cases, with the other activities reflecting similar small percentages, including 0% for illegal camping, destruction of flora, and noise ($\chi^2(9, n = 653) = 122.34, p < .001$). The sanctions for illegal construction included (in around 75% of the sanctioned cases) halting construction, forbidding electric and/or water companies to provide connections, and insistence on regularization of the situation in terms of obtaining permits, and so on. Demolition of the illegal constructions was suggested in only 8.6% of the sanctioned cases.

The Environmental Transgressor

The most frequently reported transgressors are individuals (63.4%), followed by businesses (26.1%), groups (5%),

and lastly, public administrations (1.7%). Taking into consideration that these businesses are small enterprises (tourist excursion agencies, building, car repairs, etc.) and are mainly local (77.5%) and regional (12.0%), their misconduct can also be considered as activities conducted by individuals. In this case, however, these transgressions have to be considered as carried out in the course of a job. The individuals concerned are generally men (82.4%), ranging from 18 to 87 years old ($M=47$ years, $SD=13$).

The groups of transgressors were composed of 5 or fewer persons in 78% of the cases, although the numbers ranged from 2 to 36.

Looking at the type of transgression, individuals acting in a personal, non-working setting were responsible for most of the transgressions except contamination and noise, whereas individuals at work were the most frequently responsible ($\chi^2(33, n=1,448)=928.81, p<.001$). Transgressions such as extractive activities, air pollution, and animal abuse are attributed to both individuals as particular and at work to a similar extent. Lastly, the infractions committed by groups were related mainly to camping, and those by public administrations (municipal councils) to inadequate disposal of waste or hazardous materials, basically dumping sewage into the ocean.

There is also a significant relationship between the type of transgressor and the way the file is initiated ($\chi^2(9, n=1,444)=65.43, p<.001$). Public administrations accuse individuals as particular (68.5%) more than at work (24.2%), whereas organizations and other associations do the opposite (22.9% vs. 74.3%). Individuals also accuse other individuals as particular more than at work but the difference is not as high as for public administrations (57.8% vs. 35.8%).

Lastly, there is a relationship between the type of transgressor and whether a sanction is proposed in the file ($\chi^2(3, n=1,448)=46.69, p<.001$). Thus, whereas for cases in which individuals as particulars are accused a sanction is proposed in around half of the files (49.6%); for groups, individuals at work, and especially for administrations, these percentages are much lower (39.5%, 30.3%, and 24%, respectively).

The Transgressors' Accounts

Of the cases analyzed, 320 of the 1,505 included written statements given by the accused during the administrative

process. The majority of these cases were from the state agency (62.7%), followed by the federal agency (17.2%), the island agency (10.6%), and the municipal agency (9.7%). The distribution of these cases across administrations and across activities is very much similar to the cases included in the previous analyses.

The accounts contained in these written statements were literally transcribed and each single meaningful segment from the transcriptions was coded into only one of the eleven categories of the coding scheme, as described in the Method section. The scores in each of these codes were analyzed in relation to frequency of usage, and account length and complexity.

The most frequently coded categories are: Negating the norm (35.83%), followed by Reparation measures (14.23%), Redefining the fact (10.31%), Denying intention/responsibility (7.98%), and Appeal to emotional/relational/pro-social objectives (7.73%) (see the Appendix for examples of transgressors' quotes). The lesser appearing categories are: Compensation (1.47%) and Material/economic objectives (3.31%). As to sets, Justification is the most frequent (55.22%), followed by Denial (15.95%), Acceptance (15.70%), and, lastly, Excuses (13.13%). However, as the frequency of use of the codes within each set varies so widely, further analysis and conclusions will be reported as individual codes. The relation of these individual codes and the set will be stressed when relevant.

Frequency of category use varies with the type of activity, and the type and the severity of the transgression. To check the significance of this relationship, a MANOVA was carried out, using the frequency of use of the five most frequent coded categories, the two most frequent types of transgressor (individuals as particulars vs. at work), the type of transgression (recoded into construction, contamination and natural environment), and the severity of the transgression (minor, serious, and very serious). A significant triple interaction among these variables was found ($\lambda = .866$, $F(5, 96) = 2.96$, $p < .05$). The significance of post hoc contrasts shows that in relation to the constructions considered serious, individuals as particulars negate the norms more than at work (2.92 vs. 1.00), whereas individuals at work (1.00 vs. 0.29) deny intention/responsibility more than individuals

do (see the Appendix for examples of transgressors' quotes). When the transgression is a serious contamination, individuals as particulars use more emotional/pro-social justifications than individuals at work (3.00 vs. 0.09). For serious transgressions against the natural environment, individuals as particulars redefine the fact more than individuals at work (1.00 vs. 0.00). Lastly, for minor transgressions against the natural environment, individuals as particulars Redefine the fact more (0.50 vs. 0.00), whereas individuals at work prefer to deny intention/responsibility (1.23 vs. 0.33), as they do in relation to serious construction.

The length of the accounts was calculated by counting the total number of propositions used in each account. Account complexity refers to the total number of *different* codes used in each account. Generally, accounts are neither very long (Maximum 11 propositions; $M=2.54$, $SD=1.8$) nor very complex (Maximum 6 different codes; $M=1.9$, $SD=1.08$). However, both length ($F(2,319)=14.75$, $p < .001$) and complexity ($F(2,319)=5.81$, $p < .05$) vary depending on the type of transgression. Post hoc contrasts show that the accounts for construction ($M=3.11$) are longer than for the other two types of transgressions, transgressions against the natural environment ($M=2.17$) and contamination ($M=1.95$), which are not statistically different. Complexity is also higher for construction ($M=2.10$), but in this case the difference is significant only when construction is compared to contamination ($M=1.61$), but not to transgressions against the natural environment ($M=1.84$). No significant differences in complexity were found between contamination and transgressions against the natural environment.

DISCUSSION AND CONCLUSIONS

The purpose of this study was to analyze the extent to which individual breaches of environmental laws detected by public administrations in a highly protected environment are carried out by ordinary people in the personal domain of everyday life, and whether the transgressors' accounts of environmental transgressions question the legitimacy of the transgressed environmental law. Although data were obtained exclusively from cases included in files, the results may suggest some preliminary conclusions about the

characteristics of the transgressions and of transgressors being charged.

Most transgressions handled by the public administrations across jurisdictions were carried out, as expected, mainly by individuals in the course of their personal activities related to home care or leisure. But it is worth noting that to a lesser extent there were also transgressions by individuals during their work in small and local businesses. Perpetrators' age and gender are very similar to those reported in Situ (1998), indicating that this result is consistent across settings.

Regarding the characteristics of the transgressions, note the high and varied frequency of reported activities. As in previous studies, inappropriate disposal of waste or hazardous materials is one of the most frequent activities. But in this case, illegal construction stands out as the most common transgression. The high frequency of cases of illegal construction may reflect as much the fact that social (but not administrative) reproach is lower for illegal construction than for other forms of environmental misconduct. The high rate of prosecution of illegal construction is not surprising in the highly protected geographical area, given that on the one hand it has high ecological fragility and value, and on the other, it has limited space available relative to large population increases and to tourism demands, which compose the area's main economic activity. These factors make land for construction a limited natural resource as valuable as water or oxygen and, therefore, object of special attention for public administrations and for transgressors.

Related evidence also suggests that people in this setting, especially in the rural context, have difficulty in realizing that in some cases construction implies destruction (see Hernández et al. 2005; Salazar-Laplace et al. 2006). Evidence from the moral considerations of environmental harm could support this explanation, to the extent that anthropocentric welfare is the category most used in moral judgments of anti-ecological behavior (Kahn and Lourenço 2002).

When illegal construction is excluded from the analysis, the urban context emerges as the one with the high number of transgressions, and inappropriate disposal turns out to be the category with most cases, both in urban and in rural places. This finding is very similar to Situ's (1998) except for the fact that in her study wooded areas are violated before

urban or rural areas. On the contrary, in the present study the fewest number of reported transgressions occur in forest/natural spaces. This may be because most protected spaces are natural/forest spaces and this legal protection could be effective in discouraging transgressions. What can not be determined from these data is whether compliance with the law in protected spaces is due to a high perceived legitimacy of such law or to a higher probability of being caught, given the higher level of surveillance in protected spaces.

Most cases are initiated as a result of administrative actions. Neither individuals nor organizations (including ecologist organizations) report environmental transgressions to these administrations to a significant degree. The involvement of enforcement personnel in applying environmental law is also suggested by the fact that the administrations not only initiate files but also, in a high percentage of instances, conduct the case through the appropriate administrative processes until a penalty is proposed. It is true, nonetheless, that it is very difficult to discover by looking at the files whether these sanctions were in fact imposed. The implementation of sanctions and penalties depends on municipal councils, police, judges, and tax departments, and implies a sequence of administrative processes across periods of time beyond the objectives of our empirical study.

High involvement of enforcement personnel in applying environmental law contrasts with studies by Situ (1998), and statements by Du Rées (2001) and Korsell (2001). This apparent contradiction could be due to the nature of the cases under study, given that the aforementioned authors refer only to criminal cases. Contrary to initial expectations, only one of the cases under analysis was sent to the criminal court system from the administrations. In the present setting it is possible that breaches of environmental laws may be reported directly to courts and go through the civil or criminal system without being reported in the administrative system. This would suggest that the three systems may be working independently, at least at the time these data were collected. But even so, the number of the transgressions going through the civil and criminal system would be comparatively lower than that described here, as reported by Situ and Emmons (2000) for the United States, Australia, and the United Kingdom (see also Watson 2005), and by Korsell

(2001) for Sweden. In any case, the possibility remains that the environmental transgressions that are tried by the criminal and/or the civil systems, besides being few, are different from those going through the administrative system. This open question will require future research.

Could this preference for the administrative system rather than civil or criminal courts suggest low perceived legitimacy of the environmental law by enforcement personnel? Not necessarily. We found, among environmental law enforcement personnel who collaborated in this research, a common belief that sanctions are less likely to be imposed by courts than by the administrative system, although the penalties imposed are not as severe as in the latter. The enforcement personnel's aim may be to not leave any transgression unpunished. However, this preference for the administrative system has two negative consequences. The first is that the administrations may be missing the opportunity to use civil and especially criminal law to communicate to the general population that breaches of environmental laws are morally wrong and, therefore, punishable (Korsell 2001). A second negative consequence is that, whereas the enforcement of criminal environmental law would increase the perceived legitimacy of these laws, non-enforcement could be increasing the so-called perverse effects of such laws, as discussed by Fernández-Dols (1993).

From Fernández-Dols' point of view, a norm is considered perverse not because it is ethically incorrect itself, but because it is broken with relatively high frequency. And when a norm is considered perverse it produces negative effects, such as demoralization, lack of confidence in authority, and the use of arbitrary or non-task related criteria to avoid punishing transgressors (Fernández-Dols and Oceja 1994). As such effects have been described by Du Rées (2001) in relation to the environmental laws system, it might be that some environmental laws are functioning as perverse norms, being formal but not conventional norms (Cialdini et al. 1992).

Regarding the analysis of transgressors' accounts in response to administrative sanctions, the types of explanations perpetrators use (justification, acceptance, denial, and excuse) are congruent with the administration sanction accompanying the particular transgression. Previous studies

have pointed out that accounts such these are elaborated as a way to avoid punishment (Itoi et al. 1996), to reduce conflict in social interaction (Schönbach 1990), and for self-presentation purposes (McLaughlin et al. 1992). All these functions seem relevant in a context of sanction for breaking the law. But the functional nature of the accounts itself is not enough to explain why individuals differ when trying to justify environmental transgressions in relation to their work versus leisure time, and why their justifications vary (in content, length, and complexity) as a function of the type and severity of the transgression.

One possible explanation for variations in the type of accounts individuals use in private versus work domains is that the perceived relevance of the judgment dimensions for the transgression (Walton 1985), and the perceived effectiveness of the different types of accounts for reducing or avoiding punishment (Fritsche 2002), vary from one domain to the other. What remains unknown are the reasons for this specific differential perception and whether the different accounts are indeed more or less effective. At this point, it is interesting to note that the percentage of sanctions proposed in files of individuals acting as particulars is different to the percentage proposed in files of individuals developing a job and, therefore, the perceived probability of being sanctioned might also be different. It would also be interesting to know what factors determine why written statements are presented in some cases and not in others.

Certainly, accounts included in the written statements by the accused are intended to avoid sanctions. But the reduced length and complexity of these accounts, and especially their specific content, could be related to a questioning of the legitimacy of the environmental law. On one hand, transgressors submit written statements only in about 21% of the files and, when they do, the accounts included in the text are generally short and uncomplicated. It may be that most transgressors were not very worried about being accused. Accountings for illegal constructions seem to be slightly longer and more complex, but so do the legal regulations involved. However, more research is needed before reaching definitive conclusions about the meaning of length and complexity of accounts of illegal construction and of other specific types of environmental transgressions.

On the other hand, regarding the specific content of the accounts, Negating the norm stands out as the most common category among the different types of activities and types of perpetrators. This category refers to disputes with the norms, such as when a perceived social norm appears to contradict the formal norm, or there is no norm related to the transgression, or the norm is divorced from the case, or there are contradictory norms. Underlying these claims is a questioning of the legitimacy of the environmental law (Tyler 2006). On the one hand, the legitimacy of law enforcement is questioned because it is perceived that norms are: (a) not applicable or have incorrectly applied (e.g., defects in the files or in the procedure), or (b) incongruent or contradictory (e.g., although the houses are illegal, the owners are paying taxes on them to the municipal council). On the other hand, some perpetrators simply point out that "everybody does it," thus questioning the legitimacy of the norm itself.

The perceived lack of legitimacy of environmental laws was also suggested by Situ (1998) and Eliason and Dodder (1999). In their studies the transgressors did not consider their behavior wrong, but instead questioned the laws. The general belief that environmental transgressions are common, and therefore environmental norms are themselves not legitimate also accords with the idea that some environmental laws are formal but not conventional norms (Cialdini et al. 1992). However, studies specifically assessing the perceived legitimacy of environmental laws and the dynamics of environmental laws as social norms are needed before a comprehensive model of compliance/non-compliance with these laws can be drawn.

Summing up, the findings of the present study suggest that the environmental transgressions handled by sampled public administrations are carried out by ordinary people in the personal domain of everyday life, and that transgressors' accounts question the legitimacy of the environmental law being broken. If this happens in a highly protected space, it is reasonable to think that the effect would be stronger in settings where the salience of environmental law is lower. Therefore, it is possible that strengthening the social perceived legitimacy of the law and of law enforcement personnel may increase individuals' compliance with environmental law, at least when people behave as particulars

(Korsell 2001; Tyler 1990). However, more research is needed before reaching definitive conclusions on the topic because of some limitations of the present inquiry.

This study was designed to uncover and describe the characteristics of the cases of environmental transgressions included in public administrations files. Although challenging and of evident value in themselves, data obtained in this way do not allow comparisons with other types of transgressor/transgressions or the manipulation of variables leading to test specific hypotheses. It is also very likely that there are other environmental transgressions that may go undetected by the public administrations where the data were gathered and which deserve to be addressed too. Likewise, special attention is due for environmental transgressions that are tried entirely by the criminal system because of their higher environmental or social impact. This last type of environmental transgression may fall under the concept of economic crime (e.g., corruption), linked to corporations and government agencies (see Situ and Emmons 2000), and may follow a different behavioral pattern that needs a level of analysis beyond the scope of this study.

Empirical studies on the psychosocial factors involved in environmental transgressions of all these types will help not only in preventing environmental damage, but in improving the efficacy of the public administration strategies aimed at increasing environmental protection. This study is a beginning in applying analytical models to transgression types and transgressors' reasoning in a given jurisdiction of environmental laws.

REFERENCES

- Cialdini, Robert B., Carl A. Kallgreen, and Raymond R. Reno. 1992. "A Focus Theory of Normative Conduct: A Theoretical Refinement and Reevaluation of the Role of Norms in Human Behavior." Pp. 201–234. In *Advances in Experimental Social Psychology* (Vol. 24), edited by Mark P. Zanna. San Diego, CA: Academic Press.
- Cohen, Jacob A. 1960. "A Coefficient of Agreement for Nominal Scales." *Educational and Psychological Measurement* 20:37–46.
- Corral-Verdugo, Víctor, Martha Frías-Amenta, and Daniel González-Lomelí. 2003. "On the Relationship Between Antisocial and Anti-Environmental Behavior: An Empirical Study." *Population and Environment* 24:273–286.

- Decreto Legislativo 1/2000, de 8 de mayo, por el que se aprueba el Texto Refundido de las Leyes de Ordenación del Territorio de Canarias y de Espacios Naturales de Canarias [Legislative Decree 1/2000, of May 8, approving the Adapted Text Regulating the Management of Territory and Natural Spaces in the Canary Islands]. Boletín Oficial de Canarias, 60, de 15 de Febrero de 2000. Retrieved December 16, 2005 from <http://www.gobcan.es/boc/2000/060/>.
- Du Rées, Helena. 2001. "Can Criminal Law Protect the Environment?" *Journal of Scandinavian Studies in Criminology and Crime Prevention* 2:109–126.
- Eliason, Stephen L. and Richard A. Dodder. 1999. "Techniques of Neutralization Used by Deer Poachers in the Western United States: A Research Note." *Deviant Behavior* 20:233–252.
- Fernández-Dols, Jose M. 1993. "Norma perversa: hipótesis teóricas [Perverse Norm: theoretical hypothesis]." *Psicothema* 5(Supl.): 91–101.
- and Luis V. Ocejá. 1994. "Efectos cotidianos de las normas perversas en la tolerancia a la corrupción [Everyday Effects of Perverse Norms on Corruption Tolerance]." *Revista de Psicología Social* 9:3–12.
- Fritsche, Immo. 2002. "Account Strategies for the Violation of Social Norms: Integration and Extension of Sociological and Social Psychological Typologies." *Journal for the Theory of Social Behavior* 32:21–83.
- Gabor, Thomas. 1994. *Everybody Does It! Crime by the Public*. Toronto, (Canada): University of Toronto Press.
- Hernández, Bernardo, Ana Martín, Stephany Hess, Juan Martínez-Torvisco, Ernesto Suárez, Maria E. Salazar-Laplace, Cristina Ruiz, and Gustavo Ramírez. 2005. "Análisis multidimensional de la percepción del delito ecológico [Multidimensional Analysis of the Ecological Crime Perception]." *Medio Ambiente y Comportamiento Humano* 6:51–70.
- Itoi, Ritsu, Ken-Ichi Ohbuchi, and Mitsuteru Fukuno. 1996. "A Cross-Cultural Study of Preference of Account: Relationship Closeness, Harm Severity, and Motives of Account Making." *Journal of Applied Social Psychology* 26:913–934.
- Kahn, Peter H. Jr. and Orlando Lourenço. 2002. "Water, Air, Fire and Earth: The Developmental Study in Portugal of Environmental Moral Reasoning." *Environment and Behavior* 34:405–430.
- Korsell, Lars E. 2001. "Big Stick, Little Stick: Strategies for Controlling and Combating Environmental Crime." *Journal of Scandinavian Studies in Criminology and Crime Prevention* 2:27–148.
- Mårald, Erland. 2001. "The BT Kemi Scandal and the Establishment of the Environmental Crime Concept." *Journal of Scandinavian Studies in Criminology and Crime Prevention* 2:149–170.

- Maruna, Shadd and John H. Copes. 2005. "What Have we Learned From Five Decades of Neutralization Research?" *Crime and Justice: An Annual Review of Research* 32:221–320.
- McLaughlin, Margaret L., Michael J. Cody, Risa Dickson, and Valerie Manusov. 1992. "Accounting for Failure to Follow Advices: Real Reasons Versus Good Explanations." Pp. 281–294. In *Explaining One's Self to Others: Reason Giving in a Social Context*, edited by Margaret L. McLaughlin, Michael J. Cody, and Stephen J. Read. Hillsdale, NJ: Lawrence Erlbaum Associates.
- Minor, William W. 1981. "Techniques of Neutralization: A Reconceptualization and Empirical Examination." *Journal of Research in Crime and Delinquency* 18:295–318.
- Parejo-Alfonso, Luciano. 2005. *Código de Medio Ambiente [Environment Code]*. Cizur Menor, (Spain): Aranzadi.
- Ross, Lawrence H. 1983. "Folk Crime Revisited." *Criminology* 11:71–85.
- Salazar-Laplace, María E., Bernardo Hernández, Ana Martín, and Stephany Hess. 2006. "Predictores de la asignación de castigo en transgresiones de las leyes medioambientales [Predictors of Punishment Assignment in Transgressions of Environmental Laws]." *Medio Ambiente y Comportamiento Humano* 7:105–122.
- Schönbach, Peter. 1990. *Account Episodes. The Management of Escalation of Conflict*. Cambridge: Cambridge University Press.
- Scott, Marvin B. and Stanford M. Lyman. 1968. "Accounts." *American Sociological Review* 33:46–62.
- Situ, Yingyi. 1998. "Public Transgression of Environmental Law: A Preliminary Study." *Deviant Behavior: An Interdisciplinary Journal* 19:137–155.
- Situ, Yingyi and David Emmons. 2000. *Environmental Crime*. United Kingdom: Sage.
- Sutherland, Edwin. 1940. "White Collar Crime." *American Social Review* 5:1–12.
- Sykes, Gresham M. and David Matza. 1957. "Techniques of Neutralization: A Theory of Delinquency." *American Sociological Review* 43:643–656.
- Tyler, Tom R. 1990. *Why People Obey the Law*. New Haven, CT: Yale University Press.
- . 2006. "Psychological Perspectives on Legitimacy and Legitimation." *Annual Review of Psychology* 57:375–400.
- Walters, Glenn D. 2002. *Criminal Belief Systems: An Integrated-Interactive Theory of Lifestyles*. Westport, CT: Praeger.
- Walton, Marsha D. 1985. "Negotiation of Responsibility: Judgments of Blameworthiness in a Natural Setting." *Developmental Psychology* 21:725–736.
- Watson, Michael. 2005. "Environmental Offences: The Reality of Environmental Crime." *Environmental Law Review* 7:190–200.

Wilson, John D. 1986. "Re-Thinking Penalties for Corporate Environmental Offenders: A View of the Law Reform Commission of Canada's Sentencing in Environmental Cases." *McGill Law Journal* 30:315–332.

APPENDIX Definitions of the Categories (Grouped into Sets) Used to Code the Accounts and Examples of Transgressors' Quotes for Each

Acceptance/Compensation

Reparation measures: The individual claims to have repaired the damage caused or violation committed, returning the situation to its original state, or promises to do so.

Quotes:

- “I will adapt the building to its surroundings by covering the walls with local stone and planting trees around it.”
- “We close the door and the windows so the noise does not go out to the street.”
- “The self-phone aerial is going to be removed.”

Compensation: Positive actions to compensate the damage done or the violation committed. The individual makes reference to their history of positive actions or their good qualities.

Quotes:

- “Once the building is completed, public amenities will be created for the urbanized area.”
 - “I controlled the fire, called in time and did not leave the place until guards arrived.”
 - “The captain used to call attention to other captains and excursionists who did not follow the norms.”
-

Justification

Negating the norm: The act is justified by referring to the non-existence of rules about the behavior described, the existence of a social norm that contradicts the legal norm involved, the non-applicability of the norm, the existence of errors in the report or in the presentation of the case, or the existence of incongruent administrative norms.

Quotes:

- “Everybody does it.”
 - “It was Saint John's celebration.”
 - “The infraction is prescribed. The file has expired.”
 - “The construction has been there for fifteen years.”
 - “The construction is able to become legal.”
 - “The municipal council asked me to demolish it but they have been charging me the municipal taxes all these years.”
-

(Continued)

APPENDIX Continued

Justification

Denying the damage and/or victim: The act is justified by denying the existence of damage and/or victim(s).

Quotes:

- “This does not affect the aesthetic appearance of the building.”
- “I do not harm anybody.”
- “The market gardens are not an important alteration of the landscape.”

Condemning the condemners or appealing to reciprocity: The administration is blamed for the act committed, negative attitudes are shown toward the administration or its representatives, or the behavior is described as a response to a previous administrative injustice that the individual was a victim of.

Quotes:

- “I built it because the municipal council expropriated my house.”
- “The municipal council does not provide us with containers.”
- “The report is due to my enmity with the Environmental Agency.”
- “It is not signposted.”

Emotional/prosocial objectives: The behavior was carried out to achieve an acceptable goal of this type.

Quotes:

- “I built it so that my sons/daughters could have their own home.”
- “I hunt wild birds because I do not have other way to make a living.”
- “I cut the palm tree because there was a risk of falling on the children who play in the zone.”
- “The self-phone aerial is to serve public interest.”

Material/economic objectives: The behavior was carried out to achieve an acceptable aim of this type.

Quotes:

- “I dumped construction debris there to build vegetable gardens.”
- “I made the building because I needed it to store farming products/tools, seeds, workers’ clothing.”
- “Designation of the fields as protected national space harms the farming interests of their owners.”

Excuses

Denying knowledge/ignorance of the facts: Denying knowledge of the law or of the illegality of the behavior.

Quotes:

- “I did not know that the Dragon Tree is a protected species.”
- “I did not know that I was in a protected natural Space.”

(Continued)

APPENDIX Continued

Excuses

–“I do not know the legal regulations.”

–“I did not know that it was wrong.”

Denying intention/responsibility: The transgressor/claimsto have acted without deliberation or intention, the act is considered accidental or the behavior was the result of forces beyond their control.

Quotes:

–“Cetaceans make unpredictable movements; it was them who approached our boat.”

–“The company is not responsible for what an employee does.”

–“I did not intend doing harm/breaking the law.”

–“I have not acted in bad faith.”

Denial

Denial of authorship: Denying being the author of the facts or having committed the transgression.

Quotes:

–“I didn’t do it.”

–“I was not there.”

–“That is not mine.”

Redefining the fact: Denying having committed the act as described by the authority: claiming that what was done was partially or completely “something else.”

Quotes:

–“It’s not a new building. What I’ve done is to improve/embellish/strengthen/restore one that already existed.”

–“It is not a swimming pool. It is just a reservoir for watering.”

–“It was an isolated whale, not a group.”
