

Chapter VI. PRACTICAL DESIGNS

Introduction

My contention is that the people, as individual citizens, can be productively involved and will be readily accepted in the governance processes, on all levels of government--local, state, and federal if their relationship to the process is theorized on Dewey's terms. Citizenship in our American democracy can truly mean taking responsibility, being involved in the deliberation of issues, and effecting change in the greater community for the greater good of the commonwealth. We have a historical inheritance of self government from the early New England town meetings, the Federalist and Anti-Federalist writings, and Jeffersonian thought. Citizen participation hyperbole of the 60's and 70's and its seemingly failures should serve as a caution. It therefore would be more than prudent on my part to get an assessment of how we are doing.

Remember the Administrative Procedure Act of 1946? Remember the 'sunshine laws' and the efforts to seek citizen input? The Fiftieth Anniversary of that great leap forward in bringing government to the people has come and gone, but not without effect. Marissa Martino Golden¹ conducted a study on how well the APA has fared these past fifty years in the "notice and comment provisions." The purpose of this phrase was to solicit input from the citizens who would be affected by a regulation or rule. Three federal agencies were chosen--Housing and Urban Development (HUD), Environmental Protection Agency (EPA), and National Highway Traffic Safety Administration (NHTSA). After examining 11 rules, the study reveals that even though HUD received 268 comments on one rule alone, the number of comments from other government agencies far

surpassed the 24 citizen comments. EPA had received 45 comments per rule but hardly any from ordinary citizens, and surprisingly, not one from a public interest group. NHTSA was next, with all comments on three rules coming from the business community.

Golden recommends two ways in which we can fulfill the promise of “the APA with respect to its democratic goal of citizen participation.”²

1. Public administrators who serve to draft, develop, and coalesce the final proposed rules, must be reminded of the possible bias when receiving comments from different interests . “Be aware of the unrepresentativeness of rule-making comments. . . .”
2. Realizing that not all people have access to Internet or the *Federal Register*, federal rule-makers need to develop and plan for more and diverse methods in reaching out to the public to ensure that those likely to be affected by federal rules are aware of the proposals and are able to comment on them. “Improve the notice we provide through better outreach. Invite them to the negotiating table prior to the issuance of a proposed rule in the *Federal Register*.”³

Public administrators are in a unique position to enlighten citizens on the issues, invite and encourage discourse in a positive, receptive atmosphere, and serve as the catalyst for desired change. The public administrator has a better opportunity to reach out to sense the pulse of the greater community on a particular issue. This is possible when all parties are involved in the political process as well as the governing processes. As Goodsell states so succinctly, “Many of the institutions of citizen participation that have sprung up within the American political system in the past two decades have been initiated by administrative agencies.”⁴

A Glimpse at Citizen Participation in the 60's and 70's

With the onset of the Great Society programs, an underlying theme began to emerge that resonated through the country: “only the poor know the full dimensions of poverty.”⁵ It was concluded that it would be necessary to have the poor on boards that would enable them to express their problems directly to government. The Office of Equal Opportunity (OEO), developed the following strategies for this:

1. Membership of the poor on boards
2. Employment of the poor in projects
3. Community meetings
4. Elections of board members⁶

Historical precedence reveals that similar efforts were made in 1933 under the New Deal that established a “then radical innovation of a planned national crop . . . involv(ing) farmers in the process of making . . . innovative decisions.”⁷ The wealthy farm owners could manage themselves, but the small and poorest farmers had no way to be represented or involved in policy decisions affecting their crops. It is the Department of Agriculture that “developed both the theory and practice of citizen participation.”⁸ The Extension Service continues today in communities throughout the country.

An earlier role of government in establishing strategies of encouraging citizens to participate in governance occurred with the creation of the U.S. Chamber of Commerce in 1912. Its purpose was to give business and industry the opportunity to serve in an advisory capacity in public policy decisions.⁹

The famous TVA--grass roots democracy program began as a means to bridge the gap between local government and a federal program. Its purpose was to demonstrate genuine concern for democratic procedures. Selznick's analysis, of the road to cooptation of citizens of the bureaucracy, explained why citizen participation became ineffective. His analysis stated that:

Responsibility for administration and program was a first priority;

membership size and representation and leadership selection were controlled; the area for decision making was limited severely; outsiders had limited access to the group because of administrative control; and a routinized service program that demonstrated its inflexibility.¹⁰

By 1954, citizen participation became a federal requirement, as legislated in the Housing Act. In urban renewal cities, most cities established advisory committees to meet this requirement. These advisory committees had few representatives from the projects or members of non-business organizations. The citizen participation requirement was not considered to be important. It seemed that advisory committees were the only conceivable approach to citizen participation. In Dahl's words, referring to the city of New Haven, Connecticut, these advisory committees "never initiated, opposed, vetoed, or altered any renewal proposal."¹¹

"All these suggestions are the stuff of men's dreams. The reality, based upon urban renewal's own experience and its continued vulnerability to attack, should be more of the same: Citizen participation will likely be avoided or converted into an instrument of public relations. The Authority will retain real control by manipulating its control of information and expertise--a good reason not to support advocacy planning. Plans and information will be withheld or transmitted too late, or kept deliberately value. Such bureaucratic weapons constitute its first line of defense. Disarmament, in their view, can only lead to catastrophe."¹²

In studying community power, Mathews believes that political scientists have focused on power relationships regarding initiating and vetoing proposals, rather than on the other face of power--non-decision making. "We must analyze dominant values, established procedures, and rules of the game, as well as persons or groups, if any, who gain from existing bias, and who are handicapped."¹³ Another important caution is that rules and regulations that are changed by *administrative discretion* reflect policy changes through public management but not through legislative enactment.

Cahn and Cahn conclude in their study of the different citizen participation projects of the 1960's that in order for citizens to be effective participants in

decision-making processes, training of the participants needs to take place. Also, the prevailing image of citizens participating is in the “village democracy” mode.

“Village democracy is a meaningless model in megalopolis We need to stop thinking of them as a homogeneous mass. People differ; communities differ; and participation is not an end in itself. Participation is a constantly changing process”¹⁴

In 1978, Toner and Toner, in conjunction with the U.S. Department of Health, Education, and Welfare and the Office of Education, developed a paper offering ideas about:

1. Integrating citizen participation into the planning process.
2. Adopting guidelines for planning citizen involvement programs.
3. Selecting and evaluating objectives and methods for citizen participation.¹⁵

Toner and Toner believed that “successful citizen participation in planning is the responsibility of those who manage the planning and decision-making process.”¹⁶ The model they produced and the problems they addressed are through the lens of the public agency as they proceed from the 1970's to the 1980's. A summary of the studies during the decade of citizen participation concludes with the cynicism felt by the general public. In 1997, Berman examines the extent of citizen cynicism. He “suggests that cynicism and trust are deeply rooted in the management of government-citizen relations.”¹⁷

Citizen Science

Let us examine technological culture and the citizen culture as they have developed after WWII. Irwin believes that ‘democratic ideology’ demands a behavior that may affect the way each culture reacts to the other. What we have experienced is a polarized, contentious community. After the Second World

War, the Association of Scientific Workers sought to reconcile differences through an “enhanced public understanding.”¹⁸ Three statements of purpose were recommended for implementation:

- that a technically-literate population is essential for future workforce-requirements;
- that science is now an essential part of our cultural understanding; and
- that greater public understanding of science is essential for democratic reasons.

These ideals were never realized. The Royal Society resurrected the debates in a 1985 report that indicated no progress. The status report indicated the following results:

‘We have reached the point of incommensurability between those accounts of science which stress its empowering and enabling role and those--drawing broadly on a notion of science as a source of legitimation (Habermas), alienation (Marx) or disenchantment (Weber)--which stress its role as a form of social control and dehumanization.’¹⁹

In its quest for an environment that is safe for the planet, scientists have placed themselves in the role of *protector*. The citizens are seen as the nameless public who are to be spectators to those experts who save us from armageddon. Obviously, the role assigned to citizens has met with extreme opposition--to the point where neither party listens to the other.

Irwin is optimistic in his belief that we should strive “toward a dialogue between scientific and citizen groups in creating a ‘citizen science.’”²⁰ However, he is aware that “hazardous environments and social powerlessness do indeed seem to coexist.”²¹ Different kinds of dialogues have been attempted in a trial-by-error approach in creating a ‘citizen science.’ In Holland, one type of science-citizen interaction is called the ‘Science Shop.’ The Science Shop “has served to encourage the growth of new communication links between university researchers and community groups, stimulate researcher awareness of

community problems, and promote closer interactions between scientific technical specialists and the general public.”²² Ecological neighborhoods and/or communities are being established in Denmark, Sweden and Germany.²³ Whether in the United States, Sweden, Germany, France, Holland, or Denmark, private citizens are seeking an equal voice in the public policy decisions surrounding environmental issues, especially regarding public health and protecting the natural resources from being polluted and depleted.

Turner explains it in terms of *public space* and *private space*.²⁴

Environmental risk is considered to mean the rules and regulations set forth by the state in protecting the public, encompassing *public space*. The *private space* is that realm where the citizen may respond to the moral and ethical environmental questions. The final conclusion is that the scientific community is not alone in the dialogue with governmental officials in deciding public policy. Neither is the public in a sphere unto itself that discusses the environmental risks, scientific breakthroughs, and environmental quality without the expertise of the science community. Both *citizen* and *technical* knowledge are needed to pursue and attain a quality environment.

“A Feel for the Hole” and “A Feel for the Whole”²⁵

Scientific knowledge is attained through a methodical process that includes rules for disseminating knowledge and putting that knowledge to practical use. The guiding principle of science is “to make reliable predictions, eliminate uncertainty, and through technology, bring nature under control.”²⁶ Just as citizens should be included in the deliberations and have a role in the decision-making processes, the same premise applies to the work place. Journeymen, laborers, and other workers on a job site should be included in providing the necessary information to be included in the decision-making processes. Hummel calls this “Bottom-up Knowledge”²⁷ because the person who works with his hands has a knowledge about the work he does that only he can

explain. Schmidt describes it as “a feel for the hole.” She describes a situation involving work being done close to a dam. Knowledge of the area and how it reacts to water pressure may have been the kind of expertise that a structural engineer or water engineering expert or other scientist could address. However, the hands-on experience that the workmen had is more difficult to explain. It is a “feel” for the job, “a feel for the hole.” A master craftsman can work along with someone to help in understanding this special hands-on experience. It is experiencing the grouting process that helps in that understanding. The success or the unsuccessful project depends on whether the bottom-up knowledge is included in the whole process of decision-making.

Schmidt describes this *collective knowledge* as necessary in any organization. It is putting the little bits and pieces of knowledge together from the different stakeholders as well as from those working in the field. It is the *passive/critical knowledge* that disappears as fast as it is experienced. Every one may have been a witness to the experience but each person sees it from a different perspective. Schmidt brings to mind Barbara McClintock’s research, in which she summarizes her life’s work in the expression--“a feeling for the organism.”²⁸

A feel for the Whole requires the *intimate knowledge* of every one in the organization. Building trust in the organization that allows for bottom-up knowledge to surface and to be appreciated and accepted can raise those doubts out of oblivion onto the decision table. Potential disasters can be prevented from happening. The knowledge of the “ordinary person” would be accepted instead of that person made to feel that those in charge of a particular project know much better and can do without his input. “Outside amateurs” may have some information vital to a particular project but may feel like an “unqualified meddler.” The individuals at the bottom rung of an organization may know important information about the project but will withhold the information because it may be interpreted as if s/he were a “whistleblower.”²⁹ The bottom line is “we need each other, because of our different perspectives and limited

abilities.”³⁰

Public Hearing--Environmental Protection Agency

At the federal level, the public demands a say regarding radiation and nuclear wastes. The Department of Energy had lost credibility with the public because DOE is a polluter. DOE is also a self-regulating agency and a licensee. The Superfund Re-authorization Bill of 1994 compensates those who are affected by the pollutants and files suit against those polluters of hazardous materials. Under the Bill, DOE is to be regulated by the Nuclear Regulatory Commission (NRC).

The NRC has completely changed the way it does business for setting regulations and standards, especially in setting standards for decommissioning and decontamination of their radioactive sites, their licensees. Previously, NRC acted in a vacuum. They would put their regulations in the Federal Register, awaiting for the standard sixty to ninety days (60-90 days) for formal comment, then run it through the NRC Commissioners, who are political appointees. This is how regulations and standards have been set.

As a result, the last time NRC made proposals through this process, the public said "NO WAY." "You need public participation and public dialogue." However, the public demanded a different way of doing business. Therefore, the EPA and the NRC opened the process to include the public in an enhanced participatory process. This involved conducting workshops around the country where EPA and NRC made public presentations. The public could ask questions and have input into the workshop process. The workshops were advertised in newspapers, widely publicized with the first workshop held in Washington, D. C.. After the third workshop, it was noted that they were too technical. Therefore, the night before the next workshop, this was corrected by providing training to the general public on radiation concepts.³¹

In 1991, Green and Zinke had seen this need for training but for the

employees. They called for training of EPA employees to help them “understand how their technical/scientific knowledge should be used in a regulatory enforcement environment.”³² They particularly pointed out the importance of “community and media relations, conflict resolution, persuasive speaking, and translating technical and policy jargon into public vernacular.”³³

The public demands to be part of the decision-making process regarding their own self-interests of health and property that include ‘public space’ and ‘private space.’ The inalienable rights--the regime values promised in the Preamble to the Constitution are imbedded in our foundation as a nation. The Anti-Federalists are alive and well; their arguments have been taken up in today's political environment by the conservatives of both Republican and Democratic parties--smaller government and decentralization.

But active participation as a platform has no ideology. Public participation, which translates to include authentic "dialogue" in governance, is politically-correct language. If governance is to include citizens in the dialogue among the different actors in the subsystem, then American Democracy can be saved from the enticement of technocracy and associates.

Private Citizens Litigate.

Frustrated with the federal government and politics as usual, organizations, such as, the Natural Resources Defense Council have implemented a Citizen Enforcement Project. After the Reagan Administration cut EPA's budget and disabled many environmental controls, EPA became unable to enforce clean water regulations. In order to stop industry from dumping poisons and polluting the waterways, private citizens and the NRDC brought suit against individual polluters. A section in the Clean Water Act “empowers private citizens to sue individual polluters directly.”³⁴ The mission statement of NRDC is as follows:

“We work to foster the fundamental right of all people to have

a voice in decisions that affect the environment."³⁵

Whether it is citizen science or Science Shops or public hearings, a sharing of the power among the stakeholders will alleviate the confrontations between citizens and scientists, between citizens and public officials, between citizens and elected officials.

A PRACTICAL DESIGN: A MODEL PLAN FOR PUBLIC PARTICIPATION

Citizen participation has been developed, implemented, re-developed, and re-implemented over the years by different federal agencies. In 1996, the U. S. Environmental Protection Agency Office of Environmental Justice together with the National Environmental Justice Advisory Council have developed "A Model Plan for Public Participation," under the auspices of the Public Participation Accountability Subcommittee. Besides the Model Plan, "Core Values for the Practice of Public Participation" has also been developed by *Interact: The Journal of Public Participation*. A Checklist coordinated by the Interagency Working Group on Environmental Justice is available for Federal and State agencies. The Guiding Principles of the Model Plan are:

1. Encourage public participation in all aspects of environmental decision making. Communities, including all types of stakeholders, and agencies should be seen as equal partners in dialogue on environmental justice issues. . . .
2. Maintain honesty and integrity in the process and articulate goals, expectations, and limitations.³⁶

The critical elements are outlined in regards to preparation for the dialogue, identifying all of the participants, the logistics in developing the appropriate atmosphere, and the mechanics needed to accomplish the principles. Dewey's perspective on the Model Plan for Public Participation would include the following elements:

1. Education of the public on the issue;
2. Training public administrators and citizens on creating a democratic environment in physical layout of the room as well as in democratic procedures;
3. The practice of democratic procedures for the public administrators and the public;
4. Stress the importance of inquiry in searching for the truth on the part of both the public administrators and the public--an educational process; and
5. Developing a mutual understanding of the language being used to enhance deliberation, authentic dialogue, and in the processes of governance.

Let us examine another model that encourages public participation.

A Practical Design: Charrette.

Sharing in the power is the name of the game. This expression of faith in the individual is pronounced whether one has the authority in government, politics, business, think tank, or as a citizen. Sharing in the decision-making processes of governance can relieve the tensions and confrontations between and among the different groups. The **charrette** is a process that allows for many people to participate. Thayer described it this way:

“The ‘charrette’ is the best example we have yet. A word used to describe horse-drawn carts which carried prisoners to the guillotine, and also the carts used later to gather up the plans the Beaux Arts architectural students submitted for the annual Paris competition, ‘charrette’ has acquired a new meaning for schools and other forms of community planning. In contemporary settings, the charrette is a process vehicle (without wheels), systematically constructed to collect and sort out as many ideas as possible generated by individuals directly interested in a given project.”³⁷

Charrettes have become a popular vehicle for urban planners involved in

development in the community. All the citizens are invited to participate in a charrette to deliberate upon an issue of interest to the community. This means that residents of the community, organizational representatives, educators, business owners in the community, architects, urban planners, politicians, experts, and youth delegates meet together over a long period of time. Meeting times could vary--it could be weekends for a couple of months or whatever is agreed upon. The different representations of the community are arranged in groups that would have at least one representative from the different groups. Each group would be a microcosm of the larger group. The group facilitators help each group to get through the get-acquainted stages. A lot of steam is vented in the beginning to allow each participant to "unload" concerns, anger, frustrations, and problems encountered in the past. It is a trust-building process.

Charrettes have occurred in the past and will continue to be used as an effort to enhance and expand public participation together with all interested parties. It allows for the highest act of citizenship to be exercised and experienced. Each person in a representative role, is placed in the role of "citizen." Thayer describes this role as the "professional-citizen dichotomy." The process places emphasis on an equal playing field; every one has an equal voice; every one has a particular knowledge to share with the others.

A charrette occurred in Brooklyn, New York, whereby all interested persons in the neighborhood met over a period of a couple of months in the designing of a ten- thousand capacity student educational center. The result concluded with the center being built and that the school cafeteria became a community restaurant in the evening.³⁸ The Department of Urban Development helped to finance a number of charrettes in different communities. An example of a more recent charrette occurred in South Miami, Florida. The City of South Miami sponsored two charrettes. The first of the two charrettes experienced great results.

The South Miami Home Plan.

Victor Dover³⁹ and his partner, architects and urban planners, graduates from Virginia Tech in Blacksburg, Virginia, were primarily responsible in convincing the city council and the community at large to have a charrette to discuss what the people want for the main streets and business sections in South Miami. The commercial section at Sunset Drive runs about two blocks wide and six blocks long with private residences and a few apartment dwellings surrounding the east side. The west side borders the U.S. 1 Highway and the metro train line. The citizens of South Miami, merchants, property owners, residents, urban planners, public officials, and all other interested parties agreed to meet all day Saturday. The charrette enabled citizens, public officials, urban planners, together with merchants, and property owners to deliberate on what they felt they wanted for downtown South Miami.

The South Miami Home Plan was developed out of a series of meetings in the form of a charrette. They agreed to narrow the lanes on Sunset Drive from four to two lanes so that drive through traffic would be discouraged to use Sunset Drive; lower the speed limit; turn some of the side streets to one way streets; widen the sidewalks to allow for sidewalk cafes and other public strolling enhancements; and construct a brick sidewalk to allow individuals to make donations towards the beautification of South Miami, placing the names of a loved one or of a noted person to be memorialized on a brick. The community feeling was enhanced and a dialogue had begun to emerge between the different neighborhoods.

A second South Miami Home Plan was initiated by citizen activists to discuss the South Miami Hospital and other development problems. According to Susan Redding⁴⁰, citizen activist, the second charrette was not as successful as the first. The organizers did not think it necessary to advertise it to include every one, and did not have the enthusiasm as before because of the time it took to organize and to go through the charrette processes.

Other Forms of Public Involvement.

In 1984, I was elected as the Vice Chairperson to the Governing Board of the McLean Community Center (MCC) and served as the Program Chairperson¹. In the capacity of Program Chair, I organized program meetings for committee members and staff beginning with goal setting for the Community Center. The brainstorming sessions brought about the feeling of the need to energize that which belonged to McLean long ago--*a sense of community*. The citizens in Small District One of McLean, Virginia, approximately forty-thousand people, were invited and encouraged to attend the program meetings.

Over twenty citizens, some representatives from schools, community organizations, and clubs, gathered at our initial meeting. We organized ourselves in an open-seating arrangement in the round. In that meeting, every person was encouraged to participate in the discussion which ultimately came around to a discussion about our young people. The idea of a youth center was sparked at this meeting. The word went out about establishing a place for our youth to "hang out" and was met with community enthusiasm. A local church pastor saw an article in the local newspaper mentioning a center for the youth and offered a site on Church property. Unfortunately, even after many private and public meetings and support by the Church members and community members at large, the site for the Youth Center was denied at the Planning and Zoning Commission Hearing because the neighbors to the Church were opposed to the project.

This initial effort sparked the establishment of a Youth Committee under the auspices of the MCC. Teenagers from the Small District's Junior and Senior High Schools and private schools were invited to participate. The idea for a youth center became a driving force with the Youth Committee, the McLean

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Fairfax County uses the term chairperson as the official language. I chose to use the word "chair," whenever I could.

