SECTION 3 - Assumptions and Foundation

This section concerns the Thesis foundations through the literature review and discussion of the bodies of knowledge it builds upon, and includes the chapters:

1. Assumptions
2. Public Participation Review
3. Information Technology Review

1. Thesis Introduction	5. The Experiment
2. Hypothesis and Method	6. Discussing the Experiment
3. Assumptions and Foundation	7. The Qualitative Jump
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3.2. Public Participation Review

Introduction; Objectives of public participation in decision-making; Critique of public participation; Techniques of public participation; The privileged status of public participation in EIA

3.2.1. Introduction

Why is public participation important in planning? While it became more or less "politically correct" to assume the goodness and relevance of public participation for decision making in modern democracy, a researcher cannot indulge in "PC" trends and evade the question.

In my view, one of the major factors that emphasize the role of public participation is the political nature of most decisions. Even decisions on supposedly strictly technical options are very often not made solely on the basis of rational and objective analysis of technical data, multicriteria equations, etc. They are frequently the result of political expediency, a matter of political timing and circumstances, a bargain element in the negotiation of other goods and agreements, a market opportunity, a rapport of forces between vested interests, etc. In such cases, one of the last elements (if not the sole) bringing some balance into the decision process, to avoid decisions that will harm community interests (the "common good" concept) is the active participation of the community itself in the planning process.

Decision making processes on technical matters are therefore interesting scenarios to study the public participation phenomenon. In particular they raise inevitably the issue of the role of the expert. Usually seen as the basis for an independent, objective, interest-neuter, rational planning by some, and as the voice of the interests that hire them by others, experts are nevertheless at the center of the decision process, because expertise and technical knowledge is required, and because expertise will be called to defend each side. So the question of public participation becomes in great measure the question of how can a "lay" public give a meaningful, valid input, with real weight in a final decision that is based on technical arguments and evidence? This brings the corresponding question on the importance of new IT: can IT contribute in a significant way to "level the field", decrease the gap between lay citizens and experts, and thus facilitate a more informed and knowledgeable input from lay citizens?

Finally, it is interesting in itself to ask why it became more and more "politically correct" to laud public participation (PP) in today's society. If nothing else, it is an indication of a trend that makes it hard to dismiss public involvement in decision processes, and shifts the gravity center of decision making (DM) research questions from the kind "should we have PP in DM?" to "how should PP be handled in DM?".

Naturally, there are many views on the objectives and role of public participation. It is important to briefly review and discuss here the state-of-the-art of the research in this domain, particularly by the time of the thesis experiment. The discussion on current trends towards public participation and its relationship with IT developments, is left for subsequent chapters.

3.2.2. Objectives of public participation in decision-making

To assess the impact of a technology in public participation in decision-making, it is crucial to identify what is the rationale for this public participation.

Philip Selznick identifies two views: administrative and substantive participation. "Administrative participation" tries to transform the citizen into a reliable instrument for the achievement of administrative goals. "Substantive participation" tries to provide citizens with an actual role in the determination of policy. While I agree with Selznick that there are radically different agendas behind different ways to promote public participation, and that understanding these agendas are essential to understand the tactics and techniques adopted for public participation, I think that this formulation of dual views tends itself to weaken the argument, because it is reasonable to expect circumstances where both strategies are not contradictory. Instead, I favor a formulation in terms of an elitist assumption (decision control only for the "qualified") vs. incremental gains (public education through empowerment). The reason for this formulation is that, even in the cases Wriston is wrong (i.e., when government decision makers are clearly better informed and better qualified than anyone else), whether one likes it or not, "common" people will increasingly "meddle" in, right or wrong (Brown 1990).

Many cases, including those I reviewed, show that in most circumstances an 'elitist' model of decision is bound sooner or later to lead to a confrontation; the alternative is to accept the challenge of a long-term view. An 'incremental gains' model of decision will accept the added burden of giving voice to non-informed, non-qualified people, even at the risk of added overhead costs (efforts towards education and debate), potentially less optimal solutions or lower-quality

decisions in the short-term, in exchange for the advantages in the long-run of a better informed, better educated, and more cooperative public. One "*must develop not only knowledge of society but knowledge in society* (Torgerson 1986)".

Evan Vlachos proposes a model that focus on *levels* of participation, instead of *objectives* of participation. The distinction is subtle, but this formulation is more flexible, since it doesn't imply 'a priori' judgments on intentions (even adopting the 'incremental gains' view, there will always exist cases requiring different levels of citizen involvement). He makes a distinction between public awareness, public involvement and public participation. "*Public <u>awareness</u> implies one-way information and alerting to community issues. Public <u>involvement</u> implies two-way communication and a means of engaging community members in the exchange of information (dialog). Finally, public <u>participation</u> is the most intense form of interaction between authorities, experts and citizens and implies more than anything else truly joint planning and democratic delegation of power and shared leadership* (Vlachos 1993)"

A related issue is the already mentioned "Public vs. Expert" dichotomy. Frederick Frankena documents "*the emergent social role and political impact of the voluntary technical expert*" (Frankena 1984). In fact, there are many cases where this distinction becomes irrelevant. Kennard points that "*when it comes to values, we are all experts*" (Kennard 1982), therefore if the issue is essentially dependent of value judgments, everyone is qualified.

Besides Frankena's and Kennard's arguments, citizens and NGOs can hire their own experts; and the exponential mass access to education and science increased the likelihood of finding qualified experts among individual citizens in the targeted (physical or virtual) neighborhood. However, this remains an open issue, because of the inequalities in the distribution of human and institutional resources, and in the scope of the projects being assessed. Vlachos, for instance, differs from Frankena on the relevance of the voluntary expert. "*Within the last decade or so*", writes Vlachos, "*society has tended to advocate the simultaneous growth of participatory democracy and of expertise in decision making. It becomes difficult to maximize both of these value preferences and strains appear between the idealized conceptions of citizen participation and the harsh demands of public policy making and implementation* (Vlachos 1993)". If both Frankena and Vlachos have a point, what is the dominant trend? It is important and relevant to collect evidence of the level of expertise reached in public participation processes.

Finally, James Glass proposes a model focusing on the *function* of each kind of public participation. He enumerates five objectives of citizen participation: information exchange,

education, support building, decision-making supplement, and representational input (Glass 1979). Considering Glass approach, I suggest that one good way to evaluate the scope of each objective, is to assess the way it relates to the potential problems (costs) resulting of **not** having public participation:

• Weak legitimacy of some decisions (interests of majority may be neglected, interests of minorities may be ignored);

• Weak accountability, easier corruption;

• Weak constituency to support development effort and costs;

• No public help and cooperation in development tasks;

• Project plan and its review may miss aspects dependent on local knowledge that otherwise would have been an improvement;

• Later antagonism may block project, with added costs;

• No public education gains.

The identification of the objectives of public participation, and respective current problems associated with each, is important also because it provides the base for an useful "criteria of success", when considering possible steps towards improving the *process* facet of public participation. Similarly, it can help to identify the specific requirements that information technology should satisfy, to corroborate this improvements. Current ITs are not necessarily tuned to the best forms of participatory democracy.

3.2.3. Critique of public participation

Many decision makers are skeptical, to say the least, towards public participation. Among others, they point to typical problems found in current public consultation:

• The foundation for a decision being of technical nature, it is best left for qualified experts;

• Scope of the projects being assessed is vast, therefore it needs an expert multidisciplinary "corp." not available to citizens (particularly in some areas), or even to most NGO, sometimes not even to government agencies;

• Credibility in the process is low: people do not believe that their input will make a difference, regarding the final decision;

• Citizen perspective is often limited. There is sometimes lack of interest whatsoever. Local or individual bias leads to a limited view of the impact of a development decision (no "common good" perspective); or the discussion turns to generic or ideological debate, "off the mark" of the relevant issue (which may also reflect a deficit on forums for another level of debate);

• Time consumed in public consultation is expensive, particularly from the point of view of developers.

Is the current rationale of many decision makers against more public participation - particularly one with more weight over the final decision - obsolete? Better decision making processes and better use of available technology may not only allow the commendable goal of improving democracy, but there may also exist many cases where there is a larger space of dialog and compromise leading to satisfactory solutions that is not being explored. On the other hand, it is a fact that there has been many decisions, serving the public interest reasonably well, without any public participation; and it is questionable, at least in some cases, whether the conflict of multiple parochial interests would have blocked any decision at all, had the public been called to participate. It is therefore useful to briefly characterize classes of problems, from both the point of view of decision-makers and citizens.

Most decision making processes fall within one of the following cases:

a) When more public participation is mandatory for a more legitimate decision (for instance, in high-risk projects). There are clear cut cases where there is a well defined population whose lives will be deeply affected by the decision. Therefore a better informed population and improved public participation will be a better guaranty of the adequacy of the decision, at least from the perspective of the ones affected by it. Decision makers may or not welcome participation, but in cases like these they are increasingly aware of the potentially high costs (including political costs) of alienating the population.

b) When too much information (to the public) is feared because it will generate stronger opposition from people that will suddenly realize that some of their interests will be put in question; it is possible that these fears are well founded, meaning, more access to information and more diluted decision powers will paralyze some developments needed for the common good, or at least increase difficulty and costs.

c) When people's interests won't be put in question by a decision (or will be even favored by it), but people may fear it anyway, because of fear of change and the always present degree of uncertainty of outcome. In these cases, decision makers also tend to avoid too much public participation, too much spread of information, at least beforehand, or in the least they try to control the process limiting the boundaries for the public participation (like one month of access

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to a non-technical summary in some hard-to-reach place, and where there is little room for changes).

Except for the a) type cases, where decision makers will probably welcome better technology, and better use of technology (meaning institutional processes more suitable for this technology), the challenge is to show that in any event people today have already a wide access to information, and given the competition between political forces and/or economic interests, it is likely that at least one of them will use and spread the information; and precisely because it will be used with a narrow political/economic motivation, it may very well be filtered out in a less favorable and more hostile fashion (Vasconcelos 1993) than the original data would have been. Evan Vlachos reminds us that "*the communication revolution is making more central the observation that public officials and public decision makers are now existing in a fishbowl compared to earlier times* (Vlachos 1993)".

In the first class of cases (a), if there is an irreducible conflict of interests, that becomes essentially a matter of democracy, and the interests of the majority should prevail over less legitimate interests. The other cases are more interesting by the bigger challenge they represent. When there is a fear of conflicting interests (well founded or not), there is a space of contradiction, of conflict; but the use of new IT and adequate public participation processes may also uncover a previously unknown and unexplored space of solutions that could be more satisfactory or at least increase the legitimacy of the decision. This could happen by increasing in a significant way the number of people positively affected, as well of the spread of different communities (minorities, for instance) that will be favored by a better decision emerging from this larger space of solutions.

3.2.4. Techniques of Public Participation

I defined the *process* facet of public participation as including the choice of techniques of participation. If there is room for improvement, it has to translate into some developments in these techniques: therefore it is necessary to study its current limitations. In table 2.2.4.1, I present a summary of a compilation of current techniques of participation, with some of their known problems, as presented in published work (EPA 1990) (Innes 1992) (Joanaz de Melo 1993) (Sapienza 1993).

Table 2.2.4.1 - Current Techniques of Public Participation

Technique	Description	Problems
Advisory Committee (Comissão de Acompanhamento)	A group of invited experts representing interested parts	It requires full-time dedication from members, for a long period of time Controversy may arise if the Committee recommendations are not accepted by decision makers
Focus groups	Small discussion groups that help to estimate public reactions. There has to be several of them, and led by professionals	If it allows to estimate emotional responses, it does not provide any indication about how long they will last. It may be regarded as part of a process of public opinion manipulation.
Dedicated phone line	Experts (or trained operators) answering questions from callers and providing information over the phone	It requires availability of well prepared personnel on a regular schedule base. Its success depends on public willingness to call...
Interviews	Interviews with people representing public agencies, NGOs, interest groups, or well known personalities	It requires a lot of time and well prepared staff
Talks	Meetings where experts or politicians present formal communications or give formal speeches	It doesn't facilitate dialog; it allows exarcebation of differences of opinion. It requires plenty of time to organize
Conferences	Less formal meetings where people present their views, ask questions, etc.	Dialog is still limited. It may require even more time (and people) to organize
Workshops	Working sessions of small groups dedicated to complete the analysis of a certain topic	It is not adequate for large audiences. It is frequently necessary to organize them in several places and on several topics. It requires plenty of people and time
Surveys	Carefully prepared questions are asked to a sample population	It provides a still image of public opinion, but it does not provide any sense of how it may change with time, and other factors. It requires professionals, and is usually a very expensive technique
Referendum or Plebiscites	Counting votes within a community	It requires an usually long and expensive phase of information and debate. Public may be more susceptible to emotional assertions than to reasoned opinions

This table puts in evidence some obvious key factors for improvement through better use of IT: to help minimizing time and personnel requirements. But it also points to other important element: how can new IT help to facilitate reasoned and in-depth debate, and to enlarge the space of solutions vs. the space of conflicts?

3.2.5. The privileged status of public participation in EIA

An interesting aspect of the recent public participation research is the absolute predominance of cases related one way or another with environmental impact assessments (EIA). The discussion on the possible reasons for this phenomenon is left for the chapter concerning the analysis of the qualitative jump in IT developments. But the indisputable fact that EIA review processes are nowadays the "natural" ground for public participation cases, together with some of the characteristics that are associated with such predominance, led to a focus in EIA in the search for an adequate case study for this thesis research.

Among those characteristics, are the following facts:

• An EIA is required by law for most major developments in many countries, in particular in USA and European Union (EU);

• Some form of public participation is also required by law in most EIA cases, in the same countries;

• EIA review processes tend to become more standardized, for instance with all countries in EU adapting step by step their national laws and regulations to conform with common EU directives, and EU procedures for EIA being largely based in the American EPA's experience (Environmental Protection Agency, USA);

• Even if for different, possibly conflicting reasons, most stakeholders are interested in promoting some form of public involvement in EIA reviews.

These characteristics are enough to justify a choice to narrow down the field of my thesis research. Consequently, when public participation is referred in this thesis, the focus is on PP in EIA review processes.