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The South Park System (later consolidated into the Chicago Park District) was a product of the Progressive Reform Era. In response to deplorable living conditions in the industrial inner city, parks advocates, philanthropists and politicians formed regional commissions to identify, fund and design neighborhood parks. The emphasis was on providing opportunities for recreation and improving the quality of life of neighborhood residents and often included fieldhouses where low-cost meals, free medical care, showers and libraries were available. Photograph courtesy of the Frances Loeb Library, Graduate School of Design, Harvard University.
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The ACSP promotes education, research, service, and outreach in the United States and throughout the world. It is committed to recognizing the diverse needs and interests in planning. It seeks to strengthen the role of planning education in colleges and universities through publications, conferences, and community engagement as well as through participation in the accreditation process. The ACSP believes that planning education should extend beyond the classroom and into the world of practice working closely with practicing professionals and communities.
A “Public” Muse
On Planning Convictions and Feminist Contentions

Ananya Roy

I want to suggest a different metaphor for theoretical work: the metaphor of struggle, of wrestling with the angels.

—Stuart Hall (1992, 280)

For those who have long critiqued planning for its masculinist biases, it might seem odd that I start with the contention that planning and feminism share a common terrain.1 At their cores, they both have an imperative for action—a concern with guiding social change. It is not surprising then that a feminist theorist such as Young (1992, 62) argued that planning can help “reinvigorate” feminism with a “pragmatic transformative imagination.” In my own teaching, I have situated my courses at the intersection of planning and feminism not only because of the ways in which feminism critiques planning but also because planning issues spatialize and concretize many of feminism’s concerns. If feminist critiques of planning emphasize the difference that gender makes, then planning’s terrain of action shows the difference that geography, that is, place-bound practice, makes.2

More recently, a somewhat different congruence has emerged between planning and feminism: the postmodern encounter. Indeed, in both planning and feminism, the postmodern jolt has taken on additional impact, raising the specter of a paralysis of praxis. Even those planners and feminists who find postmodernism useful worry that it constitutes a rocky basis for political action and normative decisions (Beauregard 1989, 1991; Fraser and Nicholson 1990; Hirschmann and Di Stefano 1996). Accordingly, planning and feminism each remain suspended between modernity and postmodernity (Harding 1990, 100; Beauregard 1991, 193).

Is this precarious suspension a stalemate? I will argue, as have others, that this specific positionality is rich with potential (see Bernstein 1993). For example, in responding to Beauregard’s (1989) challenge to creatively use postmodern insights in planning, Sandercock (1995) invoked the fertile metaphor of “borderlands” to highlight the intellectual and political possibilities opened up by planning’s encounter with new forms of social theorizing. This is clearly not the “solid ground” hoped for by Beauregard (1989), but it is a wholly reconfigured and exciting terrain.

Sandercock’s (1995) use of the borderlands metaphor is polysemic, amenable to multiple readings, many of which she herself explored. The voices that she draws on—

Abstract

The “public” is a central concept in planning, delimiting a realm of praxis as well as often indicating the reconciliation of disparate interests to create a collective basis for action. Recently, communicative action, informed by Habermasian critical theory, has enlivened these ideas. The author draws on ongoing feminist debates to rethink this “public” through two conceptual devices: the social and the global. In planning, the public has always been contested, but a feminist perspective demonstrates how the discursive constitution and legitimation of the public has crucial implications for social entitlements. And if communicative action has shown how the public interest is shaped by the dialogic parameters of the public domain, then feminist contentions point to the geopolitical conditions under which participatory dialogue is possible. The author offers this feminist interrogation of the ideal of the public not with the intent of replacing it but instead with the hope that it will strengthen the everyday idea of the public.

Ananya Roy

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feminism, postmodernism, and postcolonialism—are from the borderlands that she suspects planning theorists rarely visit (Sandercock 1995, 77). The use of the borderlands metaphor is especially striking because, unlike boundaries, borders signify the copresence of identities foreign to one another. Not only does this involve the confrontation with inalienable difference, but it also hints at the possibilities of crossing over, of violating and redrawing limits. The voices from the borderlands transform the dreaded “postmodern abyss” (Harper and Stein 1995) into territory worth exploring. Sandercock’s endeavor, then, is similar to what Schon (1979) called “frame restructuring” (p. 270): the reconstruction of a problem-setting story through the use of new generative metaphors.

In this article, I will continue Sandercock’s (1995) exploration of the encounter between planning and new forms of social theorizing. Instead of casting the issue in terms of postmodernism (Beauregard 1991; Harper and Stein 1995), I will highlight the contributions of a feminism informed by postmodernism and postcolonialism. Why the mediation of feminism? Because the issues raised by postmodernism—difference, identity, forms of power, strategies of critique—have long been feminism’s ken. Feminism’s encounter with postmodernism has simply served to sharpen these debates and extend the feminist terrain of critique (Fraser and Nicholson 1990). Furthermore, feminism’s commitment to action has meant a reworking of postmodern insights in keeping with the larger project of social transformation. The utility of such an approach for planning is obvious.

As discussed at the outset, I am in many ways inspired by the resonances between planning and feminism. I do not intend this article as a feminist critique of planning—an attempt to engender new concepts—for this has already been undertaken quite deftly (Milroy 1990; Fainstein, 1992; Ritzdorf 1992; Sandercock and Forsyth 1992). Instead, I hope to highlight the ways in which feminists are struggling with dilemmas and that they are doing so at a similarly vexing intellectual moment. Thus, what I wish to emphasize is not the contribution of a unified and secure feminism to planning but rather the implications of the debates unfolding within a fragmented and evolving feminism. Instead of borrowing feminist concepts to rework planning, I will show how what feminism brings to planning are ways of grappling with certainties. These are feminism’s intimate and passionate contentions.

Much of this article is concerned with one of planning’s central concepts: the public. For planning, the “public” is what Williams (1983, 15) would call a “keyword”: a significant, binding, indicative word that evokes a particular formation of meaning. As Fraser and Gordon (1997) emphasized, keywords are sites at which the meaning of social experience is negotiated and contested. Keywords typically carry unspoken assumptions and connotations that can powerfully influence the discourses they permeate—in part by constituting a body of doxa, or taken-for-granted commonplace belief that escapes critical scrutiny. (P. 26)

In the case of planning, the “public” is a particularly powerful keyword precisely because it is commonplace, so integral to the vocabulary that the contours of its meaning are rarely visited, much less questioned. It is this matter-of-factness, this quality of being prosaic and obvious, that makes the investigation of the “public” an imperative.

The “public” has been at the heart of feminist concerns as well but in a wholly different way. Feminist theorists have argued that the idea the public can only be understood in the context of a public-private dichotomy that feminizes and thereby depoliticizes the realm of the private (Landes 1998). In particular, recent debates in feminism have emphasized that this dichotomous construction is neither fixed nor natural. What matters is how these boundaries between public and private are constructed and negotiated through a set of arduous material and discursive struggles. Feminism’s contribution to planning then is not a new and tidy definition of the public. Instead, it is the imperative to recognize the intricacies of exclusion that mark each definition.

I present these ideas in the sections that follow. I start by briefly outlining some of the central paradigms that have shaped planning’s ideal of the public. In doing so, I show how communicative action presents a crucially important epistemological and normative solution to some key planning dilemmas. In the second section, I use a feminist lens to look at the ideology of the public that hovers in the shadows of planning thought, exploring some of the implications for policy action. I argue that communicative action opens the door for thinking about the public as process but that it is feminism that allows this idea to be taken seriously. Here, I draw on the feminist idea of the “social,” which indicates not so much a pregiven sphere of praxis as it does the struggles through which the boundaries of discourse and action are defined.

In the third section, I take a look at a second dimension of planning’s public, the idea of generalizable consensus, as formalized in communicative action. Drawing on postcolonial and feminist traditions, I suggest globalizing the idea of generalizable interests, that is, taking explicit account of the historical and geopolitical conditions of difference. In particular, I use the idea of the global as a conceptual device for showing how despite universalized settings of interaction, the transcendence of particularities is not always possible or even desirable.
Let me return for a moment to the idea of metaphors. The borderlands is a location of protean possibilities. Despite its implied spatiality, the metaphor has an amorphous quality that defies mapping. It also implies the maintenance of borders, a sense that heartlands remain untouched by all such journeys and confrontations. To extend the metaphor, it is as if planning and feminism are tourists in each other’s lands with visas that can be easily revoked. In contrast, the focus on the public allows a reconfiguration of planning’s heartland, a rethinking of what planning calls home and the ways in which it keeps this house in order. As a set of new metaphors, the social and the global do not imply abandoning the public; instead, they provide alternative ways of thinking about the domains and traditions of praxis.

Competing Ideals of the Public

Planning is concerned with the public interest. This seemingly simple and unequivocal statement must immediately be qualified by the recognition that while various planning approaches might agree with this characterization of planning’s mission, they notoriously disagree on what constitutes the public interest (Howe 1992; Harper and Stein 1992). In fact, planning is characterized by competing paradigms of the public interest. Each can be thought to have what Habermas would term a distinct “knowledge-constitutive orientation” (McCarthy 1979, 55-8): a normative praxis that is inextricably linked to an epistemology as well as to an implied social ontology. It might be worth taking a brief look at some of these paradigms.3

Utilitarianism

The normative underpinning of value-neutral planning is utilitarianism, which advocates that “the only freedom which deserves that name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs, or impede their efforts to obtain it” (Mill in Sandel 1984, 1-2). Utilitarian strands of planning theory thus see the public interest as an “invisible hand” aggregation of individual interests, a mirror image of self-adjusting neoliberal markets. Rule utilitarianism allows for a more visible planning hand, mainly through cost-benefit calculations of the “greater good” (Howe 1992).

However, utilitarianism has long been subject to severe criticism. Tribe (1972) has critiqued its bias against “distributive ends, procedural and historical principles and the values (often non-monetizable, discontinuous, and of complex structure) associated with personal rights, public goods, and communitarian and ecological goals” (p. 1095). And the illusion of value neutrality has been exposed by Jennings (1987):

Strict value-neutrality is impossible in the social sciences not only because social scientists’ own idiosyncratic values enter into their thinking and analysis, but also because the received categories that social scientists do and must use in their discourse already have a value-slope built into their linguistic and cultural meanings. (P. 142)

Indeed, as MacIntyre (1985) argued, utilitarianism is always dependent on non-utilitarian value systems for decision-making rules: “Utilitarian tests always presuppose the application of some prior non-utilitarian principle which sets limits upon the range of alternatives to be considered” (p. 219). In other words, utilitarianism fails to provide a way of dealing with the thorny question of values, of competing ideas of the good, and of adjudicating between different systems of utility.

Deontology: The Contribution of Rawls

The case against utilitarianism was made most powerfully by Kant, who argued that empirical principles, such as utility, were unfit to serve as the basis for the moral law. According to him, a wholly instrumental defense of freedom and rights not only leaves rights vulnerable but also fails to respect the inherent dignity of persons (Kant in Sandel 1984, 2-3). For Kantians, the right is prior to the good and in two senses. First, individual rights cannot be sacrificed for the sake of the general good, and second, the principles of justice that specify these rights cannot be premised on any particular vision of the good life.

Of course, the problem, once again, is how to decide between different competing principles of justice. Proponents of the rights-based ethic notoriously disagree on what rights are fundamental and on what political arrangements the maintenance of these rights require. The possibility of acknowledging a plurality of ends while affirming nonetheless a regulative framework of liberties and rights is provided by Rawls (1973, 319). For Rawls, justice is a set of principles for choosing between social arrangements and for underwriting a consensus as to the proper distributive shares. Owing to the design of the original position, the Rawlsian model can in fact specify these principles without choosing in advance among competing purposes and ends. A “veil of ignorance” prevents anyone from being advantaged or disadvantaged by the contingencies of social class and fortune; and hence, the bargaining problems which arise in everyday life do not affect the choice of principles (Rawls 1973, 321). The original position yields two principles of justice:
First, each person has an equal right to the most extensive liberty compatible with a like liberty for all; and second, inequalities as defined by the institutional structure or fostered by it are deemed arbitrary unless it is reasonable to expect that they will work out to everyone’s advantage and provide that the positions and offices to which they attach or from which they may be gained are open to all. (P.323)

For Rawls (1973), the second principle can be interpreted to hold that “the basic structure is perfectly just when the prospects of the least fortunate are as great as they can be” (p.328) (see also Barry 1993, 233). This is especially true for what Rawls defines as primary goods: liberty, income, and other bases of self-respect. Such Rawlsian ideas constitute the inspiration for advocacy planners such as Davidoff (1978):

All planning issues have a distributive impact. There is no neutral turf on which one can stand to avoid enlarging, maintaining, or redistributing the relative shares of a good possessed by different population sectors. (P. 72)4

But while deontology is an indictment of value neutrality, some of the problems of utilitarianism haunt it as well. If, as Webber (1978) noted, the technocratic conception of planning is fundamentally fallacious because “it has nothing to say about which valued ends ought to be sought” (p. 152), then ironically a similar charge can be leveled against Kantian ethics. For example, Moore (1985, 105; see also Peattie 1994, 152) pointed out that rights, like conceptions of the good, often conflict, and it is not usually obvious in advance which rights should take precedence in given situations. Without the veil of ignorance, the concept of justice can turn out to be as ethically ambiguous as the utilitarian conception of maximizing individual satisfaction. In fact, as Sandel (1984) noted,

Even in the Rawlsian formulation, once it is conceded that our conceptions of the good are morally arbitrary, it becomes difficult to see why the highest of all (social) virtues should be the one that enables us to pursue these arbitrary conceptions “as fully as circumstances permit.” Utilitarianism gave the good a bad name, and in adopting it uncritically, justice as fairness wins for deontology a false victory. (PP. 162-8)

Communitarianism

An important challenge to both the utilitarian and rights-based ethical systems is presented by communitarians. Following Aristotle, they argue that political arrangements cannot be justified without reference to common purposes and ends, to the encumbered self, and the normative values that arise out of communities. In the words of Sandel (1984),

This debate reflects contrasting pictures of the self. Where utilitarians conflate our many desires into a single system of desire, Kantians insist on the separateness of person. … Communitarian critics of rights-based liberalism say we cannot conceive of ourselves as independent in this way. … Open-ended though it be, the story of my life is always embedded in the story of those communities from which I derive my identity—whether family or city, tribe or nation, party or cause. On the communitarian view, these stories make a moral difference, and not only a psychological one. They situate us in the world, and give our lives moral particularity. (PP. 5-6)5

In this communitarian model, planners are perhaps best conceived as “participants” (Bolan 1980, 262), often spanning the boundaries of various “moral communities” and their rules of conduct (Bolan 1985, 82). But how are planners to act within and between these communities? And on what basis? How are they to avoid the relativism of moral communities? Indeed, Bolan (1985) stated,

We begin to grasp why there is no easy or precise method of ethical calculation that might guide and inform practice. We are immersed in a world of multi-layered, countervailing norms. Those likely to be most operative are the most immediate, intimate, personal, and tacit. … One could not, thereby, deductively infer an inexhaustible set of rules that would wholly and unmistakably delineate the actions of a professional city planner. (PP. 84-85)

While such a declaration is refreshing in its candor, it is ambiguous as a normative guide. How should the values of competing communities be judged? Should a community’s beliefs be seen as intrinsically valuable, ethically prior as claimed by Nisbet (1966, 51) to the “asserted rights of nonexistent individuals” or to the “geometric distribution and arithmetical arrangements” of political centralizers? What if such values are exclusionary, oppressive, and hierarchical (Sandercock and Forsyth 1990, 79)?

In fact, such moral dilemmas are in keeping with more deep-rooted problems in phenomenology, the epistemological basis of communitarianism. As Bernstein (1976, 232) noted, phenomenology fails to indicate how competing second-order interpretations of social and political phenomena can be evaluated and adjudicated. Schutz’s (1977) insistence on “egological” premises threatens to confine phenomenology in a solipsistic straitjacket, blocking access to intersubjective meanings and experiences (Dallmayr and McCarthy 1977, 219-20). In this “web of signification that we ourselves have spun” (Rabinow and Sullivan 1987, 8), it is almost impossible to escape the hermeneutic circle and its relativisms (see also Taylor 1987, 38).
Communicative Action: The Habermasian Legacy

The hermeneutic circle is broken by the critical theory of Habermas. Like the American pragmatists Dewey and Peirce, Habermas posits that claims to knowledge are legitimized not by their origins—for the origins of knowledge are diverse and fallible—but rather by the norms and rules of inquiry itself. These very norms, rules, and standards are themselves open to rational criticism (Bernstein 1971, 174-7). And unlike phenomenology, such epistemological investigations are conducted in intersubjective settings, in what Peirce calls a “community of inquiry” (in Bernstein 1971, 177).

But Habermas takes us a step further than the social learning paradigm, transcending the epistemological and normative ambiguities of Dewey’s consensustheory of truth. His concept of universal pragmatics specifies the discursive rules of an “ideal speech condition,” allowing a distinction to be made between idiosyncratic or particular interests and generalizable interests. In planning, such ideas have inspired what Innes (1995) called the communicative action paradigm, concerned with articulating a sphere of public discourse and attendant universal norms of communication and inquiry. Here, the public interest is conceived as a discursive process in which all relevant subjects can participate (Dryzek 1990, 41). In such settings, the role of the planner can be that of the Habermasian philosopher: a mediating interpreter (Habermas, 1984, 113; Forester 1989, 1993) or the “researcher-evaluator” of the ideal learning community (Marshall and Peters 1985, 279) or the more familiar “facilitator of debate, Teacher, Inventor, Troublemaker” (Webber 1978, 158-60). Regardless, the chief responsibility is to “correct the needless distortions that disable daily communications” (Forester 1989, 21). Communicative action then is primarily concerned with procedural ethics and relies on the epistemological device of the ideal speech condition—not unlike the Rawlsian veil of ignorance—to achieve normative reasonableness. In other words, if the epistemological/ontological paradigms thus presented, from utilitarianism to communitarianism, are chiefly concerned with the nature of the public interest, then communicative action explicitly locates this public interest in a dialogic public domain.

What is also novel about communicative action is the specific sociopolitical location that it articulates for planning. Planning has always been situated rather uneasily between state and society, its anarchist roots often at odds with its social reform functions (Hall 1988; Castells 1977; Fainstein and Fainstein 1982; Foglesong 1986). Communicative action, in contrast, carves out a new realm of action for planning. Habermas’s idea of a politicized public is based on a sphere of participatory democracy that took institutional shape in Western Europe in the seventeenth and eighteenth centuries but disintegrated in the latter part of the nineteenth century (Kemp 1985, 182). Like Dewey, Habermas lamented the eclipse of the public and sought to reconstruct this realm (Habermas 1975, 1987; Bernstein 1993, 232). In contemporary planning circles, Forester (1982) has extended Habermas’s idea by emphasizing the role of mediating institutions, of what he calls “a communicative or social infrastructure” (p. 37).

In many ways, Forester’s emphasis is in keeping with a broader rediscovery of civil society. One strand draws inspiration from the historically entrenched civic institutions of Western Europe (Putnam 1993). A second strand celebrates civil society in the Third World, hailing community and nongovernmental organizations as centers of resistance to the oppressions of state and economy (Friedmann 1987, 13; Escobar 1992; Douglass 1998). Hovering in the shadows of the civil society debates is a utopian ideal of institutional processes. What is distinctive about the Habermasian legacy is that it forcefully articulates this ideal through an emphasis on the norms of discourse. As with all utopias, the ideal is simultaneously a critique of contemporary conditions, an anticipation that seeks to transcend its own diagnosis. It is this potential for critique that has endeared the Habermasian vision to planning theorists, many of whom see in it the scaffolding for constructing alternative democratic possibilities.

Not surprisingly, the Habermasian vision has also captured the attention of feminist theorists (e.g., see Benhabib and Cornell 1987). Fraser (1995) sees it as providing

a normative yardstick for the critique of institutions: the ideal of a democratized public sphere, an institutionalized arena of public discourse where procedural norms of fairness and equality promote parity of participation in the giving of and asking for reasons. (P. 160)

This emphasis on a discursive public also resonates with ongoing debates in post-Marxism that seek to articulate a radical democracy. For example, Mouffe (1993) recovered the idea of civil association or societas as “a formal relation in terms of rules, not a substantive relation in terms of common action” (pp. 66-67). Her idea of the common good “as a vanishing point,” something to which we must constantly refer when we are acting as citizens, but that can never be reached” (Mouffe 1993, 84-85) seems to resemble the Habermasian ideal speech condition.
Indeed, feminist practices are increasingly concerned with how substantive outcomes are shaped by procedural equity, that is, by the rules of the game. For example, in his Nobel-prize winning work in the field of development and poverty studies, Sen (1981) conceptualized social justice as well-being or capability, which in turn is determined by entitlements: legal and legitimate claims of an individual or group to resources. This is congruent in many ways with Rawls’s (1973) notion of primary goods. Sen’s (1990) work has been particularly amenable to feminist interpretations, and he himself has applied the idea of entitlements to gendered inequalities within households and communities. However, as Appadurai (1984) noted, this idea of justice can also be extended by taking account of enfranchisement: the degree to which an individual or group can effectively participate in decisions about entitlements. Enfranchisement signals the procedural aspects of justice, implicitly invoking a discursive public sphere with norms of participation. In other words, it resembles the communicative action paradigm.

Critiques of Communicative Action

If Habermasian critical theory has provided inspiration for new ways of thinking about institutions and their processes, so has it come under quite scathing criticism. I will not detail them here, for they have been discussed at great lengths elsewhere. Instead, I will only outline some of what I see to be as the key issues at stake.

One strand of criticism has argued that the emphasis on procedural ethics is dangerously divorced from substantive concerns:

The knowledge-constitutive interest linked to emancipation from domination is “content-less”: the critique of domination comes to turn upon freedom of communication or dialogue…. It gives us no indication of how other problems traditionally associated with disparities of power, such as access to scarce resources and clashes of material interest, are to be coped with in the “good society.” (Giddens 1982, 159)

Thus, Beauregard (1990) asked,

Forester’s progressive planners resist disinformation, debunk ideology, and pursue the truth; but what type of society do they want? Do they simply exist to regulate communication and policy arguments? What is their position? (P. 9)

The second strand of criticism has focused on the nature of procedural ethics itself. McCarthy (1982), for example, is quite suspicious of Habermasian universal pragmatics, specifically of “general and unavoidable presuppositions of communicative competence” (p. 65). Bernstein (1993) drew on postmodernism’s deconstruction of knowledge/power relations, arguing that the “institutionalization of communicative practices has always tended to silence differences” (p. 51). Thus, Milroy (1990) concluded,

It is evidently hard for some of us to accept the fundamental premise that what should count as undistorted would be arrived at by philosophically-derived criteria rather than by power; that the rules of reasoned debate, said to be universally valid, therefore have existence apart from historically or culturally specific conditions; and that power is what holds particular conditions in place, not what permits one to make the rules by which power is subsequently realized and assessed. (P. 18)

Milroy’s critique signals broader feminist concerns with the Habermasian framework. Indeed, feminists argue that this conceptualization of an idealized public, of a realm of communicative competence, is possible only because of what it invokes as an ideal: the lifeworld, specifically its private domain of social integration and symbolic reproduction. But as Fraser (1987) noted, for feminists, the family is a “poor basis for utopian dreams” and must instead be seen as “thoroughly permeated” with the “media of money and power” (p. 37) (see also Milroy 1990, 16). Such critiques, I think, not only confront procedural ethics with the thorny questions of dominance and hegemony but also bring to light another crucial set of epistemological and normative elements: how the idea and ideal of the public rests upon the idea and ideal of the private. In other words, the critiques advanced by Fraser, Milroy, and other feminists signal the social construction of the public as well as its attendant implications for analysis and praxis. It is to this tricky endeavor that I now turn.

Socializing Planning

What does it mean to pay attention to the boundaries of the public? Why is this important? Communicative action, I think, presents us with the exciting possibility of a discursive public, of public as process, where the outcomes of the game are inextricably tied to its rules. I am suggesting that feminist theories allow us to take this a step further, particularly by dismantling entrenched public-private dichotomies and pointing to the tangles of meaning that undergird seemingly innocent concepts. In many ways, then, this feminist enterprise is an exercise in walking the very edge that communicative action has defined.

The Ideology of the Public

In his now legendary Keywords, Williams (1983, 242) traced the emergence of the idea of the public in Anglo-American
ideas and practices. He noted that between the seventeenth and nineteenth centuries, the private emerged as an arena of generalized privilege, seclusion, and protection from others, free from public scrutiny. While Williams himself did not directly explore the connections, his work on another enduring dualism, that between city and country, reveals an inextricable link between the two dichotomies. Williams (1973) showed how the idea of the city, deriving from *civis* or citizen, came to indicate political, economic, and cultural vibrancy, articulated in contrast with the perceived pastoral serenity of the countryside. In effect, his work suggests a set of layered dualisms:

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Indeed, it was the urban, especially its public spaces, that was seen to be the key arena of late nineteenth century modernity. By the early twentieth century, these dichotomies became more polarized, with the city now being thought of as a site of angst and alienation, a place of “sordid images” and the “loss of God” (Eliot 1917). Berman (1982) noted the “flattening out of social thought” whereby modernity came to be seen only in its Weberian “iron cage” incarnation and always articulated through an omnipresent pastoral nostalgia. Precisely such ideas find expression in early Anglo-American urban sociology (e.g., Wirth 1938).

Feminist theorists have begun to revisit these social and spatial boundaries to highlight the ways in which these dualisms are deeply gendered. Wilson (1991), for example, articulated this theme by exploring the literary and reformist narratives of fin-de-siecle European cities. She showed how the public spaces of the city were seen to be a masculinized domain. While men were free to roam the burgeoning new spaces of the urban environment, women in the city were seen as loose and sexually promiscuous.

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It would be a stretch to say that the impetus for early twentieth-century Anglo-American planning movements came directly from such ideologies. However, it is perhaps reasonable to argue that these discourses of the urban and of the public shaped the specific forms of planning and design movements. From the social reformism of the Progressives to the new spaces envisioned by the Garden City movement, there was an overriding concern to resurrect a virtuous and pristine domestic life free from the ills of the city. The outcry over urban slums was as much a concern for issues of public health as it was an attempt to police and regulate families that had deviated from the norms of middle-class domesticity (Hall 1988; Wilson 1991).

Supervised play areas, friendly visitors, charity organization services, settlement houses, and tenement regulations were tactics designed to create a disciplined urban society. . . . The whole chain of social diseases were placed within a curative whole: the child, then the family, the neighborhood, next the city. (Boyer 1987, 31)

The suburbs were, in many ways, the spatial concretization of this domestic ideal (Hayden 1981). Here, away from the dangers of urban life, the family could be maintained morally intact.

Feminist theorists have relentlessly questioned this public-private dichotomy and its manifestation in the spatial division between city and suburb (Sandercoc and Forsyth 1992). Drawing on Marxist theories, the domestic-labor debates of the 1970s pointed to how women’s work at home subsidized capital through the reproduction of labor power (Himmelweit and Mohun 1977; Hartmann 1979). Feminist geographers argued that this dichotomy was reflected in the spatial dualism of the Western city, which trapped suburban housewives in the tasks of social reproduction, constituting them as the “new servant class” of Western capitalism (Hayford 1974; McDowell 1983). The burden of the “second shift,” they argued, irrevocably shaped the “first shift,” restricting women’s participation in labor markets (Hochschild 1989; Hanson and Pratt 1988, 1991). This feminist mapping of the contemporary Anglo-American urban landscape adds another layer to the set of binaries, showing how the private has been constructed as a realm of social reproduction.

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What is particularly of concern for feminist geographers is how this set of dualisms feminizes and privatizes, thereby depoliticizing a whole range of issues. As Massey (1994) noted, the idea of the public as an arena of political action and social change rests on an inert and static private, separate from civic concerns. The feminist cliche “the personal is political” is meant precisely to reclaim this domestic territory as the stuff of politics.

Is such reclamation possible in planning? My quite cursory look at the public-private dichotomy and some of its implicit
meanings is intended to interrogate planning’s public. What does it mean to use this term? What privileges—and exclusions—are thus evoked? Clearly, the concept brings with it a historical legacy of meanings that defines its boundaries and sets the parameters of action. Feminist theories indicate that to imagine new and innovative forms of praxis, it is essential to rethink such legacies.

The Politics of the Public

The public, then, is not a concept with universal and timeless connotations but rather one that is ascribed specific meaning in the crucible of given historical moments. This is precisely what Habermas recognized in his attempts to recover a particular model of the public. Feminist theorists show how the significance of the public comes to be fixed through knowledge/power relations. In other words, if Habermas is concerned with discourse within the realm of the public, feminists emphasize the discursive processes through which the public comes to be defined. The feminist view thus brings to light the elasticity of the public, how its reach shrinks and extends with considerable flexibility and often in keeping with particular political imperatives. This is the politics of the public. Perhaps a brief example from ongoing debates about welfare reform will help make my point.

In the American debates over inner-city poverty, the idea of the public has been stretched to include the moral behavior of poor families, particularly poor women. Indeed, some feminist theorists have characterized welfare programs such as Aid to Families with Dependent Children as a public patriarchy that regulates the sexual and child-rearing behaviors of poor mothers (Brown 1981; Ehrenreich and Piven 1984; Nelson 1984). Pateman (1998), for example, argued that women have been incorporated into the welfare state not as citizens but instead as members of the family. Here, the private is suddenly incorporated into the public but in ways that maintains it as a deprivileged and subordinate site, subject to patriarchal supervision.

Fraser and Gordon (1997, 26) pointed out that this is precisely what is at stake in the current debates about “welfare dependency” in its specter of the young, unwed black welfare mother, most brutally characterized in Reagan’s trope of the “welfare queen.” Indeed, such debates present welfare rather than poverty as the policy problem and articulate behavioral and individualist solutions, bypassing key structural barriers to employment and economic security (Peck 1998; see also Naples 1997). Workfare, meant to symbolize a postwelfare age, thus maintains many of the same patriarchal and disciplinary characteristics of traditional welfare programs, in some cases even intensifying them. The following anecdotes from a series of welfare reports published during the last two years in the New York Times bear this out.

It is estimated that between 1995 and 1998, New York city saw a dramatic decrease in the number of single mothers on welfare. However, there is a huge ethnic gap in this change. While white, single mothers on welfare fell about 57%, Hispanic single mothers dipped only 7%. Why? Because large proportions of Hispanic single mothers, many of them Puerto Ricans and Dominicans, barely speak English and find it hard to hold down jobs. For example, in a NY Times interview, Ramona Rosario, one such workfare prospect, said that for years her husband had not only refused to let her work, but had also never allowed her to venture beyond their Hispanic neighborhood in the Bronx. Now a single mother, she is struggling quite hopelessly to gain basic language skills. And like many of the other women in her English class, she is resentful of having to put her children in daycare, convinced that the primary role of mothers is to stay at home (NY Times, Sep 15, 1998). Here then is a case of how and why workfare, despite its micro-management of women’s lives, leaves gendered systems of power untouched. In other words, while it draws the “family” into the realm of the public, it does so in ways that maintains it as a privatized, and thus depoliticized, arena. In doing so, it recreates a feminized “life world” not unlike the Habermasian tradition. As in the case of Rosario, workfare leaves gendered inequalities untouched and thus does little to combat poverty.

Indeed, a careful look at the consequences of welfare reform indicates that workfare is perhaps shifting the burden of social reproduction from the state to families, that is, from the public to the private. In Wisconsin, the exemplar of workfare, welfare rolls are at record lows. But it seems that some of this load is now being transferred to kinship networks, specifically to grandmothers. The New York Times (21 February 1999) wrote of “weary Milwaukee grandmothers” raising children while their daughters enter workfare ranks. Indeed, Wisconsin legislators are now worried that kinship care, albeit a nominal monthly payment, could evolve into a new welfare entitlement.

Another example of such forms of privatization comes from an emerging chronic food gap among poor families, a trend that has been tentatively linked to workfare policies. For example, the New York Times (26 February 1999) reported that Ann McGinniss, a workfare mother in Peekskill, New York, earns $290 a week at her new bookkeeping job, an income that disqualifies her from food stamps. Yet after basic expenses, she is unable to feed her daughter and son. So almost every weekend, she reverts to a “ritual of poverty,” gleaning food from
church pantries. This search for “private largesse” has become a “second job,” imperative for sheer survival.

Quite simply, in these cases the purported public successes of workfare rest on indirect, private subsidies: the sweat and tears of grandmothers, the Christian charity of donors. The key issue, however, is that these private systems of social support are claims, not rights of citizenship. They can be negotiated, pleaded with, begged for—but not demanded, not in any public way.

During the past two decades, feminists have been talking a great deal about the feminization of poverty. By this, they partly mean the growing numbers of women and children in poverty (Ehrenreich and Piven 1984) as well as the increasing burden of social reproduction on poor women described above. But they are also signaling the feminization (read: privatization, moralization) of poverty discourses and policies. Ironically, this is starkly apparent in the ways in which workfare initiatives are focusing on fatherhood.

While young, wayward mothers have always been the focus of agonizing concern, there is now a burgeoning interest in young and poor fathers. The front page of a New York Times (3 September 1998) piece featured the photograph of a black father—slight stubble, deep and sad eyes, with his two-year old son perched on his knee—participating in a welfare program that seeks to strengthen the ties between fathers and their children. Indeed, the interest in delinquent fathers spans the political gamut, from Republican lawmakers and religious organizations to the Ford Foundation, and is an important component of almost all state welfare-to-work programs.

This interpretation of urban poverty as a problem of black masculinity is not new. In 1965, Moynihan’s famous report presented poor, black families as a tangle of pathology, tracing the roots of the problem to absent fathers. Contemporary liberal diagnoses echo the conservative lamentation of the state of family life in inner-city families: single motherhood, the absence of male role models, and broken families (Wilson 1987). The Million Man March was a populist rendition of the issue, and now the promises of the march are being institutionalized in a set of “fathers count” welfare initiatives.

What is most striking about the new welfare programs is that they are being proposed by precisely those lawmakers who proposed deep cuts in welfare spending, arguing “a profound unease with activist government.” This simultaneous engagement and disengagement of the state is particularly revealing for it systematically privatizes the issues of poverty and welfare. It constructs the problem of urban poverty as a family matter rather than as a structural issue, thereby de-legitimizing claims of poor citizens on the state or economy while legitimizing public claims on hitherto personal matters, a paradox epitomized by House representative Shaw’s statement: “If you are going to solve the problem of poverty, you’ve got to do what you can to make these guys marriage material” (New York Times, 3 September 1998, A1).

The notion of promoting stable two-parent families as a policy initiative at a time when this particular domestic arrangement no longer dominates demographic trends is equally revealing. The state is clearly not in the business of intervening in all broken homes but instead only in a specified few. Underlying the stereotype of dysfunctional poor black families that require intervention is the ideological construction of a white middle-class domesticity whose claims to privacy are rarely questioned. Ackelsberg and Shanley (1996, 220) thus contrasted the porous boundaries of poor black families with the inviolability of other household units, which even in cases of domestic abuse are exempt from public scrutiny. The regulation of private morality is then only a public concern in the case of poor families, the roots of which can be traced all the way back to the reformism of the late nineteenth century. The specter of heaving, disorderly, unfamiliar, urban masses threatening to tear American cities apart loomed large then as it does now (Boyer 1987; Hall 1988). The ideologies of welfare reform—“We know the kids who grow up without a parent figure in the house, particularly the males, end up in trouble” (New York Times, 3 September 1998, A1)—are as indicative of contemporary concerns as they are of the cumbersome historical legacies that inform them.

I describe these instances to demonstrate how the boundaries between public and private shift with chameleon dexterity and how such shifts shape the allocation of needs, rights, resources, claims, and responsibilities. It would be easy to dismiss the welfare reform examples as a neoliberal ideology, but feminist theorists have been concerned about how such public-private boundaries span a wider spectrum of political and policy interests (e.g., Naples 1997). For example, the feminist critique has been advanced as much against the patriarchal welfare state (Ehrenreich and Piven 1984; Pateman 1998) as against the reform of this state. Indeed, these feminist theorists, I think, would argue that the very ways in which the liberal project of welfare was envisioned, that is, as a patriarchal state regulating the morality of poor mothers, inevitably shaped the later neoliberal dismantling of this project, that is, through charges of welfare dependency.

This is why I have attempted to historicize the public-private division in relation to very different moments and very different issues—although these are at best glimpses rather than a rigorous discussion. I do not mean to thereby imply that the public-private dichotomy was always fixed and policed in the same ways. Instead, I wish to emphasize how the discursive
constitution and legitimation of the public has crucial and concrete implications for social entitlements. Perhaps this is most starkly evident in the neoliberal examples, but it also unfortunately lurks in more benevolent discourses about families, poor women, and what counts as work. I raise these issues in the context of planning not to reject the public as an inherently patriarchal concept but rather to draw attention to the ways in which the setting of public-private boundaries can impact various social groups. A praxis of planning would possibly seek to reimagine and redraw these boundaries. In other words, it would be as concerned with this politics of the public as it is with what goes on within the realm of the public. It is with this in mind that I present the feminist idea of the social as a useful conceptual device.

The Possibilities of the Social

In recent years, feminist critiques of planning theory have called for “multiple publics” (Sandercock 1995, 85-86) for actively seeking out “alternative images of the good life” (Milroy 1992, 37-38). Such imperatives, I think, are part of a search not so much for a new definition of the public as they are for ways to interrogate the social construction of the public. Indeed, current debates in feminism show how concepts such as public and private and male and female are not invested with universal meaning. Feminists have instead begun to think about seemingly intractable categories as fluid processes, taking on particular meanings under culturally specific and historically contingent conditions (Rose 1993; Ackelsberg and Shanley 1996; Narayan and Shanley 1997). This new focus shifts the inquiry from “What is the public?” to “How is the public defined?” As Scott (1988) noted, the emphasis on how shows that the coding of terms, the naturalization of their meanings, is a part of the construction and maintenance of hierarchies of inequalities. It is by paying attention to their surplus—the “alternative, denied, or suppressed definitions” (Scott 1988, 48)—that new understandings of social processes can be forged.

What is this surplus? What is the intellectual terrain on which an understanding of the public as process can be forged? Where can the how question be broached? One possibility afforded by feminists is the idea of the social. Fraser (1989) characterized the social as a site of discourse distinct from the family, official economy, and state. At first glance, the social seems to bear strong resemblance to the Habermasian public sphere, a notion of civil society structured through discourse. But the feminist social is distinct from planning’s “public” in two important ways.

First, the social and the public involve radically different conceptualizations of discourse. In the public, discourse anticipates consensus and is structured through the promise—albeit unfulfilled—of an ideal speech condition. In contrast, the social is a site of “dispersed regulation” (Smith 1994, 83), located irretrievably within systems of social relations. Here, discourse is shot through with these hierarchies and does not anticipate a suspension or transcendence of these inequalities. I will discuss this distinction more fully in the next section.

The second difference is one of boundaries. The public demarcates a unique and inviolable sphere of political action. It implies a certain place and a certain way to think about and do politics. The social is a surplus to the dichotomies of public and private, male and female, production and reproduction. It is not prefigured as economic or political, public or private, colonized or communicative, for the boundaries between these categories shift and mutate (see Laslett and Brenner 1989, 385). The social is a way of mapping these divisions and their boundaries, forcing the following questions: How is this named and labeled? By whom? With what implications? Here, neither the sphere nor the substance of politics is a closed matter. Instead, each instance of material and discursive struggle carves out a space of action, and politics is as much the elbowing for this room as it is what is achieved within this zone. This is precisely what Laclau and Mouffe (1985) called a “politicized social”:

What we are witnessing is a politicization far more radical than any we have known in the past, because it tends to dissolve the distinction between the public and the private—not in terms of the encroachment on the private by a unified public space, but in terms of a proliferation of radically new and different political spaces. (P. 181)

These two issues speak directly to the question of power. If, as Forester (1985) noted, communicative action is about understanding the “social construction and management of political consent” (p. ix), then the boundaries of this consent have to be examined. And if communicative action is about “legitimation” (Forester 1985, xvii) rather than about legitimacy, then the anticipation of consensus, the ideal, has to be interrogated. Neither does away with the idea of the public. But they do open it up to scrutiny: Who constitutes the public? Under what conditions? With what capacity to speak? The legitimacy of communicative action as a planning paradigm, I think, turns on the ability to pose such very questions.

Taking Difference Seriously

Inasmuch as planning has been concerned with the public interest, it has sought to create a better overall result. But as
Harvey (1985) emphasized, “this immediately poses the question, useful or better for what and to whom?” (p. 165). The communicative action paradigm provides a procedural framework within which to answer this question:

Communicative rationality clearly obtains to the degree social interaction is free from domination (the exercise of power), strategizing by the actors involved, and (self-) deception. Further, all actors should be equally and fully capable of making and questioning arguments (communicatively competent). There should be no restrictions on the participation of these competent actors. Under such conditions, the only remaining authority is that of a good argument and the validity of normative judgments. (Dryzek 1990, 15)

The normative rules of communicative action make possible the leap from particular to generalizable interests, from conflicting values to a consensus free of distortion and domination (McCarthy 1979, 304-6; Habermas 1971). As discussed earlier, critics have emphasized that such forms of dialogue inevitably involve the exercise of power, even “violently imposing a commonality” where one is not shared (Bernstein 1993, 31). Feminist dissenters, in particular, have rejected the idea of objective rules and the possibility of communication free of domination.

Here, I am concerned not with the rules and norms of communicative action but instead with the ideal of the paradigm. The ideal is one of generalizable consensus, one in which “plurality and difference” are respected, where “incommensurable notions of rationality and truth” are debated rather than presupposed (Harper and Stein 1995, 238), but the implied goal is still “achievable levels of mutual understanding” (Healey 1996, 247).

We should encourage all voices to enter public dialogue with their “competing stories” . . . But these voices should not be received uncritically. We can evaluate, weigh, and judge new voices, and thereby enrich our tradition. (Harper and Stein 1995, 239)

We The ideal of forging a unified and collective narrative, of incorporating diverse voices into a single tradition, is a disconcerting one for feminism. Like planning, feminism is a praxis that involves daily confrontations with diversity and difference. What marks the two traditions as distinct is that planning seeks to “satisfy the competing wants of these pluralities” (Webber 1978, 158), while feminism remains “a contentious process that negotiates, but never transcends or subsumes, difference” (Scott 1997, 5). In other words, feminism forces planning theory, including communicative action, to take difference seriously. Specifically, I see its contribution as being twofold.

First, recent debates in feminism, drawing on poststructuralism and postcolonialism, point to the exclusions inherent in generalizable interests. As Mouffe (1993, 69) noted, the very construction of a “we” in a context of diversity and conflict involves defining a “them,” a “constitutive outside” that makes a political community possible. Feminism helps reveal planning’s “constitutive outside.” Second, while Habermasian critical theory advocates “a multivocal conception of truth and consensus,” it “still leaves the questions of how real cultural differences would be both represented and adjudicated” (Crang 1992, 544-5). Feminism does not provide an easy answer to such questions, but it does grapple with these issues in direct and brave ways that are possibly instructive for planning.

Feminism’s struggle with difference starts with a fundamental: the concept of the subject. Feminist scholars have eschewed the idea of gender as a set of fixed and stable roles and identities, showing how it is instead a process of negotiation and struggle, intersecting with hierarchies of race and class (Scott 1988; Butler 1992). In this framework, the subject itself becomes a site of differences (Moore 1994, 26-27). This feminist concept of the subject strongly contrasts with those that underlie planning paradigms, which for the most part conceive the subject as fixed, knowing, and authorial. Even in the case of communicative action, where the subject participates in a political field of discourse, it is formed prior to rather than through discourse. In feminism, such closures are neither guaranteed nor anticipated. Indeed, in Butler’s (1992) words, “the subject is as such fully political; indeed, perhaps most political at the point in which it is claimed to be prior to politics itself” (p. 13). By shifting the question from “What is the subject?” to “How is the subject constituted?” feminist debates demonstrate that the formation and negotiation of social identities is a crucial part of politics.

The notion that subjects do not come to a political field with fixed identities undercuts the idea of generalizable interests. I mean the idea of fixed as not only stable identities but also as those that can be fixed through reified, static, predetermined categories. In other words, the issue at hand is not so much what constitutes identity/difference as it is how this is fixed and known within planning discourses and practices. In other words, the idea of fixing questions the epistemological possibility of knowing difference and thus the praxis of acting on this knowledge. Let me briefly discuss one example to elucidate what I mean.

At the 1998 Association of Collegiate Schools of Planning conference, in a session on planning theory, I presented a truncated first draft of this article. It was an exciting session, organized around questions of diversity. All of the papers were concerned with exploring what it would mean for planning theory
to take the categories of race, class, and gender seriously—
Sandercock’s (1995) “voices from the borderlands,” if you will. But during the discussion piece of the session, it became apparent that these voices were to be either tamed or relegated to marginality. These were the only choices on the table. The discussant, annoyed with what he perceived to be the abstracted discourses of the papers, posed a “concrete,” “everyday” planning problem: we, as a panel of planners, had been asked to design an ethnic gateway for a Hispanic community. How would we go about doing it? A member of the audience added another twist: the women of the community also want a day care center. How would we allocate resources toward this?

I do not raise this example to denigrate the significance of tangible planning action, although I am suspicious of the idea that practice is the ultimate litmus test for theory. What concerns me in this case is the very definition of the problem: how easily we equate a Hispanic community with the symbols of ethnicity, how unquestioningly we feminize the issue of child care, adding on a day care facility as though to placate those angry, working mothers. “We” seem to know exactly what difference—racialized, gendered, ethnicized difference—means. The discussion of diversity that ensued in that session was what Milroy (1994) would call a “good faith endeavor” but one aimed at “adding on” difference “without changing the conventional, normal subject of planning” (p. 140).

And there is something else of importance here. Difference was acknowledged, noted, categorized, and then dismissed. In striking resemblance to communicative action, the session’s participants and audience spent a great deal of time discussing the procedures through which communities would be involved. However, the very definition of those communities and their symbols went unquestioned. In other words, difference was rendered ephemeral; it miraculously evaporated through discourse.

Current debates in feminism are precisely about moving beyond such ideas of difference. Thus, the crucial shift in its emphasis from women as collective subjects to gender as a socially constructed system of difference, even dynamic “ensembles” of difference (Mouffe 1993, 82). In doing so, feminism points to the contingency of social life, a surplus of meaning that cannot always be neatly packaged as ethnic gateways and day care centers. Does this mean that planning praxis has no possibility of presenting symbols of difference? No, I think that instead it shows how the process by which such symbols are chosen and fixed has to take account of difference—unpredictable, messy meanings and claims that cannot be easily reduced to single categories of ethnicity or gender. If we are to truly allow all voices at the table, then we cannot assume to know or anticipate what those voices will say or want.

From the Universal to the Global

As I have emphasized earlier, I am drawn to feminism not because it provides any quick and ready solutions to these dilemmas but because it recognizes these issues as dilemmas. Nowhere is this more apparent than in the case of cultural differences. At the risk of oversimplification, let me present the key point as this: that in recognizing cartographies of difference, feminism stands at risk of losing the ability to retain universal norms of evaluation. Feminists wary of poststructuralism lament the “paralyzing anxiety” and “political fragmentation” (Bordo 1990) that seems to accompany the abandonment of women as collective subjects. If indeed gender intersects with race and class in infinite combinations of heteronomy, how can a feminist politics be articulated? The concern is not unlike Habermas’s (1987, 275-76) rejection of Foucauldian totalizing critique. What standard can be rescued from the slippery slope of endless deconstruction? How can difference be judged and evaluated?

In the context of an international feminism, these questions have become especially thorny. In the face of cultural relativism, is it impossible to assert universal feminist standards? How far does culture act as immunity? Do we write off gendered oppressions such as the Taliban regime as simply cultural difference? Feminists such as Nussbaum (1999) insist that some general standards must be retained. Like Sen (1990), she drew on the idea of capabilities—the distribution of resources and opportunities—to scrutinize cultural traditions. In many ways, her resurrection of a pragmatic universality, a fragile and elusive ideal, resonates with the Habermasian critical tradition. But unlike much of planning theory, she is acutely aware of the contentious conditions under which she is asserting a rights-based universalism:

It is better to risk being consigned to the “hell” reserved for alleged Westerners and imperialists, than to stand around in the vestibule waiting for a time when everyone will like what we are going to say (Nussbaum in Boynton, 1999)

Nussbaum’s statement does two things. First, it explicitly articulates an intellectual and political choice: between the Scylla of paralysis and the Charybdis of universal ethics. That quite a few feminists would disagree with her final decision is irrelevant. She nevertheless maps a treacherous territory that planning has too often skirted around. Second, her mapping is
inevitably a geopolitical enterprise. In facing up to the privileges of Anglo-American feminism, she is defining not so much a universalism as she is a globalization. And I think that this contains some important insights for planning theory.

What does it mean to speak of the global? I intend the idea as both a reality and a metaphor. Taking difference seriously is not only the imperative of a globalizing world where battles are increasingly localized in a particularistic idiom, but it is also tied to the fundamental recognition that contemporary cartographies have historical lineages. It is in this sense that postcolonialists have globalized the concerns of feminism (Mohanty 1988). Indeed, postcolonialists cast globalization not as a contemporary phenomenon but instead as an epistemological device—a way of thinking about issues of identity and hegemony (Grewal 1996). It becomes a paradigm, to paraphrase Robertson (1991), for “explaining difference, a means of locating the other” (p. 72) (see also AlSayyad 1995).

What are the implications of these ideas for the ideals and norms of planning, specifically those of communicative action? The paradigm of communicative action locates discourse in what Bernstein (1971), borrowing a pragmatist turn of phrase, called “a community of inquiry” (p. 77). Dryzek (1990) defined such a community as a set of “recurrent, direct, reciprocal, and many-sided relationships among individuals with some degree of common interest” (p. 88). Unfettered discourse, guided by universal norms, is expected to yield a rational consensus on the basis of these more or less common interests. The ideal of generalizable interests is predicated on an assumed universality of identities, what Benhabib (1986) called the “philosophy of the subject” (p. 343), the idea of a universal, fixed, and knowing subject. The anticipation of a consensus is possible only because interests—not identities—are perceived to be in conflict.

The global is also a community inasmuch as it is a context of interdependence and intersubjectivity. It signifies a world of linkages, some established forcibly, others inevitably—from the notions of imperialism and colonialism to financial markets and ecological interconnections. But the global is a community structured through hierarchical and nonreciprocal relations, where identities are often incommensurable (e.g., see Jacobs 1996).

In communicative action, difference is conceived dialogically: the inequalities of social structure impinge upon discourse through distortions in dialogue roles (Habermas 1984). By contrast, in a globalized feminism, difference is structural, rooted in “world-historical systems of domination” (Haraway 1990). Here subject positions exist within global hierarchies of difference, and some are at the bottom of the pile: “subalterns,” to use Spivak’s (1988) poignant phrase. And here, subject positions are not necessarily speaking positions. Spivak’s provocative question “Can the subaltern speak?” raises the issue of the conditions under which dialogue and discourse are possible. This configuration is significantly different from the Habermasian “public,” where the possibility of speech is not questioned. As Probyn (1990, 177) noted, Spivak’s interrogation raises the question of where and how one may speak. If the public is an unmarked terrain where all speaking-positions are tenable, in the globalized social speech is a matter of strife rather than a guarantee.

What then does this concept of the global mean for planning? I wish to highlight three points. First, as in the case of planning, current feminist debates are concerned with the possibilities of voice, with what can be interpreted as Habermasian speech acts. Indeed, while I have broached the question through the more abstracted issue of speech, subject positions are speaking positions precisely because the right to speak indicates the making of social claims. Earlier in this article, I presented Sen’s (1981) work on entitlements and its extension in procedural ideas of enfranchisement. Feminists such as Agarwal (1990) have gone a step further, emphasizing empowerment: the ability of an individual or group to legitimately ensure that decisions relating to entitlements are taken in its favor, that is, the power of a speaking position. The global then is a way of mapping who is empowered, who speaks, in what voice, and with what consequences. For example, building on Sen’s work on famines, Agarwal has usefully shown how silenced and disempowered groups such as women and children have been the most prolific victims of famines and seasonal hunger (see also Kabeer 1994). And Spivak (1988) has highlighted the ways in which the silenced subaltern—often poor Third World women—has been the object rather than the subject of postcolonial policies (see also Mohanty 1988).

Second, many of these issues can possibly be raised without the concept of the global. However, I do think that a globalized geopolitics is of relevance not only to international planners but also for a more general historicization of all communities. In other words, if planning praxis is to take difference seriously, then it has to take account of the unequal and power-laden ways in which these differences are produced, made sense of, and legitimated. This has been the contribution of postcolonialism in the broader social sciences and humanities. And this has also been the massive upheaval within feminism—the painful recognition of its own privileges and of the fact that not all can speak, not even within the radical democratic ideals of feminism. Nussbaum’s (1999) dilemma is how to speak in the face of these hierarchies of difference. I find it useful not only because I think that planning faces similar moments of paralysis but also because she deals with it by putting on the
table all that is often taken for granted about speech, advice, evaluation, and power. Does this assuage her discomfort? No, but it does articulate a distinctively reflexive praxis that confronts global cartographies and their often dismayingly localizations. In other words, what the concept of the global offers planning is not a new subject or speaking position but rather a way of thinking about the conditions under which speaking positions are formulated.

Third, the global interrogates the ideal of the public. Unlike a universalized public, the global is not a site at which particular interests can be transcended. Instead, here, the project of universality, although attempted, cannot be but incomplete. In some ways, then, the global is what feminist planners would think of as “an alternative image of the good life” (Milroy 1992). It is possibly a messy and clamorous counterideal, as evidenced in recent times on the pepper-sprayed streets of Washington, D.C., and Seattle. But this “ruckus” in no way obviates the question of the public or of public norms of participation. Indeed, much of the globalization battles—both among protestors and administrators—has been about governance, about thinking through how institutions act as the rules of the game, facilitating or limiting social participation. I do not see governance as a tame and polite (ladylike?) consensus where all differences are neatly resolved and power is put aside. Rather, it is the dream of a rowdy, banging-on-the-table democracy. It is in Hall’s (1992) spirit of “wrestling with the angels” (p. 280).

**Conclusion**

Planning paradigms contain within them glimpses of utopia. These are the ideals that make their ideas possible. Utilitarians dream of perfectly adjusting markets and communitarians conceive of harmonious communities. Raws (1971) conjured up a utopian “original position” where a veil of ignorance prevents anyone from being advantaged or disadvantaged by the contingencies of social class and fortune. As Benhabib (1986, 288-9) noted, the Habermasian ideal speech condition is also one such utopian fantasy, a fiction that establishes the normative justification for rational consensus, which in turn legitimates institutional arrangements. What distinguishes the ideal-speech condition from the Rawlsian original position is the “moral-transformative aspect of discourse” (Benhabib, 1986, 313). It is in this sense that the Habermasian public is planning’s utopia.

Dryzek (1990, 30) rightfully argued that all utopian ideals, including the ideal-speech condition, are critiques of the present. And it is this that planning and feminism have in common: if they are both precariously situated between modernity and postmodernity, then so are they suspended between utopia and critique, between deconstruction and action. It is this liminality that has led planners back to the “fragile, but persistent ‘ideal’ of dialogical communicative rationality—an ideal which is more often betrayed than honored” (Bernstein 1993, 52). It is in this spirit that Mouffe (1992) articulated a radical democracy, the linchpin of which is the “common good as a vanishing point” (p. 379).

But what I have tried to emphasize is how this ideal is served not by idealization but rather through interrogation. What needs to be interrogated is not only the subject positions that constitute the subjects of planning but also planning’s own subject position. If communicative action is “meaning-making performance” (Forester 1990, 51), then how is planning situated within these broader flows of meaning and formations of ideology? And if communicative action explicitly takes on the “organizational reproduction of hegemonic power” (Forester 1990, 54), then on what basis does planning claim to speak and on behalf of whom?

The challenge is not a new one. Harvey (1985) long ago provocatively suggested abandoning the “imposing and effective mystification” (p. 184) that presupposes a still point or fulcrum of harmony. What does it mean to hope for harmony, to anticipate consensus? How does that define planning? I have chosen to take on this moment of closure not only in the spirit of critique and interrogation but also because I believe that there are openings, that this closure is never final and guaranteed: “That’s my hope. Something had better be escaping it” (Hall 1991, 68). It is in this sense that I offer the ideas of the social and the global as tools to chisel away at enclosures.

Feminism does not provide a generalizable consensus on these issues, nor does it seek to hope for one. Instead, it presents the idea that these questions must be struggled with over and over again, in each historical instance, to paraphrase Rubin (1975), with “endless variety and monotonous similarity” (p. 60). My deployment of feminism is meant neither to replace the concept of the public nor to undermine its utility. It is instead intended in a seemingly paradoxical spirit: that the constant questioning of the ideal of the public will strengthen the everyday idea of the public.

In 1929, Virginia Woolf described the experience of sitting down to write about women and fiction: “I will be unable to hand you after an hour’s discourse,” she wrote “a nugget of pure truth to wrap up between the pages of your notebooks to keep on the mantelpiece.” Her contribution, she argued, was instead “an unsolved problem” (Woolf 1929, 1). I leave the conversation between planning and feminism thus suspended, hopeful that the idea of the public as an unsolved problem will
yield as many exciting possibilities as has the ideal of the public.

Author’s Note: The author would like to thank Beth Milroy for sharing relevant material, the late R. O. Washington for editorial persistence, Nezar AlSayyad for the title, and three anonymous referees for energetic comments.

Notes

1. It is not my intention to imply that either planning or feminism is a unitary body of thought. Indeed, they are both characterized by multiple, and competing, paradigms. Nevertheless, with regard to planning, I am referring to the somewhat coherent body of ideas and practices that constitutes Anglo-American planning, with specific emphasis on recent debates that are inspired by Habermas (1971, 1975, 1984, 1987). In the case of feminism, as clarified in this introduction, I am concerned with the insights provided by poststructuralism and postcolonialism.

2. Feminist geographers, such as Massey (1995), have been concerned with similar issues.

3. I do not intend this section to be a comprehensive overview of various planning models. Instead, my endeavor is a much more humble one: to present some key epistemological/ontological paradigms and thereby set the stage for my feminist investigations.

4. For more on these ideas, see Heskin (1980), Clavel (1980), and Marris (1994).


6. Innes (1995) presented communicative action as a key planning paradigm. I pay particular attention to it not only because I think that it is an increasingly important paradigm among planning theorists but also because it has striking implications for public action, some similar to feminist concerns.

7. I highlight this shift in emphasis from public interest to public domain in response to the comments of an anonymous referee who asked for clarification regarding these different meanings of the “public.”

8. There is now a well-established body of feminist work that details the ways in which households are “dense bundles of clutches of the other.” (Webster’s New Unabridged Dictionary).

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Shaping a Culturally Sensitive Planning Strategy
Mitigating the Impact of Israel’s Proposed Transnational Highway on Arab Communities

Rassem Khamaisi & Deborah F. Shmueli

On April 5, 2000, a confrontation took place with bulldozer drivers and two hundred police on one side and the ten children, fifty grandchildren, and incensed neighbors of Fuad Rian, a farmer in the Arab village of Kaf Bara. The sixty-eight-year-old farmer was in defiance of an order of the Trans-Israel Highway Company expropriating part of his wheat field on which to build a stretch of Highway Six. While the order had been followed by an offer of financial compensation or unspecified alternative land, Fuad Rian did not want the money and was skeptical about the land-for-land offer. He stated, “Land is life, and all my life I have lived off the land” (Hirschberg 2000, 24).

This incident was the prelude to intensified protests. Arab citizens of Israel are fearful of having their villages divided and their way of life threatened while seeing no benefits to the Arab sector from the road, and resistance to the land taking has been gathering steam.

There is still time for the Israeli government through the Trans-Israel Highway Company to institute a collaborative process involving both the private land owners and the communities from which land is to be taken. Such a process requires a system that will maximize the benefits to the affected parties so as to outweigh the damage. Both civic harmony and justice require no less.

This article proposes a holistic planning strategy that is equitable and culturally sensitive.

The decade-long period of public debate and planning for Israel’s Trans-Israel Highway (National Highway Six) has been characterized by controversy and passion. Economic development proponents and real estate interests have enthusiastically endorsed this proposed 324-kilometer, north-south “development corridor,” while some environmentalists and landholders have bitterly opposed it.

In the course of the debate, proponents of the highway have advanced two diverse rationales: (1) to link Israel’s northern and southern peripheries to the center, thereby promoting dispersal of population and economic activities into the country’s underdeveloped regions, and (2) to expand the Tel Aviv metropolitan area, decreasing the road congestion in the current built-up sections by extending the suburban part of the conurbation twelve to thirteen kilometers to the east.

Opponents of the expressway have emphasized its potentially negative environmental impact on the open spaces to be taken, 50 percent of which are in agricultural lands. They argue that the road will traverse the bounds of dozens of local planning councils, each seeking to optimize its economic benefits, and that pressures on centralized

Abstract
The decade-long period of public debate and planning for Israel’s Trans-Israel Highway has been characterized by controversy and passion. There has been little if any consideration of how Highway Six can help redress the economic imbalance between Israel’s Arab and Jewish sectors. Land compensation is a complex process whenever expropriations take place. The development impact, which affects both private and public interests, has to take into account the differences in culture and legal status between two communities: Jewish Israeli and Arab Israeli. This article offers a set of mechanisms that, only if agreed upon in advance, could ensure a system of shared capital among all stakeholders working toward jointly arrived-at solutions and would lend substance to the concept of cultural sensitivity in planning.

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planning authorities to respond to these local interests will result in damaging environmental consequences: uninterrupted and duplicative strip development parallel to the highway that is likely to result in overbuilding, defacing of the landscape, increased and uncontrolled runoff, multiple roads that will run parallel to the highway, and the ignoring of the economies of scale that could be realized by tightly controlled cluster development. Another concern is that the highway was not planned, nor its impact assessed, within the broader context of a national transportation master plan that would consider public transport as well.

In all of the discussions, hearings, proposed plans, and now, early implementation stages, there is little if any consideration of how Highway Six can help redress the economic imbalance between Israel’s Arab and Jewish sectors. The highway is promoted by its proponents as a potential economic engine for the Tel Aviv metropolis—the southern part of the center extending from Raanana south to Yavneh (an essentially Jewish area). In the northern half of the center, which contains the two Arab “little triangles” (see Figure 2), the Highway bisects the Arab areas, but the major transverse highways are oriented toward Jewish-Israeli cities and towns, especially Kfar Saba, Netanya, and Hadera. This is also the case in the north, where the highway bifurcates into northern and northeastern branches. There, the Arab population of the Galilee, 50 percent of the Galilee’s total populace, will have limited access to the new highway and therefore to potential economic development districts, because the highway’s northeastern branch interchanges will be located at the present regional road junctions that are oriented to major Jewish-Israeli cities and towns, and its northern branch interchanges will serve primarily Jewish-Israeli coastal cities (see Figure 1).

In the center, where the highway is to extend along the Israeli side of the pre-1967 border (the “Green Line”) between Israel and the West Bank, little attention has been given to its potential for linking Israel and the Arab West Bank and thus becoming an instrument for peace. A highway-planning strategy that reflects only an Israeli perspective is short-sighted.

To advance the causes of equity and peace, two major changes in that strategy are required: (1) improving the road
connectors to those highway interchanges that adjoin such Palestinian centers as Tulkarm and Kalkelia so that Israeli and Palestinian population centers alike will share proportionally in the benefits and (2) establishing an institutional structure for the planned industrial/commercial districts at interchange sites that will provide for joint control and benefits by both communities while clustering such development in a way that optimizes the preservation of open space abutting the road.

This article offers a model for developing the industrial/commercial districts along the proposed highway on an equity basis. The districts would be hierarchical in size and functions. Clustering and strict zoning controls would avoid a continuous strip development along the length of the highway corridor. The model calls for establishing district development authorities, whose ownership would be shared by public and private landowners, in proportion to the lands taken for construction of the highway, its intersections, and the industrial/commercial districts. Most of the lands taken from the Arab municipalities are privately owned because these municipalities have very few public lands. To compensate for this lack of public lands, such municipalities should be given a share in the national lands appropriated for the construction of the road and development districts. Thus, Arab municipalities would be included among the authority shareholders, whose revenues would be derived from rents and tax revenues earned from the districts.

Land compensation is a complex process whenever expropriations take place. What is particular to the Israeli highway case is that the development impact, which affects both private and public interests, has to take into account the differences in culture, that is, political and legal status between two communities: Jewish Israeli and Arab Israeli. In addition, part of the territory affected—the West Bank—is currently in international limbo. The Israeli planning authorities have long been concerned with providing access to Jewish settlements in the West Bank, skirting Palestinian communities for reasons of security.

The highway is physically located in Israel, but its planning should take into account the needs of the Palestinian populace that is now under Israeli occupation as well as the Jewish West Bank population. Moreover, by the time of the highway’s completion, much of the adjoining West Bank area may belong to an independent state; the highway could serve as an integrating force between the Palestinian and Israeli states by facilitating the access between West Bank cities and towns and coastal Israel. This situation may hold lessons for other parts of the world where state devolution is accelerating. Creative options that not only provide compensation for currently held lands but that also take into account past land seizures and the future need to link all concerned communities represent a challenge to planners in many parts of the world.

There is no question that the Arab communities of Israel have suffered and continue to suffer from social, economic, and political discrimination. This is evidenced in a variety of ways, including lower governmental support for the infrastructure needs of Arab localities and the more limited set of employment opportunities available to Arab-Israeli citizens. Israeli land planning policies have served to undermine the position of the Arab minority by restricting the expansion of their village lands and trying to confine their expansion within mixed urban areas. Thus, for example, in many cases, Jewish-controlled district planning authorities have overridden the requests of Arab localities that have sought to rezone some of the farmlands within its boundaries for residential development.

The use of planning tools to limit the actions of a weaker minority group or class is a common practice in their marginalization through the process of controlling spatial change in many parts of the developed world. Harvey (1985), Kirby (1993), and Fainstein et al. (1992) are in the forefront of geographers and planners who have written extensively on the subject. Harvey’s (1985, 166) theories on planning policy from a Marxist point of view hold that the planner must go beyond the role of mediating the conflicting goals of affected groups. He argued that critical analysis leads to the conclusion that the urban/regional planner should approach planning problems from recognition that equitable economic growth requires recombining the categories of land, labor, and capital and that by accepting existing concepts of class relationships, planning falls short of its achieving an equitable social order. In the absence of radical socioeconomic restructuring, however, the authors of this article still feel that it is possible to use the planning of space as a vehicle for achieving greater equality. In the case of the Arab community, this cannot be achieved without planning mechanisms that compensate for its inferior sociopolitical position.

Bollens (2000) emphasized the key role of planning policy decisions in stimulating or stifling group antagonisms and the tangible, on-the-ground strategies pertaining to physical structure that may make the difference between civic harmony and conflict. He described four urban policy strategies, each representing a fundamental ideology that is implemented primarily through planning and policy decisions. They are (1) a neutral strategy that employs purely technical criteria in allocating resources and services, (2) a partisan strategy that deliberately chooses sides, (3) an equity strategy that gives primacy to ethnic affiliation to decrease intergroup inequalities, and (4) a resolver strategy that seeks to connect the issues to the root political causes of polarization—power imbalances, subordination and disempowerment, attempting to resolve and not just manage conflict.
The approach taken in this article is in the mode of Bollens’s (2000) equity strategy. It advocates locating the Highway Six interchanges so that land will be taken equally from both the Jewish and Arab sectors. Moreover, it proposes joint management and operation of industrial parks and other facilities on land associated with these interchanges so that the affected Arab and Jewish private owners and/or communities will share in the benefits generated. This meets equity criteria that there be an effort to remedy group-based inequalities and political imbalance and recognize the needs for remediation (Krumholz and Forester 1990). The plan does advocate special attention to a local group whose interests have been traditionally neglected in the formulation and implementation of policy (Davidoff 1965). Yiftachel (1989) suggested that since equity policies attempt to improve the existence and well-being of the less-advantaged group, they may affect the outcome of larger political processes, a move toward the resolver strategy.

This article, however, does not deal with overall governmental policy toward its minority population. It addresses the discrete problem of the Highway Six interchanges and presents a model that we hope will be a useful approach in other planning circumstances. It addresses the discrete problem of the Highway Six interchanges. The proposed ownership and organizational structure for the interchanges does call for an approach to public land management that differs from the long-held Zionist policy of using public land for the development needs of the Jewish community, but this does not get at the root causes of conflict between the Arabs and Jews of Israel over land or other issues. We believe the model, as presented, to be a useful approach in other planning circumstances.

The Highway: Brief Description

The planned 324-kilometer Trans-Israel Highway (Road Six), a multilane expressway with thirty-three interchanges, is intended to serve as the national traffic route on a north-south axis. It will be the largest transportation project undertaken by the state (Garb 1997) and will be built in three sections. The road is intended to shorten travel distances from the Galilee (in northern Israel) and the Negev (in the south) to the center of the country and to function as an outer ring road for the Gush Dan (Greater Tel Aviv) metropolis. The expressway will run from Beersheva in the south through Kiryat Gat and then on to the foothills of the inner coastal plain in the center, continuing north to cross the Wadi Ara highway before connecting with the Wadi Milik road at the Eliyakim Intersection, where it bi-funcates: a northern branch extending east of Nahariya to Kabri, six kilometers south of the Lebanese border, and a northeast branch running to the Sea of Galilee and then ten kilometers north to Rosh Pina (see Figure 1).

Road Six was first approved in 1976 and amended in 1989. It has also been confirmed and incorporated in district master plans of the 1980s for both the Central District (DMP/3), and for the Southern District (DMP/4), which were approved in the 1980s. The process of transforming Road Six into a national superhighway began in 1990, when the Public Works Department commissioned a feasibility study. In 1993, it was integrated into a National Outline Scheme (NOS), a general plan for improving the national and metropolitan road systems (NOS 31A). The decision to build the highway was made before a comprehensive examination of transport alternatives or transport planning took place. This was done only after the fact, when in 1998 a land transportation master plan was submitted whose components include suburban railroads, interurban railroads, mass transit systems, public transport, and Highway Six.

Highway Six was promoted separately in NOS 31A and by a government company (Trans-Israel Highway Ltd.). It is intended to function as a national axis route promoting the development of the periphery by providing a rapid traffic connection with Israel’s center (the coastal plain from Geder to Hadera). In addition, it is designated as an interurban highway because it is intended as an outer ring road for the Tel Aviv metropolitan area. In this central section, where population density is highest, thirteen interchanges have been planned for the ninety-kilometer stretch. This is a greater frequency of interchanges than in the southern section, where there are nine proposed interchanges for the ninety-five-kilometer stretch, or than in the north, where the two branches that extend for a total for 139 kilometers are to have eleven interchanges.

Although Highway Six is already in the first stage of construction in the center, it is still the subject of spirited public debate. The debate relates to a number of issues: the location of the road, the number of interchanges, the extent to which it will help solve the transportation problems in central Israel and create quick and easy access between the center and peripheral regions, the road’s contribution to regional development and narrowing the gap between the center and the periphery, and the impact on land policy. Starting construction in the center of the country rather than in the periphery will add to the center’s already overwhelming population density and possibly result in the highway’s remaining a metropolitan ring road rather than being completed as a national one (Shmueli 1998). It has also been argued that the expected contribution made by the road does not justify the cost of construction and maintenance in a small country such as Israel (Efrat 1994), and proposals have been offered for cheaper and more efficient transport alternatives.
Land Taking for the Highway

The development and construction of the highway is taking place in several stages. Implementation of the first stage—the central section’s ninety-kilometer route from Yad Binyamin to Eron—has required the confiscation of approximately 14,500 dunams of private and state-owned land, most of which is agricultural (Ministry of Construction and Housing, State of Israel 1991). To facilitate the project in the face of opposition from landowners and environmentalists and to regulate the issue of compensation for owners, the government passed the Israel National Highway Law, 5755-1994, which provided a legal framework for the confiscation of land and the awarding of compensation. Sharp objections to the provisions of the framework have succeeded in delaying construction. Some landowners are dissatisfied with the provisions included in this law and have filed suits demanding land of equal value or area in return for the confiscated parcels. In addition to claims filed by individual landowners, who refer to themselves as “the victims of Road No. Six” and feel threatened by the road, a public association was established in 1994 under the name “Association of Road Six Settlements.” The main goals of this association are to limit the damage caused to the settlements that the road will traverse and to ensure alternative sources of income in return for land confiscated for the road’s construction.

The association includes thirteen local Israeli organizations representing fifty-six kibbutzim, moshavim, and private settlements along the course of the road and the Committee of Heads of the Arab Local Authorities in Israel. It has initiated a private bill in the Knesset whose aim is to promote construction of the highway while seeking a comprehensive solution to the planning, environmental, employment, and economic issues that the road raises, with the concomitant impact on the rights of landowners and the needs of residents living close to the route.

Another body involved in examining the environmental impact of Road Six is Adam, Teva V’Din (Israel’s Environmental Defense Fund). This association sees the expressway as a threat to the environment and is working to limit the environmental damage resulting from the road’s construction. Emphasis is on planning and conceptual alternatives designed to influence the decision-making process and public awareness of environmental issues (Oshrat 1994). While there is a relatively high degree of awareness of the costs and benefits of Highway Six among the various stakeholders and within the general Israeli-Jewish public, the affected Arab populace is still insufficiently aware of its likely impact, including its potential as an arm for economic development. Some of the arguments raised against the road in Arab settlements are the same as those in the Jewish settlements, while others are unique to Arab locales and require a different response. Such differences between the two settlement sectors relate to socioeconomic structure, governmental policy, geographical location, size of settlement, level of infrastructures and services, development potential, and land ownership. In the Arab sector, most of the land is private and fragmented and some of it is not officially registered. In the Jewish sector, most of land is state owned, including some that has been confiscated from Arab landholders.

Background to Israeli Planning

The Trans-Israel Highway has not been planned in a vacuum. Rather, it is a product of a deeply rooted national planning process that historically has been highly centralized, hierarchical, and statutory. The administrative framework regulating public and private building and land-use activities does so within a three-level hierarchy: national, district, and local.

At the top-most level, the National Planning and Building Board is composed of representatives of government ministries, local government, and public and professional organizations. Its primary responsibilities are to enact national outline schemes (master plans), review regional outline plans, and serve as an appeals board for decisions of the District Planning and Building Commissions. National outline schemes are mostly sectoral master plans that are part of the planning structure for the entire country and are prepared for issues of national planning significance or for land uses that serve the national interest. The NOS for Transportation (NOS 31, which focuses on National Highway Six) falls into this category. The outline schemes are commissioned by the national board and then submitted to the government for final approval. Once approved, they are legally binding (Ministry of Environment 1998).

The regional level of the planning hierarchy is the responsibility of six District Planning and Building Commissions. The district commissions are composed of regional representatives of government ministries, including representatives of local authorities within the district. District commissions serve as links between national planning and local implementation. They receive the national outline schemes for comment, prepare their regional outline schemes for approval by the national board, and approve or reject plans submitted to them by the local commissions in light of their conformity with national and district plans. Each district has a comprehensive regional plan (district outline scheme), either approved or in preparation. The objectives of these schemes are to determine the details necessary for the implementation of national
outline schemes in each district and to identify matters that are of general importance to the district.

The local level consists of about a hundred Local Planning and Building Commissions, serving one or more local authorities and composed of the elected members of the municipal councils. The local commissions produce outline and detailed schemes for their areas and submit them for approval to the district commissions. Local schemes set out conditions for land and building use in local areas. The commissions are responsible for decisions on development applications, building permits, and action against illegal building.

This form of planning, described by Hill (1986) as developmental planning, has its roots in the Zionist settlement processes of the period prior to establishment of the State of Israel. It peaked with the strategies for coping with the housing and employment needs of waves of immigrants in the decades following independence and remained strong into the 1980s. Since then, major political structural changes that have taken place or are in the offing are beginning to make an impact on planning approaches. At the national level, the prime minister is now directly elected, thus reducing the influence of national parties. In addition, various bills for electoral reform are under consideration that will include Knesset (Parliament) representation on a regional basis. Cities, while still dependent on central governmental funding, are seeking to exercise greater independence in social and economic spheres. Nongovernmental groups are adding their voices to planning decisions as initial steps toward decentralization gather momentum.

Public participation in issues that relate to housing, environmental quality, and urban revitalization is making itself felt. Garb and Levine (1998) have suggested that strong centralized planning in Israel has become a fiction, citing among other weaknesses, that of centralized bodies in guiding metropolitan development in the planning of the Trans-Israel highway. This argument does reflect a trend, as evidenced by the realization on the part of central planners that the majority of immigrants of the 1990s could not be directed, as with previous waves of immigration, to the housing that was prepared for them, particularly temporary caravans. However, it is premature to write off the power and efficacy of central planning. Central governmental agencies involved in planning and land management still retain the legal powers and exercise them in making major decisions on settlement and transportation patterns (Alterman 1995).

On the other hand, the reality cannot be ignored that the Trans-Israel Highway is being developed at a time when policies of decentralization and privatization have gained considerable momentum, and local grassroots pressures influence and sometimes determine local development. The present national road system was developed during a period when authority was concentrated in the hands of the central government, and involvement of local government in the decision-making process relating to development in their areas was restricted. Even today, those responsible for the construction of Highway Six are not encouraging the involvement of local authorities, especially the Arab sector, whose interests are often negatively affected by national plans and may also compete with the interests of neighboring localities.

**Compensation Policy Issues in Land Taking**

In many developed countries, landowners historically amassed capital and used it to invest in urban real estate and industrialization. The landowners among the Arabs in Israel (and Palestine) have yet to make such a shift—and indeed, because of land confiscations in the wake of the 1948 war when they lost up to two-thirds of their lands, they have been limited in their opportunities to use land as a capital base. For most Arabs, whether farmers or townspeople, land is a commodity to be preserved and banked—a reflection of the political reality of Arabs in Israel and the role that is played by ties to the soil in tradition-bound Arab culture. Such capital as is generated by land is used mainly for investment in small-scale urban building—and, first and foremost, for their own families and clans.

For the Arab population in Israel, land is viewed not just as an economic resource and a social vehicle for keeping family and clan together but also as a way of maintaining the Arab national presence in the Jewish state. In addition, there are very limited alternative economic avenues besides farming and commerce for Arab localities, which face not only cultural barriers to new activities but have not had significant help from Israeli national institutions in entering the modern economy. One of the great opportunities of Road Six is to bring Arabs into this modern economy by opening up entrepreneurial opportunities for them within the economic development districts that the highway can stimulate.

In contrast, Jewish agricultural settlements have modernized and urbanized rapidly. The lands that they occupy have a different geoterritorial value than they had when agriculture and local defense were critical aspects of the Zionist ethic of normalizing the Jew in the Jewish homeland. At that time land was associated with the drive for national self-sufficiency, with staking out the territorial outlines of the state and securing it through self-defense. Settlers planted the flag.

Now the value of land has changed. The Israeli defense forces have replaced the local self-defense units of the agricultural pioneer period, and the concept of national agricultural self-sufficiency has become outdated, as Israel has become a
highly developed state with an internationalized economy. Kibbutzim (agricultural collectives) and moshavim (agricultural cooperatives) have new productive lines of economic activity, such as manufacturing, including high-tech, tourism, and commercial and residential real estate. Not only are these alternatives more attractive than farming, but agriculture is becoming increasingly problematic in terms of water availability, lack of labor, and reliance on outside workers, including those from the West Bank and abroad.

Compensation policies for the confiscation of land are influenced by the economic value of land, its spatial location, its significance to the owners, and their attitude toward it. The availability of land is an essential condition for private and municipal development and its potential uses are a major factor in determining its economic value, particularly in societies that maintain a free market for land and view land from an economic perspective. The Trans-Israel Highway law established that those injured would be compensated in two ways: through the provision of alternative land of equal value and through monetary compensation based on an appraisal by the government surveyor.

In the Jewish localities through which Road Six passes, most of the land is state-owned and leased to kibbutzim and moshavim. The large size of plots, the patterns of farming and crops, and the small number of owners limit the scope of the compensation problem—and provide a range of potential solutions. One such solution is land exchange through granting rights to establish employment and economic centers in areas that adjoin the settlement or providing lands in more distant areas in which to continue a farming economy.

Such a proposal was developed and presented at various forums by the Road Six Association. The association is demanding that large employment centers or development districts (industry, services, and commerce) be established along the route of the road, particularly around the interchanges within the areas of jurisdiction of the Jewish regional authorities that include the moshavim and kibbutzim. In addition, the kibbutzim and moshavim are also asking for compensation in the form of alternative lands, often in large tracts that are remote from residential areas and are appropriate for intensive agriculture, as well as the rezoning of currently held lands for industrial, commercial, and services uses.

Although on the whole the Jewish populace operates in a freer market than do the Palestinian Israelis, its access to land is also limited. The Israel Land Authority, which controls vast tracks of public lands, has historically given preference to their use by the agricultural sector. Now the policy has changed and the authority is releasing lands for residential, industrial, and commercial use at market values. However, in selling these lands, its guiding policies are to continue to try to segregate religious and secular Jewish communities, restricting freedom of market.

The situation with respect to land taking and compensation is quite different for the Arab sector. As mentioned, Arab society attributes social, symbolic, and national importance to land, in addition to its economic value. The Israel Land Authority, which controls vast tracks of state lands, does not, in most cases, release them for sale to Arabs, and when it does, it is almost always for public purposes. As a result, the land market in Arab areas does not operate under free market conditions, which is a factor that must be taken into consideration in formulating land planning and development policy.

In addition, Arab attitudes toward current land-taking proposals are conditioned by the traumatic events of the 1948 conflict. Arab rejection of the 1947 United Nations Partition Plan for Palestine and its acceptance by the Jewish community led first to widespread guerrilla warfare and then to the fighting that arrayed the armies of six Arab States and Palestinian Arab irregulars against the military forces of the new Jewish State. In the course of this conflict, nearly 750,000 Arabs are estimated to have fled their homes or to have been expelled by Jewish armed forces to become refugees in Gaza, the West Bank, or neighboring Arab states. The assumptions of the these refugees that theirs was but a temporary condition and that they would soon return following an Arab victory proved illusory. Their lands were confiscated by the Jewish State. In addition, the Israel Lands Authority assumed ownership of the British mandatory government’s state lands. Many of these, especially grazing lands, had been used by the Palestinian Arabs for generations without legal title to them. These too were lost.

In the current negotiations over compensation for land taking in the central section of Road Six, Arab landowners have refused to accept monetary compensation in return for confiscated land. Their major demand is for alternative land. The response of the Israel Land Authority—the body responsible for managing state land—is that such land is not available, especially in the center of the country. The debate over these claims continues, and to date, no arrangements have been made for compensation despite numerous proposals. In an interview with the representatives of the Trans-Israel Highway (Khamaisi 1999), the difficulties of persuading Arab landowners to accept monetary compensation rather than alternative land was repeatedly emphasized.

In addition, the question of inheritance or ownership adds a unique dimension to the Arab land situation. In many cases, those currently in possession of the land are not the registered owners according to the official registration certificates. Many of the parcels are small, fragmented, and/or under multiple ownership, further complicating the issue of compensation. Moreover, because so much of Arab land is privately owned,
the difficulty of sharing benefits of industrial land development is far greater than in Jewish settlements, most of which are located on leased national land that is collectively or cooperatively held.

Most important, while in the Jewish settlements, localities control much of the land and are themselves therefore direct claimants for compensation, this is not the case for Arab localities where the land is mainly privately owned. Such localities have little or no claim to compensation for the impact of the road as it passes through their bounds. In addition, the Arab sector has had little regional or national support for the development of commercial/industrial districts within or adjacent to the jurisdiction of Arab localities. This results in a mind-set that does not view the prospect of benefiting from economic development districts as an adequate compensation mechanism.

► The Trans-Israel Highway and the Arab Triangles of Central Israel: A Case Study

There is no more complex region in which to deal with Arab compensation claims for land taken for Highway Six than Israel’s center because of the small plots held by numerous landowners and the competition for substitute lands by Jewish settlements. On the other hand, there is no greater opportunity to develop strategies for sharing the highway benefits on an equity basis between the two peoples. In addition, because the northern part of the center adjoins the pre-1967 Arab-Israeli border (the “Green Line”), the positive potential of the highway’s impact on the Arab West Bank can be substantial if access roads that connect the highway to the West Bank are optimized. (The southern part of the center has virtually no Arab population.)

The area in central Israel that includes the bulk of its Arab population lies to the north of Tel Aviv and is known as the “Little Triangle.” It is adjoined to the east across the Green Line by Arab cities and towns such as Kalkilia and Tulkarm. This region is subdivided into two clusters—the northern and southern “triangles”—and contains an Arab population of 148,500 in 22 villages, towns, and cities. A sampling survey for this case study was conducted in Kafr Qasem, Kfar Bara, Jaljuliya, Taibe, and Tira in the south (Central District) and in the north (Haifa District), which includes the settlements Jat, Baqa Al-Gharbiya, and the Zemer Regional Council consisting of Zemer, Yama, Marja, and Iblim (see Table 1).1

These settlements constitute a representative sample of all the Arab localities within the northern part of the center (with the exception of those on the outer margin of the region), in terms of size of population numbers, municipal status, social composition, level of urbanization, and planning situation. They are not representative of the settlements on the margins of the metropolis, such as those of Arara and Umm el-Fahm in Wadi Ara at the northern edge, or Rinatya, Be’er Arit, and at the southern edge. The latter have different characteristics in size, ethnic and social composition, and economic level (David and Heimberg 1994).

The study settlements lie along a range of coastal foothills less than 150 meters above sea level and form a strip forty kilometers in length and two and a half kilometers wide. Two east-west national roads serve as the boundaries of the strip: Road Five, the Trans-Samaria Highway at the southern end, and Road 65, the Wadi Ara Highway at the northern end. Regional Road No. 444, which follows the abandoned historic Hejaz Railroad built during Ottoman times, currently forms the spine of the strip. This road will soon be closely paralleled by the new Trans-Israel Highway, which will also traverse the lands of the localities (see Figure 2).

A variety of methodological approaches and tools were used in the survey. Closed questionnaires were sent to the heads of the nine Arab localities through which Road Six is scheduled to pass, requesting general statistical data, perceiving impact of the road on the settlements, and inquiring into attitudes and considerations relating to existing or desirable

<table>
<thead>
<tr>
<th>Settlement</th>
<th>Population (1995, thousands)</th>
<th>Area (dunams)</th>
<th>Local Planning Committee</th>
<th>Municipal Status</th>
<th>Local Authority Founded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kafr Qasem</td>
<td>12.0</td>
<td>8473</td>
<td>Kesem</td>
<td>Local authority</td>
<td>1958</td>
</tr>
<tr>
<td>Kfar Bara</td>
<td>1.8</td>
<td>1892</td>
<td>Kesem</td>
<td>Local authority</td>
<td>1963</td>
</tr>
<tr>
<td>Jaljuliya</td>
<td>5.2</td>
<td>1892</td>
<td>Kesem</td>
<td>Local authority</td>
<td>1957</td>
</tr>
<tr>
<td>Taibe</td>
<td>24.2</td>
<td>19196</td>
<td>Taibe</td>
<td>Municipality</td>
<td>1952</td>
</tr>
<tr>
<td>Tira</td>
<td>15.6</td>
<td>11750</td>
<td>Tira</td>
<td>Municipality</td>
<td>1950</td>
</tr>
<tr>
<td>Zemer</td>
<td>3.7</td>
<td>—</td>
<td>Eron</td>
<td>Local authority</td>
<td>1988</td>
</tr>
<tr>
<td>Jat</td>
<td>6.9</td>
<td>6866</td>
<td>Eron</td>
<td>Local authority</td>
<td>1959</td>
</tr>
<tr>
<td>Baqa Al-Gharbiya</td>
<td>15.7</td>
<td>9099</td>
<td>Eron</td>
<td>Municipality</td>
<td>1952</td>
</tr>
</tbody>
</table>

| Note: Taibe received the status of a city in 1990, Tira received the status of a city in 1991, and Baqa Al-Gharbiya received the status of a city in 1996. |
planning preparations. These results were cross-validated through a series of open interviews with forty-three different individuals representing the various interested parties. The attitudes of the interviewees were probed more deeply, in part using a strategy of eliciting proposals that in the opinion of the interviewee could minimize the burdens imposed by the road and/or increase its benefit. The questionnaires and the interviews were supplemented by the participation of the interviewer as an observer at twelve meetings of different bodies dealing with Road Six. These included local and district planning committees, negotiation meetings between the Association of Road Six Settlements and the Road Six Company, and local council meetings.

Data from the Central Bureau of Statistics were compared with the data received from the local authorities. In addition, the plans for Road Six, including cadastral maps, were compared with the land uses in the local, regional, and national master plans that cover the study area. The protocols and the literature relating to Road Six were analyzed in the light of literature describing impacts on development of national highways in other parts of the world.

Despite these various cross-validating measures, we recognize the limitations of the methodologies employed due to the sensitivity of the topic of land taking and compensation. Many Arab landowners did not wish to indicate that their land was negotiable and thus were not completely forthcoming with respect to their setting of land values or for suggesting proposals for alternative lands. Moreover, the research was conducted while negotiations for land compensation and road development implementation were taking place. The responses did not therefore reflect initially held attitudes and the degree to which they may have since changed.

From the interviews, the subject of land confiscation emerged as the overriding issue in the attitude and positions of the Arab population toward Highway Six. The project requires that a strip of land 100 meters wide be confiscated for the roadway and a width of over 300 meters be taken at the proposed interchanges. Moreover, there can be no building within 100 meters of either side of the expressway. When all of this land is added to the area now covered by Road 444, the Hejaz Railroad right of way, and a high-power electric transmission line installed in accordance with NOS 10, a broad zone dedicated for national infrastructure use is created. Clearly, the impact of this zone on Arab landowners will be substantial.

According to data supplied by the Trans-Israel Highway Company the land slated for confiscation in the first stage of construction—a ninety-kilometer stretch—in the central area of Road Six, is approximately 14,500 dunams. Based on an examination of cadastral maps, approximately 1,870 dunams, or 12.9 percent of this area, are to be confiscated from private

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**Figure 2. The Little Triangle.**
Arab landowners, and approximately 1,015 dunams have already been taken. The land to be confiscated from individual Jewish landowners (owners or lessees) in this stage is 1,363 dunams.

The area to be confiscated from the Arabs is divided into 292 separately owned plots. They are small, ranging from one to ten dunams, and fragmented. Some have already been taken in their entirety, and others only partially. In certain instances, the residual portion of a plot that has not been taken cannot be exploited, either because it is located within the area where building restrictions apply or because its new form prevents effective use.

Title ownership adds to the complexity of the confiscation process. In Taibe, where the number of confiscated plots is 98, the number of registered inheritors is 277. In addition, analysis of registration certification documents reveals that many of those currently possessing the land are not registered owners. This phenomenon of small and fragmented land ownership and multiplicity of claims to the same plot create difficulties both with respect to payment of cash compensation and to the allocation of alternative lands. Under these conditions, the question is whether and how land use planning policy can help develop a fair and just system of compensation that will outweigh the negative impacts of land taking on individuals as well as localities.

In general, the issue of informal land rights poses a serious obstacle to compensation negotiations. During the British Mandatory period, many tribal pasture lands became registered as state lands. These lands continued to be used for grazing and farming by the occupants, without their obtaining legal title to them. As such lands increase in value and especially when they can be converted to residential, industrial, or service purposes, weighing the legitimacy of ownership claims becomes highly contentious. A study of Yajouz done by Razzaz (1994) is revealing for the complexities of such land conflicts. Yajouz is a Jordanian urban settlement within a historic tribal domain that had been registered as state property; land there has been sold by tribal members to urban newcomers, who have built houses on the basis of contracts between them and the putative landowners through highly respected and trusted intermediaries acting as agents. In this case, an informal ownership and land-transfer system has evolved parallel to the governmental ownership framework, and the state must find ways of adjusting to the claims of the new owners as well as those of the original holders.

Another complexity with respect to informal land rights in Israel has to do with the reluctance of the original landholders to transfer the registration of their lands to their heirs because of the high cost of transfer taxes. After their deaths, the heirs frequently cannot reach an agreement on registering the land. In many cases, this is complicated because some of the heirs left Israel in 1948, and their portions, if registered in their names, would be subject to confiscation. Table 2 details the extent of land confiscation from private Arab landowners within the study area.

Planning for the economic development districts in connection with Highway Six has, to date, given limited attention to including the Arab communities of the Little Triangle. Indicative of prevailing attitudes is that Road Six Association’s lobbying effort to promote these districts invariably excludes reference to the needs of Arab localities. The one area in which repurcilarization for a Trans-Israel Highway Development district has been proposed is the Kesem Junction at the western end of the Trans-Samaria Highway.

In separate economic employment zones that do not adjoin highway interchanges and that have been independently planned, Taibe is preparing a conceptual plan for an area to its north along Route 444 that runs parallel to Highway Six. In addition, Baqa Al-Gharbiya, in cooperation with Kibbutz Metzer is considering a 1,600 dunum industrial zone north of the town adjoining the Green Line. Jat, too, has prepared a 500 dunam development on national lands within the municipal border close to the proposed Baqa Al-Gharbia site. However, none of the above relate to the Trans-Israel Highway’s plans for the development districts, whose ownership and organization should be structured to provide substantial compensatory benefits for appropriated land to all affected Arab private landholders and localities.

### Table 2.

<table>
<thead>
<tr>
<th>Locality</th>
<th>Number of plots</th>
<th>Area (dunams)</th>
<th>Number of plots more than 50 percent of which have been confiscated</th>
<th>Percentage of total confiscated area</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baqa Al-Gharbiya and Jat</td>
<td>120</td>
<td>870.5</td>
<td>101</td>
<td>46.5</td>
</tr>
<tr>
<td>Zemer</td>
<td>9</td>
<td>66.5</td>
<td>4</td>
<td>3.5</td>
</tr>
<tr>
<td>Jaljuliya</td>
<td>2</td>
<td>13.0</td>
<td>1</td>
<td>0.7</td>
</tr>
<tr>
<td>Kafr Qasem</td>
<td>30</td>
<td>120.0</td>
<td>13</td>
<td>6.4</td>
</tr>
<tr>
<td>Kafr Bara</td>
<td>7</td>
<td>37.9</td>
<td>5</td>
<td>2.1</td>
</tr>
<tr>
<td>Taibe</td>
<td>98</td>
<td>578.0</td>
<td>47</td>
<td>30.9</td>
</tr>
<tr>
<td>Tira</td>
<td>26</td>
<td>185.0</td>
<td>19</td>
<td>9.9</td>
</tr>
<tr>
<td>Total</td>
<td>292</td>
<td>1,870.9</td>
<td>190</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Source: Graphic calculation of road area based on cadastral maps, 1996.
Policy Directions for Land Planning

The expropriation of land can be facilitated by the formulation of compensation policies at two levels: (1) provision of direct compensation to all private landowners and (2) provision of general compensation to localities that possess the planning and zoning powers to support development and thereby benefit the general public through increased revenues. Due to the large number of private owners in the Arab Little Triangles and the fact that each has been injured to a different degree, we propose a system of land reparcelization that will permit clustered development within large consolidated planning zones with high access to the highway’s interchanges. Owners would receive either cash for their properties or shares of the consolidated land in proportion to the size and a combination of current and potential uses of their confiscated plots.

The advantages of this method are that the property owners can benefit from a higher value-added return on their property. In some cases, they could be given the right to build on part of the land that would remain in their hands by enacting zoning changes. At the same time, the local government within whose jurisdiction the land taking occurs would be entitled to share in the economic benefits in return for facilitating the development, through rezoning and provision of infrastructure and services. Another form of compensation would be the expansion of municipal land jurisdiction.

Reparcelization is a process that entails numerous problems, including differing perceptions of land values and the fact that it is usually mandated without consultation with those affected. In the case of the Arab Little Triangles, the situation is exacerbated by the large number of owners with small plots. On the other hand, reparation offers advantages: local business development can be stimulated by the new development districts, the former landowners can share in the revenues generated by these districts, and local authorities could expand their tax bases.

Reparcelization is not a new concept in Israeli land planning. It is authorized in the Israeli Planning and Building Law of 1965, Articles 120-128. Reparcelization is a mechanism for rationalizing land use among landholders, after removing the areas needed for public purposes (Schnidman 1988; Larsson 1993; Asami 1995). According to the law, the owner can be forced into a land reparation scheme that is included within an approved master plan. Planners sometimes use it as a vehicle for narrowing existing disparities in landholding by giving an equal share of the compensation to the owners whose lands have been reparable, regardless of the amounts taken from each.

While reparation has been implemented on a small scale in Taire, Tira, Kalansawa, Jesaazarka, and Kafr Oasem, and a start in this direction has been made in Baqa al-Gharbiya; as part of the process of change in the planning and modernization of Arab villages (Be’ery 1999), it is not commonly applied. The obstacles to its implementation are not only that the privately held Arab plots are small and irregular but also that the infrastructure has been developed by the owners themselves. This is in sharp contrast to Jewish localities where most of the land is state land and the tracts are large. In addition, although the rationale for reparation is generally understood, there is widespread opposition to it among Arab landowners because many of their lands have not been registered and they fear that such lands will be confiscated without compensation. Moreover, they feel that existing state and not private lands should be used for public purposes.

If reparation is to be carried out in connection with highway land taking, the development districts’ bounds must be clearly defined by local and district planning authorities. Local outline plans and the detailed translations of the proposed master plan for the route of Highway Six will have to be revised to define those areas targeted for development and public purposes. The plans should also include alternative public lands to be made available to the locality outside of but close to the highway’s planning jurisdiction area. Under the present circumstances, the land taken by the highway is being used for the national project with no direct compensation to the localities.

Another land planning issue examined is whether certain Hamulas (clans), in the Arab localities, are more affected than others by land expropriation. The research finding is that while hamula holdings, including the jader (the land that surrounds the settlement’s core), are common in the built-up areas of localities, they have all but disappeared in the outlying areas (Khamaisi 1995). The hamula lands along the highway that are to be taken are not distributed equally among the different clans but are concentrated among particular ones. For the impacted hamulas, fair compensation for economic loss is not the only issue. Hamula lands bind nuclear and extended families together. Compensation in the form of nearby alternative lands, taken back by the Land Authority from leased lands currently held by Jewish agricultural settlements that are rapidly urbanizing, may offer a partial solution to preserve the hamula’s social cohesion.

An Equitable Structure for Economic Development Districts

For Israeli Arab communities to participate in the proposed economic development districts, land reparation and compensation schemes will have to be implemented. If
this is to happen, mutual trust between the Arab landowners and municipalities and the Israeli government must be developed. This means that planning must become collaborative (Gray 1989), and its strategy must be negotiated among the stakeholders.

A few precedents for this type of collaboration in planning efforts can be cited. For example, the Wadi Zemer/Nahal Alexander watershed is bisected by the Green Line. The Zemer/Alexander River is heavily impaired by a variety of pollutant inputs. On the Israeli side, industrial direct discharges, agricultural runoff, and suburban sprawl threaten water quality. On the Palestinian side, untreated sewage from the cities of Nablus and Tulkarm and effluent from olive oil production are the major pollution sources. In 1995, the Israeli government initiated a planning process to restore the river’s ecological health, but the plans did not include the Palestinian portions of the basin. However, in 1997, the head of the Israeli regional council of Emek Hefer and the mayor of the Palestinian city of Tulkarm signed a memorandum of understanding establishing a policy for joint restoration of the watershed. A consensus-building process enabling the key stakeholders to develop an integrated management plan for the watercourse is underway. An older collaborative water project dating back to 1980 joins Ramallah-Al-bira with northern Jerusalem and Jewish West Bank settlements. These examples suggest that collaboration, difficult as it may be, is nevertheless a realistic prospect and can be an important planning mechanism.

An example of collaboration in a land rights dispute, the resolution of which seems to be at hand, is the long-standing claim involving the Christian Arab villages of Ikrit and Biram in the Upper Galilee. The residents of these villages were forced out by the Israeli army in 1948 on the promise that they would be allowed to return. However, the villages were destroyed. The residents and their descendents have sought in vain to regain their lands since then. A 1996 Israeli governmental committee recommended that two new settlements be built on the original sites, involving a total of 600 dunam for each village. Four years later in the year 2000, an Israeli interministerial committee announced its intention to implement the 1996 recommendation (Alon 2000).

To reap the benefits and offset the costs of Highway Six, the affected Arab individuals and communities must have the opportunity to share in the economic and social gains to be generated by the proposed economic development districts. The model summarized in Table 3 is built on a hierarchy of districts. In the case of one or two of the regional development districts, the benefits to the Arab communities could be maximized by locating the districts on interchanges that would directly adjoin large Arab towns. This would enable these communities to take advantage of the presence of new large-scale industrial and commercial developments as sources of both employment and provision of services, which currently lack space for such activities. The key to the proposed structure is that Arab private landowners and their local authorities alike will share with Jewish counterparts in the ownership of the districts as well as deriving the broader benefits of job opportunities. Table 3 summarizes the proposed structural components of the Economic Development Districts.

The model is based on the assumption that land reparcelization will take place. However, such reparcelization can be successfully implemented only if there are guarantees to current land owners, whether registered or nonregistered heirs. Guarantees could take the form of an agreement amongst the land owners, the local authority and Road Six Company, which spells out the owners’ and local authority’s rights before reparcelization begins. This engages the Arab parties in the process of reparcelization rather than excluding them from decisions that affect their lives so deeply. Elements of an agreement to be negotiated might include the following:

- Exemption from taxes that are otherwise required on all land deals (sometimes amounting to up to 35 percent of land value).
- For a specified number of start-up years, assessing the value of the land for tax purposes as agricultural, not improved, land.
- Compensation to local authorities. The ownership of a maximum of 40 percent of the land taken by eminent domain from the private owners will be putatively attributed to the local authority. These local authorities will be entitled to compensation for the use of this land, much of which will be dedicated for Highway Six, the accompanying service areas, and the local road infrastructure. This compensation may take the form of shares in the development district and/or alternative public lands as compensation for their current lack of public lands.
- Compensation to private landholders. Landholders and hamulas would receive alternative lands where available and/or shares in the economic development district.

**Conclusions**

The opposition to Israel’s trans-national highway continues. As of this writing, a bill is being prepared by 53 of the 120 Israeli Knesset (Parliament) members to suspend the project, pending total reexamination of its viability. Reflecting the mounting opposition, a Coalition for the Reexamination of Highway Six, which includes the extraparliamentary bodies—the Israel Union for Environmental Defense, the Public Transport Forum, the Israel Consumers Council, and the Association of Road Six Settlements—is actively petitioning the
Knesset members to pass the bill (Reily 1999). The association’s initial intent was to maximize compensation, including monetary, alternative lands, or in-kind facilities. While the Road Six Company has been responsive in moving the route and conducting requested impact studies, it and the other pertinent governmental bodies have yet to clarify and specify compensation processes and mechanisms. Had they succeeded in so doing, it is less likely that the association would have joined the opposition.

This opposition has stimulated a vigorous counter-campaign by a wide variety of national bodies. In addition to lobbying individual Knesset members, the media are being used to urge support of the highway. The supporters include national associations of industrialists, contractors, farmers, banks, hotels, merchants, and even cinemas. They not only support implementation of the work that has already been planned but call for immediate broadening of the plans to include the northern and southern sections of the highway. The mayors of most cities and towns as well as the heads of the regional and local councils have also mobilized to support the highway as the highest priority instrument of national development.

Whether the highway’s construction is delayed or even halted, the approaches to compensation that have been recommended in this article are applicable to other highway land takings and to planning for other infrastructure projects that are so sorely needed in many of Israel’s Arab communities.

It is common for academic planners to voice the need for sensitivity to traditional cultures. Flexibility in the implementation of a planning system needs to take into account the cultural, structural, and political circumstances that are unique to certain communities, particularly those groups that differ ethnically and/or religiously from the majority. For example, expanding the areas or enacting rezoning within existing boundaries of some Arab communities is likely to change the political attitudes of Arab residents toward Israel’s land policy and planning system and make them more open to acceptance of reparcelization.

In the practice, however, such flexibility and sensitivity is often swept aside by powerful interest groups with access to public policy makers whose objectives are maximization of profit, cost efficiencies, and pressures of time and leave little consideration for the cultural needs of communities. Only a set of mechanisms agreed upon in advance that can assure a system of shared capital among all stakeholders working toward jointly arrived-at solutions will give substance to the concept of cultural sensitivity in planning.

### Notes

1. The field survey of the area was conducted by Khamaisi in 1998 and reported in Khamaisi (1999).
2. The open interviews were conducted with nine heads of local councils and mayors, three engineers and planners, four heads of local planning committees, three representatives of the Road Six Company, three representatives of the Association of Road Six Settlements, three representatives of the Israel Land Authority, eight landowners in different Arab localities, four representatives from the district planning committees, four representatives from the national government, and two representatives from the Arab local government committee.
3. These included the following: the Tel Aviv Metropolitan, the Central District, the Haifa District; the Hill Chain districts plans; the National Outline Scheme for Construction, Development and

<table>
<thead>
<tr>
<th>Location</th>
<th>Development District Hierarchy</th>
<th>Ownership of Shares</th>
<th>Beneficiaries</th>
<th>Landuse Activities</th>
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</thead>
<tbody>
<tr>
<td>Visible and accessible from intersections</td>
<td>Regional development districts</td>
<td>Private: registered land owner</td>
<td>Private land owners (rent or operational income from owned facilities)</td>
<td>Industrial</td>
</tr>
<tr>
<td>Balanced access for Jewish and Arab locations</td>
<td>Medium-sized development districts</td>
<td>owner in practice (transfer of ownership not registered)</td>
<td>Israel Land Authority as leaseholder</td>
<td>Commercial</td>
</tr>
<tr>
<td>Cluster versus strip development</td>
<td>Local development districts</td>
<td>National government (Israel Land Authority)</td>
<td>Local authorities (taxes and rent)</td>
<td>Retailing</td>
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<td></td>
<td></td>
<td>Local government—Jewish and Arab</td>
<td>Employees</td>
<td>Services</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Parking</td>
</tr>
</tbody>
</table>

Table 3. Economic Development Districts: Components

a. Shares of public and private ownership to be allotted in proportion to lands (including a combination of current and potential uses) taken for construction of highway, its intersections, and industrial commercial districts; supplementary shares to be issued to impacted Arab localities currently lacking public lands.
Absorption of Immigration; and such sectoral plans as the National Outline Schemes for Transportation, Tourism, Railways, the Hedera Power Station, and Forests and Nature Preserves.

References


Collaboration Among Small, Community-based Organizations

Strategies and Challenges in Turbulent Environments

Lois M. Takahashi & Gayla Smutny

Collaboration among local institutions and agencies providing housing, health, and social services has increased, particularly over the past decade. Not-for-profit foundations and public agencies have promoted collaboration as one solution to the challenge of shrinking federal and charitable dollars and as a means to enhance cost-effectiveness (Weisbrod 1997). While there is a significant literature documenting and analyzing partnerships among private and public sector organizations at the regional, national, and international levels (e.g., Stephenson 1991) and a growing literature documenting relationships between public sector and nonprofit entities (e.g., Boris and Steuerle 1999), there has been relatively less attention paid to collaborative practices among local, small, and often not formally structured, community-based organizations.

Small community-based organizations have turned to collaborative partnerships for several reasons: because services provided through nonprofit organizations are spatially uneven, there remain substantial service gaps (i.e., specific neighborhoods have more services of specific types and others have fewer, which requires small organizations to partner with other agencies to expand their spatial coverage) (Wolch 1996); the demand for housing and social services continues to increase (Keyes et al. 1996); and mandates are increasingly being made by public and foundation funders for coordinated service delivery.

The impacts of collaborative partnerships are characterized in this article using two interrelated dimensions: interorganizational cooperation and programmatic outcomes. In terms of interorganizational cooperation, collaboration may initially appear to be a clearly optimal use of limited resources; however, there are substantial challenges. For example, small community-based organizations often have little experience with multiorganizational efforts (Fleishman et al. 1992). In addition, those organizations that are successful in fundraising and grant writing have undoubtedly learned lessons and strategies by competing with similar sized and substantively focused agencies (i.e., potential partners) rather than through cooperation and coordination with these agencies (Weisbrod 1997). But in terms of programmatic outcomes, small community-based organizational partnerships may be highly effective, even if there is a severe lack of experience with partnering and collaborating. Indeed, any conflict and miscommunication among agencies occurring during partnership activities may not

Abstract

Because of shifts in funding resources and calls for mandated cooperation, small community-based organizations are increasingly engaging in collaborative partnerships. This article focuses on how well collaboration works in practice for small community-based organizations. Existing research suggests that small community-based organizations, because of their informal organizational structures and adaptability, can develop highly effective partnerships. However, such organizations are largely inexperienced at implementing formal partnerships with other groups, leading to a potential for significant conflict. The article presents the case study of three small community-based organizations and illustrates the rather unexpected result that even with high degrees of interagency conflict, collaboration can result in highly effective programmatic outcomes.

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necessarily result in negative programmatic outcomes. To illustrate such complexities in collaboration and program implementation among small, community-based organizations, this article discusses the experiences of HIV Wellness Collaborative. This case study suggests that even with significant start-up costs and steep learning curves, interagency miscommunication, and frequent staff turnover, collaboration may result in programmatic goals being met or even exceeded.

This article explores the reasons for this programmatic effectiveness in the face of significant organizational difficulties by focusing on the (in)formality of relationships among the staff and the degree of (in)dependence in the tasks taken on by the partnership. Before turning to the case study, the article first provides an overview of the existing literature that documents interorganizational activity. This review is drawn largely from organizational management and the broader business and planning literature that has focused on the processes and outcomes of collaborative practice.

Explaining Collaboration

Community-based organizations are increasingly turning to strategies such as cross-sectoral collaboration to provide services addressing the gaps in the existing housing, health, and social service system (Klein et al. 1998). Collaboration, or the formation of partnerships or relationships between and among organizations, has increasingly been seen in the private, public, and nonprofit spheres as a means of enhancing competitive advantage, promoting cost-effectiveness, and even expanding the efficacy of governance (e.g., Gray and Wood 1991; Jessop 1998; Mohr and Spekman 1994; Riley 1991; Weiner and Alexander 1998). Indeed, researchers argue that collaboration is necessary to effectively provide services to an increasingly diverse population (Huber 1996).

There is a large literature, mostly situated in organizational theory, that defines and theorizes interorganizational relationships. In general, many scholars agree that before organizations attempt to develop collaborative relationships, there are several necessary elements: the context must provide an environment that allows and promotes partnerships, individuals and organizations must identify a need to collaborate, and potential partnering organizations must be willing and able to participate (Bazzoli 1997). The essential trade-off between acting collaboratively or autonomously is characterized by Huxham (1993) in the following way: “collaborative advantage can only be achieved if the pitfalls of each organization taking individual action can be successfully balanced against the pitfalls acting collaboratively” (p. 21).

To understand the reasons for collaboration, Alexander (1995) identified three primary conceptual traditions: exchange theory, organizational ecology/contingency theory, and transaction cost theory (see also Gray and Wood 1991). In exchange theory, the exchange of resources (e.g., monetary, information, political) comprises the major rationale for agencies and institutions engaging in interorganizational coordination. From this perspective, agencies and institutions voluntarily involve themselves in such relationships to gain advantages offered by other agencies’ and institutions’ resources. In contrast, organizational ecology and contingency theory both focus on the reasons for and ways in which organizations adapt to existing markets and regulatory environments and work to better fit their identified market niches. These perspectives imply that coordination is more structural than organizational since organizations participate in coordinated practices to adapt to turbulent market environments. The focus on turbulent market and regulatory environments in organizational ecology and contingency theory highlights the notion that the processes of collaboration and decision making are themselves embedded in larger institutional and social relationships (also Pasquero 1991). Finally, transaction cost theory argues that differentiated organizations exist and then work in coordinated efforts to minimize the cost of transactions.

Although there may be strategic reasons to form partnerships, there remain significant challenges to successful and effective collaboration, both in terms of interorganizational cooperation and programmatic outcomes, among small community-based organizations. These challenges can be organized at three scales: contextual, institutional, and individual. At the contextual level, community-based organizations are increasingly challenged by environments subject to turbulence, complexity, and dynamism (Baker 1993; McGill et al. 1994). Turbulence, complexity, and dynamism have long defined urban life; Jane Jacobs (1961) referred to “organized complexity” as “dealing simultaneously with a sizable number of factors which are interrelated into an organic whole” (p. 432). Varying factors will define the organized complexity or turbulent environment for small, community-based organizations. These include structural factors (such as changing immigration patterns, economic shifts affecting local employment and poverty) as well as institutional issues (such as changing funding streams, changing relations of power and conflict with political and governmental bodies and with competing organizations) (following Nunn 1995).

This contextual turbulence is characterized by an increasingly rapid pace and complexity in markets and governance, with expanding linkages among sectors previously thought to.
be relatively distinct, such as educational, technological, and even military systems (Rosenau 1997). To explore these issues, scholars in organizational and strategic management have turned to chaos and complexity theories not only to describe the rapid and varied changes occurring in markets and governance but also to devise strategies for firms to adapt and remain competitive (Kiel 1994; Wheatley 1992). To operate in turbulent environments, some researchers have suggested that incremental and adaptive planning will become more and more necessary (Cartwright 1991). In turbulent environments, organizations will continually have to adapt to meet the changing nature of populations; institutional, political, and legal domains; and funding and resource bases (Carney 1987; Googe et al. 1995; Orbovich 1995). Small, community-based organizations, because of their relative flexibility and adaptive capacities (in comparison to medium and large organizations), may be well suited to cope with such rapidly changing contexts. In pursuing collaborative partnerships, however, community-based organizations may also risk losing their community-based focus and ongoing participation from residents, becoming effectively controlled by stakeholders outside the community (Hardy and Phillips 1998; Lauria 1982).

There are also institutional challenges faced by community-based organizations in developing and maintaining collaborative relationships. First, the lack of stable and long-term funding sources and increasing competition for funds comprise primary obstacles to the viability of community-based organizations (Penner 1995). These funding problems are exacerbated when numerous agencies or organizations become involved in service delivery because of the varied and differentiated organizational requirements tied to grants supporting collaborative partnerships (e.g., additional staff, equipment, and operating expenditures). Second, a lack of functional organization within and between agencies may also act as an obstacle to successful and effective collaboration. For example, as the number of organizational participants increase, so too may any personnel problems generated by an unfamiliar set of sanctioning strategies (e.g., rewards or punishments) practiced through a collaborative organizational structure (following Fleisher 1991). Third, the frequent turnover of staff in small, community-based organizations will often lead to a recurring and ongoing reassessment of the division of labor among and within participating organizations (Penner 1995). Staff turnover and the reliance on informal procedures within small, community-based organizations means that institutional memory is often lost with each turnover in organizational personnel.

To address such institutional turbulence, the quality, clarity, frequency, and degree of participation in communication are vitally important in maintaining collaborative relationships (Mohr and Spekman 1994; Wilkof et al. 1995). On one hand, the standardization of policies and procedures might constitute one means of facilitating and enhancing communication among and between participating organizations (Penner 1995). However, systematization is often difficult to achieve in an environment where informality provides an inviting work environment for often fiscally stressed and highly flexible community-based organizations. On the other hand, because a successful collaborative relationship requires staff consensus and shared decision making (Selsky 1991), the acceptance at least initially of redundancy and creative chaos might be necessary to address the confusion that often arises when organizations try to bridge leadership styles, operating procedures, and organizational missions and values (Inkpen 1996).

Building effective relationships and communication among participating organizations will require strategies for conflict resolution and consensus building. There is a large and sophisticated literature in urban planning on consensus building, negotiation, and mediation (e.g., Susskind and Cruikshank 1987; Lake 1987). One of the conceptual themes underlying much of this work is communicative action (Foucault 1989; Innes 1995, 1998), in which values and assumptions about the decision-making process and potential outcomes are not accepted a priori but are discussed as an integral component of consensus building (Mohr and Spekman 1994). Communicative action makes clear that successful joint problem-solving activities require ongoing learning and not just a dependence on onetime solutions to identified problems (Innes and Booher 1999; Lowry et al. 1997).

The participants in such decision-making processes must also move beyond executive directors and staff. The inclusion of stakeholders with significant interests in the organizations or the outcomes of programs is also critical. Ironically, successful collaborative practices may have inherent within them challenges for ongoing program implementation. Hardy (1994) argued, for example, that a high degree of coordination among agencies may exclude important stakeholders who might then act to impede ongoing program provision. That is, stakeholders such as users/clients of services and board members might act to impede service provision if they believe that they have been excluded from the collaborative decision-making process (following Lauria 1986). Therefore, even if relative success is achieved in bringing organizations together in collaborative partnerships, the issue of institutional sustainability remains a significant challenge.

These contextual and institutional complexities have influenced individual practices in small, community-based organizations. These organizations seek funding support in an increasingly competitive environment. This has affected the ability to collaborate in diverse ways. On one hand, this
The competitive environment has tended to create leadership styles among executive directors of organizations that focus on noncooperation and competitiveness. Consequently, the directors of small, community-based organizations may have tended to form negative images of and relationships with other organizations, probably have a lack of experience in interorganizational cooperation, have developed incompa-
ble individual leadership styles, and/or have insufficient knowledge and experience of the substantive tasks and programs being conducted by potential partners (Mulroy and Shay 1997). On the other hand, competition may also have served to create an environment for potential partnerships; that is, at times, the identification of a common enemy might actually serve to cement ties among organizations (Bennis and Bierderman 1997).

In terms of developing an effective partnership, many researchers have highlighted the need for individual relationship characteristics, such as commitment, trust, and shared goals (e.g., Fertman 1993; Mohr and Spekman 1994), but there are others who argue that a willingness to collaborate may not be the only way to develop relationships among organizations. For example, Westley and Vredenburg (1991) in their study of “strategic bridging” argued that “strategic bridging is more likely to occur when the problem domain is underorganized and the willingness of the stakeholders to collaborate is low” (p. 65). In this formulation of a specific type of collaborative practice, strategic bridging consists of a combination of negotiation and the commitment by each organization and each organization’s leader to the outcome of the negotiations. Thus, while trusting relationships may be beneficial to initiating and maintaining a collaborative partnership among organizations, they may not always be necessary. That is, conflict may be an integral part of collaborative practice, particularly among agencies involved in highly turbulent contexts, experiencing significant institutional change, and exhibiting distinct individual leadership styles.

To examine these issues, this article turns now to the case of the HIV Wellness Collaborative, where conflict and miscommunication were at times central characteristics of the partnership. As the case study illustrates, however, conflict in interagency interaction had limited impact on the partnership’s meeting its programmatic goals.

► The HIV Wellness Collaborative

The HIV Wellness Collaborative, a three-organization partnership formed to address the needs of people infected or affected by HIV and AIDS, achieved significant accomplishments. At the end of its first year of implementation, the HIV Wellness Collaborative met almost all of its programmatic goals and experienced an increase in staff skills and professional development across all three agencies. However, this partnership also encountered significant procedural challenges that continue to affect its potential for sustainability. To explore the factors contributing to organizational difficulties and programmatic effectiveness, this section describes the turbulent environment that contributed to the opportunities for partnership formation and provides a brief overview of the process through which the HIV Wellness Collaborative’s members began to design and implement services.

A turbulent context created opportunities that resulted in the initiation of the HIV Wellness Collaborative and contributed to its relative effectiveness in programmatic outcomes. Two primary issues defined contextual turbulence and complexity during the creation and implementation of the HIV Wellness Collaborative: the shifting focus, mandates, and competition inherent in funding organizations and agencies; and the changing nature of the targeted client population. The shifting focus of funding agencies and competition for funds contributed greatly to instability and uncertainty among small community-based organizations involved in health and human services associated with HIV and AIDS. One primary positive development with respect to the three organizations that formed the HIV Wellness Collaborative was the creation and subsequent shifting priorities of nonprofit health-oriented foundations in California (e.g., California Wellness Foundation and the California Endowment), making funds available particularly to small community-based organizations providing services to persons infected and affected by HIV and AIDS (California Endowment 1997). Competition for federal funds (through the federally funded Ryan White CARE Act) continued to be fierce, making this nonprofit, foundation-based funding sector especially attractive.

The second major shift contributing to a turbulent context for the agencies involved in the HIV Wellness Collaborative was the increasing diversity of the targeted client population over the past decade. This diversity stemmed primarily from two sources. The first was biomedical research that resulted in new drugs and treatments for HIV and AIDS, effectively extending life expectancies and altering HIV/AIDS prognosis from immediate death to chronic disease. The second was related to larger structural issues such as immigration, economic restructuring, and race and gender relations, changing the face of HIV and AIDS in Orange County from solely that of White/Caucasian men who have sex with men to one that includes women, heterosexuals, and persons of color (Takahashi and Smutny 1998).

In response to the opportunities presented by this turbulent context, the HIV Wellness Collaborative was established in
late 1997 and is composed of three small, community-based organizations in Orange County, California: Laguna Shanti in Laguna Beach (an upscale coastal community in southern Orange County), Delhi Center in Santa Ana (a largely Latino/Hispanic immigrant and low-income community in the northern and more urbanized area of the county), and Latino Psychological and Social Services (LPSS) also in Santa Ana. Through a rapid set of meetings, the partners met and developed a grant proposal and successfully received a three-year grant for $817,000 from the California Endowment (a private nonprofit foundation) to fund a comprehensive set of services for persons infected or affected by HIV and AIDS.

Programmatic objectives (e.g., number of unduplicated clients to be served, number of workshops to be provided, number of retreats to be organized) were finalized after receiving the grant. To develop and implement an integrated set of services to meet these programmatic objectives, the HIV Wellness Collaborative partner agencies started meeting in September 1997. One large working group (composed of agency directors, program staff, and independent evaluators) met through the remainder of 1997 and into early 1998. These initial meetings of the HIV Wellness Collaborative served two important purposes. First, the initial meetings allowed group members to become more familiar with the personalities and work styles of the other members and also served to establish productive working strategies (i.e., establishing informal relationships), although these relationships had both positive and conflictual dimensions. Second, with a relatively effective and routine process in place, the group was able to begin handling the substantial administrative, budgeting, and tracking details necessary for implementation of proposed activities.

Start-up activities and issues (e.g., data collection, client tracking, and referral procedures) proved to be onerous and fraught with miscommunication and, as such, were revisited by the HIV Wellness Collaborative throughout the first year. However, by early 1998, the group began to place less emphasis on start-up concerns and focused more on service provision. The first few months of 1998 were a tumultuous time for the HIV Wellness Collaborative as the large group structure became unwieldy to handle both day-to-day programmatic issues (such as new programs coming on-line, high staff turnover, and difficulty in using the new computer client tracking system) and wider policy questions (such as possible partnerships with outside agencies and organizations and difficulties gaining access to and recruiting potential clients). To remedy this situation, a modified organizational structure was suggested by the outside evaluators and was adopted in March 1998. The new organizational arrangement allowed varying tasks to be accomplished by different groups in separate meetings. One group, composed of the agency directors, met to discuss long-range plans for fundraising strategies, overall goals and objectives, and problems and crises. The second group, composed of program managers and staff, focused on actual service delivery problems and compilation of program monitoring data. The two groups met together monthly to exchange ideas, discuss issues, and make decisions. This new organizational structure streamlined functions, aided in planning and implementation of client services, and contributed to the achievement of significant programmatic goals.

Understanding the Practice of Collaboration: (In)formality and (In)dependence

In this section, we focus on the form and function of collaborative practice, with special emphasis on the relationships among individuals and organizations. Two dimensions are argued to be especially important: the degree of (in)formality in the organizational structure of the collaborative (i.e., the form of the collaborative) and the degree of (in)dependence in the tasks taken on by the collaborative partners (i.e., the function of the collaborative) (see also Seibel and Anheier 1990).

Form of the collaborative: Informality-formality. Scholars across multiple fields have been increasingly interested in networks of stakeholders and policy makers and in the interpersonal relationships between and among individuals and organizations that comprise various networks (e.g., Gittell and Vidal 1998; Jessop 1998; Putnam 1995). Such interpersonal networks not only reflect power relations at multiple scales and in varied populations but also constitute conduits through which access to power and information is manipulated and controlled (Fischer et al. 1977). Consequently, much of the success of collaborative partnerships among small community-based organizations will depend on the form of individual and interagency relationships (Huxham 1991).

The form of interpersonal and interagency networks within collaborative partnerships is reflected in part in the degree of informality and formality in individual and interagency interactions. Formality in relationships among individuals and agencies, depending on the task involved and the scale of the collaborative activity, may range from extremely informal to extremely formal. This continuum of informal-formal relationships is important both for individual relationships (e.g., between executive directors or among staff from varying agencies) and for interagency relationships (e.g., correspondence among agencies and mechanisms for addressing conflict and misunderstandings).

A more formal relationship or network emphasizes the linkages among institutions and organizations (Maguire
Increasingly, formal relationships among partnering organizations (e.g., through agreements such as Memoranda of Understanding) are often required by public and nonprofit foundation funding agencies as requirements for grant support. These formal agreements (which generally state the overall purpose of the partnership) represent to funders that community-based organizations have entered into or have been engaged in ongoing interactions over time and that cooperative relationships will continue into the future. For small, community-based organizations, these formalized agreements may be used for funded or unfunded partnerships. Often, although not always, these relatively formalized agreements are the result of longer-term informal relationships among organizations and individuals. Formal agreements may also be used to dictate the forthcoming power relations within partnerships (e.g., which organization acts as the lead agency and which organization acts as the fiscal agent).

A more informal relationship or network emphasizes the relations among persons (Ekland-Olson 1984). Such informal networks usually involve reciprocal relationships with obligations, socially recognized and sanctioned roles, emotional or sentimental ties, and interaction and exchange stressing human agency (Fischer 1982). Whether informal or formal, the more dense the relationships or networks among collaborative participants, that is, the more relationships that overlap, the better able such relationships might be in withstanding crises (Bott 1971). In other words, more relationships among more participants involved in collaborative practices may lead to stronger partnerships than those that exist in isolation (Fischer 1982). This is especially true in collaborative partnerships among small, community-based organizations, many of which have executive directors that have long-term informal and sometimes more formalized relationships with one another.

The members of the HIV Wellness Collaborative tended to interact with one another in primarily informal ways, with informality exhibited by, for example, conversations before and during meetings about family members, a jovial atmosphere, and efforts to maintain a highly egalitarian set of relationships among program staff and agency directors (see Figure 1). Informal relationships were key in bringing the three small, community-based organizations together to form the HIV Wellness Collaborative. One of the agency directors had developed informal relationships with the other two organizations’ directors (one longer term and the other more recent) and brought all three agencies together to form the HIV Wellness Collaborative in response to available funding from the California Endowment.

Established and new informal relationships were also critical to the initial phases after funding was obtained, when the partnering agencies began to develop a mutually agreed on structure in terms of decision making (see Figure 2). The first months of the HIV Wellness Collaborative were used to clearly define the programmatic goals of the partnership, the organizational strategies to meet those goals, and details about mechanisms and procedures for communication among agencies. Existing informal relationships contributed to the relative ease with which these new organizational procedures were developed and accepted by the partners. Program staff did not have relationships prior to the establishment of the HIV Wellness Collaborative; therefore, their interactions were often defined by their job descriptions within their individual agencies.

Figure 1. Form of the HIV Wellness Collaborative.
However, the preference for informality in these relationships was reinforced by the agency directors’ behavior at meetings. In addition, each of the partnering organizations maintained rather informally structured organizational forms, where staff were responsible for specific tasks outlined in their job descriptions but also contributed in many different ways to the operation of each organization as needs arose. This informality about positions in the agency and within the HIV Wellness Collaborative was necessary in the initial months of the partnership as there was significant confusion about the specific programmatic objectives and about how these objectives were to be accomplished.

However, the emphasis on informality within and between agencies also contributed to conflict and miscommunication. In general, differing work styles and organizational norms meant that the dependence on informal communication led to various types of conflict. That is, the reliance on informality effectively downplayed the role that power relations played both within and between organizations. For example, one of the agency directors gave program staff substantial decision-making power over implementation issues, one allowed very few program decisions without express approval, and the third had a decision-making style between these two extremes. One concrete result of these distinctive leadership styles was that agency directors were not necessarily informed when program staff from the different agencies were in disagreement over procedures (since there were few formal procedures to follow). In essence, the varying power relations within each agency contributed to a disjuncture between agencies when programmatic problems emerged, leading to an inability to resolve issues using informal mechanisms.

In addition, the reliance on informal relationships in the structure of the HIV Wellness Collaborative also led to a lack of sanctioning when particular organizations engaged in behaviors that were deemed unacceptable by the other agencies. That is, the agency directors and staff tended to overlook unacceptable behaviors in favor of preserving the appearance of favorable informal relationships. These unacceptable behaviors ranged from minor incidents (e.g., less reliability for showing up at scheduled meetings, timeliness in delivering quarterly data) to more substantial issues (e.g., gaps in service provision). As time went on, however, and unacceptable behaviors continued to occur, informal mechanisms for sanctioning were less and less effective at correcting the situation, resulting in an increasing formalization of communication (e.g., exchanged memos and documents concerning unacceptable tasks) and a perceived decrease in interagency cooperation among the partners. At one critical point when disagreements could not be resolved during meetings, partners in the HIV Wellness Collaborative moved to an extremely formalized set of mechanisms for communication (e.g., exchanging memos and other written documentation).
Function of the collaborative: Independence-dependence. To be effective, collaboratives of small, community-based organizations will require varying degrees of interdependence among participating organizations and independence of each of the participating organizations from one another. Scholars have also described this continuum as the requirement in collaborative partnerships for both differentiation and integration (Charns and Tewksbury 1993; Galbraith 1973; Lawrence and Lorsch 1967).

Differentiation is crucial as redundancies may lead to inefficiency and competitiveness in program implementation, but at the same time, integration is also important because organizational specialization sometimes acts to inhibit collaborative relationships (Fleishman et al. 1992). For collaborations having functions that are more independent or differentiated, organizational partners offer mutually exclusive sets of skills and services that infrequently overlap. In such collaborations, each partner may be responsible for a particular set of tasks that contribute to the collaboration but may not require ongoing or substantial interaction with other partners. At the other end of the continuum, collaborations that are mutually dependent for task implementation (i.e., more integrated) might require substantial oversight and ongoing interaction to achieve targeted objectives. Significant dependence would require overlap in organizational norms, operating procedures, and staff knowledge and skills for effective task implementation.

Figure 3. Function of the HIV Wellness Collaborative.

There are particular challenges to dependent or integrated collaborative functions. With overspecialization among participating organizations in collaborative activities, the areas tackled jointly by agencies might not develop fully because individuals and staff do not subscribe to the same values and norms (Hardy 1995). For dependent or integrated functions to be effective, there must be the development of a vision or statement of a strategy or framework that exists above the level of individual agencies or organizations to ensure that effective and efficient implementation takes place. Huxham (1993) referred to this as a “meta-strategy” (see also Pasquero 1991). Thus, varying combinations of independent/differentiated or dependent/integrated functions are likely necessary for effective collaboration.

The tasks undertaken by the HIV Wellness Collaborative to meet its programmatic obligations revolved around three functions: designing and implementing a multiagency organizational structure, designing and implementing new programs (e.g., retreats, volunteer activities, cultural festivals and gatherings), and designing and implementing new data tracking and reporting mechanisms (see Figure 3). Each of these functions included independent and dependent aspects. For designing and implementing the multiagency organizational structure, as previously discussed, limited attention was paid to articulating and mandating requirements for oversight and accountability in favor of using and maintaining informal relationships. The formalized organizational structure or meta-strategy (Huxham 1993) of the HIV Wellness Collaborative...
consisted of three equally funded agencies with equal voice at the decision-making table. The decision to construct a tripartite decision-making structure was embedded in the grant proposal but was reinforced through initial discussions of the partners after the grant was funded. However, there was a disjuncture between the funding mechanism and the meta-strategy developed by the HIV Wellness Collaborative. Each agency was virtually guaranteed funding each year, but the structure of tasks outlined in the grant proposal required substantial overlap in the development and implementation of new programs and data tracking and reporting. This substantial overlap required that the partner agencies function in dependent ways; however, the funding mechanism treated each agency as a separate and independent entity. The seeming contradiction in independence of funding and the dependence indicated in the tasks outlined may have also contributed to conflict during the latter parts of the first year of implementation.

Designing and implementing new programs and the creation of new data tracking and reporting tasks required substantial dependence and integration among the three partnering agencies. The new programs required that each agency use the knowledge base and skills of the other agencies to provide services to each agency’s clients (now also characterized as “collaborative clients”), that each agency refer its own clients to the other agencies, and that each agency conduct outreach to recruit new clients to the HIV Wellness Collaborative. There were several successful results of this dependence in tasks. The dependence on all partners for program development and implementation resulted in the transfer of skills and knowledge about service provision to each of the partners. Each of the partnering agencies brought a distinct set of program skills and experiences to the HIV Wellness Collaborative, fostering interagency education and professional development. Laguna Shanti provided training and information about recruiting, training, and incorporating volunteers into a small agency; Delhi Center brought its knowledge and experience about organizing and conducting retreats for clients; and LPSS provided training and experience with mental health care particularly with Latino/Hispanic populations. Each agency incorporated dimensions of the partnering agencies’ experiences, resulting in greater efficiency and widening sets of services provided to collaborative clients.

The focus on dependence, however, also created substantial challenges to these new programs. First, requirements for outreach were not included in the grant proposal, since all agencies assumed that new clients would not be difficult to recruit (this assumption turned out not to hold). Each of the agencies eventually had to use program staff time to recruit potential clients; this new and unforeseen task contributed to dissatisfaction among some of the partners and resulted in conflict as these concerns were not formally communicated. Second, the new programs required that agency staff not only conduct the usual programs offered at their own agency but that they also become familiar with the other agency programs and that they coordinate and provide new HIV Wellness Collaborative services at their own agencies. These two new obligations required substantial dependence on the other agencies for clients and for services, meaning that program staff had to reorient their own organizational practices to accommodate new ways of implementation and varying timelines for task completion. Unfortunately, all the program staff and agency directors were unprepared for the need for such organizational skills, were similarly fully committed to other tasks, and were often not sufficiently professionally developed to adapt to this new institutional environment.

In part perhaps because of this new and more complex institutional environment, along with individual needs for development, education, and changes in lifestyle, there was substantial staff turnover during the first year of the HIV Wellness Collaborative across all three agencies. While all of the directors of the agencies remained in place, only one of the original program staff members who helped design tasks and procedures at the initiation of the HIV Wellness Collaborative was present by the middle of the second year. Two of the agencies had experienced complete turnover in their program staff. This substantial and frequent turnover in staff complicated the implementation of the HIV Wellness Collaborative’s tasks, especially with the dependence called for by the meta-strategy and the informality ever present in the organizational structure of the partnership.

Data management and reporting were also problematic because of these program staff changes and because of the desire on the part of the partners for integrated data systems (integrated both in terms of interagency functions and in terms of varying intra-agency programs). Program staff and the agency directors were all involved in the design of the data tracking systems adopted by the partners; however, computer hardware problems and staff focus on client services tended to impede data input and tracking. Data entry was seen as another task that was to be taken on by existing staff members; forward-looking funders could minimize the increased data collection and analysis burden that is often a requirement for funding or funding could be earmarked for computer training and technical assistance.

There were advantages and difficulties experienced by the HIV Wellness Collaborative in large part due to the dependence on tasks in data entry and management. Each of the agencies had data monitoring in place, some computerized and some not. These diverse systems had been developed by the
individual organizations to respond to the need to report units of service and other program outcomes to varying funders. In developing the integrated data entry and management system, the partners worked to create a system that would accommodate multiple funders’ requirements for reporting. That is, client variables were included in the system that could be used for reporting in terms of public agency funds (e.g., Ryan White CARE Act funds) and nonprofit foundation funds (e.g., The California Endowment). The HIV Wellness Collaborative grant from The California Endowment provided each agency with funding for additional computers and software to enable data entry and tracking, thus providing the partners with physical infrastructure to complete its integrated data tasks. Unfortunately, the frequent staff turnover made this dependent function highly problematic because of insufficient computer training and familiarity with the data entry and management system. The integration of data entry and management therefore was in theory a way to increase efficiency both within and across agencies. The high turnover in staff, however, made this goal rather difficult to achieve.

**Implications**

Even with substantial interorganizational challenges, the HIV Wellness Collaborative was extremely successful in meeting almost all of its first year programmatic objectives. This partnership enabled each of the agencies in the HIV Wellness Collaborative to develop new programmatic skills, to expand the number and types of services offered to clients, and to broaden the institutional vision for agency expansion and growth. Each of these agencies is now looking to substantial expansion in distinct sectors and is seeking substantial funding; these organizational visions and enhanced capacity for fundraising are in part due to the experience of working in the HIV Wellness Collaborative.

Why, then, might planners be concerned about interorganizational challenges when programmatic goals are being met? Sustainability of such programmatic goals might depend centrally on interorganizational cooperation. That is, while the first year of the HIV Wellness Collaborative might have experienced relative success in meeting its programmatic objectives, the continued effectiveness of this partnership will require that miscommunication and conflict be addressed. To enhance the ability to sustain the partnership, the HIV Wellness Collaborative and other organizations wishing to engage in collaborations must acknowledge and be ready and able to address conflict as it emerges. For the HIV Wellness Collaborative, conflict may have arisen from material and institutional contradictions across form (i.e., informal and formal relationships within the partnership) and function (i.e., independence and dependence in tasks). In terms of the form of the HIV Wellness Collaborative, the need for a meta-strategy (Huxham 1993) was quickly identified by the partners; however, the need for one responsible party to oversee and monitor this meta-strategy was minimized in favor of maintaining informal and egalitarian relationships among the three organizational partners. Thus, the meta-strategy was designed and agreed upon by all partners, but because of the turbulent institutional context (i.e., due primarily to frequent staff turnover and changing agency priorities) and because there was no partner identified as responsible for overseeing the meta-strategy, miscommunication and conflict emerged.

Conflict also emerged over contradictions in function. The meta-strategy outlined in the grant proposal funded by The California Endowment outlined the need for dependent and integrated functions across the three agencies. However, the funding mechanism provided virtually guaranteed funding to each of the agencies over the three-year grant. Because of conflicts that emerged in the relationships among the three agencies, the funding mechanism served to exacerbate the problems encountered in trying to implement a set of tasks requiring dependence and integration across the partnering agencies. There was little incentive to resolve ongoing conflicts as long as programmatic objectives were being met and funding was guaranteed. While the ongoing conflict may not have severely affected the programmatic objectives and outcomes (leading to an assessment that the HIV Wellness Collaborative was very successful), the potential sustainability of such a partnership might be jeopardized by unresolved conflict. Furthermore, the potential to enhance service delivery to clients in the long term could be impeded by contentious relations.

Both the case study and the framework proposed in this article suggested that collaboration requires a combination of informalality and formality in the form of the partnership and a combination of independence and dependence in its function. In particular, the case study indicated that the degree of informality-formality and of independence-dependence incorporated in any partnership should be designed to minimize internal contradictions. The desire for informal relationships and the need for a meta-strategy should not preclude the identification of an individual or agency that is responsible for overseeing the implementation of the meta-strategy. In addition, in terms of independent and dependent tasks, the funding mechanism should be consistent with the degree of independence to minimize the disincentives for integrated task implementation. Conflict is often inescapable; however, it may be minimized given the consistent application of funding and administrative strategies appropriate to the form and function of collaborative partnerships.
While this analysis provided insight into the practice of collaboration, additional research is needed to understand more fully how partnerships, both funded and unfunded, among small community-based organizations function and how they differ from collaborations among large organizations and those in the private and public sectors. In particular, research should explore how the adaptability and flexibility of small, community-based organizations are advantageous and disadvantageous with respect to forming collaborations and coping with turbulent contexts; how the instability in program staff and funding may impede or contribute to innovation in collaborative service delivery and institutional form; and whether (because of the ongoing need for stable funding streams) small, community-based organizations will form collaborative partnerships only in response to available funding.

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Notes

1. One major nonprofit foundation in California, the California Wellness Foundation (1997), believes, for example, that community-based organizations must become more entrepreneurial and more innovative to identify and cultivate new funding sources and to enhance sustainability.

2. There is a growing literature on networks and linkages under the rubric of “social capital” (e.g., Gittell and Vidal 1998; Putnam 1995).

3. Some studies have cautioned about the effects of interagency coordination on the populations that programs are meant to serve. For example, in the arena of children’s health and well-being, Glisson and Hemmelgarn (1998) argued that coordination is less important than the climate of the organization in improving children’s psychosocial functioning. Indeed, they argued that interorganizational coordination actually had a negative impact on the quality of services provided. In addition, others argue that collaboration should not be seen as a universally better set of strategies for operating. For example, Dill (1994) suggested that coordination seems to have become an institutionalized myth in terms of organizational reform. Instead, conflict and competition may also have roles to play in improving services, providing services for underserved populations, and addressing planning issues not covered by other agencies.

4. The authors used participant observation to collect qualitative information about the HIV Wellness Collaborative, participating as evaluators of the project since its inception in 1997. The case study analysis is based on meeting minutes and informal conversations during the course of the first year of implementation with program staff and the directors of each of the three agencies (see Smutny and Takahashi 1999 for an in-depth discussion of the HIV Wellness Collaborative’s activities).

5. Laguna Shanti serves mainly male, English-speaking, White/ Caucasian, HIV-positive and AIDS-diagnosed individuals and is modeled after other “shantis” located throughout the nation that provide services and support using a philosophy of holistic healing. One of the unique features of this organization is its systematic incorporation of volunteers in providing professional and supportive services to its clients. Delhi Center has provided services and leadership development in the Delhi neighborhood of Santa Ana for almost thirty years. The Delhi neighborhood is largely Latino/Hispanic and low income, with a sizable proportion of recent immigrants, and has been a site for gang violence in the recent past. Latino Psychological and Social Services (LPSS) is a newer organization than either Laguna Shanti or Delhi Center and was formed as a for-profit agency to address the expanding mental health care needs of Latino/Hispanic individuals and families in northern Orange County. As of 2000, LPSS was the only organization contracted with the County of Orange Health Care Agency (the public health department) to provide mental health care services to the county’s Latino/Hispanic population. These community-based organizations have distinct geographically and ethnically defined client bases; Delhi Center and LPSS serve the Latino/Hispanic communities in northern Orange County (through social and mental health services), while Laguna Shanti serves the HIV-positive community primarily in central and southern Orange County (through social and health care services).

6. The grant writing and application process was largely executed by the executive director of Delhi Center, who had proactively developed networks of organizations that might respond to funding opportunities and who also had primary responsibility for writing the grant proposal.

References


Municipal Plans, State Mandates, and Property Rights
Lessons from Maine

Rolf Pendall

Abstract

In Maine, the state government does not require municipalities to plan, but it provides technical assistance, incentives, and state review to encourage local comprehensive planning. Most municipalities submit plans; the majority adopt plans that are consistent with state goals. Voluntary planning may therefore constitute a viable alternative to planning mandates if states offer incentives and assistance. The research finds little evidence that higher status municipalities are more likely to plan, casting doubt on the hypothesis that planning is driven by exclusionary motives in Maine. Municipalities’ planning actions correlate more consistently with indicators of their residents’ attitudes about property rights.

Planners have tallied about one success per year over the past fifteen years in their efforts to convince state legislatures to require municipal comprehensive planning (Cobb 1994). About half the states still only enable—and do not require—their local governments to enact comprehensive plans. Many of these states’ legislatures are split between representatives of sprawling urban areas whose residents favor stronger planning and those of recessionary rural areas whose residents oppose planning. Under these circumstances, supporters of strong planning can seldom muster the majority required to pass a planning mandate.

New models of environmental management (May et al. 1996; Burby et al. 1997) suggest that cooperative or incentive-based planning may be a viable alternative to either planning mandates or laissez-faire-enabled planning. Recent events in Maine provide an opportunity to explore the consequences of planning mandates and incentives. Maine adopted a planning mandate in 1988 but replaced the mandate with a strong voluntary program in 1992. Under the voluntary program, Maine’s State Planning Office provides support services usually associated only with plan mandates, including technical assistance, funding, and review of plans for consistency with state goals. Most of Maine’s local governments have developed and improved their comprehensive plans despite the shift to voluntary planning, and the majority of local plans meet the state’s planning goals. But some local governments still decline to prepare plans, and many of those that prepare plans still fail to adopt them or make them conform to state goals.

This article explores the current planning framework in Maine in an effort to identify why municipalities plan when not required to do so and why they do not plan when given incentives to do so. I begin the article with a discussion of the recent evolution in planning in Maine up to late 1998, discussing at some length the current status of municipal plan submission, consistency, and adoption. This status report raises an important question: what factors help explain the variation across municipalities in planning compliance? The subsequent section explores relevant literature to provide a foundation for hypotheses about how planning mandates (external factors) and municipality characteristics (internal factors) influence planning. The quantitative
analysis that follows shows that municipalities subject to the planning mandate were more likely to submit plans but less likely to make them consistent with state law than those subject only to the voluntary system. The analysis also reveals less compliance in municipalities whose residents voted more heavily against a 1997 measure to impose new restrictions on timber harvesting. Additional qualitative research will be helpful to untangle the many complex factors that influence municipal decisions about planning in Maine.

Growth Management Comes to Maine

For most of the 1900s, Maine was less industrialized and grew more slowly than the rest of the United States. Until 1985, Maine’s employment was between twice and three times as concentrated in farming, forestry, and fishing as in the United States overall. Starting in 1975, however, employment growth began to outpace that in the United States, led by construction and real estate industries that fed on the “Massachusetts miracle.” In southern Maine, newly affluent baby boomers began to demand new homes in formerly rural towns that were within easy commuting distance of their jobs.

In the early 1970s, the Maine legislature imposed state-level controls on coastal wetland alterations, developments of regional impact, and all development in its sparsely populated unincorporated (“unorganized”) townships. The state required municipalities to zone in coastal and riparian areas and areas near wetlands, with review and preemption by the Department of Environmental Protection. But the mid-1980s boom overwhelmed these state environmental controls and raised awareness that municipalities needed plans to fight sprawl.

After several false starts and setbacks, Maine’s legislature passed a growth management bill in 1988. The law establishes ten land-use goals to promote orderly growth, efficient public facilities, economic development, and affordable housing and to protect water quality, critical natural resources, the marine resources industry, agricultural and forest reserves, historic and archeological resources, and outdoor recreation opportunities. When it passed, the law also mandated comprehensive planning in every municipality (Howitt 1993, 15). Based on an inventory of current conditions and its own goals and objectives, each municipality would adopt an implementation scheme to carry out goals adopted by the legislature within the same legislation. The comprehensive plan was required to include a “land use plan designating growth areas, suitable for orderly residential, commercial, and industrial development forecast over ten years, and rural areas, where agricultural, forest, open space, and scenic areas would be protected from incompatible development” (Howitt 1993, 40; 30A MRS § 4326).

At the state level, the statute required the Office of Comprehensive Planning (OCP) in the Department of Economic and Community Development to review each local plan. OCP also funded up to 75 percent of the cost of local plan preparation. Municipalities with adopted and certified plans would qualify for discretionary grant funds and become eligible for additional grants to develop zoning and subdivision ordinances. Those without plans, or whose plans were not certified, “would have their existing zoning, subdivision, site review, and impact fee ordinances invalidated and be barred from legislating new ones until they had put a consistent comprehensive plan in place” (Howitt 1993, 41). By late 1991, planning was underway in 138 municipalities in which OCP deemed it most important because of high growth rates and poor or absent previous planning efforts.

But Maine’s economy had by this time slid into recession, leading then-governor McKernan to slash state funding to local public schools. To “compensate” for this drop in state funding, McKernan killed the presumably dispensable comprehensive planning mandate and with it OCP’s now unnecessary review function (Howitt 1993, 80). OCP’s close scrutiny of local plans had gained enough enemies, including a burgeoning property right movement and some resistant local governments, to fortify the governor’s decision and to discourage the legislature from fighting for the program.

Within the first months of 1992, however, the legislature reinstated the growth management program on a voluntary basis. Governor McKernan signed the bill into law despite receiving more than 100 calls from property rights activists who urged him to veto it (Howitt 1993, 86). The legislature also restored the plan-review function within the State Planning Office (SPO). Even though the program is now voluntary, the state still provides matching grants to help local governments defray the cost of preparing plans and land-use ordinances. The state also gives preference to municipalities that have consistent programs when it awards funds for community development projects, public facilities improvements, and land acquisition for parks and conservation. Since competition is strong for these funds, this preference system has given many municipalities incentives to improve their plans. As a final incentive, municipalities without consistent plans once again face the possibility of having their land use regulations suspended; every municipality in the state faces a deadline of January 1, 2003, to adopt consistent plans, although most municipalities that have received financial assistance for planning had earlier deadlines.

The most obvious legal difference between the voluntary and the mandatory program, therefore, is that municipalities
may now decline to plan, zone, or exercise subdivision regulations, except when they are subject to state coastal-zone legislation. (If they do adopt zoning or subdivision ordinances, of course, they are required also to have a consistent plan.) Far less obvious is whether a state court would suspend a municipality's land-use ordinances. To date, no municipal ordinances have been voided by state courts on the basis of an inconsistent plan, although the SPO reports that there have been two or three threatened lawsuits (Della Valle, personal communication, 23 May 2000). Until and unless such a penalty is imposed, municipal officials are likely to respond more to grant-related incentives than to the threat of suspended zoning and subdivision controls, which would only occur in the event of a lawsuit.

State review of local plans has been characterized as "stringent" (Howitt 1993); its staff demand a high level of specificity, especially in the designation of growth and rural areas in their land-use plans. Public facilities and capital investment plans, also required by the legislation, have also proved technically and politically difficult for municipalities to bring up to the state’s standards (Howitt 1993). The state legislation also includes a goal that 10 percent of new residential development be affordable; the state works with municipalities to reduce land-use-related barriers to affordable housing in their plans and ordinances. The final consistency determination often requires several rounds of negotiation between the state and the municipality and revisions of the plan.

The 1988 act set a deadline of 1996 for the review of 221 municipal plans, extended in the 1992 legislation to 1 January 2003, for all municipalities. By late 1998, 196 had submitted a plan (unpublished data, SPO) (see Figure 1). Of these, according to SPO, 130 were consistent and 66 were not consistent with the state planning legislation. Of the consistent plans, 115 had been adopted, and 38 of the 66 inconsistent plans had been adopted.

Thus, the bare majority (52 percent) of all municipalities had adopted consistent plans.

The pattern of planning actions—submission, consistency, and adoption—among the municipalities whose plans came due before the mandate expired differs significantly ($p < .01$ in a chi-square test) from that of the other jurisdictions (see Table 1). Only 7 percent of municipalities subject to the mandate failed to submit a plan, compared to 18 percent of those not subject to the mandate. But 51 (37 percent) of the 138 municipalities subject to the mandate had inconsistent plans in 1998, compared to only 18 percent of those not subject to the mandate. The mandate therefore appears to have encouraged plan submission, but it was not effective in spurring plan consistency. The next sections explore some possible explanations for this pattern of planning activity.

### Why Municipalities Plan: External and Internal Motivations

One might smile at the irony when a municipality named Liberty tells the state of Maine, “We will not submit” a plan or
when the Town of Freedom declines to bring its comprehensive plan into consistency with SPO’s interpretation of state law. But we should examine whether jurisdictions that vary across these planning dimensions—submission, consistency, and adoption—also have distinct political, social, economic, and geographic characteristics, after taking account of how the planning mandate affected local planning in Maine.

External Motivations for Planning

Legal doctrine in the United States establishes municipalities as “creatures of their states,” although many state constitutions also provide a measure of local autonomy via “home rule” clauses. A “higher level of government” (e.g., a state) within a federalist system must always devise a combination of coercive and persuasive measures to induce compliance with its wishes by “lower levels of government” (e.g., municipalities). May (1994, 1995), Burby et al. (1997), and May et al. (1996) raise interesting questions about this relationship that deserve further exploration. Is it possible to mandate cooperation? To what extent do planning mandates work, and when and where do they outperform incentive systems?

To overcome problems of often unfunded mandates, federal and state governments have turned to “collaborative planning” and “cooperative” processes, which “aim . . . at enhancing local governments’ interest in and ability to achieve policy goals” (May 1995, 91). In a cooperative process, higher levels of government offer inducements and technical assistance to lower levels, building trust and capacity at the same time. May (1994) characterized such inducements as “catalytic controls” and contrasted them with “coercive controls,” which “leave little room for maneuvering and seek adherence to mandate goals through regulatory enforcement” (p. 3).

Bollens (1992), De Grove (1984), Popper (1988), and others have commented on a shift in state-local planning relations from coercive to catalytic approaches. Early systems dealt with stopping undesirable local actions (Type I issues, in Bollens’s terminology). Many of the more recently adopted systems, such as that in New Jersey (Innes 1992), have relied more on collaboration and cooperation between levels of government to encourage desired local actions (Type II issues). Even so, May (1995) contended that there are few “reasonably clear-cut cases of cooperative policy approaches” (p. 92) in state planning systems. The same could be said, however, of coercion in state planning; states usually sweeten their planning mandates with technical assistance and money when they impose growth management schemes on local governments. The conceptual clarity of the dichotomy between cooperative and catalytic systems is muddied further in reality, because incentives can sometimes be so strong as to be virtual mandates, as in the case of the National Flood Insurance Program.5

Several evaluations suggest that cooperative planning is an inferior alternative to coercive planning. May et al. (1996) found more preparation and adoption of consistent plans in Florida, whose growth management system is highly coercive, than under cooperative systems in New South Wales and New Zealand. A study by Dalton and Burby (1994) suggests that municipalities subject to mandates are also likely to have better plans and to follow them up with more effective implementation measures. (The nonmandate states in their study, however, were voluntary planning states with weak or no incentives for local planning.) May et al. (1996, 139) found that Florida’s mandatory system “straitjacketed” local governments, forcing them to take a “cookbook” approach to planning, whereas the cooperative systems promoted more innovation. Recent research on how land-use plans influence land uses, finally, has not yet focused on differences between mandate and non-mandate states (Talen 1996; Baer 1997), although Oregon’s growth management system—which many observers believe has had positive results on land use—is highly coercive (Abbot, Howe, and Adler 1994).

Maine’s shift from coercive to catalytic planning—which I also call “voluntary”—thus offers an opportunity to explore further some ideas presented extensively in the literature on intergovernmental politics and policy. Did municipalities subject to the mandate differ significantly from those that planned entirely within the voluntary system? One would expect a coercive mandate to result in more plan submission than a catalytic system. If the catalytic and coercive systems were in place at the same time for different municipalities, I would expect the coercive system to produce more compliance and adoption as well, based on the literature cited earlier. However, the 1992 shift may have resulted in some disillusionment among local residents and planners who were surprised by the change in rules. Furthermore, these municipalities had less experience with planning and have been under more consistent political pressure from development interests (if only because growth was more rapid) than municipalities subject only to the catalytic system. I therefore expect that the mandate made some difference in local plan consistency and adoption, but I do not have a clear hypothesis what the difference will be or even whether the difference should be attributed to the mandate or to some unobserved characteristic. I also expect that municipalities with consistent plans will be more likely to adopt them.

It is difficult to test these hypotheses cleanly. When the mandate gave way to the voluntary program in 1992, some municipalities from the mandatory period were still in the process of developing plans or working out consistency issues with SPO. The data source for this article does not make it possible
to distinguish the municipalities that completed their planning before the mandate expired from those still in process when the system shifted to a voluntary one. Moreover, the mandate applied to the municipalities that needed planning the most and was accompanied by many of the same incentives that remained in force after 1991. If these municipalities complied more consistently than those not subject to the mandate, should we attribute their compliance to the mandate; to the money (which was apportioned according to a formula and not needs tested) and technical assistance that accompanied the mandate; to their need for a plan, which exceeded the needs of the municipalities subject entirely to the voluntary system; to the fact that these municipalities have simply had a longer period of time to comply with the growth management system; or to some combination of these factors? A lower level of compliance among the coerced municipalities, on the other hand, may indicate a backlash against coercion, but it may also be attributed to a lack of time for planning in these high-growth municipalities, a steeper learning curve for planning in places that had not adopted a plan before, or confusion and cynicism bred by the shift from a coercive to a catalytic structure in 1992. Consequently, any findings about systematic differences between municipalities based on their being subject to the mandate will be treated as tentative and suggestive rather than conclusive.

Internal Motivations for Planning

Although municipal governments are subject to state laws, they also must respond to a complex web of signals from local residents and businesses. Tiebout (1956), Bish (1971), Peterson (1981), and Schneider (1989) established a theoretical and empirical understanding that municipal governments respond to residents’ and businesses’ preferences because they have the ability to leave should they come to dislike the jurisdiction’s mix of taxes and services or other characteristics. Since local governments depend on votes and tax revenues from residents and businesses, according to this theory, they pay attention to constituents’ preferences. This model may apply better to small to medium-sized, more or less homogeneous suburbs than to large and complicated cities such as Atlanta (Stone 1989) or New York (Mollenkopf 1992), which have a larger number of constituencies. Most municipalities subject to Maine’s growth management program in 1998 were small. None exceeded a population of 21,000 in 1996; greater than 97 percent had fewer than 10,000 residents, and 85 percent had fewer than 5,000. Many planning issues in these municipalities are decided in town meetings. Under such circumstances, interested residents can have a strong influence on planning decisions.

Two paradigms explaining the motivations of such interested residents merit further exploration: the property rights hypothesis and the exclusionary hypothesis. The property rights hypothesis suggests that rural jurisdictions where residents rely on farming, mining, and forestry will be less likely to support land-use regulation. Many case studies and stories provide evidence that rural people sometimes resist planning, growth management, and growth control because they are manifestations of government. The Sagebrush Rebellion of the 1970s and 1980s and the Wise Use movement of the 1990s drew much of their popular support from rural areas of the Rocky Mountain West (Cawley 1993; Echeverria and Eby 1995). Rural residents’ distrust of government has hampered and even endangered planning and growth management schemes in Oregon, Washington, and New York’s Adirondack region, among others (Medler and Mushkatel 1979; Knaap 1987; Fulton 1999; Liroff and Davis 1981, chap. 6). Popper (1984) even suggested that rural residents are right to distrust urbanites and suburbanites, especially because land-use controls and plans can limit local control over property rights. This strong case-study evidence does not have an empirical quantitative counterpart, however, in the form of survey-based tests of connections between property rights sentiments and land-use regulation.

The exclusionary hypothesis looks for explanations of local planning not within municipalities that do not plan but rather within those that do plan. It suggests that jurisdictions with wealthy, well-educated residents will tend to use planning to protect their residential environments (Danielson 1976; Frieden 1979). This hypothesis has been tested widely on measures that limit local residential growth, with only occasional confirmation (Deakin 1989; Donovan and Neiman 1992). More often, these tests suggest that people tend to support growth controls when they think or know that their municipalities have grown very rapidly (Connerly and Frank 1986; Anglin 1990; Gottdiener and Neiman 1981).

If empirical evidence fails to support the exclusionary hypothesis on growth controls, we should expect it to fail even more convincingly on growth management, which aims to accommodate growth instead of limit it (Nelson and Duncan 1995). And when, as in Maine, the growth management program has specific review criteria and goals for the accommodation of affordable housing, it would be even more surprising to find support for the exclusionary hypothesis. Even so, Gale and Hart (1992) tested a variant of the exclusionary hypothesis in their examination of the same Maine growth management law whose implementation I analyze here. The vast majority
supported the law, but people with some college education, those earning more than $30,000 per year, those who were employed, and those who worked in professional occupations were significantly more likely to support it. Non-natives also supported growth management more solidly than natives (Gale and Hart 1992, 196). The social class difference may reflect higher status (urban and suburban) residents’ desire to exclude lower income households; it may just as easily, however, reflect lower status (rural) residents’ distrust of government intervention.7

How will local residents influence plan submission, consistency, and adoption? Property rights and exclusionary motivations have the potential to influence all three of these elements of planning in Maine. Where property rights sentiments are strong, we should expect to see less planning. Residents who value private property rights and dislike land-use regulations might encourage their municipal governments not to submit a plan at all. Any plan submitted by a municipality with a large number of such residents will likely reflect these citizens’ desires to avoid strict regulation of growth and therefore be less likely to achieve a consistency ruling from state review officers.8 A town meeting dominated by promanagement citizens would be more likely to adopt a consistent plan than one with major fractures or dominated by those committed to private property rights. In some instances, a town meeting or town board might reject a consistent plan because the planning committee—a limited number of local volunteers who typically include those most interested in planning—has strayed from the desires of the majority.

For the exclusionary hypothesis, however, it is more difficult to specify in advance the precise way in which these motivations will play out at various stages of the planning process. An exclusionary municipality might be more likely to plan, because the growth management act is consistent with their desires to manage growth. If the SPO’s review focuses mostly on preserving rural areas, such a municipality would be less likely to achieve consistency; if it focuses on affordable housing and compact development, by contrast, that same municipality would be less likely to achieve consistency. It is also difficult to hypothesize in advance whether an exclusionary municipality would respond differently to an inconsistency determination from SPO than another municipality. No-growth forces in such a place might urge adoption of an inconsistent plan, whereas more moderate forces might advocate negotiation with SPO. The data used in this article would classify jurisdictions still involved in negotiations as having inconsistent, nonadopted plans.

Even beyond the ambiguous relationship between exclusionary sentiments and planning behavior, there are likely many additional factors that influence plan preparation, consistency, and adoption. Because of its methods and data, this article cannot hope to identify all these factors; it can, however, explore some of the relationships and establish a tentative sense about their importance, pointing toward factors that should be explored further with a qualitative approach.

► Comprehensive Planning in Maine: Responses to Internal and External Signals

How, then, did these external and internal signals translate to local planning in Maine? Here I report on the results of a multivariate analysis of plan submission, consistency, and adoption.

Data

The dependent variables in the analysis are (1) whether the municipality submitted a plan, (2) whether municipalities that submitted plans achieved consistency, and (3) whether municipalities that submitted plans also adopted them. As noted previously, this information was made available to the author by the SPO. I also use the SPO data for my main “external influence” dependent variable, that is, whether the jurisdiction was subject to the planning mandate.

I draw quantitative evidence of local property rights sentiments from three main sources. Any quantitative measure of property rights attitudes must, however, be treated tentatively and with caution. Correlations between these indicators and planning actions are not definitive but rather suggest additional research.

The first property rights variable is a 1997 vote on a state ballot measure to modify timber regulations. Maine voters responded in 1996 and 1997 to ballot initiatives about timber cutting regulations. Increased industrial timber harvesting and major land sales in the 1980s and early 1990s prompted Jonathan Carter and the Maine Green Party to circulate a 1995 initiative petition: “An Act to Promote Forest Rehabilitation and Eliminate Clearcutting” (also known as “Ban Clearcutting”).9 In response, staff in the office of Governor Angus King met with major forest products firms, moderate environmental organizations, and labor unions to craft “An Act to Implement the Compact for Maine’s Forest,” a much more moderate measure that they placed on the ballot to compete with Ban Clearcutting.10 In accordance with the state constitution, a third option, “none of the above,” also appeared on the 1996 ballot. This third option attracted support from property rights activists, represented in particular by Mary Adams of Common Sense for Maine’s Forest and Alliance for America (McGovern 1999, 81).
compact because they believed it would help the large timber concerns that backed it at the expense of smaller landowners and because of the provisions for ecological reserves.

In the 1996 vote, only 47 percent of the voters approved the compact, while 30 percent voted for Ban Clearcutting and 23 percent for none of the above. Since Maine law requires a runoff when an initiative fails to win a majority of votes cast, the compact was placed again on the 1997 ballot. This time, property rights activists were even more engaged in the fight. Ban Clearcutting proponent Jonathan Carter also weighed in against the compact, contending that some of its technical aspects could inadvertently result in even larger clearcuts than existed already (McGovern 1999, 96). Their opposition, combined with lower voter turnout than in 1996, defeated the compact by a 53-to-47 percent margin. In the quantitative analysis below, I test the relationship between planning actions and the percentage of local voters who supported the Compact for Maine’s Forests in the 1997 runoff (reported by the Maine Department of State). I interpret votes for the compact to represent support for regulation and votes against to represent support for private property rights, even though the Ban Clearcutting organizers opposed the compact in 1997.11

The second data source on localized property rights sentiment is the outcome of votes in Maine’s legislature on property rights legislation. Starting around 1990, activists throughout the United States introduced and sometimes achieved passage of three kinds of state property rights legislation: mild policy statements, somewhat more rigorous “takings impact assessments” that parallel environmental impact assessment requirements, and severe “compensation” measures, which require compensation for regulations that reduce property values by a specified percentage (Emerson 1996; Thomas 1996). In 1995, Legislative Document (LD) 1217 was introduced in Maine’s legislature. As introduced, LD 1217 provided compensation for property owners whose land values were reduced 50 percent or more by any governmental action. The House defeated this compensation measure on a 64-81 vote before going on to approve a one-year study commission on property rights12 (Pendall, Wolanski, and McGovern forthcoming). In the quantitative analysis, I interpret a vote by at least one of the jurisdiction’s representatives in the Maine House for the compensation version of LD 1217 in 1996 (reported in the Maine Legislative Digest) to represent support for the property rights hypothesis.

The third source of data relating to local property rights sentiment is the proportion of municipal residents employed in farming, fishing, and forestry in 1990, as reported by the U.S. Census. Such residents may not welcome planning as readily as people with service sector or manufacturing jobs, because their residents or decision makers may reject intervention in property markets or believe that intervention may threaten their economic base.13

I seek evidence for the exclusionary hypothesis by analyzing whether jurisdictions with higher proportions of residents who have college degrees, own their own houses, and commute to other jurisdictions are more likely to plan. Such municipalities tend to have residents who both feel a large stake in protecting their residential environments (Logan and Molotch 1987) and have the background (college degrees) that makes them feel entitled and empowered to engage in planning.

To account for additional important differences among municipalities, I include one growth-related variable and two geographic variables. To account for growth, I calculated the percentage of houses existing in the jurisdiction in 1988 that had been built between 1980 and 1988. Faster growing jurisdictions without plans, as noted previously, were the first ones subject to growth management in Maine, but the faster pace of growth may also have left them less time to plan. I thus have no hypothesized direction of influence for the rate of growth. Two geographic variables seem important, both of them for reasons directly related to planning and growth management. First, since coastal municipalities in Maine have long been subject to more planning requirements than other municipalities, I test whether municipalities on the coast (and islands) are more likely to plan. Second, since planning may be contagious, I test whether municipalities are more likely to plan when a higher proportion of their immediate neighbor jurisdictions have adopted comprehensive plans (as calculated myself from Geographic Information Systems maps of planning actions).

Analysis: Why Plan Adoption Varies

In this section, I use three binary logit regressions to understand the difference between nonplan and other municipalities, consistent and nonconsistent jurisdictions, and adopters and nonadopters. Logit analysis allows estimation of the proportional increase or reduction in the likelihood of a planning action that is associated with a particular characteristic (independent variable) (Agresti 1990). Logit analysis also reveals how many of the dependent variable cases we can successfully predict based on the included independent variables. We want to know, for example, how many of the submissions versus nonsubmissions we can predict, based on the variables included in the analysis.

The results of the three logit analyses appear in Table 2, which shows the coefficients and significance levels for all the variables. In several cases, the stated hypotheses warrant the use of a one-tailed test of significance; several variables are
significant at .05 < p < .10 using a one-tailed test. Because the coefficients are somewhat difficult to interpret, I exponentiated the significant ones\(^14\) to estimate how a one-unit change from the mean value of the independent variable would affect the probability of the dependent variable (submission, consistency, adoption).

As reported earlier, 196 (89 percent) of the 221 municipalities subject to the planning legislation had submitted plans by September 1998. The logit analysis reinforces the earlier finding that jurisdictions subject to the mandate were much likelier—3.8 times more likely, in fact—to have submitted plans than municipalities subject only to the voluntary program. Municipalities that grew fast between 1980 and 1988 were significantly less likely than slower growing ones (p = .047 in a two-tailed test) to have submitted plans by 1998; a jurisdiction in which 30 percent of houses were built between 1980 and 1988 would be 9 percent less likely to submit a plan than one in which 29 percent of the houses had been built over that period, all else being equal.

Votes on the Compact for Maine’s Forest also had a significant relationship (p = .075 in a one-tailed test) with plan submission. In the average municipality, 39 percent of the voters supported the compact; a one-point increase, to 40 percent support, associates with a 4.5 percent increase in the likelihood that the municipality submitted a plan. Jurisdictions with relatively large proportions of out-commuters were also more likely to submit plans, and coastal municipalities were much (3.7 times) more likely to submit plans (p = .047 in a one-tailed test) than inland municipalities. The results of the submission test therefore provide tentative support for the property rights and exclusionary hypotheses; less support for the compact coincided with less plan submission, and a high proportion of out-commuters coincided with more plan submission. The results also show that coercion associates with more plan submission.

It may seem fair to presume a jurisdiction that did not submit a plan to SPO probably had no plan at all to submit and would fall into the inconsistent and not adopted categories. But since I am not certain about this, the remaining two tests consider only the places that submitted plans to SPO. Of these 196 municipalities, 130 had consistent plans, and 153 had adopted plans. I test the same independent variables in these regressions but include consistency in the regression on adoption because plan consistency should encourage adoption.

In the consistency test, only three variables were significant. Municipalities subject to the mandate were only 43 percent as likely as those subject only to the voluntary program to have a consistent plan. Here again, and at a higher level of

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### Table 2.

<table>
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<th>Coefficients and Significance Level</th>
<th>Exponentiated Coefficients</th>
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<tr>
<td><strong>Submitted</strong></td>
<td><strong>Consistent</strong></td>
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<td>Subject to planning mandate</td>
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<td>Plan consistent, 1998</td>
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<tr>
<td>Percentage of dwellings built from 1980 to 1988</td>
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<tr>
<td>Coastal jurisdiction</td>
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<td>Percentage of residents voting for the Compact for Maine’s Forests, 1997</td>
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<tr>
<td>Percentage of neighboring jurisdictions with adopted plan, 1998</td>
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<tr>
<td>Percentage of dwellings owned by occupants, 1990</td>
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<tr>
<td>Percentage of residents with college degree</td>
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<td>Percentage of employed residents in farming, forestry, and fishing, 1990</td>
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</tbody>
</table>

Note: Exponentiated values show that, for example, a municipality subject to the planning mandate is 3.8 times more likely to have submitted a plan and that a municipality in which 40 percent of residents voted for the compact is about 4.5 percent more likely than a municipality in which 39 percent of the voters supported it to have submitted a plan.

* p < .05. ** p < .001.
† p < .10. †† p < .10, one-tailed.
significance ($p = .022$ in a one-tailed test), support for the compact coincided with higher compliance rates. Again, this result matches expectations, because not every jurisdiction is willing to undergo state scrutiny or to subject itself to state-level considerations. We should not be surprised if jurisdictions whose residents oppose additional forest regulation also achieve plan consistency less frequently. Finally and counterintuitively, municipalities with consistent plans were 94 percent more likely than places with inconsistent plans to have had at least one representative who voted in favor of the compensation version of LD 1217. If not the result of random error, this result may reflect a dynamic in which municipalities draw up plans that become controversial, encouraging affected property owners to ask their state representatives to support the compensation bill. This is simply a hypothesis, however, that future qualitative research may help confirm or discard.

The results of the adoption test show that municipalities with consistent plans were nearly seven times more likely than those without consistent plans to adopt their plans. Faster growing municipalities were also more likely to adopt their plans than slow-growing ones. A jurisdiction in which 41 percent of voters supported the compact would be 3.4 percent more likely to adopt its plan than one in which 40 percent of voters supported the compact ($p = .096$ in a one-tailed test). An increase from 5.8 percent (the mean) to 6.8 percent of workers based at home associates with a 15 percent drop in the likelihood that the jurisdiction would adopt a plan. Contrary to my hypotheses, however, an increase from 4.6 percent to 5.6 percent of workers in forestry, farming, or fishing associates with a 22 percent increase in the likelihood of plan adoption.

All the models are significant, according to the chi-square statistic, at better than 95 percent confidence levels. They do not explain submission, consistency, and adoption all that well, however. The submission model correctly predicted 99 percent of the cases in which jurisdictions submitted plans, but it accurately predicted only one of the twenty-three nonsubmissions. The consistency model correctly predicted twenty-four of the sixty-five inconsistent plans (37 percent) and 104 of the 117 consistent ones (89 percent). The adoption model, finally, correctly predicted thirteen of the forty-one nonadopted plans (32 percent) and 133 of the 141 adopted ones (94 percent). In sum, the analysis provides interesting information about factors that correlate with planning actions but does not allow reliable prediction of local planning.

Many other variables probably influenced the pattern of adoption. SPO’s commitment to implementation may have varied through time, and its review may have shifted between confrontational and conciliatory styles. Such shifts could account for part of the difference between the mandatory and voluntary phases. Local fiscal health, the form and character of the local government regime (e.g., caretaker vs. activist), and the commitment of local or regional planning staff—none of which could be measured for the purposes of this article—may also have influenced the pattern of adoption. It would be helpful to study several municipalities with expected and unexpected outcomes to identify a whole host of factors at work in local planning.

Discussion: Growth Management, Property Rights, and Planning Mandates

This research, while not conclusive even about Maine, offers important insights about comprehensive planning that may apply more broadly across the United States. First, any evaluation of planning compliance requires analysis of several different dimensions; without consideration of submission, consistency, and adoption, for example, this analysis would have been incomplete. Second, the research confirms the importance of local property rights attitudes in at least some municipal planning actions while failing to find much support for the idea that planning is necessarily exclusionary.

Third, it suggests that states can choose a third alternative when considering how to elicit more and better plans from their municipalities. Jurisdictions prepare and submit comprehensive plans for one set of reasons. They adopt them for another set and bring them into consistency for yet another set. In Maine, the path from submission to consistency to adoption is the most common one; jurisdictions that submitted were more likely than not to achieve consistency, and those with consistent plans were almost seven times more likely to adopt them than those whose plans did not meet state planning goals. Even so, some municipalities adopted inconsistent plans, and others failed to adopt consistent ones. Coastal municipalities submitted plans more readily than inland jurisdictions, but their long experience with planning did not affect either consistency or adoption.

That is, willingness to plan requires specification of what we mean by planning. Perhaps the most important distinction is that between a municipality’s willingness to prepare a plan and its willingness to bring that plan into consistency with state goals. Faced with a set of incentives, including funding for local planning, seven of every eight municipalities subject to Maine’s planning legislation submitted a plan. Only the bare majority of municipalities, however, have adopted a consistent plan.

Among all the factors I considered, only the shift from mandatory to voluntary planning associated with different patterns of submission than of consistency. Municipalities subject to the
mandate were significantly more likely than those exposed only to the catalytic arrangement to submit plans but significantly less likely to have consistent plans (and by extension to have adopted plans, because consistency associates strongly and positively with adoption).

These results are consistent with the hypotheses discussed above but, in the end, do not show that mandates cause more submission and less plan compliance. Since mandatory planning happened earlier, the higher rate of submission among jurisdictions subject to the mandate may have resulted from the passage of time. Since municipalities subject to the mandate had less previous planning experience, perhaps experience and not the mandate was the key variable. Since some municipalities subject to the mandate had historically chosen very deliberately to avoid zoning because of strong local property rights sentiment, the differences in plan compliance may be a result not of the shift from a mandatory to a voluntary program but rather to systematic differences in resident characteristics between the two sets of jurisdictions. In any event, it is at least interesting to note as a preliminary fact—and as a rationale for deeper investigation—that the two sets of municipalities differed significantly in their planning decisions.

The shift from mandatory to voluntary planning occurred partly because of a budget crisis and partly because of a strong property rights reaction against the planning mandate. This persistent role of the property rights movement leads to a second insight: residents’ attitudes toward government and property rights may be important independent predictors, beyond their social and economic class, of whether their municipalities will adopt plans. Votes on the Compact for Maine’s Forests more reliably predicted local planning than did either education or home ownership. We have ample evidence that wealthy people in wealthy municipalities use local government to exclude lower income households. But since planning also facilitates development, the exclusionary hypothesis is not enough to explain all local planning actions. Voting on the compact does not capture everything about property rights sentiments and attitudes toward government, but it does capture something. The organizers against the compact in 1997 made it a referendum on government and property rights. In doing so, they provided a tidy indicator for quantitative research. Since such indicators are both rare and crude, they can only provide a suggestion that researchers need to look beyond the exclusionary hypothesis, using a broad range of research methods, for explanations of why municipalities plan.

Amid unprecedented low-density suburban development and a prosperous economy, states across the United States are revisiting their planning statutes to combat sprawl. A third insight from this research is that the hasty imposition of mandates for local planning may be counterproductive, while incentives and technical assistance alone may prompt widespread improvements in planning. States that jump from laissez-faire planning enabling legislation to strong local planning mandates may fail to sustain those mandates when economic turmoil recurs. Maine and Washington survived challenges to their growth management systems in the early 1990s only by making substantial concessions to rural interests. And only a gubernatorial veto saved Oregon’s state planning framework system from a draconian property rights bill in 1995 (Kitzhaber 1995). Advocates for “smart growth” would thus do well to proceed with caution when designing new growth-management strategies in the large number of states whose residents and legislatures are split between metropolitan and rural resource-dependent areas.

The Maine experience suggests that such a cautious approach may be enough to encourage planning by most municipal governments. Maine offered both financial support and technical assistance to its municipalities; the legislature also established that municipalities without plans would have to work harder if anyone challenged the rationality their zoning, site plan, and subdivision ordinances. In addition, the SPO still reviews comprehensive plans, even though adoption and preparation are no longer mandatory. This approach differs from that in most states, where mandates without state review are the rule. In some respects, Maine’s approach may be even more productive than the common one. Its combination of incentives, assistance, and a qualified state agency with professional staff may produce positive results when compared to an unfunded mandate with only the lurking threat of legal action to encourage municipal planning. Maine may therefore provide a model for a new generation of planning legislation.

Author’s Note: I thank John Del Vecchio, Beth Della Valle, and Erik Carson of Maine’s State Planning Office for their assistance and for compiling the municipal inventory for me. Thanks also to John Forester, Pierre Clavel, Ann-Margaret Esnard, and the anonymous referees for their careful and very useful commentary. Any errors of fact or interpretation are my responsibility.

Notes

1. 12 MRS §§ 4753 ff.
2. 38 MRS §§ 481-490.
3. 12 MRS §§ 683 ff.
4. 38 MRS §§ 435 ff.
5. Thanks to one of the anonymous referees for pointing this out.
6. This leaves aside the issue of their corporate support.
7. Gale and Hart (1992) never found a majority of respondents in any category opposed to growth management.
8. The state review conflicts with the interests of individuals concerned about private property rights primarily when the state pressures municipalities to reduce permitted density in rural areas from one- or two-acre lots to five- to ten-acre lots. This research has not analyzed such conflicts in detail, but anecdotal evidence from newspaper articles suggests that these conflicts are not uncommon (see, e.g., Beaudoin 1997 on conflicts in Biddeford).

9. The initiative required landowners to leave more trees standing after conventional harvesting, prohibited removal of more than a third of the trees from any acre of timber land within a fifteen-year period, prohibited alteration of the essential mixture of tree species, required that tree limbs be left near the cutting site, and prohibited clearcutting (McGovern 1999: 77).

10. The compact’s proposals included a seventy-five-acre maximum and a permit requirement for clearcuts, enhanced notification requirements for local governments seeking to amend or enact timber harvesting ordinances, and authorization for the Bureau of Parks and Lands to establish between 8,000 and 10,000 acres of ecological forest reserves on public lands.

11. Although Carter opposed the compact, he and the Green Party did not campaign against it as actively in 1997 as did groups supporting “none of the above” in 1996. Consequently, most of the messages broadcast against the compact were strongly antigrowth and pro-property rights; it thus seems reasonable to hypothesize that voters against the compact supported those property rights messages and that strong supporters of Ban Clearcutting would have been more likely not to vote at all (McGovern 1999).

12. The Maine legislature often uses such study commissions to gather more information on technically complex and contentious issues and to develop draft legislation. Study commissions allow citizen legislators time to consider more thoroughly the viewpoints of the governor’s staff and a variety of interest groups and craft suitable compromises. The study commission called into being by the approved version of Legislative Document 1217 forwarded a successful proposal to create a mediation board for land use disputes. (See Howitt 1993, 17 ff., on the study commission responsible for Maine’s 1988 growth management legislation.)

13. All these variables are drawn from the 1990 Census of Population and Housing. Income and occupational status are not included among the variables because both are highly correlated with educational status and because income is often under-reported. Education is therefore meant to stand in for social status.

14. The coefficients yielded by logit analysis are exponents of ξ, a natural number equal to about 2.718. Exponentiation is the result of raising e to the power of the coefficient. In Table 2, for example, the coefficient for “subject to planning mandate” is 1.34. Since \( e^{1.34} = 3.818 \), we can say that municipalities subject to the mandate were 3.8 times more likely than those subject only to the voluntary program to submit plans.

15. Washington permitted slow-growth counties to opt out of planning if they wished (Fulton 1999).

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Examining the Claims of Environmental ADR
Evidence from Waste Management Conflicts in Ontario and Massachusetts

John S. Andrew

Abstract
The literature has established many claims concerning the effectiveness of alternative dispute resolution (ADR) in resolving environmental conflicts, with little empirical research to support them. Using data collected from 54 recent cases in which ADR was used to resolve waste management disputes in Ontario and Massachusetts, this study employs seven criteria of success to test empirically the validity of these claims. Although by some measures ADR has been quite successful in certain types of environmental conflicts, this study shows that it is hardly a panacea for resolving waste management disputes.

During the past decade, alternative dispute resolution (ADR) techniques have increasingly been applied to environmental conflicts. These methods have been substituted for more conventional and adversarial conflict resolution processes, most commonly quasi-judicial public board hearings in Canada and litigation in the United States. The three principal ADR methods are negotiation, facilitation, and mediation.

Previous writing on environmental conflict resolution is overwhelmingly positive about the benefits of ADR for settling these types of disputes. Dominant in the literature are claims that it is very successful in reaching agreements and likely to do so faster and at less expense than conventional conflict resolution channels. Many authors boast of the high reported rates of participant satisfaction with ADR processes and their outcomes. Some attribute the success of facilitation and mediation to the benefits accruing from the intervention of a neutral party. Still others expound on the virtues of a process that is open to all affected stakeholders. In fact, so many authors have extolled the merits of ADR that their claims have achieved near-mythical status.

Despite many similar claims of the virtues of ADR in environmental disputes, there have been very few examples of their being empirically tested, noted Wiedemann and Femers (1993), O’Leary (1995), Sipe and Stiftel (1995), and Sipe (1998). With a few notable exceptions, such as Bingham (1986), Buckle and Thomas-Buckle (1986), Sipe and Stiftel (1995), and Sipe (1998), insufficient empirical research on the merits of environmental ADR has been carried out. This has resulted in many misconceptions and misperceptions concerning the capabilities and potential of ADR. If left uncorrected, these could have damaging consequences for the development of a field still in its infancy. Disputants may eventually become disillusioned with the use of ADR, as it repeatedly fails to live up to expectations built up by inaccurate and untested claims of success. Wall and Lynn (1993), Blackburn and Bruce (1995), Clary and Hornney (1995), and Campbell and Floyd (1996) called for further empirical research on the performance of ADR applied to environmental disputes.

The objective of this article is to test empirically the validity of some of the claims made about the success of ADR in environmental disputes. Using data collected from fifty-four recent cases in which ADR was used to attempt resolution of waste management disputes in Ontario and Massachusetts, the article uses seven criteria to measure...
the degree of success of these methods. This study focuses on waste management cases because they represent frequently occurring, complex, and expensive examples of environmental conflicts in these two jurisdictions.

It will be shown that although by some measures it has been as successful as commonly believed, ADR is hardly a cure-all for waste management conflicts. Therefore, disputants should not enter into an ADR process before critically examining all aspects of the conflict and the proposed resolution pathway. In many such conflicts, it may be more prudent for the parties to attempt to settle their differences through more conventional channels.

The article begins by describing the research methodology employed in this study. It then discusses the ADR methods of negotiation, facilitation, and mediation and the conventional conflict resolution processes they replace or supplement in the study cases. Next, the article outlines the types of waste management disputes studied. This is followed by statistical comparison of the performance of ADR in Ontario and Massachusetts to justify combining data from these two jurisdictions. After identifying claims made in the literature concerning the effectiveness of ADR, the same seven criteria of success are used to test the validity of the claims using data collected from the Ontario and Massachusetts cases.

Research Method

Case Selection and Data Collection

A total of fifty-four waste management ADR cases were selected for analysis in this study: thirty-one in Ontario and twenty-three in Massachusetts. These are listed in the appendix. To identify potential case studies and collect data on them, I carried out informal telephone conversations, e-mail correspondence, and personal interviews with ADR practitioners, scholars, and government officials at the Province of Ontario, the Commonwealth of Massachusetts, and the U.S. federal government. A review of the ADR literature was helpful in identifying a few of the older cases, especially in Massachusetts. Bias in the selection of the cases was minimized by consulting with as many and as broad a range of expert sources as practical.

As many cases were collected as time permitted. A case was rejected only if it met one or more of the following disqualifying conditions:

1. The case began prior to 1992.
2. One or more key parties could not be identified.
3. One or more representatives of each key party (including the facilitator/mediator, if applicable) could not be identified or contacted or was unwilling to be interviewed.

The interviews included at least (and usually only) one respondent from each key party in each ADR process as well as the facilitator or mediator (if such a neutral was employed). In total, 123 individuals were interviewed for an average of forty-five minutes each. The number of interviews ranged from three to eleven per case, for an average of 5.3 per case. Potential respondents were identified during informal preliminary discussions with government officials and ADR practitioners, through the review of case documentation, and in some cases by asking other respondents. Only five potential respondents refused to be interviewed. All were lawyers citing the confidentiality of the case or lawyer-client privilege as the reason for their refusal. This minimized bias in the selection of respondents.

The set of fifty-four cases studied is believed to be a representative sample (and is probably the majority) of the population of waste management ADR cases in Ontario and Massachusetts occurring between 1990 and 1996. Ninety-three
percent of the study cases occurred in this period. Eighty-three percent of the cases ended in 1993 or later. The cases for which detailed interviews were conducted were even more recent. Sixty-five percent of them started in 1994 or later, and 87 percent ended in this same year or later. The findings of this study are generalizable to recent waste management ADR cases in jurisdictions similar to Ontario and Massachusetts. This study’s use of inferential statistics on this type of sample is justified by several sources on statistical analysis of case study data, including Campbell and Stanley (1972), Patton (1990), Hamel (1993), and Marshall and Rossman (1995).

Limitations of the Research Design

The case study approach used in this study has several important limitations that may introduce error to its results. The principle of external validity holds that the results are only generalizable to the population of which the cases may be considered to be a representative sample. However, cases may not be a random sample of the population due to selection bias. This concern was addressed by identifying cases through consultations with as many and as broad a range of expert sources as possible, including ADR practitioners, government officials, researchers, and the literature. Only waste management disputes in which negotiation, facilitation, or mediation was applied in Ontario or Massachusetts were used. No statistical association was found between jurisdiction and any of the measures of ADR success, allowing the Ontario and Massachusetts cases to be combined. The reader is cautioned that the cases studied are only representative of the population of cases in which ADR was applied to a waste management dispute in Ontario or Massachusetts between 1990 and 1996. To maximize internal and construct validity, the number of cases and sources of evidence (e.g., documents, interviews, etc.) used were maximized. A predetermined and consistent method of determining values for each variable was employed.

Selection of Criteria of Success

Although there is little agreement in the environmental ADR literature on how to define success, the achievement of a final consensus settlement is widely regarded as the gold standard by most observers and scholars (e.g., Bingham 1986; Buckle and Thomas-Buckle 1986; Kubasek and Silverman 1988; Crowfoot and Wondolleck 1990; Stukenborg 1994; Sipe and Stiftel 1995). However, many of these and other authors also believe that an ADR process may be considered at least partially successful even in the absence of a settlement, subscribing to a more process-based definition of success rather than one restricted to the outcome. There may be benefits accruing from the ADR process that are independent of an agreement. The use of ADR, alone or in conjunction with a conventional process, may provide resolution of environmental conflicts faster (Susskind and McCrery 1985; Buckle and Thomas-Buckle 1986; Kubasek and Silverman 1988; Sipe and Stiftel 1995), at less cost to the parties (Susskind and Ozawa 1983; Bingham 1986; Kubasek and Silverman 1988; Stukenborg 1994), and/or with greater disputant satisfaction with the process and its outcome than the use of a conventional process used on its own (Roehl and Cook 1985; Kressel and Pruitt 1989; Stukenborg 1994). Although there are many other possible variables by which to measure success, they are identified less frequently in the environmental ADR literature. Among these are the neutrality of the facilitator or mediator and stakeholder participation in the ADR process.

A lengthy list of success measures was assembled from a review of the literature. From this were selected seven criteria to be applied to the fifty-four cases. These criteria are the most frequently mentioned in the literature and the most reflective of the fundamental objectives of ADR. The selected criteria are as follows:

1. whether a final settlement was achieved through the use of ADR,
2. whether time was saved through the use of ADR,
3. whether money was saved through the use of ADR,
4. whether all participants were satisfied with the ADR process,
5. whether all participants were satisfied with the outcome of the ADR process,
6. whether the facilitator or mediator was completely neutral, and
7. whether all of the stakeholders in the conflict participated throughout the ADR process.

The final two criteria differ from the others in that they are not outcomes of the ADR process. However, they are included because they are important measures of success that are commonly mentioned in the literature. They are also well recognized as essential characteristics of all ADR processes.

This study excludes criteria of ADR success that require specialized knowledge (e.g., the technical quality of the settlement) and those that would have required detailed analysis of the settlement following its implementation (e.g., evaluating the long-term stability of the agreement). Nevertheless, the study defines ADR success more broadly than most of the literature, which includes only the achievement of a settlement and less commonly also time and/or cost savings.

The number of cases from which data were collected for each of the seven criteria of success and the type of ADR process used varied from twenty-three for some variables to fifty-
four for others. The principal determinant of this number was whether the source of the data was restricted to the detailed interviews or also included the case documentation and informal preliminary interviews. Only variable 1 relied on data from all fifty-four cases. Variables 2 and 3 required the omission of one Massachusetts case, in which there was no actual alternative to the use of ADR. Variables 4, 5, and 7 were restricted to the twenty-three detailed interview cases. Finally, variable 6 was limited to the twenty-eight cases in which facilitation or mediation was employed.

**Alternative Dispute Resolution**

ADR is a spectrum of voluntary, negotiation-based processes in which representatives of the parties to a current or potential dispute meet together for collaborative problem solving and consensus building, with the goal of achieving a mutually acceptable resolution. The processes are intended to be less adversarial alternatives to traditional conflict resolution pathways. The three principal ADR processes are negotiation, facilitation, and mediation. Negotiation is simply face-to-face bargaining between parties without the services of a neutral party.

Facilitation and mediation differ from each other in the degree of involvement of the neutral party. The facilitator is a process manager whose mandate is limited to procedural issues. This individual works with the parties to design a fair process, helps them to obtain the resources they require, organizes and manages the meetings, assists the parties to set and adhere to realistic deadlines, maintains minutes of each session (if the parties wish), and coordinates the exchange of information between the parties. Neither a facilitator nor mediator has the authority to impose a settlement on the parties. Disputes are resolved only when the parties themselves reach what they consider to be an acceptable solution.

In addition to the functions of a facilitator, a mediator shuttle ideas and offers back and forth between the parties, helps each party to formulate proposals that are more likely to be acceptable to the other parties, participates in the generation of creative options, and assists in the writing of the final agreement. The mediator may provide each party with a confidential and independent assessment of its position early in the mediation process as well as help it to see the true interests underlying its positions.

The appendix identifies the type of ADR process used in each of the fifty-four waste management cases. Twenty-six of these used negotiation; sixteen employed facilitation, and twelve were mediated. Ontario cases were much more likely than those in Massachusetts to use negotiation (twenty-one to five), while the reverse was true for mediation (three to nine). The sixteen facilitation cases were approximately evenly split between Ontario (seven) and Massachusetts (nine). Massachusetts is more likely to make use of neutral-assisted forms of ADR, while unassisted bargaining remains more popular in Ontario. This may reflect the greater contentiousness of waste management conflicts in the state, making the services of a facilitator or mediator more likely to be required.

**Conventional Conflict Resolution Processes**

In each case, there was a conventional dispute resolution process that would most likely have been used if ADR had not. This was also the process that would most likely have been used or actually was used if ADR was unsuccessful in achieving a final settlement.

In Ontario, review of waste management proposals by the Ministry of the Environment and Energy (MOEE) often includes a public hearing before the quasi-judicial Environmental Assessment Board. By legislation, hearings are mandatory for all projects involving hazardous waste, domestic waste equivalent to the output of more than fifteen hundred people, or the hauling of liquid industrial waste. However, the minister often exempts proposals from these provisions and has considerable discretion regarding which applications are referred to a hearing. In practice, proposals that may have significant impacts or that are very controversial are generally referred to a hearing. Twenty-nine of the thirty-one Ontario cases would have been referred to the Environmental Assessment Board for a public hearing had ADR not been used or had it been unsuccessful. Since a hearing was mandatory (and not exempt from the minister) in nineteen of these cases, the most common alternative to the use of ADR is more accurately described as a quasi-judicial public hearing without any preceding or concurrent ADR.

In one case, the conventional process would have been a public hearing before the Environmental Appeal Board, another independent, quasi-judicial tribunal. It was the only Ontario case not involving an application for a new or expanded waste management facility. It was an appeal of a ministry order to remediate a former tannery site contaminated with polychlorinated biphenyls.

In the final Ontario case, the conventional conflict resolution process would have been an order from the minister. It involved the proposed closure of the Redland Quarries Brow Landfill, in which the minister had already decided that a hearing would not be held. If the parties could not agree on a closure plan, the ministry would simply order the closure according to specified terms and conditions.
The most common conventional alternatives to ADR in the twenty-three Massachusetts cases were (in descending order of frequency): litigation (nine cases), a unilateral decision made by the state or federal government (five cases), a state legislation process (four cases), a quasi-judicial hearing (two cases), and an order (usually to remediate a contaminated site) by the state and/or federal government (two cases). In a single case discussed earlier, there was no alternative to the use of negotiation. In some cases, a combination of more than one of these processes would have been employed.

### Types of Waste Management Disputes

Table 1 lists the types of waste management conflicts analyzed in each jurisdiction. Nearly all of the Ontario cases involved a dispute over the proposed construction or expansion of a municipal solid waste landfill. Four conflicts centered on a proposed new hazardous waste treatment facility. Only one Ontario case involved the remediation of a site contaminated with hazardous material.

The Massachusetts cases displayed a broader range of conflict types. Contaminated site cleanups were the most common type of dispute, with twelve cases. Six Massachusetts cases involved an application for some type of new waste management facility: three hazardous waste recycling facilities, two wastewater treatment facilities, and one municipal solid waste landfill. Four cases involved conflict over the contents of new or revised waste management legislation, resolved through multiparty consensus-building (facilitation or negotiation). The final Massachusetts case was a unique dispute regarding how waste clay excavated from a major construction project would be distributed to municipalities for beneficial reuse as capping material for landfills.

### Comparing the Effectiveness of ADR in Ontario and Massachusetts

The choice of one Canadian and one American jurisdiction provides the study with an international scope. Differences in the legal and regulatory systems, social attitudes toward conflict, and the particular manner in which ADR is applied in the two countries contribute a more diverse range of cases. Ontario was selected based on a comparison of the use of environmental ADR in each of the Canadian provinces that revealed Ontario to be the most innovative. The involvement of the government in all waste management conflicts and legislated public access to information ensures the availability of excellent documentation on all cases. In the United States, the Commonwealth of Massachusetts has arguably enjoyed the longest and most advanced evolution of ADR applications in diverse contexts, including waste management conflicts (Frederica and Baird 1990; Jessup 1990; Rabe 1994; Wheeler 1994).

Combining data from the Ontario and Massachusetts cases would confer on the study the great advantage of essentially doubling the sample size, thereby improving the results from statistical analysis of the overall performance of ADR. To determine whether the differences between the two jurisdictions

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<tr>
<th>Table 1. Types of waste management conflicts by case.</th>
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<tbody>
<tr>
<td>Ontario</td>
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<tr>
<td>Municipal solid waste landfill</td>
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<tr>
<td>Contaminated site cleanup</td>
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<tr>
<td>Hazardous waste management facility</td>
</tr>
<tr>
<td>Waste management legislation</td>
</tr>
<tr>
<td>Wastewater treatment facility</td>
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<tr>
<td>Reuse of waste materials</td>
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<tr>
<td>Totals</td>
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<tr>
<th>Table 2. Comparing the effectiveness of alternative dispute resolution (ADR) in Ontario and Massachusetts.</th>
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<tr>
<td>Ontario</td>
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<tr>
<td>Final settlement reached</td>
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<tr>
<td>Time saved</td>
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<tr>
<td>Money saved</td>
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<tr>
<td>All parties satisfied with ADR process</td>
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<tr>
<td>All parties satisfied with outcome of ADR</td>
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<tr>
<td>Neutrality of facilitator/mediator</td>
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<td>Participation of all stakeholders throughout process</td>
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Note: The chi-square test indicated no significant difference between Ontario and Massachusetts for any of the seven criteria of success at a probability level of .05.
are statistically significant and therefore whether it is valid to combine the data, chi-square analysis was employed to test for an association between jurisdiction and each of the seven criteria of success. Using the data shown in Table 2, this test indicated no statistically significant differences between the two jurisdictions for any of the measures of success. Therefore, it is acceptable to combine the Ontario and Massachusetts cases.

Identifying the Claims of Environmental ADR

The following subsections identify the claims made in the ADR literature regarding the performance of environmental ADR organized by the seven criteria of success. The nonempirical evidence cited by the literature in support of these claims is presented first, followed by any evidence provided by the empirical research of Bingham (1986), Buckle and Thomas-Buckle (1986), Sipe and Stiftel (1995), and Sipe (1998).

Final Settlement Achievement

Most of the literature has argued that ADR has been very effective in producing final settlements in environmental disputes. Kressel and Pruitt (1989) relied on the early empirical research of others (including Lewin, Feuille, and Kochan 1977; Kochan and Jick 1978; Hilltop 1985; and Shapiro, Dreighe, and Brett 1985) to estimate a median settlement rate of 60 percent for mediation in a variety of conflict types, including environmental. Stukenborg (1994) reported that mediation resulted in final settlement of 80 percent of environmental conflicts involving the federal Environmental Protection Agency (EPA). In her study of environmental mediation (the first and still the largest of its kind), Bingham (1986) found that agreements were achieved in 78 percent of the 135 environmental conflicts in which the primary objective was to reach a final settlement. Buckle and Thomas-Buckle (1986) reported that a final settlement was reached in 75 percent of the environmental conflicts in which mediation proceeded beyond an initial session. Finally, Sipe and Stiftel (1995) and Sipe (1998) studied mediated environmental enforcement conflicts and found settlement rates of 74 percent and 85 percent, respectively.

Time Savings

There are many claims made in the literature about the ability of ADR to resolve environmental conflicts faster than conventional processes. Most of these cite no empirical evidence. Mernitz (1980) stated that environmental mediation is “as speedy as the parties wish it to be” (p. 47). According to Haussmann (1982), Susskind and Ozawa (1983), and Kairow (1984), mediation resolves environmental disputes more expeditiously than courts or tribunals. Folberg and Taylor (1984) claimed that mediation resolves environmental disputes “far less expensively, in terms of time and money, than can litigation” (p. 220). Roehl and Cook (1985) and Tomain (1989) concurred. Compared to conventional conflict resolution channels in general, McCarthy and Shorette (1984), Blackburn (1988), and Gunton and Flynn (1992) claimed that environmental ADR results in faster resolution.

Amy (1990) and Kubasek and Silverman (1988) each cited a single case in support of their claim that environmental mediation is much faster than litigation. Susskind (1993) drew on his extensive experience as a mediator in asserting that ADR resolves public disputes faster than alternatives. Based on six cases, Talbot (1983) claimed that environmental mediation can produce more expeditious resolution. Buckle and Thomas-Buckle (1986) found that 63 percent of participants believed that mediation was less time consuming than conventional processes and that 58 percent felt that it reduced delay in resolving the conflict.

Cost Savings

Folberg and Taylor (1984) claimed that mediation resolves environmental conflicts far less expensively than litigation. McCarthy and Shorette (1984) and Blackburn (1988) believed that environmental ADR is generally less costly than traditional methods. Susskind and Ozawa (1983), Kairow (1984) and Tomain (1989) all asserted that mediation is a more economical way to resolve environmental disputes than courts or tribunals. None of these sources offer empirical support for their claims. Based on the previous claims of others, Mernitz (1980) estimated the average cost of environmental mediation to be half that of litigation.

Susskind (1993) drew on two cases to support his claim that ADR resolves public disputes at less cost than conventional processes. Buckle and Thomas-Buckle (1986) found that in 76 percent of environmental mediation cases, the participants reported cost savings over adjudication or regulatory hearings. Sipe and Stiftel (1995) found that 95 percent of participants reported that environmental mediation had been either moderately or very cost-effective, and the savings compared to litigation averaged approximately $150,000 per case.
Participant Satisfaction with the ADR Process and Outcome

Claims that the overwhelming majority of parties are satisfied with these processes and their outcomes are common in the nonempirical ADR literature. For example, Kressel and Pruitt (1989) reported that participant satisfaction with mediation is typically about 75 percent. Environmental mediation is frequently credited with producing much higher levels of satisfaction with both the process and its outcome than litigation (Folberg and Taylor 1984; Kairow 1984), adjudication (Roehl and Cook 1989), arbitration (Brett and Goldberg 1983), and conventional processes in general (Amy 1983; Tomain 1989).9

Only two empirical works address this issue. Sipe and Stiftel (1995) found that 66 percent of participants in nineteen mediated environmental enforcement cases were either moderately or very satisfied with the mediation process. Eighty percent were satisfied with the outcome and believed that the settlement had met some or all of their objectives. Cook, Roehl, and Sheppard (1980) reported that 80 to 89 percent of mediation participants in a range of conflict types (including but not limited to environmental disputes) were satisfied with both the process and its outcome.

Neutrality of the Facilitator or Mediator

Much of the literature on ADR emphasizes the important contribution of facilitators and mediators and the necessity of these individuals being completely neutral. Examples include Bacow and Wheeler (1984), Folberg and Taylor (1984), Shrybman (1995), Susskind and Cruickshank (1987), and Moore (1996). Portlock (1996) went as far as to describe mediator neutrality as “the cornerstone of our profession” (p. 9). Blackburn (1995) surveyed practicing mediators and found that they considered neutrality to be the most important factor contributing to a successful outcome. Facilitators and mediators must earn the respect and trust of the parties, primarily through demonstrating their true neutrality (Ross and Stillinger 1991). The parties having complete trust and confidence in the neutral party is a precondition for the essential process of the parties confiding in that person about their priorities, interests, and alternatives (Haussmann 1982; Colosi 1985). Despite widespread acceptance of the paramount importance of facilitator and mediator neutrality, its presence is rarely questioned and no studies were found that tested it empirically. Rather, nearly all of the literature assumes that “neutrals” always live up to their name. In other words, it translates a normative guideline into an assumption that it is always the case.

Participation of All Stakeholders

There is a strong consensus in the literature that to be effective, ADR processes must include all parties that are potentially affected by the outcome of the dispute. As is the case for the preceding criterion of success, no examples were found of empirical research that examines the extent to which environmental ADR processes include all relevant stakeholders.

Several nonempirical works state that as a set of voluntary processes, ADR offers all stakeholders in an environmental dispute the opportunity to participate. However, a party may choose not to enter into ADR if it believes that a more conventional conflict resolution method is more likely to result in a more favorable outcome. This viewpoint holds that all affected and interested parties have the opportunity and means to participate in the ADR process and that any absence of relevant stakeholders is completely voluntary. For example, Amy (1990) indicated that “proponents of [environmental ADR] portray it as a new form of citizen participation open to all who want to participate” (p. 222). Amy (1983) stated that compared to conventional channels of resolving environmental disputes, mediation “allows for more direct and meaningful participation by interest groups in the actual decision making process” (p. 349). Also, compared to conventional processes, environmental ADR “allows for more direct involvement of those most affected” (Susskind and Ozawa 1983, 256) and provides “greater access to all parties” (Haussmann 1982, ii).10

Although it is a less common viewpoint, other nonempirical sources make the stronger claim that despite its voluntary nature, environmental ADR actually involves the participation of all stakeholders. This goes beyond the common normative guideline that all relevant parties should participate in ADR by claiming that they all do participate. It also exceeds the common claim that all stakeholders could participate if they chose to. Although she cited no empirical evidence, Croce (1985) claimed that environmental mediation involves “meaningful participation of all those known to have a stake in the outcome” (p. 23). According to Kubasek and Silverman (1988), environmental ADR obtains input into decisions from “all major interests” (p. 542). Other sources adopting this position include Kairow (1984), Tomain (1989), and Gunton and Flynn (1992). The fact that most of the sources making this claim do not explicitly address the issue of voluntary participation increases the risk of this study committing the logical
error of straw man by challenging a different and stronger claim than has actually been stated in the literature.

**ANALYSIS**

The following sections explain how values were determined for each of the seven criteria of success. They then analyze the performance of ADR in the fifty-four Ontario and Massachusetts cases as measured by these variables and discuss the extent to which these findings support or refute the impressive claims about the merits of environmental ADR established in the literature and reviewed in the preceding section. Table 3 summarizes the study findings and compares them to the key claims in the literature.

**Final Settlement Achievement**

Whether or not the ADR process resulted, on its own, in the final settlement of the dispute was a binary yes-no variable. This was clearly evident in the documentation obtained for most of the cases. In the few cases in which the documentation was inconclusive, this information was easily obtained by asking one or more of the initial contacts from whom I became aware of the cases. ADR was considered to have reached a final settlement only if no subsequent or concurrent conventional conflict resolution process was required. In other words, ADR had to be the process primarily responsible for the agreement having been reached.

ADR was successful in achieving a final settlement in forty-four (or 81 percent) of the fifty-four cases. In nearly all settled cases, minor issues remained unresolved, but all of the parties reached a consensus that they had resolved all key issues in the dispute and could all accept the settlement produced. This impressive settlement rate provides further empirical support for the frequently made contention that ADR is highly successful at generating agreements in environmental conflicts. Of the six empirical studies reviewed, only Sipe (1998) reported a higher settlement rate for environmental ADR than my finding of 81 percent. This particular claim appears to have validity and, given the common equation of conflict resolution success

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**Table 3. Comparing findings on alternative dispute resolution (ADR) success to claims in the literature.**

<table>
<thead>
<tr>
<th>Success Criterion</th>
<th>Empirical Literature</th>
<th>Literature Claims</th>
<th>Study Results</th>
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</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Percentage Cases</td>
<td></td>
</tr>
<tr>
<td>Final settlement reached</td>
<td>Kressel and Pruitt (1989)</td>
<td>60 percent</td>
<td>81</td>
</tr>
<tr>
<td></td>
<td>Stukenborg (1994)</td>
<td>80 percent</td>
<td></td>
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<tr>
<td></td>
<td>Bingham (1986)</td>
<td>78 percent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Buckle and Thomas-Buckle (1986)</td>
<td>75 percent</td>
<td>54</td>
</tr>
<tr>
<td></td>
<td>Sipe and Stiftel (1995)</td>
<td>74 percent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sipe (1998)</td>
<td>85 percent</td>
<td></td>
</tr>
<tr>
<td>Time saved compared to conventional process</td>
<td>Buckle and Thomas-Buckle (1986)</td>
<td>60 percent</td>
<td>75</td>
</tr>
<tr>
<td></td>
<td></td>
<td>58 percent</td>
<td></td>
</tr>
<tr>
<td>Money saved compared to conventional process</td>
<td>Buckle and Thomas-Buckle (1986)</td>
<td>76 percent</td>
<td>53</td>
</tr>
<tr>
<td></td>
<td>Sipe and Stiftel (1995)</td>
<td>95 percent</td>
<td></td>
</tr>
<tr>
<td>All participants satisfied with ADR process</td>
<td>Kressel and Pruitt (1989)</td>
<td>“Typically” 75 percent</td>
<td>65</td>
</tr>
<tr>
<td></td>
<td>Sipe and Stiftel (1995)</td>
<td>66 percent</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cook, Roehl, and Sheppard (1980)</td>
<td>80 to 89 percent</td>
<td>23</td>
</tr>
<tr>
<td>All participants satisfied with outcome of ADR</td>
<td>Sipe and Stiftel (1995)</td>
<td>80 percent</td>
<td>61</td>
</tr>
<tr>
<td></td>
<td>Cook, Roehl, and Sheppard (1980)</td>
<td>80 to 89 percent</td>
<td>23</td>
</tr>
<tr>
<td>Neutrality of facilitator/mediator</td>
<td>No empirical research</td>
<td>Nearly all literature assumes facilitator/mediator is always neutral</td>
<td>71</td>
</tr>
<tr>
<td>Participation of all stakeholders throughout ADR process</td>
<td>No empirical research</td>
<td>1. ADR offers all stakeholders the opportunity to participate</td>
<td>26</td>
</tr>
<tr>
<td></td>
<td></td>
<td>2. ADR actually involves the participation of all stakeholders</td>
<td>23</td>
</tr>
</tbody>
</table>

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with final settlement, may be largely responsible for the widespread perception that these processes represent a universal remedy.

**Time Savings**

For most of the fifty-three cases that were examined, it was impossible to obtain accurate information on the actual amount of time that the participants spent engaged in negotiations, which would be a measure of the intensity of the ADR process. Therefore, the time required by each process was calculated as the number of months that elapsed between the time of the first meeting of the participants and the point at which they either abandoned the process or signed a final settlement agreement. This is the measure of most interest to disputants and most commonly used in other studies of ADR. In some cases, the ADR process continued after the initiation of a more conventional conflict resolution mechanism, such as litigation or a hearing.

There are a number of ways in which the use of ADR may save time compared to a conventional dispute resolution process. First, it may simply reach an agreement faster than the alternative would have. A second way is by resolving some of the issues (without producing a final settlement), thereby shortening the subsequent conventional process. Time is saved if the combined durations of the ADR process plus the shortened conventional process is less than the expected duration of the conventional process had it not been preceded by ADR. In Ontario cases in which ADR is followed by a mandatory Environmental Assessment Board hearing, ADR results in time savings if it meets two conditions. First, it must produce a final settlement or resolve some of the issues. Second, the duration of the ADR process plus the duration of the shortened mandatory hearing must be less than the estimated duration of the mandatory hearing without ADR. Figure 1 illustrates the various pathways followed by the conflict resolution processes in this study and how time savings were determined.11

The great variation in the duration of conventional conflict resolution processes made it impossible to develop a reliable quantitative estimate of the magnitude of time savings (compared to conventional processes) in individual cases. However, information from a combination of sources allowed the determination, with reasonable certainty, whether or not time savings had occurred, as a binary, yes-no variable. The best sources of information were the detailed interviews conducted for twenty-three of the cases. In most cases, the opinions of respondents concerning time savings were unanimous. In four cases,
there was a single dissenting opinion, and the majority ruled.
In fourteen of the twenty Ontario cases in which detailed interviews were not carried out, the Environmental Assessment Board conducted a hearing and subsequently issued a report outlining its decision and the reasons for it. These reports nearly always expressed the board’s opinion regarding any time savings accruing from the use of ADR. In the remaining six Ontario cases, and the eleven Massachusetts cases in which detailed interviews were not conducted, information on time savings came only from the informal preliminary interviews and case documentation. Among the government officials and ADR practitioners contacted, there was a high degree of consensus concerning this issue. In the five cases in which case documents were relied on exclusively because these opinions were not available, it was readily apparent that ADR had resolved the dispute much faster than the conventional process would have, based on the typical duration of the latter in similar circumstances.

The following is an example of how it was determined whether the use of ADR saved time. This case is one of twenty-three in which ADR achieved a final settlement, the use of a conventional conflict resolution process was avoided, and ADR resulted in a net time savings. This was a conflict over the criteria that the state government would use to determine the distribution of contaminated clay excavated from the Boston Central Artery/Tunnel highway project to municipalities throughout the state for use as landfill capping material. Detailed interviews were conducted with each of ten participants in the facilitation process representing seven different stakeholder groups and the facilitator. Of the respondents who were asked and answered this question, all six indicated that the use of the four-month ADR process had saved time compared to the most likely alternative conflict resolution process, which would have been a joint decision rendered by various state government departments. The two senior state government officials, with whom I met in Boston at the time that the list of study cases was being assembled, expressed the same opinion. Compared to the typical rate at which major decisions involving multiple government departments are made, the minutes from the six facilitated all-stakeholder sessions held between May and August 1995 and several press reports of the proceedings all indicated a very efficient conflict resolution process.

The use of ADR saved time in 75 percent of the fifty-three cases. In Massachusetts, no time savings ever accrued from the use of ADR unless two conditions were met: ADR resulted in final settlement of the dispute, and the conventional conflict resolution process was avoided. Both were met in nineteen of the Massachusetts cases, sixteen of which had time savings from the use of ADR.

ADR was successful in shortening the duration of the conventional hearing process in seventeen of twenty-one Ontario cases. This includes sixteen of nineteen cases in which the Environmental Assessment Board hearing was mandatory. It also includes five of seven cases in which ADR did not result in a final agreement, suggesting that even if it fails to entirely settle a conflict, ADR in Ontario appears to be quite effective at reducing the length of the subsequent Environmental Assessment Board hearing.

The large proportion of Ontario cases (twenty-one of thirty-one) in which a hearing was conducted, and the relatively long duration of many hearings, together imply that the ability of ADR to reduce the total duration of the conflict resolution process in this province depends in large part on the ability of ADR to shorten hearings. They also suggested that hearing length should be considered a key component of the total time required to resolve the dispute. The seventeen Ontario hearings that were reduced in duration through the use of ADR ranged from an hour and a half to 18 days. Half of the hearings required two days or less. The four hearings that were not shortened ranged from 9 days to 270 days spread over four years. The mean resolution time in the seventeen Ontario cases in which ADR reduced the hearing length was 5.5 months, compared to 20.1 months for the remaining fourteen Ontario cases. The ability of ADR to shorten hearings is virtually irrelevant in Massachusetts, since only three of those cases had the potential for a hearing and in no case was a hearing actually held.

The finding that ADR achieved time savings in 75 percent of the cases offers little challenge to the frequent claim that ADR greatly expedites settlement of nearly all environmental disputes. This result is even more positive about the merits of ADR than the findings of the only empirical study on this issue. Buckle and Thomas-Buckle (1986) reported that ADR required less time than conventional processes. Sixty-three percent of their participants believed that ADR was less time consuming than conventional processes, and 58 percent felt that it reduced delay in resolving the conflict. However, Buckle and Thomas-Buckle’s is a modest finding compared to the impressive claims about the ability of ADR to resolve environmental disputes faster than conventional conflict resolution processes stated in numerous nonempirical works. The finding of the present study casts doubt on the validity of these nonempirical claims.

Cost Savings

As was the case for the duration of ADR, for most of the cases it was possible only to ascertain whether the use of ADR
had reduced the total cost of conflict resolution compared to the most likely conventional alternative process, as a binary, yes-no variable. However, an accurate estimate of the magnitude of the savings could not be generated. In cases where it was possible to determine the cost of the ADR process, it was usually not possible to estimate the cost of the conventional process that was either avoided or reduced in duration by ADR, since this varies greatly between cases. In only fifteen cases was it possible to establish a quantitative estimate of the costs of both the ADR process and the avoided or shortened conventional process. The magnitude of the total cost savings from the use of ADR in these cases ranged from U.S.$100,000 to U.S.$3.5 million.13

In general, cost savings resulted directly from time savings. In all but three cases discussed below, the results were identical for time and cost savings. With these exceptions, the flowchart in Figure 1 is applicable to cost savings as well as time savings. Therefore, the information on whether ADR reduced the overall expense of conflict resolution came from the same sources for each case as the information on time savings: detailed interviews for twenty-three of the cases, Environmental Assessment Board decisions for fourteen Ontario cases, and informal preliminary interviews and case documentation in the remaining seventeen cases. The same decision rules for determining cost savings were used as described in the preceding section on time savings.

In the three cases in which time savings and cost savings criteria had a different status (all in Ontario), ADR was able to avoid a costly hearing,14 thereby saving the parties money. However, a hearing would have resolved the conflict faster than ADR, so no time savings resulted.15 For the two of these cases16 for which detailed interviews were conducted, the respondents were unanimous in their expressed beliefs that the use of ADR saved money but not time compared to the most likely conventional process used alone. In the third case,17 the information came from extensive MOEE case documentation, including correspondence between the parties, government memos, press reports, and minutes of facilitation sessions. The clear consensus of these documents is that although a hearing would have been longer in duration than most hearings and more expensive than the facilitation process, a hearing would have resolved the conflict in much less time than the twelve months required by facilitation.

There were no cases in which time was saved but not money. In Ontario, the greatest cost savings resulted from ADR successfully reducing the duration of a subsequent hearing, typically the most expensive phase of the conflict resolution and environmental assessment processes. In Massachusetts, the greatest savings came from avoiding the extremely expensive litigation process.

ADR achieved overall cost savings in 81 percent of the entire set of fifty-three cases, providing support for the nonempirical literature’s common claim that using ADR nearly always confers great cost savings compared to conventional methods of resolving environmental disputes. Nor does this finding refute the empirical findings of either Buckle and Thomas-Buckle (1986) or Sipe and Stiftel (1995), who reported that environmental ADR provided less expensive conflict resolution in 76 percent and 95 percent of cases, respectively. The number of cases in my study for which the magnitude of cost savings was determined was insufficient to provide results comparable to the claims that ADR saves large amounts of money for the disputants.

Participant Satisfaction with the ADR Process and Outcome

Respondents in the detailed interviews were asked whether they were, in retrospect, satisfied or dissatisfied with the ADR process in which they participated. They were also asked whether they were satisfied with the outcome of the process. For each of these, the number of parties reporting that they were satisfied or dissatisfied was totaled for each case. For process satisfaction and outcome satisfaction separately, the cases were then classified according to three categories: those in which all of the parties were satisfied, those in which the parties were split in their degree of satisfaction (i.e., one or more parties were dissatisfied), and those in which all of the parties were dissatisfied. Finally, the respondents were asked for reasons why they were satisfied or dissatisfied with the process and its outcome.

While its use of “all parties satisfied” as the test variable may seem excessively stringent, it is consistent with the primary objective of ADR, which is to produce so-called win-win outcomes that are satisfactory to all parties. If an ADR process leaves any parties dissatisfied with the process or the outcome, it has failed to meet this objective. Therefore, it is fair to evaluate each case according to whether all of the participants were satisfied.

The case of the Dredging Advisory Committee facilitation process for the Boston Harbor Navigation Improvement Project18 serves as an example of how values were determined for the participant satisfaction variables. Seven of the ten interview respondents indicated that they were satisfied with the facilitation process. Several made comments to the effect that it was a “model process.” Since the remaining three participants expressed their dissatisfaction with the process, this case was classified as having split opinions. A representative of one of the several state government departments was very
dissatisfied with the facilitation, remarking that it was merely “a warm fuzzy process for public show.” However, all ten respondents said that they were satisfied with the outcome of the process.

In fifteen (or 65 percent) of the twenty-three cases, all of the participants were satisfied with the ADR process. In the remaining eight cases, at least one party was not satisfied. There were no cases in which all of the respondents expressed their dissatisfaction with the process.

In fourteen (or 61 percent) of the cases, all of the parties were satisfied with the outcome of ADR. In six cases (26 percent), at least one party was dissatisfied with the outcome. In the remaining three cases (13 percent), all of the respondents were dissatisfied.

Since the ADR process is a strong determinant of its outcome, many parties made little or no differentiation between their satisfaction with the process and their satisfaction with the outcome. Therefore, it is not surprising that the respondents had a similar level of satisfaction for both in seventeen (or 74 percent) of the cases. The facilitation case discussed above was one of the six cases in which the degree of satisfaction with the process differed from the degree of satisfaction with the outcome.

Many of the respondents identified the principal reasons behind their satisfaction or dissatisfaction. For satisfaction with the process, the most frequently mentioned factors were the efficiency of the process (in terms of the time required, the scheduling of ADR sessions, and the intensity of the process), the cost of the process and whether it saved the parties money, the ability of the process to identify and resolve the key issues in the dispute, whether the process gave equal opportunities to all parties to express their interests and opinions and to actually influence the outcome, and the degree to which the parties understood the process. For satisfaction with the outcome, respondents identified considerations such as whether ADR resulted in a final settlement and therefore allowed the parties to avoid an undesirable conventional dispute resolution process; the extent to which the final settlement achieved the goals and interests of that particular party and, to a lesser degree, those of the other parties; and the implementability of the settlement.

These results raise doubts about the ability of environmental ADR to meet the expectations of all participants in waste management conflicts and suggest that the common perception in the literature that ADR processes and their outcomes satisfy the vast majority of participants is at least partially a myth. This challenges the assumption often made about ADR that it always generates win-win agreements. This is particularly true of the nonempirical work comprising nearly all of the literature on this topic. Sipe and Stöffel (1995) offered the only empirical results dealing exclusively with environmental ADR. Although the findings of the present study are more pessimistic than Sipe and Stöffel’s findings for participant satisfaction with the outcome, the two studies are quite consistent in their findings regarding satisfaction with the ADR process.19

All of the previous empirical studies addressing participant satisfaction are limited to mediation cases only. In the present study, including only the six mediation cases changes the results only slightly. For both the process and the outcome, all of the participants were satisfied in four of these six cases. Since the number of mediation cases in this study is too few to make meaningful comparisons, it is useful to note that 63 percent of the sixteen cases in which a neutral party was employed (including both facilitation and mediation) satisfied all of the participants (again with respect to each of the process and its outcome). These results are very consistent with those for the twenty-three negotiation, facilitation, and mediation cases combined, reported above.

This study demonstrates that at least for waste management disputes, the capacity of ADR to satisfy its participating disputants is overstated by the predominantly nonempirical literature. With the exception of Sipe and Stöffel’s (1995) conclusions regarding participant satisfaction with the process, these findings also contradict those of the few empirical studies that have been carried out. Therefore, this study refutes previous claims that ADR participants leave the process highly satisfied with its outcome. However, it casts considerably less doubt on the claim that participants are highly satisfied with the ADR process itself. Regardless of the validity of previous claims, it is clear that ADR is not very effective at satisfying disputants in waste management cases.

Neutrality of the Facilitator or Mediator

Facilitators and mediators cannot be considered entirely neutral if they are affiliated with any stakeholding party,20 including a government department of agency with a stake in the outcome of the conflict.

A facilitator or mediator drawn from the pool of adjudicative board members may also only be considered neutral if there is no chance that that person will subsequently hear the case as a member of an adjudicative panel. In each of the ten facilitation and mediation cases in Ontario, a quasi-judicial hearing before either the Environmental Assessment Board (nine cases) or the Environmental Appeal Board (one case) would have been conducted had ADR not been used and was used if ADR failed to produce a final settlement and/or if an Environmental Assessment Board hearing was statutorily mandated due to the nature of the proposal. In most cases, the
facilitator or mediator was a member of the relevant board but may or may not have been assigned to the particular board panel that may have subsequently adjudicated the case.

Having a panel member who previously facilitated or mediated the conflict compromises the essential “without prejudice” status of ADR that allows participants to freely express themselves and put tentative offers on the table without the fear that their revelations about their own interests and positions may be used against them in any subsequent conflict resolution process. The belief that board members may, barring the above circumstances, be considered neutral facilitators and mediators is based largely on the existence of many recent precedents in which the two boards have released decisions contrary to the positions taken by the MOEE. These suggest that the Ontario tribunals do have considerable independence.

The origin of the facilitator or mediator determined whether that individual was assigned a positive or negative value for neutrality in this study. For nearly all of the applicable twenty-eight cases, this factual information was easily obtained from the documentation. For a few cases, the informal preliminary interviews were also helpful.

In six of the ten Ontario cases, the facilitator or mediator was a member of the Environmental Assessment Board. However, there was either no possibility that there would be a hearing or, if a subsequent hearing was possible, the member who facilitated or mediated would not be on the panel. In one case, two independent mediators were employed and were therefore considered to be completely neutral. In the remaining three cases, the facilitator or mediator cannot be considered neutral. In two of these cases, the facilitator was on the staff of the MOEE, which was a party in the dispute. In the final case, the mediator was a member of the Environmental Appeal Board panel that might subsequently adjudicate the case. In total, only seven (70 percent) of the ten Ontario facilitation and mediation cases had neutral parties that lived up to their name.

The facilitator or mediator may be considered completely neutral in 72 percent (thirteen) of eighteen Massachusetts cases. For seven of these thirteen cases, the neutral party was provided through the Massachusetts Office of Dispute Resolution (MODR), a state agency that coordinates the activities of a pool of specially trained private and independent facilitators and mediators. The parties to the conflict jointly selected the facilitator(s) or mediators(s) from a short list provided by MODR. In the other six (of thirteen) cases, the parties retained a facilitator or mediator directly from one of many private firms offering independent conflict resolution services. In the remaining five Massachusetts cases, the facilitator or mediator cannot be considered neutral because that individual was an employee of either a government department or agency that was a party to the conflict or a company retained to provide consulting services to that department or agency.

In summary, 29 percent of the combined Ontario and Massachusetts cases had a facilitator or mediator that was not entirely neutral because of his or her affiliation with an interested party or because he or she might have an adjudicating role in subsequent hearings. These findings cast some doubt on the environmental ADR literature’s almost universal assumption that facilitators and mediators are completely neutral. However, my review of this literature revealed no examples of empirical research on this criterion of success. Nevertheless, it is troubling that in nearly one-third of the conflicts, the parties placed their trust in a facilitator or mediator who may have been biased and partial.

**Participation of All Stakeholders**

During the detailed interviews on the subset of twenty-three cases, each respondent was asked to identify stakeholders he or she believed were relevant to the conflict and whether these stakeholders participated throughout the entire ADR process. They were also asked their opinions regarding whether the absence of each stakeholder was the choice of the stakeholder itself or whether it was excluded against its will. Finally, respondents were asked to provide some rationale for their belief that a party they identified as having been absent from all or part of the ADR process had a bona fide stake in the dispute and therefore should have been a participant in the process. A stakeholder was considered to have been excluded if identified as such by at least one respondent able to justify the necessity of that stakeholder’s involvement. Cases were classified as having either included all identified stakeholders at all stages in the ADR process or excluded one or more of these parties from all or part of the process.

These responses indicated that all of the relevant stakeholders participated throughout only six (or 26 percent) of the processes. In the remaining cases, one or more parties that at least one of the respondents believed were relevant to the conflict and should have been involved in its resolution did not participate at all stages in the ADR process. For example, there were seven respondents in the case of the Redland Quarries Ltd. Brow Landfill Closure in Flamborough Township. Two respondents identified the MOEE as having been excluded from the Consultation Group negotiation process, two identified the Niagara Escarpment Commission (NEC), and one identified the local Member of Provincial Parliament (MPP). The remaining two respondents identified no excluded parties.
According to the respondents for the cases overall, approximately half of the stakeholder absences that occurred were not the choice of the excluded party. Such involuntary exclusions usually occur because the organizers of the ADR process and the participants that have already been identified fail to identify and invite each of the other stakeholders in the dispute. This also depends on excluded parties not becoming aware of the process from any other source. Although it is certainly less common (and whether it occurred in any of the study cases could not be determined with certainty), a stakeholder may also be intentionally excluded by parties involved in the ADR process that believe that such an exclusion is in their own best interests. However, this is a strategic error on the part of these participants, since most excluded parties become aware of an ADR process at some point. Once offended and on the defensive, such excluded parties are often able to pursue conventional legal channels that are more expensive and disruptive to the other disputants than if all stakeholders had been included in the ADR process.

Given the widely accepted tenet that ADR processes must include all stakeholders, any absence presents the same obstacle to effective conflict resolution whether it is voluntary or involuntary. Voluntary participation is a fundamental characteristic of ADR, since no party can force another to bargain efficiently and in good faith. Ironically, this feature of ADR also presents a significant obstacle if any stakeholder refuses to participate. Drawing conclusions about the implications to the conflict and the ADR process of stakeholder exclusions is constrained by the fact that the study did not follow the cases past the point at which either a final settlement was reached or the ADR process was terminated. Nor did it attempt to study the consequences of stakeholder absences from the process. However, it may be noted that all of the ADR processes that excluded stakeholders continued in their absence and that many of the voluntarily and involuntarily excluded parties challenged the process by pursuing a more conventional legal means of expressing their interests, such as a hearing or litigation. The exclusion of any government body charged with the approval and/or implementation of a final settlement is especially problematic to an ADR process.

Approximately one quarter of the absent stakeholders were involved in the process at some stage, usually joining the process once it had been underway for several months. In the case discussed above, the four respondents that referred to the NEC and MOEE all indicated that both parties withdrew from the Consultation Group voluntarily. However, it was indicated by the fifth respondent that the MPP was excluded involuntarily from early stages of the process but joined it later.

These findings refute the claim that despite its voluntary nature, environmental ADR involves all stakeholders. Furthermore, the fact that approximately half of the stakeholder absences were involuntary demonstrates that the more frequently stated claim that these processes provide all disputants with the option of participating is similarly fallacious.

**CONCLUSIONS**

A long tradition in the environmental ADR literature of advocacy and a scarcity of empirical research have created and sustained several misconceptions concerning the effectiveness of negotiation, facilitation, and mediation. This study has shown that these ADR methods are quite successful in achieving final settlements at less cost than conventional resolution processes. It has also demonstrated that these processes are moderately effective in expediting the resolution of waste management disputes and leaving participants satisfied with the process. The impressive ability of ADR to settle environmental conflicts and the tendency of most observers to equate success with only this criterion may be largely responsible for the widespread misperception of ADR as a universal remedy.

However, environmental ADR fails to live up to other frequently made claims and assumptions regarding its effectiveness, suggesting that they are more myth than reality. This study demonstrates that the claims that an overwhelming majority of parties is satisfied with the outcome of an ADR process is overstated. It also casts doubt on the nearly universal assumption that facilitators and mediators are completely neutral. Finally, it refutes both the claim that ADR offers all stakeholders in the dispute the opportunity to participate in the process if they choose and the stronger, less common claim that ADR actually includes all of the stakeholders.

However, the results of this study are more consistent with those of the few previous empirical studies that have evaluated the performance of environmental ADR than with the claims established in the nonempirical literature. This suggests that it is the nonempirical work that is primarily responsible for the persistent misconceptions about the capabilities of these methods. In addition, it should be noted that data were only available from twenty-three cases for variables 4, 5, and 7, making these findings less certain than those of the other four criteria of success.

Although fifty-four cases is a relatively large sample size by the standards of the ADR literature, future research using a larger number of cases, a more diverse range of environmental conflict types, and a larger set of success criteria would be valuable to confirm these results. Since it is naïve to expect that ADR will always be effective, subsequent empirical research on the characteristics of environmental disputes and ADR processes that influence the probability of achieving success as
measured by the variables in this study is also recommended. The results from such a study would contribute to our understanding of the circumstances in which ADR should and should not be used and improve the use of these techniques in practice.

Judiciously applied negotiation, facilitation, and mediation techniques can have impressive degrees of success compared to conventional conflict resolution channels. ADR is hardly a panacea, but in many waste management disputes, it has proved itself to be an effective alternative to the usual adversarial methods of resolution, such as public hearings and litigation. ADR has considerable potential for its expanded application in the environmental municipality.

Author's Note: The author gratefully acknowledges the financial support of the Centre for International Studies, the United States Associates, and the Department of Geography; all at the University of Toronto. The guidance of Dr. Virginia MacIver in the Department of Geography is also greatly appreciated.

Appendix.
List of waste management cases studied.

<table>
<thead>
<tr>
<th>Case Number</th>
<th>Case Name</th>
<th>Conflict Type</th>
<th>Alternative Dispute Resolution</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Ontario</strong></td>
<td><strong>Landfill</strong></td>
<td><strong>Negotiation</strong></td>
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</tr>
<tr>
<td>1</td>
<td>Redland Quarries Brow Landfill Closure, Flamborough Township</td>
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<td>2</td>
<td>Region of Haldimand-Norfolk Tom Howe Landfill Expansion</td>
<td>Landfill</td>
<td>Facilitation</td>
</tr>
<tr>
<td>3</td>
<td>General Electric/EcoLogic Polychlorinated Biphenyls Destructor, Toronto</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Reclamation Systems Inc. Acton Quarry Landfill, Halton Hills</td>
<td>Landfill</td>
<td>Negotiation</td>
</tr>
<tr>
<td>5</td>
<td>Taro Aggregates Ltd. East Quarry Landfill, Stoney Creek</td>
<td>Landfill</td>
<td>Negotiation</td>
</tr>
<tr>
<td>6</td>
<td>Township of Stephen Landfill Expansion</td>
<td>Landfill</td>
<td>Negotiation</td>
</tr>
<tr>
<td>7</td>
<td>Lang Leather Tannery Site Cleanup, Kitchener</td>
<td>Contaminated site remediation</td>
<td>Mediation</td>
</tr>
<tr>
<td>8</td>
<td>Essex County–City of Windsor Landfills 1 &amp; 3 Expansions</td>
<td>Landfill</td>
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</tr>
<tr>
<td>9</td>
<td>Region of Sudbury Oming Falls Landfill Expansion</td>
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<td>Negotiation</td>
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<tr>
<td>10</td>
<td>Phillip Environmental Inc. Blackwell Road Landfill Expansion, Sarnia</td>
<td>Landfill</td>
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<td>11</td>
<td>City of St. Catharines Glenridge Quarry Grade Modifications</td>
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<td>12</td>
<td>Township of South Gower Landfill Expansion</td>
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<td>13</td>
<td>City of Port Colborne Elm Street Landfill Expansion</td>
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<td>Negotiation</td>
</tr>
<tr>
<td>14</td>
<td>Ontario Waste Management Corporation Hazardous Waste Facility, Niagara</td>
<td>Contaminated site remediation</td>
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<tr>
<td>15</td>
<td>Niagara Road 12 Landfill, Township of West Lincoln—Funding</td>
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</tr>
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<td>16</td>
<td>Township of Alice and Fraser Landfill Expansion</td>
<td>Landfill</td>
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<td>City of Brockville Landfill Expansion</td>
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<td>Township of Ashford Municipal Landfill Expansion</td>
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<td>20</td>
<td>Town of Lindsay Lindsay/Ops Landfill Expansion</td>
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<td>Town of Kincardine Valentine Avenue Landfill Expansion</td>
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<td>22</td>
<td>City of Peterborough Bensfort Road Landfill Expansion</td>
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<td>23</td>
<td>Town of Kapuskasing Landfill Expansion</td>
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<td>City of North Bay Landfill</td>
<td>Landfill</td>
<td>Facilitation</td>
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<td>25</td>
<td>City of Guelph Eastview Road Landfill Expansion</td>
<td>Landfill</td>
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<td>26</td>
<td>City of Niagara Falls, Mountain Road Landfill Expansion</td>
<td>Landfill</td>
<td>Negotiation</td>
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<td>27</td>
<td>Green Lane Landfill Expansion, Elgin County</td>
<td>Landfill</td>
<td>Negotiation</td>
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<td>28</td>
<td>Township of Charlottenburgh North Landfill Expansion</td>
<td>Landfill</td>
<td>Negotiation</td>
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<td>29</td>
<td>City of Orillia Kitchener Street Landfill Expansion</td>
<td>Landfill</td>
<td>Negotiation</td>
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<td>30</td>
<td>Town of Kenora Tri-Municipal Landfill Expansion</td>
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<td>Mediation</td>
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<td>31</td>
<td>ENSCO Class I Mobile Polychlorinated Biphenyls Destruction Facility, Smithville</td>
<td>Hazardous waste facility</td>
<td>Negotiation</td>
</tr>
<tr>
<td><strong>Massachusetts</strong></td>
<td><strong>Contaminated site remediation</strong></td>
<td>Mediation</td>
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<td>Nyanza Inc. Dye Plant Chemical Waste Dump Site Cleanup</td>
<td>Contaminated site remediation</td>
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<td>2</td>
<td>Mass. Military Reservation Installation Restoration Program</td>
<td>Contaminated site remediation</td>
<td>Facilitation</td>
</tr>
<tr>
<td>3</td>
<td>Cleanup of Contaminated River and Company X Site</td>
<td>Contaminated site remediation</td>
<td>Negotiation</td>
</tr>
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<td>4</td>
<td>Town of Plymouth Wastewater Treatment Facility</td>
<td>Wastewater treatment facility</td>
<td>Facilitation</td>
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<tr>
<td>5</td>
<td>Phase II Cleanup of Polychlorinated Biphenyls Contamination, New Bedford Harbor</td>
<td>Contaminated site remediation</td>
<td>Facilitation</td>
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<td>6</td>
<td>Development of Revised Massachusetts Used Oil Recycling Act</td>
<td>Waste management legislation</td>
<td>Facilitation</td>
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<td>7</td>
<td>Cleanup of Company X Contaminated Manufacturing Site</td>
<td>Contaminated site remediation</td>
<td>Mediation</td>
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<tr>
<td>8</td>
<td>Permitting of Company X Fluorescent Bulb Recycling Facility</td>
<td>Hazardous waste facility</td>
<td>Facilitation</td>
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<td>9</td>
<td>Nuclear Metals Inc. Radioactive Waste Site Cleanup, Concord</td>
<td>Contaminated site remediation</td>
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<td>10</td>
<td>Boston Central Artery/Tunnel Phase II Clay Distribution Program</td>
<td>Waste materials reuse</td>
<td>Facilitation</td>
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### Appendix Continued

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<tr>
<td>11</td>
<td>Treatment and Disposal of Contaminated Sediments, Boston Harbor</td>
<td>Contaminated site remediation</td>
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<td>12</td>
<td>Clean Environment Fund Focus Group</td>
<td>Waste management legislation</td>
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<td>13</td>
<td>Permitting of Company X Hazardous Waste Facility</td>
<td>Hazardous waste facility</td>
<td>Mediation</td>
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<td>14</td>
<td>Permitting of MMT Hazardous Waste Recycling Facility, Fall River</td>
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<td>Negotiation</td>
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<td>15</td>
<td>Cleanup of Contaminated Site, Waltham</td>
<td>Contaminated site remediation</td>
<td>Mediation</td>
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<td>16</td>
<td>Company X Landfill Expansion</td>
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<td>Mediation</td>
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<td>17</td>
<td>Cleanup of Contaminated Water Wells, Groveland</td>
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<tr>
<td>18</td>
<td>Sullivan’s Ledge Hazardous Waste Site Operable Unit 1 Cleanup, New Bedford</td>
<td>Contaminated site remediation</td>
<td>Mediation</td>
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<tr>
<td>19</td>
<td>Revisions to Massachusetts General Law Chapter 21E &amp; Massachusetts</td>
<td>Contingency Plan</td>
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<td></td>
<td>Clean Environment Fund Focus Group</td>
<td>Contagious Plan</td>
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<tr>
<td></td>
<td>Former Solvent Reclamation Facility Cleanup, N. Dartmouth</td>
<td>Contagious Plan</td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Billerica Street Coal Gas Waste Site Cleanup, Lowell</td>
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<tr>
<td>21</td>
<td>Development of New Massachusetts Toxics Use Reduction Act</td>
<td>Contagious Plan</td>
<td></td>
</tr>
<tr>
<td>22</td>
<td>Siting Boston Harbor Deer Island Wastewater Treatment Facility</td>
<td>Contagious Plan</td>
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<tr>
<td>23</td>
<td>Company X Landfill Expansion</td>
<td>Landfill</td>
<td>Mediation</td>
</tr>
</tbody>
</table>

a. Cases for which detailed interviews were conducted.  

### Notes

1. All but one of the fifty-four cases began in 1989 or later.  
2. The 123 interview respondents represented 100 different parties. In general, there was a high degree of consistency in the responses provided by different parties within the same case. However, there was an even greater degree of similarity in the answers given by multiple respondents from the same party. This suggests that the findings from these interviews have a high degree of construct validity.  
3. It is not possible to determine the proportion of the alternative dispute resolution (ADR) cases that was sampled, since no listing of ADR cases exists in either jurisdiction.  
4. Massachusetts Case 14 (in the appendix) was omitted from consideration of time and cost savings since no suitable permit yet existed for the type of undertaking proposed: a research and development facility for hazardous waste recycling. Therefore, the proponent had no alternative but to negotiate the terms of a new type of permit with the state and federal governments.  
5. Ontario case 7 (see appendix).  
6. Ontario case 1 (see appendix).  
7. Ontario case 7 (see appendix).  
8. Kressel and Pruitt (1989) and Stukenborg (1994) are both based on empirical research. Final settlement achievement is the only one of the six criteria of success for which Bingham (1986), Buckle and Thomas-Buckle (1986), Sipe and Stiftel (1995), and Sipe (1998) are not the only empirical studies measuring the performance of environmental ADR.  
9. This study does not test these claims of levels of participant satisfaction with ADR compared to conventional processes, as it does not compare satisfaction levels for different types of conflict resolution methods, and it measures the number of participants satisfied rather than their level of satisfaction.  
10. This study does not compare ADR and conventional conflict resolution processes with respect to their inclusion of stakeholders and therefore does not test the claims of Haussmann (1982), Amy (1983), and Susskind and Ozawa (1983). However, their claims are included because they support the viewpoint that ADR offers disputants the opportunity to participate if they choose.  
11. All nineteen of the cases involving a mandatory conventional conflict resolution process occurred in Ontario, with the process being an Environmental Assessment Board hearing.  
12. Massachusetts case 10 (see appendix).  
13. Mean or median cost savings have not been reported, since they are rendered virtually meaningless by the small number of cases and the variability of the figures.  
14. Hearings before the Ontario Environmental Assessment Board typically have total costs (to all parties) of U.S.$14,000 to U.S.$17,000 per day. Nearly all of the ADR participants asked indicated that ADR is much less expensive per unit time.  
15. In all three cases, ADR was inefficient due to a large number of parties, very contentious issues, poor use of scheduling and deadlines, and the delaying tactics of opponents to the proposals.  
16. Ontario cases 1 and 10 (see appendix).  
17. Ontario case 24 (see appendix).  
18. Massachusetts case 11.  
19. Cook, Roehl, and Sheppard (1980) and Sipe and Stiftel (1995) each reported the percentage of ADR participants satisfied for all of their cases combined. This study was only able to measure the percentage of participants that were satisfied in each case rather than in the cases combined. However, this does not prevent it testing the claim that the overwhelming majority of parties are satisfied with ADR processes and their outcomes.  
21. Including Ontario cases 9 and 25 (see appendix).  
22. Ontario case 30 (see appendix).  
23. Ontario cases 2 and 24 (see appendix).  
24. Ontario case 7 (see appendix).  
25. Massachusetts cases 5, 7, 10, 15, 17, 18, and 21 (see appendix).  
26. Massachusetts cases 1, 2, 4, 13, 16, and 25 (see appendix).  
27. Massachusetts cases 6, 8, 9, 11, and 12 (see appendix).
28. Ontario cases 2, 3, 9, 22, and 25 and Massachusetts case 3 (see appendix).
29. Ontario case 1 (see appendix).

References


Repackaging the Revolution
Making GIS Instruction Relevant to Planners

A. Simon Montagu

Abstract

This article explores the pedagogical issues associated with reconstructing Geographic Information Systems (GIS) instruction into a form more directly linked to the substantive heart of the planning discipline. It surveys the broad terrain of GIS pedagogy and reviews the fit of prevailing instructional modes with the pedagogical mission of planning. Drawing on the insights gained from this review, the article then discusses the key design challenges planning educators must confront to repackage GIS instruction into a more planning-relevant form. Outlining changes the author has made to his own classes, he demonstrates one form that this type of instructional strategy may take.

Planning’s “quiet revolution” in information technology (Godschalk and McMahon, 1992) may have finally come of age. Through the decade of the 1990s, Geographic Information Systems (GIS) has evolved from a technological novelty distinguished by its operational complexities into a much easier to use, less expensive, and now seemingly indispensable tool of the planning profession. GIS skills that were once the special province of a select few are now an almost essential requirement for both current and prospective planning professionals.

The evolution of the technology and this change in its revolutionary profile provide an opportunity for the reassessment of both the motivations and the methods of GIS instruction within planning programs. As the complexities of GIS technology continue to diminish, important substantive learning objectives that were once buried under the technology finally stand a chance of becoming the focal point of the instructional process, pushing GIS instruction beyond simple explanations of how toward a deeper understanding of why.

This article explores the issues associated with reconstituting the nature and content of GIS instruction into a form matched to the pedagogical goal of planning education: helping students develop into informed, sophisticated planning professionals, savvy in the application and limitations of GIS as a tool of their profession. Whereas Drummond (1995) suggested that the crucial question for planning education is “how to integrate GIS technology into the traditional substantive areas of the (nonmethods) planning curriculum” (p. 280), I suggest that we can also do much more to integrate the substance of planning into the existing modes of GIS instruction. The account that I present draws on my own experiences in attempting to reshape the instructional emphasis of my teaching into a more “planning-relevant” form, discussing the issues and opportunities that I have encountered along the way.

The article is presented in three parts. First, I survey the broad terrain of GIS pedagogy to reveal the form and nature of the prevailing modes of GIS instruction. GIS educators are fortunate in that the pedagogy of GIS is not only a subject of much interest across many disciplines but is also an apparent concern of the vendors that produce GIS software. As a result, educators have a wide array of instruction-related materials...
from which to draw the ideas and exercises needed to construct instructional strategies of their own. Opportunity, however, also brings constraints. Fitting these materials and their underlying instructional logic to the pedagogical and programmatic framework of a planning program is an issue that would seem to require careful analysis, but one on which planning educators have remained largely silent. I round out the survey by discussing the problematic characteristics of the prevailing instructional modes when used in the specific confines of a planning program.

The second part of the article picks up on the insights gained from this review, using the limitations of the existing instructional models as a starting point for defining a more planning-focused form of GIS instruction. I use these limitations to highlight the key design issues that underlie the challenge of bringing more planning into GIS instruction before presenting a detailed account of the changes that I have made to one of my GIS classes. I hope that a full discussion of the challenges involved will aid other planning educators looking to bridge the gap between the generic concepts and complex technology of GIS and its application in the planning process.

The article concludes with a brief discussion of the broader advantages and disadvantages of the approach that I outline.

### GIS Instruction: Existing Modes and Their Constraints

The GIS revolution is somewhat unusual among contemporary technological innovations in that it has spawned a healthy and vigorous debate on GIS pedagogy, the roots of which we can trace back to the mid-1980s (see Goodchild 1985; Shepherd 1985; Poiker 1985; or Morgan 1987). Although much of the discussion remains descriptive in nature, it does cover a wide range of interesting topics relevant to all levels of GIS instruction, including key themes such as the pedagogical and pragmatic issues associated with particular GIS curricula (Keller 1991; Walsh 1992; Kemp, Goodchild, and Dobson 1992; Godschalk and McMahon 1992; Scott and Smith 1995; Sui 1995; Unwin 1997a, 1997b) and innovative strategies for teaching the principles and techniques of GIS (Hawke 1992; Kaper and Green 1992; Keller, Davis, and Canessa 1996; Brown and Burley 1996; DiBiase 1996).

On closer inspection, one of the more apparent characteristics of this discourse is the high level of consensus around the basic form and nature of GIS instruction. Judging from the undertones of the discussion and from the posture of the instructional materials currently available to GIS educators, there is broad agreement across a range of different disciplines on the principal modes of GIS instruction. Two in particular dominate, reflecting the dualistic nature of the subject matter and the tense relationship that exists between the substantive underpinnings of GIS as a discipline and the operational and technical dimensions of GIS as an innovative technology. Each mode follows a different pedagogical pathway through this divide, and for this reason, we can label them as either a content-focused or technology-focused mode of instruction. Defined in this manner, the two modes represent something closer to ideal types or the extremes of a spectrum than true models for instruction, and most instructional strategies actually employ elements of each. Nonetheless, the classification provides a useful heuristic for comparing the underlying motivations and methods of each mode and evaluating them in terms of their pedagogical and programmatic fit within a planning program. I have summarized the comparative in Table 1.

The distinction at the heart of this classification is the different instructional emphasis of the two modes. Content-focused strategies tend to emphasize the substantive dimensions of GIS, treating the technology of GIS as just one part of a broader intellectual discipline. In contrast, technology-focused strategies tend to emphasize the substantive understanding of GIS, treating the technology of GIS as just one part of a broader intellectual discipline.
focused strategies focus on the operating mechanics of GIS, viewing GIS in functional terms with the apparent assumption that users understand the substantive basis and operational function of the technology. The difference in emphasis of the two modes reflects fundamental differences in the core skills that each mode seeks to inculcate. As their names imply, content-focused strategies focus on the geospatial and computer science underpinnings of GIS, whereas technology-focused strategies place greater value on developing the skills necessary to “drive” particular hardware and software combinations. The operating context of a particular GIS product may be part of the learning objectives of a content-focused instructional strategy, but it is usually secondary to a fundamental understanding of the theories and concepts that underlie the science and technology of GIS. Conversely, technology-focused instructional modes focus less on the substantive underpinnings, implicitly assuming (again) that students understand or can easily make the connections between a particular piece of GIS technology and its substantive foundations.

Although individual examples of each mode vary widely (particularly for the content-focused mode, where disciplinary differences point instruction in different directions), it is possible to define archetypes for each. The various attempts to define the intellectual core of a discipline of GIS, laid out in the form of a model curriculum, represent the archetype of the content-focused mode of instruction. The Core Curriculum of the National Center for Geographic Information and Analysis (NCGIA) exemplifies this archetype (see NCGIA 1998, or refer to Kemp and Goodchild 1991, 1992). Originally published in 1990, the current version consists of nearly 200 topic units, each written by prominent GIS scholars from across the world, covering the substantive foundations of GIS as both a science and a technology (see Table 2). The Core Curriculum now represents the de facto standard of the model curricula approach, and although others have produced similar models, most exist as alternatives or complements to the NCGIA Core (see Nyerges and Chrisman 1989; Unwin et al. 1990; Rogerson 1992; Kemp and Frank 1996).

The various training products produced by GIS software vendors provide the archetypal form of the technology-focus mode of instruction. The instructional logic of these products are all very similar, offering users an introduction to the logic and mechanics of a particular software package through a series of self-paced exercises. While these products have increased in sophistication over the years, providing a much more integrated and comprehensive insight into the workings of GIS technology—see, for example, ESRI’s (1997a, 1997b)

<table>
<thead>
<tr>
<th>Section Topic</th>
<th>Unit themes</th>
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<tr>
<td>What is GIS?</td>
<td>What is science?</td>
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<tr>
<td>Fundamental geographic concepts for GIScience</td>
<td>The world in spatial terms</td>
</tr>
<tr>
<td></td>
<td>Representing the earth digitally</td>
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<td>Mapping the earth</td>
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<td>Spatial relationships</td>
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<td>Abstraction and incompleteness</td>
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<td>Implementing geographic concepts in GISystems</td>
<td>Defining characteristics of computing technology</td>
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<td>Representing fields</td>
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<td>Representing discrete objects</td>
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<td>Visualization and cartography</td>
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<td>User interaction</td>
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<td>Implementation paradigms</td>
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<td>Teaching GIS</td>
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<td>Geographic information technology in society</td>
<td>Resource management</td>
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<td>Urban planning and management</td>
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<td>Land Information Systems and cadastral applications</td>
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<td>Environmental health</td>
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<td>Environmental modeling</td>
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<td>Emergency management</td>
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<td></td>
<td>Studying and learning geography</td>
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<td></td>
<td>Business and marketing</td>
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</table>

Table 2. Summary table of contents of the National Center for Geographic Information and Analysis “Core Curriculum in GIScience.”

software training products—they retain the same instructional logic.

Not surprisingly given their contrasting emphasis, both modes vary greatly in terms of their (implied) instructional method. The emphasis and content of each hint at their differing instructional formats: traditional lecture-style classes for content-focused strategies and more hands-on, laboratory-based strategies for the technology-focused mode. The archetypal examples of each mode seem to support this point, with the NCGIA Core and ESRI’s “Understanding” series both constructed in ways that present themselves best, respectively, as a sequence of lectures and a series of laboratory exercises.

Relevance to Planning: Evaluating Modes of Instruction

The ascendancy of these two modes and their widespread acceptance by the GIS community present planning educators who teach GIS with something of a conundrum. On one hand, the two modes offer the building blocks from which instructors can easily develop GIS classes for planning students. The coalescence of opinion within the GIS community around the substantive foundations of the discipline has led to a degree of standardization in content-focused materials, reflected specifically in model curricula such as the NCGIA’s Core Curriculum, but also apparent in various introductory-level textbooks (e.g., Star and Estes 1990; Clarke 1997). As a result, planning educators have access to a wide range of materials covering the substantive core of the discipline of GIS from which to construct their instructional strategies. A similar convergence in vendor-produced training materials provides similar guidance for the lab component of these classes.

On the other hand, however, we still know very little about the pedagogical value of these two modes of GIS instruction. There is nothing inherent in their form to suggest they represent the best models for GIS instruction, and indeed, their ascendancy to the point of instructional paradigm may have more to do with their ease of implementation than their innate pedagogical qualities. As I have re-examined my own teaching efforts (based on composites of these two modes), looking more closely at what each mode engenders when used within the pedagogical framework of a planning program, I have identified at least eight different problems associated with each mode (summarized in Table 3).

The distinct emphasis of the content- and technology-focused modes presents a significant challenge to GIS instruction within a planning program, from both a pedagogical and programmatic point of view. The one-dimensional focus of each mode limits their individual pedagogical value, while also making it very difficult to find an appropriate balance between content and technology when using a composite instructional format. The great diversity of the subject matter of GIS creates real pedagogical limits to GIS instruction in planning programs simply because of the need to condense this material into a syllabus matched to the needs of future planning practitioners. This is not a trivial undertaking. The subject matter of GIS encompasses a complex body of material, drawing ideas from disciplines as diverse as cartography and organizational sociology. The ability to condense this material and reconstitute it in a form that is both palatable to the pedagogical goals of a planning program and clearly linked to the substantive heart of the planning discipline is not easy. Model curricula like the NCGIA Core Curriculum offer some guidance, but these in themselves carry pedagogical baggage that can be hard to shake. Most exhibit the disciplinary predilections of the individuals that constructed them, raising a concern about whether these predilections match those of the planning discipline. The NCGIA Core, for example, marginalizes the applied context of GIS, devoting the bulk of the curriculum to

| Table 3. Limitations of existing modes of Geographic Information Systems (GIS) instruction. |
|---|---|---|---|
| **Limitations** | **Content focused** | **Technology focused** | **Composite** |
| Pedagogical | Content dominated | Technology dominated | Balance |
| | - Diverse subject matter. Difficult to keep clear sight of linkages between substance and application to planning problems | - Product specific | - Finding an integrated balance between two disparate foci |
| | - Models have particular disciplinary bent (i.e., NCGIA) | - One-on-one nature of training | |
| Programmatic | What is feasible? | Resource limits | Balance |
| | - Programmatic limitations to covering substance of GIS | - Resource intensive. Difficult to chance to new product/technology | - Difficult to fully integrate substantive and technical components |

Note: NCGIA = National Center for Geographic Information and Analysis.
underlying concepts and knowledge (Campbell 1991, 67). Constructed largely by geographers, the Core Curriculum reflects geography’s predilection toward the “GIScience” behind GIS (see Goodchild 1992), while the application of GIS—the topic of most interest to planners—sits uneasily within the curriculum as a set of seemingly parenthetical case studies.

The pedagogical issues associated with the great breadth of subject matter spill over to become programmatic concerns as planning educators face the pragmatic realities of what can and cannot be covered within the confines of a planning program. Planning programs typically provide GIS instruction within the context of a two-year, professionally oriented Master’s degree. Accreditation requirements automatically limit the scheduling options of most students, while the faculty and resource demands of GIS instruction usually limit the extent to which programs can offer even one or two GIS-related courses within a two-year window. Contrast this, say, with the thirteen course suite of “spatial science” courses offered by the Department of Geography at the University of North Carolina, as described by Walsh (1992). Very few planning schools have the trained faculty or operating resources to offer anything close to this number of courses in one substantive area, and it is probably not desirable for planning programs to attempt to do so. Any attempt to provide extensive coverage of the substantive dimensions of GIS is likely to come about at the expense of the important hands-on training that students will need to make the transition into the workplace.

A similar set of constraints limit the pedagogical value of purely technology-focused instructional strategies. By emphasizing one dimension of GIS over all others, technology-focused strategies misconstrue the means of the learning process as legitimate ends, elevating the status of GIS to something well beyond that of a useful technological aid for planners. Such strategies fail to acknowledge the pedagogical importance of this distinction and thus cloud the relationship between “what planners do” and “how GIS might help.” In so doing, they neglect an important opportunity to draw out the linkages between the methods (including GIS) and nonmethods realms of the discipline.

Another pedagogically questionable aspect of the technology-focused instructional strategies is that they tend to produce product-specific instructional programs. While GIS skills make students marketable, putting too much emphasis on one particular software and hardware combination can have the effect of producing “one-trick ponies” and ultimately degrade the professional worth of our students.

From a programmatic perspective, technology-focused instruction also impacts heavily on fiscal and human resources. These strategies require a sizeable investment in GIS technology, and although the costs of equipment and software continue to diminish, start-up expenses are still high and continued maintenance and upgrade costs can be prohibitive, especially for smaller programs. Large investments in equipment often limit instructional strategies to one particular software product and make it expensive (both in dollars and time) to adapt curricula to changes in GIS technology. Technology-focused instruction also taxes personnel. The one-on-one nature of learning complex hardware and software often requires higher than normal instructor input, as well as large investments of staff (or more likely faculty) time for the continued operation and maintenance of the GIS facilities.

Given that these modes represent two theoretical extremes of GIS instruction, it is important to briefly consider the limitations that arise in developing instructional strategies out of elements of both the content- and technology-focused modes. Based on my own experiences using this format, composite strategies encompass problems that extend beyond those of the individual modes. Key among these is the issue of achieving and sustaining an appropriate balance between the substance and technology of GIS. From a pedagogical point of view, a composite approach requires the conscious integration of two very disparate aspects of GIS. I have found it extremely challenging to make clear the complex and abstract theoretical concepts that underlie GIS and explain how these concepts, in turn, relate to the hardware and software that are the ever-present reality of GIS for most students. It is difficult, for example, to relay the minutiae of the topological mathematics behind spatial overlays when these operations take place out of sight, behind the user-software interface. While the mechanical details of such processes are more than most planning students need to remember, they must nonetheless comprehend such processes, understand the abstractions involved, and remain cognizant of the implications of these abstractions on the results that appear at the end of the process.

Another dimension of this same issue is the difficulty of keeping a balanced instructional focus within a learning environment that is physically dominated by computers and complex technical software. It is often difficult to keep the various technological hurdles that students encounter from overshadowing the substantive learning objectives that lie behind the technology. The omnipresence of the technology in the classroom, coupled with the barriers that technological hurdles place in front of the learning progress of students (whether real or perceived), tends to distort the focus of the learning process away from the less tangible substantive issue of GIS toward the immediate mechanical realities of the technology. While this “technological determinism” obviously varies by degrees, even small amounts degrade the learning experience.
Duly recognizing the characteristic form and nature of the prevailing modes of GIS instruction, and understanding the inherent difficulties of implementing either (or their composite form) within the pedagogical or programmatic boundaries of a planning program, provides an important starting point from which to reconsider the challenge of providing GIS instruction to planning students. I take up this issue in the remainder of the article using insights from the re-evaluation of my own teaching. I begin by first defining what I believe are the key design parameters that we need to acknowledge to develop a planning-relevant instructional strategy. I then present an example from my own GIS teachings that demonstrates the specific form and nature of such a strategy.

Design Parameters

Getting beyond the limitations and constraints of the prevailing instructional modes and creating a form of instruction that actively seeks to integrate the substantive core of the planning discipline into GIS instruction rests on the key issue of achieving an appropriate balance between helping planning students comprehend the substantive context of GIS and its linkages to planning, and providing students with enough skills training to improve their employability in the marketplace. To my mind, only the full contextualization of GIS as part of the contemporary dynamics of planning will bring about this balance. GIS instruction needs to balance the content and the technology of GIS in a way that allows students to experience the role of GIS as an integral part of the planning process.

A balance in content arises out of the great intellectual breadth of GIS as a discipline and the need to explicitly link this content to the substantive heart of the planning discipline. Planning educators cannot, and arguably need not, cover all aspects of the foundations of GIS, necessitating some delineation of what information is essential to the GIS-savvy planners that we seek to inspire. Identifying the appropriate mix of content in this context has two related aspects. The first is the immediate concern of defining an appropriate subset from the substantive core of GIS that matches the needs of GIS-savvy planning professionals. The second is the delineation of an appropriate subset of content from within the theoretical and conceptual heart of the traditional realm of planning; the theories and concepts that give planning its needs for a spatially oriented analytical tool. Striking a balance between these issues is critical. Experiences from my own classes suggest that the balance should tip toward the substantive theories of planning. Learning then centers on the substantive concepts that give planners a reason for even needing GIS. The substantive underpinnings of GIS are introduced to students not in isolation, but in the context of demonstrating the process of adapting planning’s theories to fit the technical framework of this particular analytical tool, or for explaining what the results of GIS analysis mean within the context of planning’s own theoretical framework. Esnard and MacDougal’s (1997) recent example of using GIS in the context of learning key elements of planning theory is a good example of achieving this type of balance.

The second design parameter is that of finding an appropriate balance in the role of GIS technology as part of the learning process. This is similar to the first, in that the key concern is again that of defining what skills planning students need to master to effectively use GIS in the workplace. Defining a core set of skills is perhaps the hardest of the two challenges simply because these skills can be so platform or product specific, and because they range through topics that may be beyond the technical competencies of many planning educators (such as database design and administration). I would argue that the goal here is to completely embed these technical skills inside the substantive elements of the learning process and use the substantive context to define the required technical skills. In this way, the focus of learning process remains squarely on the knowledge and skills needed to use GIS as a planning tool, with the technical skills introduced simply to get students through the operational sequence.

Planning-Relevant Instruction: An Example

Drawing insight and direction from the issues that I have outlined throughout this article, I have made a number of changes to the way I teach GIS that demonstrate how planning educators can repackage GIS instruction into a much more planning-relevant form. Reviewing these changes demonstrates the nature and the extent of the changes required to internalize the limitations that the two dominating modes of GIS instruction present to planning educators, as well as offering an overview of the pragmatic and mechanical issues associated with actually making these changes.

To focus on the changes (rather than just the finished product), I use a “before and after” comparative, describing changes made to one of the lab modules of my introductory-level GIS class. I have selected to focus on the lab component simply because this is the part of the class I attacked first. The modular form of the lab component made it much easier to make the sort of changes that I outline, and the size of the modules (five
Before the redesign. The original form of this class followed a fairly standard composite instructional approach, using lectures to cover a discrete body of content and labs to cover the technology of GIS. For the most part, I developed lecture content around materials such as the NCGIA Core Curriculum, developing a sequence of lectures that I felt covered the major conceptual and operational issues that students needed to comprehend to understand GIS. For the lab component, I drew ideas from various vendor-produced training materials, developing two lab modules, one focused on a common vector-based GIS and the other on an older, raster-based system. Each module consisted of five lab-based exercises that introduced students to the skills needed to operate the particular software product. Each exercise introduced a new dimension of the functionality of the software, exploring this functionality through a series of step-by-step examples.

The changes to the vector-based module provide the focal point of this comparative. The central themes and learning outcomes of this module prior to the redesign are summarized in Table 4, along with examples of the technical skills that each session sought to address.

<table>
<thead>
<tr>
<th>Exercise</th>
<th>Learning Objectives</th>
<th>Technical Skills</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exercise 1. Introduction to software</td>
<td>Get acquainted with the operating style of the software</td>
<td>• Open/close data files  • Open graphic/tabular windows</td>
</tr>
<tr>
<td>Exercise 2. Basic functionality of software</td>
<td>Examine the basic operational form of the software</td>
<td>• Label map data  • Create hard copy output</td>
</tr>
<tr>
<td>Exercise 3. Importing tabular data and geocoding</td>
<td>Master process of importing a data file and then geocoding this file</td>
<td>• Import tabular data  • Geocode data</td>
</tr>
<tr>
<td>Exercise 4. Querying data</td>
<td>Examine the steps of selection/query process; use this process to extract subsets from data files</td>
<td>• Graphic selections  • Text-based selections</td>
</tr>
<tr>
<td>Exercise 5. Advanced functionality</td>
<td>Examine the process of creating buffer zones</td>
<td>• Create buffers and use to select proximal data  • Generate thematic map</td>
</tr>
</tbody>
</table>

After the redesign. The structural form of this class has not changed significantly following the reorientation of its focus, with the most significant changes occurring in the redefinition of its “intended learning outcomes” (see Gold et al. 1991) toward the planning-relevant balance discussed above. In its original form, these outcomes remained rather disparate and generic. The material covered in lectures focused on the universal dimensions of GIS substantive foundations with an emphasis of breadth of coverage, effectively leaving students to connect these broader underpinnings to the types of planning exercises each) made it easier to reconceptualize the resultant product in its entirety.

The greatest advantage of a lab module of this type is the ease with which it can be assembled and implemented. Its tutorial-style format follows that used in most vendor-produced training materials and user manuals, offering instructors a range of written materials and prepackaged data sets from which to develop exercises, thus reducing both lead times and development effort. Furthermore, because this tutorial-style approach focuses squarely on mechanics of operating software, learning outcomes have a very tangible (and hence testable) form. Students can either follow the material presented and complete the tasks assigned or they cannot, making assessment of their skill development relatively straightforward. Identifying the problem areas in the operating process becomes much easier, and helping students through these problems is much more tangible.

Pedagogically, however, the module has two serious flaws. First, with each lab focused on the functionality of the software, the exercises lack substantive or analytical context. The step-by-step examples used to explore the software’s functionality introduced spatial problems without reference to the substantive and analytical issues underlying these problems. The learning process is, at best, rote.

Second, the exercises lack continuity. Each lab remains largely separate from the others, presupposing that students can translate skills learned in one session and apply them in subsequent exercises. Skill transfer between sessions is minimal as a result, and anecdotal evidence from class assignments, projects, and student questions indicates that students develop a solid understanding of the mechanics of software operation without developing a parallel understanding of how to use the software to analyze other spatial problems.
issues they encounter in their other classes. Moreover, the lecture and lab components of the class remained distinctly separate, with very little linkage between the learning goals of each. Lectures covered content, while labs explored the technology.

In redesigning the class, I sought to narrow the focus of the entire instructional enterprise to place greater emphasis on the application of GIS to planning-specific problems and to center on the integration of the substantive, analytical, and technical issues that this refocus entails. I also sought to strengthen the connections between the substantive materials covered in lectures and the types of exercises students explored in labs. The goal was to use labs to reinforce at least some of the concepts and ideas discussed in lectures, providing a bridge between these broader conceptual dimensions and the specific application of the GIS to planning-related problems.

As I mentioned, the reorientation process began with changes to the lab component. As a starting point, I first selected an overarching theme for each module with the intent of providing a unifying framework for developing exercises that emphasized the strengths and uses of each GIS type.

An urban social geography theme provided the focal point for the vector GIS module, while a land suitability analysis theme served for the raster module.

The focus, learning objectives and skills of the new exercises in vector module of the class, are summarized in Table 5. As much as possible, I tried to develop each exercise in a similar manner, with an eye on presenting the material in a unified format. The first step in the process involved identifying spatial issues of relevance to the traditional substantive domain of planning that were amenable to investigation within a GIS. The examples listed in Table 5 give some insight into the type of issues I have students investigate under the “urban social geography” theme.

Next, I tried to identify a range of analytical techniques useful in exploring and evaluating these spatial issues. The tight linkage between some of the issues aided in this selection process (e.g., measures of equity; see Talen 1998), as did the idea of developing modules around an overarching theme. Planning methods textbooks (e.g., Klosterman 1990; or Krueckeberg and Silvers 1974) and other spatial analysis course syllabi provided additional guidance. Nonetheless, the

<table>
<thead>
<tr>
<th>Exercise 1. Measuring data spatially: Comparing urban areas</th>
<th>Substantive: Review Stevens levels of measurement and relate to spatial data by examining regional differences among urbanized areas</th>
<th>Analytical: Calculate derived scales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exercise 2. Describing spatial patterns with spatial indices: Residential segregation in Hamilton County, Ohio</td>
<td>Substantive: Review race-based and income-base positions on residential segregation</td>
<td>Analytical: Review index of dissimilarity; compute index of segregation for different racial/income groups</td>
</tr>
<tr>
<td>Exercise 4. Race, income and environmental justice: The inequities in toxic industry location in Hamilton County, Ohio</td>
<td>Substantive: Review concept of environmental justice; review race-based and income-base positions on environmental justice</td>
<td>Analytical: Review application of regression analysis to spatial data; calculate linear regression parameters and standard error of estimate</td>
</tr>
<tr>
<td>Exercise 5. Suburbanization: Measuring spatio-temporal change</td>
<td>Substantive: Review the dynamics of urban land use change; implement the &quot;sequent snapshot&quot; and &quot;base state with amendments&quot; models for capturing spatio-temporal change</td>
<td>Analytical: Calculate area land use change; calculate average annual change</td>
</tr>
</tbody>
</table>

**Table 5. Lab module following redesign.**
choices here are obviously huge, so as an additional limiting factor, I chose to keep the techniques as simple as possible and to use those that I knew students had exposure to in other classes within the planning program. I argued that reiterating familiar analytical techniques in the context of a new set of problems (and in the unfamiliar learning environment of a GIS class) would reinforce the broader applicability of these techniques to planning problems.

Having identified a substantive and analytical starting point for each lab, I then sought to identify the GIS-related knowledge students needed to investigate these substantive and analytical issues in a GIS environment. In line with the bifurcated nature of GIS, this knowledge separated into two parts: that of a conceptual nature and that relating specifically to the technology. Conceptual knowledge related to what students had to understand about the science of GIS for them to use GIS in each case, while technological knowledge related to what students needed to understand about the mechanics of the technology to use it as a medium to explore the substantive and analytical issues presented in each exercise. As complex as this sounds, having first identified the substantive scope of the problem and the steps of the analytical process made it relatively easy to pinpoint the key conceptual and technological insights that students needed to make. Knowing the substantive scope of the problem and the steps of the analytical process made it relatively easy to pinpoint the key conceptual and technological insights students needed to make.

The final step involved identifying the technological skills needed to actually conduct the analysis. These skills are obviously software dependent, but again, having a problem-specific focal point for the analysis made it easier to think through the analysis and identify the exact operating procedure students would need to follow. These steps subsequently provided the outline for the written lab materials that I produced for each exercise.

Having reformulated the lab component of the class, I also sought to find ways to achieve greater integration between the material covered in the lecture and lab components of the class. This proved a much more difficult undertaking, largely because of the different pedagogical functions of lectures and labs. Whereas I sought a much narrower focus in the lab component of the class—addressing the application of GIS to specific planning-related problems and techniques—I felt compelled to retain a more expansive focus in the lecture component, offering students a wider view of the foundations and scale of the discipline of GIS. This point notwithstanding, I did achieve a greater degree of integration between these components than had been the case under the previous arrangement. Moreover, in the revised form the lab exercises provided much greater flexibility in the way they fit together as modules, overcoming the limitations of the tight, stepwise nature of skills development in the previous set of exercises. This meant that I had greater flexibility in the sequential arrangement of the exercises, with the possibility of reorganizing the sequencing of the lab and lecture components to achieve some integration of topics without destroying the intended learning outcomes of either the lecture or the lab. Exercise 4 in Table 5 is a good example. With only minor shifts in the sequencing of both the lab module and in the sequencing of lectures, I am now able to review the conceptual background of relational databases on the same day that students explore how relational joins work in a GIS environment.

Discussion and Conclusion

Although the end point of this reformulation process may have many different forms, the starting point is fixed. GIS instruction relevant to the needs of tomorrow’s planning professionals requires instructional strategies that contextualize GIS as an integral part of the planning process. Instruction must focus on helping students develop the conceptual abilities to simultaneously understand the substantive foundations of planning, comprehend the substantive underpinnings of the tool they are using to investigate these planning problems, and understand how to translate all this knowledge into the functional and mechanical environment of contemporary GIS software.

This is obviously not easy, but the example that I present demonstrates one way that it may work, highlighting both the problems and opportunities of the redesign process. Overall, it suggests that while the challenge is time consuming, it is not particularly onerous. Through the systematic refocusing of the instructional process on substantive issues important to planning, I have repackaged my teaching to link the learning enterprise to an understanding how planning’s substantive theories translate—both conceptually and technically—into the functional environment of a GIS. Students learn about the application of GIS to planning problems, exploring the issues associated with using GIS as a planning technology. Abstract GIS science and the operating skills needed to drive the technology of GIS become a contextualized part of the entire learning enterprise rather than distinct and disparate items.

The sequence of lab exercises outlined in Table 5 represents a significant improvement over the previous sequence (see Table 4) in a number of regards. First and most obviously, each lab now favors the development of a substantive and analytical understanding of a particular spatial problem over the technical mastery of software. The learning enterprise is turned 180 degrees from the previous version, with planning-
relevant learning objectives now providing the starting point for GIS education. Learning becomes a much more grounded process in this framework, providing students with a very context-specific look at the application of GIS to the problems and techniques of the planning discipline. GIS becomes the means rather than the ends of a more focused learning and instructional process.

Second, each lab introduces the requisite technical skills in the context of how these skills serve the particular substantive problem under investigation. Whereas the previous sequence developed skills in relative isolation and in no particular order, the revised sequence introduces skills of varying complexity across all labs, as and when they are required by the nature of the problem. Skill development remains an important learning outcome but only to the extent that these skills help students use GIS to explore a particular spatial problem. Students recycle skills throughout the lab exercises, experiencing how one set of skills introduced in one substantive context can be reapplied to a different spatial problem. This, I argue, helps demystify GIS by clearly demonstrating, over and over again, its appropriate role in planning analysis.

Finally, developing the sequence around an overarching theme (the social geography of contemporary urban issues) demonstrates a key area in which vector-based GIS are particularly useful. This provides students with a reference point from which to assess the application of the different data models to different types of spatial problems.

There is of course, a downside to refocusing these labs in this manner, with the changes requiring a significant investment in time. Without the published examples that proved so useful in constructing the original ("before") lab exercises, the lead times in developing the new exercises were considerable, developed without the luxury of preexisting data sets and instructional materials. Although these items are not necessarily difficult to compile, they do represent a significant expenditure of time, raising the question of whether the return on the investment warrants the initial effort. In my own case, I significantly underestimated the effort required by as much as half. This has not diminished my belief in the value of the changes, but it is an issue that other instructors will need to evaluate.

Ultimately, the continued development of GIS as a tool of the planning discipline hinges on the ability of planning educators to adequately prepare tomorrow’s practitioners with the insight and skills necessary to employ the technology in meaningful and productive ways. Thankfully, the evolution of GIS continues to bring the technology closer to its users, presenting new opportunities in the way it is taught. Planning educators can capitalize on the opportunities but only by deliberately rethinking and reformulating the way we currently teach GIS. We need to make planning the center of the learning process and not let abstract content or complex technologies dictate the form and function of our instructional strategies. Strategies such as the one outlined above take a small but significant step in this direction.

Author’s Note: My thanks to Miami University’s Alumni Teaching Scholars program for the motivation and opportunity to explore the issues addressed in this article. Thanks also to the support of my colleagues in the Oxford Project and the constructive comments of the Journal of Planning Education and Research reviewers.

Appendix.

At the suggestion of one of the Journal of Planning and Education and Research’s reviewers, I offer the following list of readings that I use in conjunction the exercises listed in Table 5.

Analytical readings. A number of useful texts exist within geography and urban planning that cover the basic analytical skills explored in the labs. These include the following:


Substantive readings. The substantive readings are obviously guided by the focus of each lab. Some of the following readings are given to students as reading assignments; others provided the background information needed to construct each lab.

Exercise 1


Exercise 2

There is a rich literature on the issue of residential segregation and the many factors forging the residential landscape in the United States. The following is a small selection:

References


Urban Simulation and the Luminous Planning Table  
Bridging the Gap between the Digital and the Tangible  

Eran Ben-Joseph, Hiroshi Ishii, John Underkoffler, Ben Piper, & Luke Yeung

Abstract  
Multi-layered manipulative platforms that integrate digital and physical representations will have a significant impact on urban design and planning processes in the future. The usefulness of these platforms will be in their ability to combine and update digital and tangible data in seamless ways to enhance the design process of the professional and the communication process with the public. The Luminous Planning Table is one of the first prototypes that use a tangible computerized interface. The use of this system is unique in the design and presentation process in which, at the moment, the activity of viewing physical models and the viewing of animation and computerized simulations are separate. This ability to engage and provide an integrated medium for information delivery and understanding is promising in its pedagogical, professional, and public engagement outcomes.

Eran Ben-Joseph is a Hayes Career Development assistant professor in the Department of Urban Studies and Planning at the Massachusetts Institute of Technology. Hiroshi Ishii is an associate professor of media arts and sciences in the Tangible Media Group at the Massachusetts Institute of Technology Media Laboratory. John Underkoffler is CEO of Treadle & Loam, Provisioners and inventor of the Luminous Table. Ben Piper is a graduate student and research assistant at the Massachusetts Institute of Technology School of Architecture and Planning. Luke Yeung is a research fellow at the Center for Advanced Studies.

One of the great challenges that physical planners and urban designers face is communicating their spatial concepts and ideas to the broader public. Obermeyer (1991) contended that while planners are trained to think in spatial terms, they often fail to highlight the spatial implications of proposed policies to public administrators and policy makers. This inattention, she concluded, can be in great part explained because spatial consequences have not been made salient in presentation materials. While modes of imaging technologies—from two-dimensional maps, charts, and diagrams to computer models—allow professionals to explain their designs and planned interventions more clearly than ever before, few platforms exist that allow immediate, real-time, and seamless changes in response to public or professional inputs. If our aim is to let the public become more involved in the planning and design of physical spaces, better methods and tools of urban simulation have to be developed. Ideally, these tools would communicate changes that are proposed so that nondesign professionals could easily understand the impact of the proposed changes. These systems could be used not only as tools for design professionals but also as an interactive application to enrich communication and learning within the design process. The integration of such envisioning tools into the decision-making process will allow for better professional judgments while incorporating various stakeholders’ expectations.

Often, several different modes of representation must be used within a project to convey different kinds of information and aspects of the design. It is this separation between various representative forms that increases the cognitive load on both the urban designer and the audience, who must draw relationships between dislocated pieces of information. Mitchell and McCullough (1995) articulated the many different forms of representation within a design process and demonstrated how these forms are separated from each other in time, space, and scale (see Figure 1). Planning and urban design professionals are in need of a platform that allows the simultaneous understanding of a wide variety of representations, spanning drawn, physical, and digital forms. The Luminous Planning Table (LPT) is one such promising interface. Developed at the Massachusetts Institute of Technology (MIT) Media Lab and the School of Architecture and Planning, the LPT originated from the development of the input/output (I/
The integration of digital and tangible interfaces provided by the LPT is unique in its presentation of urban simulation, where the activity of viewing physical models and the viewing of animation and computerized simulations are separate. This new form of information delivery is a product of technological improvements as well as the advancement of computation and simulation in the planning and design process.

**Development of Urban Simulation and Planning**

In the early 1960s, citizen groups began to rise against large-scale urban renewal projects that came about with little public understanding of their associated physical impacts. As a result, some planners and urban designers became interested in developing new types of imagery and visual simulation to better present and understand the proposed changes. The exploration of new representational techniques as planning tools received an official boost in the United States with the passage of the National Environmental Policy Act of 1970. The act required that all large planning and engineering projects be analyzed for their impact on the existing natural and man-made environment, including visual effects.
Professionals were driven to respond with new simulation tools such as those built at the Environmental Simulation Laboratory (ESL) at the University of California at Berkeley. At ESL, cameras and scale models were used to examine proposed changes of San Francisco's downtown zoning ordinances and simulate their urban design consequences, such as new building bulk and height, the city's skyline, and the penetration of sunlight into street corridors (Bosselmann 1992).

Until the late 1980s, computer-based urban simulation was prohibitively expensive. While computers were used to help calculate different camera positions and angles for film making, they were not used to create the simulation itself (Bosselmann 1998). The development of computer-generated urban modeling was linked to and dependent on the concurrent development of computer hardware and computer-aided design software.

Urban Simulation and Computation

In the 1960s, development of interactive computer graphics was primarily used in large automotive and aerospace companies and government agencies, which developed their own software with room-sized mainframes. In the 1970s, the U.S. Navy began development of three-dimensional programs based on simple geometric forms: boxes, cones, cylinders, and so forth. With the development of the personal computer (PC) platform in the early 1980s, CAD software started to gain widespread acceptance. AutoDesk, which released its AutoCAD PC platform in 1983, gained recognition as the industry standard. With the introduction of Intel’s 386, the use of CAD spread to many more companies and end-users. It particularly gained momentum in 1988 with its first exploratory release of a three-dimensional modeling system. By the early 1990s, the technology for generating entire landscapes by computer was readily available to design and planning professionals. Yet such simulations required time-consuming calculations to generate realistic lighting, reflections, and rendering details (Greenberg 1991). The advancement of the PC platform, military flight
simulation, virtual reality, and the utilization of the World Wide Web as a delivery system opened new possibilities in the late 1990s. Widely available programs allowed the creation of realistic shapes and surfaces and have resulted in the creation of various large-scale urban simulations, most notably the City Simulator of the University of California, Los Angeles. This system combines three-dimensional models with aerial photographs and street-level video to create an urban model that can then be used for interactive fly, drive, and walk-through demonstrations.¹

While urban simulation programs have made steady progress in the past decade, they are still confined to two-dimensional flat interfaces. As such, they leave much to be desired. In 1981, the Xerox Star workstation set the stage for the first generation of Graphic User Interface establishing the "desktop metaphor," which simulated an interaction between a working page on a bit-mapped screen, a pointing device (mouse), windows, and icons. It also set several important Human Computer Interface (HCI) principles: the “seeing and pointing” and “what you see is what you get” (Ishii and Ullmer 1997). The Apple Macintosh and later Microsoft Windows rendered this style of computer user interface obsolete. Still, in the early 1990s, a few researchers continued to call for new computing visions. In an article titled “The Computer for the 21st Century,” Mark Weiser (1991) stated his vision of “ubiquitous computing,” arguing for a different paradigm of HCI that renders computers “transparent” and tailors their interface to each unique task.

► New Paradigms in Digital User Interfaces

Augmented Reality (AR)

One of the areas of research that investigates the integration of the real world and computational media is Computer-Augmented Environments or AR (Wellner 1993; Mackay and Pagani 1994). The most common AR approach is the visual overlay of digital information onto real-world imagery with see-through, head-mounted (or hand-held) display devices or video projections. Several researchers have tried to create AR-based urban planning support systems. The Envisionment and Discovery Collaboratory of the University of Colorado at Boulder focuses on the creation of shared understanding through collaborative design using an augmented table and wall-size screen. By using a horizontal electronic whiteboard, participants work around a table incrementally creating a shared model of the problem. They interact with computer simulations through the movement of physical objects, which are recognized by means of the touch-sensitive projection surface. This placement of the objects becomes the medium through which the stakeholders can collaboratively evaluate and prescribe changes in their efforts to frame and resolve a problem. On a second vertical electronic whiteboard, the information of the problem at hand is relayed for all to see (Arias et al. 2000).

BUILT-IT, of the Swiss Federal Institute of Technology and the Technical University at Eindhoven, demonstrated the use of small Lego-like bricks to control the position and orientation of virtual buildings on a large computer screen. Groups of persons seated around a table interact with objects in a virtual scene. A plan view of the scene is projected onto the table where object manipulation takes place. A perspective view is simultaneously projected on the wall. The planar interaction with bricks, however, only provides position and rotation information (Fjeld et al. 2000).

Tangible User Interfaces

At MIT’s Media Laboratory, researchers have extended the notion of ubiquitous and invisible computing by affixing digital information to everyday physical graspable objects and environments. The Tangible User Interface’s (TUI’s) distinct approach is in its focus on graspable physical objects for input rather than by enhancing visual devices.² Thus, luminous digital information is integrated with tangible physical objects or, as described by William Mitchell, “biomass and infomass are intersected, in some effective combination . . . where physical actions invoke computational processes, and where computational process manifest themselves physically” (Mitchell 1999, 31-52). Mitchell further suggested that breaking the boundaries of the screen as a display area to include peripheral information is crucial in simulating the “role and character of place” (p. 37).

In the realm of urban simulation, the spanning of representational tools across the physical and digital boundary into one coherent physical space (such as on a table or wall) can enrich the design process and facilitate discourse among planners, clients, and the public. Applications of TUIs offer the first step in integrating various mediums into one space and time in a realistic and practical manner.

► The Luminous Planning Table

One of the most promising simulations of place projects developed by the Media Laboratory in the late 1990s was the development of the I/O bulb concept and the Urp—A Luminous-Tangible Workbench for Urban Planning and
Design. The I/O bulb was conceived as a light bulb that could be both a projecting and a collecting device, where each action (either input or output) influences the other. The prototype was constructed using commercially available digital projectors and tiny video cameras positioned above a table. Optically tagged objects were placed on the table's surface, enabling the cameras to view them (Underkoffler and Ishii 1999). One of the results of the I/O bulb prototype experimentation was the use of the system for urban planning purposes. The following scenario describes a context for which such system could be used: Two urban planners, charged with the design of a new plaza, unroll onto a large table a map showing the portion of the city that will contain their project. They place an architectural model of one of the site’s buildings onto the map. Immediately, a long shadow appears, registered precisely to the base of the model, and tracks along with it as it is moved. They bring a second building model to the table and position it on the opposite side of a large fountain from the first; it too casts an accurate shadow. “Try early morning,” requests one of the planners. Her colleague places a simple clock on the map; a glowing 3 P.M. appears on the clock’s face. The colleague rotates the hour hand around to 7 o’clock, and as 3 P.M. changes to a luminous 7 A.M., the shadows cast by the two models swing around from east to west. It is now apparent that in the morning, the second building is entirely shadowed by the first and will receive no direct sunlight. The urban planners decide to try moving the first building south by eighty yards and, upon doing so, can immediately see that this solution restores the second building’s view of the sun. The just-moved building is now only twenty yards to the north of an east-west highway that borders the plaza on the south; one of the planners places a long roadlike strip of plastic on top of the map’s representation of the highway, and tiny projected cars begin progressing at various speeds along its four lanes. The other planner brings a wand into contact with the nearby building, and the model’s facade, now transformed to glass, throws a bright reflection onto the ground in addition to (but in the opposite direction from) its existing shadow. “We’re blinding the oncoming rush-hour traffic for about ninety yards here at 7 A.M.,” he observes. “Can we get away with a little rotation?” They rotate the building by less than five degrees and find that the effect on the sun’s reflection is dramatic: it has gone from covering a long stretch of highway to running just parallel to it. The urban planners position a third building near and at an angle to the first. They deposit a wind-generating tool on the table, orienting it toward the northeast (the prevalent wind direction for the part of the city in question). Immediately, a graphical representation of the wind, flowing from southwest to northeast, is overlaid on the site; the simulation that creates the visual flow takes into account the building structures present, around which airflow is now clearly being diverted. In fact, it seems that the wind velocity between the two adjacent buildings is quite high. The planners verify this with a probelike tool, at whose tip the instantaneous speed is shown. Indeed, between the buildings the wind speed hovers at roughly twenty miles per hour. They slightly rotate the third building and can immediately see more of the wind being diverted to its other side; the flow between the two structures subsides.

LPT—Applications in Urban Planning

Classroom Setting

In the spring of 2000, the LPT was installed for use in MIT’s Site and Urban Systems Planning class. The goals of the installation were to evaluate the LPT and to further develop its functionality based on feedback from end-users through its implementation with an actual site slated for development. The project was located at Kendall Square in Cambridge, Massachusetts, and the site-planning schemes developed for implementation were responding to an existing proposed development for the area.

Working in teams of three and four, the students developed and tested various configurations using the LPT to simulate the impacts resulting from their design decisions. Through direct, hands-on manipulations carried out over numerous sessions, each group finalized its preferred plan. The final plans were then presented to an audience of professionals, developers, and guests in an interactive display using the table as the main presentation format. Other media, such as plans and hand renderings, supplemented the computer graphical output of the LPT as base information superimposed on the horizontal LPT surface and illustrative information on surrounding pin-up boards.

In the design development phase, the LPT provided a benefit over conventional digital CAD platforms by allowing students to physically model their work with immediate results. In addition, in contrast to the standard computer interface where a single user has dominance over the creative space of the screen, the ergonomics of the table allowed the entire design team to work simultaneously on a single scheme. The use of the LPT enabled the students to achieve a consensus on the design solution while accommodating the opinions of all the individuals themselves (see Figure 5).

While the students were working with the LPT, they were encouraged to openly express their experience with the table, making suggestions for improvement and pointing out
limitations of the table as a design tool. A questionnaire was also used to seek out reactions to the usability of the LPT that may not have been expressed in the public setting of the class. The table’s most powerful function, as most noted by the users, was its ability to merge time-based digital representation with the more conventional modes of drawing and modeling. One student wrote that the LPT “highlighted aspects of the site which are normally cumbersome to analyze and was excellent for bringing the site ‘to life’ and showing it as a dynamic place which changes temporally through the course of day and year.” Another remarked, “The table greatly facilitates decisions about building height, location and alignment with respect to sun/shade conditions and wind and helped us recognize possibilities we had previously overlooked” (see Figure 6).

Market Setting

As a result of the class project, Lyme Properties, the developer of the Kendall Square site, voiced its interest in using the table to simulate its proposal to the city of Cambridge. During the summer of 2000, a team of researchers constructed a simulation for the site and further developed the traffic and representation capabilities. Since traffic impacts resulting from new developments are a major concern for many municipalities, the LPT was equipped with the ability to graphically show and manipulate both the number of cars per hour on any given street as well as the traffic cycles at the intersections. Once constructed, the simulation provided the opportunity to view and compare various scenarios of traffic patterns and congestion dynamically. Titled “A Day in the Life of Kendall Square,” the presentation simulated the various impacts generated by the proposed development on the site, such as sun, shade, wind, and traffic, from dawn until night in a seamless transition. This was the first step toward developing the LPT for presentation to the Cambridge Planning Commission, which will further test the system’s ability to convey complex variables to professionals involved in planning decisions as well as to the general public (see Figures 7 and 8).
Prospects and Limitations

The LPT is in the early stages of development as a fully functional platform and is in need of both technical and social design improvements. While preliminary experience shows great potential for the LPT, many limitations still exist. Future research will focus on improving the synchronization between the physical and digital models as well as exploring means of manipulation on the table’s surface. A use of a magic wand will, for example, guide the audience and highlight specific areas while simulating various site noises. A video camera, in calibrated positions, will be used to superimpose a rendered CAD image on the vertical screen with the physical models on the table. The simulation of other dynamic processes such as drainage, microclimate, auditory mapping, and topography will be integrated as well as compliance of regulations such as setbacks and density.

One concern in using the LPT for design development and presentation is its overemphasis of physical issues due to its inherently graphical nature. As one student noted, “Over reliance on the table could be problematic, that is, we also need to think about social, political, and economic factors we cannot show on the table. Also are the models/calculation correct? It can be misleading if they are not. Also the Table can distract from other effective presentation media drawings, etc.” In other words, the emphasis on visual representation and the extensive use of reflex-based interactions—originally envisioned to be the key benefits of the LPT interface—discourage certain activities in design where deliberate and planned work is needed. The issue becomes which activities require the use of a more dynamic representation in the design process and which ones do not. Another concern is the amount of technological infrastructure required to install the LPT tool in its current form, which limits its portability, and use in design practices.

The concept underlying Luminous-tangible interactions, however, remains engaging. The proposition of giving additional meaning and animate life to ordinary inert objects is a
cognitively powerful idea. Along with offering a missing link between the palpable and the digital, the promise of the LPT may be in shaping a plural planning process. Typically, during public planning reviews, suggestions and input cannot be immediately simulated and explored and often require repeated meetings and presentations. The LPT, on the other hand, offers a seamless I/O planning and design process. Ideas, changes, and suggestions and their resulting impacts can be seen and explored in real time, allowing the public to be better informed and involved. As with its implementation in a classroom setting, the LPT has the potential to influence not only the way technological devices are used but also has a pedagogical outcome: a new classroom format; effective communication along with physical manipulation between remote locations; and new forms of collaboration between the instructor and student, the professional and layperson, the expert and novice, and academia and the municipality.

Authors’ Note: We would like to thank Dan Chak and Zahra Kanji for their commitment to the project success. We are also grateful to the Wade Fund of the Massachusetts Institute of Technology and Lyme Properties for their financial support. Since this paper was submitted for publication the LPT interface has been improved to include landform and topographical information. Please see the Illuminating Clay web site at: http://tangible.media.mit.edu/projects/IlluminatingClay/

► Notes

1. As part of the Virtual Los Angeles and the Virtual World Data Server projects, the University of California, Los Angeles, Department of Architecture and Urban Design is building a real-time simulation model of the entire Los Angeles basin. This model will cover an area well in excess of 10,000 square miles and will elegantly scale from satellite views of the Los Angeles basin to street-level views accurate enough to allow the signs in the windows of the shops and the graffiti on the walls to be legible. See http://www.st.usc.edu/ustweb/projects/downtown.html. Other projects are as follows: Urban Data Solutions constructed detailed digital models of major American cities for use by the telecom, commercial real estate, media and entertainment, security/defense, and architectural/engineering industries (http://www.u-data.com). Three-dimensional urban models remain expensive, both in time and labor, to construct. Yet advances in technology may simplify the construction of such models. New computational algorithms being developed at the Massachusetts Institute of Technology are advancing the possibility that digital urban models will be computable via the capturing of digital photographs of the environment (http://graphics.lcs.mit.edu/city/city.html).

2. See, for example, the work of the Tangible Media Group at http://www.media.mit.edu/groups/tangible/.

3. The tool is composed of a fourteen-inch long and four by six feet wide table, with two video projectors hung from a ceiling, to overlay digital representations of onto the table surface. Two video cameras capture the images of the activities on the table. Behind the table, large vertical projection screen provides complementary 3-D view of the plan captured by a small camera. The computation is done with two Silicon Graphics Incorporated machines.

4. The ten-acre property is one of the last large development parcels in Cambridge, MA. Its former use as a coal gasification plant has left a challenging legacy of neighboring buildings that turn their backs to the site as well as adjoining vacant or underused lots. With the growth of Cambridge as an international bio-tech center, Lyme Properties (the site developers) intends to attract a mix of start-up labs and larger established companies by providing cultural amenities, office/lab spaces, and dwelling units through a comprehensive mixed-use development.

► References


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Department of Community and Regional Planning
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Social Work Practice with Immigrants and Refugees (2000), edited by Pallassana Balgopal, comes at a time when city and small town social planners are coming to grips with a new infusion of international residents into the United States. Social planners are having to think more about the social and economic impact as well as the opportunities associated with these new residents in their communities. This edited volume takes an ambitious approach in trying to capture the essence of immigrants and refugees who have arrived in the United States since 1965. The book uses 1965 as a beginning point of reference because it contends that the 1965 Immigration and Naturalization Act had a significant impact in altering the type of immigrants who have come to the United States. According to Balgopal, “the social welfare needs of these immigrant groups are often different from those immigrants before 1965, so social work responsibilities have changed as well” (p. 2).

The book is organized into seven chapters. Outside of the introductory chapter (“Social Work Practice with Immigrants and Refugees: An Overview” by Pallassana Balgopal), chapter 6 (“Refugees in the 1990s: A U.S. Perspective” by Nazeen Mayadas and Uma Segal), and the conclusion chapter (“Conclusion” by Pallassana Balgopal), the remaining four chapters focus on the more substantive elements of contemporary immigrants. These four chapters analyze immigrants by their geographic and ethnic origins: Asian immigrants (chapter 2), Latino American immigrants (chapter 3), African-descent immigrants (chapter 4), and European immigrants (chapter 5).

What ties all of the chapters together is the ecological perspective to which the contributing authors tried to adhere. The ecological perspective analyzes the relationship “between individuals and their social and physical environment” and how the mixture of these elements flow in and out of harmony as individuals and/or the environment change (p. x). It is the ecological perspective that sets up the reader for the false expectation that the substantive focus of the manuscript will be in line with a type of settlement house movement analysis of immigrants and refugees in various U.S. settings. Unfortunately, that never materializes because the authors only analyze the characteristics of specific immigrant groups without relating them to the social and physical environment (place). This shortcoming ties into the goal of the book, which focuses on helping social service professionals to gain a better understanding of “immigrants from a particular region and how their demographic and cultural characteristic affect their adaptation to the new environment” (p. xi) rather than providing an environmental scan.

Each of the substantive chapters is generally organized into three sections. The first section provides a historical/demographic overview of the different subcountries and how their immigration patterns to the United States have changed in the past 35 years. The second section of these chapters looks at the “salient cultural factors” (culture, traditions, values, etc.) that are shared by all the different countries in a particular world region, for example, the Pacific Rim. Reading some of these “salient cultural factors” was problematic in terms of how most of the authors would combine disparate immigrant/refugee groups into one subpopulation. For example, in chapter 2, the authors generalize that Chinese, Taiwanese, Filipino, Korean, Vietnamese, Cambodia, and Laotian immigrants can all be lumped into “Asian immigrants.” Any informed social planner working with immigrant and refugee communities knows that generalizing such a wide range of immigrant and refugees groups as Asian is not useful because the lived experiences of Vietnamese, for example, are not transitive to those lived experiences of Koreans. Furthermore, such a generalization is insulting to the particular social, economic, cultural, and political achievements and barriers that affect immigrants and refugees differently per country of origin (Light 1972; Light and Bonacich 1991; Portes and Rumbaut 1990). Another difficulty in combining different countries into one group is that it also combines immigrants and refugees into a single population. Immigrants and refugees come to the United States for very different reasons. Immigrants “more or less voluntarily choose to move,” while refugees “are by definition involuntary newcomers” (Suárez-Orozco and Suárez-Orozco 2001, 27). Research analyzing the social and economic impact of the resettlement of refugees in the United States is just starting to emerge, and more work is needed to flesh out the...
differences and similarities between refugees and immigrants (Gaber 1999; Pfeifer and Jackiewicz 2000). The only exceptions in the manuscript that differentiate immigrants from refugees are Longres and Paterson in their analysis of Latino American immigrants and Mayadas and Segal’s overview of refugees resettled in the United States. The final section of the chapters identifies micro-social work practices that are to assist social service providers on how to better serve the needs of a particular regional immigrant, for example, cultural mediators for European immigrants.

Social Work Practice with Immigrants and Refugees is not without its gems. Longres and Patterson’s chapter on Latino American immigrants and refugees is nothing short of excellent and should be mandatory reading for all social planners interested in a concise analysis of issues related to illegal/legal Latino immigration and the resettlement of Latino refugees. The chapter covers several Latino issues ranging from elderly, gender, labor markets, and lesbian and gay issues. The other gem in the edited volume is Madados and Segal’s analysis of refugees in the United States. This is a well-researched chapter that provides a great historical discussion of refugees in the United States as well as an overview of different policies and programs that relate to the resettlement of refugees in the United States. The authors in this chapter make a very important observation regarding the significant difference between refugees and immigrants.

What ever the outcome, it is important to remember that the refugee experience in itself is terrible, and when coupled with the reception in the resettlement country, surpasses the negative experiences of other immigrants and minority groups. This is a crucial point to bear in mind when designing services for the refugee population.

(P. 213)

The only minor problem with this chapter is its weak empirical analysis on the enumeration of refugees coming into the United States. This research should be coupled with some empirical analysis of the resettlement of refugees in the United States (e.g., see Gaber 1999). As Table 1 shows, the number of refugees resettled in the United States can have a sizeable impact on cities and towns.

Social Work Practice with Immigrants and Refugees is designed for undergraduate and graduate students. I cannot recommend this book beyond undergraduate students due to its overly basic take on refugees and immigrants in the United States. I highly recommend the two good chapters in the book, but I cannot recommend this book to be used as either a textbook or a resource book for immigrant/refugee planners. The book is timely in terms of topic, but the value of the material is limited.

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References


Reviewed by Ardeshir Anjomani
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The field of economics has taken tremendous strides for more than a century and has contributed greatly to the understanding of almost all aspects of life. Its contribution to city and regional planning, perhaps, should be rated as one of the highest compared with the contribution of the other fields of social science. As such, students of planning need to have a major exposure to principles of economics and their applications to planning problems and issues. Most accredited graduate planning programs either offer one or more courses that cover these principles and their applications or cover different segments in a session or two of a related course, such as housing or transportation. Therefore, there is definitely a need for textbooks similar to the one being reviewed to help instructors teaching these principles. However, economics, like most other disciplines, has its own views and biases. Historically, up until recently, economists have been ignorant of space and spatial analysis, which are two of the fundamental forces in urban planning. Similar to what Eric J. Heikkila states in the introduction to his book regarding planning practitioners and economists (p. xix), economists dabbling in the field of planning without truly understanding the principles of planning may produce seemingly sophisticated analysis and discussions—as found in some of the articles that appear in our allied and planning journals—that will be of little use to urban planners. The role of this review, then, is to discuss Heikkila’s book and its potential use for students of planning and also to provide possible direction to authors of this new generation of useful books for planners, including the future editions of this welcomed book.

Heikkila has written a useful book that is both informative and enjoyable to read. The book is intended to both teach the principles of economic reasoning and focus on its applications to a set of topics likely to be of direct interest to planners. The book tries to achieve this without assuming any prior knowledge of or training in economics on the part of the reader and attempts to approach this in a highly graphical orientation with a minimum of mathematical equations. The topics include land use zoning, urban structure, housing, traffic congestion, public goods, fiscal impacts, cost-benefit analysis, entitlements, and institutions. The author states, “While the primary purpose of the book is formal instruction on the economic foundations of planning and development, it is also written as a kind of handbook for [the planning] practitioner on the economics of planning and urban development” (p. xxi). Heikkila also states that a practitioner confronting a particular problem can consult that particular chapter of the handbook without needing to read the previous chapters. (However, the book constantly refers to previous and upcoming chapters and diagrams, sometimes even without giving their numbers.) The author anticipates that many students will take the book out of the classroom and into their professional practices. Even though the book in general is good, this objective of meeting the need of professionals and being useful in professional practice is the book’s weak point. As such, I will review each chapter and attempt to stress the strengths and weaknesses of each individual chapter, especially with regard to this objective.

The author tackles the difficult task of introducing planning graduate students, who come from a variety of backgrounds, often with no knowledge of economics, to the fundamental tools of economic analysis in chapter 1. He does a good job in explaining total, average, and marginal functions. Similarly, this is followed by a section that in a clear way introduces

Appendix.
Pertinent (Refugee-Related) Web Sites

www.acf.dhhs.gov/programs/orr
www.searac.org
www.immigrationforum.org
www.unhcr.ch/
www.usinfo.state.gov/
the students to the concept of present values using a simple and interesting planning-related example. However, the explanations get fuzzy and somewhat confusing toward the end of the chapter. This fuzziness, along with not labeling some of the graphs and the author’s assumption that students know some of the concepts, such as annuities, makes understanding this section difficult.

Chapter 2 deals with economics of land use zoning. The chapter attempts to deal with economic efficiency of zoning (land use allocation) by using variations of a single diagram based on an extensive modification of an instructional article by the author in this journal. The chapter proceeds with an abstract example of allocating two land uses, total residential and total commercial land uses, in a city with a fixed supply of land. This well-written chapter uses interesting examples to introduce the relationship of demand and marginal net benefit, market inefficiency and market failure, and planning-related intervention in market. In sum, this chapter is a good intellectual exercise for conveying economic principles rather than helping planning practitioners in their land use planning efforts. This is not the author’s fault but, as indicated earlier, is the shortcoming of the economics discipline (especially the microeconomics approach that underlies several chapters of this book) that, for the most part, has been ignorant of space and its implications. Urban planners very rarely are concerned with total residential versus total commercial (or other) land uses in a city. In fact, it is well known that the majority of cities zone a sizable percentage more than what is needed for commercial use. In terms of land use, cities are most often concerned with the spatial distribution, adjacency, dimensions, and space requirements of different land uses, given the locational characteristics of different areas of the city.

The third chapter provides an overview of the economics of housing. This chapter discusses in detail the multifaceted housing stock and the flow of housing services as the fundamental issues related to housing. Important related topics such as rent control, mortgage financing, and owning versus renting are covered thoroughly in this chapter. Significant topics, such as housing abandonment, filtering, neighborhood effects, racial segregation, and racial discrimination, are missing from the housing chapter; however, these could be supplemented by a housing chapter from an urban economics textbook such as Mills and Hamilton (1994). The housing stocks and flows section provides useful general financial information about dividends, capital gains, and the like. The author explains all this very clearly and succinctly. Perhaps it would have been better to have this very useful section as part of the introductory chapter (key technical concepts) so that students in courses in which the housing chapter is omitted would not miss this section.

Next (chapter 4) is a chapter that briefly touches on some of the aspects of urban structure. Accessibility and bid rent curves in monocentric cities, the impact of improvements in transportation technologies on rent gradient, and subcentering and urban sprawl discussions are dealt with in this chapter. However, allied discussions, such as density gradients (population, employment, firms, etc.), market areas, and activity location patterns are missing from this chapter. All these topics are important and can be very useful for practicing planners; however, the chapter can be used as a good introduction only for some of the topics.

The urban structure chapter is followed by a chapter (chapter 5) on public goods and public choice. As in other chapters that are more of an economic nature, Heikkila does a good job in explaining some of the complex concepts. The topics include public versus private and goods versus providers, which discuss the important concept of rival and nonrival goods, Tiebout hypothesis, and privatization debate.

Chapter 6 is about the economics of traffic congestion based on expanding the general treatment of the topic in urban economic texts. This chapter is an improvement on an instructional article by the author in this journal that uses a series of diagrams to illustrate the economic principles of traffic congestion. These diagrams facilitate discussions related to a base policy of do nothing and the subsequent three policy alternatives of expanding supply, restricting demand, and implementing tolls to recapture the dissipated benefits lost to congestion. The chapter concludes with a section comparing the four alternatives. The chapter does a good job of explaining the various congestion; however, other important implications of economics for transportation planning, such as analysis of demand for transportation and optimum size of transportation facilities, have not been dealt with in this book.

The next two chapters, “Rethinking Fiscal Impacts” (chapter 7) and “Understanding Cost-Benefit Analysis” (chapter 8), are not very suitable for this book, since this is a textbook to familiarize future planners with economic aspects and methods. Neither chapter teaches students what these topics are or how to do fiscal impact or cost-benefit analysis. The fiscal impact chapter is adopted from an article of which Heikkila is a coauthor and discusses the inadequacy of the conventional fiscal impact methods. However, the article and the chapter do not provide a solid implementable new way of estimating fiscal impacts. The discussions in the chapter are in the early stages of development, and it seems they have not been fully operationalized yet. The explanations and examples are scanty at best, and it is difficult to get a complete picture of their theory and applications from this chapter. The cost-benefit analysis chapter (chapter 8) covers interesting discussions, mostly related to the concept of shadow price, but also covers other
related topics, including common mistakes in applications and distinguishing cost-benefit from other project evaluation methods. The chapter, although interesting, is on a different level than the rest of the book.

Finally, the last two chapters cover the economics of entitlements (chapter 9), potentially a useful chapter for planners, and the new institutional economics (chapter 10). This latter chapter, again somewhat on a different level, revisits Coase theorem and transaction cost. It also contains a section on planning for developing and transition economies. This latter section, as opposed to the Coase section, which will be somewhat difficult for students, provides a good ending for the book, especially considering an interesting explanation of a set of propositions by Douglass North. The entitlement chapter (chapter 9), however, suffers from a heavy emphasis on marginal analysis, a lack of a direct planning-related example, and a problem mentioned earlier regarding the mainstream economic literature that seemingly has difficulty embracing space and spatial factors in economic analysis.

The overall emphasis of the book on marginal analysis would make the book difficult for planning students, the majority of whom do not have economic backgrounds. Being familiar with the “marginal revolution,” my experience in teaching similar materials is that these students understand analysis based on total cost or benefits much easier than the marginal costs and benefits. However, I concur that they should be exposed to marginal analysis, and for certain topics, when it is unavoidable, marginal analysis should be presented.

Heikkila, as one of very few economists directly involved in teaching and research in planning, has made a major effort to close the gap that exists between economists and planners. Overall, I think his book is a welcome addition to this newly recognized needed knowledge area, and it will serve planners well in their understanding the economics of planning. I would use the book in conjunction with similar books, such as Levy’s 1995 book, a microeconomics book written by a planner, in a semester-long course on the economics of planning. Similarly, several of the chapters can individually supplement reading materials in courses related to urban structure, housing, transportation, evaluation, and so on.

References


Reviewed by Robert Ogilvie
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It is not until the fifth chapter of Open Moral Communities that Seymour J. Mandelbaum tells us that he thinks of himself as a member of a small community of urbanists who are concerned with theories of planning and who are heirs to the dream “that it is possible to develop a shared understanding of the social world” and “that the understanding will support a consensual repair of that world” (pp. 57-58). It is in this chapter that he begins to outline the guidelines that he feels will help us to achieve this dream. These guidelines involve the use of theories, stories, interpretations of time, planning tools, decision-making structures in cities, and plans for shaping myths and setting goals in pluralistic, present-day America. Until that point, Mandelbaum elaborates the theoretical underpinnings for this exercise in applied moral philosophy.

In this book, Mandelbaum brings together a series of essays written during the past twenty years that are united by their goal of understanding and creating open moral communities. Covering an incredibly wide intellectual terrain—from literary-like fables, stylized myths, and formal moral political philosophy to case studies of the MOVE firebombing in Philadelphia and New Jersey land use and urban policy in the aftermath of that state’s Supreme Court Mt. Laurel decision—Mandelbaum looks at American cities to understand why they have not developed a “synthetic conception and practice of communication planning” (p. 226). This breadth of terrain and time make for challenging reading. While the book is organized into three distinct sections—the theoretical first four chapters; the instrumental, subsequent six chapters; and the quasi-empirical final three chapters—pinning down the central argument takes some time, due to the multi-layered nature of the work and to the reflective voice that the author employs.

Unlike other members of this community of urbanists whose dream is grounded in the belief that one day, with the techniques of either deep moral communities or contractual communities, we can approach social consensus, Mandelbaum believes that in our large, pluralistic nation, we need to abandon the notion of attaining consensual social knowledge. Only then, he states, can we embrace the fact that “we live in worlds in which conflicting communal myths sustain and re-
create one another, in which our instrumental judgements are intractably ambiguous and dilemmatic, and in which our plainest words are subject to diverse interpretations” (p. 59).

At the heart of his argument is the concept of the open moral community, which is the instrument with which we can develop a shared understanding of our social world and consensually repair that world. In an open moral community, association is essentially voluntary, and although the community’s origins may have been in a compact among the initial members, its maintenance depends on its strategic style, its practice. Thus, while the community may begin in compact, it lives in discourse. Community, for Mandelbaum, “is the construction of individuals and organizations as members with rights and obligations. If there are no members, and if there is no process to create and maintain rights and obligations, there is no community” (p. 227).

Early in the book, Mandelbaum outlines the issues with which those concerned with constructing such communities would have to concern themselves. These issues include changing the conditions of membership and terms of exclusion and altering the relations between members and non-members; altering the process of recruitment, socialization, and discipline; strengthening a community’s competence to command resources and to satisfy its members; shifting commitments to moral objects and the relations of objects and subjects; and changing the discursive practice of the community and its field (p. 12). Mandelbaum admits that this is a cryptic list that only hints at the techniques necessary for what is a large but contested task. Any more than this, he seems to fear, would smack of coercion, a charge that classical liberals love to level at communitarians.

Mandelbaum sees the open moral type of community as distinct from the other types, or myths, of communities—the contractual moral communities and the deep moral communities. Contractual moral communities are those that are voluntarily joined by members who agree to its practices and are the type that liberals, as typified by John Rawls, favor. Deep moral communities, on the other hand, are composed of people who share an identity as “a people.” The open moral community is the best possible realistic option for a pluralist society, one in which the boundaries are contested and emergent. That is because in America today, communities are overlapping, they are located in a shifting and amorphous field, they do not fully control their conversational forms, they mean different things to their different members, and their continued existence is predicated on the development of a bargaining process that leads to “a workable public discursive order” (p. 43).

Although the work of a planning theorist, Open Moral Communities engages very little of the planning theory literature, save for Mandelbaum’s own writings. Instead, the dialogue in this book is primarily with such political and sociological theorists as Michael Walzer, Charles Taylor, Nancy Rosenblum, Robert Bellah, and Charles Lindblom. Mandelbaum is signaling a move beyond the confines of planning theory to the wider terrain of social theory concerned with urban life, with communication and with interpretation. His aim seems to be to bring the insights of the communicative turn in planning theory to the communitarian social agenda. This is a valuable service, as the communitarians could benefit from learning more about the significance of storytelling and of myth shaping for the collective social good.

Like the prescriptions of his communitarian brethren, Mandelbaum’s are classically conservative. Communities, as he notes, can be formed through compacts (i.e., social contracts) or through practices (i.e., discourse and ways of being). When they are formed and maintained through practices, as communitarians prefer, then the design of the new communities appears to be a classically conservative act, as “it appears to be engaged more with daily life than with commanding visions; with routines, social bonds, and the web of interactions (albeit new ones) more than with charisma” (p. 15).

This is conservatism that he seems comfortable with, as planning “is a cautious, petit-bourgeois craft” (p. 207). Due to the contingency of knowledge claims, “professional processes of intelligence and scheming” such as ours should “resist the reduction of ethical practice to strong mandates” (p. 207). This is a realistic and likely an accurate vision of planning and what it can accomplish in America today. Such caution is too bad, because while Open Moral Communities is full of sharp insights and although it suggests powerful ways to think about how we can reconceptualize some of the thorny social issues that we face in America today, it stops short of providing fully developed answers to the questions that it raises or to the dilemmas that it points out.


Reviewed by John C. Allen
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University of Nebraska–Lincoln

If you are looking for a handbook that touches on a wide variety of community and economic processes and philosophies, this book is for you. Whether your focus is community
capacity building, planning street changes, enhancing economic activity in your community, managing local conflict, or recruiting large-scale industry, this collection of essays and case studies will be of value to you. Drawing on case studies from across the United States and Europe, the authors look at real-life examples of development in small towns and rural areas. The editors point out that the primary reason for their using a case study approach “is that the term ‘rural areas’ can easily mislead us into thinking of rural regions as homogenous places” (p. xiii). This collection is aimed at reflecting the diversity among rural places with case studies of different industries, regions, and cultures.

The book is organized into three sections, the first of which deals with community capacity building and community engagement. Even though the second section contains examples of enhancing and maintaining existing local enterprises, the concept of community capacity and engagement is not lost. Here the authors argue that enhancing local enterprises goes beyond the old adage that most new jobs are created by existing businesses. They point out, quite accurately, that the argument needs to move beyond simply direct job creation to other factors; for example, jobs that are retained through maintaining local businesses are just as important as those gained through expansion or from start-ups or attracting a new firm to an area. In addition, the health of existing industries is a key indicator to potential investors as to how the community is prospering and in what direction development is headed within the area.

The book’s third section focuses on the area in which a majority of resources are expended in rural development in the United States—the recruitment of large-scale industry. In this section, the authors suggest that attracting large-scale industry is not the same as rural development. This portion of the book is the most sophisticated in terms of the breadth of perspectives presented. Here, the case studies range from recruiting agricultural processing facilities in the Great Plains to Letterfrack, Ireland, where a community development organization collaborated with Ireland’s Galway-Mayo Institute of Technology to invigorate the Irish furniture industry.

As the case studies unfold, Flora and Luther lay the foundation of building community capacity, stressing that community capacity building can be contrasted with technical assistance. They argue that technical assistance focuses on tasks, while community capacity building places emphasis on the process of community development. Not all of the authors follow this line of reasoning wherein capacity building is the primary goal. Also presented are offerings from several experts associated with universities or government, and their focus is on the technical expertise that an individual can bring to a community or region.

The case studies begin with a public meeting of local residents in Yuma, Colorado. The process is briefly identified, and a summary is included. Two important points are highlighted in the first several chapters. The first is the difference between community capacity building and technical assistance. The authors argue that community capacity building provides a platform for local people to identify and solve problems collectively, whereas technical assistance relies on “science” to solve the problem. The second noteworthy point is that community capacity building is not a onetime activity; it is a constant process of “massaging” community. While the overview essays and case studies are informative, the lack of a clear theoretical base is a bit troubling. As in community capacity building, it would have been possible to draw on interactional field theory as articulated by Ken Wilkinson (1991) in his book The Community in Rural America. As Wilkinson stated, “The community field... represents the capacity of local residents to work together for their own well-being, and community development builds that capacity” (pp. 81, 91). Providing a brief theoretical discussion would add to the depth of the case studies and to an understanding of the subtleties one finds while reading how communities work toward a positive future.

The issue of public-private partnerships is addressed in several of the studies, including a community festival in Hawaii, a micro-loan program in West Virginia, and a Nordic community in which nonprofit organizations act on behalf of the public sector. This selection of case studies provides intriguing insight into the issue of structure when creating public-private partnerships that focus on development. Schaefer states that “the term ‘partnership’ has the further disadvantage of emotional connotations” (p. 187). The author states that often, economic development partnerships are between agencies and organizations that have never worked together, thus creating new and often difficult group dynamics that must be dealt with.

One great strength of this compilation of essays and case studies is the mix of success stories with those of development attempts that were not successful. The book is also organized in a user-friendly fashion, with each chapter including a short conclusion and summary section; the addition of study questions at the end of each chapter makes the book an excellent reader for planning, community development, and upper-division social science courses that emphasize community. Another strength is the stature and expertise of the authors themselves; some of the best rural development thinkers and practitioners in the country and around the world are represented.

Despite the strengths of the case studies, however, one important aspect of development is afforded only peripheral treatment. Missing is adequate theoretical support to enable
the reader to better understand what is behind the different techniques or processes used by the practitioners. I found the lack of reference to theory or a conceptual framework to be the most bothersome aspect of the collection, although understandable given the usual constraints faced by editors to limit a volume’s length. As a result, the reader is frequently watching development attempts in very real communities but without the knowledge of the “insider” who understands why the community, the practitioners, or the government agency have chosen a particular direction.

Overall, this book will prove to be a valuable reference to scholars, students, and practitioners as they return to the case studies to see why a process worked or failed. Students will find the case studies a fast read; and with support from an instructor, they should gain a broader understanding of small-town and rural development. This book does one thing very well. It shows us that rural areas are very diversified and that no one technique or process works in all places at all times.

► Reference


Reviewed by Carl Abbott
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For the past decade, California-based Peter Calthorpe and Floridians Andres Duany and Elizabeth Plater-Zyberk have been preaching and practicing the New Urbanism. Here, in two new books, are their sermons and their good works—their manifestos for a better style of city making illustrated by examples of their regional plans, community designs, and planning ordinances. Both books are about sprawl: why we have it, what is wrong with it, how to end it. Each appendes the Charter of the New Urbanism. They are designed to be readable and eye-catching, with lots of illustrations packed into volumes whose odd dimensions say, “Designer at work.”

Despite their common values and shared mission, the books are substantially different. In the distinction made famous by political philosopher Isaiah Berlin, Duany and Plater-Zyberk are hedgehogs. They know one big thing and they stick to it. Calthorpe and Fulton are a bit more foxlike, trying to show the interactions and tradeoffs among a larger number of problems. Suburban Nation starts at the microscale of individual neighborhood design and makes only token bows to the problems of regionalism. Regional City, as its title implies, starts at the larger scale of urbanized regions and offers prescriptions for improving a variety of urban districts.

In Suburban Nation, we learn that the design of contemporary American neighborhoods is bad, has been getting worse, but could be better if we changed our ways. The authors introduce the book as “a study of two different models of urban growth: the traditional neighborhood and suburban sprawl. They are polar opposites in appearance, function, and character: they look different, they act differently, and they affect us in different ways” (p. 3). The problems are rigid zoning, misapplied engineering standards, and building codes that make it easy to build sprawl and hard to build fine-grained neighborhoods. The social deadness of sprawl is the result of designing cities out of technical manuals rather than envisioning good places. The authors walk us through the problems of suburban zoning and transportation planning, offer timeless principles for livable neighborhoods, tout the importance of master plans, and advocate the new approach to land use regulation that Duany has been promoting for a number of years.

Because they have one point to make, Duany, Plater-Zyberk, and Speck pack a lot of punch into their pages. Anyone who has heard Duany speak knows that he is a persuasive phrase maker: streets are “traffic sewers” (p. 64); suburbia offers “no honorable sites for honorable buildings” (p. 35). The chapters are organized around lists of hits and misses, dos and don’ts. According to the publicity materials that accompanied my copy, the book has found many fans in the popular press.

This is a book by doers, not scholars. The authors know that there is a “healthy and natural” way for cities to develop. They draw on newspaper articles for examples, on polemical literature for arguments, and on classics of urban scholarship as touchstones rather than sources of analytical concepts. They accept popular myths (the existence of “road rage,” the General Motors conspiracy) that support their points. The bibliography has no references to the growing scholarly literature in the Journal of Planning Education and Research, Journal of the American Planning Association, and many other sources that try
to empirically evaluate the claims of the New Urbanists. Since Duany, Plater-Zyberk and Speck “know” that suburbia is dysfunctional (p. 14), they do not need to prove it so.

Suburban Nation is at its best when dealing with design at the scale of the street and neighborhood. Its principles indeed encapsulate much of what we like about older communities and are similar to those described by journalist Mike Greenberg (1995) in Poetics of Cities: Designing Neighborhoods That Work. But the authors of Suburban Nation are essentially utopians. They rely on the compelling force of pure reason and have little interest in the messy processes of political change. Citizens need to see the light and demand change. State transportation departments need to cast off their highway building orientation: sure, but how? Tried to redirect a huge public agency lately? Seen a big bureaucracy that has easily reinvented itself? Problems of persuasion, power, institutional inertia, and community resistance are left by the side.

The message of The Regional City is complementary to that of Suburban Nation. Calthorpe and Fulton argue that twenty-first-century cities have to be understood, built, and managed as urban regions. In their organic model, historic city cores, aging suburbs, and edge cities are all integral parts of a larger whole whose boundaries span multiple counties. In effect, they want us to forget the metropolitan statistical area—a concept from the 1940s and 1950s—and look instead to the urbanized corridors and regions that the Census Bureau tries to capture as Consolidated Metropolitan Statistical Areas (CMSAs).

Their prescription is comprehensive planning that integrates neighborhood revitalization, suburbanization, transit investment, open space acquisition, school policy, and housing programs around a unifying vision of urban form. Linking planning for all parts of the regional city should be a common design ethic: that communities at the regional or neighborhood scale should have active centers, should respect their history and ecology, and should husband diversity. The challenge is to clarify the connections and shape both neighborhood and region into healthy, sustainable forms into Regional Cities. The missing link for many communities has been the loss of some simple and basic urban-design principles. These principles are (as they have always been) to create places that are walkable and human scaled, that are diverse in population and varied in uses, and that are shaped around public spaces that are meaningful and memorable. (p. 8)

Each of these principles, of course, embodies values that challenge apparently common preferences for class-segregated communities of inward-turned houses for automobile-dependent households.

These authors cover more conceptual territory than Duany, Plater-Zyberk, and Speck. They offer a quick argument for the reality of economic and ecological regions; assert the positive social consequences of good design and urban form; and summarize the policies that support such design, including urban growth boundaries, integrated land use and transportation planning, fair share housing, tax-base sharing, and public school reform. These are essentially the same principles, of course, that we find in Anthony Downs’s (1995) New Visions for Metropolitan America, Myron Orfield’s (1997) Metropolitics: A Regional Agenda for Community & Stability, and David Rusk’s (1999) Inside Game/Outside Game: Winning Strategies for Saving Urban America.

What differentiates this book from these predecessors is its emphasis on the crafting of cityscapes and its abundant color illustrations of Calthorpe plans, proposals, and projects. At the heart of the book are detailed narratives of the steps toward regional city-hood taken in Portland, Salt Lake City, and Seattle, with the first two drawing on some of the most important work from Calthorpe’s own professional practice. The discussions recognize that change comes through small increments that slowly build institutional and political momentum. But even for fractious Seattle, the portraits emphasize rationality: people visualize together, test scenarios together, plan together, and finally implement together. It may sound a bit too easy in summary. Where are the dissenting voices? What are the hidden agendas of the growth machine? Who loses or fears to lose in the preferred scenario? It is great that the Salt Lake City and Portland processes elicited survey feedback from 15 to 20 thousand people, but what do the silent millions think? Even for Portland, as “rational” a community as we are likely to find, the wheels are a little wobbly on the growth management/light rail juggernaut. This book describes the steps in our planning process but not our politics. In a word, I miss the detailed depiction of the everyday battles over land use that makes Fulton’s (1997) book on Los Angeles planning, The Reluctant Metropolis: The Politics of Urban Growth in Los Angeles, such a valuable read.

The remaining chapters briefly critique state and regional planning efforts in Florida, Maryland, and Minnesota; discuss infill and redevelopment of suburban “greyfield” sites such as closed military bases, outmoded industrial parks, and derelict shopping malls; and offer a hopeful description of the Hope VI program. The neighborhood discussions also draw on many Calthorpe projects, although with less detail than the Salt Lake City and Portland case studies. Readers need to be very careful in reading the captions on the color plates to figure out what exists only as a design suggestion, what is an adopted site plan, and what is actually standing. Someone unfamiliar with a particular city could easily read phrases such as “here a traditional mall and a strip retail center are transformed” (p. 142) or
“crossing the highway is a new limited-access pedestrian street” (p. 145) and think that these features exist on the ground as well as in the virtual reality of Calthorpe’s drawings.

What goes around, comes around. The prescription in both books for planners to craft comprehensive regional designs sounds a lot like the goals of Edward Bennett, Thomas Adams, and Harland Bartholomew in the 1920s and 1930s. The idea of a “favored quarter” of a metropolis reworks Homer Hoyt’s sector model of 1939. Calthorpe’s Palo Alto plan and the Duany/Plater-Zyberk plan for Cornell, Ontario, look like sets of Clarence Perry neighborhood units of the sort that Perry advocated in 1929. I suspect that both author teams are quite comfortable with such comparisons, since one of their goals is to save cities from the abstraction of hyperdetailed zoning codes. My own experience in Portland suggests that they are on the right track and that designs—maps and renderings of urban places—are much more persuasive than disembodied policies.

Who are these books for? Their ideas are not so much new as comprehensively packaged and accessibly (and passionately) presented. I would not use either for a graduate planning class because of their tendenciesto assert rather than analyze and because of the limited and idiosyncratic bibliographies. Either might work well in an introductory class for undergraduates. The Regional City, with its wider range, would offer more points of attachment for lectures and discussion. A general reader might start with Suburban Nation, with its single line of argument, and then move on to Calthorpe and Fulton. I might also suggest that my sister-in-law, a township supervisor in Bucks County, Pennsylvania, give copies of both books to people she wants to convert to the cause; for her it would be a good follow-up to Tom Hylton’s (1995) Save Our Land, Save Our Towns: A Plan for Pennsylvania.

I do not want this review to sound cranky. I agree with the several authors about the social benefits of compact cities and traditionally designed neighborhoods. I also agree that a picture is often worth a thousand words of impenetrable zoning code. One of the challenges for planners trained in the social science and policy tradition is to realize the importance of visualizing future states and depicting them in concrete imagery, which is something that comes naturally to the architect-authors being reviewed. I would, as a citizen, be happy if these ardent sermons brought converts to the cause.

But this is also a review of nonacademic books for an academic journal. I worry, as a scholar, that we not repeat the suburb bashing of the 1950s, as detailed so nicely in Scott Donaldson (1966) The Suburban Myth. I want planning students to critique as well as accept the arguments for compact cities and New Urbanism. For example, F. Kaid Benfield, Matthew D. Raimi, and Donald D. T. Chen’s (1999) Once There Were Greenfields: How Urban Sprawl Is Undermining America’s Environment, Economy, and Social Fabric is a far less sprightly read but does acknowledge that there may be evidence on behalf of competing arguments. So if I had an acquaintance or an undergraduate class who would read only one book on the subject, I would suggest Suburban Nation. As an accessible gateway for those who might want to pursue the topic, I suggest The Regional City with follow-up recommendations to Downs (1995), Orfield (1997), and Rusk (1999).

References


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The impetus for this edited book arose out of questioning “basic assumptions about the nature of national identities, national heritages, and the commercial dimensions of traditional environments” (p. vii). The chapters are based on presentations from the Sixth Conference of the International Association for the Study of Traditional Environments, held in Cairo, Egypt, in December 1998. (It is important to note, however, that unlike many edited volumes with origins in
conferences, the authors were asked by the editor to rewrite their papers with a common set of themes in mind. The resulting superior quality of the book is evident.) Titled “Manufacturing Heritage and Consuming Tradition: Development, Preservation and Tourism in the Age of Globalization,” the conference had as a key theme

exploring . . . how nations, regions and cities have utilized and exploited vernacular built heritage to attract international investors at a time of ever-tightening global economic competition, and how the tourist industry has introduced new paradigms of the vernacular and/or tradition, based on the production of entire communities and social spaces that cater almost exclusively to the “other.” (P. vii)

This book differs from recent books on the production of cultural landscapes and the making and selling of traditional objects in that its primary emphases are on the built environment and on tourism.

The book consists of five sections: a prologue setting the stage, three papers providing a theoretical context, two sections of three case studies each, and an epilogue. Representing a range of disciplines, the authors include backgrounds in architecture, planning, anthropology, Middle Eastern studies, politics, tourism, and architectural history. The case studies span different types of environments, various scales of settlement, and a variety of geographical locales.

In the prologue, AlSayyad begins by stating that “the twentieth century has been the century of travel and tourism” (p. 1). As a result, many countries, especially those marginalized in the global industrial and information economy, have viewed tourism development as the only hope of surviving in the global era. With tourism having been described by other authors as an “unstoppable juggernaut, erasing all that is local and particular” (Gupta and Ferguson 1992), AlSayyad points out that

many nations are faced with an increasing demand for built environments that promise unique cultural experiences [for foreign tourists]. Many nations . . . are resorting to heritage preservation, the invention of tradition, and the rewriting of history as forms of self-definition. (P. 2)

Tourism development has consequently intensified, producing entire communities that cater almost wholly to, or are even inhabited year-round by the “other”. This new norm appears to be the outright manufacture of heritage coupled with the active consumption of tradition in the built environment. (P. 3)

AlSayyad then goes on to lay the stage for the rest of the book by presenting discussions of the intersections of manufacture, consumption, heritage, and tradition; historicizing the new tourist landscape; and presenting a typology of constructing the “other.”

The next section, titled “Tradition and Tourism: Rethinking the ‘Other,’” deals with conceptual frameworks of encounters with otherness that underlie tourism. Robinson focuses on the nature of international tourism, its role as a vector of cultural exchange, and the importance of the built environment in that exchange. He concludes that tourism involves unequal cultural relationships because it usually does not occur based on consent and frequently excludes mutual cultural understanding. From an anthropological point of view, Graburn then examines heritage, tradition, and consumption, concluding that heritage is both constructed and manufactured, created and re-created. Finally, Mugerauer focuses on the tension between modernity and traditional environments and peoples, arguing that because modernity negatively defines the other (i.e., the traditional) as lacking and disadvantaged, current forms of tourism do not allow for a true mutual appreciation of cultures. Instead, for example, local people dress up in traditional costumes for touristic consumption.

In the first of the two case study sections, titled “Imaging and Manufacturing Heritage,” the focus is on how heritage environments are manufactured. Gregory shows how “tradition” was manufactured and consumed in late-nineteenth- and early-twentieth-century Egypt, particularly in terms of how Thomas Cook and Sons, the pioneering touring company, represented the colonial power of opening up the Nile River to the beginnings of mass tourism after a period of individual aristocratic tourists spent much time and money on tours for small parties. He does show, however, how Egyptian agents and actors resisted this colonial domination of the authentic Egypt. In contrast to the emphasis in the historical literature on tourism in the western United States in the nineteenth century as being focussed on the grandeur of the natural environment, Gruen shows that tourists visiting San Francisco were interested in not only the “world class” city image of early San Francisco as promoted by guidebooks and official publications but also the everyday life of the city that made it whole and vibrant. Last, Oliver’s chapter on open-air museums demonstrates that culture can be both literally manufactured and subsequently consumed but that this may be the presentation of a past that never existed. While such museums may prevent the destruction of parts of the historic built environment, they may result in their consumption in new ways.

The second case study section, titled “Manufacturing and Consuming: Global and Local,” argues that “although the global heritage dialogue tends to present the built environment as an empty container, places of heritage remain places where real people live and where real conflicts may arise” (p. 29). Mitchell analyzes the history of New Gurna, a “model village” proposal designed to boost tourism in post–World War II Egypt.
by removing dwellers of a village located on top of parts of the Theban Necropolis. Based on Egyptian government policy and World Bank funding, this project involved no local participation in the process. One result was the death of several local people in a riot. The conflict goes on today. LeVine then examines the marginalization of Old Jaffa’s Arab residents after the founding of Israel and the absorption of that historic city into the exploding metropolis of Tel Aviv. Although little evidence is provided in the chapter itself about the growing importance of tourism to Tel Aviv, this is the story of how the politics of national identity in Israel erased Arab tradition through the application of the international style and then reclaimed it through postmodernist discourses of heritage, resulting in a struggle by the Arab minority to maintain and assert its own culture. Last, Broudehoux, in a description and critique of city marketing and image making in the Third World, shows how the government of Rio de Janeiro has used public-works programs to restore the city’s fading image in an attempt to retain investment and make the city competitive for international tourism. She argues that such efforts are unsustainable and may actually be counterproductive but that such attempts at social control and exclusion will not go unchallenged as people excluded from the dominant image find ways to express their resistance.

In a brief epilogue titled “Authentic’ Anxieties,” Upton concludes that the previous chapters demonstrate that the manufacture of heritage and the consumption of tradition become more difficult to define and equally difficult to distinguish in their effects from authentic and indigenous practices. The dichotomies of modernity lose their persuasiveness in the process. The focus of critical analysis begins to drift far away from cultural effects and to move toward political-economic cause. (P. 303)

The unstated implication is that planners (and others) involved in studying past and current forms and planning for the future forms of urban centers in terms of both tradition and heritage in the developed as well as the underdeveloped world should adopt as one of their forms of analysis a political economy approach that considers both the local per se and its global context.

There is no statement in the book as to the intended audience. The high level of sophistication and detail of the theoretical discussions, particularly with their strong postmodernist bases, along with the in-depth case study analyses, suggest that it would be useful as either a text in a graduate-level seminar in planning, architecture, or tourism or as reference material for a knowledgeable academic, researcher, or professional. It is probably not suited to an undergraduate audience. As noted above, there appears to be no comparable work. As such, it would undoubtedly be a valuable addition to the libraries of planning educators and researchers.

One major strength of the book lies in the mixture of both theory and case studies, with constant linkages between the two. Similarly, the geographical range and the scale of examples and case studies is impressive, with valuable lessons to be learned from colonial Williamsburg, Celebration (Disneyworld’s “new urbanism” creation), a village on the Nile River, and the megalopolis of Rio de Janeiro. Another strength is the variety of qualitative research methods employed in the analyses, including Gregory’s use of historical documents to the current political economy analyses of LeVine and Broudehoux. Finally, the breadth and depth of information in the endnotes and bibliographies demonstrates a high level of scholarship and provides a great learning resource.

These strengths also represent the book’s only major weakness: for those not already immersed in or comfortable with postmodern approaches to cultural issues, the book is neither an easy nor fast read. In particular, the first four chapters might deter the student of tourism—as opposed to the student of postmodernity—or the practicing professional planner or architect from proceeding to the case studies, which in and of themselves are both fascinating academically and useful professionally.

Reference

Guide for Authors

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