Ways of "Not Hearing": Corporate Denial in the Case of Aircraft Noise and Victimisation in the UK

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Abstract

The elusive power dynamics behind the victimisation of aircraft noise pollution, a neglected type of invisible environmental harm, is the main concern of this study. I examine these dynamics through first-hand accounts of individuals' aircraft noise complaint experiences with the airports in London, UK. An analysis of these experiences reveals specificities of corporate denial strategies in minimising or ignoring noise and the victims. I identify two different uses, namely reconstructive and obfuscation, of technical denial of cause, as the distinct types with which the individuals' noise claims are confronted. As such, the paper contributes to our understanding of the experience of being an environmental victim. It also illustrates how the specific forms of corporate denial operate to the advantage of the powerful and contribute to victimisation.

Introduction

Transportation noise has been described as an urgent global environmental threat affecting millions of city dwellers, according to the United Nations Environment Programme's (UNEP) recent report (UNEP, 2022). Only in London, UK, at least 70.000 people are known to be exposed to aircraft noise daily (CAA, 2011). Through inflicting stress, persistent exposure to noise can lead to numerous adverse effects including heart disease (Munzel et al 2018), obesity (Pyko et al 2015), and premature death (Vienneau et al. 2022). Aircraft noise is a peculiar type of pollution that deserves closer attention from criminologists. Despite the negative health effects, aircraft noise does not have the status

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of statutory nuisance in England (Environmental Protection Act 1990). Aircraft noise complaints are exclusively received and collected by the airports (DEFRA 2019a) instead of local councils which are the first point of contact for statutory noise nuisances (DEFRA 2015). Given the lack of appropriate legal instruments available to the individuals and the constant risk of health consequences caused by the pollutant, issues surrounding aircraft noise should be scrutinised as an urgent instance of "invisible environmental harm" (see Spapens et al. 2014).

It has been known that the powerful, including corporations, are well-placed to conceal harms and crimes caused by their activities (Whyte 2016; Schoultz and Flyghed 2019). Claims of corporate wrongdoings are generally ignored, refuted, and tend to remain absent in the news media and public discussions (Alvesalo-Kuusi 2002). The invisibility of such harms can be linked to numerous issues which are usually intertwined. First and foremost, legal and regulatory frameworks, which will be unpacked soon, may operate for the collaborative benefit of states and corporations in maintaining capital accumulation (Tombs 2012). In this relationship, a key role can be played by corporate denial, as already identified within the corporate crime literature. Originally based on the Techniques of Neutralisation theory (Sykes and Matza 1957), corporate denial is a commonplace strategy across industries. It is determined by the distinct dynamics of the harm, suited to the features of the case in question (Whyte 2016). For example, in an accident caused by workplace conditions, the corporation may "condemn the condemners" by claiming that the affected worker are themselves accident-prone (Tombs 1991), or they may justify their activities by claiming that they are for the greater good, arguing they offer social benefits such as employment (Coleman, 1987). This study highlights specific types of denials, the ones including technical explanations in particular, to argue that they are used in aviation to obscure the harms and victimisation caused by aircraft noise. In doing so, it focuses on aircraft noise complaints procedures whereby these denials emerge. Individual experiences of encountering this process reveal dynamics which would make the suffering out-of-sight. The study, therefore, has employed first-hand qualitative data that emerged from interviews with those who were affected by aircraft noise and made an official complaint in London, UK. After a brief review of the literature on the broader concepts of environmental harm and victimisation in green criminology and corporate denial, I will present the results of the interviews and discuss their implications within the related fields.

Aircraft Noise as Invisible Harm

This paper contextualises aircraft noise as a novel topic within critical-green criminology which has signalled the intangibility of some serious environmental harms from early on. For instance, South (1998:225) has suggested that criminology should take harms like air pollution seriously and that there should be stricter regulations on corporate practices which contribute to such harms. There is a growing body of literature dedicated to the socio-legal studies of environmental harms which are not necessarily deemed illegal (Walters 2013; 2014; Wyatt 2014; White 2015; Spapens et al 2014). This approach has a zemiological basis which questions the "ontological reality" (Hillyard et al. 2004) of the legal definitions of crime. It directs our attention to the losses, suffering and injuries caused by the powerful (such as genocide, war crimes, and environmental harms) which are not prosecuted with the same rigour as street crimes even though their impact tend to be more severe (Cohen 1993; 2001; Krain 1997). These harms are usually away from the attention of lawmakers, public and the media (Hillyard et al 2004). Jupp et al (1999)

have summarised features that contribute to the invisibility of such harms, arguing there is "no knowledge, no statistics, no theory, no research, no control, no politics and no panic!" regarding such acts or omissions (Davies et al. 2014: 1). Aircraft noise, too, displays these features. I will outline the most visible of these elements, namely politics and knowledge, as more relevant to the pollutant in question within the scope of the present paper. These features constitute the main background against which corporate denials emerge.

First, aircraft noise is invisible because of a lack of politics. This means that transportation noise is institutionally not recognised as a serious harm and underrepresented in the media and public discussions. In England, noise as a statutory nuisance has been clearly defined to include "noise emanating from premises" (Environmental Protection Act 1990), such as neighbour noise or entertainment noise. However, as Sects. 79(6) and 79(6A) of the Act state, transportation noise, including that of aviation, is excluded from this definition. Aircraft noise is subject to regulations which mainly deal with monitoring practices to be implemented by the airports. Noise contour areas of 55 dB(A) for daytime and 50 dB(A) for nighttime have been identified (EU Commission, 2002; DEFRA, 2019b). These limits, however, are above the most recent WHO (2018) guidelines for aircraft noise, which states that aircraft noise above 45 dB Lden in the daytime and 40 dB Lden at night is associated with health risks. While the responsibility for managing other transportation noise belongs to DEFRA, handling aviation noise issues, including individual complaints, is the task of the airports (DEFRA 2019a, 2019b). Official noise monitoring and complaints mechanisms that constitute the major parts of the regulatory system of noise can be described as 'regimes of permission' (Whyte, 2014; Bernat and Whyte, 2017), which will be addressed below. In such a system, seeking justice through legal means is not possible for those who are affected by aircraft noise exposure as airports are made the primary authority to address noise complaints. Green criminology has addressed some of the vicissitudes of endowing such powers to corporations (Walters 2014; Saad-Diniz and Gianecchini 2021).

Relatedly, aircraft noise is invisible because there is a lack of knowledge. This is despite the large amount of evidence and the experiences of affected communities. It is known that aircraft noise impacts thousands in London, UK (CAA, 2011). Studies have well-documented the mechanism by which noise leads to serious health conditions through inducing stress (inter alia Babisch 2011; Munzel et al 2014). In addition, aircraft noise is found to be more disruptive than other sources of transportation noise, therefore more likely to be inflicting health consequences (Brink et al. 2019). However, there are "no official statistics" (Jupp et al. 1999) which accurately picture the degree and scale of the noise emissions as well as the associated health risks to inform the public. Nor do the facts receive sufficient media attention to spark a public debate about the consequences of the pollutant. Together with the lack of politics, the lack of knowledge enables aircraft noise to remain highly intangible, perhaps more so than other types of environmental pollutants that are already visually traceable (e.g. Natali 2016).

Finally, aircraft noise, or transportation noise in general, has been absent in criminology as a research topic. Green criminology has explored numerous harms including air pollution (Walters 2013; 2014), water pollution (McClanahan 2014), land pollution (Natali 2016), oil spills (Bradshaw 2014), and biopiracy (Wyatt 2014). Features of "no theory, no research" (Jupp et al. 1999) in noise pollution also contribute to the invisibility of the issue. The role of the ocularcentrism that once remained unchallenged within the discipline should also be highlighted (Brown and Carrabine 2017). Promising steps have been taken towards embracing sensory experiences in criminology. Noise as a sensory phenomenon has been emerging within cultural criminology in exploring the symbolic significance of

sounds for the actors in spaces of crime and punishment (Ruiz and South 2018; Herrity et al 2021). Incorporation of the sensory into green criminology has also been put firmly into the research agenda (McClanahan and South 2020). Nodding to these developments, this paper brings noise into the attention of critical-green criminology, stressing the relevance of the subject in terms of being an urgent social harm that needs to emerge within the research agenda.

Environmental Victimisation of Aircraft Noise

There is less doubt today about the need to reveal the processes of victimisation to be able to reflect the reality of environmental harms (Spencer and Fitzgerald 2013; Natali 2015; Hall, 2017). In their pioneering article, Williams (1996), based on Fattah (1989), expands the definition of the victim to anyone who suffers the consequences of violating the "norms relating to human rights" (but not necessarily local laws). This definition is along a similar line as the radical victimological project, which considers "the victims of oppression of any sort" (Quinney 1972: 315). Broadening the definitions has prompted various studies to explore victimisation in different contexts (Davies 2014; White 2015; Hall 2013; 2017; Natali 2016; Natali and Budo 2018).

It should be noted that the poor (Bullard 2018) and those living in the Global South (White 2003) are more likely to be affected by environmental degradation. However, there is a peculiarity of the combination of London as research setting and aircraft noise as an environmental harm as it presents a different picture of victimisation. Contrary to the observation above, participants who contributed to the present study live in relatively affluent boroughs. Moreover, these neighbourhoods are also the most overflown areas including Richmond, Fulham, Chelsea, Kensington on the west as well as Greenwich and other boroughs in the proximity of London City Airport on the southeast. It should be stressed that not all individuals have the same capacity to navigate aircraft noise within the boundaries of the city, however wealthy. The role of gender, ethnicity, or health and disability in coping with aspects of noise should be acknowledged. Nevertheless, the main focus of the paper is to highlight the state-corporate mechanisms that serve to make aircraft noise intangible, regardless of social groups.

Victims of environmental harm are not detected by the radar of the criminal justice system often because of the lack of a legal mechanism to protect the individuals and the immense corporate power in maintaining the environmental harm (Wolf 2011; Spapens et al. 2014; White 2015; White 2018; Saad-Diniz and Gianecchini 2021). The explanation for the scale and persistence of corporate wrongdoings often goes beyond the mere failure or ignorance of the state to consider victims and the harms. Notable critiques suggest that we need to start viewing states and corporations in an intense symbiotic relationship whereby extensive powers and concessions are endowed to corporations in business, trade, investment and financial matters (Tombs 2012; Whyte 2014). These powers are conceptualised under 'regimes of permission' which historically included specific breaches of law, gaining of rights, and evading liability in wrongful activities (Whyte, 2014). Through this concept, the lack of prosecution in aviation noise can be viewed as a major permission given to corporations. Descending from this regime of permission, therefore, airports have both the *right* to make noise as well as the *powers* to protect business accumulation by dealing with aircraft noise complaints.

The complexity of detecting environmental pollutants, including noise, can also be exploited. As Williams (1996: 26) has clarified, corporations are encouraged by the existing

complexity of establishing a causal relationship between the environmentally harmful event (e.g. noise) and the outcome (e.g. a stroke). This is a highly valid observation in the case of aircraft noise. Similar to the governance of other types of emissions where corporations are allowed to emit pollutants and toxins to a certain level (Wolf 2011; Walters 2013), aircraft noise in England is monitored but without prosecution upon the violation of the limits (DEFRA, 2019b). Compounded with noise monitoring and management powers, the high-level expertise on noise measurements using metrics (ibid.) make the airports the only authority in officially establishing causal relationships of liability. Through the responsibility to address complaints processes and expertise, the airports officially hold the means to "prove" whether or how noise events took place.

A disincentive for corporations to avoid responsibility is the "scale of remediation" (Williams 1996:26) for environmental harms caused by their activities. The scale of remediation may vary depending on the type of harm, but this will ultimately entail a reduction in profit (Tombs and Whyte 2020). In the present case, lessening aircraft noise emissions would ultimately mean reducing the number of flights and, therefore, profit. Capital accumulation itself is a much more central concern than preventing the health risks of emissions (ibid). As a result, the harm may be presented as a normal part of the business, creating the illusion of its inevitability (Bourdieu 1999; Walters 2013; 2014). If the scale of remediation includes profit loss, noise also becomes "inevitable", further deflecting from the suffering of the victimised.

Within such a mechanism that "contribute(s) to the victims" (Mawby and Walklate 2002:19) and the harm, analysing *victims' experiences* would become powerful in terms of methodology and justice-seeking. As such, individuals who provided valuable insights for the present study through their first-hand experiences in aircraft noise complaints procedures helped make power dynamics become visible. Denial occurs in their narratives in a highly repetitive and systematic manner. In what follows, I will first outline corporate denial as a conceptual framework. Then, the paper will move on to the empirical sections to present and analyse participants' accounts.

Corporate Denial as Conceptual Frame

State-corporate symbiosis entail multiple strategies to sustain capital accumulation (Tombs, 2012; Bernat and Whyte, 2017), as in the example of aircraft noise. The existing regulatory regime of noise provides exclusive powers to the airports to monitor noise and deal with noise complaints. Denial appears as both a distinct strategy and a useful unit of analysis within the wider set of strategies of state-corporate collaboration. Within the criminological literature, corporate techniques of neutralisation, or forms of corporate denial, have been well-categorised and analysed (Whyte 2016; Schoultz and Flyghed 2019). In the context of green crimes and harms, Wyatt and Brisman (2017) examined state-corporate denial in the discourses on biopiracy and climate change. Whyte (2016) evaluated types of corporate denial in detail and demonstrated common sense understandings underpinning these strategies. While this body of literature has so far analysed the official statements of corporations, state persons and CEOs, the present study examines denial through the accounts of the victims, intending to make their experience visible, providing an outlet to express their concerns (Natali 2015).

The repertoire of corporate denial typologies is based on the Techniques of Neutralisation theory (Sykes and Matza 1957), which has been originally developed to

understand how *individual* offenders justify their wrongful acts or omissions. According to Sykes and Matza (1957), the neutralisation techniques offenders have used would function as a tool to undermine social values, moral requirements and the law, providing grounds for the act. The five main techniques the authors have identified are as follows:

- Denial of responsibility: External factors or people are presented as the cause of the wrongful act, which usually happens beyond the offenders' control.
- Denial of injury: The effects of the action are downplayed, or it is entirely rejected that the action inflicts any harm.
- Denial of the victim: The offender claims that the victim deserved what happened to them, or there is no victim at all.
- Condemnation of the condemners: People or organisations who claim that the offender is responsible are blamed, criticised or punished.
- Appeal to higher loyalties: The harmful act is justified with reference to a superior entity or authority which is above people, society, law or moral codes.

Stan Cohen (2001) notably applied these techniques to explain how *states* or *organisations* employ forms of denial to justify or legitimise serious harms such as genocide or torture. According to Cohen (ibid: 7–9), the neutralisations used by the states and organisations fit into three categories: *Literal denial* (outright denial of the facts), *interpretive denial* (the facts are presented differently), and *implicatory denial* (the various implications of the facts are denied). Cohen thus highlighted more subtle strategies that go beyond individuals and take a collective form. The interpretive and implicatory types of denials are not simply unconscious responses that have to do with the psychological defence of the subject. They are *calculated* strategies, carefully devised to represent a version of the truth that is in line with the interest of the state or organisation responding to harm caused by their activities.

Denial types have often been found in the statements of various corporate industries avoiding accusations or convictions (Box 1983; Huisman, 2010; Whyte 2016; Schoultz and Flyghed 2019). Whyte (2016) has identified nuanced forms of denial explaining specific situations which do not fall neatly into a few of the original categories of Cohen (2001) and Sykes and Matza (1957). One such type is the *denial of deviance*, which "projects the condemned behaviour as the cultural norm" (ibid:175). This is not exactly literal denial as there is an attempt to neutralise the act through reference to industry norms, such as the ratio of accidents. Secondly, Whyte (ibid: 175) argues that corporations may engage in *denial of cause*—or, *technical denial of cause* (Schoultz and Flyghed 2019:748)—which stems from the capability to represent the action "as not abnormal or deviance in technical industry terms". The typology differs from "denial of harm" by identifying the use of a technical language in which the action is re-constructed by the corporation. The findings of the present study confirmed the presence of some of the abovementioned types of denial in the official responses to noise complaints. On the other hand, this study has found elaborate specificities of the technical denial of cause which will sketch out a more detailed picture of the regulatory system of noise.

Method

The qualitative data this paper utilises have been obtained from open-ended, in-depth interviews I conducted in 2021 with 26 participants who were affected by aircraft noise in their homes in London. The participants were recruited through social media adverts and e-mails circulated among the members of the campaign group HACAN (Heathrow Association for the Control of Aircraft Noise). There are participants who are not members of such groups, however. Calls for participants attracted an enthusiastic and highly knowledgeable group of people who have been exposed to aircraft noise for a long time who have provided valuable insights into their experience and surrounding issues. The sample consisted of working or retired individuals who are older than 35, residing across different parts of London. Although all of them are in a relatively privileged position, it should be kept in mind that aircraft noise in London is virtually ubiquitous, as the wealthiest boroughs (Richmond, Fulham, Chelsea) are overflown in addition to other areas (e.g. Lewisham, Waltham Forest, Sidcup) (HACAN, 2017). I used pseudonyms instead of the real names of the participants and indicated the boroughs they live in to maintain confidentiality.

In the interviews which typically took 1 hour, broadly framed questions exploring the personal, policy and sociological aspects of aircraft noise were asked. Other prompts were also given as relevant to keep the conversation developing. The present paper is based on the findings on the policy aspect of the interviews, elicited by the question "Have you ever made a formal complaint to the airports?" and the related prompts. Complaints experiences have shown "thick" (Ahmed 2021:127) of the policy/political side of aircraft noise experience as harm; the intricacies of such dynamics and the role of denial as they unfolded.

The salience of using qualitative methods in studying environmental victimisation has been on the agenda for more than a decade (Heckenberg and White 2012; Brisman and South 2014; Hall 2017; Brisman 2017). This approach has been suggested to understand how cultural and social perceptions shape the experience of being an environmental victim. Natali (2016) and Natali and Budo (2018) have explored via visual and sensory methods the culture of victimisation of visible and olfactory pollution. Auditory methods have so far been brought to the research agenda for researching mainly the *cultural interpretations* of sound and noise (Ruiz and South 2018:12). Focusing on victims' experiences to aid specifically in a *critical* approach, to better make sense of the power dynamics in environmental harm (see Natali 2015) has not been the priority of green-critical criminology for a long time, however. The present method responds to this need by marrying the radical victimological approach (Williams 1996; Mawby and Walklate 2002) with the qualitative method of open-ended interviewing (Brinkmann 2018: 576–599). This method can elicit in more detail issues or topics that may not be captured through structured or semi-structured interviews by bringing in the dialogical process and conversation to the fieldwork (ibid.; Parker 2011). Similar approaches have been adopted in critical ethnography in a bid to challenge existing power relations while inviting more participant (and researcher) involvement in the process (Madison, 2005; Leslie 2005; Denzin 2017). The purpose of the method is especially relevant for the empowerment of the victims of aircraft noise where there is an absence of official outlets through which victims can make their voices heard and be taken seriously.

Results

The following sections will present the accounts which were subjected to theoretical-thematic analysis where the existing theoretical frameworks—in this case, the typology of corporate denial—are applied to reveal some aspects of the data (Braun and Clarke 2006:12). The sections will explore multiple ways in which airports have responded to the noise complaints as the participants reported. The framework of denial will be applied to the accounts as relevant and the implications for victimisation will be discussed.

From Literal Denial to Denial of Responsibility

The interviews show that corporate denial in complaints procedures was significantly visible, directly observed, abundant and repetitive. Informants held strong—negative—views about the complaint procedures and responses to complaints in general. They gave detailed justifications for their opinions as well as insights on how the complaints procedures affected them personally when they engaged with the process.

According to the participants, one common feature of the responses they would receive from the airports regarding their noise complaints is their standardised form. Mary (Lambeth, southeast London) is one of the participants who have engaged with the complaint procedures and attended public consultation meetings with the airport whose planes overflow their neighbourhood. As she recounts, the noise they receive has increased over the years because they have "felt more and more overflown". When she raised the issue to the airport in her complaints, she was told "Nothing has changed". Mary adds that it is a "standard response", emphasising "'There is no difference.' [they say] It's just, you know, 'Thank you for your complaint, we've registered it'". Asserting nothing had changed about the flights or flight paths which bring noise over Mary's neighbourhood can be described as *literal denial* (Cohen 2001:7) where the facts are rejected: Mary's claim is not true or did not happen. There is no change in flights, therefore there is no noise. This is the most simple and standardised response that the participants often received. As Kate (Southwark, southeast London) also confirmed:

> They'd even deny that they came over you, full stop. And that's it. And they've got a set of responses […], but they never actually address the particular point that's made. And they have enough complaints coming in that they've got their replies down to a fine art.

Kate stresses that the responses, however standardized and simple they may seem, are carefully constructed to evade dealing with the main point in the complaint. The standardised, repetitive denials are not accidental statements. Echoing Cohen's (2001) clarification, they are not unconscious defence mechanisms, but carefully thought and calculated strategies tailored to the types of complaints to avoid facing any accusations.

Kate's claim that airports "never actually address the particular point that's made" also chimes with the aims of other various denial strategies. This is the point made by the participants about the other, more detailed corporate responses. As Mary's exemplified, whenever she asked for their flight schedules or the possibility of a respite, the airport said: "Well, it's not our fault. Someone else controls the flight paths." The second type, *denial of responsibility*, occurs as such. In this case, it is elicited when the corporation is challenged with follow-up questions. As mentioned, the corporation is claiming that a

third party is in control of the events or actions, not them. The control of the flight paths becomes an isolated event that is presented as outside of the operations of the airport. Overseeing the airspace is a highly complicated matter (which indeed deserves analysis) and it is accurate that the flight paths are subjected to air traffic management of National Air Traffic Services (NATS) in the UK. The Civil Aviation Authority (CAA), the public corporation for airspace regulation, is also "responsible for administering the airspace change process and providing guidance on the process to stakeholders" (CAA 2021: 20). But the denial is in the *deflection from* noise and the responsibility thereof. Moreover, control of the flight paths, one component of the event that includes a whole set of strategic plannings, agreements and material arrangements, forms the main point of the response. Finally, it is important to note that the *control* of the flight paths differs from the *existence* of the flight paths. And while the first is used in the denial of responsibility, the latter is relevant for literal denial. As such, truths and facts are merged, emptied or distorted to fit into the narrative that suits the type of denial that corresponds to the level of the challenge that came from the participants in the complaint procedures. The management of the flight paths emerges as an important point and the technical explanations regarding this will be the topic of the next theme.

Technical Denial of Cause

Results in this section present the repetitive type of response which I argue is specific to aircraft noise complaints, namely, technical denial of cause, where the corporation presents an explanation regarding their actions using specific details of flight operations. This type of denial has already been employed by other industries (Whyte 2016:175). Here, I will present two distinct uses of this strategy characterised by the frequency and the content of the issues included in the response. I will show that the denial may include at least two types of content which yield different effects at the discursive level.

Reconstructive Use

As Andrew (Waltham Forest, east London) recounted:

> There was a particular day when it just seemed to be incredibly noisy (…) and I wrote a complaint. I got this quite reasonable reply, telling me about the heights the aeroplanes fly at, and how they have to fly those heights because of the Heathrow aircraft above them. And while they do appreciate that noise is a factor for some people and it's regrettable - get on with it! Because there's nothing you can do. It's almost like, you know, when someone punches you in the face and then explains to you quite reasonably, "Well, the reason I punched you in the face is because I don't like the way you've grown your beard and your hair colour doesn't really appeal." And you can think, "Okay, so that's why I've got a bloody nose: because you don't like my beard and my hairstyle."

Responses which Andrew and some other participants received contain the details on how the flight (or noise) event took place, such as time of day, the type of the aircraft as well as altitude and direction. Here, the denial is formed by presenting the crude facts as the cause for an explanation, disengaging noise from the actual happening of the event. This is what I call the *reconstructive use of the technical denial of cause*, whereby the

representation of the event includes basic information on flights and excludes the actuality of harm, evading liability. Noise becomes disengaged from the actual event not through the outright denial of the event or referring to someone else for responsibility, but through actively producing the sequence of the events, a different narrative based on the criteria of inclusion and exclusion. This is illustrative of what Foucault (1972; 1980) outlined as the formation of discourses. By reconstructing the flight event with the basic facts, noise—and therefore responsibility—is excluded from the actions and the claims of the individual. The victimised is once more dismissed—or, re-victimised—and the power asymmetry is amplified. As Kate reported:

> It's impossible to put them on the spot. They just slide out. […] "Miss Wright may not know. But winds are predominantly westerly in her part of London, and therefore the planes are flying in over her." This is the level of patronising responses that all of us are getting.

In Kate's case, by explaining the noise with *wind direction*—or, not explaining anything at all—the denial bypasses the flight-noise relationship. Disengaging the responsibility from noise becomes possible through reconstructing the event based on the wind, presenting a different version of events, complicating the causality. The assemblage of industry-flight-noise becomes impossible to "put on the spot", as Kate has put it. The next use of the denial of cause will reveal another elusive way in which aircraft noise is made complicated in corporate responses.

Obfuscation Use

A particular explanation for the concentration of flight paths that ultimately refutes their role in noise emissions is often mentioned in the participants' accounts. Like Mary, most participants complained to the relevant airport about the incremental increase in aircraft noise in their area throughout the years. An increase in noise means an increase in the number of flights, but not all areas experience the same amount of change. Communities sensed that flight paths have gradually been concentrated across London, which meant more noise for certain parts of the city and somewhat less for others. For example, daily arrivals over Greenwich had increased by 165 between the years 2011–17, according to HACAN and Plane Hell Action (2018). The specificities of technical denial of cause have to do with the technical descriptions for the *concentration* of the flight paths, namely, Performace Based Navigation (PBN) (CAA 2022). As Rick (Greenwich, southeast London) confirmed, "When I raised [concentration of the flight paths] [in the meeting] they said 'It's performance-based navigation.'"

Mary's account summarises the explanation she once received about the increased noise due to the concentration of flight paths in their area:

> [According to the airport] the reason for this is the navigation system which allows planes to be more accurately guided down a single path. So whereas flights were dispersed over a wider area, as the technology has got more precise, and more flights have come in [to the airport], they put their nose to tail over a single, concentrated flight path. For a long time they've said "No, no, nothing has changed in this area".

The narrative of the PBN system provided to account for the increase in aircraft noise over Mary's area sounds like a "reasonable explanation", in Andrew's words, in the first glance. Indeed, there is a causal relationship between the increase in noise

and an increase in flights due to guiding more planes to the specific area where flights are concentrated before arriving at the airport. However, the effect of this explanation operates to conceal, not to resolve the noise issue claimed by the individual. The reason for the noise, according to the responses, lies purely in the technical strategy of PBN, which becomes even more normalised in the meantime. Instead of reconstructing the events from scratch, therefore, the corporation uses what is already available to them: technical details and reasons for how exactly PBN works. This detailed description loaded with aviation terms puzzles the complaining individual who typically is not an expert in the relevant area. Hence the *obfuscation use of the technical denial of cause* whereby the industry expertise is mobilised to confuse and deflect from the reason and responsibility for environmental harm.

It is useful to note here that PBN strategy *itself* as a main part of UK official airspace design plans (CAA 2023) (i.e., how to use the airspace more efficiently to potentially accommodate more flights) already has political implications in terms of aircraft noise management. As Chloe (Richmond, southwest London) has also underlined, the use of PBN results in a reduction in the number of people who are significantly affected by noise. The technique means fewer people are exposed to higher noise emissions, creating "noise ghettos", as campaigner John Stewart has put it (AirportWatch 2014). It becomes more efficient to "manage" noise with fewer complaints coming from smaller, ghettoised communities rather than more cases of the moderately-disturbed individuals scattered around larger areas. This would be a highly precarious position for the residents living under already-concentrated flight paths even more so should the planned airport expansion projects go through (Topham 2018). For example, the flights to and from Heathrow are already frequent, with a flight every 90 seconds, as Leigh from Hounslow (west London, where Heathrow is located) also reported. The increased concentration concentration of the flight paths for Leigh, therefore, would mean that they will be overflown even increased frequently, making unbearable conditions wholly unliveable. Part of a highly elaborate plan (CAA, 2021), PBN deepens the environmental injustice by disproportionately affecting certain areas significantly more than the remaining parts of the city. As mentioned before, environmental harms tend to be distributed unequally whereby the poor are made much more vulnerable. The distribution of aircraft noise in London, again, seems to present a different picture through affect wealthy (such as Richmond) and poorer boroughs alike. From this respect, London presents a specific *case* in which aircraft noise reaches a truly special status, transgressing social and spatial boundaries which are thought to determine the 'conventional' distribution of the pollutants. It is a case whereby capital accumulation radically configures the environment.

The concentration of flight paths becomes a dominant corporate narrative on (obscuring) aircraft noise. While making the noise an harm invisible, it inflicts its "slow violence" (Nixon, 2011) over communities which experience the noise on an increasingly intense level compared to others. The carefully calculated implementation of the PBN suggests that the targets of noise are always "known in advance" (Walters 2014:151), as exemplified through the participants' accounts. The use of the *explanations* for PBN, in other words, is always the product of deliberate planning and strategizing of the responses and their effects (see Cohen 2001). The technical denial of cause by using details for PBN creates confusion in individuals and obfuscates environmental harm and victimisation.

Effects of Denial

Denial faced by the participants in the complaints does not merely sustain what is already happening. As Ahmed (2021:127) has analysed, the complaint process itself can make the ordeal more unbearable and painful. It exacerbates the suffering already caused by the constant noise exposure, in addition to the various health effects. Moreover, the individuals know about the futility of complaining *before* even being confronted with denial. As Leigh (Hounslow, west London), who has never complained, admitted:

> You feel completely powerless, don't you? It's [complaining] something that I haven't even looked into because you just know that you're going to be fighting a losing battle. […] It's just too big. Where do you even start?

Leigh feels helpless in the face of the massive power and scale of the state-corporate system, which leads to highly negative thoughts and impressions that prevent the individual from complaining or even researching about how to make a complaint in the first place. This point was also raised by other participants. Sally (Ealing, west London) never officially complained because she thought it would make her "vexatious", while Mary confirmed she was "one of those quite obsessed people" and she likened the complaint mechanism to a "black hole". Knowing that they do not have a genuine listener, the tendency to self-blame by describing themselves as "obsessive" or "vexatious" was persistent. Joseph (Richmond, southwest London) comments that "You end up just winding yourself up. Because you do more harm than good" as a result of going through the complaint processes. As such, complaining intensifies the distress directly caused by the noise, implying secondary victimisation (Campbell et al. 2001; Campbell and Raja 2005).

Finally, as Kate interprets in relation to the denial of cause:

> I'm the person who's affected. And I'm not going to spend time trying to understand why two and two make four. […] I want to respond and put in my comment as an effective person. But I don't understand half the technicality that they're talking about, and I *shouldn't* have to, is what I feel.

Kate describes the feeling of frustration occurring as a result of the corporate obscuring of what they have been going through. But Kate refuses this obfuscation: As she envisions, the individual does not have to feel guilty about not understanding the technical language of air-crafts. Indeed, the inadequacy is not in the individual, but rather in the current design of complaint mechanism which in the first place makes the individual vulnerable in the face of such treatments. While being exposed to noise is painful, and the impression that the corporation is too powerful to challenge is strong, complaining adds another layer to the issue, a potential for obsession, self-blame and disappointment. Individuals enter the system only to be once more ignored, "patronised", to feel distressed and defeated. The effect of the noise complaint mechanism becomes the *point* of the mechanism (Ahmed 2021:128) (italic is mine).

Conclusion

This paper articulated the specific types of denial inherent to aircraft noise complaints mechanisms that reveal how the invisibility of victimisation is maintained at the institutional level. I argued that noise management in aviation is too unjust which only adds more suffering to the first-hand victimisation caused by noise, instead of addressing

the actual issues. On the one hand, because the notoriousness of the process is well-known within the communities subjected to noise, some people remain reluctant to complain. Complaining, on the other hand, does not change the status quo of noise. It turns into a process to be avoided unless one would like to endure additional distress caused by being confused, rejected, or dismissed. As such, complaints would lead to the re-victimisation of the victim. But regardless of whether the complaint occurs, the state-corporate collaboration seems to successfully achieve the invisibility and impunity of aircraft noise emissions while protecting business-as-usual and capital accumulation.

To be able to address environmental injustices, it is evidently central to re-state that the victims and harms are often made invisible. However, without understanding the specificities of the institutional processes which enable such issues to remain invisible, a reform for justice may not be prompted. As illustrated through the participants' accounts, it may seem natural to hear about the technical explanations of an airport when it comes to explaining noise caused by flights which require a high level of aviation expertise in understanding how they operate. However, it makes sense to differentiate between *explaining* the mechanism which makes noise and *preventing* the mechanism from making "noise"—with all the metaphorical and literal meanings (see Malaspina 2018) intended. It is important to note the many nuances of denial as a vehicle to maintain invisibility, illustrated by the reconstructive and obfuscation sub-types of denial of cause. The point is not to understand the concentration of flight paths, but to pinpoint how a certain narrative about the flight paths becomes operational in dismissing, defeating and making intangible the aircraft noise as harm.

As part of the wider regulatory system of noise, denial strategies not only disable liability and help the corporation achieve impunity, but also drone out the voice of the victims, hindering the ways in which justice for them can be established. As such, various, elaborate forms of denial can be a salient part of the environmental issue and more research is needed to reveal more nuances on such official responses to various types of environmental harms. As shown, denial types vary from literal to technical according to individual submissions of complaints. It should also be noted that more collective forms of complaints also face denial, however differently. As the author (Yildirim 2022) has analysed elsewhere, corporate communication in public consultation events can take a different, 'friendlier' form, including references to aviation industry working for the 'benefit for all'. While elevating the corporate profile, the strategy further contributes to evading impunity and responsibility. The regulatory strategies including denial, therefore, are not fixed, and can take many forms suited to the context of the complaint.

The flexibility and multiplicity of these strategies suggest that the ability to pinpoint regulatory strategies including denial is crucial. It should be cultivated to empower the environmental victim and to subvert the corporate narrative, which would work to prevent self-blame and pave the way for justice. The awareness would initiate creation of outlets through which the individuals' voices can be heard and ultimately challenge the legal and political mechanisms to adopt eco-justice-oriented policies. Focusing on victims' experiences is thus central to critical-criminological endeavours, even more so in the face of the environmental issues that are made intangible. Listening to those who are affected by such issues reveals the constructedness of processes, or 'ways of not hearing', which at first seem natural.

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