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Property rights and landscape planning in the intermountain west: The Teton Valley case

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Abstract

Non-participation in landscape planning presents a formidable challenge to sustainable development. We hypothesize that even when people hold negative attitudes toward unplanned development, natural property rights values (favorable evaluations of property as an inviolable and pre-political right) prevent them from acting on their concerns. We chose an intermountain west community as a case study to evaluate our hypothesis regarding natural property rights values. All groups were equally and strongly opposed to continuation of rapid unplanned growth, but those with natural property rights values were also adamantly opposed to land use planning. We used a multiple logistic regression model to evaluate the relationship between support for landscape planning and a natural property rights values. An overall significance test of the regression equation indicated the independent variables were significantly predictive of the dependent variable (χ^2 128, 8 d.f., $p < 0.001$) and had high (88.7%) predictive capacity. Natural property rights value was the most important predictor variable, but income was also significant. Sustainable landscape planning requires uncoupling property rights from inviolable and pre-political natural rights. Our results suggest a conversation focused on themes associated with loss of local culture, hypocrisy of building practices, and market control over development could facilitate the aforementioned uncoupling and development planning that promotes both security for land owners and public welfare.
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1. Introduction

The global expansion of liberal democracies during the last three decades (Huntington, 1991) suggests the success or failure of democratic processes will constrain human efforts to achieve sustainability. Democratic processes combined with NIMBY (not in my backyard) sentiments should address environmental degradation (Norton and Hannon, 1997). If one assumes people want a clean and healthy backyard, a politically active and empowered public should ensure widespread environmental protection. Research supports the assumption that people value open space, forests, clean air and water, wildlife, and other environmental amenities (Bonaiuto et al., 2003; Tyrvainen, 1997), but a politically active and empowered public (democracy as an ideal), particularly regarding landscape planning and environmental issues, remains elusive.

This failure of democratic process has led some planners and scholars to promote alternatives such as consensus based decision making (Peterson et al., 2005). While these alternatives are seen by some as the "dominant paradigm" in natural resource management in the US and throughout much of the world (Gillingham, 2001:803; Singleton, 2002), they remain ill-defined and rarely implemented (Leach, 2006; Peterson et al., 2006b; World Commission on Environment and Development, 1987). The few development planning initiatives rooted in consensus (e.g., the Malpai Borderlands Group, Quincy Library Group, or Agriculture Wildlife Coexistence Committee (Hibbard and Madsen, 2003; Peterson, 1997; Weber, 2000)) are rare alternatives to norms of either non-participation or escalated conflict (Peterson et al., 2006c). In the US the vast majority of landscape planning occurs with little or no public input in small poorly attended meetings of zoning commissioners. In the few cases where development planning evokes higher

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levels of public participation, meetings often reflect the reinforced stage of conflict where participants demonstrate selective perception and judgment, moral exclusion and rationalization, and failure to communicate (e.g., timber wars, grazing wars, or property rights wars (Peterson et al., 2002; Rubin et al., 1994)).

While degraded discourse and conflict escalation can be addressed using conflict management strategies, non-participation presents a more formidable challenge to sustainable development planning in liberal democracies, particularly with pressure towards consensus based conservation growing in many areas. Without dissenting public voices the democratic portion of liberal democracies ceases to exist and socio-political elites can rule environmental decision making uncontested (Peterson et al., 2005; Ivie, 2004, 2005; Laclau and Mouffe, 2001; Mouffe, 2000). The roots of this problem tie to weak democratic cultures in which dissent is feared and usually suspended in times of crisis (Ivie, 2004, 2005; Barber, 1984). The public distrust of democratic dissent in the US can be traced to the framers who worked to erect constitutional barriers to popular rule out of fear that public power threatened orderly government and property rights of social and political elites (Dahl, 2001). While that fear has proven largely unfounded (Dahl, 2001), the legacy of viewing public dissent as an intolerable threat to property rights may still permeate and influence contemporary land use planning.

In this study we hypothesize that in many cases citizens hold negative attitudes toward unplanned development, but accepting the legacy of naturalized property rights prevents them from acting on their concerns. Natural or naturalized rights are considered inviolable, pre-political rights individuals maintain when entering society (Horwitz, 1992). Natural rights conceptions of property would compound any problems associated with public apathy by suggesting that even when public will for sustainable development planning exists, no compromise is ethical. We chose an intermountain west community where development had occurred unchecked and essentially unplanned for 15 years, as a case study to evaluate our hypothesis regarding natural property rights. Specifically, we (1) describe a personally administered survey used to collect data, (2) develop a multiple logistic regression model to evaluate the relationship between support for landscape planning and natural property rights values, and (3) conduct thematic analysis of interview transcripts to find rhetorical themes capable of fostering the community dialogue needed for community planning. We conclude by suggesting sustainable development planning in liberal democratic contexts requires viewing property as a politically defined relationship between people.

2. Conceptual framework

Causal models for environmental behavior generally start with a set of narrative symbols humans use to explain the nature of reality (Greeley, 1993). Humans collect the symbols from diverse environmental sources, but primarily from social interactions (e.g., with parents, family, religious and political groups). Collectively these symbolic narratives define a broad environmental worldview, which influences specific beliefs and attitudes, then behavioral intentions, and ultimately behaviors (Johnson et al., 2004; Stern et al., 1995). The theory of planned behavior (Ajzen, 1991) suggests behavior reflects both intentions and perceived control over the behavior. We suggest that naturalized (i.e., those perceived as inviolable and pre-political) views of property attenuate opportunities for community planning by fracturing the linkage between attitudes (evaluations of psychological objects captured in dimensions such as good–bad or dangerous–safe (Ajzen, 2001; Eagly and Chaiken, 1993)) and behavioral intentions. Values, favorable evaluations of abstract concepts (e.g., freedom and equality), influence attitudes about specific entities (Ajzen, 2001). Research shows values regarding religiosity, personal restraint, and rights correlate with liberal and conservative attitudes (Braithwaite, 1998; Feather, 2002). According to our hypothesis, having naturalized property rights values will predict whether respondents think community planning should occur, and thus whether they are willing to engage in planning processes, regardless of their attitudes about development.

Multiple naturalized rights could relate to development issues, but liberty (e.g., everyone has a right to live where they want to) and property (e.g., everyone has a right to use their property as they see fit) emerge often (Lagro, 1994; Shafer, 2004). Conceptions of property have ranged from physical land to “the exchange-value of anything” (Commons, 1924:14). Conflicting views of property, however, hinge on where rights associated with it come from rather than what it is. Those willing to thwart social justice or popular sovereignty in the name of property typically consider property a natural right (Horwitz, 1992). From a natural rights perspective, property reflects inviolable relationships between people and things. Property represents one of the three (life, liberty, and property) natural rights highlighted by Locke (1689) and many consequent natural rights advocates (Maritain, 1951; Hasnas, 2005). For natural property rights advocates property represents a fundamental, inalienable, pre-societal right that is superior to society. Without inalienable property rights, someone could take the fruits of our labor, depriving us of liberty and effectively enslaving us (Locke, 1689; Hospers, 2005).

Critics of this perspective note two logical weaknesses (Hasnas, 2005), and several pragmatic problems with the natural property rights argument. Logically, justification of any inherently held human right ultimately turns to theological explanations, and even if some pre-political rights actually rest on non-religious metaphysical foundations that does not render property a natural right. Pragmatically the products of one’s labor can be protected in forms of property other than land, and successful governance requires treating property as a politically generated bundle of rights (Horwitz, 1992; Varner, 1994). From this perspective property merely reflects a politically crafted relationship between people regarding things (Cohen, 1927).

From the natural rights perspective no amount of ecological degradation gives governments a right to tamper with rights to purchase, own, or dispose of property. From the political perspective, however, the primary purpose of government is to regulate property (i.e., politically craft relationships between people regarding things) when socially desirable (e.g., to achieve

sustainability). From this perspective speed limits (e.g., 55, 65, 75 mph) reflect a political agreement between people rather than an inviolable right to use automobiles in a certain fashion. Likewise, the right to purchase land may be limited to competent adults acting under their own free will; the right to own land may include restrictions (e.g., zoning laws, prohibitions on illegal activities, or damaging the property of the community as a whole); the right to dispose of land may only allow selling under certain conditions (e.g., no racist covenants in the deed); and the right to use land can restrict property uses harming others (e.g., restrictions on firing ranges, incinerators, dumping toxic waste, etc.).

Regardless of these facts, however, many people still view property as a natural right. Development and landscape planning issues are notorious for dividing communities into groups along lines drawn by conceptions of property (e.g., bundle of rights versus natural rights Jacobs, 1998; Peterson et al., 2002, 2004). This cultural divide is particularly acute in the intermountain west, home of the wise use movement (Echeverria and Eby, 1995; Mertig et al., 2002). Cultural divisions created by divergent conceptions of property rights create fertile ground for expansion of identity politics (Bernstein, 2005). Identity politics entail political activity of a social group that has united around a common perceived social injustice. The political activity of the oppressed group often revolves around traditionally left leaning issues (e.g., lesbian and gay movements, ethnic minority movements). Identity politics, however, may just as easily revolve around perceived injustices relating to right leaning issues such as property rights. By definition, citizens immersed in identity politics must subjugate alternate personal identities to the one linked with the formative social injustice. Identity politics encourages those with multiple identities to privilege one over others by failing to challenge the social construction and intersection of identities (Alexander, 1999; Ryan, 1997). Identity politics expressed in this fashion could bolster the ability of natural property rights values to dominate other values and objectives.

Several variables other than natural property rights values could explain a fractured linkage between attitudes and behavioral intentions. In our study, we controlled for local status, religion, political affiliation, and four demographic variables. We chose the demographic variables because social research suggests correlations between education, income, age, gender and political participation (Milbrath and Goel, 1982; Mohai, 1992). We used local status as a cultural variable for two reasons. First, we thought long-term residents may hold disproportionately high proportions of wealth in real estate, and be more likely to avoid community planning because it threatened their economic well being (Cockerham and Blevins, 1977). Second, previous studies suggest long-term residents share place-based community values and ideology related to perceptions of development (Buchecker et al., 2003; Fortmann and Kusel, 1990; Graber, 1974; Peterson et al., 2006a; Smith and Krannich, 2000). Controlling for local status alleviates the potential for place-based ideology (e.g., libertarian views) to skew results. Our selection of political affiliation stemmed both from its potential to define cultural groups in the community, and from its potential to confound analysis of the natural property rights variable (i.e., the Republican Party, prior to 9/11, emphasized protection of individual rights, while the Democratic Party emphasized equality or community responsibility). We included religion because the community is within the core cultural area of The Church of Jesus Christ of Latter Day Saints (i.e., Mormon Church; hereafter LDS), and high levels of cultural homogeneity can characterize LDS communities in this area (Goodsell, 2000; Smith and Krannich, 2000). The religious variable should be related to political affiliation since Evangelical Christians and Mormons are the only religions approaching a 60% Republican to 10% Democrat ratio (Kosmin and Mayer, 2001).

3. Study area

Our study was conducted in Teton Valley and included all of Teton County, Idaho; and the portion of Teton County, Wyoming, west of the Teton mountain range. Teton County became the fastest growing county in Idaho, the fourth fastest growing state, during the 1990s (US Census) thanks to expansion of a local ski resort, immigration of laborers from Jackson, Wyoming seeking affordable housing, and immigration of retirees, second home owners, and telecommuting professionals (Smith and Krannich, 2000). Population in Teton Valley grew from 3439 to 5999 (74% increase) between 1990 and 2000, and the number of households grew from 1123 to 2078 (85% increase). When this study was conducted population was approximately 7200 (US Census).

The post-1990 immigrants, who now make up more than half the community, are generally more urban, more educated, and more secular than their predecessors (Peterson et al., 2006a; Smith and Krannich, 2000). Development accompanying the immigration was haphazard, and followed no general plan. The location of individual homes, golf courses, and subdivisions reflects the whim of land speculators and developers rather than community planning. Development threatens water quality, wetlands, migration corridors from the greater Yellowstone ecosystem (75% of which are already closed), and habitat for mule deer and elk, native trout, and waterfowl (see http://www.tetonwater.org; Berger, 2004).

4. Methods

We developed an in-person interview protocol to assess attitudes towards development and natural property rights values. Personal interviews were conducted because they promised higher response rates (Dillman, 2000) and qualitative insight regarding the decision making processes and cultural dynamics of respondents. We conducted a pretest of the questionnaire with arbitrarily selected residents of Lansing, Michigan ($n = 18$), and Victor, Idaho (within the study area; $n = 23$), to clarify terminology and improve instrument validity.

Logistic constraints and acceptable sampling error (5%) dictated a sample size of 550. We purchased a representative sample of public telephone listings that included addresses from survey sampling, Incorporated (Fairfield, Connecticut). We surveyed Teton Valley residents during July–August 2004, and attempted to visit each respondent during four-time periods (morning and evening on a weekday and on a weekend day) before resorting

Table 1
Logistic regression results for model predicting whether respondents thought something should be done to improve future land development in Teton County, Idaho

Independent variable	Dependent variable: what should be done to make future development better (nothing = 1, something = 0) β
Natural right (1) vs. political right (0)	2.08***
Local (1), newer-resident (0)	0.31
Republican (1), independent (2), democrat (3)	0.07
LDS (1) vs. non-LDS (0)	−0.19
Education level (1–7)	−0.11
Income (1–9)	−0.30*
Female (1) vs. male (0)	−0.30
Age	−0.02

* $p < 0.05$.
*** $p < 0.001$.

to telephone contact. We only made initial contact via telephone after the visits failed or when we could not locate a physical address with the aide of local informants.

Four interviewers conducted all interviews. We trained interviewers with a strict interview protocol. They were instructed to define acronyms, but answer other questionnaire related queries by reading directly from the questionnaire, explaining questionnaire format, or stating "whatever it means to you" (Groves, 1989:451). Because "local" versus "newcomer" divisions influenced attitudes in previous studies in this area (Peterson et al., 2006a; Smith and Krannich, 2000), we designed interview protocol to assess the possibility that local informants did not trust outside interviewers. We used two local interviewers (i.e., third generation natives born and raised in the community) and two newcomer interviewers (i.e., on their first ever visit from Texas and Michigan, respectively). Neither response rates nor response content differed significantly between interviewers, and all interviewers achieved >90% compliance. Two interviewers (one local and one newcomer) conducted 27 follow up interviews with key informants from the original survey to allow respondents to evaluate our survey and elaborate on their views of development. None of these informants changed their stance on natural property rights in the longer interviews.

Our last interview question was: "what should be done to make future development better". Answers to this question were coded as the binary dependent variable (Table 1). All respondents responding "nothing" or an equivalent (e.g., "we're stuck with it") were grouped, and all respondents making any suggestion (e.g., new leaders, zoning, land trusts) were grouped. We dummy coded natural rights values (natural versus political rights) as a binary variable from responses to the following question: "What is the most important consideration for planning future development" (Table 1). When respondents responded with a specific reference to inalienable property rights (e.g., everyone should be able to do what they want on their own land) we coded them as natural property rights (Table 1). Less direct statements suggesting ultimate authority residing in natural rights (e.g., everyone has the right to move where they want) were also coded as natural property rights. When a respondent described a conditional or socially derived right (e.g., being able to walk to stores, affordable housing, education, water quality, open space, rural character), rather than a right inherent to individuals, the response was coded as political rights (Table 1). The latter type of considerations were political rights in that they were negotiated and given by society rather than existing naturally within individuals independent of society. This approach excluded unsure and do not care ($n = 61$), responses.

We dummy coded local status (local versus newer-resident) as a binary variable from responses to the following question: "Have you lived all your life in Teton County" (if respondents answered "no" we asked: "How many years have you lived in Teton Valley"; Table 1). When respondents answered the first question with "yes" or lived in Teton Valley prior to 1992 we coded them as locals, otherwise, we coded them as newer residents. Other studies comparing locals and new-residents in the Intermountain West defined the local group using either a 10 years residency requirement (Fortmann and Kusel, 1990; Graber, 1974), or the year a substantial in-migration began (Smith and Krannich, 2000). Since a major in-migration event began in Teton Valley in the early 1990s, we chose the latter approach. We minimized bias associated with qualitatively choosing the year in-migration started by using least-squares non-linear piecewise regression of annual population data (US decennial census and annual estimates) to estimate the threshold related to the immigration boom (StatSoft, 2003). A regression model based on the pivot point between 1991 and 1992 accounted for 99.5% of the observed variance in population. We evaluated potential bias associated with pivot point selection by conducting analyses with the pivot point ranging from 1990 to 1993. Within this range significant findings did not change.

We coded political affiliation into three categories from responses to the following question: "What is your political affiliation" (Table 1). We combined "conservative" and "Republican" responses as Republican, and combined "liberal" and "Democrat" responses as Democrat. We dummy coded religion as a binary variable reflecting whether the respondent was LDS or not (Table 1). We used standard survey design for collecting demographic variables (Dillman, 2000). Education was coded as a seven category variable from the question: What was the last level of school you completed. Options ranged from "<high school" to "Graduate or Professional degree." Annual income was coded as a nine category variable with options ranging from <14,999 to >200,000. Finally, we evaluated respondent outlook on development with two questions: "What do you see as the future of development in Teton County", and "How do you feel about that future?"

We used SPSS 12 (2003) to calculate correlation coefficients between variables and test our multiple logistic regression model. Respondents who failed to answer a relevant question were excluded from the regression. We used the $p < 0.05$ level for significance tests. Peterson and a student worker coded the dependent variable (what should be done to make future development better) and natural property rights view variable. Cronbach's α for reliability was 0.96 for the dependent variable and 0.92 for natural rights views. The interviews took 30–60 min

each, causing item non-response rates near 25% for some questions (item non-response includes respondents who agree to be surveyed but leave one or more items incomplete). We collected demographic information from all respondents with $\leq$1% item non-response for age, gender, and education and 7% item non-response for income. We compared these demographic variables between item responders and item-non-responders (for questions with higher non-response), and found no significant differences.

The sharp distinction between natural and political attitudes toward land development does not necessarily preclude productive debate between these groups. By analyzing interview texts, we identified themes in the rhetoric of natural property rights advocates that suggested possibilities for public deliberation about land use planning. We used thematic analysis (Peterson et al., 1994) to identify and examine themes associated with natural property rights positions. Repeated movement between data collection and data analysis helped us evaluate the precision of recorded explanations (Lincoln and Guba, 1985). We identify quotations from interview transcripts by interview number. For example a quotation identified (R5) indicates the quotation came from respondent number 5.

5. Results

We conducted interviews at 416 of the 484 usable addresses in our sample. Twenty households refused to provide an interview, and we were unable to contact respondents at 48 households. The final compliance rate was 95% (sampling error ± 4.8%). Our sample matched the population in terms of sex (46% female 47%; US Census 2000) and ethnicity (90% Anglo 91%; US Census 2000). Median annual family income was $35,000–$49,999, only 6.5% of respondents had annual family incomes below $15,000, and 90% were below $100,000. Almost 40% of respondents had at least a 4 years college degree, 30% had some form of vocational training, 25% reached high school graduation, and 5% had less than high school graduation. The mean for respondent age was 46.

Respondents were evenly divided in responses reflecting the four cultural variables in our model (property rights view: 55% natural right, 45% political right; political affiliation: 58% Republican, 42% Democrat; religion: 44% LDS, 56% non-LDS; and local status: 43% local, 57% new-resident). As expected, examination of correlation matrices indicated significant correlation between independent variables representing culture (religion and political, $r = 0.43$; religion and local status, $r = 0.50$). Local status also correlated with age ($r = 0.42$), but as an artefact of our selection procedure (i.e., living in the area prior to 1992 was related to age). An overall significance test of the regression equation indicated the independent variables were significantly predictive of the dependent variable ($\chi^2 = 128$, 8 d.f., $p < 0.001$) and had a high (88.7%) predictive capacity. Natural rights values were the most important predictor, but income was also significant (Table 1). Removing collinear relationships from multi-variable models (e.g., removing the local status or religion variables) did not produce significant differences for any variables.

We identified five themes among respondent responses to the future of development in Teton Valley: decline or remain rural (1%), grow rapidly (70%), become a wealthy recreation centered community (15%; e.g., Jackson, Wyoming; Aspen, Colorado), and become a big sub-division (13%). While most (99%) residents predicted future growth and loss of rural nature, 66% were unhappy with their own prognostications, and only 18% thought their envisioned future for development was a good thing. Respondents with natural property rights values and political property rights values were equally unhappy (natural property rights = 64%, political property rights = 65%) with their vision of future development. Although, most residents were unhappy about their projections for future development, 61% said nothing should be done. Only 39% had a suggestion for improving future development in the Valley. The natural and political property rights groups were sharply divided on their opinion of what should be done to make future development better. Ninety percent of the political property rights advocates provided a suggestion of what should be done while 87% of the natural property rights advocates stated that nothing should be done.Thematic analysis of interview transcripts enabled us to explore three themes associated with natural property rights views. Creative dialogue around these themes may encourage reflexivity and facilitate broad public participation in deliberation about land use planning. The first theme was a sense of loss regarding farming and local culture. Respondents expressed concern over the end of farming and loss of farmland saying: "I don't like it [development]. I would like to wave a magic wand and make it all like it used to be (R309)." "Farming is done in the Valley. I don't blame the farmers though. We've had to sell some of our ground (R259)." Another asked, "you've been to Teton Springs [a farm recently transformed into a golf and ski resort]? Oh I hated to see that farmland go. . .I'd have liked to save Game Creek [a tributary to the Teton River]. I hated to see the river go. Nothing can stop the development, but I wish we could; and bring back the creek (R411)." Still others were outspokenly hostile to development that pushed out agriculture: "They're going to turn it into what they did in Jackson [Wyoming]. They are going to ruin it. They're trying to subdivide every square inch. They don't give a damn about the farming and ranching. The same god damn people who developed Jackson are developing here. They come in saying we just want to fix it but then they try to make it like where they came from (R244)."Other respondents focused more on the loss of local culture saying, "it's [the Valley] going to pot. Subdivisions, golf courses, stuff we don't need. A different kind of people than who was raised here are taking over. I don't like it (R233)." They also assumed others shared their sense of loss. One explained, "everyone prays for a nice quiet valley like the past. . .this is what they call progress (R63)." Several expressed deep sadness that their valley had lost its familiarity. "I used to know everybody and their dogs, now I don't know a soul. . .. Glad my life is behind me it's not going to be easy (R110)." Finally respondents expressed concern over loss of access to natural resources associated with the cultural shift. "There used to be a lot of places to go for good fishing then people saw what we had and bought it up and put up no trespassing signs. Now there's very few places for people to go (R601)." Their belief in natural

property rights offered no protection from this loss.The second theme was concern over the hypocrisy associated with building a home and then preventing others from doing so. Respondents stated: “Well I moved here and added to the influx, so I can’t stop others from doing the same thing even though I would like to (R9).” “People move in here and crowd the place up. Everyone wants to be the last person who moved in (R299).” “I don’t like it. It’s going to become like the rest of America. . .. I moved here, so I’m part of the problem (R149).” “How can I throw stones? I came here. It’s part of the problem, I don’t want the Colorado syndrome where you slam the door after yourself (R572).” Both locals and new residents found themselves trapped by their own household behaviors. Preoccupied by fairness, they could find no rationale for denying anyone the pleasure of doing whatever they wanted with their private property.The third theme was frustration about “outside” control over land use. Most respondents linked this lack of individual and local control with their belief in the necessity of allowing market forces to dictate development. “Development is my main reason for moving. People won’t let you on their land anymore. Money runs it, and there’s nothing poorer people can do about it (R321).” Those in control were always an elusive corporate “they.” For example, “it’s gonna be a resort area. It already is, they are taking it away from us (R266).” And “they” are always wealthy: “in the end the rich seem to be the ones that. . .whoever has the money they are going to do what they want. Everything is fueled by the almighty dollar (R218).”At first glance, these themes may seem like nothing more than idle grumbling. They do, however, provide potential points of reflexivity for natural property rights advocates and the possibility of finding common ground between those who view property as a natural right and those who view it as a political right. Political property rights advocates demonstrated the same themes in their discourse (concerns about loss of local culture, hypocrisy associated with home building practices, and market control over development). One political property rights advocate said, “we all need to remember why we moved here. We like the small town, the roots, and heritage of the town (R44).” Several of these respondents expressed concern about the livelihood of individual farmers, suggesting, “the community needs to compensate land owners in some way for not selling into subdivisions (R518).” “I don’t like the way development is happening, but farmers need a way out. They worked hard and deserve to be paid (R199).” Some offered suggestions for specific agricultural sectors, saying “big spud farmers are in a bind. We have to find alternatives for them. Financial incentives, tax benefits for conservation easements. . .More than what’s out there. Give them a higher density transfer (R392).”

These respondents also demonstrated the same concern over hypocrisy associated with moving to an area and then prohibiting others from doing so, asking, “Do you know the difference between a developer and an environmentalist? A developer wants to build a cabin, and an environmentalist has one. Like Ted [pseudonym] who started the land trust or the folks in VARD [Valley Advocates for Responsible Development; a smart growth citizens group] (R430).” As one explained, “I moved here so I can’t say anything if other people want to. I just wish they’d take care of it. And they don’t need to put up no trespassing signs. When I moved here it was easy to get permission to hunt and fish. Now it’s pretty hard (R497).” Finally, political property rights advocates identified market control over development as a threat saying, “We’ll have houses from end to end. It’s sad because most of the local people will have to move away. We should try to change it with zoning, but it’s inevitable because the developers are so persistent (R156).” Another reflected that, “unfortunately this area attracts people with money and they will use it to get what they want (R176).”

6. Discussion and conclusions

Our results support the hypothesis that Teton Valley residents cared about landscape planning, but natural property rights values prevented them from acting on their concerns. Natural property rights values were more predictive of respondents’ beliefs regarding development planning than political affiliation, religion, local status, education, age, and gender. The positive relationship between income and belief that community planning should occur, may relate to real and perceived power. Indeed, since community members did not engage in planning, most planning was carried out by developers. By refusing to engage in dialogue about community planning, natural property rights advocates gave exclusive authority to economic interests.

Power exerted by developers and investors over development in Teton Valley was made possible by the self subjugation of those valuing natural property rights (i.e., they denied themselves rights). Respondents who considered community solutions to development problems impossible and gave exclusive importance to natural property rights were opposed to future unplanned development, and told heart wrenching stories about losing access to favorite berry patches, fishing holes, and hunting spots, seeing their old horseback riding trails cut up by subdivisions, and watching creeks dry up for the first time. Natural property rights advocates held ultimate management power, but wielded it against themselves. For them, being good citizens entailed disciplining their own desires and allowing others to do “whatever they want with their property.” Their behavioral intent demonstrates how democratic self governance can become the exercise of power over oneself (Cruikshank, 1999) and promote self domination. By naturalizing property rights our respondents demonstrated how even democratic self governance, can be dangerous (Foucault, 1984). Their tendency to “frantically hide behind unhistorical and abstract universalisms” (e.g., natural property rights (Horwitz, 1992:272)) ultimately denied them the political and moral choices they needed to address sustainability. The problem of naturalizing property rights, or any position, is not limited to the general public. Indeed social and political elites often adopt the same approach (Ivie, 2005, 2004; Peterson et al., 2005). Unfortunately, naturalizing positions promotes the hegemony of those currently in power thereby stymieing efforts to change current patterns and practices of development, and developing a sustainable society requires change (Peterson et al., 2005).

The growing prevalence of identity politics (Bernstein, 2005) may partially explain the self subjugation of natural property rights advocates. Citizens immersed in the identity politics

associated with perceived property rights injustices failed to challenge the social construction of property rights. In this case study, natural property rights advocates subjugated alternative identities when they opposed landscape planning while also holding negative attitudes toward unrestricted development. This version of identity politics destroyed the incentive to facilitate political action at the intersection of identities (e.g., landscape planning in a community with natural and political property rights values).

The problems associated with polarizing identity politics, however, should not be construed as a call for squelching dissent. Indeed, some level of intrapersonal dissent must exist for citizens to escape the stifling self domination associated with naturalized rights and begin balancing their conflicted goals (e.g., regulating development and protecting property rights). Our results suggest three rhetorical themes capable of fostering the intrapersonal dissent and interpersonal dialogue needed for community planning in this context: (1) the value of past culture and land use; (2) the ethical problems associated with building a home and then denying others the same right; and (3) the excessive influence of market forces on development. These themes emerged from the discourse of both natural property rights advocates and political property rights advocates, and functioned in concert with each other. For example, when expressing sadness about loss of local culture, a respondent may implicate herself as one of the newcomers who has contributed to this loss, and sigh over the power of wealthy developers from outside the valley.

These themes provide points of tension within the rhetoric of natural rights, and an opportunity to encourage reflexivity among natural property rights advocates. They may help clear a space for productive debate. And that debate may create a rupture in the ideology that prevents natural property rights advocates from engaging in community planning as a means of acting on their concerns about development. For residents who believe "we need to work with the community we want to keep instead of alienating the community we need to work with (R268)," the themes represent common ground for collaborative land use planning (Daniels and Walker, 2001).

Rights only represent part of the liberal democracy combine, and democracy may serve as the last remaining mode of resistance to social elites and neo-liberal market-driven development (Cox, 2004). "A democratic family...in which debate, dialogue, and discussion are the norm in decision making" (Busch, 2000:183) could offer a beginning for freeing citizens from both social and self subjugation. This view rejects the use of sustainable development and property rights as moral imperatives to impose on people, and suggests that such moral imperatives must grow out of community dialogue and debate (Barber, 1984; Horwitz, 1992; Norton, 2005).

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References

Ajzen, I., 1991. The theory of planned behavior. Organ. Behav. Hum. Decis. Process. 50, 179–211.
Ajzen, I., 2001. Nature and operation of attitudes. Annu. Rev. Psychol. 52, 27–58.
Alexander, J., 1999. Beyond identity: queer values and community. J. Gay Lesbian Bisexual Identity 4, 293–314.
Barber, B.R., 1984. Strong Democracy: Participatory Politics for a New Age. University of California Press, Berkeley, CA.
Berger, J., 2004. The last mile: how to sustain long-distance migration in mammals. Conserv. Biol. 18, 320–331.
Bernstein, M., 2005. Identity politics. Annu. Rev. Sociol. 31, 47–74.
Bonaiuto, M., Fornara, F., Bonnes, M., 2003. Indexes of perceived residential environment quality and neighbourhood attachment in urban environments: a confirmation study on the city of Rome. Landsc. Urban Plan. 65, 43–54.
Braithwaite, V., 1998. The value balance model of political evaluations. Br. J. Psychol. 89, 223–247.
Buchecker, M., Hunziker, M., Kienast, F., 2003. Participatory landscape development: overcoming social barriers to public involvement. Landsc. Urban Plan. 64, 29–46.
Busch, L., 2000. The Eclipse of Morality: Science, State, and Market. Aldine de Gruyter, NY.
Cockerham, W.C., Blevins, A.L.J., 1977. Attitudes toward land-use planning and controlled growth in Jackson Hole. J. Commun. Dev. Soc. 8, 62–73.
Cohen, M.R., 1927. Property and sovereignty. Cornell Law Quart. 13, –30.
Commons, J.R., 1924. Legal Foundations of Capitalism. Macmillan, NY.
Cox, J.R., 2004. "Free Trade" and the eclipse of civil society: barriers to transparency and public participation in NAFTA and the free trade area of the Americas. In: Depoe, S.P., Delicath, J.W., Elsenbeer, M.-F.A. (Eds.), Communication and Public Participation in Environmental Decision Making. State University of New York Press, Albany, New York.
Cruikshank, B., 1999. The Will to Empower: Democratic Citizens and other Subjects. Cornell University Press, Ithaca, NY.
Dahl, R., 2001. How Democratic is the American Constitution? Yale University Press, New Haven, CT.
Daniels, S.E., Walker, G.B., 2001. Working through Environmental Conflict: The Collaborative Learning Approach. Praeger, Westport, CT.
Dillman, D.A., 2000. Mail and Internet Surveys: the Tailored Design Method. Wiley, NY.
Eagly, A.H., Chaiken, S., 1993. The Psychology of Attitudes. Harcourt Brace, Fort Worth, TX.
Echeverria, J., Eby, R.B., 1995. Let the People Judge: Wise Use and the Property Rights Movement. Island Press, Washington, DC.
Feather, N.T., 2002. Values and value dilemmas in relation to judgments concerning outcomes of an industrial conflict. Pers. Soc. Psychol. Bull. 28, 446–459.
Fortmann, L., Kusel, J., 1990. New voices, old beliefs: forest environmentalism among new and long-standing rural residents. Rural Sociol. 55, 214–232.
Foucault, M., 1984. On the geneology of ethics: an overview of work in progress. In: Rabinow, P. (Ed.), The Foucault Reader. Pantheon, New York, pp. 340–372.
Gillingham, S., 2001. Social organization and participatory resource management in Brazilian ribeirinho communities: a case study of the Mamiraua sustainable development reserve. Amazonas Soc. Nat. Resour. 14, 803–814.
Goodsell, T., 2000. Maintaining solidarity: a look back at the Mormon village. Rural Sociol. 65, 357–375.
Graber, E.E., 1974. Newcomers and oldtimers: growth and change in a mountain town. Rural Sociol. 39, 504–513.

Greeley, A., 1993. Religion and attitudes toward the environment. J. Sci. Stud. Relig. 32, 19–28.

Groves, R.M., 1989. Survey Errors and Survey Costs. Wiley, NY, USA.

Hasnas, J., 2005. Toward a theory of empirical natural rights. In: Frankel, E.P., Miller Jr., F.D., Paul, J. (Eds.), Natural Rights Liberalism from Locke to Nozick. Cambridge University Press, New York, pp. 111–147.

Hibbard, M., Madsen, J., 2003. Environmental resistance to place-based collaboration in the US west. Soc. Nat. Resour. 16, 703–718.

Horwitz, M.J., 1992. The Transformation of American Law: 1870–1960 the Crisis of Legal Orthodoxy. Oxford University Press, New York.

Hospers, J., 2005. What Libertarianism is. In: White, J.E. (Ed.), Contemporary Moral Problems. Thomson Wadsworth, Belmont, CA, pp. 321–389.

Huntington, S.P., 1991. The Third Wave: Democratization in the Late Twentieth Century. University of Oklahoma Press, Norman.

Ivie, R.L., 2004. Prologue to democratic dissent in America. Javnost-Public 11, 19–35.

Ivie, R.L., 2005. Democracy and America's War on Terror. University of Alabama Press, Tuscaloosa.

Jacobs, H.M. (Ed.), 1998. Who Owns America?: Social Conflict over Property Rights. University of Wisconsin Press, Madison, WI.

Johnson, C.Y., Bowker, J.M., Cordell, H.K., 2004. Ethnic variation in environmental belief and behavior: an examination of the new ecological paradigm in a social psychological context. Environ. Behav. 36, 157–186.

Kosmin, B.A., Mayer, E., 2001. American Religious Identification Survey. URL = http://www.gc.cuny.edu/faculty/research_briefs/aris/aris_index.htm, Viewed January 20, 2006.

Laclau, E., Mouffe, C., 2001. Hegemony and socialist strategy: towards a radical democratic politics. Verso, London.

Lagro, J.A., 1994. Population-growth beyond the urban fringe—implications for rural land-use policy. Landsc. Urban Plan. 28, 143–158.

Leach, W.D., 2006. Theories about consensus-based conservation. Conserv. Biol. 20, 573–575.

Lincoln, Y.S., Guba, E.G., 1985. Naturalistic Inquiry. Sage Publications, Beverly Hills, CA, USA.

Locke, J., 1689. In: Laslett, P. (Ed.), Two Treatises of Government. Cambridge University Press, New York (Originally published in 1998).

Maritain, J., 1951. Man and the State. University of Chicago Press, Chicago.

Mertig, A.G., Dunlap, R.E., Morrison, D.E., 2002. The environmental movement in the United States. In: Dunlap, R.E., Michelson, W. (Eds.), Handbook of Environmental Sociology. Greenwood, Westport, CT, pp. 448–481.

Milbrath, L.W., Goel, M.L., 1982. Political Participation: How and Why do People get Involved in Politics? University Press of America, Washington, DC.

Mohai, P., 1992. Men, women, and the environment—an examination of the gender-gap in environmental concern and activism. Soc. Nat. Resour. 5, 1–19.

Mouffe, C., 2000. The Democratic Paradox. Verso, London.

Norton, B.G., 2005. Sustainability: A Philosophy of Adaptive Ecosystem Management. University of Chicago Press, Chicago, IL.

Norton, B.G., Hannon, B., 1997. Environmental values: a place-based theory. Environ. Ethics 19, 227–245.

Peterson, T.R., 1997. Sharing the Earth: The Rhetoric of Sustainable Development. University of South Carolina Press, Columbia, South Carolina.

Peterson, T.R., Witte, K., Enkerlin-Hoeflich, E., Espericueta, L., Flora, J.T., Florey, N., Loughran, T., Stuart, R., 1994. Using informant directed interviews to discover risk orientation: how formative evaluations based in interpretive analysis can improve persuasive safety campaigns. J. Appl. Commun. Res. 22, 199–215.

Peterson, M.N., Peterson, T.R., Peterson, M.J., Lopez, R.R., Silvy, N.J., 2002. Cultural conflict and the endangered Florida key deer. J. Wildlife Manage. 66, 947–968.

Peterson, M.N., Allison, S.A., Peterson, M.J., Peterson, T.R., Lopez, R.R., 2004. A tale of two species: habitat conservation plans as bounded conflict. J. Wildlife Manage. 68, 743–761.

Peterson, M.N., Peterson, M.J., Peterson, T.R., 2005. Conservation and the myth of consensus. Conserv. Biol. 19, 762–767.

Peterson, M.N., Mertig, A.G., Liu, J.G., 2006a. Effects of zoonotic disease attributes on public attitudes towards wildlife management. J. Wildlife Manage. 70, 1746–1753.

Peterson, M.N., Peterson, M.J., Peterson, T.R., 2006b. Why conservation needs dissent. Conserv. Biol. 20, 576–578.

Peterson, T.R., Peterson, M.N., Peterson, M.J., Allison, S.A., Gore, D., 2006c. To play the fool: can environmental conservation and democracy survive social capital? Com. Crit./Cult. Stud. 3, 116–140.

Rubin, J.Z., Pruitt, D.G., Kim, S.H., 1994. Social Conflict: Escalation, Stalemate and Settlement, Second edn. McGraw-Hill, New York.

Ryan, B., 1997. How much can I divide thee, let me count the ways: identity politics in the women's movement. Human. Soc. 21, 67–83.

Shafer, C.L., 2004. A geography of hope: pursuing the voluntary preservation of America's natural heritage. Landsc. Urban Plan. 66, 127–171.

Singleton, S., 2002. Collaborative environmental planning in the American west: the good, the bad and the ugly. Environ. Polit. 11, 54–75.

Smith, M.D., Krannich, R.S., 2000. "Culture clash" revisited: newcomer and longer-term residents' attitudes towards land use, development, and environmental issues in rural communities in the rocky mountain west. Rural Sociol. 65, 396–421.

StatSoft, I., 2003. STATISTICA (data analysis software system), version 6. www.statsoft.com.

Stern, P.C., Dietz, T., Guagnano, G.A., 1995. The new ecological paradigm in social–psychological context. Environ. Behav. 27, 723–743.

Tyrvainen, L., 1997. The amenity value of the urban forest: an application of the hedonic pricing method. Landsc. Urban Plan. 37, 211–222.

Varner, G.E., 1994. Environmental law and the eclipse of land as private property. In: Frederick, F. (Ed.), Ethics and Environmental Policy. University of Georgia Press, Athens, GA, pp. 142–160.

World Commission on Environment and Development, 1987. Our Common Future. Oxford University Press, New York.

Weber, E.P., 2000. A new vanguard for the environment: grass-roots ecosystem management as a new environmental movement. Soc. Nat. Resour. 13, 237–259.