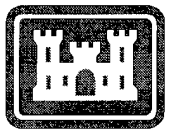

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Working Paper #7

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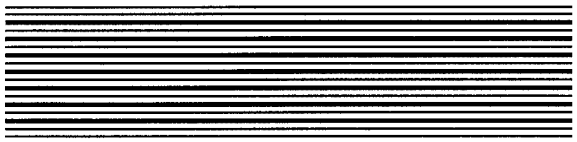

PUBLIC PARTICIPATION IN DESIGNING OUR ENVIRONMENTAL FUTURE

MAY 1996

IWR Working Paper 96-ADR-WP-7

The Corps Commitment to
Alternative Dispute Resolution (ADR)

This working paper is one in a series of pamphlets describing techniques for Alternative Dispute Resolution (ADR). This series is part of a Corps program to encourage its managers to develop and utilize new ways of resolving disputes. ADR techniques may be used to prevent disputes, resolve them at earlier stages, or settle them prior to formal litigation. ADR is a new field, and additional techniques are being developed all the time. These working papers are a means of providing Corps managers with up-to-date information on the latest techniques. The information in this working paper is designed to provide a starting point for innovation by Corps managers in the use of ADR techniques. Other ADR case studies and pamphlets are available to assist managers.

The ADR Program is carried out under the proponency of the U.S. Army Corps of Engineers, Office of Chief Counsel, Lester Edelman, Chief Counsel, and with the guidance of the U.S. Army Corps of Engineers' Institute for Water Resources (IWR), Alexandria VA. Frank Carr serves as ADR Program Manager. Jerome Delli Priscoli, Ph.D., Senior Policy Analyst of IWR currently serves as Technical Monitor, assisted by Donna Ayres, ADR Program Coordinator.

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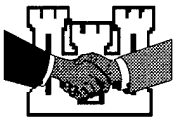

PUBLIC PARTICIPATION IN DESIGNING OUR ENVIRONMENTAL FUTURE

Alternative Dispute Resolution Series

Working Paper #7

Keynote Presentation at
International Workshop on Public Participation in Environmental Decision:
A Challenge for Central and Eastern Europe
October 18-21, 1992
Budapest, Hungary

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US Army Corps of Engineers
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Institute for Water Resources

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May 1996 **IWR Working Paper 96-ADR-WP-7**

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CHAPTER I.
INTRODUCTION

A new democratic spirit and a new ecological spirit are two of the most powerful transformational forces in today's world. The interaction between these forces is driving much change in industrialized, reindustrializing, and even third world countries. The democratic spirit calls us to individual freedom, empowerment and transformation. The ecological spirit calls us to a new collective consciousness, collective restraint and a new relationship with nature. But will these forces work to bring people together or to create more adversarial relations?

Both spirits confront us with a complexity at a time when increasingly we are mesmerized by 60-second sound bites. Both spirits confront us with new responsibilities to understand and accept uncertainty at a time when we in the industrialized world seem constantly to seek a risk-free environment. At a time when people complain about government and bureaucracy, it seems that both spirits confront us with dependence on technical experience and the concomitant increases in bureaucracy and regulation. Both spirits call us to anticipate and to employ long-term vision. At the same time, we seem to be inextricably pushed by rapid rates of change into a short-term focus.

In North America, we have been adapting traditional democratic institutions to the often conflicting challenges presented by these forces. Here in Central and Eastern Europe, you are responding to similar challenges while also experiencing a revolution in decision making institutions. While there is much we, from North America, can share from our experience of adapting old institutions to new realities, there is much that I think we will learn from you who are more consciously creating new political institutions at the same time that you are dealing with ecological realities.

To further explore the challenges presented by these two forces and potential responses to these challenges, I will organize my remarks into four categories:

1) Eight challenges for achieving participation in environmental decision making.
2) Some personal lessons learned about public involvement.
3) Public involvement and Alternative Dispute Resolution (ADR).
4) Public involvement and organizational change.

CHAPTER II.
EIGHT CHALLENGES FOR PUBLIC PARTICIPATION IN ENVIRONMENTAL DECISION MAKING

The call for public involvement in administrative/technical decisions is a symptom of a broader discontinuity between the institutional arrangements and the decisions they are called to make. It is also a symptom of the changing nature of administration in the democratic state.

One dimension of such change, and my first challenge, concerns the relationship of the administrative/technical and political/legislative decision making. Traditionally we have come to view the separation between the political, usually seen as legislative majority voting, and the technical, usually seen as implementing the executive agencies.[1] When confronted with complex environmental decisions, this distinction breaks down. Often it is with the implementation or administration of general laws that the distribution of impacts becomes clear. As political scientist Harold Lasswell says, politics is "Who gets what, when and how."[2] Often the what and where become apparent only in implementation. Thus, administrators of technical agencies begin to appear as the bestowers or deniers of political benefits. And people ask, "Who elected you?" Many of us who encourage public participation in the administrative processes are asked, "Are you trying to replace the legitimate representatives of government with some new and less accountable form of government?" This is an old debate in the U.S. especially since the New Deal -- and its analytical parameters are perhaps best articulated by an exchange in the early 1950s between Finer and Carl Friedrich.[3]

Reich, an American analyst, describes two paradigms which have guided attempts to deal with the technical and political: intermediating interest groups and maximizing net profits.[4] While both have their place, he goes on to call for a new paradigm of public deliberation which leads to civic discovery. This call reflects the chief goals of Public Involvement: to foster deliberation, to encourage social learning, to create new alternatives, and to build or enhance through empowering experiences the civic infrastructure.

Much of the ecological and technical legislation of the 1970s and 1980s has included a litany of impact assessment requirements such as social impact assessment, community impact assessment, risk assessment and environmental assessment. Each is essentially the recognition that traditional decision making processes somehow do not include significant and appropriate values.

Unfortunately many have come to see even these assessment techniques in purely technical, rational, analytic, and value-free terms. The truth is that decisions which we are likely to discuss in this symposium fall somewhere between the clearly technical and clearly political.

Essentially we are seeking the reasonable, not just the rational. While the rational may be a necessity, it is not a sufficient condition.

A U.S. study, done by the Kettering Foundation, finds that two systems of participation, formal and informal, seem to be emerging in the United States.[5] Participation in the formal system of voting is decreasing while participation in the informal is increasing. The informal system includes participation in activities such as community impact, regional projects and environmental projects. The study concludes that the problem is not to bring the informal to the formal, but how to get the formal to recognize the informal. In other words, people are eager to participate in decisions that will affect their lives, but they are often unaware of what decisions are being taken or how they will be affected until administrative implementation is upon them. This first challenge leads us to find ways to manage this gray area between the technical and political and to provide representative participation in such technical/administrative decisions.

In the United States, there have been several attempts during the 1980s to deal with the separation of the legislative, political, and executive administration. Regulatory negotiations (Reg Neg) brings stakeholders together before the technical/administrative agencies promulgate regulations based on legislation. Policy dialogues bring stakeholders together to generate areas of agreement and/or disagreement and options which then effect eventual legislative debate. Legislation has been passed to encourage regulatory negotiations (Reg Neg) in the United States. Dialogues, Reg Negs, and other approaches continue. But the stalemate between legislative and executive also continues.

A second challenge for Public Participation in Environmental Decision Making stems from the frequent discontinuity between geographical and jurisdictional boundaries. Neither effluent from waste facilities nor polluted groundwater can be continued within traditional jurisdictional entities, nor the problems they create solved by members of one jurisdiction and throughout the world, such resource issues will increasingly drive political and international decisions. But these resources are spread across state, local, federal and even national boundaries. Organizations and institutions built on traditional jurisdictional boundaries seem deadlocked by the NIMBY (not-in-my-backyard) syndrome.

Ultimately public participation is a "bottoms up" phenomena regardless of what those of us who live in national capitals may think. Public involvement processes often become a driving force for the vertical, state, local and regional as well as the horizontal (across agency) negotiation vital to decisions which rarely fit traditional jurisdictional boundaries.

This is also clear in river basin management. There has been a long history of attempts at river basin planning throughout the U.S. and the world. Today in the U.S. droughts in humid as well as arid areas are spawning water wars, such as between Georgia and Alabama, on the

Missouri River, in Louisiana, on the Colorado, and in other areas. Each of these cases brings a regional logic, forced by participation from the grassroots level, to strongly felt local needs. In essence, participatory demands are driving new vertical and horizontal integrations. Also, these demands are forcing new integrations and uses of data and information. Essentially, public participation confronts us with the notion of shared ownership in decisions.

At the international level, the practice of public involvement blends with the theory of affinity groups proposed by John Burton in his international relations theory.[6] New publics are demanding new institutional forms for negotiation which often cross traditional jurisdictional and/or national boundaries. The issues themselves are also spawning new affinity groups, such as environmental groups, which cross those boundaries. The influence of such cross-jurisdictional groups could become important in certain regions. We don't have to look further than right here in Eastern Europe. You have shown us how grassroots/NGO and environmental groups can transform old institutions.[7]

International law does not have strong sanctions in the traditional nation-state system. However, there is increasing need for joint problem solving and decision sharing on transboundary resource issues. Track two diplomacy, combined with the growing functional necessities presented by technological decisions,[8] could generate demands for more participation in decisions. This participation itself could begin to transform our political institutions and structures.

Public participation is also emerging as important in the third world. For example, the World Bank is now examining how public involvement could enhance institutional sustainability in selected cases across the world. Preliminary information indicates that the high failure rate of projects can be reduced and performance enhanced through meaningful public participation in projects. Good governance (the rules and means by which decisions are made) is now recognized as a crucial element in technical performance. Experience supports the notion that building a civic infrastructure can be an important result of the participatory experience in what has traditionally been viewed as technical programs.

The World Bank, funded with US $1.3 million from SIDA, has launched a 3-year "learning process" on participation. UNICEF, UNDP, IFAD, among others in the UN system, have been major proponents of participation. Since 1980, FAO has promoted its people's participation program. One internal World Bank evaluation of 42 bank financial irrigation projects concluded that economic returns were consistently higher for those projects which involved farmers in planning and management. Another 1990 USAID study of 52 projects in a variety of sectors showed a positive correlation between participation and project success. An ongoing study under the UNDP-World Bank Water and Sanitation Program of 110 completed rural water supply projects is also affirming such findings. A key message of the bank's 1992

World Development Report is that "local participation in setting and implementing environmental policies and investments will yield high returns."[9] However, the Bank as we speak, is struggling with a Policy of Information Access and Disclosure. It has yet to address the problems of participation in cross-sectoral, country assessment or policy development. However, such requirements are likely to be put into its Water Resources Assessment Policy.

My third challenge concerns the decision making style of professional and technical agencies. Frequently the traditional style is to decide, to inform the client community, and then to justify a decision; or to decide, to announce the decision, and to defend it. This process is increasingly being replaced by another model in which the participants jointly share information, diagnose the problem, reach an agreement about a solution, and implement it. The decide-inform-justify approach usually builds on a paternalistic (albeit often nobly motivated) professional ethic. That is, the professional knows best. The professional formulates alternatives or determines options, and then, for the good of society, informs the public and thereby justifies those decisions. However, the ethical basis of such professionalism is changing. For example, few of us go to the doctor and say, "Heal me." Instead, we participate in the diagnosis as well as in the healing process itself. So, too, when we turn to traditional, technical, and governmental agencies, we must find new ways to jointly diagnose problems, to decide on plans of action, and to implement them. This notion of professionalism is driven by an ethic of "informed consent" as opposed to paternalism.

Having said this, we face challenge four: That is, to understand the special ethical demands faced by policy makers. When is the decision not to decide a greater evil than to decide and to possibly incur unexpected negative effects? Meaningful participation often brings both decision makers and participants into a new awareness of this ethical reality. Lack of participation or non-meaningful participation allows stakeholders the luxury of negative "nay-saying" without confronting the reality of decision making pressures: and that is dangerous. Admittedly getting the public in touch with such realities, which are often described in obscure and esoteric language, is difficult. But we must. And participation is one of our main tools to do so.

Nowhere is this dilemma clearer than in ecological decision making. In the U.S., the days when the shared experience of being negative was sufficient to establish legitimacy have passed. For a time society needed a shock; an instrument to make us stop and take notice. The EIS has been that blunt instrument. But now we know that we must go further; that there is not one, but many possible ecological futures; that we must actually choose our future. This is the challenge of environmental design; the co-creation of our eco-future. We already see this practically in new programs that actually engage in Pro-Active Ecological Design such as environmental restoration and wetland construction. This is similar to what Lewis in his new book Green Delusions: An Environmentalists Critique of Radical Environmentalism, calls the adoption of a Promethean

Environmental Archetype and rejection of an Arcadian Archetype to fuel our search for sustainability.[10]

I think our growing consciousness of this choice is at the root of our anxiety over the future; more so than even visions of possible ecological doomsday. We are now confronted with the need for and the awareness of our responsibility and accountability to actively choose our environmental future and this leads us right back to participation.

Speaking of ethical challenges, my fifth challenge can be presented as a question: "What about those who are likely to be impacted but do not (and will not) know until the impacts are present?" Unresolved variants of this question are at the heart of much debate over participation within international development organizations. When such organizations look to participation, who are the public? Does the international organization go beyond the established state and establish special relations with NGO's? Can it? If it does, what happens to its espoused technical role, as it is perceived as a political change agent? So starting with participation we rapidly come to ethical dilemmas which then bring us to debate the purpose of development assistance. This question is also important in the U.S. A new U.S. study finds, "that those who already have economic clout are involved in politics in ways that disproportionately increase their influence, making the practice of democracy increasingly biased against the economically disadvantaged."[11]

A sixth challenge is to use Public Participation in Physical Infrastructure Projects to reinforce the civic infrastructure. As Thomas Jefferson once noted, the great engine of democracy is responsibility. Citizen responsibility is enhanced when citizens meaningfully participate in making the decisions that affect their lives. They take responsibility for tradeoffs. Such experience becomes a powerful means to educate and to inform -- both prerequisites for democratic political culture.

Actually we could view technical decisions on engineering and environmental problems as opportunities for building democracy. Such decisions confront us with new experiences, new knowledge, and new information needs. By increasing citizen participation in what has been viewed as technical decisions, we may, in effect, strengthen those elements of the civic infrastructure so critical to democratic decision making. Public involvement builds on a classical notion, in democratic theory: that those citizens who are affected by decisions should have a say in decisions which affect their lives because they will become better citizens.[12] And it is often the physical infrastructure and environmental projects that citizens see directly affecting their lives.

My seventh challenge concerns the scope of decisions to which Public Participation applies. Public involvement has taught us of the need to move beyond an "impact fixation." Environmental impact assessment has attracted much public attention to high technology decisions. However, the impact assessment stage is often so late in the development process that

the public can only participate in discussion of how to mitigate the damages of options already chosen. The public must be involved in the diagnosis and option generation stages of decisions, as well as the impact assessment. Public involvement also brings alternative values into the design and configuration stages.

Involving the public in planning is difficult. Planning often appears esoteric, and it is sometimes unclear what decisions planners are asking people to participate in. Will the plan be presented to a decision maker at a future date? Some experience indicates that it is easier to involve people in issues which, they can see, immediately affect their lives. For example, it is easier to generate public involvement in regulatory decisions about the short term issuing of a permit within a defined period of time.[13] This is true even in complex multi-party and multi-issue cases of complex operations. In such cases people can understand the decisions and see their immediate impact and consequences. This experience, however, does beg the question of whether public involvement enhances our capacity to deal with long-term perspectives. Successful public involvement has been achieved in alternative futures planning, but it requires considerable design and facilitation effort.[14]

In many regions, environmental and water issues now confront industrialized nations with the politics of redistribution versus the more traditional politics of distribution. For example, throughout the world we see the key to water resource development as reallocation between agricultural and municipal uses. Gurr (1989) reviews how the relationship of scarcity (real or perceived) can lead to violence and even authoritarian government.[15] However, it is not clear how to involve the public in social structural realignments which may affect their sense of job security; for example, in the case where changing demographics are forcing reallocations of water from agriculture to urban uses.

Before leaving challenges, I would like to add an eighth -- finding new ways to put our technology in service of participation. Technology is more than inanimate machines or abstract programs -- it is us. We both produce and are a product of our technology. Technology in its broadest sense is what defines our civilization. We must find better ways to put that which we do -- technology -- into service of that in which we say we believe -- democratic participation. For many years when we brought computers into the participation process, we soon found ourselves marching to the agenda of the machine and NOT VICE VERSA. But new advances in interactive software, object orientated programming, decision support systems, GIS, etc., are changing that reality.

For example, in the national drought study in the U.S., an interactive software called STELLA, which allows stakeholders to jointly create (in real time) descriptions of water systems, is being used. In essence, the software allows stakeholders to use icons on a computer screen as

a single text negotiating device. And there are others. When we think of satellite links and other communication advances, the possibilities are boundless.

CHAPTER III.
SOME PERSONAL LESSONS FROM THE U.S.

Based on experience in the U.S., I would like to share some notions of: strategic goals of public involvement; tactical objectives of public involvement; management choices for public involvement; and twelve principles for implementing public involvement.[16]

1. Strategic Goals of Public Involvement

What can citizens, officials and experts expect from public involvement? Generally, the following six goals for public involvement are most common. While all are rarely achieved, mixes can be achieved.

- To build credibility with those who will be affected, those who will pay and those who will use a project.
- To identify public concerns and values in a forum that are open and straightforward.
- To develop consensus among the impacted parties, users and those who pay. In difficult controversies, consensus is rarely achieved, but it's very satisfying when it is.
- To create the greatest number of "unsurprised" apathetics! In many cases not everybody needs to be involved or wants to be involved in every issue all the time. Most people are peripherally involved. But people, no matter how peripheral, should not be surprised. They should be kept informed.
- To produce better decisions. Yes, public involvement can often produce better "technical" decisions than a strictly technically oriented decision process.
- To enhance democratic practice.

2. Tactical Objectives of Public Involvement

Practically, public involvement programs should visibly isolate extremes. In other words, PI programs should create incentive for participants to find, create, and move to a middle ground. Public involvement programs should facilitate shared ownership of solutions, alternatives and recommendations such that alternatives may be implemented. This means creating an environment for conciliation and creativity. Although public information and public relations are critical skills for creating public involvement, public involvement is more than public information.

While practical people understand that all conflicts will not always be solved, public involvement programs seek to solve as much conflict as possible without going down the expensive route of litigation. Public involvement programs attempt to create an environment where the clash of alternative viewpoints synergize into creative solutions which have not been previously conceived rather than cancel one another out.

3. Management Choices for Public Involvement

Basically, administrators and managers face three choices. First, management may choose the approach of "blowing them out of the water." This approach simply says that the opposition is negative, ideological, extreme, and unbending, so why even try to work with them? Further, management feels that it possesses sufficient power to override probable challenges. Second, management can attempt the "massaging" or "cajoling" approach. This approach is a variant on the Madison Avenue public relations idea. Third, management can attempt the consultation or involvement approach. Each of these management approaches is a clear choice, and each is valid in certain circumstances. What is often absent is a clear management understanding that first, such choices must be made, and second, strategic discussion of the choice is warranted.

CHAPTER IV.
SOME PERSONAL LESSONS[17]

I would like to move from Macro-challenges to micro level of P.P. programs since doing public involvement is still far more art than technology, considerable judgment is required. Based on my experience, here are twelve lessons:

1. Public involvement is as much art as it is science.

2. If people share in the process of generating alternatives, they are more likely to make realistic tradeoff decisions among alternatives.

3. Perfect information can mean perfect conflict, but it can also mean conflict with reduced fear.

4. Process communicates content. Often, this is the most difficult message to communicate to engineers and other technical professionals. Frequently, it is the way you do something which builds trust and legitimacy. In other words, it is not just the final substantive answer but the way one arrives at the answer which can make a difference. To reach binding decisions, people must achieve procedural and psychological as well as substantive satisfaction. Public participation is an attempt at building trust, communicating openness and concern throughout the planning, siting and other such decision processes.

5. One must maintain the visibility of a public participation program. Sometimes this is difficult when there are long periods between public meetings and workshops. But with new technical data, interactive computers and decision support systems, this area is ripe for new innovations. However, the main point is that some appropriate level of visibility without oversaturation should be maintained during the inactive periods. Also, we must begin to think of "Public Access" databases.

6. Professionals, scientists and experts should know the limits of professional expertise. One of the first lessons in public involvement business seems to be: "For every Ph.D., there is an equal and opposite Ph.D." Simply put, this means that professionals should know the limits of their expertise. Too often we find political and value judgments parading as objective, value-free, professional or expert opinion. When this is done too frequently or when those value-free, professionally generated numbers change frequently, the public questions your professional legitimacy as well as professional expertise. Public involvement calls the professional and scientific community to move beyond adversary science.

7. Use professional expertise to create options, not to kill them off. Frequently, technical experts come to the public with a finite set of "all" available possible alternatives. If the public is not willing to choose an option, it is their problem, not the expert's problem. Public involvement tries to create an interaction among technical expertise and the values expressed by the public. One of the most exciting and satisfying experiences is to design and to participate in a public participation process which produces alternatives that are technically sound and which had not been previously conceived by either the technical experts or the public.

8. Learn to speak the public's language. This rather simple phrase is often ignored. How many of us technical experts are fond of using technical language as a crutch to communicate expertise? At some point, jargon becomes a mechanism to exclude rather than include public values and even those of alternative technical disciplines. When jargon thickens and experts retreat to its refuge, progress stops.

9. Feelings equal facts. How frequently have you seen a public hearing officer listen to a participant's emotional outburst only to retort, "Thank you, now may we have some factual comments?" This totally misses the point. It is the emotion and its content which are those valuable facts he seeks! Public involvement training program devotes much time to training our managers to understand, to read the feelings, and to discuss the relationships between facts and feelings.

10. Clearly identify those decisions which are to be made. One of the most frustrating things in public involvement is the lack of understanding of what decision is going to be made by whom at what time. This is especially true in planning programs. Often we ask the public to participate in planning decisions, but we cannot clearly define the decision points. At best, we speak, in some vague manner, of a decision on some alternative to some plan which may be implemented at some time five to seven years hence. A prerequisite to good public involvement is that the agency itself understand what decisions are going to be made, by whom, in what way, and then to communicate these facts to the public.

11. Break away from the traditional ways of doing things. Try to vary traditional participation formats, particularly in places where the public expects the standard public hearing and traditional roles for the agency have developed. The act of varying the format alone can communicate a sincere attempt to reach out, to do something different and meaningful. By the same token, such attempts could also communicate suspicion of manipulative attempts. However, if the process is a truthful attempt to get at issues, that skepticism will be rapidly overcome.

12. Look at a range of value representation, not just number of people. Too frequently we find that the design of a public involvement process degenerates into a numbers game. A good involvement program requires a representation of the basic values that are at conflict. The various publics can be surrogates for one another if we are including the appropriate range of values. Therefore the key is to identify the basic values at stake, to understand the conflicts which have emerged and to find technical alternatives to the problem which service, in various ways, the basic values in conflict.

CHAPTER V.
PUBLIC INVOLVEMENT AND ALTERNATIVE DISPUTE RESOLUTION

Many public participation successes were achieved "during the 1970s and early 80s." But there also were many lingering problems and discontent. Chief of these was the notion that we quote frequently, "Public involvement got people talking and us listening to their needs, but we don't seem to come to closure and reach agreements." In response to this sentiment and to the growing litigiousness in U.S. society, the field of alternative dispute resolution (ADR) emerged in the early 80s. ADR used much of the rhetoric and process skills found and developed in the public involvement experiences. For example, facilitation, mediation, neutral party assistance, and the early notions of interest-based negotiation which is parallel to value-based alternatives started to be used for solving disputes before going to court.

The public involvement experience was born of multi-party, multi-issue disputes usually precipitated by new ecological value challenges. ADR began by focusing on mediation and various forms of nonbinding arbitration born of the more traditional model of labor -- management disputes which involved limited number of parties and more discernable interests. Practitioners in both of these traditions have come together in a variety of professional societies and publications. Indeed, the growth of environmental mediation has been noted by numerous commentators in the 1980s.[18]

Beyond these convergences, differences between public involvement and ADR should also be noted. Public involvement has been driven primarily by values of empowerment, creativity and open access to government. ADR, while not ignoring such values, has been sold more on the values of efficiency, timeliness, and cost effectiveness of decision making processes. These values of empowerment, open system access, efficiency and timeliness can conflict. Parallels can be seen in traditional political science literature with the concept of interest articulation (i.e., public participation) and interest aggregation (i.e., ADR).

While the success stories can be found, there also are cases where good ADR attempts have either failed or ignored to use public involvement. For example, recently mediated policy dialogues and negotiation among principal U.S. Federal agencies was convened to produce a manual to define wetlands. The negotiated agreement was eventually challenged by adversely affected business interests and communities on a variety of bases, one of which was insufficient public involvement. Some private cases of toxic waste disposal have been negotiated and agreements achieved through ADR with the caveat that records would be sealed. During the 1990s, the question of how ADR and public involvement relate will be a major question for those interested in new forms of participation.

Frequently the market is raised as the most efficient public involvement strategy. Without lengthy theoretical discussion of equities and social distribution, a few notions should be cited. In natural resources decisions, both the need for better pricing and also the limitations of markets could be noted. Markets can create the illusion of efficiency while hiding social costs. For example, water resource experts commenting on the use of water resources in the U.S. West have noted that major environmental interests and smaller community interests may be ignored in the process of using markets for facilitating reallocation of water supply.[19] Markets also raise the question of the involvement of those who will be impacted but who do not know they will be impacted. While markets are clearly able to play a greater role in the problems of participation, they are not the total solution.

CHAPTER VI.
PUBLIC PARTICIPATION AND ORGANIZATIONAL/ ADMINISTRATIVE CHANGE

There are a variety of ways to approach transforming the administrative and technical agencies so that new public values are integrated into traditional technical decision making. Two of the best recent examples in the U.S. of how Public Participation can be an effective agent for organizational change are the Bonneville Power Administration (BPA) in the Pacific Northwest and the recent managerial changes in the Tennessee Valley Authority (TVA).

In my experience, simply talking about public involvement can encourage a transformation. Just doing public involvement over a period of time will precipitate either the transformation of internal values or major debate about such values. Ultimately it is impossible to encourage external participatory values without a respondent internal organizational value change. The following represents some of my experiences working with administrative bureaucracies and public involvement.

Assuming that the basics are in place, that freedom of information public access to data, I recommend going light on internal regulations but being firm on field assistance and following up on requests for assistance. The organization should put basic public involvement requirements in place. The most basic of those is to require that decision makers show how the information, gained in public involvement, was or was not used to reach decisions. While it's possible to think of requirements beyond this, too many requirements can create the very syndrome public involvement seeks to ameliorate, namely, too much administrative bureaucracy regulation.

Internal cultural norms ultimately will be affected by outside agency actions. Organizations and agencies cannot do public involvement outside without becoming more participatory inside. Even hierarchical agencies can become more participatory. To encourage participation in decisions does not necessarily mean the demise of hierarchy or the onset of anarchy. The U.S. Corps of Engineers, for example, is a hierarchical engineering organization with a military command structure. Nevertheless, the Chief at the top of the hierarchy frequently feels more like a feudal king brokering consent and agreement among feudal barons. The process of gaining such consent requires negotiation among the barons but also participation of those constituencies, sometimes called stovepipes, whom the barons represent.

When undertaking organizational transformation, one should learn the symbols, myths and rituals of the organizations and appropriate those symbols for public involvement. For example, in the organization for which I work, training is a major value. By instituting public involvement training for executives and managers, the symbol of training is then appropriated in service of

public involvement. One of the most effective models for training is to institute a series of executive, mid-management and basic level programs. Each can be packaged according to the time commitment and job responsibilities of professionals at each level. However, all are designed to communicate the same messages. Overall, one must emphasize the notion of repetition, persistence and patience. In the Corps, we instituted such programs in 1975, which are still running on a routine basis two to four times each year.

In seeking to bring change to traditional or longstanding bureaucracies, one should find transcendent values into which professionals can buy as a price for change. The U.S. Corps of Engineers is an example. In recent twentieth-century history the Corps has been perceived as dam builders -- in other words, not just engineers but engineers with specific solutions. Public involvement began calling for new approaches -- beyond structural -- to solve water problems. Helping the traditional bureaucracy understand and cope required finding and appealing to transcendent notions of professional values. Indeed, early twentieth-century Corps history showed that the organization was reluctantly brought into the big dam approach to flood control -- levees were preferred. The point is that the organization's history showed that it had and could change. Thus, narrow structural solutions could be seen as one of various means to achieve larger ends -- namely, those of public service engineering. Once this transcendent norm is realized, it becomes easier to see how environmental design, nonstructural measures, toxic cleanup and a variety of crucial public issues can be missions for public engineers. Engineers gain awareness of themselves as problem-solving capacities and not simply solutions seeking application.

One should look to the external pressures not necessarily as a threat but as a call to change. In this regard, external environmental pressure groups can, in the long run, beneficially be seen as partners rather than only as adversaries. In thinking of groups which hold and espouse new values as partners implies change for both the traditional agency and those groups pressuring the organization. However, as the opportunities for both to change grow, new options will be created.

We should avoid making the integrity of a person's profession a price of public involvement. How frequently have you heard about "the Engineer's Sins of the Past"? We need to be careful not to judge the motivation of past decisions on the basis of today's knowledge and norms. While we learn from the past given today's knowledge, it is another thing to judge the motivation of past decision makers based upon the knowledge and values one brings to similar situations today. It is possible to critique past decisions in light of today's knowledge without impugning the motivations of the past.

One of the most effective instruments of change is to take the "process and participatory" techniques inside the agency to help solve major internal policy disputes by using techniques such as facilitation, mediation and other forms of assistant negotiation. Once a CEO has experienced

the successful resolution of debate through participation processes, the capacity to communicate their meaning and importance is greatly improved.

Like other organization change, public involvement needs champions within administrative organizations. Also we must find and celebrate positive involvement experience.

Joint training is another effective training mechanism. Groups who are likely to be in adversarial relationships can come together in a joint training exercise to learn new techniques of dialogue and participation but not to solve a specific problem. The impact of such joint training can be dramatic. At a minimum, a better common dialogue could emerge. But more can happen. People can walk away from such training understanding the adversaries as people. It can decrease the propensity to cast the other as some type of monster.

CHAPTER VII.
CONCLUSIONS AND SUMMARY

Demands for public involvement in technological and ecological decision processes are both indicators and symptoms of problems in our democratic institutions. The values held by those whom administrators and executives serve are changing. Older administrative organizations and institutions, which themselves are the embodiment of values from previous times, have often lagged behind their publics. New publics bring new demands. At the same time, the complexity of decisions increasingly raise the question of how to achieve democratic accountability. Our natural resource demands do not conform to traditional jurisdictional boundaries. The ethical basis of professionalism is moving from paternalistic to informed consent. Public involvement is a means to adapt and to make our democratic institutions work better in this context.

Public involvement is a means to achieve important psychological transference within our publics; that is, from passive victims of, or reactors to, risk toward active choosers of levels of risk.

At its best, Public Participation can connect us and perhaps break down stereotypes. It can help us walk in the "other's" shoes. It can be a symbolic act of reconciliation and vehicle for forgiveness and healing which are prerequisites for management of ethnic and distributive conflicts.[20]

In the end, our increased environmental knowledge has brought us to a major point in the evolution of consciousness. We humans are coming to understand that we are co-creators of, and participants in, our own evolution. We are "in and of" nature, not separate from nature. In some way we are reflective consciousness in nature. By forcing us to experience multiple viewpoints, each often coached in the certainty of pedigreed science, public involvement has been a vehicle to bring us to such realizations.

Caught between an apocalyptic pessimism for earth and an optimism in a savior technology, many express fear of the future. Indeed, our fixation on the short term could be a collective avoidance. However, the fear of the future could stem from another source of anxiety deep in our collective subconscious. That source might be the awesome responsibility stemming from realizing that we are co-designing our environment, whether by explicit choice, non-choice or avoidance. Built on a democratic faith, public involvement will not let us run from this collective responsibility. In classical theory, democracy is defended because citizens participate in decisions that affect their lives and this experience will educate and build responsibility among citizens. What issues could be more important and affect us more than designing our future?

I would like to leave you with two quotes separated by almost 200 years. In his notes on Virginia, Jefferson once wrote:

> "I know of no safe depository of the ultimate powers of the society but the people themselves, and if we think them not enlightened enough to exercise their control with wholesome discretion, the remedy is not take it from them, but to inform their discretion by education."[21]

The contemporary political theorist Robert Dahl has recently noted:

> "Whatever form it takes, a democracy of our successors will not and cannot be the democracy of our predecessors not should it be ... for complexity threatens to cut the policy elites loose from effective control by the demos. The result could be -- and to some extent already is -- a kind of quasi-guardianship of the policy elites ... indeed we have some reason for thinking that specialization, which is the various grounds for the influence of policy elites, may itself impair their capacity for moral judgment ... if the democratic process is not firmly anchored to the judgments of the demos, then the system will continue to drift over to quasi-guardianship."[22]

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18. Note: Gail Bingham, Environmental Mediation, Conservation Foundation, Washington, D.C., 1985.

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13. ABSTRACT *(Maximum 200 words)*

A new democratic spirit and a new ecological spirit are two of the most powerful transformational forces in today's world. The interaction between these forces is driving much change in industrialized, reindustrializing, and even third world countries. The ecological spirit calls us to a new collective consciousness, collective restraint and a new relationship with nature. But will these forces work to bring people together or to create more adversarial relations?

To further explore the challenges presented by these two forces and potential responses to these challenges, I will organize my remarks into four catergories:

1) Eight challenges for achieving participation in environmental decision making.
2) Some personal lessons learned about public involvement.
3) Public involvement and Alternative Dispute Resolution (ADR).
4) Public involvement and organizational change.

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