On Justice between Absence and Presence: the 'ghost ships' of Graythorp

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Introduction

"'There was a ship', quoth he'
(Samuel Taylor Coleridge, 1798, The Rime of the Ancient Mariner, line 10)

Perhaps it should not be seen as strange for a town which once hanged a monkey as a French spy to have a monkey\(^1\) as Mayor and to be concerned about ghost ships. This story, a 21st Century Rime of the Ancient Mariner, confounds many issues of morality: of instrumental performance, social and environmental justice and relational responsibility across shifting scales from the local to the global.

I investigate the planning land use issue of dismantling the so-called 'ghost' or 'toxic' ships at the Graythorp yard in Hartlepool, north east England, as an event (Patton, 1997) of relational, unbounded forging of space and of contestation over issues of social and environmental justice. I offer a Deleuzoguattarian cartography which maps non-linear dynamics of the components of assemblies, the elements of multiplicities and trajectories through which various actants and/or machines discursively seek to de/re/territorialise relational space. I uncover a multiplicity of interwoven and matted spaces which often sit uneasily and are contested within and across different spatial regimes. Such complexity is intrinsically related to power-plays and strategies, investigation of which uncovers inherent 'mechanisms of simplification' (Callon, 2002: 193); ie, reductionism.

Amongst the 'generative flux' (Law, 2004a: 7) of complex, dynamic forces and relations which become folded together, the method assemblage of spatial planning practice struggles with issues of whether the heterogeneous elements, the presences and absences, can fit together, and at what cost to social and environmental justice. The complexity of planning decision making emerges as an oscillation between relations of the particular (the yard at Graythorp, residents of Hartlepool, seals and waterbirds etc) and the general (issues of responsibility, the proximity principle, the European need for ship-breaking facilities etc); between relations of presence and absence, which planners attempt to mediate by constructing some singular form of 'just' decision. This decision is but one choice among many – of social justice?, of environmental justice?, and to which actants? – constructive of, but irreducible to any one of them. Any enactment of presence is co-constituted with absence. The ships do not exist as objects 'out-there'. Rather, I argue, like Law (2004a), that they are being enacted and crafted as part of other actants' hinterlands, including my own. Whilst

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\(^{1}\) Mascot of the town's football club Hartlepool FC.
some elements in the stories are foregrounded and rendered visible, other 'relations, processes and contexts that are necessary to presence' (Law, 2004a: 54) are excluded and disappear. Any decision, or writing, is but a temporary fixity or punctualisation (Callon, 1991; Law, 2002) in an ongoing oscillation.²

I pose the question, in a relational world in which places are 'criss-crossings in the wider power-geometries which constitute both themselves and "the global"' (Massey, 2004: 11); in which there is no Cartesian objective reality 'out-there' beyond ourselves, what are the social, environmental and political responsibilities of planners faced with the issue of dismantling toxic ships.

**Ghosts Haunt Hartlepool**

Ships have a finite working life as seagoing vessels, at the end of which they decompose in some backwater, sink (or are sunk), become tourist attractions or are dismantled.³ Dismantling is popular because much of the material (such as steel) can be recycled for considerable scrap value. However, ships also tend to contain hazardous materials, such as asbestos, PCBs and waste oils which need to be disposed of safely for humans and non-human environments.

The event chronology (Appendix) indicates that this is not simply a story of local jobs versus the environment, but a web of stories which engage a host of broader geographical and moral issues, including those of social and environmental justice.

The Hartlepool ghost ships are part of the US National Defense Reserve Fleet administered by the US Department of Transport's Maritime Administration (MARAD). MARAD is responsible for the disposal of all the fleet's redundant vessels. Most of the vessels are c50-60 years old, Formerly Used Military Ships (FUMS), located predominantly on the James River in Virginia (Impact, 2003). In June 2003, Able UK, which owns a breaking yard for marine structures at Graythorp in Hartlepool, was awarded a £10.6m contract to recycle the steel and dispose of the pollutants from 13 of the James River vessels, potentially creating 200 jobs. A complicated saga of mutually dependent planning permissions, waste shipment licences and environmental regulations, played out in a situation of increasingly organised environmental opposition (from the London-based Friends of the Earth [FOE]), saw local residents and Hartlepool Council, initially enthusiastic at prospects of economic gain, make an abrupt about-face. In the then-local MP, Peter Mandelson's words, 'what happened was that one loose thread was pulled and the rest of the embroidery of permissions and licences promptly unravelled' (EFRA Committee, 2003: 4).

Able UK require seven different regulatory 'licences' in order to dismantle the ships. The interrelationships between local (HBC), national and international (EU and global) regulatory systems are incredibly complex, fluid and problematic. The decision by HBC that Able UK did not effectively have valid planning permission (on 07/10/03) negatively impacted on the validity of the Waste Management Licence (WML) and the Transfrontier Shipment (TFS) Approval, as decided in the High

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² As such, a linear narrative such as this, cannot 'do justice' to the complex linkages and relations of the realities it describes.
³ These performances are not necessarily mutually exclusive as stories of dive wrecks demonstrate.
Courts, creating 'a legal mess which will take months to resolve of whether planning permission was given, where it is, what it was given for, who is responsible, who is not, while the business presumably goes elsewhere and everybody sits there covering their own backsides and doing nothing' (EFRA Committee, 2003: 55).

The situation was not assisted by details of the original 1997 planning permission being lost on transfer of Teesside Development Corporation's (who had granted the permission) planning responsibilities to HBC in June 1998. Nevertheless, HBC's approval (on 05/08/02) for Able UK to continue to use the facilities with amendment to the 1997 approval, implies acceptance of the validity of this earlier approval, as confirmed to the company by HBC on 30th September 2003. However, on the same day, HBC notified the Environment Agency that the status of the 1997 permission was 'unresolved' and a week later, HBC determined that Able UK did not hold planning permission to construct a dam and dock gates (presumably the 1997 permission was deemed to have lapsed under the five-year rule).

Internationally, conventions rather than regulations exist. The UN Environment Program Basel Convention on transboundary movements and disposal of hazardous wastes was adopted in 1989, although there is much disagreement about whether it actually applies to ships. In consequence, applying the Convention's controls to ships becomes 'extremely problematic' according to the Environment Agency (HoC, 2004: paras 20-23).

The International Maritime Organisation (IMO) adopted voluntary guidelines on ship recycling in December 2003 (HoC, 2004: para 31 n40) based on a Code of Practice produced by the International Chamber of Shipping (HoC, 2004: para 31 n41). Whilst the European Community Waste Shipments Regulation, effected in the UK by the Transfrontier Shipment of Waste Regulations (1994), may have more regulatory strength, national and European law does not apply on the high seas. Ship owners could therefore circumvent the legislation by delaying a declaration of intent to dispose of a ship until after it had left national waters (HoC, 2004: para 29).

The ghost ships narrative comprises stories of social and environmental morals and responsibilities. By the time of the House of Commons EFRA Inquiry, as then-MP Peter Mandelson suggested, 'politics, rather than in many cases environmental facts, [had] moved centre stage' (EFRA Committee, 2003: 2).

Meanwhile, the four ships which sailed to the UK have remained berthed at Graythorp, unable to be dismantled, but inspected regularly for signs of contaminating local waters.

A HBC decision on Able UK's latest planning application, lodged in January 2005, was expected in June 2005, but has been delayed. As of February 2006 the decision is still outstanding.

Assemblages, Machines and Folds: a Deleuzoguattarian frame

'Place is an event at the intersection of trajectories; it arises from the confluence of ways' (Bonta, 2001: 2)
Actants are elements in networks or meshworks of relations. Individual people, such as the Environment Minister, Elliott Morley and Mike Childs, Campaigns Director for FOE, are themselves multiplicities and elements of complex networks which are simultaneously 'local' and 'global'. Able UK is part of an economic network with connections ranging from the US, across the UK to Asia. The ghost ships are themselves complex networks of multiplicity.

John Law (2000) demonstrates how a ship is a network of hull, spars, sleeping quarters etc, to which I add, with regard to the ghost ships, living actants of barnacles, algae, insects, birdlife and probably rats. The ships also performed along networked trajectories during their working lives and beyond; of ports, naval marines, ship breakers, oceans and so on. The ocean is another dynamic multiple actant (particularly if any of the ships sink in rough seas), as are the various chemical actants on board (asbestos, PCBs etc). Ships generally exemplify Latour's (1990) concept of immutable mobiles, moving around whilst holding their form, although the Hartlepool ghost ships demonstrate another of Deleuze and Guattari's key themes, transformation, and represent a more fluid technology (de Laet and Mol, 1999).

Deleuze and Guattari's work offers not only a theory of production, but also of producing human beings as embodied spatial subjects of desire in a broader process of production which includes non-human processes. Human actants are intrinsically spatially embodied, whether locally in Seaton Carew or Hartlepool, James River, Virginia, or in London, India, Pakistan or Bangladesh. They all desire particular outcomes: economic gain, social justice, environmental justice and so on.

Entities and processes are multiple. The latter include chemical reactions of corrosion, leakage and the social construct of 'pollution'. Academics in the social sciences are now used to the idea that humans are composites of multiple subjectivities. However, Deleuze and Guattari extend this concept to non-humans. As stated above, a ship, for example, is a multiplicity or an assemblage of elements, each with their own specific constituents, histories and networks. In addition, the North Sea bears ships to yards for economically-interested dismantlers; provides habitat for environmentalists; a resource for tourists to sail on, swim in and so on, all linked with its 'natural' component of ebbing, flowing and flooding.

Deleuze and Guattari's theory thus goes beyond linguistic articulation to challenge representation as overvalued and stifling creativity. 'Nothing simply "is" as it would appear to "be"' (Doel, 2000: 122). Deleuze and Guattari use the connection 'and' rather than the static 'is'/is-not'. Each 'one' is actually a multiplicity of others. Space, then, can be regarded as a multiplicity which brings together characteristics of externality, simultaneity, contiguity or juxtaposition and qualitative and quantitative differentiations (Bergson, 1988: 206; Grosz, 2001: 113). Hartlepool is a multiplicity of local/regional/national/global relations of simultaneous environmental and economic concerns. Planning is the art (or science) of spatial manipulation. It is a mediator in the continuous process of space-becoming or spacing.

Deleuzoguattarian philosophy is concerned with connections or relations: 'only retain … what augments the number of connections' (Deleuze and Guattari, 1987: 634). Connection is a multiplicity of 'and's. Relations, for Deleuze and Guattari, imply social practices. They are therefore vital to the active constitution of existence. It is
the contingent 'circumstances, actions, and passions' (Deleuze and Parnet, 2002: 56) of life which provide for the specific forms of relations between different terms. In Hartlepool, circumstances of regulation (planning permission) afforded a window of opportunity to those with a passion for environmental justice which, in turn, offered an opportunity for further regulation aligned to economic growth.

Deleuze and Guattari (1983) define an assemblage as a multiplicity; a network of meshed lines and entities which, in *A Thousand Plateaus* (1987), they also confusingly term a machine. A machinic assemblage is a form of functional connections and flows of force and power relations which construct the social. Machinic assemblages are 'not fixed structures, but sites of continuous organisation and disorganisation' (Bogard, 2000: 273). A city (Deleuze and Guattari, 1986a), a planning system, a ship or a set of environmental or shipping regulations are machinic assemblages. An assemblage, then, is firstly, 'an ad hoc grouping, a collectivity whose origins are historical and circumstantial' (Bennett, 2005: 445).

As Bennett continues, an assemblage is also, 'a living, throbbing grouping whose coherence coexists with energies and countercultures that exceed and confound it'; thirdly, 'a web with an uneven topography' as power is not equally distributed across the assemblage; fourthly, assemblages are 'not governed by a central power: no one member has sufficient competence to fully determine the consequences of the activities of the assemblage'; fifthly, an assemblage is 'made up of many types of actants: humans and nonhumans; animals, vegetables, and minerals; nature, culture and technology' (Bennett, 2005: 445). Moreover, assemblages are not just nouns, but processes. Law (2004a: 42) adds that an assemblage is 'a process of bundling, of assembling, or better of recursive self-assembling in which the elements put together are not fixed in shape, do not belong to a larger pre-given list, but are constructed at least in part as they are entangled together'. Demonstrating characteristics of assemblages as both nouns and fluid processes, planning institutions change (eg from Teesside Development Corporation to Hartlepool Borough Council), legislation changes (valid planning permission is declared invalid, Environmental Impact Assessments become necessary), ships change (elements are added, modified, removed).

Deleuze and Guattari distinguish between different kinds of machine according to the ways in which processes of coordination and control of social flows are carried out. For instance:

*Abstract machines* are devices of power (such as State apparatus in general, including Ministries, High Courts, local authorities etc) which define the patterns and thresholds of change of a complex system. Abstract machines are virtual multiplicities which do not exist independently of the assemblages in which they are expressed. They play a 'piloting role' and as such are vital to the operation of that assemblage (Deleuze and Guattari, 1987: 142), such as by enforcing regulations, issuing permits and licences.

*A social machine* is an arrangement of machines understood at a particular level of complexity. Social machines 'take charge' of production (making connections and extracting value) and institute their own regimes of semiotic coding which govern which connections and disjunctions are permissible (Brown and Lunt, 2002). The
related geographical spaces in the ghost ships case are all subject to the capitalist form of social machine (Patton, 2000).

*War machines:* 'the war machine is exterior to the State apparatus' (Deleuze and Guattari, 1986b: 1). As mentioned above, the State-form is an abstract machine. Its essential function is capture of flows; of populations, commerce, capital and so on. However, the State necessarily implies a constitutive outside, such as constituted by rights-based groups, such as the FOE, and modes of thought other than those of the State (Patton, 1984). These 'outsides' comprise Deleuzoguattarian war machines.

War machines effect lines of flight (Deleuze and Guattari, 1987: 229-230). They engender the production of something new; new ways of thinking, new ways of being. Whilst a war machine may oppose the State's attempts at regulation (through striated space as explained below), it may well seek to impose its own regulation on the State by opposing or by manipulating the apparatus of the State abstract machine (such as through legal challenge).

Constant transformation occurs. Transformation starts in the middle, in between, in the margins. Hartlepool is a place-event in the middle; where issues were triggered and picked up intensity. Transformation occurs through cracking, rupturing, and more importantly, through folding.4

Folding brings new connections as once-distant entities are now juxtaposed. It generates new energies as folds are never pre-formed or given. They have no transcendent rules or final solutions. Folds literally complicate. They express a multiplicity. Land use planning attempts to perform a kind of controlled folding, bringing some uses in proximity to each other and keeping others (such as potentially toxic industry, sensitive environmental features and residential areas) apart.

Folding generates presences and absences as entities are brought together or shifted apart. There are multiple sites of agency in folding, including human intentionality (Able UK, the EA), the momentum of social movements (FOE), the style of a corporation (HBC, FOE) and 'the decisions of molecules at far-from-equilibrium states' (Bennett, 2005: 447) in the ships. Interestingly, Deleuze used the example of metal as a 'modulating' assemblage: 'metal is what compels us to think matter, and it's what compels us to think matter as continuous variation' (1979: 11) and 'metal puts matter into the double state of continuous development of form and continuous variation of matter' (1979: 12).

In the next section I engage in method assemblage (Law, 2004a) to illustrate how various trajectories of social and environmental justice attempted to make realities using varieties of 'truths' or discursive representations.

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4 The French noun for fold 'le pli' has a philosophical lineage in a family of words such as complication, implication, multiplication, replication, suggesting that multiples are folded in complex ways rather than simply added on. Similarly, to explicate is to unfold or explain, while something pliant is foldable.
On social and environmental justice: 'ghost fleet torpedoed by planning wrangle'

John Law (2004a: 161) defines method assemblage as 'the process of crafting and enacting the necessary boundaries between presence, manifest absence and Otherness'. In writing this paper, I have engaged in method assemblage, as have the various actants in my ghost ships narrative. Method assemblage is performative. It produces presence (e.g., representations such as texts and their content, actants such as waterbirds, chemicals, etc.) and absence. Absence is constituted with and constitutes presence. Law distinguishes two forms of absence: manifest absence, 'that which is absent, but recognised as relevant to, or represented in presence' (Law, 2004a: 157) and absence as Otherness, 'that which is absent because it is enacted by presence as irrelevant, impossible or repressed' (Law, 2004a: 157). Otherness is necessary to presence but is repressed, excluded and forced into absence (Law, 2004a: 162). For example, debate about the ghost ships initially Othered those who dismantle ships on Asian beaches, Able UK's potential loss of its £6m bond to MARAD for non-removal of the 13 ships from the USA by 30th November 2003, plus incursion of £775 per day damages per vessel for non-completion of the contract by 31st December 2005, and the US Environment Protection Agency's application of 'enforcement discretion' to the US Toxic Substances Control Act which bans export of PCBs over 50ppm.

The various actants engaged in the ghost ships stories seek to assemble different realities of social and environmental justice. As I indicate below, these different realities overlap and 'interfere' (Law, 2004a: 61) with each other in complex trajectories of representations and responses.

I deconstruct the performativities of representation elsewhere (Hillier, 2007). In this paper I offer a highly simplified outline of a complex multiplicity of possible non-linear trajectories. Representations may be regarded as discursive performativities. I regard discourses as relational webs of meaningful practices constitutive of subjects in social formations and reflecting and constructing material practices in political institutional relations between groups of people. Discourses frame representational contexts intrinsically involving the exercise of power (Fischer and Forester, 1993). Representations are contingent historical constructions; powerful, yet vulnerable to those political forces excluded in their production and to the dislocatory effects of exogenous events (Howarth and Stavrakakis, 2000; Griggs and Howarth, 2002).

Actants' representations of the ships as US navy, toxic or ghost ships and as waste are emotive, manipulated representations of presence and absence, calculated to produce certain types of audience response, especially if taken up by the media. 'Waste' is that which no one desires. It must be kept at bay. It is impure, 'toxic', improper and unwanted (Halsey, 2004).

Representations are received by actants and are constituted in and constitute perceptions. William Connolly (1999; 2002) suggests that 'incomprehensible quantities of unconscious calculation' take place during a half second delay between reception of sensory material and perception of it, in which time some material is

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5 Havery and Hunter, The Northern Echo, 01/11/03: 1
removed (made absent) and the rest is 'crunched' to project a set of perceptions and thought-imbued intensities into consciousness (presence as interpretation). In this delay culturally-inscribed processes of memory and anticipation perform. For instance, reception of a representation of 'toxic ships' will most likely generate negative perceptions: of danger, harm and pollution. Perception will be perspectival, related to the experiential hinterland of the perceiver. The ships may thus perform as threatening pollutants or promising employment opportunities and local economic multiplier effects depending on the perceiver who then interprets the ships as a 'bad' or a 'good' thing respectively. Some form of response is then generated accordingly.

Perceptions and interpretations perform connection. Interpretations bring human and non-human actants into 'play' with one another (Strathern, 2002: 94) as they are folded against or apart from each other. Multiple interpretations are possible. What becomes important is the persuasiveness of an interpretation, contingent on the actants involved, circumstances, hinterland and so on, which then becomes subject for a trajectory of further interpretation and responses. For instance, perception of the ships as environmental hazards by a Hartlepool member of the London-based pressure group FOE folded together local NE residents with national and international activist groups with further connections, legal and financial competences. Organised demonstrations, press releases circulated to national and international media and legal challenges in the UK and US Courts exemplify responses generated by representation of the ships as toxic waste.

Similarly, interpretation of legislation and the decision, by Mr Justice Sullivan in the High Court (15th December 2003), that ships are not marine structures (another instance of presence becoming Othered and absent) meant that the planning permission relied on by Able UK did not therefore cover ships and was legally flawed. Although HBC had confirmed to Able UK in February 2003 that it regarded ships as marine structures, the Judge resolved that 'a ship is no more a marine structure than a car is a highway structure, a narrow boat is a canal structure or a steam locomotive is a railway structure' (Arnold, 2003: 1). As a result, Able UK's permission to dismantle marine structures, interpreted as not applicable to ships, was revoked. 'Beforehand things are not clear and the realities in question are not yet made. Afterwards they are' (Law, 2004a: 29).

Yet as Law goes on to emphasise, 'the future of reality is always at risk in a sea of uncertainty' (2004a: 29). Representations and interpretations, even legislative decisions, can be resisted and challenged as the ghost ships stories illustrate.

In the ghost ships case, since 1997, we can discern two distinctive assemblages and their trajectories: trajectories of social and environmental justice, themselves complex assemblages performing different representations aiming at generating different responses.

**Social Justice**

I identify two component assemblages of social justice: creation of employment opportunities and the proximity principle.
Employment opportunities: social justice at home

At the 2001 Census, Hartlepool Borough Council (HBC) had a 5.5% unemployment rate, the 15th highest of the 376 local authorities in England and Wales, and the 11th highest long-term unemployment. The MARAD shipbreaking contract could potentially provide c200 jobs, together with a further c100 jobs in construction of a dry dock, quayside and buildings and 524 jobs in manufacture of wind turbines (the latter appeared in Able UK's 2005 planning application [2005d]).

In 2001, HBC came 326th of 376 in levels of home ownership and 351st in numbers of residents with tertiary qualifications. It ranked as the 8th most deprived area nationally on the DETR's Indices of Deprivation (2000). The job creation possibilities at Graythorp are thus welcomed by many.

Meanwhile, three years of uncertainty has already jeopardised Able UK's bond to MARAD, resulting in employee layoffs. It also puts at risk millions of pounds worth of future business for the company.

The social justice assemblage is broadly supportive of Able UK and the creation of employment opportunities in the economically depressed area. Its actants include the local Chamber of Commerce and the Mayor of Middlesbrough. Through MPs Peter Mandelson and Frank Cook the local elements of this assemblage connected with influential national actants.

Able UK has relied largely on 'scientific' information in order to get its representation to perform. The company has developed an extensive web resource solely on the issue [http://www.ableuk.com/ableshiprecycling] in which it stresses its successful track record:

'The Able Group are a major player in the decommissioning of offshore structures and also on land being involved in the successful demolition of power stations, oil refineries, gas works etc for over 30 years' (p. 1).

Through its website and several media statements, Able UK has sought to associate its dismantling operation with the key concepts of being safe, environmentally friendly and creating employment opportunities. This scenario was originally welcomed by HBC and the local media:

HBC 'supports the proposal which is of considerable significance to the economic regeneration of the area' (cited in EFRA Committee, 2003: 4);

'... recycling to bring new jobs. Over 200 jobs will be created if a huge multi-million recycling deal bringing an obsolete fleet of US ships to the area is done' (anon, 2003c, Hartlepool Mail, 30/06/03: 1).

Able UK's representation was also accepted by many local residents, the local MP and the marine safety industry:

'Let them get on with the job and create a bit of employment in the area instead of poverty' (Malcolm McLeary, former local shipworker, BBC News, 2003a, 12/11/03);

'It is part of our job to look after the environment and people should think about the financial benefit to the local area' (Pam Jose, Chair of the Environmental Industries Federation, BBC News, 2003a, 12/11/03);
'We are opening up the opportunity and the possibility of the town and its skilled workforce being able to meet a very real environmental need and opening up a major industrial opportunity' (Peter Mandelson, in EFRA Committee, 2003: 10);
'They know how to take ships to pieces safely. They must conform to the most stringent safety regulations overseen by the most diligent regulator in the world. … Dismantling these relatively innocuous vessels in Hartlepool is a great opportunity, for the Company with the contract, the working population of Teesside, the ship-owners of the world and finally the population of the planet' (Gibson, 2003: 2).

There is also a demonstrated need for dismantling facilities in the UK:
'Between now [2003] and 2015 something like 2000 redundant single hull tankers will be on the market. We do have a pressing need for top quality facilities for recycling ships' (Elliott Morley, Minister for Environment, to EFRA Committee, 2003: 47);
'There is certainly a big global trade' (Morley, to EFRA Committee, 2003: 47);
'We have the need within the UK for such a facility, it is a global need, and it has the potential to create a lot of jobs' (Morley, to EFRA Committee, 2003: 48)

In the above utterances we can identify a strong discursive assemblage of social justice in support of the people of Hartlepool via support for Able UK: potential employment opportunities in an economically depressed area for local workers in a company with a sound track record in an industry with high future demand.

*The proximity principle: social justice to others*

Most large ships are dismantled in Asia (mainly in India, Pakistan, Bangladesh and China) where the health and safety protection levels for workers and the environmental protection standards are extremely low by western standards. There is a strong push by environmental groups for Western countries (such as the UK and the US) to deal with their own waste rather than generate huge transport footprints and endanger lives by dumping toxic waste overseas.

The proximity principle was absent form early discussion of the ghost ships which concentrated on issues local to north east England. In November 2003, due to the intense media coverage over the first ship docking at Graythorp, the House of Commons Environment, Food and Rural Affairs (EFRA) Committee interrupted its business for one day to hold an investigation into the issue. It was during this parliamentary investigation and the subsequent full Inquiry (June-July 2004) that notions of the proximity principle and of social justice to others were raised. MP Peter Mandelson, for example, cites the environmental credentials of Greenpeace in support of 'a very real and legitimate concern … about the export of British vessels to conditions which may end up in their breaking up and recycling taking place in less suitable and less environmentally concerned conditions in India, Pakistan or Bangladesh' (EFRA Committee, 2003: 9).

Similarly, Joan Ruddock MP, a member of the EFRA Committee, states, 'one of the great principles of the disposal of waste is the proximity principle' (Ruddock, in
EFRA Committee, 2003: 11). This principle is supported by EU Regulations\(^6\) which constrain waste shipments and recycling to home states unless they do not have facilities for environmentally sound disposal. During the Committee session, it was further revealed that the British government has exported ships to India for dismantling due to lack of home capacity. Statements to the Committee include:

- 'clear evidence delivered by Greenpeace\(^7\) that merchant vessels owned and managed by UK firms are ending their days in the horrendous breakers yards at Alang in India where they are broken apart in the open air with no safety consideration or environmental protection whatsoever and where literally thousands of workers meet their deaths as a result of handling toxic substances. 'What is even more alarming is that evidence is now coming to light that Royal Naval vessels have undergone similar irresponsible treatment' (Frank Cook, MP in EFRA Committee, 2003: 71-72);

and

- 'FOE is in favour of ships being recycled responsibly. … The American administration must take responsibility for its own waste. The Bush administration has overturned US law in order to send American waste overseas – allowing these boats to be scrapped outside of the States sets a dangerous precedent which makes it more likely that future ghost fleet ships will be dumped on developing country beaches' (FOE, 2003d);

while the Mayor of Middlesbrough wrote,

- 'I'm sure everyone agrees that these ships must be disposed of in a manner that is safe. Simply dumping them on a foreign beach, as has happened in the past, seems a gross dereliction of responsibility' (Ray Mallon, Mayor of Middlesbrough, 2003: 14).

These utterances raise the ethical issues, not only of social justice but also of responsibility. The statements suggest that not only the US, but also the British government and British people have a responsibility to dispose of their toxic waste at home, rather than 'dump' it on Asia. I return to this issue below.

The EFRA Committee appears to have been persuaded by the environmental 'proximity principle' argument, particularly after members recognised the potential economic advantages of developing UK-based facilities. I believe that Committee members felt that they could achieve a 'win-win' situation: economic growth in a regionally disadvantaged location couched in terms of global environmental responsibility:

- 'Greenpeace has called for the development of ship scrapping facilities in the UK and Europe, partly in order to apply the proximity and polluter pays principles to ship dismantling and partly because "the UK has the regulatory infrastructure, the health and safety infrastructure and the material infrastructure to be best placed, or one of the best placed, countries to make sure that environmental impacts are minimised" (Greenpeace, Evidence to EFRA Inquiry: Q111)’ (HoC, 2004: 16);

- 'It seems to us that the UK has the potential to establish an industry in ship dismantling which can be done safely and offer economic benefits to the communities in which it is carried out' (HoC, 2004: 16).

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\(^6\) Article 19.3 of EC Regulation 259/93.

\(^7\) Greenpeace (1999, 2001)
Environmental Justice
I distinguish here between two readings of environmental justice. Firstly, environmental justice in its now-general sense of overcoming social inequalities in the distribution of good and bad local environments and of environmental protection, associated in particular with the work of Robert Bullard (e.g. 1990, 1999). Bullard argues that "hazardous wastes and "dirty" industries have followed the path of least resistance" (1999: 33); a path leading almost always to the neighbourhoods of the poor and people of colour. The second reading is that of environmental justice as justice to the environment (e.g. Wenz, 1988).

Environmental Justice as social inequality in environmental goods and bads
The community of Hartlepool was developed round the port (especially trade in coal) and heavy industry. Adjacent to Able UK's yard are industries including a nuclear power station and the Billingham chemical plant. At the time of the 2001 Census, HBC (population 88,611) rated 11th highest local authorities in England and Wales in terms of the proportion of people with long term illness. A strong argument was made by the local group, Impact, and FOE that Hartlepool has more than its share of noxious industry and should not be 'a dumping ground for everyone else's waste' (Mandelson, to EFRA Committee, 2003: 3):

'We've had more than our share of pollution' (Geoff Lilley, local resident, in Vidal, 2003: 14);
'Everyone's saying we've had enough rubbish' (Neil Marley, in Vidal, 2003: 14);
'We'll be looked on as George Bush's toilet' (Mike Turner, in Vidal, 2003: 14)

A further concern was that of environmental damage causing potential disruption to the identity of Seaton Carew as a tourist destination and of Teesside as becoming known as the world's 'toxic dumping ground':

'Seaton Carew is a wonderful little seaside town with a great future in tourism…'
'Seaton has some stunning Georgian buildings. It has a great beach and the hotels and the beach at Seaton were featured on the BBC Holiday programme just last year.
'The bad publicity coming to Hartlepool from the ghost ships can seriously damage Seaton's future' (Nigel Boddy, ex-Parliamentary candidate for the Liberal Democrats, 2003).
'It will reinforce the smoggy image of Teesside' (Peter Goodwin, Green Party, BBC News, 2003c)

while Austen's (2003) cartoon in The Guardian (13/11/03: 1) speaks volumes:

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8 Environmental justice is sometimes referred to as environmental racism in the US. See, for example, the United Church of Christ (1987), cited in Hartley (1995).
Able UK countered the above arguments by stating that they propose to use 'Best Available Practice to achieve the Best Practice Environmental Option' (Able UK, 2005a: para 1.6). Under this Option, pollution will be negligible, if not eliminated from an area that is already recognised as a pollution hub.

Able UK has attempted to address local residents' concerns. On its website the company has provided a 'fact sheet' on ship recycling, the MARAD contract and the Graythorp proposal, stressing its safety and environmental credentials and acquisition of all required environmental licences (as at August 2003):

- 'Able/TERRC have satisfactorily undergone extensive environmental audits by international clients and their external advisors' (p. 2);
- 'TERRC is probably the most environmentally friendly facility available to remediate and recycle ships in the world' (p. 2);
- 'It is the Best Available Practice to achieve the Best Practice Environmental Option' (Able UK, EIS, Non-technical Summary, 2005a: para. 1.6).

Able UK also takes pains to emphasise that the ships are safe. The levels of asbestos and fixed PCBs are demonstrated to be minimal; approximately 100 tonnes of asbestos per ship, fixed PBCs in gaskets and coverings for electric cables, while there are no liquid or closed application PCBs. The company has also posted on its website many emails and letters in support of its position, including several offers from organisations in Belgium, Pakistan and Turkey to purchase the ships for dismantling overseas in far less environmentally safe conditions. In addition, a collection of photographs indicates the shipbuilding history of the Graythorp site, the safe company track record of refurbishing oil rigs, and the site location 'in the centre of an industrial area … not near any housing' (http://www.ableuk.com/ableshiprecycling).

Other influential actants agreed with Able UK's representation:

- 'It is fair to say these ships in relation to the risk they pose are no better or worse than any other ships of their age.
- 'There are probably ships going into Tees Port everyday which have far more hazardous cargoes than these ships contain' (Elliott Morley, Minister for Environment and Agriculture, EFRA Committee, 2003: 58);
However, others disagreed and made strong representations against the MARAD contract:

'This deal would be a disaster. With a river full of rotting toxic ships awaiting breaking up, our reputation as a world toxic dump would be there for all to see' (Peter Godwin, Teesside Green Party, in anon, *Hartlepool Mail*, 30/06/03 (2003c): np).

while one Impact member commented that the lack of opposition to the ships by local residents was due to the fact that

'they have been brainwashed into thinking that because they live in poverty they should be grateful for anything' (Carol Zagrovich, in Vidal, 2003: 14).

*Environmental Justice as justice to the environment*

Able UK's facilities are located adjacent to seal colonies on Seal Sands, a RAMSAR wetland and Special Protection Area for waterbirds. Whereas their 2005 planning application suggests that wildlife will be only minimally affected by visual disturbance or pollution (Able UK, 2005a: para. 1.15-1.17), the company argues that it is unable to disclose what type of waste may be stored on site, both as details of waste remain unknown until contracts are won and for reasons of commercial confidentiality (Able UK, 2005b, 2005c). Interest groups (FOE, RSPB) and local people argue, however, that the ships are 'toxic timebombs' (Editor Briefing, *The Guardian*, 17/11/03: 22) and have objected to the 2005 planning application.

In response, Able UK attempts to represent itself as an environmentally responsible company, undertaking dismantling operations in environmentally safe conditions. The company cites the expertise of the IMO in support of its claim that:

'Ship recycling, if conducted in an environmentally friendly and a safe manner, is a positive benefit to the overall environment and to specific national and local economies and represents the most viable method of disposing of the majority of time-expired tonnage' ([http://www.ableuk.com/ableshiprecycling](http://www.ableuk.com/ableshiprecycling): 1)

and stresses that the company fully complies with all the latest IMO Recommendations for ship recycling.

However, the local group, Impact, anxious about the potential impact of the shipyard on local wildlife, alerted Friends of the Earth (FOE), an extensive, London-based interest group, which then came to dominate opposition to the MARAD contract. Early FOE press releases emphasised the threat to 'internationally important wildlife sites':

'The threatened sites are protected under domestic, European and International law because of their importance for waterbird species including the knot, shelduck and redshank. The wildlife sites are important feeding grounds for birds throughout the year and noise disturbance could prevent the birds feeding leading to starvation' (2003a).

The RSPB endorsed FOE's concerns, stating that the Tees estuary is used by more than '20,000 wildfowl and wading birds annually' and that 'any contamination of the fragile and sensitive estuarine habitats by oil, PCBs, or other pollutants could have a major impact on the wildlife of the area' (BBC News, 2003b, 13/10/03).
However, there was a general failure in 2003 to associate the ghost ships with damage to local wildlife, perhaps because of an inability to produce concrete information (such as photographs) about damaged birds, or due to non-involvement of other environmental actants, such as Greenpeace. Able UK and other actants were able to refute the issues of harm successfully on this occasion:

The ships do not 'not represent a threat to the UK shoreline any more than other legitimate shipping movements' (Mark Clark, Maritime and Coastguard Agency, in Kiplinger.com, 2003).

Whilst the trajectory of wildlife-oriented environmental opposition was not performative in 2003. It is yet to be seen whether it will perform in its renewed representation since May 2005 (Glyn-Jones, Environment Agency, 2005) when late objections to the most recent round of Able UK's planning applications were lodged by English Nature, the Environment Agency and RSPB (Vidal, 2005a: 7; Glyn-Jones, 2005).

**Complex Foldings and Connections**

As the trajectories of representations of social and environmental justice have been enacted, they have bumped against each other, folded into and connected with each other in complex ways. A new discursive trajectory, connecting aspects of both forms of justice, gradually emerged, particularly from the EFRA Committee deliberations:

'The best environmental outcome is that we have facilities within the UK which are high standard, meet the very best environmental standards both nationally and internationally, and that we have a facility here within the UK. … [A]s developed nations, we should be developing facilities to deal with the ships we have ourselves but we should also play our part in dealing with proper recycling and reuse in top quality environmental conditions for the many ships which are going to be on the market from countries which do not have these facilities' (Elliott Morley, Minister for Environment, to EFRA Committee, 2003: 47).

Such views, which by November 2003 emphasised the terms 'recycling' and 'reuse' rather than simply 'dismantling' or 'breaking up' (as in July that year), reiterated the representation promulgated by Able UK. Margaret Beckett, Secretary of State for the Environment, was also inclined towards this representation:

'there is an important and legitimate trade in ship dismantling and recycling and an infrastructure need for high quality environmentally sound facilities in which to carry out such work' (DEFRA, 2003)

The above is a discourse of highly regulated, environmentally- and humanly-safe, responsible UK-based recycling, which both adheres to the proximity principle and potentially also has substantial economic impact. The lure of the economic potential of ship dismantling outweighed representations of Hartlepool as a pollution hub. Once stated by the House of Commons Committee, the connected economic and environmental interpretation quickly found resonance in local and national media:

'If Teesside earns a worldwide reputation for decommissioning rusting vessels, it stands to win many more contracts' (anon, 2003b: 1).
The EFRA Committee welcomed the UK government's decision to produce both a ship recycling strategy for establishing high quality facilities in the UK, including necessary regulatory means, and a policy for dismantling UK government vessels (HoC, 2004: 17). The Committee also recommended that the government should ensure that the IMO prioritises production of an internationally binding agreement for minimum standards of ship dismantling and that it should regulate UK-based ship owners to ensure that their vessels are dismantled with the minimum impact on human health and the environment (HoC, 2004: 16-17).

In response to the EFRA Committee Report (2004), the government commissioned a study of ship recycling facilities in the UK and an investigation of possible sources of EU, national, regional and local assistance. Michael Jack, Chair of the EFRA Committee, hinted that 'Able UK would be "knocking at an open door" if it put forward a convincing strategy to be the UK's dismantling centre. "It's not for the committee to suggest a location, but Able UK is the only contender that has so far shown an interest"" (Merrick, 2004). No wonder that Peter Stephenson, Chair of Able UK was pleased (Able UK, 2005e).

The Deleuzoguattarian virtualities of employment opportunities and income generation from a ship dismantling yard have been accepted. Largely due to the case put by the then-local MP Peter Mandelson and the EFRA Committee's embracing of the proximity principle, 'more and more reality [has been] attributed to the object and less and less to the statement about the object' (Latour and Woolgar, 1986: 177, cited in Law, 2004a: 37). Other adverse representations have effectively ceased to perform and generate responses. The prognosis for positive determination of Able UK's 2005 planning applications thus remains good, despite the late objections on environmental grounds.

**Oscillations and Perturbations**

'There's something very disturbing in metal' (Deleuze, 1979: 11)

Planning 'enacts distribution' (Law, 2002: 135) in the form of oscillation between presence and absence, between the particular and the general, between Deleuzoguattarian striated and smooth space. Planning practice (development control or strategic policy-making and implementation) is always incomplete, unfinished and ambivalent. 'Oscillation is one of the conditions of its possibility' (Law, 2002: 135). Oscillation implies that planning as an enacted practice expresses tensions between the poles of its oscillation; tensions which are made less tense by strategies including simplification and reduction (eg Able UK's initial 2005 EIA and FOE's press releases were simplified representations of their respective 'truths'), deferral (decisions were deferred to High Courts, HBC deferred consideration of Able UK's 2005 applications for over eight months) and noncoherence (the loss of the 1997 Able UK planning approval files subsequently led to noncoherent decisions).

Making development application decisions is a process of drawing together a network of a multiplicity of heterogeneous elements. Planning practitioners have traditionally followed a rational comprehensive approach to decision making (recommendation to Council) aiming to collect as much information (representations) as possible, to interpret that information and to select the best option (response); a 'specific and
optimum distribution [of] materials, human and otherwise' (Law, 2002: 137). However, perfect knowledge and interpretations are illusory and information gathered/representations perceived are inevitably exclusionary and reductionist, whether deliberately manipulated or not.

In planning practice multiplicitous heterogeneity is often regarded as a problem – of too much information, too many variables, possibilities etc. For stability, nonconforming data, land uses and so on must be managed, eliminated or controlled through the striations of regulation (such as permits, licences, planning conditions). Yet, as Law (2002: 136) recognises, to make a centre in such a manner - to striate space - is to distribute the conditions of possibility that are both present and absent, represented and Othered, certain and uncertain, particular and general.

In what follows I explore some of the oscillations and perturbations between presence and absence, particular and general and smooth and striated space which I perceive in the ghost ships stories.

Presence and absence
As indicated above, processes of assemblage inevitably perform enactment of boundaries between presence and absence. Texts, photographs and maps are all selective constructs.

Gayatri Spivak (1974) explains Jacques Derrida's (after Heidegger, 1956) use of the concept of 'sous rature' (under erasure) to denote presence/absence: the absence of a presence, an always already absent present, the lack at the origin of the coordination of thought and experience (Spivak, 1974: xvii). For instance, the ghost ships are absent from much of the debate about environmental justice which centres on the chemical substances and their potential pollutant effects (Law's 2004a) manifest absence). The ships become a Derridean trace. Similarly, the structure of practical experience of planning officers, environmental bureaucrats and elected representatives is a trace-structure rather than a presence-structure. Like reception and perception of representations, experience is a trace of reductionist memory. For simplicity, I do not engage a Derridean transcendental signification of erasure in this present text whilst I do recognise the inescapable reductionism in my simplification.

We can identify several instances of presence and absence from the representations and discourses in the ghost ships case. Absences can be deliberate 'to make the narrative work' (Law, 2002: 121) or to secure ease of manipulation. Statistical data are notorious for their absent underlying assumptions, methods of calculation and 'roundings'. For instance, the FOE's regular press releases, packed with legal information, statistics and rhetorical statements, were widely read. They appeared on the FOE website, were sent to local, national and international media and were distributed locally at meetings. For example:

'The structures of the two ships contain more than 800 tonnes of American toxic waste – with more than 500 tonnes of asbestos and 300 tonnes of solid PCBs set to be buried locally in Hartlepool – on UK soil' (2003d: 18/11/03).

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9 The French 'le trace' implies not only the English trace, but also a track, imprint, foot- or paw-print.
10 For an example of the use of erasure in relation to management of old growth forests in Australia, see Halsey (2004).
'Of the 13 ships earmarked for disposal in Teesside, 9 have been listed as having a high risk of hull leakage. They are carrying over half a million tonnes of oil and fuel between them' (Mike Childs, FOE, 2003).

In March 2000 the Office of the Inspector General (US Department of Transport) investigated the state of these ships and reported that: "the vessels are deteriorating, contain hazardous substances and pose an immediate environmental threat" and "These vessels are literally rotting and disintegrating as they await disposal. Some vessels have deteriorated to a point where a hammer can penetrate their hulls" (2003c: 07/11/03);

Several comments from local residents, Council members and media (including The Northern Echo, Hartlepool Mail, The Guardian and BBC News) drew largely on (and frequently embellished) FOE material. However, several 'facts' and pieces of statistical information were subsequently found to be misleading and occasionally erroneous, recalling Habermasian aspects of Systematic Distortion of Communication (Habermas, 1970). For example, the MARAD Fleet Waste Survey of all 13 ships originally destined for Hartlepool indicates that the first two ships contained probably 253.6 tonnes of asbestos rather than the 500 tonnes suggested by the FOE above (2003d). In addition, the US Department of Transport Inspector's Report (2000) referred to all the 62 James River ships rather than only those destined for Hartlepool (2003c). In fact, the hulls of the first two ships to arrive in the UK were substantially solid (Impact, 2003: 5). A local resident also pointed out in a letter to The Northern Echo that FOE's claim that the ships 'are carrying half a million tons (sic) of oil and fuel between them' (cited above) equates to 'over 38,000 tons for each vessel. … The BBC News (November 4) states that the vessels contain about 50 tons of oil each, which means a shortfall of 37,950 tons' (Hunt, 2003: 10); figures which accord with the MARAD Fleet Waste Survey published by Impact.

In an instance of media discursive 'licence', The Caithness Courier's claim of 'secret plans by America to tow a condemned fleet of contaminated ships' was overstated, suggesting that 'the 94 derelict and leaking ships are believed to be packed with toxic chemicals, asbestos and oil' (McGilvray, 2003). The figure 94 (rather than 62 or even the 13 destined for Graythorp) also appeared 'exclusively' in The Sunday Mail, where the words 'believed to be' were omitted, making the statement even stronger (Macaskill, 2003).

While The Socialist Worker shrank geographical space, declaring that the 'toxic timebomb' 'will be dumped in a landfill site right next to the residential area of Seaton Carew' (anon, 2003a) some 2 kilometres distant, The Guardian suggested that if Able UK were to gain the disputed dock gate planning permission, then the company would be able to 'break up nuclear submarines' (Vidal and Brown, 2003: 6) in the yard and The Hartlepool Mail and the BBC headlined claims of birth defects in Hartlepool resulting from the ships (BBC News, 2003d). Absences become presences.

Mistrust spread on all sides. Peter Mandelson and local supporters of Able UK claimed that FOE was 'scaremongering', 'using half truths but also making statements that lacked any sense of proportion or perspective or scale, which conjured up terrible pictures in people's minds' (Mandelson, EFRA Committee, 2003: 3). Frank Cook, MP

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for Stockton North, also accused the environmental lobby of a 'scandalous attempt to mislead' and quoted Geoffrey Lean, respected Environment Editor for The Independent on Sunday, as calling the campaign 'one of the most outrageous pieces of spin recently to be inflicted on the British public' (EFRA Committee, 2003: 69).

Peter Mandelson's statements to the EFRA Committee further question the roles played by the (absent) London-based FOE and the international ramifications of the legal challenges made by (absent) Earthjustice in the USA. Could it be argued, as Mandelson would claim, that 'the outside agitator [i]s upsetting the organic balance of the local place' (D'Arcus, 2004: 357)? More strongly, D'Arcus points out the potential influence of media in granting such agitators 'unwarranted publicity' which 'both amplified their words and circulated them across space' (D'Arcus, 2004: 363). It would appear that Mandelson's 'ultimate argument' (D'Arcus, 2004: 363) is that if opposition is a product of outside or absent influence, it is illegitimate. It should therefore not be trusted.

The HBC about-turn, together with several absences; an apparent mislaying of Able UK's TDC-approved planning application, an inability to determine its status as time-lapsed or otherwise and uncertainty whether marine structures included ships, generated much mistrust, both of the Council (officers and elected members) and its ability to make reliable decisions. This absence of trust was highlighted when the High Court ruled that HBC had made a 'legally flawed decision' when the Council had approved Able UK's 2002 application to reduce the conditions of its 1997 permission, thereby accepting the earlier approval as valid (Arnold, 2003: 1).

Similarly, trust in the Environment Agency (EA) fell considerably when it was perceived as succumbing to the pressure of national and international media coverage oscillating between presence and absence, yes and no:

'How can a firm run a business in a competitive world, where people are bidding for contracts, when we have got the Environment Agency changing its mind and just bugger[ing] around like this?' (Mitchell, EFRA Committee, 2003: 38).

Nevertheless, FOE's organisation of its narrative, the formalisation of its statistics and the impacts of its successful legal challenges achieved political effectiveness for its arguments. FOE achieved voice. The concepts evoked by FOE became present, embedded in the larger discursive context and its narratives resonated with sufficient numbers of other actants for the House of Commons EFRA Committee to hold an emergency one-day session on the 'ghost ships issue' (EFRA Committee, 2003: 2). The ghost ships had arrived firmly on national political and policy agendas.

Many of the above representations emphasise the danger of the chemicals perceived as being on board the ghost ships to humans and the non-human environment. For instance, Lloyd (2004: 10) lists the potential lethal effects on humans of ingesting PCBs, including 'birth defects and brain damage to … unborn children'. With specific reference to the ghost ships he suggests that 'if a few nanogrammes of PCBs in a piece of fish are dangerous, 401 tonnes bobbing about on the ocean in a couple of scrap tin cans must be equivalent to a dirty bomb'.

Further, the FOE claimed:
'High Court Battle to Save Wildlife from Ghost Fleet. … The threatened sites are protected under domestic, European and International law because of their importance for waterbird species including the Knot, Shelduck and Redshank. The wildlife sites are important feeding grounds for birds throughout the year and noise disturbances could prevent the birds feeding leading to starvation' (FOE, 2003a: 2).

Noise and PCBs are present, bringing danger to humans and wildlife. The ships are manifestly absent, except in representations as 'floating time bombs' or sources of 'cataclysmic oil spills' (Cook, in EFRA, 2003: 70). Anxiety and fear become present, affected in the minds of local residents and environmentalists. The various lists of potentially deadly chemicals form a set of relations between presence and absence linked to the suffering of waterbirds and unborn children.

It is only in the House of Commons inquiry process that we encounter the looming absence becoming presence of Asian workers dismantling 'toxic' ships in 'unsafe' conditions (ie conditions where safety is absent) on beaches in India, Pakistan, Bangladesh and China, where 90% of the world's commercial shipping is scrapped (Greenpeace, 2006a). Even worse, as revealed above, many of these toxic ships are British!

'Generally ships are not dismantled in dry docks, they are generally dismantled in the water. Worker protection in terms of equipment and in terms of working procedures are still not all that they should be. There is some variation between yards, but it is still very common to find workers wearing only straw hats, for example. Greenpeace has visited four yards in China and we have seen open burning of cables that will contain PCBs; we have seen hot torch cutting of metals where there will potentially be a danger of explosion from the fuels' (Mark Strutt, Senior Campaigner Greenpeace, in HoC, 2004: Ev. 29).

'China is receiving hazardous wastes from other countries and what actually happens to those hazardous wastes is far from certain. They tend to disappear from view' (Strutt, HoC: Ev. 29).

If the Greenpeace evidence referred to above has been available since March 1999 (Greenpeace, 1999), it was clearly Othered for almost five years. It is finally made present in the Appendix of a government committee report.

The extent of the demand for a UK shipbreaking facility is similarly made present only in the EFRA Committee minutes (2003: 47-48). The quantity of ships due to be dismantled in the near future under EU legislation, combined with the strong track record and economic potential of Able UK, offered the EFRA Committee a route out of a shameful situation of complicit irresponsibility and of Othering issues of social and environmental justice. Committee members and government Ministers alike were eager to embrace a demonstrated need for British dismantling facilities especially when they learned of a Dutch proposal to construct a facility similar to that envisaged at Graythorp.

Representations, of chemicals, Asian shipbreaking facilities and so on, are inevitably mediated. Many of the assemblages within which they are located (the ships, the
international economic trade in shipbreaking, the agendas of the actants making the representations) are either manifest absences or are rendered invisible, Othered.

Arguments about social and environmental justice in the ghost ships case were produced by powerful actants concealing, making absent or Othering many of the multiple realities that have produced them and making present those arguments which suit their purposes. In the House of Commons and High Courts, 'what was hidden … becomes obvious', absences become present and 'matter, as flow, is revealed' (Deleuze, 1979: 12).

The particular and the general.

'This case is much more than a battle over the Ghost Ships' (FOE, 2003b)

Whilst the stories of Able UK's applications for the various permissions and licences to dismantle ships at Graythorp are inevitably particular to Able UK and its spatial and temporal location, there exist multiple, complex links between the particular (John Law's (2004b) baroque, looking down, discovering specificity) and the general (Law's romantic, looking up, seeing things as a whole). For example, there are links between particular issues of social and environmental justice in and offshore of Hartlepool and social and environmental justice more generally, epitomised in the ghost ships case by the proximity principle and the ethics of responsibility and by attempts to control transhipment of waste.

As I have outlined above, as debates raged over the ghost ships, there was an increasing feeling that the social justice argument of Hartlepool becoming the 'world's dump' was selfish and unethical when compared to the unsafe conditions in apparent alternative Asian ship dismantling sites. Several of the statements made in and after the House of Commons (2003) enquiry invoked the proximity principle, that countries have a responsibility to dispose of their toxic waste at home rather than ship it around the globe to be dealt with in some absent 'elsewhere'.

In the ghost ships case, shipbreakers on the beaches in Asia are folded together with those in NE England. The waterbirds of Seal Sands and other RAMSAR wetlands in NE England are folded together with those in India, Pakistan, Bangladesh and China. The general is therefore not beyond, but is contained alongside and within the particular (Strathern, 2002).

Similarly, the EFRA Committee (2003) inquiry into the ghost ships identified a lack of enforced international legislation regulating either the transhipment of 'hazardous' waste or ship dismantling. The UN Environment Programme Basel Convention on the control of trans-boundary movements of hazardous waste and their disposal, adopted in 1989, does not apply to ships (HoC, 2004: 9). A 1995 amendment banning hazardous waste exports from the European Union and OECD to other countries had not been ratified as of November 2004.

Moreover, ship dismantling or recycling guidelines tend to be voluntary. The International maritime Organisation (IMO) only adopted its guidelines in 2003. Enforcement is impossible with such voluntary codes. Not surprisingly, the UK
Environment Agency has called for 'a clear policy to ensure the environmentally sound dismantling of decommissioned ships' (Chisholm, 2004).

Consequent on pressure from the UK government following the EFRA inquiry, the European Commission adopted an updated mutation of its Waste Shipments Regulation (WSR) in 2004. The new proposal effectively tightens the definition of 'hazardous' waste to include all forms of mixed waste, previously deemed as non-hazardous. As a result, the Environment Agency has evidently tightened the striations of the space it controls to such an extent that businesses are now complaining about the 'overzealous environmental standards' (Vidal, 2005b: 10) regulating shipment of domestic waste.

The general, or romantic, seeks a formalised overview of regulated response to the particular case of the Graythorp ghost ships. But complete control is impossible. There will always be loopholes in legislation.

**Smooth and striated space**

The Deleuzoguattarian concepts of smooth and striated spaces can be physical (as in cities), or mental (psychological). Smooth space is seemingly undifferentiated space (eg felt cloth), in contrast to striated space (woven cloth) which is regular, ordered and closed. Smooth space may be regarded as composed chaos; a 'complex web of divisions, bifurcations, knots and confluences' (Serres, 2000: 51). The sea is an environmental component of classic smooth space. It is in continuous variation, composed of subtly shifting tactile qualities.

In striated space, relationships are linear cause and effect and the observer has a god's-eye view, able to see the order of things by deterministic laws. Smooth space consists of points as relays between lines; striated space consists of lines between points (Deleuze and Guattari, 1987: 480-481). Striated space is fixed. It 'bounds, structures, frames and locates action; and practices of discipline, regulation, subjection take place inside these spaces' (Osborne and Rose, 2004: 218). Time is predominantly detached from space.

Striated space tends to be associated with the State: 'one of the fundamental tasks of the State is to striate the space' (Deleuze and Guattari, 1987: 479) (eg, in the UK, through DEFRA/EA or local authorities such as HBC). Striating space attempts to inscribe some form of permanence into flux, to draw lines and situate 'locales', such as Hartlepool, within universal coordinate systems (such as the legislation of the EU States). States and state-like entities (eg UNEP, IMO) striate spaces by overwhelming local spatialities with transcendent and absolute laws (Bonta, 2001). Yet, striated space always fails. There is a constitutive outside or lack: people rebel, plans go awry, things change. 'Striated spatialisation, precisely because it aspires to a certain rigour or rigidity, is vulnerable to forces that would turn its lines into points, open up its intervals, redistribute its surfaces' (Osborne and Rose, 2004: 218).

Able UK require seven permissions/licences to dismantle the ghost fleet ships:
- A licence for its landfill facility to permit it to deposit PCBs – from the Environment Agency;
- Two licences from DEFRA to enable it to build a bund and dry dock in a marine environment and to dispose of dredged materials;
Planning permission from HBC to construct a dry dock or rock-filled bund;
A waste management licence from the Environment Agency;
A Transfrontier Shipment of Waste permit from the Environment Agency to allow it to import the ships to the UK;
Planning permission from HBC to allow it to dismantle ships as well as 'marine structures'.

This list represents massively striated space in which there are interlinkages between all the different consents and permissions. As Elliott Morley, Environment Minister, told the EFRA Committee, 'if one falls down, everything falls down' (EFRA Committee, 2003: 56). In contrast, smooth space is created by Deleuzoguattarian war machines along lines of flight. Neither smooth nor striated spaces, however, can be completely actualised. The lack remains, opening up opportunities for oscillation towards the counter form of space. FOE, as a war machine, constantly sought to tighten the striations affecting Able UK.

Smooth and striated space should thus not be regarded as mutually exclusive, but rather 'intermixtures which constantly make use of elements of each other' (Osborne and Rose, 2004: 211). Forces at work within space are constantly attempting to straiten it whilst in the course of striation other forces are smoothing. The two presuppose each other in an agonistic relation. As Bogard (2000: 290-291) writes, 'smooth(ing) society has rough spots. … [R]oughness is just part of smoothing, both its condition and its effect'.

Deleuze and Guattari use the term territorialisation to describe 'the creation of meaning in social space through the forging of coded connections and distinctions' (Brown and Lunt, 2002: 17) into some form of uniformity or consistency, such as laws, regulations and voluntary codes. Whilst all humans and instructions territorialise, it is a principal function of the state (Deleuze and Guattari, 1987: 310-350). The act of governance requires the stabilisation and fixing of certain forms of social interaction in order to maintain 'social harmony'. Similar to the Foucauldian concept of governmentality, Deleuze and Guattari describe state territorialisation as a form of action, or capture, on individual or social forces which seeks to limit or constrain their possibilities for action (Patton, 2000: 104) (eg the requirement for a licence to deposit PCBs in landfill rather than dumping or incinerating them).

However, individuals and groups may decide to leave a territorial assemblage following physical or psychological lines of flight, shedding the system by which they had been previously controlled. Sometimes territorialised systems are 'shed' accidentally, exposing the connections between elements, as in the ghost ships case when 'one loose thread [of valid planning permission] was pulled and the rest of the embroidery of permissions and licences promptly unravelled' (Mandelson, to EFRA Committee, 2003: 4). Similarly the loss of the files, between Teesside Development Corporation and HBC, containing details of the 1997 planning approval, created an absence or a vacuum (smooth space) in which nobody could determine clearly whether the permission was extant or had lapsed.

As Deleuze and Guattari (1994) indicate, deterritorialisation does not take place without some form of reterritorialisation; the establishment of new rules and ideologies. The three High Court decisions (see Timeline in Appendix) each
performed reterritorialisation, pronouncing on the status of regulations/striations and effectively for Able UK, shooting the connected 'line of ducks':

'The Government here had in effect to bow to the letter of that Directive and conclude that because the ducks were no longer sitting in their neat order the ships should be sent back' (Mandelson, EFRA Committee, 2003: 5).

Deleuzoguattarian territorialisation is concerned with connection, normalisation and control across all scales, from the nano- and micro- to the global, and across all forms, human and non-human (Colebrook, 2002: 141). As Instone (2003: 11) indicates, 'paradoxically, while creating differentiation territorialisation simultaneously reduces difference by organising previously heterogeneous elements into identifiable groups', such as 'hazardous' waste. The performativity of territorialisation of environmental and human safety is interpreted by actants in varying ways. The IMO has a voluntary code for shippers, the EU and Environment Agency have their own regulations, as does HBC. Interest groups, such as FOE and Impact have their constructions of environmental safety, whilst the relative lack of opposition to Able UK from local residents implies a largely tolerant (and trusting?) community. For its part, Able UK performs impression management informally via representations on its website and press releases, formally via acquisition of permits and licences, in compliance with the requirements of reterritorialisation.

Analysis of the dynamics of smoothing and striating, of de- and reterritorialisation allow insight into the simultaneous re/shaping of entities and the re/shaping of space. Investigation of territorialisation, therefore, increases the depth of analysis possible, allowing a more fluid and dynamic vision of space. Deleuze and Guattari (1987: 315) suggest that territory does not pre-exist its expression. The territory and what happens, and can happen, within it are produced by the qualities which are used to distinguish it (Instone, 2003: 11). Regulations and laws bring a territory into being (presence) and constitute it against an outside (absence). Territory thus becomes a contingent heterogeneous assemblage. In the place-event assemblage of the ghost ships, several issues are relationally linked by connected discourses of global environmental management and of economic growth: including third world poverty with unsustainable and unsafe environmental practices; creating jobs in UK 'disadvantaged' areas with the proximity principle etc. These connected discourses and their regulatory implications serve to consolidate the assemblage of territory. We can see from the ghost ships case how the performances of a multiplicity of actants brought new territory/ies and reterritorialisations into being. 'Territories, subjects, economies and knowledges can be understood to be thoroughly enmeshed' (Instone, 2003: 11). For example, the de/re/territorialisations of often invisible chemicals into categories of hazard, requiring different forms of Waste Management Licence and landfill permits, are performed through technical and legal means. There have been few critical explorations of what Blomley (1994) terms the 'law-space nexus' which illustrate the socio-spatial orderings effected through waste territorialisation and the spatial imaginings (such as the proximity principle) which influence argument and resulting legal regulatory criteria.\(^\text{12}\)

\[^{12}\text{See, however, the paper by Cassells et al (2005) which examines end-of-life motor vehicle disposal in New Zealand.}\]
Striations and territorialisation cannot be absolute, however. Entities/actants may refuse to observe the categories and divisions they are legislated into. Chemicals, for instance, change over time, through contact with air, water, other chemicals and so on. The ghost ships could indeed be the 'toxic timebomb' the Socialist Worker (2003) predicted if certain chemical reactions were to occur. Alternatively, the ships may continue to rust and pose risks 'no better or worse than any other ships of their age' (Morley, EFRA Committee, 2003: 58).

As suggested above, no space can be entirely smooth and nothing can be absolutely deterritorialised. Striations inevitably occur, whether due to inertia, old mindsets or habituses, or new territorial congealings, albeit on a temporary basis. The emergence of some structuring principles (striations) is thus not only inevitable, but necessary for a society to function coherently. New striating ideals, such as the proximity principle, come to occupy the place of the organising principle of a discursive field and of associated subjective identities. Where potentially polluting industry is related to the natural environment, there will always be a desire for regulation.

The general yet again oscillates with the particular. Additionally, in deciding whether particular entities conform with the regulation/s, decision makers risk being overwhelmed by the presence of many representations, with the result that they overlook vital absences. Decisions are undecidable. Only one choice must be made among many. Choices are political. Any stability or fixity lent by a decision, such as to approve or refuse Able UK's planning applications on grounds of either social or environmental justice, will be but momentary. New threats arise to humans and non-humans: tides ebb and flow, bringing new cocktails of pollutants from a multiplicity of sources; birds migrate; sea levels rise, permanently inundating wetlands; those who may lose employment from loss of shipbreaking contracts in Asia may gain equally, if not more, unsafe work or be forced into poverty and destitution. Much depends on chance and chance, like politics, is rarely socially or environmentally just.

Responsibility for Justice

‘Everyone is really responsible for everyone and everything’
(Dostoevsky, 1879: 339)

There is a huge literature on the ethics of responsibility which is beyond the remit of this paper.13

'The centrality of policy narratives in constructing problems, identifying their causality and assigning responsibility for their resolution is inherent to the process of governance' (Flint, 2004a: 152). As I have attempted to demonstrate above, construction of the ghost ships as a problem, its causality (MARAD exporting the ships, HBC and EA not investigating planning status more closely, Able UK not having satisfactory facilities and procedures in place), representations of social and environmental justice and the assignment of responsibility (Able UK to acquire correct permits from responsible bodies, UK Parliament to influence international legislation on waste etc) have all changed during the process. Furthermore, the stories demonstrate how assigning responsibility (FOE, EFRA Committee), taking

13 See Gunder and Hillier (2006)
Responsibility (UK Parliament, Able UK) and silencing responsibility (HBC, EA) are embedded in issues of power and material existence (Mazanec and Duck, 1999).

Responsibility, however, is poorly defined in policy documents in relation to what constitutes responsibility and the processes which follow (King, 2003; Flint, 2004b). While Beck (1992) and others have long argued that the ethical dimension of responsibility should be foregrounded, it would seem that in the Western world at least, economic responsibility (to shareholders) has been prioritised:

'I think the economic logic behind dumping a load of toxic waste in the lowest-wage country is impeccable and we should face up to that' (Lawrence Summers, World Bank, 1991: np, cited in Myerson and Rydin, 1996: 197).

Such sentiments recast, as Bauman (1993: 244) writes, "'being for Others", that cornerstone of all morality, as a matter of accounts and calculation'. Policy seems frequently to be made on a basis of 'what works' rather than of ethical principles of social or environmental justice.

As philosophers such as Wittgenstein (1953), Lévinas (1987) and Foucault (1988) have stressed, however, responsibility is relational. It is through assuming responsibility for the Other that we may develop ethical care for our selves. Whilst for Lévinas, the ethical relation is a face-to-face relation governed by proximity (Smart, 1995), a key question for planning practitioners, elected representatives and stakeholders in examples such as the ghost ships case is whether such ethical relations can be extended to the face-less, the unseen and the unknown, even those, located several thousand kilometres from Hartlepool.

Is ignorance an excusable reason for not taking responsibility? Aristotle (1985) suggests that it is: that in order to be responsible for our actions, we must both know what we are doing and be free from force or coercion. Since we cannot have perfect knowledge of all possible interactions, foldings and connections (see Latour, 2005: 201-202), especially those in other parts of the world; since we cannot anticipate all future events, or all possible perspectives or affects, does this reductionism imply that planners cannot be responsible?

Should planners be morally responsible for consequences that they cannot prevent (such as Asian ship dismantlers dying from emphysema due to working with asbestos in unprotected conditions)? As Sparti (2000: 90) points out, an initial reaction to such questions tends to be avoidance or denial: 'I shut my eyes on you, removing you from my world' (Cavell, 1979: 430). My view is that as humans, we should avoid avoidance and acknowledge the Other (human and non-human), where acknowledgement goes beyond simply acknowledgement that there are other perspectives available and recognition of the Other's existence, to actually doing something about it (Sparti, 2000). I believe that actants, such as practising planners, elected representatives and Environment Agency officers etc, also have a moral responsibility as they have 'guidance control' and 'regulative control' over events (Fischer and Ravizza, 1998). It is an issue of taking responsibility for what one says (Kitching, 2003: 214), more colloquially known as 'putting one's money where one's mouth is'. This is a response to social and environmental justice which raises the questions of what is the spatial extent of a socially or environmentally just 'community' (eg the planet, the region, the local authority administrative area?), and
who and what might constitute 'community' (from all living entities to local ratepayers only) and 'justice' (equal treatment, affirmative action etc).

So, who can and who should take responsibility? As authors such as Amin (2004a, 2004b) and Massey (2004, 2005) ask, should 'local' people take decisions which have international implications; should elected politicians in the Houses of Parliament; should bureaucrats in Whitehall? And what about non-human 'decisions'; the dynamic multiplicity of the ocean, its flora, fauna and so on; the dynamic multiplicity of the ghost ships as actants?

Deleuze and Guattari (1987: 33) write that 'the prime function incumbent upon the socius has always been to codify the flows of desire, to inscribe them, to record them, to see that no flow exists that is not properly damned up, channelled, regulated': to reterritorialise and to striate space. Striated space is not only imparted by the State (eg DEFRA, Environment Agency, HBC) and its apparatus, such as the High Courts, but also by other powerful signifying regimes, such as the FOE, which also desire to impose a strict pre-determined regulatory grid of environmental management over the ship dismantling industry.

Where environmental justice is concerned, both State and civil society agents tend to reterritorialise via quantitative, science-driven, policy-oriented, performance-measured, bureaucratic-centred projects of regulation and control. The State attempts to govern socio-material flows through a 'zone of rights' to which striations of universal laws and regulations are central. Massumi (2002: 83) points out, however, that transcendent rules and their application are retrospective, generally 'sniffing out and running after feral belongings it must attempt to recoup, to rechannel into State-friendly patterns' (eg the new government policy to dismantle British Naval ships at home rather than in Asia, new waste transshipment regulations). The State is, by nature, reactive, responding to the deterritorialisations and attempted smoothings of entities which were formerly the constitutive outside of territorialisation; absent, excluded, invisible or simply resistant.

The planners' project is to manage space, so that it 'functions well', usually indicated on a map that, even with GIS layering, has a difficult time portraying the spatial complexities, multiple identities and interrelations of capital flows, social, environmental and administrative networks (Bonta and Protevi, 2004: 182). Planners aim to manage social and environmental justice, mainly through the accumulation and calculation of scientific facts and the generation of 'knowledge that allows selection of thresholds that define acceptable risks and on forms of inclusion and exclusion based on that knowledge' (Ericsen and Haggerty, 1997: 41). Land use patterns are determined and planning approvals recommended largely on this basis. 'Dangerous' sites (such as heavy industrial areas) and 'dangerous' practices (such as dry dock construction, landfilling waste etc) are thereby responsibly regulated and managed by local planning authorities and the Environment Agency on behalf of the wider community.

Deleuze and Guattari offer a 'rhizomatic consequentialist' approach (Stables, 2004) to ethical issues such as responsibility: 'they encourage a "what might happen if ..."' (Stables, 2004: 220) approach that offers the potential to recognise short and longer
term effects. Can responsibility be a 'meeting along lines of constructed equivalence' as Massey (2005: 182) suggests, where equivalence equals an alliance between different interests and representations of justice, when the range of power is so great? Responsibility implies a relational ethics, expanding human consciousness to recognise our constitutive interrelationships with other humans and the non-human.

McNamee and Gergen (1999) call for a 'relational responsibility'. The authors advocate a (seemingly Habermasian-type) process of relational meaning-making in order to recognise and legitimate the often conflicting understandings of actants from different lifeworlds. I feel that McNamee and Gergen's conceptualisation falls into the same traps as does Habermasian communicative action (Hillier, 2002); that it is difficult to consider important issues of power relations and of the voices of non-human actants, the latter of which requires an acknowledgement of non-human rights and human obligations to those rights. A connective-relational framework, such as that advocated by McNamee and Gergen is inevitably dependent on constructing others (such as nature or ship dismantlers on beaches in Bangladesh) as connective in a structure made intelligible from a particular social position. It thereby denies these Others their own subjectivity. It is exclusionary. Ulrich Beck (1995), like many other authors (even Guattari, 2000), seems to desire to leave nature alone to find some form of equilibrium. Such authors forget that 'the nonhuman has its trajectories also and the event of place demands, no less than with the human, a politics of negotiation' (Massey, 2005: 160).

Doreen Massey (2005: 9) argues that space is 'the product of interrelations; as constituted through interactions, from the immensity of the global to the intimately tiny'. The yard at Graythorp, Hartlepool, sits within an economic network reaching from the USA to Asia, an environmental network as diverse and dynamic as the ocean, and wide-ranging networks of material components (which make up ships, quayside buildings, chemicals etc). These multiple networks, themselves comprised of multiplicities of other networks, exist contemporaneously in Hartlepool. Able UK's attempt to dismantle MARAD ships represents the place-event where these multiple trajectories meet. Yet, space is always-under-construction. It is a product of what Massey (2005: 9) terms 'relations-between'; relations between different networks of material practices. There can be no end to the ghost ships or their stories – they, like Hartlepool, will always be in the process of being made.

If the human and non-human networks meeting on the beaches of Asia are not to suffer harm through low-cost ship dismantling, consideration of justice issues, such as the proximity principle will be important. This will involve reconsidering how populations in the wealthier 'western' world are complicit in the continued production and legitimation of inequalities, not only in brand name clothing and footwear sweatshops, but in dealing with our waste products, such as electronic equipment and ships. There are no easy universal answers as we are involved in a 'constellation of trajectories which, though interacting and undoubtedly affecting each other, have very different rhythms' (Massey, 2005: 158).

\[14\] Perhaps through the use of scenario foresighting. See Hillier (2005)

\[15\] For example, as recycled materials on some new trajectory of becoming.
The ethic underlying the proximity principle (eg of dismantling US ships in the US, UK ships in the UK etc) is that the footprint of ecological harm is significantly less (less kilometres travelled, safer equipment used, stricter environmental regulations enforced etc) and that we in the west have a moral responsibility to dispose of our own waste in our own yards. This view is epitomised in the ghost ships case by Peter Mandelson: 'people are not sure why they should have to deal with other people's waste at all. They would like to think that everyone will clear up after their own. … They certainly do not want to see Hartlepool become a dumping ground for everyone else's waste' (EFRA Committee, 2003: 3).

However, counter-arguments\textsuperscript{16} include:

- People and organisations in Asia are able to recycle more materials than we in the North. 'Items such as computers and even light bulbs can be re-used whereas in Europe they would be more likely to be disposed of' (HoC, 2004: 15). There are different cultural conceptualisations of 'waste'.

- If we dismantle the ships in the UK and then send the recycled materials to Asia, the transportation footprint is as large, if not larger, than sending the ships for dismantling.

- It is economically much cheaper to dismantle ships in Asia. 'There is a financial disincentive for ships to be recycled in Western Europe as the steel in the vessels is worth $10 a ton to the owner in North-west Europe, and has peaked at £390-410 a ton in India and Bangladesh' (Maritime and Coastguard Agency, in HoC, 2004: 8). In addition, wages and economic costs of compliance with environmental and safety regulations are lower in Asia.

- Should not part of our responsibility to Asian people be to assist economic development? If so, the provision of employment opportunities and economic multipliers through ship dismantling could increase people's incomes and decrease poverty. Perhaps countries, such as the UK, should have a responsibility to assist development of safe facilities in locations such as India and Bangladesh. As Elliott Morley, Environment Minister, states, 'I do not think it unreasonable for those countries who have an established trade and a lot of jobs in this, which have poor standards, to see whether there are measures we can take to ensure they have proper standards of health and safety on environmental management and waste disposal. That might be an issue we should look at in relation to our development programmes' (EFRA Committee, 2003: 59).

- Are we not simply imperially imposing our particularistic Western cultural ideals of non-pollution on others? Are we not imposing unnaturally 'rigid designators' (Doel, 1996: 422), eg of 'waste' and 'toxic' on others, ignoring that social meanings and identities are not given, but are relational and contingent achievements? (McNamee and Gergen, 1999; Castree, 2003)

These arguments raise the challenging debate of a universal/general or a contextual/particular approach to social and environmental justice and to

\textsuperscript{16} With which I do not necessarily concur.
responsibility, which I have no space to develop here. Further questions arise from the application of the proximity principle, such as 'where is home?' for ships to be dismantled. For example, hypothetically, a UK-based shipping organisation owns an oil tanker. The organisation is part of a US company operating from the Philippines. The tanker was constructed in Japan and registered in Liberia. It rarely docks in the UK. The current owner sells the tanker on and it subsequently has several owners over about 40 years. It becomes 'waste' only when the 'final' owner of it in its ship-like state sends it on its last journey, which for purposes of circumventing international regulations on waste transhipment, is not declared as such until the ship has left port. Where would the proximity principle suggest the ship should be dismantled?

Ships and other waste products, such as nuclear residues, are Deleuzoguattarian 'nomads' (Patton, 2000). For example, Western Australia mines uranium, some of which is shipped to the UK and used in the generation of nuclear power. Do the Western Australian people have a moral responsibility to accept British Nuclear Fuel's nuclear waste for disposal?

Regulating or striating nomadic forces in the name of justice is inevitably difficult. I agree with Ash Amin (2004b: 229) who regards the present as 'a moment of regulatory excess, multiple ordering (scalar, network, fluid) and slow systemacy based on the intersections and clashes' produced by the failings of territorial regulation. Reterritorialisations, as in the ghost ships case, are the products of dissonance and reconciliation between institutionalised practices of various sorts – the work of those with a dominating bent, the replication of particular discourses of governance, the gradual sedimentation of recursive practices as institutional norms' (Amin, 2004b: 230). There is likely to be little coherence in the application of regulations and there will always be a lack or constitutive outside where invisible, ghostly ships sail.

Too much pluralisation of the terms 'responsibility' and 'justice' can cause problems. We as humans do not really know what responsibility means, let alone social or environmental justice, or how to respond in complex situations. Responsibility and justice are not simply can-do checklists of ethical actions (Kline, 2005); the mere application of procedures. As Mouffe (2000: 8) suggests, we should never refuse bearing true responsibility for our decisions by simply invoking the commands of general rules ('I was only obeying the rules/orders'). Yet I can never be satisfied that I have acted responsibly, in that actions in favour of some alternative are always to the detriment of another option. Planning decisions are tragic. There will always be losers.

Conclusions: Just Ghosts

'The undecidable remains caught, lodged, at least as a ghost – but an essential ghost – in every decision, in every event of decision. Its ghostliness deconstructs from within any assurance of presence, any certitude or any supposed criteriology that would assure us of the justice of a decision' (Derrida, 1992: 24).

Analyses of the social construction of the place-event of 'ghost ships' and 'hazardous waste' draw attention to the 'cultural politics' of social and environmental justice issues in planning decision making. What seemed initially to be a debate about
whether a particular planning approval remained valid or had lapsed through time, unfolds into complex issues of social and environmental justice, regulation and responsibility. Onto the Deleuzean 'fluvia' of events (Deleuze, 1993: 79) sailed the MARAD ghost ships, both physically and as metaphors of living, micro-cultural, micro-political systems in motion (Gilroy, 1993: 4). Ships are the mobile elements (or lines) that represent the shifting spaces or trajectories in between the points they connect. They are cultural and political units (Gilroy, 1993: 16-17), nowhere more so than in Hartlepool.

In this paper I have attempted to demonstrate, through the messy complexity of the ghost ships stories, a few of the possible ways of 'reading' the same event from the multiple viewpoints of social and environmental justice in a Deleuzoguattarian theoretical framework. I regard the ships as metaphorical articulations rather than as facts, with incremental decisions (territorialisations) being the constructed outcomes of complicated processes of discursive representation, perception, interpretation and response. My readings are relational in that they are concerned with the power-geometries of relations between actants and their economic, social and environmental implications.

My Deleuzoguattarian analysis regards both justice and space as always-under-construction processes of relations between a multiplicity of complex human and non-human actants. The ghost ships case is a place-event, a performance. Place-events perform in contexts of other performances. As Law and Singleton (2000: 6) indicate, 'new performances interact with enactments of older performances', sometimes mimicking them (the local reaction to the Able UK contract as environmentally unsound, threatening local wildlife), sometimes interfering with them (the proximity principle argument which incorporates issues of both social and environmental justice) and suggesting new lines of flight.

I argue for relational ontologies of social and environmental justice which turn from traditional ontologies of individual, bounded subjects (such as the residents of Seaton Carew or the wildlife of Seal Sands) to recognise that residents and birds alike are enmeshed in far broader space-time relations involving not only social and environmental issues, but also those of economics and politics. Further, I regard social and environmental justice as interrelated. As Félix Guattari (2000: 32) writes, 'it is quite simply wrong to regard action on the psyche, the socius, and the environment as separate'. However, I maintain that action is not simply 'on' the socius and the environment as Guattari suggests. I regard the socius and the environment as actants in their own right (rather than as passive entities to be 'acted on'). In the ghost ships stories the waterbirds perform and the sand banks perform, displaying their feeding habits and habitats; chemicals perform dastardly deeds via scientific data; Asian workers perform at risk to their health; local residents perform breathing polluted air and requesting employment.

The ghost ships place-event is replete with both qualitative and quantitative transformations. For example we have witnessed institutional policy change (the development of a UK strategy for ship dismantling, UK pressure for international regulation reflecting the proximity principle); as well as change within actants. Group members join and leave, for example. Actants' attitudes also change (HBC, the Environment Agency). The ships evolve. Far from being fixed or immutable entities,
their hulls are rusting, their constituent chemicals may be reacting, technical objects such as air conditioners may be degrading, and they provide habitat for networks of living entities, such as barnacles, algae and so on, which are themselves evolving. The ships are thus in transition, not simply to piles of recyclable materials, but to ships in reconfigured states.

All of these performances are incomplete. Deleuze and Guattari inform us that nothing is ever absolute. No regulations can territorialise completely. No space is ever totally striated. There is no end point – materials may be recycled and transformed many times over.

Much of this transformation is gradual and largely invisible or absent. Law (2000: 10) suggests that fluid objects (such as the ghost ships, initially invisible to the media and the UK public) become visible when something goes wrong from the standpoint of the network. There are moments of what Law (2000: 10) terms 'network-panic' which 'reveal – or produce – the fact that there has been unacceptable sloppiness in the following of processes' such as the loss of Able UK's planning documentation, that the company's lack of bund/gate construction was not monitored and the approval timed-out, and wavering advice with regard to whether ships constitute marine structures. At such points, Law (2000: 10) argues, 'the hidden but necessary fluidity of objects to networks becomes both visible and Other as it is, and is represented, as a failure and therefore a threat'. The institutional response is to reterritorialise, to ensure that the space does not become too smooth, by fixing it with regulatory striations, in this instance, those of the High Courts.

As stated above, the ghost ships were absent until Able UK announced the contract and HBC publicly minuted its support. It was only when some local citizens alerted the London-based FOE which commenced investigating the status of Able UK's licences and permits that the ships were revealed as a constitutive outside to the striated space of Hartlepool.

The stories illustrate how debates about social and environmental justice oscillate between presence and absence (the ships are absences that are also presences). Some presence/absences are deferred; of relations not now present, relations yet to come – perhaps (eg waterbirds starving, tourists abandoning Seaton Carew, foetuses deforming). There are oscillatory distributions between the present/now and the absent/future or the absent/now and the present/future (Law, 2002: 134).

There are also oscillations between the particular and the general as actants attempt to make sense of the situation and try to bring about some form of social and/or environmental justice. Environmental activists transfer the general (possible health impacts of known carcinogens, such as asbestos, PCBs, mercury, lead and so on) to the particular of the Graythorp local area. Following evidence to the EFRA Committee, the UK government has amended its Special Waste Regulations (2005) regarding the movement of hazardous waste, lobbied for interpretation of the Basel Convention to regard End-of-Life (EoL) ships as waste (Basel Convention, 2004)\(^\text{17}\)

\(^{17}\) On this basis the Indian Supreme Court has refused the French EoL ship *Clemenceau* permission to enter Indian waters (Greenpeace, 2006b).
and the Environment Agency has also substantially tightened its assessment of potentially harmful waste disposal applications.

Such striation is inevitably reductionist. In seeking to control transhipment of waste and ship dismantling, to protect environments, human and non-human health, some form of simplification will always occur. Similarly, campaigns for social and environmental justice, to which the striations/legislation respond, also involve reductionism. There will be simplification of the issues selected in order to make representations 'travel', to persuade other actants to certain perceptions, interpretations and responses (eg. FOE statistics on chemical pollutants, EFRA Committee evidence about shipbreaking conditions in Asia and the need for European facilities).

In any method assemblage boundaries are established: hazardous waste/other waste, persistent/non-persistent organic pollutant, ship/other floating structure/marine structure, abandoned/not abandoned, national/international. Lists of 'onboard potentially hazardous materials' are developed (Basel Convention, UNEP/CHW. 7/33: 6). However, as the High Court decisions in the ghost ships case demonstrate, striation is never complete; interpretations change, and there are always gaps, lacks and constituent outsides. 'Presence is impossible without absence' (Law, 2002: 144).

Law (2004a: 67) suggests that 'we might think of what is made and what is told as an ontological politics' of social and/or environmental justice. This could be a politics of relational responsibility in which we might intervene to show how entities, such as justice, are abstract fictions produced by a certain configuration of constitutive relations. We might deconstruct and question presences and absences invoked by networks of actants in the name of social and/or environmental justice.

Such politics involves deterritorialisation and reterritorialisation, recodings of space, regulating juxtapositions, negotiating connectivities (Massey, 2005). Some striation is both desirable and necessary, as Deleuze and Guattari agree: 'just a little order to protect us from chaos' (1994: 201). What Deleuze and Guattari offer us is an explicit political dimension to the analysis of machines, assemblages and trajectories. Further, 'politics' lies in not reaching for pre-determined rules and regulations, but rather 'demands the ethics and the responsibility of facing up to the event; where the situation is unprecedented and the future is open' (Massey, 2005: 141). Whether fluid, multiple, active entities are just or not must be judged according to circumstances.

Do we need a new market morality (Amin, 2004b) of territorial intervention to secure social and environmental justice? It is possible to be 'on the side of the righteous' (Massey, 2001: 16) simultaneously locally and globally? Doing justice will entail active experimentation (Hillier, 2005), an always-unfinished connecting and coming-together of trajectories. Justice, like responsibility, is a heavy burden. Uncomfortable. Painful even, as the different logics, the different voices, argue and debate. Inconsistency. Non-coherence' (Law, 1996: 6). To pin justice down is to lose it (after Mol and Law, 2002: 21).
## Appendix: Timeline for the Place-event of Graythorp, Hartlepool

<table>
<thead>
<tr>
<th>Date</th>
<th>Activity</th>
</tr>
</thead>
<tbody>
<tr>
<td>1913-1963</td>
<td>Used as a shipbuilding yard</td>
</tr>
<tr>
<td>1969</td>
<td>Acquired by Laing Offshore</td>
</tr>
<tr>
<td>1970</td>
<td>Dry dock created</td>
</tr>
<tr>
<td>1985</td>
<td>Decommissioning of marine structures</td>
</tr>
<tr>
<td>early 1990s</td>
<td>Dock gates damaged, unusable as a dry dock</td>
</tr>
<tr>
<td>01/02/1995</td>
<td>Laing apply for planning permission to restore dock gates</td>
</tr>
<tr>
<td>1996</td>
<td>Able UK purchase Graythorp</td>
</tr>
<tr>
<td>29/08/1996</td>
<td>Planning application submitted to TDC (with EIA) for dismantling/refurbishment of redundant marine structures</td>
</tr>
<tr>
<td>06/05/1997</td>
<td>Able UK presentation to HBC and public</td>
</tr>
<tr>
<td>01/10/1997</td>
<td>TDC approves applications for (i) restoration of dock gates and (ii) dismantling marine structures</td>
</tr>
<tr>
<td>05/08/2002</td>
<td>HBC approves Able UK's application for continuance of use of facilities with amendment to TDC's 1997 permission (ii).</td>
</tr>
<tr>
<td>Feb 2003</td>
<td>Able UK applies for MARAD contract; HBC confirms ships = marine structures; EA orally confirms ships covered by Waste Management Licence (WML)</td>
</tr>
<tr>
<td>01/07/2003</td>
<td>HBC minutes support for Able UK’s MARAD contract</td>
</tr>
<tr>
<td>22/07/2003</td>
<td>EA gives Transfrontier Shipment (TFS) approval for MARAD contract</td>
</tr>
<tr>
<td>July 2003</td>
<td>FOE nationally alerted and approaches HBC</td>
</tr>
<tr>
<td>31/07/2003</td>
<td>Able UK applies to increase tonnage handled under WML</td>
</tr>
<tr>
<td>14/08/2003</td>
<td>HBC confirm to EA that Able UK's 1997 planning permission is OK.</td>
</tr>
<tr>
<td>18/08/2003</td>
<td>Able UK applies to HBC for a new location for bund and coffer dam for dry dock</td>
</tr>
<tr>
<td>20/08/2003</td>
<td>HBC gives 'preliminary view' that 1997 permission has lapsed end August 2003. FOE campaign commences re. lack of consultation, threats to wildlife, tourism etc</td>
</tr>
<tr>
<td>10/19/2003</td>
<td>EA approves TFS that 4 'pilot' ships can sail to UK</td>
</tr>
<tr>
<td>10/09/2003</td>
<td>FOE question status of planning permission for dry dock</td>
</tr>
<tr>
<td>17/09/2003</td>
<td>Able UK withdraw application for bund</td>
</tr>
<tr>
<td>26/09/2003</td>
<td>Earthjustice file suit in US to prevent ships sailing</td>
</tr>
<tr>
<td>30/09/2003</td>
<td>HBC decide that permission of 05/08/2002 provides permission for ship dismantling; EA approves modification to WML and agrees ships are marine structures with support of HBC; HBC notify EA that status of 1997 permission is unresolved.</td>
</tr>
<tr>
<td>02/10/2003</td>
<td>US Judge allows 4 ships to leave. Remaining 9 under temporary restraining order.</td>
</tr>
<tr>
<td>03/10/2003</td>
<td>EA advises MARAD to prevent ships sailing</td>
</tr>
<tr>
<td>06/10/2003</td>
<td>2 ships sail</td>
</tr>
<tr>
<td>07/10/2003</td>
<td>HBC determine there is no valid planning permission for a dam and dock gates</td>
</tr>
<tr>
<td>17/10/2003</td>
<td>2 ships sail</td>
</tr>
<tr>
<td>30/10/2003</td>
<td>FOE commences legal proceedings against EA and Able UK</td>
</tr>
<tr>
<td>31/10/2003</td>
<td>EA informs FEO &amp; Able UK that WML modification is invalid</td>
</tr>
<tr>
<td>02/11/2003</td>
<td>EA informs Able UK that WML does not include ships, therefore TFS is also invalid</td>
</tr>
<tr>
<td>04/11/2003</td>
<td>HBC extraordinary meeting overturns support for Able UK and requests Transport Minister to prevent ships docking</td>
</tr>
<tr>
<td>05/11/2003</td>
<td>High Court allows ships to dock but not be worked on</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
</tr>
<tr>
<td>-----------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>12/11/2003</td>
<td>First ship docks</td>
</tr>
<tr>
<td>19/11/2003</td>
<td>House of Commons Environment, Food &amp; Rural Affairs Committee (EFRA) investigation</td>
</tr>
<tr>
<td>09/12/2003</td>
<td>High Court rules 1997 planning permission not valid</td>
</tr>
<tr>
<td>12/12/2003</td>
<td>Able UK applies for new WML</td>
</tr>
<tr>
<td>15-16/12/2003</td>
<td>Judicial review Hearing decides HBC erred in decision that ships are marine structures. A ship is not a marine structure.</td>
</tr>
<tr>
<td>12/03/2004</td>
<td>Remaining 9 ships cleared for departure in USA</td>
</tr>
<tr>
<td>25/03/2004</td>
<td>EFRA Committee announces full Inquiry into Dismantling Defunct Ships</td>
</tr>
<tr>
<td>22/04/2004</td>
<td>Environment Minister tells House of Commons that Graythorp is the best environmental option for UK dismantling</td>
</tr>
<tr>
<td>June-July 2004</td>
<td>EFRA Committee Inquiry into Dismantling Defunct Ships</td>
</tr>
<tr>
<td>13/10/2004</td>
<td>9 ships clearance challenged in US Court</td>
</tr>
<tr>
<td>11/11/2004</td>
<td>House of Commons EFRA Committee Report</td>
</tr>
<tr>
<td>17/01/2005</td>
<td>Able UK applies to HBC for 3 new planning permissions for bund/dock gates/ship dismantling and to EA for WML</td>
</tr>
<tr>
<td>26/01/2005</td>
<td>UK Government response to EFRA Report re development of UK policy and facilities for ship dismantling</td>
</tr>
<tr>
<td>Jan-Feb 2005</td>
<td>EIA on Able UK proposal</td>
</tr>
<tr>
<td>23/02 – 08/04/2005</td>
<td>Public consultation period on Able UK planning and WML applications</td>
</tr>
<tr>
<td>03/03/2005</td>
<td>US Judge clears 9 ships for departure</td>
</tr>
<tr>
<td>16/05/2005</td>
<td>EA, English Nature, RSPB object to Able UK application</td>
</tr>
<tr>
<td>June 2005</td>
<td>HBC decision on planning application deferred to September. Able UK to supply extra data in support of its EIS.</td>
</tr>
<tr>
<td>October 2005</td>
<td>Able UK seek Hazardous Substances Consent from HBC to store by-products. Public comments deadline 31/10/2005. Request to be considered along with the 3 DAs.</td>
</tr>
<tr>
<td>08/11/2005</td>
<td>Able UK supplies extra info for the EIS. Public consultation of this info until 07/12/2005.</td>
</tr>
</tbody>
</table>
References


Able UK (nd) [Accessed 16/11/2003; 03/03/2005; 06/03/2005].


Arnold S. (2005) 'Fresh twist in bid to scrap "Ghost Ships"', *This is the North East*, 17/05/2005 [Accessed 17/05/2005].


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Heidegger M. 1956 Zur Seinsfrage, Klostermann, Frankfurt-am-Main.


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