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Discursive Design in Policy Analysis:
Epistemology, Hermeneutics, and Communicative Rationality
in An Applied Case Study

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Discursive Design in Policy Analysis: Epistemology, Hermeneutics, and Communicative Rationality in An Applied Case Study

by C. Simon Kerr

Abstract of a thesis examining a role for discursive design within public policy analysis. There is growing concern regarding the inability of contemporary societies to adequately deal with social and environmental problems. This thesis identifies the epistemological assumptions of much contemporary policy analysis as a significant component of this problem solving debility. Specifically, the assumptions of objectivism, positivist methodologies and instrumental rationalities are charged with having flawed epistemologies, resulting in partial and parochial knowledge. Feminist standpoint theory, Gadamerian hermeneutics and Habermas’s theory of communicative rationality are used to produce an epistemology more appropriate for policy analysis. Knowledge is conceptualised as socially situated, and a case for strong objectivity is argued. This results in increased inclusion of marginalized voices into policy processes.

Habermas’s ‘ideal speech situation’ is discussed, and identification and mitigation of systemic communicative distortion in policy processes is proposed as a critical requirement for producing improved policy relevant knowledge. Discursive design is examined and proposed as a practical link between epistemology and real world policy processes. Finally, four criteria are developed for identifying locations of communicative distortion in policy processes.

A case study is carried out on the Christchurch Solid and Hazardous Waste Management Strategy. Using both structural and phenomenological analyses, the case study addresses three questions: To what extent does this particular policy process fulfil the requirements of the four criteria?; How useful are these criteria in identifying communicative distortion in this policy process?; and What can be learnt about
discursive design from this case study? The analysis reveals there was significant communicative distortion produced by some aspects of context and the structure of the process. Critical issues were exclusion or potential exclusion of marginalised or unidentified stakeholders, and the difficulty in producing communicatively rational policy when discursive task groups do not have decision making authority. The discursive deliberation of task group members within the process was relatively free from communicative distortion. Reasons for these conclusions are examined and critical reflections on discursive design takes place.
There are times in life

when the question of knowing if one can think differently than one thinks

and can perceive differently than one sees

is absolutely necessary

if one is to go on looking

and reflecting

at all

Michel Foucault (cited in Millar 1993:36)
Preface

A Note on Language

This thesis uses theory which argues for greater inclusivity of currently marginalised individuals and groups in policy processes. Language, and specifically discourse, is a central component in ensuring inclusiveness. I have avoided gendered terms in this thesis. Rather than use common artifices as he/she, which I consider somewhat inelegant, I chose to use pronouns which may be commonly thought to be plural. For example, rather than say, "You must ask the analyst what his/her views are", I replace the term 'his/her' with 'they'. Therefore, "You must ask the analyst what their views are". The pronoun 'their' is used either as singular or plural. The same applies for 'they' and 'them', the context providing the indication as to whether they are singular or plural.

This approach avoids the need to specify gender, except when it is either obvious, as in, for example, reference to the Governor General of New Zealand (currently a woman), or when gender is a necessary part of the argument. There is a historical basis for neutralizing unnecessary gender discrimination. For example, Casey Miller and Kate Swift (1977:145) argue that "for more than 400 years, reputable writers and speakers of English have used they, their, them and themselves as singular pronouns for indefinite antecedents" (emphasis in original). This seems to be a way of retaining some elegance of style while retaining inclusivity.

Where quotes contain inappropriately gendered terms such as 'he' or 'all men' when referring to both women and men, I have not altered the text, but retained historical accuracy. I usually signify such language with 'sic'.

Casey Miller and Kate Swift (1977:145) argue that
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Introduction

There has been much attention given over the last few decades to the apparent failure of governments to solve social, economic and environmental problems. Much of this attention has focused upon the epistemological assumptions of modernity\(^1\), assumptions, it is claimed, which undermine the problem solving power of the State. This thesis is located within a particular theoretical tradition which offers potentially powerful remedies to this malaise. It involves increased attention to ‘discursive design’ (Dryzek, 1990a)\(^2\) in policy analysis, thereby increasing the quality of public participation in policy production. This, it is argued, will improve the quality of public policy itself. This introduction explores the themes and directions which shape this thesis. It sets the scene, rather than providing the substantive content; that, of course, is the role of the thesis itself. Therefore, I explain the problems which prompted this research, outline the research’s significance, define some key terms and, lastly, provide a brief introduction to each chapter.

Two general themes aroused my interest in this research. The first concerned the growing inability of public policy makers to resolve some of the major problems faced by our world. Environmental crises, energy crises, the welfare state’s inability to resolve problems of crime, poverty and inner city decay, international conflict, and so on all present apparently intractable policy challenges (Dryzek, 1990a). This is coupled with widespread pessimism about the possibility for effective government planning (ibid). While this is a very broad claim, the problem solving ability of

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\(^1\) Modernity refers to the organization of social life that emerged from the European Enlightenment, and is typified by its belief in rationality, bureaucratization, science and progress.

\(^2\) I use two forms of referencing in this thesis. When a reference first appears in the text, the author’s name and publication date are given, e.g., Smith (1985). If relevant, a page number is added, e.g., (1985:21). If I have already just introduced the name and date, and shortly after quote or cite the author specifically, rather than become repetitious, I simply add, e.g., (pg. 53). This way, I retain clarity in referencing without undue repetition of names and dates.
governments has demonstrably altered over the last few decades. As Dunn (1981:29) argues, contemporary society has undergone fundamental changes which demand new problem solving strategies. For example, most contemporary problems are "ill-structured" or "wicked" in character (Rittel and Webber, 1973), resulting in an inability to agree about a problem definition, let alone a solution. Therefore, the apparent failure of public policy to resolve some pressing social and environmental issues was one theme which attracted my attention.

The second important theme concerns a particular critique of this failure. Much of the failure of public policy is attributed to the assumptions of those policy processes. In Dryzek's words, "The diagnosis is that many of these ills have much to do with the decline of once-confident and still pervasive forms of rationality" (1990a:1). Specifically, I identify objectivism, positivism and instrumental rationality as critical assumptions of much contemporary policy analysis. These assumptions are pervasive in their influence in policy analysis, but I argue they are seriously flawed in their current formulations. They have been subjected to serious criticism from a number of quarters. The critical angle I take is epistemological, involving hermeneutics and standpoint epistemology.

Questions concerning knowledge and truth have always engaged my imagination. What is truth? Can we know for certain? This preoccupation with epistemology, i.e., the study of theories of knowledge, drew the two themes together

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3 These are briefly defined here and explored in depth in Chapter One. Positivism maintains knowledge can only be produced by deducing causal laws from basic assumptions which are verified by empirical experience. Objectivism maintains there exist universal standards available to all rational individuals and assumes a "realm of basic, uninterpreted, hard facts that serves as the foundation for all empirical knowledge" (Bernstein, 1976:111). Instrumental rationality is defined as the "capacity to devise, select, and effect good means to clarified ends" (Dryzek, 1990a:4).

4 See section ‘1:2 A Critique Of These Assumptions’.

5 Hermeneutic theory is explained at length in Chapter Two, while standpoint epistemology is used to critique objectivism in Chapter One. Please refer to these sections for definitions.
epistemology, i.e., the study of theories of knowledge, drew the two themes together into one coherent study. In essence, I proposed the troubles faced by contemporary policy analysis had, in part at least, epistemological causes. The solution involved a reconstruction of these assumptions. Specifically, the epistemological assumptions used in policy analysis produced distorted and partial knowledge. The irony here is that it was believed these assumptions eliminated distortion and partiality by producing a true account of the natural world and social relations. I propose a rigorous theory of knowledge which can produce improved or more appropriate policy relevant knowledge.

This improved knowledge emerges from policy processes which are discursive. By discursive, I refer to processes which produce intersubjective understanding between participants. These processes focus on communication of values and norms as much as on technical concerns. They provide opportunity for a wider range of knowledge to enter the policy process. Known as discursive designs, they constitute a practical expression of the epistemological theory I develop. In other words, I identified a problem in policy analysis, drew together a number of theories into a coherent response to the problem and developed a theory of application into real world situations. While this account simplifies the process, it captures the essential flow of my thinking. However, I had one more concern.

Although some significant theoretical developments regarding discursive design exist, there has been little application in practice. Until recently, most of the attention given in the literature to the application of discursive practices in policy making has been theoretical (for example, see Dryzek, 1990a:40; Fischer, 1993:172; Hayward, 1993). These epistemological causes are also explored by Bobrow and Dryzek (1987) in their study of 'policy design', and by Diesing (1991) in relation to social science.
Any application of discursive design theory to real world policy analysis appears incipient. There is need for the theory to be applied in the real world. My search for such a real world policy process led me to the Christchurch City Solid and Hazardous Waste Management Strategy (SHWMS). This strategy was produced via a process which involved a Citizen’s Task Group, thereby differing from the more usual approach of analyst centred policy development. The SHWMS process used a ‘discursive’ approach and therefore goes some way towards modelling the theory of discursive design. The SHWMS process formed my case study, enabling me to apply the discursive theory in practice.

Having established the theoretical framework for the thesis, I now explain the significance of the research. What does it contribute to policy analysis? There are three specific contributions. The first concerns my application of Gadamer’s (1975) hermeneutics, aspects of Habermas’s (1971a) communicative theory, and Harding’s (1991) standpoint epistemology with discursive design theory. I argue this theoretical synthesis produces a particularly compelling justification for using discursive design in policy analysis.

A second contribution of this thesis is the development of four criteria for evaluating the extent to which unconstrained discourse occurs in policy analysis. These criteria are central to my analysis of the SHWMS process and provide critical insight into opportunities for stakeholder participation in policy development. This provides a coherent link between theoretical development and real world policy analysis.

This research is also significant because it applies the theory to the real world through the use of a case study. This has a number of outcomes. First, it enables an assessment to be made of the extent to which the SHWMS process complies with the
requirements of my theory. Second, it enables the practical usefulness of the
discursive design criteria to be assessed. Third, it provides an opportunity to improve
our understanding, and hence practice, of discursive design in policy analysis.
Because of the limited application of discursive design theory to practice, this thesis
contributes to our understanding of such practice.

There are a number of terms used throughout this thesis which may need
clarification. Most of these are defined or explained in the text, but there are two
wide-ranging terms which keep reoccurring throughout the thesis. I explain them here
to assist the reader in adapting to my particular approach and style. These terms are
discourse and reflexivity.

According to Dryzek, a "discourse embodies a shared set of capabilities that enable the
assemblage of words, phrases, and sentences into meaningful "texts" intelligible to readers or
listeners" (1990a:159). Put simply, discourse is a way of speaking which is shared by
a group of people. This way of speaking embodies particular norms, values and
assumptions shared by the speakers. One of the sociological functions of discourse is
to close off possibilities, that is, to determine what can and can not be said or thought
(Abercrombie, et al., 1984:71). The term 'discursive', on the other hand, captures the
idea of moving between discourses (Webster, 1971), a communicative process between
discourses. For example, reference to 'discursive' policy analysis implies analysis
which involves interaction between different discourses. Likewise, 'discursive'
epistemology implies a form of epistemology grounded in discursive interaction. The
term 'discursive', then, always implies interaction between discourses. This is more
thoroughly developed in my theory of communication, but this initial explanation
ought help orientate the reader to my approach.
Reflexivity is the second important term used throughout this thesis. Giddens argues that:

*reflexivity is a defining characteristic of all human action. All human beings routinely “keep in touch” with the grounds of what they do as an integral element of doing it* (Giddens 1990:36).

This means human beings, constantly faced with new information, find themselves in a position of having to reconsider their current views. Reflexivity involves turning back one’s experience upon itself (Mead, 1962), enabling an ongoing reconstruction of both the experience and self. This constant dynamic of moving from current belief to the consideration of new information, and then to the possible reforming of the original belief, is the essence of reflexivity. I attempt to be reflexive in this thesis. This means that nothing in this thesis is beyond critical reflection and reconsideration.

There is a subtlety here, for one of the theoretical assumptions on which the thesis is built is that there may be better ways of achieving the aims of this thesis than those I have chosen to use. Note that I am not denying the role of rational argument. Rather, I alert the reader to a thematic undercurrent essential to the intent of the thesis, the role of reflexivity.7

So far, I have given a general overview of key themes in this thesis and explained the development of my thinking. The next stage of introduction is an overview of the chapter contents.

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7 Reflexivity is examined more fully in section '2:2:1:2 Reflexivity and Design'.
Chapter One: An Analysis of Public Policy Analysis

This chapter examines some dominant assumptions of public policy analysis. These assumptions are epistemological, that is, involve theories of knowledge. I begin with an examination of the origins of contemporary policy analysis and argue policy science developed, in part, from a practical need to provide decision makers with accurate information for social problem solving. This involved a reliance upon quantitative and technological approaches, characterised by Majone (1986) as the 'received view'. This view carries with it a limited concern for wider social, political, cultural or administrative issues characterising many contemporary policy problems.

These characteristics of policy analysis involve a number of assumptions about rationality. First, the role of positivism in policy analysis is explored. This examines positivism's orientation towards empirical methods of knowledge production and its legacy to contemporary policy analysis. Objectivism, based on the assumption universal standards for knowledge exist, is explored in some detail. This involves examination of three Enlightenment thinkers, Descartes, Hume and Kant. I argue objectivism assumes there is such a thing as THE truth about the world, and that this forms the basis for contemporary conceptions of rationality. Finally, instrumental rationality is discussed. Defined as "the capacity to devise, select, and effect good means to clarified ends" (Dryzek, 1990a:4), it is one of the dominant forms of rationality used in contemporary policy analysis. It is generally assumed to be value free and emphasises its requirement for efficiency in attainment of ends.
These assumptions of policy analysis provide conditions for the emergence of technocracy. While not an assumption of policy analysis, technocracy is an outcome of these assumptions. It refers to the significant influence of policy experts in the production of policy relevant knowledge. I argue the epistemological orientation of Western administrative states is instrumental and analytic, governed by impersonal technique. This results in the increasing subjection of modern society to cultures of specialised expertise, increasing the communicative distance between experts and citizens.

Having examined these assumptions of contemporary policy analysis, I offer a critique. The central claim is that policy analysis is flawed to the extent it relies uncritically on the assumptions of positivism, objectivism and instrumental rationality, and supports technocracy. The critique begins by arguing objectivism fails to take account of the social-situatedness of knowledge. For this reason, analysis proceeding on the assumptions of objectivism produce, ironically, less objective knowledge. The argument is developed in three stages. First, it is argued that knowledge is social-situated, that is, can never be value-free or neutral, but always embodies the social context of the knower. Second, standpoint epistemology is developed to provide further criticism of objectivism, opening up possibilities for the development of previously marginalised or excluded sources of knowledge. The question of relativism is then raised, for if objectivism is rejected, it may seem to follow that some form of relativism is the only alternative. In other words, the critical question for policy analysis concerns how one can distinguish between knowledge claims. Finally, strong objectivity is introduced to argue some knowledge claims are better, or more accurate or appropriate, than others. Objectivism is therefore rejected as an inadequate assumption for policy analysis.
Positivism's reduction of knowledge into quantifiable empirical data is also rejected on epistemological grounds for being too narrow and dogmatic. Empirical research is not rejected, but I argue greater attention to its hidden values and assumptions needs to take place to avoid the dogmatic tendencies of positivist empirical research.

Three specific critiques of instrumental rationality are explored. The first is instrumental rationality's insensitivity towards ends. It both claims to be value-free while at the same time serving particular value interests. I then criticise it for an inadequate analytic methodology, where its method of de-composition of problems into manageable analytic components can result in concealing other important aspects of the problem situation. Finally, instrumental rationality's imposition into the 'life-world', the world of culture and symbolic interaction, is examined. I argue this introduces inappropriate forms of technical control into human culture and individual's life experiences, thus excluding more appropriate or life enhancing cultural practices.

Finally, I provide a critique of technocracy, arguing the pre-occupation with technical solutions to public problems, while appropriate in some instances, results in the exclusion of alternative rationalities and knowledges which may be better adapted to contemporary problem situations. The central theme in this section is criticism of a particularly narrow conception of knowledge resulting in epistemically inadequate methodologies for policy analysis. Standpoint epistemology was introduced partly as a criticism of objectivism, and partly to indicate the direction I take in a reconstruction of the policy process.
Chapter Two: A Reconstruction of the Policy Process

This chapter explores more fully the philosophical nature of knowledge production. I argue a profound shift is occurring from a 'legislative' reason, rooted in the Enlightenment search for cognitive certainty, to an 'interpretive' reason which recognizes the social construction of all knowledge. I begin with an examination of the philosophical hermeneutics of Hans Georg Gadamer (1975). Gadamer argues understanding emerges from the interplay between the observer and that which is observed. This produces a notion of truth which is never final or completed, but is inherently dynamic. Understanding, then, is the product of on-going communicative interaction rather than purely the product of scientific technique.

What is needed, I argue, is an approach to policy analysis which incorporates the hermeneutics of Gadamer as well as an alternative to instrumental rationality. For this I turn to Jürgen Habermas's theory of communicative rationality (1971a). Communicative rationality is based on production of intersubjective understanding and offers a means for rational deliberation on norms and values. These issues are generally excluded by objectivism, positivist methodologies and instrumental rationality, but form a critical component of many problem situations. According to Habermas (1971a), communicative rationality only emerges from situations where speakers are competent, that is, are able to use speech acts to produce intersubjective understanding. There are four types of speech acts presupposed in any communication. Perfect fulfilment of these speech acts produces what Habermas calls the 'ideal speech situation', where only the 'force of the better argument' determines the validity or appropriateness of a belief. Such a situation can act as a counterfactual ideal against which real world situations can be assessed. There are a number of
constraints on the possibility of reproducing the 'ideal speech situation' in the real world. These constraints are described as systemically distorted communication, referring to a non-symmetrical distribution of chances to engage in speech acts. In other words, systemic communicative distortion results from the exclusion of some interests from a communicative process, e.g., in deliberation over policy. To illustrate this, I recount an example from Kemp (1985) regarding the 'Windscale Inquiry', a large scale public hearing examining a proposed nuclear waste disposal plant in England. This demonstrates the practical, as well as the theoretical usefulness, of Habermas's communication theory.

In order to facilitate communicatively rational policy analysis, I propose discursive design, i.e., a purposively designed discursive process which provides the conditions for communicative rationality. In the previous section, I identified systemic communicative distortion as a major impediment to communicative rationality. Discursive processes, then, need to be designed to eliminate or minimise communicative distortion and produce the most communicatively friendly conditions. I examine some limitations of design and articulate a theory of reflexivity. This is explored in some depth because it forms an important theme throughout this thesis. I then relate the role of reflexivity directly to discursive design. A Foucauldian notion of power is developed, particularly the role of power in discourse and the need to design opportunities for marginalised discourses to challenge the hegemony of dominant discourses. Finally, I revisit the 'ideal speech situation' and examine the 'force of the better argument'. This concept is criticised for concealing a persistent rationalism which deemphasises emotion, rhetoric, metaphorical and non-linguistic aspects of communication (Young, 1995).
The general character of discursive design is now discernible. My next step involves an examination of the participatory policy analysis theory of Durning (1993). He suggests four perspectives on participation in policy analysis, each involving a different relationship between analysts and other stakeholders. Two of these are rejected for falling short of the ideal speech conditions. The other two, ‘interpretive participatory policy analysis’ and ‘stakeholder policy analysis’ both entail a shift in analytic orientation, not from expert to non-expert, but from analytic domination by analysts to facilitation by analysts. This involves epistemological reorientation by analysts to sustain conditions for communicative rationality.

A specific relationship between the ideal speech situation and discursive design is now explored. In order to design a discursive policy process which meets the ideal speech conditions, I propose four ‘ideal speech criteria’. These are the criteria of accessibility into a discursive policy process, equality of discursive opportunity, reflexivity and, lastly, equal access to information. They provide a framework which can shape the development of any discursive design or critique an existing design.

Chapter One presents a critique of some key assumptions informing contemporary policy analysis. Chapter Two develops a theory which I argue overcomes the epistemic limitations of those assumptions. Yet questions remain, particularly concerning the real world applicability of discursive design. Can the ideal speech situation actually produce communicative rationality in a real world situation? What can the ‘ideal speech criteria’ tell us about a particular policy development? In order to address these questions I use a case study.
Chapter Three: Christchurch City Solid and Hazardous Waste Management Strategy: A Case Study

This chapter begins with an overview of the Christchurch SHWMS process. The process used a task group consisting of 14 stakeholders representing a number of interests to produce a long term solid and hazardous waste management strategy. The task group was made up of representatives from the manufacturing sector, community groups, environmental organizations, the Christchurch City Council and the waste management industry. This task group produced a strategic document recommending a long term waste management policy for Christchurch City. This document was accepted as Christchurch City Council policy with only two minor modifications. The purpose of the case study is to analyze the level of communicative distortion in the SHWMS process and assess the usefulness of the 'ideal speech criteria'. The case study also offers opportunity to improve our understanding of discursive policy processes. These form my three research questions.

This is followed by an elaboration and justification of my methodology and methods of analysis. Two forms of analysis are used. The first I call a 'structural' analysis, referring to the physical, procedural, social and political environments in which the SHWMS took place. The second is a 'phenomenological' analysis which explores the participant's experience of the SHWMS process. These forms of analysis, which incorporate the 'ideal speech criteria', provide a means of addressing the three research questions.

Following the methodology section, data collection is examined. Two forms are used, the first being a literature search, and the second, face-to-face interviews with the task group participants. I explain why I used the interview technique and discuss
some problems with this method. The interview process is discussed in detail, including an examination of the interview questions. Finally, the question of ethics in interviewing is examined. Having discussed the methodology and methods used in the analysis, I turn to the analysis itself.

Chapter Four: Analysis of the Solid and Hazardous Waste Management Strategy Process

This chapter provides a comprehensive analysis of the extent of systemic communicative distortion in the SHWMS process. The context of the task group process is examined first, revealing significant locations of communicative distortion. Although much of the context provides opportunities for communicatively rational deliberation, this is circumscribed by some institutional limitations which are discussed in detail. In particular, the requirement that the SHWMS task group only recommend policy, thus deferring final decision making authority to the City Council, is explored as a major potential source of communicative distortion.

The discursive process is then critically analyzed, with particular attention being paid to the four 'ideal speech criteria'. This section of the analysis is divided into two parts, agenda setting and policy formulation. Agenda setting presents some critical locations for communicative distortion while policy formulation proves to be a relatively communicatively rational process. Some of the critical issues discussed in this section concern the involvement of Tangata Whenua, gender and socio-cultural make-up of the task group.
Chapter Five: Conclusions

The final chapter is centred around the three research questions. Here, I provide some answers to the questions, along with specific reflections regarding the SHWMS process and discursive design. The conclusion also provides a reflexive moment, for it affords opportunity to reevaluate the theory for which I argue throughout this thesis, as well as demonstrate the usefulness of the 'ideal speech criteria' in the evaluation of a discursive design.

The first research question addresses to what extent the SHWMS process fulfilled the theoretical requirements of the 'ideal speech criteria'. I argue the context and agenda setting process produced a significant level of systemic distortion due to the advisory nature of the task group vis-à-vis the Council and institutional practices. This aside, there was a high degree of fulfilment of the 'ideal speech criteria' in the deliberations and I conclude the SHWMS was a successful process of discursive deliberation. The second question addresses the usefulness of the 'ideal speech criteria' in identifying communicative distortion. While I identify some important modifications yet to be made to some of the 'ideal speech criteria', I argue they demonstrate considerable utility in identifying communicative distortion and conclude they constitute useful tools for discursive policy analysis. Finally, I explore some issues raised by my analysis. These range from the role of independent facilitation the problems technical complexity presents to communicative rationality. I identify some arguments suggesting limitations to the application of discursive design, and offer counter-arguments and suggestions to mitigate such limitations. Finally, I identify a number of areas for further research.
CHAPTER ONE

An Analysis of Public Policy Analysis

In his preface to *Discordant Harmonies*, Daniel Botkin (1990) seeks to create a kind of mystery story in his attempt to explain some pressing contradictions between contemporary ideas about nature and many of the actual facts about nature.

*At the surface were the activities of our society: scientists doing research; legislators signing bills; government officials dealing with policies. Underneath these was a layer of belief, myth, and assumption, of symbol and metaphor....* (pg. vii).

By a careful examination of the assumptions, as well as the practices, Botkin provides insight into the roots of many of our environmental problems. This is the strategy I undertake in relation to public policy making. I am not concerned to catalogue contemporary practices, but to do something I think is more valuable, examine the basic assumptions informing contemporary policy making. The reason for this is quite simple. In order to understand and effectively respond to the growing problems faced by policy analysts and decision makers, it is necessary to comprehend the inherent limitations of the assumptions, myths and beliefs upon which these problems and related analyses are based. This thesis proposes a theoretical and practical remedy to some of these limitations. However, a proposed solution will only make sense to the reader when they are convinced that a problem exists, so what follows ‘sets the scene’ for the introduction of discursive design in policy making.

This thesis is concerned with the epistemological assumptions of policy making. By this, I refer to theories about knowledge, and involves explanations as to what knowledge is, how it is derived and how it is used. I use the term ‘epistemology’ in
a somewhat wider sense than the usual stricter philosophical view which is traditionally concerned with what ought count as 'true' knowledge, that is, how to justify a particular belief.¹ I am also interested in how particular beliefs can be justified, but my concern is broader than just that. An epistemology is grounded in particular assumptions about the nature of the world, human beings and social relations. These assumptions enable the production of certain types of knowledge, certain ways of viewing the world, that have direct consequences for public policy analysis. Depending upon the assumptions used, the subsequent analysis will be shaped along certain paths, and any resultant policy will bear the limitations and advantages of those assumptions.

There is an extensive (and growing) critique which charges mainstream policy making with a technocentric bias, inadequate conceptualization of knowledge, an over-reliance on positivism and problems with public legitimation (Dryzek, 1990a; Fischer, 1990). I present a profile of the dominant assumptions currently informing mainstream policy analysis and then offer a critique. By that stage, the reader will be in a better position to understand the context for my arguments in part three, and, perhaps, be more sympathetic to the case for discursive design in policy making.

¹ See, for example, Quine and Ullian (1978), The Web of Belief.
1:1 SOME DOMINANT ASSUMPTIONS OF PUBLIC POLICY ANALYSIS

Public policy making has a history, and this history has shaped the particular directions and applications of policy analysis today. This history also enables us to better grasp the nature of contemporary policy analysis, and with it, the critical assumptions that concern me here. I will look briefly at some key factors which have shaped this history.

1:1:1 Origins of Contemporary Policy Analysis

Although the very earliest attempts at producing public policy occurred nearly four thousand years ago (Dunn, 1981:14), my concern begins most noticeably in the social tumult surrounding the Industrial Revolution. For many hundreds of years, Europe experienced political instability, in stark contrast to the significant social stability experienced during the same period, where change occurred only very slowly. In the words of Plumb (1973):

(T)he majority of the population knew only an unchanging world in which the patterns of belief, of work, of family life and social habits changed with glacier-like slowness. Wild political conflicts and instability had curiously little effect on this immobility of social habit (pg. 12, quoted in Dunn, 1981).

With the political and economic changes that took place just before and during the Industrial Revolution, political instability gave way to the political stability necessary for industrial capitalist development. The ensuing "accelerated societal complexity and unpredictability" (Dunn, 1981:15) led to an urgent need for reliable information to enable the government, industry leaders and managers to effectively manage and
control the rapidly changing social environment. The sorts of questions being asked were practical ones:

*How much did members of the urban proletariat need to earn to maintain themselves and their families? How much did they have to earn before there was a taxable surplus? How much did they have to save from their earnings to pay for medical treatment and education?* (ibid, pg. 16).

In order to answer these questions, policy makers had to turn to the applied social sciences, firstly statistics and demography, and later sociology, economics and public administration. Science, while greatly assisting the burgeoning technologies of industrialism, was not the central impulse behind these policy developments. Most significant was the practical need to engage in social management and control, as well as recognition that the old methods were no longer appropriate. Two things of import ought to be noted here. The first is that the types of knowledge needed were of a quantitative nature, and were thus amenable to the growth of statistical analysis and scientific methods of empirical observation. The second was the embryonic development of technical expertise and professionalism (Dunn, 1981:15).

The appeal to empirical facts and the growth of technical expertise can be understood historically in relation to what Torgerson (1986) calls the 'dream of the abolition of politics'. This refers to the promise and hope of the Enlightenment, where knowledge, freedom and science would dispel the myth, dogma and superstition of the pre-modern era.² The intellectual, cultural and scientific awakenings that occurred during this period carried with them powerful hopes that humanity could, through

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² By pre-modern I refer to the period prior to Descartes. This is not an uncontroversial view (for a brief discussion of the problems in defining 'modern' and thus pre-modern, see Smart (1990)). Because the orientation of this thesis is epistemological, this division of history is useful. Descartes can be seen as a symbolic break from tradition into what Solomon (1988) calls the 'transcendental pretence' associated with the self. This 'transcendental pretence', an arguably unwarranted confidence in human rationality, among other things (ibid, pg. 4) is critically examined throughout this thesis.
the use of objective methods, overcome many if not all of the problems that had plagued the human race. Politics, too, was a chaotic affair, subject to all types of human vicissitudes. Therefore the:

\[
\text{dream of the abolition of politics - of putting an end to the strife and confusion of human society in favour of an orderly administration of things based upon objective knowledge... (Torgerson, 1986:34)}
\]

was very attractive. Its attractiveness lay primarily in the belief that the analytical precision of modern science could relieve politics from a commitment to theology or metaphysics, and instead provide an objective basis for determining the true and lawful order of the world. In this sense, science, not politics, would determine social order. Of course, this was not so simple in practice, for the clear division between facts (science) and values (politics) did not go unchallenged. Weber, for example, though insisting upon a distinction between empirical knowledge and value judgements, clearly saw that social science was not a value-free inquiry, but often masked its values in the guise of a value-free activity (Weber, 1949, cited in Brecht, 1959). Nevertheless, the roots of policy analysis are firmly planted in the empirical sciences of the nineteenth century, a heritage, as we shall see, which continues to exert a powerful influence today.

It is important to note, especially in light of the following critique, that this science was seen as emancipatory, as a means of achieving human progress and containing a commitment to democracy and human dignity. Essential to this end was science's commitment to value-free knowledge, empirical facts beyond manipulation by political elites. This commitment can be seen from our end of the twentieth century as well meaning but naive. This emphasis on democracy and policy did not cease, but

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3 See also, Dunn (1981:20).
became an underlying orientation of the 'policy sciences movement'. Harold Lasswell, generally considered the founder of policy science, was instrumental in developing policy analysis as a special part of the social science discipline (Dunn, 1981:19). But this 'science' had a wider objective than merely predicting what might happen and was to "contribute to the establishment of conditions for the gratification of human existence" (ibid, pg. 19). This science emerged post world war two and was seen as an important part of the reconstruction of the post war world. Thus, it was "to be grounded in a fundamental moral objective: the production and furtherance of democracy in America and the world" (Fischer, 1993:167). Policy science, therefore, was grounded in a practical orientation and motivated by a strong moral agenda. It had practical questions to resolve and therefore was very open to an instrumental focus. However, despite the influence of the social sciences in public policy, the significant developments came from other disciplines.

It was the activities of applied mathematicians, engineers, operations researchers, and systems analysts, professionals who were not formally trained in social science, that shaped the orientation of policy analysis (Dunn, 1981:21). This policy orientation has been described as the 'Received View' (Majone, 1986:61). Majone argues that, despite changing and multiple disciplines involved in policy analysis, there exists:

- a continuous conceptual thread [which] runs from the early studies of military and industrial operations, of strategy and logistics, through the broader concerns of systems analysis in the 1960s, to much of contemporary policy analysis (ibid).

This conceptual thread contains some basic categories of analysis involving the decomposition of problems into analytic components. The components are empirically and quantitatively distinguishable, and therefore amenable to some system of logic. Ideally, this logic ought to lead to the maximization of some end. This maximization,
Majone says, relies upon an intuitive notion that to be rational involves maximizing something. For example, it would appear rational to maximise the harvest of some natural resource if it would increase public wellbeing. But, in the case of policy science, this maximizing concept of rationality has led to an overemphasis on allocation problems, decisionism, unitarianism and intellectualism. These, according to Majone, are the "main reductionist features of the policy science model of policy making" (pg. 62). A brief analysis of each of these features will clarify the nature of the 'received view'.

Allocative problems are the mainstay of contemporary economics and much public policy analysis. Decisions about the distribution of scarce and contestable goods take on a technical focus, determining the point, for example, where the costs outweigh the benefits of a particular programme or development. Microeconomic theory provides the 'logic of choice' for this policy approach. Although highly developed, microeconomic theory has not escaped severe criticism on a number of fronts, including its reductionist approach to the 'economic man' model of the rational self-maximizer. The Received View, then, is characterised by a technical orientation and its reduction of policy problems to rather narrow concerns.

Policy making is also popularly construed as decision making, though exactly what decision making is remains problematic (Majone, 1986:64; Hogwood and Gunn, 1984:15). When construed as decision making, it attempts to situate all decisions within the immediate situation, ignoring the wider context. Such situations are then analytically resolved by modern decision theory. It deals with what immediately confronts the analyst and the probable consequences in the present situation (Majone, 1986:65), but whether all problem situations can be adequately analyzed through this reductionist approach is an open question. If a situation is analytically closed, that is,
consists of a relatively closed and simple system, then decisionism may be appropriate. But its ability to deal with 'wicked problems' (Fischer, 1993:172) is at best suspect. Decisonism is considered a feature of the Received View because it not only features prominently in contemporary policy analysis, but more significantly, it reflects an underlying commitment to a certain kind of analytical reductionism.

Another feature of the 'received view' is unitarianism. This refers to decisions carried out by a single unified actor who has full authority and control over a situation. Though this idea has been treated as myth in much policy literature, Majone nevertheless argues this is "a dominant faith among supporters of the Received View and in fact, a logical consequence of the standard model of choice" (1986:66). He draws a parallel between traditional policy analysis and traditional theory of the firm where "both organizations take decisions as monolithic units and carry out their choices in a frictionless and perfectly foreseeable manner" (ibid, pg. 67). To the extent that analysis relies upon this model, it is in danger of the serious flaw of assuming an actor's responses are unproblematically uniform and predictable. This form of technical control is consistent with the technical orientation of the Received View.

Finally, Majone charges policy analysis with being overly intellectual. This over-intellectualization consists of a tendency to assume 'correct' decisions can always exist, and an emphasis upon technical aspects of a situation. Solutions are found by 'calculation', and therefore tend to preclude skill or social interaction (ibid, pg. 68). As will be seen in Chapter Two, this proves to be a serious flaw.

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4 Fischer uses the term 'wicked problems' to refer to a class of problems without solutions, or only temporary or imperfect solutions. In contrast to the more 'malleable' problems governments have traditionally solved (local infra-structure), wicked problems come with no criteria for their resolution. NIMBY (not in my backyard), is a good example of a wicked problem. See also Rittel and Webber (1973) for an extended discussion of 'wicked' problems.
What typifies the Received View also characterises, to some extent, what has been called the 'analycentric' perspective (Dunn, 1981:73-75; Bührs and Bartlett, 1993:15-18). This perspective carries with it a very limited concern with the wider social, political, cultural or administrative issues affecting problem situations, and tends towards technical definitions and solutions for optimising outcomes (Bührs and Bartlett, 1993:16). Bührs and Bartlett note that most environmental policy uses an analycentric approach, and suggest that although the analycentric perspective has been useful in dealing with only a small range of issues, it "has become the standard conception of what policy analysis is in the minds of most politicians, citizens, and analysts" (pg. 17). This is not peculiar to environmental policy, but a tendency attributed to public policy generally (Dunn, 1981:21).

I have presented general tendencies of contemporary policy analysis. They primarily tend to rely upon quantitative methods and technological approaches to problem solving. They all involve some conception of rationality. By rationality, I simply mean they seek a coherent and consistent approach to problem solving. The goal of policy analysis is the solving, or mitigation of problems, and this requires the application of some form of rationality. It is to the assumptions of these rationalities that I now turn.

1:1:2 Rationality

The rationality informing analycentric policy analysis emerged out of, and thus is profoundly influenced by positivism. McCarthy (1978:137) notes that the term "functions more as a polemical epithet than as a designation for a distinct philosophical movement.... (I)t is difficult to specify a common "positivist" perspective". Having thus been
cautioned, it is perhaps more appropriate to refer to the legacy of positivism (ibid).

In order to understand what effects this legacy has, I need to explore its background.

1:1:2:1 Positivism

During the Enlightenment, Europe was in social and intellectual ferment. Central to the intellectual developments was the work of Isaac Newton (1642-1727) and his search for the underlying order and logic governing the universe. The universe could be described metaphorically as a large clock functioning through cause and effect. This model presupposes an ordered and consistent universe. The political significance of this can be seen through the work of Saint-Simon (1760-1825) who argued that the disintegration of the old political, intellectual, and cultural unity of Europe was best addressed by its reunification through the non-political, i.e., objective rule of scientists and technicians (Fischer, 1990:68-71). The creation of a new system ruled by technocrats fitted neatly with the growing mechanistic view of the world. But it was Auguste Comte (1798-1857) who most fully developed the science for this project. It was from his writings that the idea of 'positive knowledge' was developed. "Comte emphasised that real knowledge (defined as empirical knowledge) is obtained only by the use of the "positivist method"" (Fischer, 1990:70, emphasis in original). This method was rooted in "the epistemological canons of the physical sciences" (ibid), and sought, through a unified system of knowledge for both the physical and social worlds, to discover general scientific laws of the natural and social world.

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5 His publication in 1687 of Philosophiae Naturalis Principia Mathematica had a major and lasting impact on scientific development. For a brief but useful discussion see Lund et al, (1972:161-175).
One of the interesting outcomes of this approach is the way it deals with values. Essentially, only empirically derived propositions can be considered as candidates for truth. But value judgements, seen as emotional responses to life conditions (ibid, pg. 73), cannot be considered 'true' in any scientific sense of the word. Scientific 'facts' relate in some direct way to a common and empirical experience of the world. But values belong to the realm of the subjective and cannot be empirically assessed by positivist scientific methodologies. Nevertheless, they inform a large part of human behaviour, and therefore it would be foolish of science, in attempting to explain and predict social life, to ignore values. The response of positivist social science to this is the incorporation of utilitarian decision-making theory. This body of theory is designed to provide a normative decision criteria appropriate for values and bridge the fact/value divide. It does this by assuming there is no way to prove the superiority of one value system vis-à-vis another, and then treating all value judgements, or value preferences, as empirical data. Once the data (value preferences) have been gathered and collated, the 'objective' principles of utility are engaged. In other words, values are 'givens', and utilitarianism simply seeks to maximise the values so the greatest amount of preferences are catered for, producing the maximum satisfaction for the greatest number. In effect, this approach allows an empirically driven science to derive 'facts' from social values. These 'facts' are then used in policy decisions. In Fischer's observation, this turns 'norms' into positivist 'facts' (ibid, pg. 74). Positivism thus claims to avoid the problem of subjectivity and personal bias.

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6 There could be another ground for a proposition to have truth value. If a proposition is tautological it can make a truth claim. For example, the statement 'a bachelor is an unmarried male', is true by definition, and does not have to refer to any empirical reality. However, a tautology, although a logical truth, is a vacuous proposition, and tells us nothing of the real world.

7 In section '1:2' I address the epistemological issue of the existence of a 'real' world. For now, my aim is to explain the way in which positivism reduces all experiences to quantitative data.
(values) corrupting the production of knowledge, for only that which can be positively known to be 'true' need be admitted into policy analysis.

Positivism forms a methodological backdrop to contemporary policy analysis. In Torgerson's view: "Policy analysis today bears the unmistakable imprint of the positivist heritage....(Its) influence ... has been persuasive not only in letter, but also in spirit" (1986:33). In part, it has provided a sense of optimism for social scientists and policy analysts that they could enjoy success similar to that of the natural sciences (Diesing, 1991:3,84; Barber, 1984:47). This hope has tended to lock policy analysis into a (positivist informed) methodological orientation highly receptive to certain types of analysis, usually involving forms of data quantification. While many analysts would admit this approach carries certain limitations, and they are sensitive to the various needs of the publics they serve (Durning, 1993:299), the positivist legacy shapes the way they think about the problem, the way they analyze it, and their proposed solutions. In short, it is a form of rationality that produces a particular view of the world. The adequacy of this view in meeting the needs of society is in question throughout this thesis.

The form of rationality which emerged from the Enlightenment is not only felt through the legacy of positivism, but through the impact of two other demands, objectivism and instrumental rationality (Dryzek, 1990a:3-4). They provide, inDryzek's somewhat wry view, "a complete guide for the would-be rational individual" (ibid). Given their importance as assumptions or motivations in contemporary policy analysis, I will outline their basic features.

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8 Martin (1990) suggests policy advice in New Zealand is necessarily biased towards 'things that can be quantified' (pg. 133). This is a potentially disadvantageous outcome of state sector reform, and highlights the influence of positivist orientations on current policy analysis.
Objectivism can be understood as the dogmatic belief that human action ought to be guided by a set of criteria which appeal to universal standards available to all rational individuals. It assumes a "realm of basic, uninterpreted, hard facts that serves as the foundation for all empirical knowledge" (Bernstein, 1976:111) exists. Appeal to these 'facts' legitimates empirical claims about the world. In other words, objectivism provides the only valid route to truth. In attempting to do so, it demonstrates a dogmatic character.

Objectivism provides an underlying motivation for much of contemporary policy analysis (Dryzek, 1990a), as well as mainstream social science (Bernstein, 1976:112). This epistemological backdrop is important to my analysis for it shapes the types of analyses considered appropriate for the public sector and indeed, most rational policy analysis. In other words, it seeks to legitimate certain types of knowledge through appeal to the concept of objectivism. Given the widespread influence of objectivism, some understanding of its history will sharpen our perception of it.

The assumptions of objectivism are rooted in concepts of Enlightenment rationality, and revolve around the belief that our world is subject to laws which are able to be apprehended by rational men. This world was not only potentially coherent but epistemically stable. In its Kantian form, truth was transcendental, that is, transcended the particularities of individuals and communities. In the words of Harvey:

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9 In this thesis I differentiate between objectivism and objectivity. Objectivity retains the idea that there are indeed real empirical facts that can be known. Objectivism is rejected as epistemically inadequate. Please refer to section '1:2:1:3 Strong Objectivity' for this argument.

10 Women were not considered to be rational in this way. This has significant epistemic implications and is examined in section '1:2'.
The enlightenment project ... took it as axiomatic that there was only one answer to any question. From this it followed that the world could be controlled and rationally ordered if we could only picture it rightly. But this presumed that there existed a single correct mode of representation which, if we could uncover it, (and this is what scientific and mathematical endeavours were about) would provide means to enlightenment ends (Harvey, 1989:27).

Perhaps these ideas can best be illustrated by briefly looking at three key enlightenment thinkers, Descartes, Hume and Kant. Rene Descartes (1596 -1650) believed that through the rigorous use of reason 'clear and distinct ideas' would emerge, ideas that were indubitable. These ideas would form the foundations of intellectual thought, and thus one could build a picture of 'reality' which was true or accurate. This knowledge was objective and therefore accessible to all rational persons.

The Scottish philosopher David Hume (1711 -1776) had a very different perspective on how one gained knowledge. Unlike Descartes, who saw true knowledge derived ultimately from the process of thinking itself, Hume argued it was our mental perceptions of the world, our experiences, which provided us with the truth about the world. The world imprints itself upon our minds much in the same way as light waves imprint themselves on a photographic film. Our mind is viewed as a blank sheet upon which our sensory perceptions of the world are indelibly imprinted. These sensory impressions become the source of a clear and accurate picture of reality. This is known as Hume's empiricism.

Kant (1724 -1804) took yet another approach with his transcendental or critical idealism. What we perceive through our senses is nothing but a set of undifferentiated sensory experiences. Unlike Hume, who argued that when we perceive a particular object such as a tree, we experience the tree as a tree because it is imprinted upon our
minds like a photograph, Kant believed it was the *structure of our minds* which gave shape to our sensory perceptions. In other words, 'reality' does not mechanically imprint itself upon our minds, but rather, our minds shape otherwise undifferentiated sensory data. In one sense, we 'create' reality in our minds. More correctly, it is the inherent structure of our brains which grants us our view of reality. Our brain accepts this undifferentiated data which we receive through sensory experience, and shapes it in a particular way. This mental structure, according to Kant, is inescapable, and is common to all rational beings. Thus, human beings are able, according to the logic here, to come to a common understanding of reality.

This last point is very important. Although differing in the details of their epistemology, these philosophers all share a common assumption, an assumption that lies at the heart of objectivism, namely that such a thing as THE truth about the world exists, and this truth is common to all rational beings. And if it is common to all rational beings, then there is a correct way to view the world. Those who do not share this view are not objective, and therefore irrational or sub-rational. This underlying idea of a fixed and rationally discernable reality informs objectivism and manifests itself in much contemporary policy analysis.

1:1:2:3 Instrumental Rationality

Objectivism provides an influential, though not necessary, assumption of instrumental rationality.\(^{11}\) This form of rationality is defined by Dryzek as the "capacity to devise, select, and effect good means to clarified ends" (1990a:4); it is without

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\(^{11}\) In section '1:2:3' I explain why the assumption of objectivism is not necessary for instrumental rationality. This first requires the critique of objectivism found in section '1:2:1'.
doubt one of the dominant forms of rationality used in contemporary public policy analysis (Fischer, 1990:217, 347). Its influence can be assessed both historically and technically.

Historically, instrumental rationality was subjected to significant, and for a period of time, unrelenting criticism in the wake of the social revolutions that took place in the 1960s. The optimistic expectations of previous generations of policy analysts and social scientists gave way to a search for 'social relevance' (ibid, pg 220). This was produced through a realization that many of the social policies of the 'Great Society' had failed. Continuing poverty, the urban crisis and the Vietnam War all 'provided fuel for a rethink of the relationship of policy knowledge to power. Theories such as phenomenology\textsuperscript{12} and a resurgence of social and political philosophy were put forward as solutions to the inability of positivist and instrumental rationalities to generate lasting and emancipatory policy. A primary question addressed concerned the fact/value dichotomy essential to instrumental rationality. Should policy analysis continue to deal only with 'facts', and if not, given the growing recognition that 'facts' were themselves social constructions, what methodology could adequately deal with values? Both phenomenology and social and political philosophy were criticised as too normatively orientated and not able to generate a workable methodology "as they offered no procedure for inference between competing hypotheses" (Fischer, 1990:223).

An alternative diagnosis of the perceived failure of positivist methodologies charged the problem was not the positivist or technical focus of policy science, but rather its lack of 'empirical rigor'. The solution was to increase the rigor of social science, thereby improving the empirical accuracy, and hence usefulness, of data. This was the favoured approach in policy science, as Fischer notes:

\textsuperscript{12} For a definition and examination of phenomenology see section '3:2:1:2 Phenomenological Analysis'.
Supported by a rigorous statement of systems theory and its empirical methodology, the technocratic conception of social science managed to maintain its hold on the disciplines (ibid, pg. 223).

Reassertion of a positivist orientation was central to this renewed scientific endeavour and was a significant factor in the ongoing development of instrumental rationality.

If instrumental rationality can be understood in its (albeit recent) historical context, its influence on policy becomes even clearer when one examines its technical nature. This nature was transparent to the German sociologist, Max Weber, who was convinced the rationalization of society taking place would lead to an 'iron cage' where human beings would become increasingly subservient to the power of bureaucracy and its instrumental rationality. As Alford notes:

[instrumental rationality] has done a great deal to liberate man's productive powers but little to liberate man himself ....[Through it] (m)en and women come to see themselves and others in terms of their role in the productive process rather than as individuals (1985:16).

This statement expresses an inherent dichotomy essential to a perceptive understanding of instrumental rationality. On one hand, there is the technical apparatus for gaining increased control over the natural world, and on the other hand there is the life-world, the world of culture and social interaction (Dryzek, 1990a:5). Habermas labels the inherent rationalities underlying these two components purposive-rational action and communicative action respectively (McCarthy, 1978:22). But it is the imposition of purposive-rational action into the life-world that is of critical concern to Habermas (I will deal with some of these concerns in the next section '1:2 A Critique of these Assumptions'). This concern leads Habermas to
undertake a lengthy examination of the nature of purposive-rational action (instrumental reason):

"By "work" or purposive-rational action I understand either instrumental action or rational choice or their conjunction. Instrumental action is governed by technical rules based on empirical knowledge. In every case they imply empirical predictions about observable events, physical or social. These predictions can prove correct or incorrect. The conduct of rational choice is governed by strategies based on analytic knowledge. They imply deductions from preference rules (value systems) and decision procedures: these propositions are either correctly or incorrectly deduced. Purposive-rational action realises defined goals under given conditions. But while instrumental action organises means that are appropriate or inappropriate according to criteria of an effective control of reality, strategic action depends only on the correct evaluation of possible alternative choices, which results from calculation supplemented by values and maxims" (Habermas, 1971b:106, emphasis in original)

Communicative action, the other component of human activity, will be dealt with at length in Chapter Two. Staying with the statement of Habermas on purposive-rational action, there needs to be some clarity about his distinction between instrumental action and rational choice. I have subsumed these in the concept of instrumental rationality. This may appear an illegitimate move in view of the above distinction, but, while there is an analytic distinction between them, it is not between two types of action. Rather, "(r)ational decision and the application of technically appropriate means appear rather to be two moments of purposive-rational action" (McCarthy, 1978:24). Because these concepts can be considered as 'moments' in an otherwise unified and coherent action, their conjunction into the singular concept of instrumental rationality is justified.
Instrumental reason, then, is orientated towards the achievement of pre-selected ends. Given that it has no role in the generation of such ends, it is, ostensibly, value free. Its rationality is centred on effectiveness, the ability to achieve ends in the most efficient manner. Efficiency is, in a world of scarcity, an important measure of effectiveness in that a desired outcome will be framed within a context of limited resources. The idea that positivist rationality involves maximization, as discussed earlier, is also true for instrumental rationality (Fischer, 1990:227). Efficiency is an outcome of application to technique and knowledge of empirical reality. This focus on technical appropriateness and probability of success characterises instrumental reason.

The relationship between instrumental rationality and objectivism ought to be clearer now. By assuming objectivism, instrumental rationality is provided with a basis for trusting in the efficacy of technique and evaluation of empirical reality. Objectivism's assumption of the availability of impartial knowledge is also assumed by instrumental rationality and this forms a (assumed) non-problematic basis for trusting empirical predictions and analytic technique. Instrumental rationality could adopt a form of pragmatism, and ignore the larger theoretical questions of epistemology. However, instrumental rationality is historically reliant on the older tradition of objectivism, at least in informing its basic confidence in its analytical abilities. I am not arguing a causal connection between the two, for instrumental reason developed largely through the technical requirements of the industrial revolution and growing bureaucracy. Causal connection or not, instrumental rationality would appear to accept the basic objectivist concepts of the stability of
knowledge and a value-free methodology. In this, it can be conceptualised as a methodology of objectivism, at least while it remains in the form I have explicated.

One final dominant assumption needs to be examined. It is really an outcome of the preceding assumptions and is sociological in nature. I refer to the institutionalization of technique and those who possess it, that is, technocracy.

1:1:3 Technocracy

Strictly speaking, technocracy is the governing of society by technical experts, a vision, incidentally, that enthralled Comte. However, this does not describe western liberal democracies, for the authority to govern is legally concentrated in the hands of elected representatives. More accurately, technocracy is the product of political and research institutions committed to a comprehensive and almost exclusive reliance on technique (defined below) to produce public policy. These analysts are highly specialised and form a professional class of expertise which exerts a significant influence over policy research and advice.

This technocratic orientation forms a type of culture within which policy analysis takes place. It is in no way an omnipotent culture, but it does characterise the analytical landscape of much public policy. There are two parts to this. The first is the nature of technique, while the second describes the way technique is institutionalised and reproduced. I will deal first with the nature of technique.

Ellul (1964) defines technique not as machines, technology, or various ways of achieving an end. Rather, "technique is the totality of methods rationally arrived at and

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13 A useful definition of methodology is "an attempt to reconstruct the working logic of the investigatory process" (Fischer, 1990:219). See section '3:2' for a more detailed elaboration.
having absolute efficiency (for a given stage of development) in every field of human activity” (pg. xxvi). This involves a number of characteristics, including rationality. In Ellul’s words:

(t)his rationality, best exemplified in systematization, division of labor, creation of standards, production of norms, and the like, involves two distinct phases: first, the use of “discourse” in every operation; this excludes spontaneity and personal creativity. Second, there is the reduction of method to its logical dimension alone. Every intervention of technique is, in effect, a reduction of facts, forces, phenomena, means, and instruments to the schema of logic (ibid, pg. 79).

In Ellul’s analysis, modern culture is fundamentally technologically based. Technique governs every aspect of human behaviour and therefore has come to underpin the norms and values of society. While this analysis may be too sweeping, and does not account for the growing resistance to technocracy of social movements such as environmentalism (Roger, 1985:213), it does indicate the instrumental orientation of much of modern culture. With reference to the administrative state, it reinforces the view that its epistemological orientation is instrumental and analytic (Dryzek, 1990b:99) and governed by impersonal technique. Efficiency becomes the ultimate criterion in evaluation. The outcome of this is a methodological ‘capture’ of policy analysis by technique and the elimination of other forms of knowledge gathering and analysis, forms that do not fit with the assumptions of technocracy. Once again, my argument is not that technique is unnecessary, but that it is only one component in the creation of effective public policy, particularly when dealing with ‘wicked problems’.

The second aspect of technocracy deals with the way technique is institutionalised and reproduced in society. It concerns the organization of knowledge
and makes some assumptions about power. But first, a necessary disclaimer. Much of the literature on technocracy leans towards the view that the 'expert classes' exert significant power (e.g., Giddens, 1980:Chapt 14). However, it is not yet clear how technocracy affects the relationship between knowledge and power in Western societies. Indeed:

we must be equally suspicious of the notion that ... power is becoming 'diffused downwards' among those with specialised technical expertise, as we must of the idea that the 'technocrats' (however this term is interpreted) constitute a newly emergent dominant class (ibid, pg. 263).

Giddens is not alone in his reservation. In Technocracy and the Politics of Expertise, a significant exploration of technocratic themes, Fischer states he is not offering a "rigorous theory of technocracy or technocratic power" (1990:14), for this needs more attention. Rather, he offers an illumination on some technocratic themes, especially concerning the ways technocracy sustains "increasingly undemocratic forms of decision making". The following discussion does not assume the ascension of a technical class poised to replace the political power elite. Decision making power may largely lie in the hands of politicians, although technocrats can facilitate or limit the 'competence' of policies (Giddens, 1980:263). The concern here is the nature of policy advice given to decision makers. Of course, it must be assumed that there is some real influence exercised by the ability of the technical experts to define a problem and propose policy advice; otherwise, there would not be much point in analyzing policy analysis. Arguing that technocracy stems from a particular epistemological focus

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14 The extent to which decision makers accept problems as defined, and solutions proposed by a technocracy, that is, the degree of influence exerted, is beyond the scope of this thesis.
constitutes a different task from specifying the degree of influence it can exert on decision makers. The first point is the purpose of this section.

Technocracy developed as the sheer volume of knowledge increased, particularly in this century. A corresponding intellectual division of labour also occurred, leading to the creation of 'expert cultures', groups of people who share a common expertise that sets them apart from the 'lay person'. These are knowledge based cultures, a fact that permeates the "very form and content of advanced industrial society itself" (Fischer, 1990:13). This permeation affects public policy which is itself "becoming increasingly subject to expert cultures" (Dryzek, 1990a:112). Specialization is a key attribute of these expert cultures, and this tends to produce an epistemological authority that is not easily challenged. In highly specialized and technical areas, the relevant knowledge may be held by only a small group of people. This can have the affect of the public, the non-expert community, deferring to the (perceived) greater knowledge of the experts. It can also result in an expectation by the experts that the public ought to defer to their greater knowledge (McMillin and Nielsen, 1991:553). This in itself is not wrong, nor could one argue that it is unique to twentieth century advanced industrial society. Priests and elders, kings and rulers have all had the role of defining what is true. However, the nature of specialized expert knowledge comes at the cost of integrated, comprehensive knowledge, for the nature of specialist knowledge leads to a focus on manageable data, comprehensible systems, but is not able to cope with the oftentimes profoundly complex systems that make up ecological and social life (Bobrow and Dryzek, 1987:146-147, Bartlett 1990, Bührs and Bartlett, 1993:10).

The professionalisation of expertise adds another dimension to technocracy. It can be argued that as policy experts carved out a niche for themselves in the intellectual labour market, they developed something in need of protection, namely
their status and livelihoods. Typical of professional groups in general, this led to the protection or enhancement of their share of the intellectual market through "the systemic enforcement of controlled 'closure' of occupational entry" (Giddens, 1980:186, see also Diesing, 1991:193). While policy analysts are not as professionalised as medicine or law by having strict entry criteria, professionalisation has been charged with serving its own interests (Fischer, 1990:357). This introduces incentives to protect one's 'market share' of intellectual property and to resist challenges to its devaluation. These motives function regardless of the empirical 'facts of the matter at hand' and show how the culture of expertise adds a sociological dimension to the production of knowledge. This is important for my argument because both the intellectual reliance upon technical approaches to problem solving and the sociological defence of those approaches (and their output) create technocracy.

What I described above is the institutionalization of technique through expertise and professionalism. Technique, along with its supporting assumptions of positivism and objectivism, and its enactment through instrumental rationalities, forms the dominant landscape of contemporary policy analysis. While much has been achieved through these approaches, their inadequacies in the face of the complexity of environmental, economic and social problems is of growing concern (Dryzek, 1990a:3; Durning 1993:297). Yet I have not offered any significant critique of these assumptions, and the question still begs as to what, exactly, is of concern about them. Surely technique, with its use of instrumental reason, has worked extremely well over the last 200 years, producing many benefits for humankind. Indeed, this is true. But as pointed out in the introduction, all is not well with the human community. Reliance on the achievements of the past, and their assumptions, will not resolve current problems. Therefore, I now turn to a detailed critique of these assumptions
in order to identify their weaknesses.
A central claim of this thesis is that policy making theory, and by implication practice, is flawed to the extent that it relies uncritically upon the assumptions of objectivism, positivism, instrumental rationality and supports technocracy. Critiques of these assumptions are numerous (e.g., Bernstein, 1983; Dryzek, 1990a; Ellul, 1964; Fischer, 1990; Feyerabend, 1987; Horkheimer and Adorno, 1972; Harding, 1991; McCarthy, 1978; Rule, 1978). Having established these assumptions and practices as intimately related to contemporary policy analysis, the immediate task is to provide a sustained critique of them. This exposes their incoherence and/or limitations, resulting in a more informed assessment of their role in policy analysis. This in turn provides space for alternative and more theoretically promising policy approaches.

I begin with a critique of objectivism, because this essentially forms an epistemological foundation for positivism and instrumental rationality, and is therefore primary. Following this, I offer a critique of positivism. Instrumental rationality is then criticised, although not discarded in entirety, and is rehabilitated. Finally, technocracy, in particular the role of the policy analyst, will be critically examined. This opens the way for a reconstruction of the policy process in Chapter Two.

1:2:1 Objectivism

This is the belief that "in the final analysis there is a realm of basic, uninterpreted, hard facts that serve as the foundation for all empirical knowledge" (Bernstein, 1976:111). This concept is derived from the idea that we live in an epistemically stable world. By this, I mean the world is inhabited by entities and objects that exist regardless of
the mind of the observer (Feyerabend, 1987:5). The existence of these entities and objects is not contingent upon the human observer, for they exist independently of any 'knower'. Further, the nature of these objects and entities is not determined by the 'knower' and also exist independently of the human observer. For example, the fact that human beings cannot live very long without water to drink is not simply a volitional decision, but a biological given. This knowledge is true irrespective of the beliefs of individual humans. Objectivism thus holds that knowledge (belief that is true) is by nature (human) value(s)-free and is gained only by impartiality and dispassionate rejection of human bias (Harding, 1991:138). This way, "one [can] separate justified belief from mere opinion, or real knowledge from mere claims to knowledge" (ibid). The conclusion is that objectivism provides the only valid route to truth.

There are serious problems with objectivism as I have formulated it here. The critical problem is its failure to take account of the social-situatedness of knowledge (Harding, 1991:118). This results in reducing the objectivity of knowledge, rather than achieving its explicit intention of increasing objectivity. While this may appear to be a bizarre claim, it is in fact a significant criticism of objectivism. However, a clear theoretical delineation between the notions of objectivism and objectivity is necessary in order to justify this criticism and its subsequent claim for objectivity. This will be done in three successive stages. First, I develop the notion of the social-situatedness of knowledge, then elaborate standpoint epistemology, and, finally, reconstitute the notion of objectivity (as opposed to objectivism). This provides both a criticism of, and an answer to, objectivism.

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16 See also section '2:1:2' where I develop the concept of communicative rationality. This concept further adds to the idea of objectivity, building on the ideas developed here.
Objectivism holds to a notion that knowledge is somehow embedded within the objects to be known and (simply) needs to be extracted (McCarthy, 1978:57; Pusey, 1987:25). Thus, the nature of the objects of knowledge shape knowledge. The scientist's task is to uncover the true nature of the objects of knowledge. This presupposes a dichotomous relationship between the object (or subject of investigation) and the observer. In its vulgar form, it assumes there is a one way flow of data in the formation of knowledge. Empirical data is experienced by the observer much as a blank slate receives the markings of a writer. The nature of the data is what constitutes knowledge. Objectivism, on this account, is fatally flawed; it fails to account for the presence of the knower and fails to take account of the social-situatedness of knowledge.

Objectivism assumes the observer comes to the entity without any preconceived notions or organizing categories. They view "the world of experience as possessing a coherent structure unimposed by the perceiver" (ShapirO, 1981:11). However, it is not possible to simply soak up sensory input and end up with knowledge. We must necessarily organise this input into some sense of order (Pusey, 1987:22). This is done through language and means we must learn how to organise the mass of data to which we are exposed into a coherent form. In order to make sense of what we encounter, we must rely upon interpretation based upon what we already know. This

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17 By knowledge I mean true and justified belief, i.e., for something to be classified as knowledge it must be true that \( p \), one must believe that \( p \), and one must be in a position to know that \( p \) (Speake, 1979:194). According to these conditions, it is unnecessary to say one has true knowledge because by definition knowledge is true. Also, one may have false belief, but one cannot have false knowledge.
is an important insight from the hermeneutic\textsuperscript{18} tradition; "No knowledge without foreknowledge. That is, we form an expectation about the unknown from what we "know"" (Diesing, 1991:108).\textsuperscript{19} Therefore, we come to a situation already predisposed to particular types of interpretation for "interpretation always mediates between scientists and the world" (Diesing, 1991:313). This undermines the objectivist idea that facts simply exist out there, and that the only valid form of knowledge consists in apprehending these facts. Rather, facts are a product of the interpretation of minds and of the arrangement of sensory input consistent with the person's language and culture.

Objectivism also presupposes it is possible to discard one's prejudices and values and come to a situation as an impartial observer. In order to be objective, personal feelings, values, and desires must be purposely set aside, so as to minimise their distorting effects. However, an objective person, in the sense used above, is a person without a context. They have, in the words of Young (1990), a "view from nowhere" (pg. 100). This elimination of personal bias and partiality can only take place "by abstracting from the particularities of situation, feeling, affiliation, and point of view" (Young, 1990:97). However, this is really only an illusion created by the idea of objectivism, and it cannot actually take place for all knowledge is socially situated (Harding, 1991:119).

The claim that knowledge is socially situated follows from the argument above. Not only are individuals unable to avoid epistemic reliance upon prior knowledge in their interpretation of data, the prior knowledge itself is socially constructed. Diesing (1991) provides an illuminating account of the construction of knowledge within the social sciences. His compelling argument is that knowledge produced by science is "a

\textsuperscript{18} Hermeneutics is a discipline concerned with interpretation. Originally developed as a means of determining the meaning of Christian Scripture, it has developed into a wider project concerned with understanding and interpretation. The intention is to recover the original intention of the writer or speaker (see Thompson, 1981).

\textsuperscript{19} Chapter Two explores this in greater depth.
manufactured commodity" (pg. 201) resulting from a complex mix of social, cognitive and political factors. Scientific practice is all of these 'simultaneously' (pg. 190). This argument highlights the narrow focus of objectivist theory, for it relies upon an abstracted reason, an approach which does not consider the actual practice of science. It is non-contextual in methodology, and therefore fails to see wider influences which affect the types of knowledge generated. For example, influences considered by Diesing (1991) include political factors, such as science politics, cognitive and personality factors and institutional structures. These produce a research environment riddled with fallibility and subjectivity and limited by its context. Diesing is not arguing that useful knowledge cannot be produced, but simply that serious account needs to be taken of all the factors that shape knowledge.

Perhaps ironically, Western science is thwarted by its own logic. In its attempt to use reason to generate knowledge which is free from the constraints of tradition, dogma and authority (partial or culturally bound beliefs), it sought to appeal to some universal or foundational principle. This principle is assumed to be free from impartiality and bias and enables rational criticism of social beliefs. Rational endeavour was to unearth partiality and replace it with objectivity. This very logic does indeed unearth partiality and bias, but in the very sanctuary of Western science itself! This partiality and bias (I confer no negative connotations here) is inescapable, for science always reflects its cultural context. Harding (1991) puts it this way:

*Western scientific thought, no less than the thought of other cultures, has distinctive cultural patterns. I always see through my community's eyes and begin thought with its assumptions. Or, in other words, my society can "observe" the world only through my eyes (and others'), and can begin to think only with my*
assumptions (and others'). In an important sense, my eyes are not my own .... (pg. 100).

For this reason, the claims of objectivism to an impartial knowledge are false, for the partiality of culture (one's viewpoint) is inescapable.20

Knowledge is also socially situated in other ways. Harding's (1991) account of feminist standpoint epistemology goes beyond the boundaries of the social science community which formed the focus for Diesing and produces a more radical account of knowledge production. She argues it is not only culture in a general sense, but social location which shapes one's assumptions. Gender, race, and class are three commonly mentioned social locations which confer different experiences and views of the world on their members. Drawing on the work of Marx, Engels and Lukács, she argues human activity not only shapes what we do (material life), but shapes what we know. Human material life "sets limits on human understanding" (1991:120). It follows that women's lives present them with a different experience from that of men. But it has been men's lives upon which the scientific project has been established. Therefore, to the extent that science ignores the experiences of women (and non-white, non-middle class persons), it functions as an epistemologically partial enterprise, culpable of the very biases it sought to eliminate. To make sense of this claim, we need to examine standpoint epistemology, for it clearly justifies this claim and furthers criticism of objectivism.

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20 I do not imply here that one is bounded by a fixed and unchangeable partiality, what Gadamer (1975) refers to as a closed horizon. Rather, reflexivity enables a shift in perspective, and indeed, the possibility for radical change in one's assumptions. But the point nevertheless remains that one can never avoid some assumptions, and therefore one remains partial, although perhaps self-consciously so.
Standpoint epistemology has developed from feminist and Marxist theory and precisely because of this heritage it offers a powerful critique of objectivism.  

Central to feminist critique of Western reason (including objectivism) is the claim that the dichotomous separation of reason from emotion produces an intrinsic partiality in the production of knowledge. Here, the influence of Cartesian dualism on Western concepts of knowledge is profound. This notion forces a dichotomy between reason and emotion, fact and value, objective and subjective. While the use of conceptual categories is necessary for understanding, they are artificial because they are impositions of mind on the world. These constructs, such as reason over emotion, are products of particular cultural conditions and have epistemological outcomes. In traditional epistemology, reason dominated emotion, and men’s knowledge (traditionally based on reason) marginalized women’s knowledge (deemed to be emotionally based). However, feminist standpoint epistemology argues that:

*knowledge creation incorporates the use of feeling and intuition - elements marginalized or invisibilized by the traditional Western epistemic construction. Thus, a separation between (reason and emotion) creates an artificial dichotomization of knowledge creation* 


This denial of emotion as an epistemic resource produces partiality in knowledge production. However, recognition of such partiality begs a further question; what

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21 My focus here is on feminist theory, and therefore I do not explore the Marxist roots of standpoint theory. There is no single agreed upon articulation of feminist standpoint epistemology (see Rixecker, 1994). However, Harding (1991) provides an “expanded conception of feminist standpoint epistemology” (Rixecker, 1994), and so I have chosen to use her version.

22 I refer here to objective in the same sense I use for objectivism; knowledge that is universal, and whose truth is the same for all rational individuals. Subjective is its polar opposite; knowledge that is merely local, private and, by extension, not applicable to public knowledge.
other potential areas of knowledge are being marginalized? These marginalized areas constitute potential epistemic resources. Harding (1991) develops this theme in her standpoint epistemology. Since knowledge is socially situated, knowledge production which systematically ignores some social locations while appropriating certain others is epistemically weak. But in what ways is this the case? The notion of standpoint provides an answer. A standpoint is not the same as a perspective (Harding, 1991:123). In Harding's example, a perspective relates to personal experiences of women. But women's experiences in themselves cannot be grounds for "knowledge claims about nature and social relations" (ibid), for experiences are socially constructed. Also, Harding points out that women (like men) can say all sorts of things that are 'scientifically inadequate'. So experience per se is not grounds for knowledge claims about such things as the nature of social relations. However, seeing women's lives as an objective location23 from which to begin research is the essence of a standpoint. Standpoint moves beyond individual experience and provides a location from which to generate theory. It is from the standpoint of women's lives that research can begin. Because women's lives have traditionally been devalued, they have been overlooked as a starting point for knowledge generation. When researchers reverse the dominant order of interpretation and treat women's lives as 'normal' and men's lives as 'other', whole new insights about social structure are potentially available.24 As Harding notes:

23 An objective location is a standpoint, a shared social position which is identifiable, although initially often only to those whom share this location. These locations are not fixed or final, but are contextually useful for developing knowledge. An objective location is not constituted by particular idiosyncratic experiences, but by commonalities in social location, and, more significantly, the theories which emerge from these locations.

24 It is not just 'social structure' where new insights can occur. For example, Ynestra King (1989) argues that ecology requires a feminist perspective. Without a thorough feminist analysis of social domination that reveals the interconnected roots of misogyny and hatred of nature, ecology remains an abstraction; it is incomplete" (pg. 24). A second example concerns evolutionary theories of early human adaptation. Morgan (1985) provides two competing sets of explanation, one from a standpoint of male research, and the other from a female standpoint. The results are illuminating as they are entertaining.
if we start from the “dailiness” (of) women’s lives, we will come to some understandings of both women’s and men’s lives very different from the accounts favoured in conventional social theory” (1991:129).

Standpoint epistemology is not limited to women’s lives, but any group that stands in a marginalized position within society. There are two results from all this. First, it opens up improved possibilities for the generation of adequate or more informed knowledge - what Harding calls a ‘culture’s best beliefs’. Second, it forms a powerful argument against an objectivism that holds impartiality as necessary for objective knowledge. As we have seen, not only is impartiality not possible, it actually produces less objective knowledge. However, if objectivism is untenable, how can I claim a more ‘objective’ knowledge? To answer this, I need to examine the notion of ‘strong objectivity’.

1:2:1:3 Strong Objectivity

If we reject objectivism, it may seem to follow that some form of relativism is the only alternative, for once we reject an indubitable foundation for knowledge, how do we adjudicate between competing truth claims? According to Bernstein (1983) relativism has:

no substantive overarching framework or single metalanguage by which we can rationally adjudicate or univocally evaluate competing claims of alternative paradigms (pg. 8).

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25 See Hollis and Lukes (1982) for extended discussion on various types of relativism. They identify five types: moral, conceptual, perceptual, relativism of truth and relativism of reason. I do not distinguish between these in this thesis.
But is this indeed the only possible conclusion? Standpoint epistemology claims it is not. Harding (1993) provides a useful approach by highlighting two problematic positions in conventional Western thinking. The first is 'transcendental or ahistorical foundationalism' (pg. 141) which rejects alternative views, thereby remaining (unconsciously) enmeshed in parochialism. By parochialism, I mean one's familiar and taken for granted context. The second is 'experiential foundationalism' (ibid) where the self becomes the sole criterion for legitimating knowledge. I will roughly construe these positions as objectivism and relativism respectively, at least for heuristic purposes. Harding then proposes the following moves. First:

*The challenge is to extract the illuminating kernel from its false and mystifying shell in each of these positions. On the one hand we should be able to decide the validity of a knowledge claim apart from who speaks it; this is the desirable legacy from the conventional view* (1993:141).

If truth claims are decided merely by who makes them, power becomes the deciding criterion. This is hardly sufficient basis for an epistemology. For one thing, we live in a world with real biological and physical limits, and are not free to construe the world simply as we would like (e.g., Caldwell, 1990:127-150). On the other hand, Harding argues that it *does* matter who says what. For example:

*when people speak from the opposite sides of power relations, the perspective from the lives of the less powerful can provide a more objective view than the perspective from the lives of the more powerful* (Harding 1993:141).

She argues it is absurd to suggest that the views of African American slaves about slavery were more partial and disinterested than their white owners. Indeed, the view from the lives (standpoint) of slaves provides a uniquely objective insight into slavery, an objectivity not available to slave owners.
This reconstruction of the problem enables us to see the truth buried in the traditional epistemic construction, as well as the insight of relativism that context matters. The tension this produces emerges from the either/or construction of the 'problem'. But the choice need not be between objectivity or relativism, for this dialectic forces us back into traditional Cartesian assumptions of dichotomy between reason and emotion, men and women, fact and value. As argued above, these forms of dichotomy are the source of the current epistemological inadequacy I criticise. Further, knowledge is never static, fixed or unchanging, as I argue at length in Chapter Two. This reduces the (epistemological) need to conceptualise knowledge as the product of impartial or supra-contextual principles or methodologies. Once we allow for a more reflexive epistemology, we will not be so concerned about universalising knowledge. As Diesing (1991) insightfully notes:

The truth that we produce is a temporary, changing truth for our time, not an absolute truth .... There is no instant truth or falsity. Instead, knowledge is produced by a community or tradition ... (pg. 325).

Knowledge as the product of community or tradition enables the production of more empirically accurate and truthful knowledge, provided there is no systematic exclusion of non-dominant groups nor devaluation of their knowledge. The standpoint of minority groups provides a huge epistemic resource which has, to this point, been largely ignored. This is not to say every alternative standpoint will always produce significant advancements of knowledge. But they do provide a significantly increased possibility for improved objectivity, for they expand the epistemic base from

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It may not deal so easily with the psychological need (or habit) for the idea that 'our truth' is the only legitimate way to produce scientific knowledge.
which research is carried out. Thus, feminist standpoint epistemology actually radicalizes the Enlightenment project by producing an objectivity greater than the androcentric Enlightenment was able to produce. Objectivism, then, provides an inadequate foundation for policy analysis, and is rejected as a theoretical framework. I now turn to a critique of positivism.

1:2:2 Positivism

Recalling the discussion of positivism in section 1:1:2:1, the term is used as a general legacy rather than specific sense. It refers to a refusal to treat as knowledge anything that cannot be empirically demonstrated. This empirical orientation is manifest in a need to reduce data to quantifiable terms. It follows from this that a positivist methodology is the only way to produce ‘real’ knowledge.

The preceding critique of objectivism ought to be sufficient to destabilise any notion of knowledge being simply accessible to the ‘correct’ methodologies. There is no such thing as a pre-conceptual ‘fact’; all facts are socially situated. Even simple data that are easily quantifiable assume a social location and are built on particular assumptions. Deciding what, exactly, will count as appropriate data, is an act of pre-judgment where exclusionary and inclusionary decisions are made. Positivism is

27 DeWalt (1994) provides some interesting examples of combining indigenous knowledge systems with scientific knowledge systems. DeWalt argues combining knowledge systems does no automatically guarantee improved or more useful knowledge, but he calls for more effective and creative interactions between these systems so as to enhance this possibility.

28 I do not infer that feminism shares all the goals of the Enlightenment, but simply that, in this respect, standpoint epistemology goes further, and thus continues, the Enlightenment search for objective knowledge.

29 There are two points here. First, the fact that human beings, for example, need air to breathe cannot rationally be denied. What potentially could be denied is the theory which explains why we need air. Perhaps a better explanation could be generated by approaching the question from a different angle. Therefore, what I deny is the idea that humans can have access to unmediated reality – the world as it ‘really is’. This is fiction, not because there is no ‘real world’ out there, but because it is always mediated through particular social locations. For this reason, reflexivity is essential in all epistemological endeavours for it will help produce ‘better’ knowledge,
flawed because it nurtures a dogmatic quality which resists any knowledge claim not empirically grounded. The critical point here is not that data quantification cannot be useful in scientific endeavour. Rather, the unwarranted exclusion of other forms and methodologies of knowledge production results in serious limitations (such as reduced objectivity) of positivist methods. For this reason, positivism, but not empirical quantification per se, is rejected as a valid process of knowledge generation. The positivism I reject is exclusionary in its basic assumption that knowledge equals positive empirical data. It is the general legacy and orientation I reject, but this ought not be construed as a rejection of empirical methodologies in general. Nevertheless, some further comments are necessary to understand the relation of empirical research to a discursive epistemology.

Empirical knowledge is confronted with an unresolved question of logic. Such knowledge is supposedly derived from one’s personal experience of an object. The problem is that although we may be certain about our experience, we cannot be certain about what another person experiences, for those experiences are fundamentally private. Diesing (1991) poses this problem by assuming we see a black crow in front of us (pgs. 11-12). But how, he asks, are we to be sure our friend sees the same thing, or that she is telling the truth? We cannot ‘test’ her sense experience for it is inaccessible to us. We are left relying on some form of intermediary, namely communication. There is no way logic can resolve this problem, so Diesing concludes “Science is founded on nearly meaningless statements” (1991:12).

That is, knowledge which assists human wellbeing. On this notion of assistance to human wellbeing, see Rorty(1982)

30 I do not address the various theories of scientific knowledge production in this thesis, for it lies somewhat tangential to my primary purpose of articulating communicative rationality. Diesing (1982; 1991) provides interesting accounts of these theories in relation to policy science and social science respectively.
This problem of logic can be by-passed pragmatically through the use of discourse, even if one has to resort to rhetoric; "Stupid! That's a crow!" (ibid). What we share is language, not sense data. Empirical statements are based in shared language, and disputes over interpretations of data are also rooted in language. This does not mean we cannot appeal to our sense experiences in a disagreement, but any resolution will come through the mediation of language. Moreover, it is primarily shared language which produces theory, not shared sense experience or observation. Diesing (1991), in reference to physicists, puts it well:

\(\text{(P)hysicists do not have a tree of definitions in which every theoretical term eventually is defined in terms of elementary observables. Instead, they have a network of concepts connected at a few points to observation}}\) (pg. 13).

While the interrelation between language and observation is more complex than presented here, it ought to be clear that a naive reliance on empirical observation does not in itself improve the prospects for knowledge. What is clearer is the importance of discourse in the formation of empirical knowledge.

Dryzek (1990a) takes this theme even further with his examination of the opinion survey in social research. Ostensibly, opinion surveys are quintessentially 'scientific' for they provide empirical and quantifiable knowledge of social processes. But in the survey's attempt to quantify opinions, Dryzek claims they "produce only a fundamentally flawed account of politically relevant human dispositions" as well as "reinforc(ing) a prevailing political order of instrumental domination and control ..." (pg. 153). Thus, he argues opinion surveys 'mismeasure' human life.

Part of the difficulty in understanding this criticism is the 'invisibility' of the roots of the problem. All interpretations draw on prior concepts and understandings, that is, theory. This applies no less to the reading of a scientific instrument than to
literary interpretation, and suggests what Kuhn (1970) has well noted: science is culturally conditioned. Scientific instruments are cultural artifacts and therefore are properly the products of discourse. The particular discourse is usually hidden from view simply because scientists, through common usage of their instruments, take for granted the discourse that supports these instruments. Thus, what appears to be as value-free an activity as one could imagine, e.g., the reading of a scientific instrument, is in fact constituted by values. It is a subtle value orientation of the opinion survey which leads Dryzek to conclude it "contributes to the dominant political order" (1990a:172), thereby resisting alternative and potentially epistemically relevant discourse.

In conclusion, positivist reduction of knowledge to quantifiable empirical data is rejected on epistemological grounds for being too narrow and dogmatic (unreflexive). Empirical research itself is not rejected, but needs reflexive examination to identify hidden values and assumptions, thereby making discursive space for alternative and previously obscured or repressed knowledge.31

1:2:3 Instrumental Rationality

Instrumental rationality is a branch of human reason concerned with finding the most efficient means to reach predetermined goals (Eckersley, 1992:98; Dryzek, 1990a:4). Its strength lies in its technical concern to reach or achieve a particular end (it doesn't really matter what the end is) with the least possible expenditure of resources. This technical interest addresses what Habermas (1971a) sees as one of

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Morrison (1995) also argues empirical quantification or technical discourse is hindered by the difficulty in accounting for the uncertainty which is part of all complex technical processes. He uses fuzzy logic to demonstrate how uncertainty, as well as non-technical discourse can be incorporated into the empirical analysis, thus producing rigorous and reflexive science.
three cognitive interests central in our epistemological relation to the world (Bernstein, 1976:191-200; McCarthy, 1978:55; Pusey, 1987:24). Human beings understand reality through "general cognitive strategies" (McCarthy, 1978:55) that direct inquiry. These strategies are rooted in socio-cultural forms of life. The technical interest is fundamental, for it links humans to the material basis of life, the need to understand nature in order to wrest a living from it. As McCarthy explains:

The history of this confrontation with nature has, from an epistemological point of view, the form of a "learning process". Habermas's thesis is that the "general orientation" guiding the sciences of nature is rooted in an "anthropologically deep-seated interest" in predicting and controlling events in the natural environment, which he calls the technical interest (1978:55, emphasis in original).

Instrumental rationality, as the embodiment of this technical interest, is therefore a necessary component of human survival, for without it we would be unable to achieve the goal of material survival, except perhaps by pure chance. The critique of instrumental rationality lies not in its technical function per se, but with its 'universalization' (McCarthy, 1978:22). Its materially necessary function has been transferred to other realms of decision making so that it has become the primary decision rationality (Fischer, 1990:217). I identify three criticisms of this extension of instrumental rationality. First, an insensitivity towards ends; second, an inadequate analytic methodology; and finally, its imposition into the 'life-world'.

32 Michael Pusey (1987) provides an accessible account of Habermas suited for those without the theoretical background to enable them to wade through McCarthy (1978). The three cognitive interests are: (1) technical control, (2) practical interest, which seeks understanding of language and communication and enables us to cope with everyday life, and (3) emancipatory interest, a critical concern to understand and reveal power masquerading as truth (Pusey, 1987:24-26).
Instrumental rationality is governed by technical rules and decision procedures (McCarthy, 1978:23). Its technical motive is fundamentally impersonal, requiring rigorous application to procedure. In this sense, the technician is removed from the process except as processor. But a rational process needs a telos, an end by which to measure the success of the process. Technical rules and decision procedures relate to ends in two, seemingly contradictory, ways.

First, the relation of procedures and rules to ends consists of an objective construction of ends themselves. In this sense, rules and procedures act in similar fashion to pre-judgements in human understanding; they partially constitute the production of knowledge. Instrumental rationality assumes particular value judgments in its methods. It structures the world in various ways, and through these concepts, instrumental rationality interprets ends in particular and parochial ways producing situated outcomes. As such, instrumental rationality conceals an impulse to reconstruct ends by not acknowledging its social location. There is no rational reason why this acknowledgment could not take place, and it would allow for a discursive evaluation of any reconstructive bias. Without such evaluation, instrumental rationality remains epistemically flawed.

The second point is that rules and procedures, while reconstructive of ends, are simultaneously indifferent to the nature of the ends. Instrumental rationality will search out the most technically efficient (for that is deemed the most rational) means to achieve any given ends. To the extent that its rules and procedures are empirically accurate and correctly applied, it will produce some result, either an achievement of

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33 I deal with the concept of discursive evaluation in section '2:1:2'.
ends or an assessment that they are not technically achievable (at least without further modification to either ends or procedures). For instrumental rationality, the ethical status or value of ends lies outside its analytic scope (Shapiro, 1981:7). But ends are essentially value statements, preferred courses of action and outcomes. Often, these end values lie obscured beneath a wealth of technical data and expert opinion, remaining effectively removed from critical public debate. More importantly is the fact that values which make up chosen ends represent particular values. Almost inevitably, they are the values of the powerful and elite. The problem is not that certain values as opposed to others are being served, but that the discourse of scientific impartiality serves to mask this fact (Rule, 1978:18). Given that instrumental rationality is indifferent to ends, it needs to be subordinate to an ethic which can determine the social desirability of the particular goals.34

1:2:3:2 Inadequate Analytic Methodology

Central to instrumental rationality's usefulness is its strategy of 'decomposing' problems into their fundamental components (Dunn, 1981:21). This is part of the 'analycentric' perspective predominant in policy analysis (Bührs and Bartlett, 1993:16; Dryzek, 1990a:61). Dryzek (1990a) puts it this way:

*Instrumental rationality goes hand in hand with an analytic sensibility, the idea that complex phenomena are best understood through intelligent disaggregation into their component parts*(pg. 6, emphasis in original).

By breaking down the problem or situation under analysis into more basic units, the analyst is able to locate opportunities for solution building. Many problems appear

34 This point is elaborated more fully in section ‘2:1:2’.
to be so full of complexity that it is not cognitively possible to apprehend the particular locations of system failure without this disaggregation. And as Dryzek notes, this solution can work relatively well for moderately complex problems (ibid, pg. 62).

Instrumental rationality's analytic disaggregation method is necessary for coherent understanding, but is potentially limited by the assumptions it employs. Instrumental rationality focuses on a limited range of phenomena (de Haven-Smith, 1988:121), and only those that can be objectively apprehended, measured and observed. Again, one significant flaw is that there are things which the approach does not apprehend, and which are therefore dismissed as irrelevant. It therefore acts as a definer of reality by focusing upon an albeit useful but limited range of concepts such as cost-benefit analysis (CBA). For example, Fischer (1987:116) notes that CBA has often been helpful in technical decision making, such as military procurements, but has proved highly problematic in the social and political realm. Bryne (1987) also argues persuasively that although the state desires a technocratic system of governance, and, views CBA as desirable to this end, CBA is nevertheless normatively based (see also Bobrow and Dryzek, 1987). To the extent which this is unacknowledged, it is subject to the same criticisms as objectivism and positivism and does not require further elaboration.

1:2:3:3 Imposition into the Life-World

The life-world is essentially the symbolic world of culture and social interaction (Dryzek, 1990a:5) "where culture, social relations and individual personalities are maintained and constructed" (ibid, pg. 12). This life-world, a Habermasian term, can function with
alternative rationalities, but instrumental reason tends to dominate these other spheres of life (McCarthy, 1978:22). These other spheres (the life-world) are related to two of the cognitive interests identified by Habermas. They are practical interests, which seeks understanding of language and communication enabling us to cope with everyday life, and the emancipatory interest, a critical concern to understand and reveal power masquerading as truth (ibid, pgs. 55-56). The imposition of instrumental reason into The life-world is of critical concern here. But, what is the problem with this?

Horkheimer and Adorno provide a critical perspective with their Dialectic of Enlightenment (1972), arguing the Enlightenment contained two opposite and contradictory impulses. The first and most obvious is the provision of an enormous amount of control over the natural and social world through the use of technology and science. However, there is another side. The same power of bureaucratic rationality and technical control that enables such emancipation from physical wants and needs also leads, ironically, to control over those very same people. "Men (and woman) pay for the increase in their power with alienation from that over which they exercise their power" (ibid, pg. 9 ). In the spirit of Weber's 'iron cage', technology, propelled by instrumental rationality, exerts a powerful rationalization over modern life. Science is both authoritative about the way things' really are', and controlling in that people became subject to its laws and techniques. Thus, there exists a tendency for people to become dominated by technical reason after they had ostensibly been emancipated by technical reason. This domination takes the form of technical control. Virtually every area of human life is subject to some form of instrumentality (McCarthy, 1978:21), resulting in a subjugation of the intuitive, sensual and spontaneous. For example Berman
(1990) presents some expressions of this found in abstract philosophy, professional disciplines and ordinary citizen's daily life. In discussing them, he argues they share a common theme, that of the domination of all aspects of life by some form of technique. They, in fact, "project a Lebenswelt, a total vision of reality that circumscribes an entire world" (ibid, pg. 17). Because of the epistemic partiality inherent in instrumental rationality, the world view it produces is necessarily partial, and therefore is unable to adequately encompass the many and varied dimensions of human experience. Enlightened thought and instrumental action are necessary for social freedom, but they contain the seeds of a totalising domination of the life-world. Therefore, "If enlightenment does not accommodate reflection on this recidivist element, then it seals its own fate" (Horkheimer and Adorno, 1972:xiii). Instrumental rationality will tend to exclude other discourses unless its methodological limitations are clearly recognised and it is subordinated to communicative rationality. One area where instrumental rationality is epistemologically dominant is in public policy. This can best be examined through the concept of technocracy.

1:2:4 Technocracy

The impact of instrumental rationality is highly visible in policy making. It produces what is described as a 'Culture of Technical Control' (Yankelovich, 1991:7). This involves, among other things, the assumption that "policy decisions depend essentially on a high degree of specialized knowledge and skills, ... (and) that only experts possess this knowledge" (ibid, pg. 9). Likewise, Dryzek poses the question of 'a policy science of tyranny?' (1990a:114; also see Durning, 1993). By tyranny, he refers to "any elite-controlled policy process that overrules or shapes the desires and aspirations of ordinary
people" (ibid). Policy based upon instrumental rational techniques is open to the charge of being antidemocratic (ibid, pg. 115) for it considers irrelevant the views and wishes of the non-expert population. For instance, microeconomics, upon which a significant amount of policy analysis is done, operates with a model of society in which policy can be developed without ever having to seriously communicate with the non-expert population. An abstract system for deducing the maximum net social benefit need not ever refer to real people. Thus, the policy analyst may never meet or experience the people who are directly affected by his or her policy advice.35 If those most directly affected are unable to have any significant access to the decision process, then the question must be raised about the level of domination by technocracy. The concern here is any form of territorial isolation in which decision techniques or disciplinary knowledge dominate a public decision process to the exclusion of other forms of analysis, alternative views and opposing public values.

Technocracy seeks technical solutions for what are often fundamentally social problems. Fischer provides an example with the Reagan Administration’s ambitions for ‘Star Wars’, a technical response to what is essentially an inability for the US and the former Soviet Union to communicate on a sufficiently human level in order to negotiate a mutual security pact (1990:23). This may have been as difficult a task as building a ‘Star Wars’ defence system, given the years of misunderstanding and mistrust, but it illustrates the institutional reliance upon technical systems of control that appear incapable of seriously considering alternative visions or possibilities.

Technical solutions, while appropriate for a range of policy concerns, are inadequate when dealing with many social and environmental issues. The culture of

35 This is also the case in reference to children who cannot yet represent their own interests, future generations, as well as the earth itself. They are all affected by policy decisions, yet have no means of being heard unless their interests are raised.
technocracy furthers this inadequacy by generating an unwarranted expectation of what technical and scientific processes can achieve. This expectation is reinforced by the high profile afforded technical experts in Western culture, resulting in the marginalization of other, potentially advantageous, knowledge resources.

This chapter examined some of the critical assumptions of contemporary policy analysis. Recurring themes, such as commitment to a particularly narrow concept of knowledge, and a tendency to exclude or reject other candidates of knowledge production, were highlighted. These assumptions were subjected to an extended critique which demonstrated they mistakenly conceptualise the process of knowledge production, and therefore generate epistemically inadequate methodologies for policy analysis. Standpoint epistemology was also discussed, partly as a critique of these assumptions, and partly to indicate an appropriate direction for a reconstruction of the policy process. I now turn to this reconstruction.
CHAPTER TWO

A Reconstruction of the Policy Process

Chapter One presented a discussion and critique of some critical assumptions of contemporary public policy analysis. These assumptions, for the most part, are inadequate, not only epistemologically, but also practically. The concept of knowledge central to these assumptions is fundamentally limited and therefore they are not able to provide sufficient analytical rigor with which to adequately deal with some of the serious social and environmental problems facing the world. I proposed feminist standpoint epistemology as a powerful addition to knowledge generation theory. Standpoint theory enables the generation of more objective knowledge, thus increasing the prospects for sustainable solutions and responses to public issues.¹

In this chapter I more fully explore the philosophical (as opposed to the sociological) nature of knowledge production and apply this knowledge to public policy processes. I offer a reconstruction of policy process, grounded in epistemology, and therefore begin with the philosophical hermeneutics of Hans Georg Gadamer (1975). This provides a foundation for conceptualising knowledge as situated within a process of understanding, a process which is thoroughly interactive and dynamic. This in itself challenges the objectivist assumptions discussed in Chapter One. Through its emphasis on discourse, the communicative rationality theory of Habermas (McCarthy, 1978) provides a theoretical and practical link between Gadamer’s

¹ I am not arguing here that better analytical knowledge is a sufficient cause for better policy, for analytical knowledge is only one aspect of the policy process. Rather, my point is simply better knowledge, i.e. knowledge generated from critical perspectives, actively engaging alternate standpoints, is necessary in the policy process if successful outcomes are to be anything more than good luck.
hermeneutics and public policy process. These ideas are then examined through the
concept of the 'ideal speech situation', and practical criteria for assessing the extent
of communicative rationality in policy processes are developed. Finally, the idea of
discursive design is discussed. This chapter, then, provides a theoretical and practical
response to the limitations of policy analysis discussed in the previous chapter, an
approach which is applied to a case study in Chapters Three and Four. All of these
developments emerge out of a particular epistemological theme. It is to this theme I
now turn.
2:1 EPISTEMOLOGY

Epistemology is the study of the nature of knowledge and of how we come to understanding. Much of traditional Enlightenment epistemology is concerned with the search for Truth, that is, knowledge which is indubitable (Harvey, 1989:27; Solomon, 1988; Weinsheimer, 1985:4). However, with the development of the sociology of knowledge, among other influences, this search for a singular universal truth has come under severe criticism. The sociology of knowledge views knowledge as a product of language and, therefore, as a social construction (Berger and Ludemann, 1967).

Sociologists, such as Bauman (1990) and Smart (1990), support this theme by arguing a profound shift is taking place in epistemological orientation. These:

Epistemological developments do not merely represent a temporary interruption of longer term developmental patterns but indicate the emergence of distinctly different forms (Smart, 1990:411).

Understanding these 'distinctly different forms' of epistemological orientation is therefore essential in this reconstruction of the policy process. Philosophical and sociological discourses have traditionally been sustained by what Bauman calls 'legislative reason', where truth is a product of legislative acts of philosophy (1990:413). The challenge to this 'legislative' approach is an 'interpretative reason'. This interpretive reason shifts the focus of epistemology. As Bauman puts it:

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2 Bauman suggests the terms 'legislative' and 'interpretive' are 'better descriptions of "two distinct and alternative modes of philosophical and sociological practice recently classified as "modern" and "post-modern""' (Bauman, 1990:413)
From the search for the foundations of cognitive certainty, the outspoken domain of philosophy grounded by legislative reason, epistemological concerns move to the communicative problems of communally founded cognitive systems ... (1990:411).

Problems of communication now become a critical focus in seeking knowledge. The search for the immutable is recognised as a quixotic task, so attention is diverted to more practical endeavours. Bauman puts it this way: "the search for foundations is redirected from transcendental subjectivity to the immanent, this-worldly context of daily life practice" (1990:228). Truth, then, is not simply just out there to be discovered, but is intimately connected with human values. And if knowledge is, in part, constituted by human values, genuine understanding can only occur through the medium of communication. This is because values lie outside the scope of empirical observation and can only be revealed in communicative acts. However, these communicative acts ought not to be conceived as only explicit and intersubjective, ostensibly liberating 'scientific' knowledge from social constraints. Rather, all knowledge is the product of the process of understanding. This is implicit in the writings of Gadamer (1975) who argued that genuine understanding can only take place through communication. Thus, our task is to adequately conceptualise the process of understanding. For this, I will outline Gadamer's theory of understanding.

2:1:1 Gadamerian Epistemology

One of the perennial problems that has occupied Western philosophy is the Cartesian notion of the object / subject distinction. The subject is discrete and bounded, ontologically separate from the object which is also discrete and bounded. This separation is not just linguistic but ontological, rooted in the very being of the
subject and object. As was noted in Chapter One, holding to this dualistic model leads to a way of seeing answers to certain questions in an either/or mode. In relation to knowledge, either there is a firm and secure basis for it, or we are left drifting upon the seas of relativism. I have already rejected this as an unnecessarily rigid dichotomy, but a deeper understanding of this problem is essential to justify more fully a discursive turn in policy analysis.

Gadamer rejects this dichotomous conceptualization of subject and object, for it assumes an ontological stability which does not exist. In order to justify this claim, Gadamer returns to the Enlightenment to begin his reconstruction of understanding. For Enlightenment thinkers, acting in a context of a culture steeped in prejudice, tradition and authority, human freedom could be produced only through rigorous application of reason, in order to eliminate every belief that could not be rationally justified. However, Gadamer believes the Enlightenment overplayed its hand in its rejection of prejudice, tradition and authority.

To Gadamer a prejudice is "a judgement that is given before all the elements that determine a situation have been finally examined" (Gadamer, 1975:240). It is a provisional judgement. It follows from this that a certain prejudice may not in fact be in error or be untrue. Gadamer therefore poses a critical question. "Where is the ground of the legitimacy of prejudices?" (1985:26). In other words, what ought count as knowledge? He asks this because he recognises we are inescapably historical beings. We can never rid ourselves of a context, a set of understandings or pre-j judgements. This does not mean we cannot modify or relinquish certain beliefs given sufficient reason to do so, but it does mean we can never come to an interpretive situation neutrally, a point made earlier, but no less true for its retelling.
How then can understanding of anything outside the framework of our inherited prejudices and traditions take place? The first part of Gadamer's answer introduces the very important notion of 'play'. This is a vital concept, for it is the means by which he seeks to blur the distinction between the subject and object. Play is introduced because he seeks an alternative to the Cartesian model. In play, the players enter a particular structure, the rules of a game. The game does not exist without the players, but neither do the players themselves constitute the game. The game only 'happens' when the players enter into the structure or form of the game. This playing of the game is not dependent upon the psychological states of the player's minds. In a sense, they 'give up' or 'suspend' their subjectivity in order to enter the game. This does not mean, and neither does Gadamer seek to imply, that they become non-subjects, but rather that their subjectivity does not determine in an all powerful sense the ontology of the game. Rather, their entering into the game allows the game to absorb them as subjects (Warnke, 1987:30). As Gadamer puts it, "The attraction of a game, the fascination it exerts, consists precisely in the fact that the game tends to master the players" (1975:95). In a similar manner, the structure of the game, itself apparently objective, is only brought to completion through the participation of the players. This occurs in a to-and-fro movement between the players and the structure of the game. The game cannot exist outside of this reflexive interaction of the various aspects of play and suggests that neither the subject or object ought to be seen as static. Through the talk of play, Gadamer causes a blurring of what was previously considered the discrete boundaries of the subject and the object. The subject and object no longer exist in some determinate fixed sense, but are open to shaping and reshaping through the to-and-fro movement of play.
Gadamer's primary focus of the nature of play revolves around the interpretation of works of art. While art is not the focus of this thesis, it is necessary to pursue Gadamer's ideas so as to most fully justify the reconstructive approach to policy for which I argue. It is in discussion of art that Gadamer's hermeneutic comes most clearly into focus. "The work of art is not an object that stands over against the subject for itself" (Gadamer, 1975:92). In saying, this he seeks to argue that the meaning of a work of art does not lie in some objective sense within the art or object itself, a meaning which the subject simply receives or is able to access through the correct method. Nor does he argue that the truth of a work of art is the prerogative of the subject. In this sense he argues against both an objectivism and a subjective relativism. Rather, the subject engages with the work of art in a similar fashion that the player engages in a game. As the game comes into being only through the to-and-fro movement between the subject and the structure of the game, so does the meaning of a work of art emerge through the encounter of the viewer and the work itself. Its meaning (or truth) only becomes evident as a result of this encounter.

In understanding, the (inter)play which occurs between the object and the subject is crucial. The subject (policy analyst) comes to a situation where understanding is needed (policy problem) and enters into dialectical play between the situation and themselves. The situation can only be understood from within the subject's framework of prejudice, but the subject is also constrained by the structure of the situation. Thus this to-and-fro movement occurs between the situation and the subject in which understanding comes into being. The critical point is this: complete understanding cannot exist within the situation itself as it can only be known within

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3 Subjective relativism holds that the truth of a knowledge claim is simply the prerogative of the subject. Its relativism is based in the subjective decision or desire of the individual, unlike cultural relativism, where shared values determine what is true.
this dialectical process. This is the hermeneutic process of understanding, the hermeneutic circle. The hermeneutic circle, then, makes explicit that which is generally invisible in the daily practice of policy analysis, the structuring of knowledge through discourse. It is discourse which creates and sustains particular interpretations of the ‘problem situation’.

The place of discourse is seen in Gadamer’s restoration of the concept of prejudice. As Bernstein notes, all knowing involves some prejudices (1983:128). It is the explicit recognition of these prejudices that enables us to test them to see whether they are ‘blind’ or ‘enabling’ (ibid). In understanding a situation, our picture of the whole helps us to make sense of a part, and then that part grants us some more insight into the whole. In other words, beginning with some prejudices, we test them against the whole, moving backward and forward dialectically until a more accurate understanding emerges. For example, in assessing an environmental concern (problem), the hermeneutic circle insists we temporarily suspend some of our prejudices (pre-judgements), thereby opening up greater potential to see and understand from a different standpoint. It is only through the interplay between our pre-judgments (what Gadamer calls fore-conceptions) and the ‘things themselves’ (text, discourse, material objects) that the possibility for true understanding emerges. In order to ensure this occurs “all correct interpretations must be on guard against arbitrary fancies and the limitations imposed by imperceptible habits of thought” (Gadamer, 1975:236). True understanding occurs as initial “fore-conceptions ... are replaced by more suitable ones” (Ibid). Gadamer thus describes not only the nature of understanding through the play between the subject and object, but even more importantly, he blurs

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4 Gadamer uses the concept of prejudice in a similar way to Harding’s notion of standpoint. Although I develop standpoint epistemology and Gadamerian hermeneutics in different places, they are interwoven into the overall theory of this thesis. I make this point in recognition of Harding’s contribution to this theory.
the very boundaries between the two, for understanding only emerges as the subject
gives up something of its own being (its blind prejudices), and the truth of an object
is only realised in this interactive process. In other words, the object's meaning is not
a fixed essence pre-existing within itself, only needing to be discovered, but rather it
exists (or is completed) only within this fluid to-and-fro movement.

The epistemology elaborated by Gadamer has a number of implications for
policy making. Firstly, it reinforces the criticisms made regarding the limitations of
objectivism, positivism and instrumental rationality. Truth is not the product of
technique but of interaction, and it necessarily comprises a significant human element
(prejudices). This undermines confidence in the knowledge output of much traditional
policy making methods. Secondly, truth is never complete, but dynamic. Because
closure on an issue is never fully possible, practical necessity notwithstanding,
reflexivity needs to become an integrated part of policy institutions and policy
systems. Built-in feedback loops are essential in any policy environment. A third
implication is perhaps the most telling. If we think we have apprehended the 'truth'
of a situation without being aware of (a) our prejudices and (b) without consciously
seeking the dynamic interaction which tests the suitability of those same prejudices,
then we have an understanding that is simply the product of tradition and prejudice,
even if that tradition is a 'scientific' one. 5

What is needed, then, is a way of making policy which embraces the critical
sense of Gadamer's theory. We need to form policy making processes around the
interactive 'play' which leads to a greater emergence of the truth. For this, I will turn

5 The fact that any 'truth' is a product of our traditions and prejudices is not in itself a problem, for we can
never have a 'view from no-where', as Young has put it. And as Bernstein says, "There is something right about
understanding the importance of the mathematization of the physical world, the search for invariant laws, the centrality of
the hypothetical-deductive form of explanation in the sciences ... But as we have seen, all this needs to be qualified by the
hermeneutical dimension of the sciences" (1983:168).
to another contemporary German scholar, Jürgen Habermas, and his theory of communicative rationality.

2:1:2 Habermas and Communicative Rationality

According to Habermas, two forms of human activity organize social institutions (McCarthy, 1978:22). In Chapter One, I discussed one form of this activity, purposive rational action. The other is communicative action, described as social action orientated towards reaching intersubjective understanding, which uses discussion to coordinate action, and is an instrument of community socialization (Dryzek, 1990a:14). Bernstein (1983) argues communicative action results in a "mutuality of reciprocal understanding, shared knowledge, mutual trust, and accord with one another" (pg. 186). Communicative rationality emerges from communicative action with the implicit goal of intersubjective understanding rather than action. 6 Communicative action, therefore, is rational to the extent which it produces intersubjective understanding.

Here is encountered a very social process where the quality of interaction determines the quality of the outcome. This process of understanding cannot be reduced to simply an outcome of the individual mind, to the logical cognitive processing central to instrumental rationality. Rather, it belongs to a community of interacting subjects. 7 This brings us again to a central theme of this thesis: that only through intersubjective understanding, through communal communication processes,

6 Action orientated towards achievement of stated goals (success) characterises instrumental action and strategic action, the two other forms of rationality delineated by Habermas (Bernstein, 1983:185). Habermas describes instrumental action as 'non-social', and strategic action as 'social'. According to Bernstein, Habermas has not been very clear about the differences between these two rationalities (ibid, pg. 254). However, what is of most import here is the explicit distinction between 'communicative' and 'instrumental/strategic' action.

7 I use the term community in this context as synonymous with stakeholders, that is, those who can claim to have an 'interest' in the relevant issue. I make no attempt to define or delimit 'interest', for that is a thesis in itself. See Mulgan (1984) for a useful discussion of interest and democratic eligibility.
will policy makers gain access to knowledge beyond the scope of instrumental methodologies.

Communicative rationality offers possibilities for public policy beyond just a provision of broader knowledge. This occurs at the level of discourse, understood by Habermas as only that communication in which the force of the better argument is the only motive exercised (Habermas 1976:108), as opposed to, say, the motive to conceal truth or to exercise power not available to others (see below for discussion of Habermas’s validity claims; they formalise these ideas). Human action remains epistemologically unproblematic while there exists a shared discourse over basic values and assumptions. However:

We resort to discourse ... when there is a disruption of everyday understandings that require actions in common directions, a disruption serious enough to require that common understandings be restored. Habermas's argument is not, then, that democratic institutions should conduct all their affairs through discourse but rather that they should be structured so that discourse can emerge when ruptures of shared understanding require some kind of resolution (Warren, 1993:212).

Communicative rationality, therefore, has a particular function in social coordination. This function has two levels: first, it functions to produce shared understanding for social action (although it does not produce the social action itself); second, it provides for rational resolution of disputes over normative judgement and social values. Communicative rationality cannot, as Dryzek (1990a:14) notes, totally replace instrumental rationality, for it produces understanding, not action. Communicative rationality is a communal product, whereas instrumental rationality can, quite properly, be the outcome of individual cogitation. Instrumental rationality is not rejected, but rather is subordinate to communicative rationality because it is unable
to produce socially approved norms and values without recourse to communicative rationality.

How, then, does communicative rationality take place? And what are the conditions for its production? We begin with the notion of communicative competence which refers to the ability of a person to use speech acts in order to produce an interpersonal relationship between the listener and themselves (Kemp, 1985:184). Habermas identifies four specific speech acts, each having a corresponding validity claim. These validity claims are fundamental to, and necessarily presupposed in all communication (Bernstein, 1983:182; Thompson, 1981:90; McCarthy, 1978:287). They take the form of claims which are assumed to be true of all speech acts. I describe them here and elaborate them with greater practical focus below.

2:1:2:1 Validity Claims

The first, a communicative speech act, contains an underlying claim that the speech act is comprehensible. It may in fact not be, but in order for the speech act to qualify as an act of speech, this claim must, according to Habermas, be present. Because of the underlying assumption that any speech act is in principle comprehensible (this is the validity claim), it must be possible, in principle at least, to realise this ‘promise’ of comprehensibility. This is done with a communicative speech act through communication with the other party, where questioning can take place until both parties share a mutual understanding of the utterance (Kemp, 1985:185).

Second, a representative speech act relates to the validity claim of truthfulness or sincerity of the speaker. In practice, a speaker may not truthfully represent their
position or view. However, reassurance of the validity of the truth claim can be gained through the assurances from, or consistency in, the behaviour of the speaker.

Third, the regulative class of speech acts carries with it a validity claim of appropriateness. This means it is necessary that the speech act be made by a speaker in the appropriate context. For example, a speech act that communicates the censure of law must be made by someone with appropriate authority, e.g., a court judge. This can be ascertained by an examination of the norms of the context.

Lastly, the constative speech act relates to the underlying validity claim to the truth value of the utterance. In principle, speech acts assume truth is being communicated. Without this assumption, they would lose their communicative power, for one would not know whether or not to trust them. This validity claim implies the possibility of ascertaining the truth status of a speech act. This is done either through the certainty of the hearer (common sense or knowledge), or through appeal to theoretical discourse. Either way, there exists along with the utterance the claim that its truth validity can be realised. If communication is to occur, these validity claims are necessarily brought into play. Habermas’s theory of validity claims provides a means by which the theoretical promises of Gadamer can be put to practical use. Gadamer is concerned with production of accurate understanding. Therefore, I use the communicative theory of Habermas to develop a practical means of ensuring accurate understanding is produced in policy deliberations. The question is, ‘How, exactly, can this process of understanding be realised in practice?’ To answer this, I turn to the next stage of the theory of communication, that of the ‘ideal speech situation’.

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9 This refers to an utterance with which one makes a true or false statement (Speake, 1979:74).
The ideal speech situation is a theoretical construct based upon the absence of any barriers which would hinder free and open communication between participants in dialogue. Dialogue should realise the four validity claims; it should be free from domination due to power inequality, strategic manipulation or misrepresentation of the situation by participants, should obtain the sincerity of the participants and have the means to ascertain the truth status of any utterance. The ideal speech situation is simply the "full realisation of the precepts of communicative rationality" (Dryzek, 1990a:36). Of course, it does not exist in the real world, but rather is presented as a counterfactual ideal against which communicative interaction in the real world can be evaluated. The basis for evaluation is the degree to which there are a lack of constraints on the communicative process. In the words of Habermas:

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\text{the structure of communication itself produces no constraints if and only if, for all possible participants, there is a symmetrical distribution of chances to choose and apply speech acts (in Thompson, 1981:92, author's translation).}
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The concept of the ideal speech situation provides a critical baseline from which to determine constraints in communicative acts. As is demonstrated in the case study, the ideal speech situation enables the development of understanding by bringing into focus any constraints and hindrances present in communication.

The strength of Habermas's argument lies not just in a carefully articulated theory. If that were the case, it would be possible to develop an alternative theory which was rooted in a less equality centred normative structure. While this can no doubt occur, Habermas's claim regarding the ideal speech situation, which must by now be seen as favouring a normative theory of social equality and justice rooted in
critical theory (Kemp, 1985:189), is more than just a construct. He argues that it is "neither an empirical phenomena nor a mere construct, but rather an unavoidable supposition reciprocally made in discourse" (Habermas, 1973, cited in Kemp 1985:188). Habermas argues speech acts can only produce discursive understanding because they implicitly assume either the existence, or potential existence of the four validity claims. If speech is to discursively communicate, that is, produce shared understanding of norms and values, then communication must be comprehensible, the speaker sincere, the speech act contextually appropriate and the content true. Without these assumptions, speech would degenerate into mere rhetoric or some other form of irrationality. In this sense, Habermas seeks to redeem rationality without having it dominated by instrumental reason. Therefore, the ideal speech situation has a particularly useful role to play in my reconstruction of the public policy process. Now we need to complete the picture by elaborating the idea of systematically distorted communication.

2:1:2:3 Systematically Distorted Communication

The ideal speech situation sets up a ‘perfect communication scenario’. In doing so, it enables the location of communication breakdowns, violations of the validity claims. These violations produce systematic communicative distortions that, once recognised, enable the strategic development of strategies of empowerment for disadvantaged communicants. The elimination of systematically distorted communication is thus necessary in order to produce communicative rationality (Thompson, 1981:94).

McCarthy notes, "It might be helpful to think of ... validity claims as four different dimensions in which communicative interaction can break down or suffer disturbances"
When different validity claims are violated, communicative distortions are produced which disable the participants from being communicatively competent. In other words, they reduce the possibility of producing intersubjective understanding. In my critique of instrumental reason, I argued it illegitimately dominates policy analysis to the extent that other discursive arguments were excluded. Where this exclusion is institutional, as in the case of policy traditions dominated by particular analytical models, e.g., cost-benefit analysis, such communicative distortions are considered systematic. In explaining this, Thompson (1981) refers to situations where systematically distorted communications are:

*stabilised by means of deceptions which conceal the mechanisms of repression. These deceptions exclude the implicitly raised validity claims from discursive thematisation, and thereby transform the reciprocal imputation of accountability into a fiction* (pg. 94).

These deceptions involve norms and values which are not the product of communicative rationality, but of a dominant discourse. Communicative distortions are produced by specific mechanisms in policy processes. The power of these systematically distortive mechanisms lies in the fact of their concealment with what are, oftentimes, publicly legitimated policy processes. This can perhaps best be illustrated through the following example from Kemp (1985). In 1976, British Nuclear Fuels Limited applied to the local authorities in Cumbria, England, to build a nuclear waste processing plant at Windscale. Because of the national and international
significance of the proposal, the secretary of state for the environment called for a public inquiry, and this was conducted in 1977 in one hundred days of hearing. Using the four speech act categories of Habermas, and their associated validity claims, Kemp analyzed the proceedings to discover if there were any systematic communicative distortions in what was, ostensibly, an open and fair hearing.

With regards to the communicative speech act, he poses this question. "To what extent were the participants at the inquiry able to initiate and perpetuate discourse, that is, to raise issues and provide appropriate answers? To what extent were they able to make themselves understood?" (pg. 191). Kemp's analysis reveals that objectors, who were not provided any state funds, had neither the time nor the resources to sufficiently raise and develop their arguments. Objectors were unable to afford the costs of employing specialist legal council to present their cases, and therefore had to compete in a formal and legal system with which they were, in many cases, unfamiliar and inexperienced. Therefore, say's Kemp, it can be cogently argued that there is a systematic violation of the validity claim to comprehensibility.

The second area relates to the representative speech act where, in the ideal speech situation, participants speak with sincerity and truthfulness. They must be able to fully represent their feelings, attitudes and opinions. What distorts this speech act, and corrupts its ability to realise its corresponding validity claim, are motivations that involve manipulation and deliberate misleading of the hearers, or of the speaker simply being misguided or confused. The constraints that exist on the ability of speakers to achieve the validity claim of truthfulness can be both internal and external. The Windscale inquiry encountered internal constraints in the arguments of the pro-nuclear lobby for the reason that the massive institutional commitment of the nuclear industry, along with the 'momentum of high technology', caused a failure "to
present a wholly truthful account of affairs within the industry" (pg. 193). With regards to external constraints, it was noted that some groups had difficulty in obtaining witnesses. Government agency witnesses refused the opportunity to participate, and experts in private firms are reluctant to participate because of the possibility of losing current or potential contracts in the industry. Both these forms of constraint constitute a violation of the validity principle of truthfulness. There is little assurance that the whole truth is able to be heard.

The third category of speech acts are the regulatives. Here the issue is the appropriateness of the speaker in making the speech act. As Forester (1985) put it, "We don't expect building developers to give biblical interpretations in front of the Planning Tribunal or clergy to propose planned unit developments before their congregations" (pg. 204). What is important in realising the validity claim of appropriateness is the ability to clarify which norms are in operation, and then the ability to command and oppose, or permit and forbid arguments and challenge one-sided normative situations. The Windscale case raises the issue of one-sided norms where certain types of information were able to be excluded from the process because of the Official Secrets Act. This provides a constraint on the ability of the hearers to oppose or forbid certain types of arguments, simply for the fact that the normative structure of the debate precluded some information and discriminated against the development opponents (pg. 195).

Finally, constative speech acts in the ideal speech situation demand that all the participants have an equal opportunity to put forward arguments and challenge others, so that all perspectives are taken into account, and that none are exempt from criticism or consideration. The validity claim associated with this is the claim to truth. What can be questioned is the extent to which participants are able to defend their truth claims and question the validity of others. The Windscale inquiry, in Kemp's
analysis, was not free from ‘misrepresentation and distortion’. For instance, not all the arguments presented to the inquiry were fully open to debate or challenge, some for reasons that they were government policy, and therefore not open to debate in that forum, and others for the reason of confidentiality or security. In the Inspector’s report to Parliament, several arguments were either omitted or misrepresented, thereby effectively transgressing the validity claim of truth (pg. 96-97).

The point of recounting this analysis is to demonstrate the practical as well as the theoretical relevance of the ideal speech situation. It provides a theoretical tool with which to practically evaluate any speech situation and ascertain the congruence between the ideal and the actual, as well as identifying areas of structurally distorted communication. One of the principle arguments of this thesis is that policy making needs to draw from a broad spectrum of frameworks and knowledge orientations, rather than limiting itself to a narrowly defined canon of scientific or economic truth. The exclusionary nature and unreflexive application of these approaches disenfranchises any other potentially useful knowledge orientation and thereby deals in an analytically inadequate way with the problem situation at hand. The ideal speech situation therefore provides a useful counterfactual in analyzing the extent to which alternative standpoints are excluded from a policy process.

So far, I have drawn a theoretical thread from Gadamer to Habermas. The hermeneutic developed by Gadamer provides a philosophical foundation for conceptualising knowledge as a product the process of understanding. The ideal speech situation develops this hermeneutic by providing a theory of communicative distortion. This produces a practical means of identifying hindrances to the ‘play’ (interactive communication) so central to Gadamer’s hermeneutic. By identifying these hindrances in a policy process, the assumed legitimacy or validity of the dominant
discourse can be challenged, thereby opening up the possibility for emancipatory policy options and greater objectivity in analysis. Having established the theoretical framework, we now need some practical means of identifying communicative distortions. For this task I use the concept of a discursive design. It is to this task which I now turn.
2:2 DISCURSIVE DESIGN

Contemporary policy making is deficient to the extent it denies or restricts alternative discourses. A resolution involves improving opportunities for involvement by marginalized discourses in policy deliberations. It also involves some critical means of identifying breakdowns in such communication. The task now is to put these ideas into practice, and this necessitates designing discursive processes which can facilitate these aims. This section discusses the idea of discursive design and then explores some limitations of design. Reflexivity is explored as a possible antidote to some of these limitations and the need for a discursive design to deal with power is critically examined. The ideal speech situation is reintroduced and subjected to some modifying criticism. Having discussed some requirements for a discursive design, I introduce four perspectives of participatory policy analysis. These are critically examined and two are rejected for being inconsistent with communicative rationality, while the remaining two are proposed as possible candidates for discursive design. Finally, I develop four criteria that are used in a practical evaluation of the Christchurch Solid and Hazardous Waste Management Strategy (SHWMS). These criteria form a critical component of this thesis in setting forth some essential requirements of the ideal speech situation. This provides a coherent connection between the abstractions of hermeneutic and communicative theory, and a real world policy situation.

2:2:1 The Idea of Design

Dryzek proposes the idea of 'discursive designs' as "the institutional manifestation of discursive democracy, offering an alternative to the more familiar liberal institutions of the
open society" (1990a:22). This embraces wider issues than those I am concerned with, namely discursive democracy. The focus here concerns the design of discursive friendly environments and procedures which enable communicative rationality to emerge. A design is not equivalent with planning. Both seek outcomes, but the subtle difference concerns the level of management of the process. Planning actively manages processes whereas design initiates criteria which "govern the operations of the process so that the desired result will occur more or less automatically without further ... intervention" (Ophuls and Boyan, 1992:288). Ongoing external intervention into the process (planning) is not compatible with the ideal speech situation for it introduces non-discursive factors. Rather, the initiation of criteria is what I mean by 'design', for it does not imply external intervention into the process once it is underway. Whether this initial intervention, the design itself, necessarily produces communicative distortion is dealt with below.

The concept of design implies a purposive-rational component, a commitment to achievement of the chosen aim. The aim of a discursive design is clear: the production of ideal conditions for communication. Therefore, a discursively friendly environment is one which can, in part, be designed (I deal with some limitations to this below). This does not automatically produce communicative rationality, but merely generates the most communicatively enhancing conditions. This enables the

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10 The issues regarding democracy and discursive processes are the foci of a number of authors (e.g., Barber, 1984; Dahl, 1994; Dryzek, 1990a, 1990b; Dryzek and Torgerson, 1993; Fischer, 1990; Guttmann, 1993; Ingram, 1993), and deal with some critical issues which cannot be adequately covered here. For example, how compatible is communicative rationality with current liberal political institutions, particularly in relation to political representation? What institutional changes are needed in order to foster greater discursive deliberation? What role does political power play in shaping dialogic outcomes? What are the general prospects for discursive democracy? Dryzek (1990b) suggests discursive designs seek "immunity from the state - and so from capital and market" (pg. 106), raising far reaching questions in relation to the 'public square' concept (see also, Roger, 1985), the role of new social movements and alternative economic/political orders. Answers to these questions require further research and thought and as such lie outside the scope of this thesis. They remain, however, significant issues in relation to the themes developed in this thesis. In saying this, I recognise policy processes inhabit a larger political world than that which I sketch here, while holding to the value of a specific focus on discursive policy analysis.
emergence of communicative rationality to be more than good luck and able to be nurtured through appropriate design of policy processes. This is illustrated in the case study where I argue a discursive design exists. Certainly the SHWMS process was carefully designed to enable the participation of interested parties. The degree to which this design fulfilled the ideal speech requirements is analyzed in Chapter Five. A discursive design, then, "is a social institution around which the expectations of a number of actors converge" (Dryzek, 1990a:43), an institution which can be purposively structured to enhance communicative rationality. There are, however, some limitations with discursive designs and some potential criticisms which need to be dealt with.

2:2:1:1 Limitations of Design

The idea of 'design' appears incongruent with the highly abstract nature of the 'ideal speech situation'. It was not Habermas's intention to outline a blueprint for action; therefore the ideal speech situation does not imply any specific value, institution or practice (Dryzek, 1990a:37). How, then, can the ideal speech situation fail to be anything other than an abstraction, one with no explicit practical value? It would need, at minimum, to provide some guidance to action or some means of evaluating a situation if it were to be of practical value. But it must not prescribe a particular value or practice. That is the task of open and free discourse. The question is how one can 'design' a process that does not predetermine the outcome, or unnecessarily bias the results.

Clearly, public policy processes are purposive human activities. They are not random occurrences but are fundamentally organised actions. Of course, they may be riddled with contradiction and ineffectiveness, but they are nevertheless organised.
Discursive activity consistent with the ideal speech situation needs to be designed because the elimination of communicative distortion will not occur by chance. Unequal power of actors will see to that. We cannot avoid designing political institutions or practices, but we can seek to avoid or mitigate the criticism raised above. How can we do this?

The criticism regarding the abstract nature, and supposed non-practicality of the ideal speech situation, does not necessarily hold. While Habermas’s theory is indeed abstract, it is nevertheless unavoidably anticipated in any speech act. It cannot be considered merely an invention of the philosopher and thereby dismissed. As Dryzek realises, it is not possible to justify speech acts apart from the ideal speech validity claims (1990a:37). Indeed, Alford (1985) argues that Habermas actually intends the ideal speech situation to be realizable ‘in principle’. If it were not, "there would be no reason to take it seriously" (ibid, pg. 100). The ideal speech situation needs to understood as more than an abstraction. However, it is not to be construed as a specification for a discursive situation. It does not prescribe certain values or norms, but only the conditions for the production of such values and norms. It still may be argued the ideal speech situation appears to embody particular values, e.g., the value of equality (however defined), thereby prescribing ipso facto particular values. This argument misrepresents the ideal speech situation which is concerned not so much with a moral value, but rather the actual ontology of communicative acts. This ontology, situated in the underlying validity claims, may be frequently, if not regularly violated, and this diminishes the coherence of the communicative act and reduces the potential emergence of communicative rationality. But if communicative
rationality is allowed to emerge, then any value that is produced is justified.\textsuperscript{11} I argue the ideal speech situation, or its real world approximation, is a means of producing a value-laden outcome. However, it does not bias the process in favour of certain values vis-à-vis other values. For this reason, it can be argued that the ideal speech situation is not value laden in the same way communication dominated by a dictator, for example, is value laden. There remains, nevertheless, a hidden value in the ideal speech situation. This is dealt with in section 2:2:2.

Designing a discursively friendly environment where communicative rationality can flourish involves another difficulty. In seeking to specify the requirements for a discursive design, there exists a very real possibility of producing communicative distortion, thereby negating the potential of communicative rationality. Communicative rationality demands discourse be unconstrained except for the strength of the better argument (I criticise and modify this concept in section 2:2:2). It is process orientated and reflexively open to alternative or adjusted processes. Thus, to pre-specify the clear requirements for a design implies constraints on the process before it begins. This essentially contradicts the internal motive of communicative rationality which seeks to avoid such constraints since they may produce communicative distortion. Further, the idea of design carries with it some notion of instrumental rationality which communicative rationality seeks, through its discursive

\textsuperscript{11} This leaves us on the horns of a (logically unresolvable?) dilemma. Communicative rationality can potentially legitimate any set of values, including the devaluation or rejection of communicative rationality itself, provided this decision is produced by communicative rationality. Thus, the potential exists for the self-destruction of discursive ‘freedom’. One way of overcoming this is some legal entrenchment of the principle of discursive freedom (free speech). This, however, violates the ideal speech situation. Another possibility (although not logically guaranteed) is implied by Habermas’s theory of participation; increasing participation limits the conditions under which authority can be exercised (deHaven-Smith, 1988:98) and citizens may increasingly resist totalitarian tendencies. However, totalitarianism of some form cannot be rejected as a possible future. While this dilemma remains a yet unresolved theoretical issue, perhaps other discourses, such as liberation theology (see for example, Boff and Boff, 1987) social ecology (see, for example, Clark, 1990) and ecofeminism (see for example, Plant, 1989) can prove to be liberatory tools. In his discussion on postmodernism, Smart (1993:82), discusses the role of critical social theory in providing the possibility, maybe the inevitability, of having to learn to live without a guaranteed future. Human freedom, generically speaking, constitutes one possible future, but one not open to rational guarantee.
processes, to transcend. If design is seen as rigidly prescriptive, it may produce illegitimate constraints on the communicative process. Also, communicative rationality is inherently context sensitive, and for this reason discursive theorists tend to be reluctant to stipulate the specifications for any actual discursive design (Dryzek 1990a:40). However, policy analysts cannot avoid the task of designing policy processes. The use of reflexivity will help mitigate these theoretical difficulties in design.

2:2:1:2 Reflexivity and Design

The idea of reflexivity is expressed throughout the pages of this thesis. Although briefly examined in the introduction to this thesis, I explicitly deal with it here in relation to design. First, I explain what is meant by the term, and then place it in context to some of the social science literature. I explore some key concerns of reflexivity and finally relate it directly to the design of discursive processes.

Reflexivity is not the same as reflection. In reflection, one stares, as it were, into a mirror and is presented with a reflection of oneself. The reflection appears static, enabling contemplation of the image to occur. However, this is a difficult view to justify, given my previous discussion of the blurring of the boundaries of subject and object in the hermeneutic circle. Seeking a clear and accurate reflection of an object entails engagement with that object by the observer, an engagement which changes both subject and object (these terms are constituted by the fluid discursive engagement illuminated by Gadamer). The construction of knowledge functions on the notion of reflexivity, a concept which moves beyond reflection thus escaping the Gadamerian criticism of a static subject and object. Reflexivity involves a turning back
of one’s experience upon itself (Mead, 1962), enabling an ongoing reconstruction of both the experience and self. Steier (1991) distinguishes seemingly opposite directions of reflexive acts. The first is the idea of reflex as a knee-jerk reaction, done without thinking, while the second involves contemplation and conscious thinking processes in reflexivity (pg. 163). However, both carry the notion of circularity, the first occurring within a physiological ‘small circuit’ which bypasses conscious thought in the brain, while the second involves a ‘long circuit’ reflexivity requiring contemplation. The ‘small circuit’ is needed to allow us to proceed with understanding (analogous to Gadamer’s idea of the necessity for pre-judgements), while the ‘long circuit’ allows questioning of the assumptions which make ‘short circuit’ reflexivity possible. Both types of reflexivity involve adjustments to both understanding and the understanding self; both are fluid and adjustable.

Steier suggests another form of circuitry, to continue the cybernetic analogy. Through reflexive questioning, there is the possibility of a new world emerging, one which does not conform to the usual assumptions we employ. Steier calls this a ‘short circuit’, where a world:

*whose ‘properties’ previously ‘non-existent’ now become salient. Our assumed, or tacit, world is ‘blown up’.... Short-circuits and paradoxes, rather than being avoided, should be sought after, as a way of in-sight into the blindness that our knowing activities create* (1991:164).

It is clear from this that much of the theory already discussed in this thesis implies an inherent reflexivity, where settled understandings are disrupted in order to provide potentially richer and more adequate (or strongly objective (Harding, 1993)) ways of understanding the world in which we live.
This orientation is characterised by Smart (1993) in his reappraisal of the role of sociology as a discipline. He argues sociology sought to justify its existence through a variety of legitimating narratives, initially directed towards theoretical consensus. This hope, however, collapsed with the growth of incommensurable forms of theory. There are a number of responses to this situation, but Smart (1993:70-71) places them in two broad categories. The first is a reassertion of the possibility, and need, for a "foundationalist, naturalistically inclined, universalising modern sociology" (ibid). This, however, has yet to occur and the chances of this happening do not look promising. The second response rejects the universalising desire of the first and argues sociology is a "pluralistic, multi-level, reflexive discourse about social life articulated in terms of a number of different, and in important respects, discrete traditions" (ibid, pg. 71). One of the ways this manifests itself is within hermeneutic, or reflexive styles, of sociological analysis. While not the only forms of sociology in circulation, they emphasise the "tenuous, negotiable, meaningful, interpretive, and sociolinguistic character of social life ..." (ibid, pg. 74). This goes some way to resolving the historical tension within sociology between the promise of providing a grand theoretical explanatory schema, and the perceived failure to produce consistent, problem solving theory. Smart (1990) observes it is not that there is no stable world to know, but the very act of knowing it reconstitutes both that world and the knower. Giddens (1990) continues this theme by arguing reflexivity inherent in modern life does not allow stabilization to occur between the expert (policy analyst) and the lay person (pg. 45). Social theory, then, cannot avoid reflexivity.

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12 Bourdieu (1988), for example, berates Erving Goffman's calls for a 'working consensus' among the social sciences as "this fiction of unanimity" and argues persuasively against the possibility of such consensus.
Given the above, social research needs to embody a reflexive methodology as well as a reflexive attitude. A methodology may be practised as merely an external technique, that is, by a disinterested application of procedure or process, but reflexivity demands more than this. Beck (1994) suggests reflexivity implies 'self-confrontation' (pg. 5), capturing the observation of Steier that personality (1991:4) has traditionally been banned from research. Therefore, one's self is an integral part of the research process. While this is not saying anything particularly new, it needs, I argue, to become part of our (my) attitude to research. This implies an ethical dimension to reflexivity where I need to acknowledge my situatedness, my assumptions and agenda (for this research has an agenda - to assume otherwise is to believe I have a 'view from no-where' (Young, 1990)). This self-confrontation is simultaneously a confrontation with the research. Both these forms of confrontation demand certain things. They demand questions be asked about the researcher: why they chose this subject and not that; this method and not that; how they construct the problematic; how they define the subject and so on. The same questions (and others) are made of the research subject itself. But why these questions? Simply because to assume settled understandings is to avoid the reflexive probing which can open up new possibilities for knowledge, perhaps more appropriate ways of constituting the subject and one's self in relation to that subject.

There is a reflexive paradox here. Reflexivity may be infinitely regressive, that is, to reflexively critique a particular construction of a research project (or anything at all) is to generate another construction which can itself be reflexively reconstructed. In its simplest form, to say 'there is no immutable truth' (an assumption of this thesis) is only coherent if that sentence is itself true. If there is no truth, then that statement is not true, which means there is immutable truth. This involves the issue of self-
reference, that is, does the statement refer to itself, or is it exempt by belonging to a higher order or metalevel of truth. If so, how is this metalevel justified? By appeal to a meta-metalevel? There is no end to such regression, so this is seen as a paradox of reflexivity. This reflexive paradox is noted for two reasons. First, it appears not able to be eliminated, despite various attempts of philosophers to do so (e.g., Lawson, 1985). In this sense, it functions as a continual critique, "a weapon to be used against the great enterprise of [universal] knowledge" (ibid, pg. 15). But it also has a positive side by forming a motive for constant surveillance of knowledge claims which profess to be fully objective or complete. In other words, an acceptance that reflexivity is eradicable and, as Lawson (1985) suggests, not requiring a solution, allows us to accept there is no universally correct knowledge and forces us to face the discomfort inherent in this.

The question arising now is how one settles on a particular discourse. Obviously, the "self-denying chaos generated by the paradoxes of reflexivity ... (are) unsustainable" (Lawson, 1985:125, emphasis in original), which is to say human beings, and their communities, need some agreed discourse(s) in order to maintain social cohesion. This agreement can be called 'closure'. Am I now to conclude there can be no 'closure' in this endless reflexive dilemma? Obviously not, for even this thesis is a form of closure or a drawing the line, stating a position. Yet, reflexivity, occurring within this text or within the engagement of this text by the reader opens up possibilities for other angles, interpretations and perspectives. The point is this: closure is a necessary discursive requirement for an ordered functioning of human community, although any particular pattern of closure will be temporary. Ideally, closure will be the outcome of communicatively rational deliberation. It may also be the outcome of
discursive domination by a powerful group or section of society. Whatever the case, reflexive attitude and methodology initiates significant challenges to any closure.\textsuperscript{13}

The application of reflexivity to discursive design is crucial in avoiding the constraints discussed in the previous section. Design involves specifying at least some defining characteristics of a process. A reflexive attitude ensures policy analysts remain alert to reflexive adjustments needed in a design. Likewise, a reflexive methodology, such as pre-design consultation with other parties, will ensure the design is as contextually appropriate as possible. Reflexivity needs also to function during any discursive process to enable ongoing readjustment to new information. Closure must occur at some point, but such closure is secured from producing communicative distortion by being developed in a communicatively rational manner.

Reflexivity cannot guarantee discursive design freedom from communicative distortion. However, reflexively alert analysts and reflexive processes with feedback mechanisms will assist this aim. Reflexivity enables discursive designs to be analyzed for potential sites of communicative distortion. Common to all communicative distortion is the issue of power. Power demands reflexive engagement by policy analysts because power pervades all human activity, including discursive processes. For this reason, an analysis of power is developed in relation to discursive design.

\textsuperscript{13} Giddens (1990), among others (see Beck, et al, 1994), argues reflexivity is inherent in modern social forms. "With the advent of modernity, reflexivity takes on a different character. It is introduced into the very basis of system reproduction ..." (1990:38). Modernity is systemically reflexive. I distinguish this from the particular style of 'long-circuit', or self-conscious reflexivity I am discussing here. While not denying Giddens' observations, I am interested in critical application of reflexivity as an emancipatory method.
Power may be conceptualised in a number of ways, but I will develop a particular notion which has direct implications for discursive designs. I begin, though, with a very general notion developed by Skolimowski (1992) of power as a property of life. This evolutionary perspective sees the purpose of power to produce syntropy (the opposite of entropy) through acts of will which are life-enhancing (ibid, pg. 153). While this view can invoke normative notions (power as life-enhancing), Skolimowski is not alone in his views. Millar (1993) writes of Foucault:

(H)e understood power not as a fixed quantity of physical force, but rather as a stream of energy flowing through every living organism and every human society, its formless flux harnessed in various patterns of behaviour, habits of introspection, and systems of knowledge, in addition to different types of political, social and military organization (pg. 15).

It is the effects of power 'harnessed in various patterns of behaviour' which I address. While effects of organizational power are not insignificant, they require more substantial analysis than I can attempt here. Power, then, is diffuse. Rather than try to exactly define it, Foucault concentrates on the effects of power within social life (Foucault, 1980:92). Power can be construed as a life-force, but it cannot be conceived in a vacuum (Skolimowski, 1992:161). Rather, it is appropriated in a variety of ways, language being perhaps the most influential. I have discussed at length the role of language in the generation of knowledge, but the role of power in language which produces knowledge must not be ignored. Discourse is one vehicle of power and can be understood as a means by which power is effected; discourse produces knowledge,
therefore knowledge is an effect of power. Power becomes a central force in the
construction of knowledge.

Conceptualising knowledge as neutral vis-a-vis power is mistaken. Further, it
identifies an important effect of power at a level which is normally invisible. While
some analyses of power may deal with limiting the intrusion of political or public
institutions on individuals (liberalism), or focus on the relations of production
(Marxism), the view developed here identifies power operating at the micro-level.
This view is:

*concerned with power at its extremities, in its ultimate destinations, with those points
where it becomes capillary, that is, in its more regional and local forms and institutions*

(Foucault, 1980:96).

Foucault is not saying discourse is everything (in Lemert and Gillan, 1982:62). But
where it is manifested in dominant discourse, he believes it is best resisted by the
marginalised community at the local level. Refusing to accept being constructed or
defined by others and reasserting the right to define oneself or one's community is
at the heart of Foucault's strategy to resist dominating power. One can never avoid
power, but one can recognise when an assertion of power through discourse does
violence to oneself or one's community.

Discursive designs need to take account of power inherent in discourse by being
reflexive enough to ensure all discourses (relevant to the situation) are given equal
representation. This again reinforces the necessity for reflexivity. The policy making
processes attended to in this thesis involve public institutions and generally adhere
to the discourses of the dominant sectors of society. To identify alternative discourses
(I leave aside the political difficulties of this) requires analysts to maintain a reflexive
attitude as well as instituting reflexive procedures into any discursive process they
design. It requires institutional opportunities for marginalised discourses to challenge the legitimacy of the dominant discourse. Yet, what needs to be recognised is that the prior assumption of legitimacy of any dominant discourse generates an unequal playing field in relation to the 'force of the better argument'. The fact that a dominant discourse has greater power (that is why it is dominant) requires an active empowerment of less powerful discourses in order to meet the ideal speech requirements. This is not an argument that all discourses are equally good or acceptable, e.g., the discourse of racism versus the discourse of human rights. Rather, discursive designs must account for power inequality by providing equal opportunity for marginalised discourses to enter and participate in the discursive deliberations.

This discussion in no way exhausts the issue or effects of power, but does provide clear recognition of a particularly influential form of power in discursive processes. Some limitations of design along with some possible ameliorations have been discussed, and the notion of design in general has been explored. I now return to the ideal speech situation.

2:2:2 Ideal Speech Situation Revisited: A Critique

Some central characteristics of discursive design are established through the above discussion of limitations of design, reflexivity and power. I now revisit the notion of the ideal speech situation and deal with one significant weakness in its current formulation. This weakness consists of the charge of ethnocentrism in the means of adjudication between differences during discursive deliberation. To recap, communicative rationality requires, among other things:
that participants, themes and contributions are not restricted except [those which lie outside the validity claims being tested] ...; that no force except that of the better argument be exercised (Habermas, 1976:107-108).

Participants engage in communicative acts whereby they freely state their views, question others, challenge views they do not agree with and modify their own views in the light of the criticism of others. What finally adjudicates between good and bad arguments is simply the 'force of the better argument'. Participants, through such deliberations, recognise the better argument and come to collective agreement (see, Majone, 1989:21-41).

While largely agreeing with this, Young (1995, 1990) points out a significant flaw in the way the 'force of the better argument' is constituted. The type of argument referred to involves a persistent rationalism which "retains the vestiges of a dichotomy between reason and affectivity" (Young, 1990:118). It also involves a notion of discursive argumentation which deemphasises "the metaphorical, rhetorical, playful, embodied aspects of speech" (ibid), aspects important in effective communication. In other words, Habermas retains a commitment to a particular concept of deliberation which relies upon rational dialogue derived from models of scientific debate, modern Parliaments and courts (Young 1995:137). It assumes when political and economic differences are set aside through the ideal speech situation, communicative distortions are eliminated. However, this concept of argumentation proves exclusionary and ends up favouring particular modes of communication because deliberation itself cannot be culturally neutral and universal (ibid, pg. 137). In pursuing this point, Young identifies two

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14 There are in fact two facets to her criticism. I restrict the discussion here to one most directly relevant to this thesis. The second discusses the potential of the force of the better argument to eradicate difference by assuming unity as a prior condition of deliberation (1995:140). It seeks to restore a disrupted consensus by appealing to the notion of generalizable interests, but by doing so puts aside the particular interests which, as I argued earlier, not only constitute a valuable epistemic resource, but further the repression of the less powerful. See especially, Young, (1990).
aspects of 'social power', apart from economic and political differences, which prevent people from equal participation. The first is an internalized right to speak or not to speak, and the other a devaluation of some particular speaking styles.

The internalized right to speak generally favours males, simply for the reason that speech which is assertive and combative is valued above more 'female' modes of communication, generally expressed in asking questions and seeking understanding (Young, 1995:139). Speech which is tentative, faltering, unassertive or inquiring is less likely to be effective in formal speech environments which value argument, assertiveness and articulateness. The argument here is not that one group are superior communicators per se, but that the communication situation favours a particular style, thereby excluding or devaluing other styles. Thus, these situations are charged with being ethnocentric (or sexist, or class biased). The norms which shape discursive deliberation also favour dispassionate, disembodied speech and identify objectivity with calm and logical argument. Thus:

*The entrance of the body into speech - in wide gestures, nervous moments or physical expressions of emotion - are signs of weakness that cancel out one's assertions or reveal one's lack of objectivity and control* (Young, 1995:139).

This tends to favour certain groups. White middle class men tend to practice speech which is more controlled and emotionless than women and some minority groups, and this provides an advantage in demonstrating the strength of the better argument.

Speaking styles are also important elements in communication. Young proposes three which are generally devalued in discursive deliberations: greeting, rhetoric and storytelling (I elaborate them below). The import of these elements for communication resides in their situatedness, in the fact that they embody the particularity of the communicants (ibid, pg. 144). Traditional critical argument seeks to remove
particulars or parochialism from debate, replacing them with generalised principle. This strips alternative discourses of their very essence, for their alternativeness resides in their particularity. Young (1995) argues that allowing the expression of alternative communication modes increases understanding in three ways. First, it teaches us that our own perspectives are partial and local, exposing the myth of universality. Second, we come to recognise that others can have a legitimate claim to justice based on their unique needs (particularity), and they therefore have a right to challenge my claims and arguments. Finally, there is an overall increase in the quality of social knowledge, reflecting Gadamer's hermeneutical theory. This means:

Participants gain a wider picture of the social processes in which their own partial experience is embedded and this greater social objectivity increases their wisdom for arriving at just solutions to collective problems (Young, 1995:144).

Turning to the three communicative elements proposed by Young, acts of greeting enable parties to recognise other's particularity. Greetings contain no assertions or claims, but facilitate acknowledgement, trust and familiarity. To strip discourse of its symbolic or non-linguistic aspects is to reduce the development of human caring. For example, handshakes or the hongi (a traditional Maori act of greeting) allow personal acknowledgement between individuals to occur, thereby enhancing trust and care. Such trust and care is essential in enabling participants to retain commitment to what at times may be a confrontational, angry and threatening encounter.

Rhetoric can involve the use of emotion and figurative language, and in doing so, it enables a greater connection with the listener. As Young (1995) notes, it is not enough to provide good arguments; one must be heard. This suggests a difference

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For a theoretical analysis of trust, see Niklas Luhmann (1988).
between hearing and listening. Listening involves reflexive understanding of the situatedness of the speaker (see Forester, 1989:Chapter 7). Therefore, rhetoric "announces the situatedness of communication .... and constructs the speaker's position in relation to those of the audience" (ibid, pg. 146). By doing this, rhetoric enhances understanding between parties in a way which rational discourse cannot, for it legitimises emotion and passion. Further, rhetoric, through the use of humour, images and figures of speech (ibid) avoids boredom, thus maintaining the listener's attention essential for understanding.

Finally, storytelling forms an important component of effective communication. Participants enter into discursive processes in order to resolve some collective problem and may bring with them quite different views of the world. Intersubjective understanding requires an accurate understanding of the particularities of the others, their views and values. This implies the need for means to foster such understanding. The goal is not a synthesising of the particulars into one cohesive view, but to allow participants to understand the context and justification for the values and view of others. Storytelling, anything from the recounting of myth to telling one's experience, is one such means of achieving improved understanding. Young describes three ways in which this occurs. First, the narrative may reveal particular experiences which the listeners in other social locations are not able to experience. For example, a person born and raised in the city cannot experience being born and raised in the jungle. Storytelling can enhance understanding, although not experience, of why the jungle dweller holds to the values they do and vice versa. Storytelling can also help explain to outsiders the meaning of practices, symbols and places. Values are often embodied in these and cannot be justified in the same way as rational discourse. Therefore, storytelling provides a way of understanding the context of values as the storytellers
relate 'where they are coming from' (Young, 1995:148). Finally, storytelling can reveal "a total social knowledge from the point of view of that social position" (ibid). This means listeners are able to see how they themselves are viewed by the 'other', thereby adding to the overall knowledge of a situation. These different perspectives, now more clearly understood by all parties, enable a greater collective wisdom to emerge in problem solving.

Storytelling can be used in a yet more direct way. Chief Judge Durie (1995) recounts a particular incident which occurred some years ago in the Maori Land Court of New Zealand. A Maori elder appeared before the court over an ownership claim on the Whanganui river bed. He simply sang a song of the river. This was noted, but the court concluded he had nothing to say about the ownership claim. However, as Durie points out, the song was a claim to ownership, but the court was unable to recognise such cultural practices (1995:36). In the Maori elder's terms, he was engaging in discursive deliberation, but not in terms of Western rational dialogue.

All this is not to devalue critical argument, but to augment what is often a culturally partial affair. Greetings, rhetoric and storytelling provide additional elements in discursive deliberation, helping to provide increased equality in the ideal speech situation. These criticisms suggest a modification of the concept of the 'strength of the better argument' by insisting situated knowledge (strong objectivity) is needed to indeed produce the 'better argument'. Therefore, any subsequent mention of the ideal speech situation, systematic communicative distortions and so on, include the modifications discussed here. Specifically, a discursive deliberation is only considered free from communicative distortion (this being an 'ideal') if the normative structure of the discourse legitimises affectivity, the place of bodies in discourse,
greetings, rhetoric, and narrative, as well as reasoned argument free of economic or political constraints. Reflexivity insists these may not be the only aspects of discursive argumentation to consider, but they are a good beginning.

What I have explored in this chapter are some characteristic of discursive design. However, discursive design has not had significant application in practice. In noting this, Dryzek (1990a) looks towards what he refers to as incipient discursive designs. He suggests that "intimations of discursive designs can be found in some contemporary attempts to resolve conflictual social problems" (ibid, pg. 43). Specifically, mediation and regulatory negotiation are advanced as mechanisms for achieving consensus within environments where unresolved problems and degrees of conflict exist (Crowfoot and Wondolleck, 1990). There are also a number of expressions of public participation in policy making, and although most of these fail in terms of my criteria above, they do indicate opportunities for a more communicatively rational approach (eg, Munro-Clark, 1992). Since the concern of this thesis is public policy making, I will examine an approach more directly relevant than the two mentioned above by Dryzek. It concerns what Dan Durning calls 'participatory policy analysis'.

2:2:3 Design and Participatory Policy Analysis (PPA)

Durning (1993) presented four perspectives of Participatory Policy Analysis (PPA). While differing in their analysis of who ought to participate in policy analysis, how, and for what purpose, they each share a rejection of positivism, embrace some variation of phenomenology, and use a hermeneutic approach to inquiry (pg. 300). Durning's analyses are developed in response to two perceived failures of traditional policy analysis. The first failure is that it is antidemocratic. With references to the
'policy sciences of tyranny', Durning calls upon the analyses of Fischer and Dryzek to argue that "(t)he importance of public preferences is diminished when the advice of policy analysts - and other experts - is accepted as authoritative" (pg. 298). He moderates this somewhat with the suggestion that "most analysts would probably assert that they are sensitive to ... the public". Nevertheless, this general analysis is consistent with the arguments developed in this thesis. His second perceived failure is also a theme of this thesis. He argues the positivist foundation of traditional policy analysis produces misleading advice and hinders analysts from doing their jobs well. From this, Durning explores four perspectives of participatory policy analysis which might go some way to remedying these defects. These are PPA for a participatory democracy, the provision of analytic inputs through PPA, interpretive PPA and stakeholder policy analysis. A key focus of each is the role of the analyst.

2:2:3:1 PPA for a Participatory Democracy

The first is PPA for a participatory democracy. Here the intention is to redistribute power along the lines of a discursive democracy. Analysts would assist citizens in a policy development process not managed by elites. It is the citizens who, by entering into critical dialogue, develop policies, and in so doing become self-governing. This approach would radically upset existing power structures, and in doing so could become a vehicle for empowerment, liberation and social transformation (pg. 301). Given the "main purpose of PPA" is the "empowerment of citizens" (pg. 306), it may reduce the power inequalities that can enter a discursive process through the activity of powerful or dominant interest groups. Therefore, a

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14 See Dryzek (1990a) for a useful exploration of the concept of discursive democracy.
participatory democracy would appear to be a good candidate for the ideal speech situation, for it would enable open and public debate, unstifled by the potentially technocratic focus of the state. But it is unlikely, according to Durning, that such a radical restructuring of political institutions will occur, at least in the foreseeable future. The three perspectives which follow may be more realistic for they "require no radical redistribution of power, nor a citizenry eager and able to engage in discourse leading to policy decisions" (pg. 301).

2:2:3:2 Providing Analytic Inputs through PPA

A second perspective on participatory policy analysis involves the provision of analytic inputs through PPA. Central to this notion is an attempt to broaden the range of information or opinion used in producing a policy recommendation through the use of various types of public fora. It is focused upon stakeholders and seeks to gather information rather than educate the affected groups or individuals. This move is not consistent with the Gadamerian hermeneutic expounded previously, where understanding occurs from discursive interaction. The information gathered from this perspective is not truly interactive and does not facilitate a learning process. It constitutes a one way system with information flowing from the stakeholders to the analysts. This information, then, is rather static, and cannot be developed into a richer picture, which, if it could, would provide significantly more appropriate and empirically accurate understanding. Gathering information so that the policy can be more completely informed (pg. 301) is commendable, but it assumes a state of disinterested objectivity on the part of the analyst and does not deal with the particular paradigms, values and biases of the analyst that will inevitably influence
the outcome. This is where the value of communicative rationality is so clear, in that it allows free expression of one's particularities, including those of the analyst, and subjects them to the hermeneutic circle that produces a richer outcome, one that does not seek to eliminate, but rationally incorporates those particulars.

Another criticism of this form of PPA is that providing analytic inputs is not the same as participating in policy making (pg. 302). When compared with the ideal speech requirements, it falls far short of facilitating communicative rationality. Participants might be able to share their views, but they are not entitled to shape the decisions. That right belongs to the policy analysts. The policy agenda is set by the analysts (or the politicians), and the model does not provide for a collaborative analytic role for stakeholders, but simply an information transmission role. Thus there is only participation in a very limited, and from the perspective of the ideal speech situation, inadequate sense.

2:2:3:3 Interpretive PPA

Interpretive PPA is a third perspective. Central to this approach is the intensive involvement of key stakeholders in the analytic process. It recognises analysts are not part of an 'anointed priesthood' (pg. 302) and therefore separate from the analysis, but are instead part of the analysis. They are dependent upon the insights given by differing interpretations of the other participants. Stakeholders work with analysts in a collaborative way to produce agreement about values, goals, and interpretation of data. Durning notes that:

(i) interpretive analysis depends on participatory methods because the analyst, though an expert, knows that his or her understanding of reality may not be shared by other
important participants, and as a result, the analyst's advice may be rejected or may be wrong if it does not fit the context as understood by key participants (pg. 302).

Here we have an analytic approach which fits more closely the ideal speech situation, as well as embracing a Gadamerian hermeneutic. It allows for ongoing feedback by the analyst to the stakeholders to ensure a common understanding is secured. This approach may not be needed, nor appropriate, for policy issues that have low political conflict, are not too complex, and are amenable to technical solutions (ibid). Cases which already have normative agreement among stakeholders and involve simple technical solutions may not benefit from further interpretive analysis. In suggesting this, Durning recognises no one correct approach to policy development, but that each problem situation has its own particularities which need to be taken into account. Therefore, an intensive discursive approach is not always necessary or appropriate in policy analysis. Having said that, any significant or complex policy concern will necessitate an interpretive analysis for it will inevitably involve differing values and perceptions of both the problem and solution.

2:2:3:4 Stakeholder Policy Analysis

The final perspective Durning offers is stakeholder policy analysis. Similar to interpretive policy analysis, it differs with respect to who is responsible for the analytic outputs. With interpretive policy analysis, the analyst remains the central analytical figure and is responsible for the output. With stakeholder policy analysis:

*the analysis is created by stakeholders who transform the information and opinion inputs into advice. Thus, (they) not only provide analytic inputs and information, they perform the analysis* (pg. 303).
Governmental advisory commissions are an example of this type of analysis where experts from both government agencies and service users produce policy advice. This form of analysis could approach the conditions of the ideal speech situation if equality among the participants existed, but care would need to be taken to ensure all stakeholders could participate or be represented.

Summarising the four PPA perspectives, the participatory democratic approach is radical, but requires a level of political change considered improbable for the foreseeable future, at least in relation to public policy analysis. The three remaining perspectives provide possible approaches which could be used (and in some cases are being used) within current political structures. However, the provision of analytic inputs (the second perspective) fails to use the Gadamerian hermeneutic and falls short of the ideal speech conditions. We are then left with two possible approaches, both which allow intensive and quality stakeholder participation. The critical difference is the extent to which responsibility for the analysis affects the possibility for undistorted communication. Public agency analysts will, by virtue of their position, have a key role to play here, especially with the interpretive approach, for they are more central in the facilitation of the process. Assuming there are no procedural restrictions or rules which dictate the role of the analyst (in reference to the output responsibility), the analyst would need to carefully assess their role in facilitating communicative rationality. This involves a reconceptualization of the analyst's role, particularly if they have been trained in or accustomed to the second perspective where they simply seek information and input. This entails a shift not from expert to non-expert, but from a position of analytic dominance to analytic facilitation. Their role "would lie in the creation and sustenance of conditions and institutions for free democratic discourse" (Dryzek 1990a:126).
A problem could arise if control or responsibility for the analytic outputs disrupted the operation of the ideal speech conditions. This could happen, for example, where the analyst was under political pressure which was separate from, and not discursively interacting with, the analytic situation (see, Forester, 1982). This type of political pressure could undermine the analysis because it is not open to reflexive modification and therefore would not have to respond to the communicatively rational arguments. However, these political arguments would not be guilty of communicative distortion if they were discursively active in the ideal speech situation. They would cease to be corruptive, and would be an important contributor to the policy debate. This is an argument for involving decision makers and politicians in the ideal speech situation. If they are considered stakeholders, then it would violate the ideal speech situation for them not to be involved. But they would need to see themselves as equal participants in a discursive process, and not in their more usual role of adversarial politics.

2:2:4 Four Ideal Speech Criteria

Having developed the idea of discursive design and its relationship with participatory policy analysis, it is now necessary to connect them more substantially with the ideal speech situation. The ideal speech situation identifies the problem of communicative distortion, but in order to identify particular distortions in communicative processes, some identifying criteria are needed. I identify four criteria, derived from the ideal speech situation, which I argue can help shape a discursive design by identifying both existing and potential locations for communicative distortion. They enable analysts to ask questions about specific categories of
communicative distortions and therefore can be considered heuristic devices with which to probe policy processes. The theoretical link between these criteria, what I call ideal speech criteria, and the ideal speech situation involves a practical assurance that the ideal speech situation is approximated to the greatest possible extent. To briefly recap, the ideal speech situation is based upon the absence of any barriers which would hinder free and open communication between participants in dialogue. Communication should be free from domination due to power inequality, strategic manipulation or misrepresentation of the situation by participants, should obtain the sincerity of the participants and have the means to ascertain the truth status of any utterance. To be assured this occurs, persons must have access to the communicative process, there must be significant communicative equality among the participants, the process needs to be reflexive and participants need to have equal access to information. These are not the only possible criteria, but I outline them here in reference to the SHWMS process and will examine them in more depth in the methodology section.

2:2:4:1 The Accessibility Criterion

This relates to the openness of the process and the opportunity or provision for stakeholders to participate in the process. For instance, do all the stakeholders have free and equal access to setting the agenda? How will the decision of who to include be made? Does the process rely upon rules which systematically exclude certain

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17 I do not define a stakeholder here. However, by not defining it I may be open to the charge that I cannot determine if all stakeholders are included in the SHWMS case. In other words, some stakeholders may remain unidentified, producing communicative distortion. However, without rigorous criteria which can define a stakeholder (and I am not aware of any which are non-controversial) this remains a dilemma. To some extent, policy process reflexivity, which can be assessed, will mitigate this difficulty by exposing interests (stakeholders) which are unrepresented. There is no guarantee all stakeholders will be identified, for there is no universal definition of a stakeholder.
groups? Do the meeting times and locations facilitate attendance and inclusion? These questions are central to communicative rationality because inability to gain access to discursive deliberations or exclusion of legitimate participants (however they are defined) introduces communicative distortions. The discourse is unnecessarily partial.

2:2:4:2 The Equality Criterion

This concerns the capacity of participants to participate with freedom and equality. For example, a formal or legal structure, such as an appeal tribunal, will advantage those participants with experience in this arena, but could intimidate those less familiar with that environment. Therefore, any design needs to consider carefully not just formal equality, but the need for subjective or experiential equality, where participants feel equally able to contribute. Inequality due to socially constructed differences are the concern here, for it is not possible to deal with innate differences of intellect, communicative ability and so forth.

There is a deeper issue here with regards to equality. It concerns the question of whether there is an inherent ethnocentrism in the concepts of equality and freedom. I use these in a Western liberal sense (see Held, 1987:39-40) with their definitions grounded in concepts of individualism. There are two critical questions here: Are the Western definitions of these concepts (however defined) universally valid? and, am I unconsciously imposing my ethnocentric values on other cultures who may not share these values? This raises two issues. The first concerns an ethical claim of universality for these values. I deny the possibility of this, if by universality we mean some transcendental value outside of a particular context. This has been dealt with at length in Chapter One of this thesis. The second issue concerns whether the ideal
speech criteria constitute an ethical claim in the first place. To answer this, we need to be clear on the context. These criteria are being applied (in this case) within a multicultural environment. Given this context, we can ask what conditions are necessary for the peaceful resolution of conflict due to cultural difference? Moreover, what conditions are necessary for the preservation of cultural difference in a society which has to share common resources? I argue these criteria, rather than supporting particular values, provide adequate conditions to enhance the possibility for diverse cultures to maintain their traditions and values, while ensuring no culture will unfairly dominate discursive processes to the disadvantage of others. In other words, the ideal speech criteria form a functionally necessary role in a diverse world (see footnote No. 11, in this section for further discussion).

There is another factor in the equality criterion, that of control. This concerns the explicit roles the participants take in determining the process and interaction of the discourse. The focus here is on the proactive control of the interactions. How is the process managed? Is this process or person(s) acceptable to the participants? This is a critical aspect of any discursive process for this role involves significant authority and is invested with significant responsibility.

2:2:4:3 The Reflexivity Criterion

The third criterion, reflexivity, is an important part of the discursive process, for it enables the on-going reconstruction of the process. Any communicatively rational process needs a structure within which to operate, and this requires mutually agreed upon rules. But these rules should not be inflexible because discourse can raise issues
not previously considered or known. If this occurs, rules may need to be adjusted. In practice, this can be very difficult to achieve, given time and resource constraints. However, as I will argue later, discursive design is more of a creative than technical process. It relies upon goodwill and the ability to cultivate positive relations as much as it does on good structure. It is inherently political. This is, in part, its strength, for although technical competence in design will enhance the effectiveness of the process, it ought to be seen as a necessary but not sufficient condition for the emergence of communicative rationality.

2:2:4:4 The Information Criterion

The availability of information is my final criterion. This concerns access to both written and oral information. Unequal access to relevant information has been seen as a major distortion of communicative competence in public decision making (Kemp, 1985) and for this reason careful analysis of access to information is important. Critical questions to consider in any discursive design are how to ensure sufficient information is available, that it is accessible by and comprehensible to all participants. Of particular concern is information strategically important to one party, but is unavailable to other parties. Commercially sensitive information may fall in this category, but its non-disclosure will produce communicative distortion. The same difficulty may apply to intellectual property rights, e.g., indigenous knowledge. Two issues are apparent in these cases. First, there is the potential violation of the ideal speech criteria due to concealment of certain knowledge. Second, there may be justification for this concealment at times. For example, Maori may be unwilling to disclose the exact location of sacred sites due to a cultural prohibition. This poses a
difficulty for the ideal speech concept; full disclosure may violate certain values, while non-disclosure may produce communicative distortion. In response, I propose that a distortion only exists when unequal access to information is agreed, through a discursive deliberation, to disadvantage at least one party to the discourse. It may well be that concealment of the location of a sacred site does not constitute a disadvantage to other parties. Further, communicative rationality can also be used to produce intersubjective understanding about a cultural need to conceal certain information. If agreement can be reached about such concealment, then this does not constitute communicative distortion.

These criteria will affect the design of a discursive process. They provide a framework which, though not exhaustive, can guide the shape of any discursive design. In doing so, they address concerns regarding the communicative distortion potential of 'design' by enabling communicative rationality to emerge in policy processes.

In summary, what I presented here are some possibilities for the design of discursive processes. The critical issue is that whatever the actual design used it must be the closest approximation of the ideal speech situation. But the question that has yet to be addressed concerns the real world applicability of these theories. How does this work in practice? Can the ideal speech situation actually produce communicative rationality in a real world situation? What can the criteria developed above tell us about a particular policy development? In order to address these questions, I will use
a case study example of the Christchurch City Solid and Hazardous Waste Management Strategy. It is to this that I now turn.
CHAPTER THREE

Christchurch City Solid and Hazardous Waste Management Strategy:
A Case Study

Discursive design theory offers promise in dealing with the limitations of contemporary public policy making. However, theory untested in real life policy situations can be subject to the same limitations I argued constrained contemporary policy analysis. One limitation is a limited reflexive capacity, whereby if a theory is not exposed to critique by the real world, it is likely to be limited in its real world adequacy. For example, one of the tests of good theory is how well it enables us to understand, evaluate and act on situations in the real world. Without such application, further reflexive refinement of theory cannot take place, except perhaps on a further abstract level. And while increasing abstraction can be helpful in theoretical refinement, the practical question of its usefulness still remains (Bulmer 1984:4, Denzin 1989:1). The concept of discursive design, and in particular the ideal speech criteria I developed in the previous chapter, need to be applied in real world cases in order to evaluate how well they function in a specific context. Through the use of reflexive critique, a more thorough assessment can be made of the theory's practical usefulness. Further, and certainly not less important, it provides opportunities for the reconstruction of theory itself, thus engaging the hermeneutic circle (see section '2:1:1') and avoiding a static or fixed view of theory.

Until recently, most of the attention given in the literature to the application of discursive practices in policy making has been theoretical (Dryzek, 1990a:40; Fischer,
Although attention has been paid to alternative decision techniques, such as conflict resolution, mediation, and public participation (Crowfoot and Wondollet, 1990; Kathlene and Martin, 1991; McMullin and Nielsen, 1991; Munro-Clarke, 1992; Talbot, 1983), any application of the ideal speech situation to real world policy analysis appears incipient. There is need for the theory to be applied in the real world. For this reason, I apply the ideal speech criteria to an actual policy process, the Christchurch City Solid and Hazardous Waste Management Strategy (SHWMS). I provide an overview of the SHWMS process, define the research questions, develop a methodological framework for analysis, and, in the next chapter, perform the analysis.
Solid and hazardous waste management in Christchurch has until recently been carried out on a relatively *ad hoc* basis. Although some innovative ideas have been implemented, e.g., the transfer station system of waste removal, no long term strategy existed (Dolan, Trans).\(^1\) Although the city was required to have a management strategy in place, no statutory requirement for a long term strategy existed. According to Laurence Dolan, the city's solid waste planner, this constituted a problem generally recognised by the Council. Because there was no long term strategy, there was: (1) 'unfinished business'; (2) 'uncertainty about where waste management practices were going'; and (3) insufficient information from the community (Trans:Dolan). Dolan began the initial part of a process designed to produce the city's first long-term waste management strategy.

3:1:1 The Discussion Document

The process to produce a long term strategy resulted in the Christchurch City Council (CCC) releasing a publication in August 1992, titled *Where To Now? Christchurch Solid and Hazardous Waste Management Public Discussion Document*. The discussion document was designed to inform Christchurch residents about the Council's desire to develop a long term strategy that would "provide for the coordinated..."
development of future waste management policies, services and facilities..." (pg. 5).

Specifically, it would establish:

- The primary goals and objectives for waste management.
- The policies necessary to meet the goals and objectives.
- The ways in which the policies will be implemented through the provision of incentives, services and facilities in the future (ibid).

Two thousand discussion documents were printed, and about 1700 were distributed or picked up from the Council (Taylor Baines, et al., 1992). The document called for written submissions, and 72 were received.

3:1:2 The Task Group

The document also promised to set up task groups to provide more intensive public involvement in formulating the strategy. Thirty three individuals or groups indicated a desire to be involved. Gaye Pavelka, Manager of the 'Centre For Resolving Environmental Disputes', was contracted to provide independent facilitation of the task group (there was only one group set up). Those who indicated a desire to be involved were invited to a meeting where the ideas were discussed, resulting in 14 people officially appointed to the task group, in addition to Dolan and Pavelka (CCC, 1994:6-7).

The SHWMS task group met on 12 occasions over a period of 4 months during 1993. The meetings were facilitated by Pavelka, and everyone had formal equality with no one accorded any more procedural authority than another. Dolan was responsible for the supply of information as needed or requested by the group and for writing up decisions for re-presentation to the group at the following meeting.
Decisions were reached by consensus, and only rarely was a vote taken. The final document was informally presented to a group of City Councillors at a special lunch, and then in July 1993 was formally presented to the Council at meetings of the Operations and Environmental Committees. The document was accepted with only two minor changes (relating to the priority of two of the recommendations), and represented for public submissions. Sixteen were received, and after discussion by the task group, the final changes were made. The SHWMS was adopted by the CCC on March 15, 1994.

Although the idea and use of task groups is not new, it was a particularly novel approach for the CCC. The usual consultation procedure was to publish a draft policy document, or, in the last few years, an issues and options paper, call for submissions, hold a public hearing, and then publish the final policy document. Although there was a degree of flexibility in this traditional process, it was up to the planners, policy analysts or council officers, along with the politicians, to decide on the final policy. The public was expected to present its views, and these would be deliberated by the Council. It was very much an expert driven policy process, similar to Durning’s participatory policy analysis through providing analytic inputs (1993; also see this thesis, section 2:2:3 Design and Participatory Policy Analysis). In contrast, the SHWMS process involved a significantly more intensive process of consultation, but it also moved beyond consultation into a form of collaborative policy analysis. Task group members represented a number of interests and sectors (see Appendix One), and, although initially uncertain of their role, came to understand it as a process of consensus building and corporate strategic planning in which they were partners with the Council staff. The CCC still had statutory responsibility and authority to accept the strategy, and in this sense the task group was not a decision making body. Yet,
in a significant sense, they were creating the policy and therefore enacting the interpretive model of Durning (1993).

The use of 'independent' facilitation was also a notable feature of this process. As far as I am aware, this was the first time an independent facilitator was used by the Council in the development of policy. Pavelka did not represent any particular interest and her facilitation was considered by most of the group as a neutral role (Trans:Dolan; Trans:1 - 5, 9 - 12, 15).

What I have presented is a brief introduction to the SHWMS. A more detailed analysis will be presented in Chapter Four. What needs to be clearly stated now is the purpose of the research, including the specific research questions, for which I seek answers in the analysis. These questions determine the methodological approach used in the analysis.

3:1:3 Purpose of the Case Study

The focus of this case study is on the 'process' used in the production of the SHWMS, not the substantive issues of the strategy itself. The first purpose is to evaluate the discursive aspects of the SHWMS process. It seeks to assess the extent to which the process complies with the theoretical requirements of the ideal speech criteria. The second purpose of the case study is to assess the practical usefulness of the 'ideal speech criteria' in identifying communicative distortions in the SHWMS process. This enables reflexive evaluation of the theory as a 'guide' or 'set of criteria' in the development or assessment of discursive policy processes. The theory will also be assessed for its use as a means of criticism in cases where policy processes exhibit no discursive component. The third purpose is to assess the usefulness of discursive
processes in general. Obviously, it is difficult to draw generalizations from one case study which directly apply to other cases. Case studies can be generalized, but they are generalizable to theory, not other case studies (Yin, 1984:21). In other words, the value of a case study is in how it supports or does not support theory. Yin calls this ‘analytic generalization’, where "a previously developed theory is used as a template with which to compare the empirical results of the case study" (Yin, 1984:38). My third purpose of assessing the usefulness of discursive design in general is achieved not by case study comparison but by theory refinement resulting from case study analysis. Although the case study deals with a particular context, one unlikely to be replicated in detail, its usefulness in other contexts relates to the quality of the theory. Due to the limited number of case studies of discursive policy processes currently available, studies such as this are valuable for their contribution to the growth in understanding discursive design theory. For these reasons, it is important to identify what external factors contributed to the success or otherwise of the SHWMS process.

The Research Questions

These three purposes begin with the SHWMS process, reflexively reengage the theory and draw generalizable conclusions about discursive policy processes. The three purposes are formalized below as specific research questions:

(1) To what extent does the SHWMS process fulfil the theoretical requirements of the ‘ideal speech criteria’?

(2) How useful are the ‘ideal speech criteria’ in identifying communicative distortions of the SHWMS process?
(3) What can be learnt from the SHWMS process that improves our understanding of discursive policy processes?

These questions are sequential. An answer to the third question can only be given when conclusions for the previous two questions are developed. An answer to the second is an outcome of the process of analyzing the first. Therefore, the analysis begins with question one and proceeds to the final two. In order to answer these questions, a methodology is needed.
The importance of methodology and method, and the critical difference between them, can perhaps be seen in the following way. I discussed a theory which purports to overcome a considered problem - that of communicative distortion in policy analysis. I also developed some 'practical problems' or 'questions' which await an answer. In order to provide an answer, some data (provided by the case study) and a means of analyzing this data are needed. The 'general principles' that guide the collection and analysis of the data can be referred to as methodology. In Bulmer's words:

*General methodology denotes the systematic and logical study of the general principles guiding sociological investigation, concerned in the broadest sense with questions of how the sociologist [or policy analyst] establishes social knowledge ....* (Bulmer, 1984:4, (brackets added)).

Methodology, then, provides the theoretical justification for adopting what can be called method or research activity (Bulmer, 1984:5; Denzin, 1989:4). Method differs from methodology in that it determines "the specific or manipulative fact-finding operations which are used to yield data about the social world" (Bulmer, 1984:5). Thus, the task here is to describe both the methodology and methods used in the research and in the ensuing analysis.

Although analysis formally takes place after data gathering, the theoretical framework used in analysis largely determines what data are required. The process I developed was initially inspired by theory, begging questions that seemed to capture my 'sociological imagination' (to borrow from C Wright Mills, 1959). Theory shaped the form of analysis I undertook. The research questions, choice of methodology and
methods were developed, not in a clear systematic sense, but very much in a reflexive process of discovery. I make this point to undermine any strict sense of order that may be conveyed in the discussion below. Order and clear structure are necessary to communicate the methodology and methods to the reader, but any such order is invariably imposed retrospectively. This, however, is the nature of a reflexive approach, where understanding emerges out of a series of encounters with people and ideas. Therefore, it is appropriate that my methodology, methods and analysis reflect this. I begin with a description of the methodology and methods used in the analysis because these had a more substantial affect on the type of data needed than the case study had on the analysis.

3:2:1 Methodology and Methods of Analysis

The three research questions I posed above call for two categories of information to be analyzed. These are a ‘structural analysis’ and a ‘phenomenological analysis’. Both are defined below and involve general principles which determine the sort of knowledge to be produced. While they can be considered analytically separate, they are both essential to the research questions.

3:2:1:1 Structural Analysis

By structural analysis, I mean an analysis of the ‘structure’ surrounding the SHWMS process. More specifically, I refer to the physical, procedural, social and political environments in which the SHWMS took place. It is the empirical reality, Durkheim’s ‘social facts’ (1895), that I examine here. Social facts can be thought of as
"social phenomena that [are] external to the individual yet [constrain] his or her actions" (Abercrombie, et al., 1988:226). Structural constraints exist beyond the volitions of individuals, and are important in structuring the actions and choices of individuals. An analysis of structure will provide important clues about communicative constraints in the SHWMS process.

Two key elements of structure are important for this analysis, process and context. This enables a more focused analysis of the structure through identification of structural processes and structural context. These two foci, defined below, also address some of the concerns of the research questions. Analysis of the process addresses some of the concerns of the first two research questions, while analysis of the context addresses the final research question. First, I define the concept of structural process.

3:2:1:1:1 Process

Process, as used here, is concerned with communicative procedures, strategies, rules and interactions that took place during the production of the SHWMS. It consists of the stream of events, interactions, strategies, emotions, rules and decisions that occurred during the task group’s existence. It also involves the period just prior to the group being set up. The policy cycle theory is useful here. Although there are a variety of interpretations of the cycle, they are all derived from Lasswell’s (1956) original formulation of seven stages. However, a ‘standard heuristic’ version, widely

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2 There is no claim here that ‘social facts’ are objective in the sense used by objectivism. These phenomena are not contingent upon the individual, but they can be construed or interpreted in a number of different ways depending upon one’s standpoint. I offer what I believe to be a compelling interpretation, but further reflexive analysis may expand or challenge my interpretation. This possibility is central to my theory and does not posit a theoretical difficulty.
used, involves four broad stages (Bührs and Bartlett, 1993:19). The policy cycle begins with agenda setting, moves to policy formulation, then to implementation and finally evaluation. The SHWMS process consisted of the first two stages, so my analysis will centre around them. Obviously, implementation of the policy, and any subsequent evaluation, is beyond the analytic reach of this thesis because it has yet to be implemented in any substantive sense. First, I discuss agenda setting.

Agenda setting is the first stage of the policy cycle and has a powerful role in problem definition. Kingdon (1984) offers a useful definition of agenda setting:

The agenda, as I conceive of it, is the list of subjects and problems to which government officials, and people outside government closely associated with those officials, are paying some serious attention at any given time (pg. 3).

This definition, however, is inadequate in dealing with agenda setting. The 'list of subjects and problems' is dependent upon prior definition of what constitutes a problem. Problems can be defined in different ways, and this can affect the types of policy solutions generated. The construction of solutions, if they are instrumentally rational, are logically dependant upon a prior problem definition. For example, debate has been vigorous in New Zealand over the concept of sustainability as defined in the Resource Management Act (1991) (for example, see Memon, 1991). If the problem is defined in terms of how to limit environmental impact, any subsequent outcome will be different than if the problem is defined as how to protect development opportunities (for example, see Fisher, 1991). Communicative rationality is not so much concerned with the substantive definitions of problems, but with how the problem was defined. Key questions for the SHWMS case study include: who was responsible for defining the problem? Did the process involve open discursive
opportunities for all stakeholders? These are important analytical questions for this case study.

Problem definition is only one aspect of agenda setting. The way a problem is defined will shape potential solutions. Kingdon (1984) again provides a useful concept when he distinguishes between agendas and alternatives. An official agenda involves some problem definition as well as some preferred solutions. Alternatives involve other possible solutions not on the official agenda. Kingdon (1984) observes:

"Out of the set of all conceivable alternatives, officials actually consider some more seriously than others. So the process of specifying alternatives narrows the set of conceivable alternatives that is seriously considered" (pg. 4).

While this is obviously necessary, given the resource and intellectual difficulties in investigating every alternative, it helps determine the shape of the ensuing policy debate. The capability of an analytic system to cope with diverse and sometimes radical alternatives will have an impact upon the discursive opportunity of stakeholders. Kingdon argues agendas are more likely to be set by politicians, while specialists produce alternatives. These specialists come from diverse orientations and interests, "but they all share one thing: their specialization and acquaintance with the issues in that particular policy area" (ibid, 1984:209). From this, I argue politicians or experts in the policy field, such as waste management, have an advantage in their ability to get issues, whether they be problems or solutions to existing problems, onto the political agenda. Therefore, the discursive evaluation of the SHWMS process will need to carefully examine the agenda setting component in order to determine the level of discursive opportunity for stakeholders. The pre-existence of an agenda is not in itself problematic. What may be problematic in relation to my theory is the level of reflexivity in the production of the agenda. Little or no reflexivity produces an agenda
characterised by partiality, potentially producing communicative distortion. Therefore, it is the level of reflexivity allowed to occur during the policy process that determines to what extent the ideal speech criteria are met.

Agenda setting sets discursive boundaries to a policy process. One of the ways it does this is through stakeholder selection. Although stakeholder selection would appear to fall outside Kingdon’s definition of agenda setting, it is a necessary issue to analyze. A definition of a ‘stakeholder’ will encompass, or eliminate, particular viewpoints or discourses. These viewpoints or discourses may involve important components of the problem situation which would otherwise be overlooked or marginalised. Therefore, reflexivity is essential when identifying stakeholders. The issue at stake for the SHWMS is not so much the concept of eligibility in a democratic process (for a discussion see Mulgan, 1984), but the capacity of the process to be open to any potential stakeholder. Again, this is subject to analysis in Chapter Four.

The second stage to consider is policy formulation. While the literature is rich with investigations of policy formulation and selection processes (for a concise review, see Bührs and Bartlett, 1994:22-25), my concern here is specifically with the SHWMS task group. While an agenda existed prior to the task group forming, policy formulation largely took place during the duration of the meetings. This process is subjected to the ideal speech criteria. The question is to what extent, and in what ways, the conditions for ‘ideal speech’ were met. Both the agenda setting and policy formulation processes will be analyzed using the ideal speech criteria; these are elaborated below.

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3 Theoretical justification for the ‘ideal speech criteria’ is given in section ‘2.2 Discursive Design’.
The Accessibility criterion is concerned with the level of opportunity for participation in the discourse on waste management. The task group was a formal expression of the discourse and therefore a central question is: Who had access to the task group? The definition of a stakeholder is a critical determinant in this, and is carefully examined by the following questions: How were the stakeholders defined?; How was the agenda set and who set it? Equally important is the process by which the task group was chosen. There are some key questions to be addressed here. Did all stakeholders have an equal opportunity to participate in the process? Were any stakeholders left out of the process? How were the task group members chosen? Participation necessitates knowledge of the task group’s existence and the resources necessary to take part, which raises further questions. What was the time commitment and did it hinder anyone’s access to the group? Did the travel time and costs to attend meetings prove a hinderance? Were participants with child care responsibilities hindered from attending? Did the meeting location facilitate attendance and inclusion? Did the setting and culture discriminate against any stakeholders?

The Equality criterion refers to equality of opportunity, not equality of ability. Obviously, participants in this process will have differing levels of communicative and intellectual competence. However, the concern here is about the capacity of participants to participate with freedom and equality in the discursive process. For instance, I needed to find out how the meetings were run. How was speaking time allocated? What forms of communication were permitted? How were meeting protocol and procedures established? Were all stakeholders able to communicate on an equal basis? Analysis of this involves both an understanding of meeting procedures, as well as the personal experiences of the participants. Were there
procedures for ensuring all members had an opportunity to speak when they wanted? Did they feel they were able to speak freely?

An important component of the equality criterion is what I call the control factor. In order to ensure communicative equality, there may need to be some external control (monitor) of the group to ensure those with less social, intellectual or persuasive ability are not disadvantaged. Without recognition of these issues, communicative distortions are likely to emerge. Therefore, the following questions need to be addressed. What explicit control roles existed within the group? How did they come about? What guidelines existed for these roles? Who developed these guidelines? How were those with less persuasive ability recognised and assisted?

Finally, decision making will have to be examined. Decision processes form a critical component in communicative rationality because the development of intersubjective understanding provides the conditions for mutually agreed decisions. It follows that the elimination of communicative distortions must occur not just in deliberation processes, but in any formal decision moment. By formal decision moment, I refer to a time when all parties to the discourse formally agree upon a particular policy, plan or action. This does not imply a policy decision only occurs at one clearly defined point in time, but it does recognise the significance of formal decision processes. These processes are examined here. What sort of decision making techniques were operating within the group? How were decisions made? What role did consensus building play in the group? Answers to these questions will enhance recognition of communicative distortions.

The Reflexivity criterion is an important part of the discursive process because it enables the on-going consideration of beliefs and values as well as facts and data. This mitigates the problem of overlooking or ignoring new or additional arguments.
and ensures more thorough attention is given to all relevant issues. Therefore, I will need to find out if the capacity and freedom for reflexivity was present and effective in the process. That is, was the process itself able to be questioned? If so, then how did this occur? To what extent did the process facilitate self-reflexivity of the participants? This is especially important in that communicative rationality necessarily involves adjustment and development of the beliefs of participants.

The **Information** criterion concerns access to both written and oral information. Unequal access to relevant information has been seen as a major distortion of communicative competence in public decision making (Kemp 1985). For this reason, it is important to analyze this criterion. Was sufficient information available, accessible by all and comprehensible by all, regarding both setting of the agenda and the formulation of policy? Who provided it? What was provided and how was it provided? Was it technically complex? Was technically complex information understandable by all? If so, how did this occur? Was there sufficient time for participants to become conversant with the information?

These criteria are critical in this analysis because they probe locations of potential communicative distortion. They provide a method for rigorous analysis (I do not claim an exhaustive analysis) of the process, i.e., the communicative procedures, strategies, rules and interactions that shaped the discursive outcomes of the SHWMS. Analyzing both agenda setting and policy formulation stages of the policy cycle in this way exposes the structure, or social facts, which constitute the process. Analysis does not finish here for any process occurs within a context. Thus, context forms the second part of the structural analysis.
Context is similar to the ‘background’ or ‘scenario’ in a stage production. The actors do not perform in a vacuum, with no sense of context, but locate their characters in time and space with a particular history. Only within this defined context can the audience make sense of the actors’ actions. The SHWMS took place within a particular context, and this forms some of the variables which shaped the interactions which occurred between the actors. Unless these are accounted for, it may not be possible to provide adequate evaluation of the process. For example, what is the effect of political support (or lack of it) on the interactions and development of communicative rationality within the group? The structural context, as I define it here, will help provide an answer to the third research question.

I have identified five elements essential to the structural context of the SHWMS process. These elements are to some degree interrelated, and analysis must seek to integrate them as much as possible. As mentioned earlier, they are separated only for analytic clarity.

Before continuing, I need to stake a disclaimer. This section is not intended to be an exhaustive contextual analysis for the following reasons. As Diesing has observed, there is a tension which surrounds any case study. The researcher:

* wants to study a whole system, not just a fragment, and this requires a continually expanding boundary as he [sic] finds his subject matter participating in larger systems.
* He also wants a thorough, detailed study of all the important interrelations in his system.... He cannot satisfy both these requirements fully. No matter which way he turns, his work will lack something... (1972:277).
I am acutely aware of this tension regarding this contextual analysis. Indeed, I make no attempt at a comprehensive analysis of the context of the SHWMS. The principle research focus of this thesis is on the ideal speech requirements. Nevertheless, a discussion of the context is warranted, even though it cannot be examined in detail. To fail to examine the context passes up an opportunity to reflect critically on what may or may not facilitate a discursive turn in policy making. And this is the essence of my third research question: What can be learnt from the SHWMS process that improves our understanding of discursive policy processes?

The first element of context is the institutional context. In this case, it refers to the Christchurch City Council, although more specifically, the Waste Management Unit. I looked for ways in which the institutional structure shaped or impacted upon the SHWMS process. This requires some understanding of the scope of the Waste Management Unit and the roles of the personnel involved in the SHWMS process. To whom was the Unit responsible? For whom was the strategy prepared? What were the Unit’s guidelines in relation to developing policy? These are the questions answered by my analysis in Chapter Four.

The legal context is the second element discussed. With the increased focus on public participation in the Resource Management Act (1991), it is important to identify what role this legislation played in the development of the SHWMS. What were the statutory requirements on the council, particularly with regards to public participation? What procedures, if any, did the legislation mandate? Statutory requirements for participation and mandated procedures may introduce limitations or constraints on free discourse during the SHWMS. Therefore, answers to these questions will help determine if this was the case.
The third element of context concerns the roles of personnel in the process. Neither policies nor policy processes just happen, but are products of human action. The role of individuals as key variables in policy development is important here and is well established in the literature (Kingdon, 1984; Schneider and Teske, 1992). One key role is that of the 'policy entrepreneur' (Kingdon, 1984). This is someone who typically sees a 'window of opportunity' for the development of a particular policy or approach. They act as a catalyst for innovation. I determine whether someone performed such a role in the SHWMS process, and answer the questions: Who were they? What enabled them to function in the way they did? and, How significant was this role in establishing the approach used in the SHWMS process?

The fourth element is the political context. Public servants may be generators of policy, but they do not, in most cases, make policy decisions. The role of politicians in authorising or forbidding particular policy initiatives is therefore important to identify. For instance, what was the role of the council politicians in this process? What was their initial attitude towards it? Did their attitudes change by the completion of the process? What do they consider to be the positive or negative benefits of the process? These are questions which my analysis answers.

The final element is the nature of the subject. By this, I refer to the scope, complexity, risk factors, number of stakeholders and public sensitivity on the subject. Without carefully defining these features, it would be difficult to assess the reasons for the success or lack thereof in the process. For example, what elements of the subject facilitate, and what elements hinder, the application of a discursive approach? Was there public controversy surrounding solid waste management? Was there technical disagreement about the problems or solutions? Was there any significant clash of values apparent during the process?
The process and context form the two aspects of the structural analysis, giving understanding of the physical, procedural, social and political environments in which the SHWMS took place and any potential locations for communicative distortion. The second analytical theme, the phenomenological analysis, addresses the participant’s individual experiences of the SHWMS process.

3:2:1:2 Phenomenological Analysis

While structural analysis enables us to understand the context and process of the SHWMS, it does not give us insight into the way participants experienced the process. Phenomenological analysis can help us here. Phenomenology is the study of appearances, that is, how things appear or are experienced by conscious beings (Stewart and Mickunas, 1974:3). The aim is to produce an understanding from the subject’s frame of reference (Singleton, et al., 1993:36). My premise is that subjects have their own interpretation of events and experiences, in the sense that they ‘personally’ experience these phenomena. This is not to say that the range of possible interpretations is not delimited by one’s culture or available discourses (Psathas, 1973:8), but rather that there is a very real uniqueness about these experiences; they belong to that person, not another. This provides qualitatively different experiences that cannot be understood through an external structural analysis. These private experiences and interpretations form an important aspect of the world of possible knowledge. To neglect the personal experiences of subjects is to ignore much knowledge essential in a process such as the SHWMS. As Bulmer puts its:
It is ... essential to study social action from the actors' point of view to provide some account of the actors's subjective 'definition of the situation' (to use a phrase made famous by W.I. Thomas) (1984:211).

Why is this essential? The logic of communicative rationality insists that all perceptions, values and feelings of participants are valid contributions to the discursive process, although this does not mean all perceptions, values or feelings have equal epistemic value. If intersubjective understanding is to occur, it needs to involve all relevant emotions, experiences and values of the communicants. Failure to allow for these dimensions of human knowledge can only result in distorted communication. Therefore, any analysis that seeks to assess the extent of communicative distortion needs to examine the personal experiential dimension of the participants.

Phenomenology

The roots and emergence of phenomenology as a distinct method of philosophy are complex, and a detailed examination of them would be of little benefit here. However, it is worth touching on a couple of key concepts which will help the reader to understand the way I appropriate phenomenology.

Central to phenomenology is the issue of consciousness. Unlike the Cartesian cogito (the thinking self), the phenomenological notion of consciousness does not separate the act of being conscious from what one is conscious of. Thus, "Consciousness is always directed towards an object" (Stewart and Mickunas, 1974:8). This is known as

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4 For further reading see Bernstein, (1976:115-169); Psathas, (1973); Spiegelberg, (1965, 1975); and Stewart and Mickunas, (1974).
'the intentionality of consciousness' (ibid; Thompson 1981:38) and means that questions over the existence of the real world are no longer relevant, for intentionality of consciousness means the real world (object of consciousness) must exist. Therefore, an exploration of phenomena (or appearances one is conscious of) is necessary for social understanding.

Another important aspect of phenomenology is the bracketing or suspension of judgements when seeking to understand a particular phenomenon (Psathas, 1973:14). In fact, it has been referred to as a philosophy without presuppositions (Stewart and Mickunas, 1974:6), for it involves setting aside the day-to-day assumptions that inform our usual interpretations of things. By suspending our understanding in this way, we are then able to become aware of phenomena which we would not normally notice. For example, it might be argued that the last thing an inhabitant of the ocean depths would become aware of is water. This is the type of 'seeing' which phenomenology enables. Given that we all carry a stock of a-priori interpretations around with us, these blind us to many other aspects of phenomena of which we might otherwise be aware. Thus, a phenomenological method seeks to give equal attention to all aspects of the phenomena (ibid, pg. 15), seeking to uncover a 'universal essence' (Eidos) (Spiegelberg, 1965:676; Thompson, 1981:38).

Both of these concepts involve complex and subtle reasoning. However, they are not immune to criticism (e.g., Bernstein 1976:167; Thompson 1981:38). I mention them because they are both central to phenomenological method, but also to point out that I am not appropriating the second aspect, only the first. The first is an assumption that provides a theoretical basis for using personal experience as a legitimate source

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5 I do not assume phenomenology is successful in uncovering a 'universal essence', nor imply such a project could be successful. Given the earlier discussion on standpoint epistemology, such a possibility would appear highly unlikely.
of data. However, I do not come to the experiences of the participants with suspended judgement in the sense of having no analytic framework. This entire thesis is a process of constructing such an analytic framework. For consistency with phenomenological method, I ought to step back from my analytic agenda and use phenomenological method to 'intuit' (Spiegelberg, 1965:659) the general essences of the experiences. This fundamentally radical move is simply not necessary for my analysis, for I am seeking a 'particular' understanding of the extent of communicative rationality, and not the general essences of this interaction. Nevertheless, the call to reflexivity implied in the open attitude attending phenomenological analysis is well noted. This, then, serves as both an explanation and justification of my use of the term phenomenology.

The use of Phenomenology in Analysis

In my evaluation, I ascertain the extent to which the SHWMS conformed to the principles of the 'ideal speech situation'. This necessitates taking seriously the participants' personal (subjective) evaluations of the process. Did they feel they had equal opportunities to speak? What restraints, if any, did they experience? Were they able to understand the discourse of others? These are the sorts of questions which will add another analytic layer to the structural analysis discussed above.

Specifically, phenomenological analysis deals with participants' experiences of the process. Why did they get involved? How did they find out about it? Have they been involved in similar or dissimilar processes before? What is their relationship to solid and hazardous waste management? I find out what their experience of the process was like. For example, did they experience any personal benefits from the
process? Did they have any negative experiences? Would they be willing to do it again? What changes would they suggest? Did they feel they could communicate freely in the group? These questions enlarge my understanding of the context of the process and will assist in answering my third research question: "What can be learnt from the SHWMS process that improves our understanding of discursive policy processes?"

To summarise this section, I have explained both my general methodology and the specific methods used in the analysis. The next step involves the collection of the data. It is to this I now turn.
Two sources of data are relevant to this research. The first source is literature, and the second is the reflections of the task group members and relevant CCC staff. I describe both these sources in terms of what information I obtained, how I obtained it, and why I used that particular approach.

3:3:1 Literature Search

Central to the structural analysis is information on the agenda setting process and meeting procedures of the SHWMS process. Due to the fact this was a CCC project, and therefore accountable to Christchurch rate payers, detailed records of the process were kept. I list these as follows:

Meeting Agendas: These contain the proposed agenda for each meeting, distributed to each member prior to the meeting.

Meeting Minutes: These minutes provide details of who was present, along with apologies, an overview of what was achieved (on one occasion), a record of what was discussed, and any decisions made.

Technical Information: This provides data for the 'information' criterion. It includes published articles and research information from the CCC. Additionally, it covers the statutory obligations of the Waste Management Unit.

Correspondence: This includes letters, faxes and memoranda. There is only a small number, most of which would be considered confidential.

Task Group Members Lists: These include a mailing list, as well as names suggested for the task group.
Meeting Aids: These consist of hand written deliberation notes, typed sheets used for issue identification and recommendations, and large sheets of paper used for group goal setting.

Newspaper Articles: Two from The Press, Christchurch

Submissions: A summary of each of the 17 submissions received by the CCC in response to the draft Solid and Hazardous Waste Management Strategy.

Other sources are published documents. They are presented in chronological order.


Analysis of Submissions: (Taylor Baines, et al., 1992), previously cited.

Rough Draft SHWMS: (CCC, 1993b)

Draft SHWMS: (CCC, 1993a)


Final SHWMS: (CCC, 1994)

The above literature and documentation was made available to me by Gaye Pavelka. They provide a wide range of substantive data relevant for all of the research questions. In particular, the literature and documentation provide data relevant to the contextual analysis, for they deal with much of the background to the task group. However, the data provided by the literature search are of limited use because the ideal speech criteria require a level of analysis which goes beyond just the 'official' records. For this reason, I chose the interview as my second and principle form of data collection.
3:3:2 Interviews

3:3:2:1 Why use the Interview Technique?

The principle reason for my use of an interview technique is that this research is driven by a type of theory which demands an interactive methodology, and therefore the use of a non-interactive form of data gathering is not appropriate. Obviously, participant observation of the SHWMS was impossible for chronological reasons (it took place in 1993, prior to me beginning this thesis). A mail out survey, one of the approaches originally considered, turned out to be methodologically incompatible with my theory. The discursive and interactive epistemology I developed earlier demanded a discursive and interactive approach be used to gather the data. As Benney and Hughes (1984) observe, sociology has become the 'science of the interview', for the "subject-matter of sociology is interaction" (pg. 216). The use of an impersonal survey method, for example, cannot adequately capture the impressions, feelings, attitudes or opinions central to the phenomenological analysis. However, a face-to-face interview is more able to achieve this.

An interview is essentially a conversation between two people (Denzin, 1989:109; Benney and Hughes, 1984:222). Being face-to-face, the participants enter into a relationship which forms the basis from which knowledge is conveyed. This knowledge is constituted through at least three (interrelated) facets of this interaction. First, the ability of the interviewer to listen, communicate and reflexively interpret the communications of the other will shape the type of knowledge produced. Likewise,

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*While this thesis cannot be neatly categorised as just sociology, it does draw strongly on sociological tradition, particularly regarding my phenomenological methodology. This assumption that I am 'doing sociology' is therefore appropriate.*
the trust the interviewer engenders in the respondent is important in shaping the type of knowledge given by the respondent (Denzin, 1989:109). Second, the personal situation of the participant, how comfortable they feel in the interview, how competent they are in communication, their degree of willingness to be involved, and their commitment to truthful revelation (Denzin, 1989:110; Moser and Kalton, 1971:271), will all affect the knowledge shared. Third, the actual information required, the construction of the questions, their order and wording all affect the final outcome (de Vaus, 1985:46-50). The interviews I undertook generally minimised the potential problems emerging from these interactions, for the social distance between myself and most of the participants was minimal. All but two participants had a professional connection with the issue, and one of the two was an experienced community board member. Two participants were women, both university trained. All were Pakeha (non-Maori of European decent). Some age differences existed but most were in their thirties and forties. Given my social location as a university trained Pakeha in my mid thirties, there was not a significant difference between us, with the exception of gender vis-à-vis the two women. Nevertheless, my presence as interviewer and analyst ought not be ignored. While I shared a similar social location to most of the task group, I had a researcher role in the interviews. This role was not, and could never be completely neutral, i.e., having no social location. Therefore, this role is examined in the analysis (Chapter Four).

Having established the reasons for using the interview technique, I need to explain the type of interview used. There are three basic types of face-to-face interviews. They are the structured, semi-structured and non-structured interview. The differences centre around the extent of structure used. I used the semi-structured interview, its use being well established in the literature (Denzin, 1989; Singleton, et
The semi-structured interview falls in-between the structured interview and the non-structured interview. The former not only ensures the questions are exactly the same for every respondent, but that the same order is followed. The semi-structured interview maintains a clear conception of the information to be gained, but allows flexibility in both the wording and order of the questions. In contrast, the non-structured interview has no set schedule of questions, giving the interviewer great freedom to explore issues and test hypotheses (Denzin, 1989:106). Because I needed to find out how the participants experienced the SHWMS process, as well as what they actually did, the flexibility of the semi-structured interview enabled me to glean both substantive and experiential data, without sacrificing the discursive freedom of the participants.

3:3:2:2 Problems with Interviews

The literature recognises certain problems with interviews, principally cost and bias (Singleton, et al., 1993:262). In my case, cost was minimal, as there was only a small number to interview and limited travelling involved. However, bias is a more serious problem. Even the concept itself is problematic, for as discussed in Chapter Two, no one can be truly free of bias if we mean by bias the influence the interviewer has on the response of the respondent. I define bias as any technique or personal influence of the interviewer and/or the interview situation which causes the respondent to significantly reconstruct their opinions or experience, thereby not recounting accurately their own opinions or experience. It can occur, for example, if a respondent gives me a response they think I want, rather than being true to their actual memory or feelings. While the elimination of bias is impossible, given that
knowledge is itself a (never completed) product of interaction, the challenge is to limit its effect. What I wanted to know is the way they experienced the SHWMS. However, it is entirely possible that were I to discuss with them the theory of communicative rationality and the argument for open communication, they would reinterpret their experience in the light of this new knowledge. An experience which may previously have been acceptable now becomes unacceptable. This can be interpreted as the introduction of ideology (Dryzek, 1990a:166). Thus, we must carefully determine what we are seeking, stable truth of the ‘actual’ situation, defined as facts existing in defiance of contingency, or merely an ephemeral moment of understanding? The former is somewhat illusory, while the latter is of little help in analysis. The way forward is to assume knowledge is relatively stable (given that this is most people’s experience of much of their lives), and carefully attempt to reduce the personal interference of the researcher.

Given the relatively impersonal nature of the SHWMS, as opposed, say, to researching the sexual practices of the participants, as well as the general equality between myself and my respondents, it is unlikely that significant bias will be present. Caution, nevertheless, is important. If I ask a question in such a way that the respondent is made aware of an issue they may not have previously been aware of, bias may occur. For example, if I say, ‘Did anyone abuse their authority in the group?’, the respondent is alerted to the idea of abuse and may feel compelled to answer in those terms. If, however, I say, ‘Tell me about what the group was like’, and follow up with probing questions such as ‘tell me some more about that’, there is less chance of predetermining the answer. So while bias in the interview is a factor, it is possible to minimise its impact through the use of open-ended questions.
Another important area of bias may affect the analysis. This concerns the etiology of systematic communicative distortion. The concern of this thesis is Structural causation external to the participants. I take my theoretical starting point for this from C.Wright Mills' 'private problems and public issues' (1959) where he divides problems experienced by the individual into two classes. The first are problems caused by the private choices of those individuals, and the second are personal problems caused by factors beyond the control of that individual. The boundaries between the two are undefined, and it is likely that both sets of causes are at work simultaneously. The causes of systemic communicative distortion exist beyond the private control of individuals. These communicative distortions are the subject of this thesis. But because of the blurred boundaries between the private and public, how can I know whether any confession of an experienced inequality in the SHWMS discursive process was a systematic structural problem (public), or a personal problem such as an anxiety disorder about speaking in public or even the transference of strictly private distress onto the public process? Participants may genuinely experience a lack of discursive opportunity, even though structural communicative distortion may have been eliminated, e.g., the 'ideal' speech situation.

The focus here is on communicative distortions which can, in principle, be eliminated from public policy processes by careful design. A key to recognition of these distortions lies in the 'public' nature of systemic distortion. Systemic distortions

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The distinction between public and private is problematic, not least for the feminist claim that the personal is political (and therefore public). However, I use the concept in a particular way. I do not mean private troubles have no social causation. Rather, I use the concept in a didactic way to distinguish between communicative inequality which is systemic and can be dealt with through public processes and that which cannot be dealt with through public processes. I freely admit, for example, that communicative distortion resulting from the inability of a young child to enter into discursive deliberation, while not socially caused in itself, can be accommodated through the use of others speaking on their behalf. This may not be so easily resolved if someone refuses to participate or feels too insecure to do so. If there were unlimited resources, public processes could, presumably, overcome most of these issues. In practice, closure must occur at some point where public or institutional responsibility ceases. I make no attempt to define where this point is.
will be apparent to many of the participants, and will generate a theme in the
analysis. This is similar to Mills' concept where if a trouble is truly a 'public issue',
it will not be confined to only a few. This may not resolve the difficulties in all
potential discursive processes, but presents itself as a theme to be investigated.
Therefore, it is carefully considered during the analysis.

3:3:2:3 The Interview Process

Given the small number of task group members (16), the interviewing process
was not an exhausting task. I initially contacted each participant by letter and
followed up with a phone call. I could not make contact with one participant, and he
was not interviewed. In three other cases where there was a stand-in nominated
(industry, environmentalists and one of the waste management companies), I only
interviewed the principle representative, not the stand-in representative. The only
other person not interviewed was someone not officially on the task group, but who
was a constant observer in all but three meetings. I was unable to contact him. There
were six other participants during the duration of the task group, most of these being
CCC personnel providing expert advice for a single session. They were not formal
members of the group and were not entitled to a decision making role. Therefore,
their impact on the task group members is more relevant than their experience of the
task group. For this reason, I did not interview them.

All participants\textsuperscript{8} were interviewed face-to-face, with one exception, when a
telephone interview took place. This person was about to leave for overseas and did
not have the time available for a face-to-face interview. His responses were noted by

\textsuperscript{8} Henceforth, participant refers to those actually interviewed.
hand and typed up immediately after the interview. My interview with Laurence Dolan had to take place when he was visiting the city, and thus was limited by his tight time schedule. I took notes by hand and typed them up that day. In all other cases, the interviews were tape recorded.

The advantages in taping the interviews are numerous. First, it produced an exact record of each participant's responses, including such things as pauses, tone and other subtle communicative devices. Second, it enabled me to concentrate on what they were saying, rather than desperately trying to write everything down. This level of concentration ensured the person I was listening to them and not preoccupied with other things. Third, transcribing the tapes enabled me to pay close attention to things I may not have noticed the first time around. This gave me a greater awareness of what they were saying.

However, there are criticisms of taping. These tend to involve at least two things: the time involved in transcribing and the possibility of reducing the interviewer's ability to be observant. First, the transcribing I did was not word for word, but involved critical comments and quotes that conveyed the essence of the interview. To transcribe the entire 16 tapes, approximately 14 hours of interviews, would have taken around 112 hours (at 8 hours transcribing per hour of interview, Singleton, et al., 1993:342). Given the fact that respondents answered specific questions, it was fairly easy to understand their answers, and therefore an exhaustive transcription did not prove any advantage. On the odd occasion when reading the transcriptions, I have gone back to the source (tape) when uncertain about what was being said. Overall, though, the transcriptions proved to be ideal data. The second criticism is that taping may cause the interviewer to be less observant, given their reliance on the tape to capture all relevant details (Denzin, 1989:85-86; Singleton,
This was overcome by hand written notes I took during the interviews. I noted responses, underlined the next question to refer to, and at times noted new questions that seemed contextually relevant to that participant. This enabled some reflexivity in my interviewing.

The above description of the interview process explicitly states how the data gathering took place. The next issue to examine is the production of the interview questions.

3:3:2:4 Interview Questions

The questions used in the interviews were produced by systematically examining the methods of analysis (structural and phenomenological analyses). The analytic methods each raised certain types of questions and involved two stages: an initial list of questions, and second, an operationalised list of questions. The first list of questions (Questions to be considered when data gathering - see Appendix Two) addresses each aspect of the structural and phenomenological analysis. These questions were not operationalised, but were simply part of a process designed to reduce the research questions from their somewhat abstract state into a more concrete form (de Vaus, 1985:43). Once this was done, the questions were operationalised, that is, carefully worded in order to gather the appropriate type of information necessary to answer the research questions. However, the type of operationalisation that occurs with a quantitative analysis is different from the qualitative analysis I undertook here. With quantification, statistical analysis is essential, and therefore questions have to be framed in such a way as to produce an unambiguous answer that can be assigned a certain value (Singleton, 1993:103). I am not undertaking a statistical analysis, and
therefore am not assigning quantitative values to responses. Rather, the questions are designed to elicit communication of views and experiences, whatever they might be, without quantification.

Operationalising the questions also involved sequencing, that is, putting the questions in an order that flowed easily from one topic to the other. This can be seen in Appendix Three. However, due to the differing personalities and interviewing situations, I rarely was able to follow this order. I found the opening chat with the participant set the scene for what we would initially discuss. This was a legitimate approach for it enabled me to follow the flow of communication from the participant, rather than me always directing it from the prepared schedule. I generally allowed an issue to be exhausted by the participant before proceeding to another question. Generally, the previous question, and subsequent answer, would indicate the most logical question to follow. So even in operationalising questions, reflexivity was essential, for the participants would often not give straightforward answers, but would develop them as they pondered the issue. Obviously, I was setting the agenda, but I was careful not to intrude with my opinion, nor to bias the answer by suggesting a possible answer.

I described how I developed the interview questions, but there remains a significant issue yet to be addressed. Questions are not simply knowledge producing devices; they implicate the researcher in an ethical relationship with the interviewee. For this reason, I now turn to an examination of the ethics involved in my research.
Ethics are not tangential to research, and must be carefully considered (Singleton, et al., 1993:474-495). A useful checklist (my term) is provided by Diener and Crandall (1978, cited in Singleton, et al., 1993). They identify four problem areas most often identified with research on human subjects: potential harm, lack of informed consent, deception and privacy invasion.

Potential harm, which can involve both physical and psychological damage, discomfort or pain, is not a major problem for my research. Indeed, all participants appeared to enjoy the interview process. Informed consent involves the participants being fully informed of the nature of the research, and their voluntary decision to participate. All participants were invited to take part through an introductory letter and a follow up phone call. On both occasions, I was able to explain what I wanted to do, and that what information they shared would be confidential, available only to me and my supervisors. All appeared to be clear about this, and there was never any sign of reluctance, even on the part of those with very heavy work schedules. It was not possible to describe the theoretical basis of my research, largely due to the time constraints most of the participants were under. Nor did it appear that any were particularly interested. I was careful not to talk about discursive democracy or communicative rationality for fear of introducing avoidable bias, although at the end of some interviews we exchanged ideas on some of these issues. Deception, where participants are not informed of the true reasons for the research, or may not even realise they are being researched, is seen by some researchers as necessary in some contexts (Singleton, et al., 1993:481). I consider this morally problematic, as well as entirely unnecessary in the case of the SHWMS.
Privacy is perhaps more difficult to deal with. By an invasion of privacy, I mean the intrusion of the researcher, or their technologies, e.g., tape recorders and video cameras, into areas of the subject's life that the researcher would not normally have access to, without the subject being aware of this intrusion (ibid pg. 484). This was not the case in my research. The other aspect, though, concerns the protection of individual identities in the analysis. My approach here is as follows. First, I stated in the introductory letter that I would not reveal their identities unless I had express permission to do so (see Appendix Four). Although the identity of the task group members is a matter of public record, I was seeking experiences of a personal nature, and therefore felt I ought to be careful when revealing such information. I felt there was nothing to be gained in identifying actual personalities, so I have not identified quotes or experiences with particular people. The only exception to this is with Laurence Dolan, Gaye Pavelka, and the CCC staff and Councillor. This is due to the pivotal roles they played in the process, or because they possessed certain background information about the process. Therefore, when I quote them, it is primarily for verification of such facts. If they shared a significant personal experience, I used my judgement as to whether their identity needed to be revealed. When in doubt, I did not identify personal comments. Since I did not tape Dolan, I sent him a copy of the transcript to ensure accuracy, and received permission to quote him.

The final ethical issue concerns the status of my research data. They were given in confidentiality, and therefore cannot be viewed by anyone else without express permission. The interview tapes and transcripts remain in my possession. Therefore, if a researcher wished to further study the SHWMS or my research, they could get access to the tapes and transcripts by contacting me and then obtaining written
permission from the persons concerned. I am certain permission would be easily obtained.

I began this chapter with an overview of the SHWMS process and the purpose of the case study was established as an exploration of the practical usefulness of the 'ideal speech criteria' in assessing communicative distortion in the SHWMS process. This was developed into three research questions central to this thesis. Methodology and methods used in the analysis were then discussed and justified. Because the theoretical orientation of this thesis is reflexive, requiring clear acknowledgment of my involvement, I described much of the process in some detail, particularly data collection and interviewing.

This chapter forms a connection between the theory developed in Chapter Two and the analysis of the SHWMS process. In other words, methodology provides a bridge between the theory and practice of discursive design. Without this bridge, there is no way to apply the theory to practice. Such application is one of the aims of this thesis, produced from the recognition that discursive design theory has been much discussed but rarely applied in real world analysis. The methodology and following analysis are designed to alleviate this problem. Having clearly discussed what the analysis is designed to achieve, and why this particular approach is taken, it remains for the analysis to be performed. It is to this I now turn.
CHAPTER FOUR

Analysis of the Solid and Hazardous Waste Management Strategy Process

This analysis of the Christchurch Solid and Hazardous Waste Management Strategy (SHWMS) process follows the methods described in the previous chapter. Two forms of analysis were developed, a structural analysis and a phenomenological analysis. They are analytically distinct in that they address different issues, so were described separately. However, in the analysis of the SHWMS process they converge at different points. This means the structure outlined in the previous chapter differs marginally from the structure of the following analysis. To clarify this, I outline the structure of the analysis. The three research questions are answered by two forms of analysis. The structural analysis addresses the 'structure' of context and process, while the phenomenological analysis addresses the participant's 'experience' of the process. Thus, the analysis of the SHWMS consists of two parts: first, a structural analysis of the context; and second, a structural and phenomenological analysis of the process. I make this distinction to provide a structure for the analysis, but I do not imply there is no connection between context and process. Once the context has been examined, contextual implications are woven into the analysis of the process. This way, the analysis maintains some clear structure while allowing for reflexivity.

I begin the analysis by examining the context of the SHWMS process. This has five elements to it: institutional, legal, personnel, political, and the nature of the
subject. The next part of the analysis concerns the process. This involves agenda setting and policy formulation. The four 'ideal speech criteria' of accessibility, equality, reflexivity and information are used to analyze these two parts of the process.
I argue the context in which the SHWMS was produced is an important influence on the discursive ability of the participants. These contextual factors may constrain discourse in different ways and therefore I analyze them before turning to analyze the process. I both describe the particular elements of context and analyze ways in which they affect communicative rationality.

4:1:1 Institutional Context

Prior to local body amalgamation in 1989, the Christchurch City and District Councils managed solid waste through the Metropolitan Refuse Disposal Committee. After amalgamation, this function was taken over by the Christchurch City Council (CCC) Drainage Unit which also covered sewage and storm water. There was no solid waste unit at that time. However, concern grew that solid waste management tended to be _ad hoc_ and that a coherent strategy was needed (Trans:Dolan; Trans:2; CCC, 1992:5). Laurence Dolan was appointed Solid Waste Planner in 1991, but worked in the planning section of the Drainage and Waste Management Unit. In July 1993, an independent section was set up to deal with solid waste management. This unit is part of the Drainage and Waste Management Unit and is required to present policy recommendations to the Operations Committee of the CCC.

Dolan was assigned the task of developing a coherent long term solid waste management strategy. He was responsible to Bob Watts (at that time the planning engineer) and developed the task group idea in conjunction with Watts. Dolan needed
no external authorization to develop the task group idea, except consultation with Watts and general reports from the Waste Management Unit to the Council. Dolan noted he had free reign throughout the process and considerable trust shown towards him by his manager (Trans:Dolan). Institutionally, there was a great deal of latitude for the development of this type of discursive process. The costs were met within the Unit's budget and were not considered great (Trans:2). Cr. Wright suggested that "if it cost $50,000, it was money well spent". There appeared to be no major financial restraints, and this facilitated acceptance of the task group concept.

Ray Harris, the current solid waste manager, believes there is an increased expectation that the Council consult with citizens. While there are statutory obligations for Councils to fulfil, "one has to use common sense .... It was really a case of starting from scratch" (Trans:Harris) to ensure the public had good input. Cr. Wright also noted the Council previously operated from the top down, but now are working from the bottom up; "We are trying to change the culture of the whole organization". I conclude, therefore, that there was a significant level of institutional flexibility in relation to developing the SHWMS. I argue this flexibility enabled the construction of a contextually appropriate and innovative format within which to produce the SHWMS.

1 Please note two points about referencing. First, I use two techniques when using the interview manuscripts in the text: quotation marks are used to indicate a direct quote from a participant; and single quotation marks are used when I paraphrase a participant's comment. The second point is that where I record a participant's name in the text, I do not ascribe a transcript number. This enables me, if necessary, to quote the participant in other places in the text without revealing their identity through the use of a transcript number.
4:1:2 Legal Context

The CCC has a number of statutory obligations in the area of solid waste management. These are contained in the Health Act (1956), the Local Government Act (1974) and the Resource Management Act (1991) (CCC, 1993a). These obligations primarily relate to the provision of services and regulation of waste management practices. Policy is also set by the Government at a national level and implemented by the Ministry for the Environment. Apart from the obligation to seek public input through submissions, these pieces of legislation and policy do not mandate, or even suggest, that a discursive design like the SHWMS be used. There was, then, no obligation on the CCC to use a task group to produce the SHWMS.

The CCC is obligated to have a waste management strategy in place. As I have discussed, there is no obligation for this to be a long term strategy. Nevertheless, there is some indication that this may be required in the near future. The CCC, as a territorial authority, is required under the Resource Management Act (1991) (RMA) to have regard to any proposed regional policy statement (s.74(2)(a)). In 1991, the Canterbury Regional Council (CRC) published a discussion document on the management of solid and hazardous wastes (Ayrey and Sherriff, 1991). It recommended territorial authorities prepare a 20 year waste management plan. Although the CRC did not have a waste management plan at the time of the SHWMS, the CRC discussion document was an additional signal to the CCC of the need to address the issue of a long term strategy. However, this does not constitute a legal requirement for a discursive consultation strategy such as the SHWMS process.
Mandated public consultation on Council policies, plans and activities takes place through submissions in relation to the Annual Plan and submissions in relation to the District Plan. Other submission processes relate to resource consent applications under the RMA. These submission processes are statutory requirements, but apart from these there are no other direct statutory requirements for consultation. Political concerns, the need for effective management of public issues and growing public interest in participation is producing increased effort from local bodies in seeking greater public involvement in decision making (Trans: Harris). The legal context of the consultation process of the SHWMS was not, therefore, a primary influence in the development of the task group idea.

An implication of the legal context is that a discursive design process does not have any legal standing. There is no requirement for political or decision making agencies to adhere to communicatively rational outcomes of discursive designs. I make this observation because it raises some interesting questions about how discursive designs can integrate with existing political structures. For example, would a legal requirement to make policy decisions via discursive designs produce or obstruct communicatively rational outcomes? While not answerable here, the legal context of the SHWMS highlights some important questions for discursive design.

4:1:3 Personnel Context

While the institutional framework provided some flexibility in dealing with the need for a long term waste management strategy, the roles of individuals made a critical difference. Most SHWMS process participants attribute much of the success
of the process to the personal skills and attitude of Dolan (Trans:3,4,9-12). He was described as an innovator (Trans:10) and an able communicator (Trans:11). One participant commented they thought "other departments in the Council are quite envious [of the SHWMS document] ... other departments wished they had the same process, that they'd had someone like a Laurence Dolan" (Trans:11). There was also a view that he took a risk with the task group and may have been 'leaned on a bit' by the Council (Trans:12). Dolan was aware of the growing role of public participation in waste management planning (Dolan and Pavelka, 1993:5), although the idea for an independent facilitator was given by Pavelka.

Pavelka was the other key contributor to the process. She was aware Dolan desired to set up a consultative process, and that he was not certain about how to go about it. After discussion, it was agreed that she facilitate a task group. She provided significant experience in group facilitation and highly developed people skills. Although some task group members had experience in formal meeting settings, no one had experience of the type of group process used in the SHWMS. Thus, she provided a unique contribution to the task group process, a contribution strongly endorsed by the task group members (Trans:Dolan; Trans:1 - 5, 9 - 12, 15) as critical to the group's success.

The importance of the role of personnel can be assessed through Kingdon's (1984) 'policy entrepreneur' theory. This theory is an attempt to determine why some policies get onto the political agenda and others do not. Kingdon argues policies need a convergence of three factors: a clearly understood problem, a solution and the emergence of a person who can take advantage of the situation. A successful policy initiative occurs when there is a convergence of these three factors, a 'window of
'opportunity' in Kingdon's words. The SHWMS process can be interpreted this way. There was a problem, the recognition that a long term waste management strategy was needed, a solution, the concept of an independently facilitated task group, and an individual with the appropriate skills and vision in the right place at the right time. My point is this: the discursive design represented by the SHWMS task group emerged, in part, due to the *particular* individuals involved, namely Dolan and Pavelka. I am not arguing that without these individuals consultation would not have occurred, for consultation is a statutory obligation. Rather, it is likely any alternative consultation would have been less discursive. I make this claim for the following reasons. While there is growing awareness within the planning community of the need for greater public participation (Trans:Harris), the RMA does not require the type of discursive deliberation argued for in this thesis. Therefore, it is reasonable to assume, given the resource constraints public agencies are under, they will generally opt for the easiest form of consultation. This usually involves a submissions process, but does not extend to such face-to-face interaction as in the SHWMS process. Dolan commented that the SHWMS process was quite stressful and involved a great deal of work on his part. This, I suggest, provides an incentive to avoid such processes. The SHWMS was an initiative generated primarily from one individual and was not part of the normal practice of the CCC. I have no evidence which suggests such a process would have developed the way it did without Dolan. Pavelka's role in providing a framework for discursive deliberation was also critical. Without her facilitation, the task group would have used a 'chairperson'. Dolan and Pavelka (1993) suggest this would have encouraged greater 'representation' to the Council, resulting in less cooperation (and less discursive deliberation). I conclude that, in the absence
of defined procedures for such consultation, the roles of specific personnel form a significant part of the context of the SHWMS process.

4.1.4 Political Context

The political context I refer to is the relationship of CCC politicians to the SHWMS process, particularly the role and attitudes of the CCC politicians. The formal relationship between CCC policy staff and Councillors is that the former are to provide policy recommendations and information to the various council committees, who then decide on policy to present to the Council. The Council is responsible for fulfilling statutory requirements and the Solid Waste Management Unit acts as the agent of the Council to achieve this. The Council "sets the policies ... and we [the staff] do the mechanics of getting the work done" (Trans:Harris). In relation to the SHWMS, the operations committee, which is responsible for waste management, had very little input into the initiative. Because the SHWMS initiative did not involve large amounts of money, waste management staff were free to develop the process as they saw fit. The operations committee gave a lot of latitude to the staff (Trans:Wright) and were very supportive of the idea of a task group when it was first presented to them. Cr. Wright recalls they discussed the initiative, but it was "no big deal". They ‘welcomed’ the idea. There were a couple of councillors concerned about the legal status of such a strategy, but once it was explained to them they were "very very receptive" (Trans:Wright). The Mayor also sent a message to the group expressing her keen interest in their work (Trans:5).
The Council's interests were represented on the task group by Dolan and Cr. Wright, with occasional technical input from other staff. While there was support from the politicians in using the task group idea, the task group's mandate was to present a proposal to the operations committee. There was initial concern among a number of participants about how seriously the Council would take the proposals (Trans:3, 4, 12, 14). One participant commented they had not seen a politician until half-way through the process (Trans:3). Another felt the task group was seen as a bit superfluous, as a tag-on by the Council (Trans:14). An idea was suggested that the task group reconvene at a later date to hold the Council accountable if the strategy was rejected (Trans:13). While this has not happened, the suggestion indicates a concern that the Council might not take the task group seriously. Pavelka believes most participants saw a need to have Council politicians involved. It was a means of giving legitimacy to the process. Cr. Wright gave the group a categorical assurance that the strategy would go to the operations committee. By the end of the process, most were reassured the Council would take the SHWMS seriously.

The political context was described as initial but cautious support (Trans:14), followed by positive acceptance of the strategy. However, it needs to be noted that the Council had the final say. The relationship between the discursive deliberations of the SHWMS task group and the Council had to be one based on trust, for there was no formal requirement that the Council accept the strategy. While this issue did not restrict free discussion within the task group, it did have a bearing on the confidence of the participants that the Council would seriously listen to them. This, I suggest, presents an impediment to the ideal speech situation, for such
communication may be rendered futile due to the discursive power of others over the outcome.

This criticism can be taken further. The fact there was political support for the task group idea and that the participants became confident the strategy would be taken seriously, does not mean the political context produced no communicative distortion. While Council politicians pledged support, this support did not fully recognise the communicatively rational potential of the task group. The task group was considered a good means of public consultation and a way of gathering information to be used in a policy process. However, the initial non-participation of councillors raised concern in the task group that the strategy document might not be taken seriously by the Council. This concern indicates the Council did not appreciate the nature of the process, i.e., the production of communicative rationality. This is not a criticism of the politicians, rather a comment about the political norms with which they operate. The political institution did not appear to recognise the deeper reasons for a discursive design. The political theory being used by the politicians did not accommodate the discursive theory I use here. While giving partial support to discursive deliberation, it failed to extend such support to communicatively rational decision making. Rather, it only enabled communicatively rational policy advice. Communicatively rational policy advice does not ensure communicatively rational policy, simply because policy advice can be rejected. Only communicatively rational decision mechanisms will ensure communicatively rational policy.
4:1:5 Nature of Subject

The nature of the subject refers to the scope, complexity and level of public conflict regarding the waste management issue. I assume, for my purposes here, such concerns will manifest themselves within the task group process. The task group is deemed to represent community interests, so the diversity within the group ought reflect general public concerns. Therefore, I draw my analysis primarily from interview transcripts. I address three areas, the level of controversy of the subject, its scope and complexity.

Solid and hazardous waste management in Christchurch has a relatively high public profile (Trans:Harris). Yet, there is no significant public controversy associated with the SHWMS document. 72 submissions on the Where To Now? (CCC, 1992) document were received, but only 16 submissions on the draft strategy (CCC, 1993a). Of the latter, the majority of submissions generally supported the strategy with 6 giving overall approval and another 8 providing further suggestions for improvement. Two submissions expressed some serious concerns. There were no submissions expressing overall disapproval of the SHWMS. The SHWMS process was the subject of one editorial in The Press (1993) which said the process "resulted in a document which is a model of clarity and good sense". A number of participants indicated their initial concern that there would be a large amount of conflict within the task group (Trans:2, 9, 11, 13). However, there was very little conflict reported. This lack of apparent conflict is due to four identifiable reasons. The first, the skill of the facilitator, will be dealt with later. The second reason is due to the scope of the strategy.
The scope of the SHWMS was primarily conceptual and long term. It did not deal with concrete or practical issues directly, but with conceptual policy (Trans:Dolan; Trans:14). There were no 'clear winners or losers' as a result of the strategy (Trans:14), and no direct or immediate financial implications. "It wasn't the type of group where there were commercial interests involved to the extent where there were dollars and cents on the line" (Trans:10). This was a critical aspect of the deliberation. The time frame of the strategy meant there would be no immediate costs incurred. There was, however, indication that some participants would support the document because it was a strategy, the implication being that implementation would require further debate (Trans:3, 10). Further, at least one participant indicated they preferred to go straight to the politicians when encountering negative impacts from Council policy (Trans:3). Having the ear of the politicians was viewed as a more effective strategy than task group negotiation when facing conflict or personal costs. While the strategy’s scope did not encompass any particularly contentious issues, there was evidence that at least some participants had alternative strategies in mind if task group outcomes became unacceptable.

A third reason for the relative absence of conflict is the lack of complexity which might produce fundamental value conflict. While there were some participants who occasionally had difficulty with technical aspects of the discussions (Trans:9), participants not there as technical experts but to provide policy and priorities (Trans:14). The strategy was basically a 'common-sense document, practical and nothing radical about it' (Trans:10). There were no wildly radical views being shared, all of it was 'good sound common-sense' (Trans:3). This provided a context relatively free from contentious technical disputes. Undergirding the deliberations was a general
philosophical consensus that waste generators should bear the costs of waste disposal (see CCC, 1994:10). This consensus was undoubtedly assisted by the fact that there was not much smokestack (waste producing) industry in the city (Trans:10). Most of the task group felt local industry was environmentally responsible, a point reinforced by industry representatives (Trans:1). Once again, this supports my view that the strategy did not involve direct costs to the participants.

The final reason for the lack of conflict was that participants came to the task group without a history of conflict. It was a fresh issue, not highly contentious, with no historical antagonisms (Trans:Pavelka). One participant expected a:

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\text{not exactly bitter, but a keenly fought [debate] ... with people arguing from entrenched views.... I think there was this general agreement [by the end] that the guys on the other sides weren't such bad bastards after all [laughter] (Trans:11).}
\]

While the particular combination of personalities contributed towards the goodwill experienced in the group, the subject of waste management was not highly controversial (in this case) (Trans:12), was limited in scope which reduced adverse impacts on participants and their constituencies, did not involve polarized technical debate, and lacked a history of antagonism.

4:1:6 Summary of Analysis of Context

The context in which the SHWMS was developed involved a variety of themes. There was a perceived need for a long term waste management strategy as well as the institutional flexibility in the development of a strategy. There was also a growing commitment among Council staff to use more participatory consultation approaches.
This added to the institutional flexibility. The strategy was developed within the Waste Management Unit's budget. It proceeded without any political intervention and gained support of the Council politicians. The critical factor was the availability of the right personnel, people with the appropriate skills and knowledge to develop what was, in effect, a new consultation strategy for the CCC. The issues involved little controversy, due in large part to the facilitation of the process (covered later) and a general philosophical agreement among participants. There were no legal constraints on the development of the discursive approach, except that the task group could only make recommendations. The Council has the statutory obligation and right to accept or reject the SHWMS.

With the exception of the restriction on the task group to make recommendations, the context produced no restrictions on the 'ideal speech criteria'. However, there is no guarantee the context, as analyzed here, will remain the same for future policy strategies. Discursive designs require a commitment to the development of intersubjective understanding by all parties. This requires political institutions, such as the CCC, to institutionalize these requirements through the use of formal procedures or rules for consultation. The SHWMS process, as a discursive design, resulted from a particular mix of contextual conditions, outlined above. They presented, in Kingdon's (1984) term, a 'window of opportunity'. Overall, the context allowed, rather than actively enabled, the task group to take place. The critical enabling factor was the role of Dolan and Pavelka. Moreover, in terms of my concern with communicative distortion, the context was aimed at improved public consultation rather than communicative rationality.
In the case of the SHWMS, the context made the development of a discursive design possible. But this does not constitute fulfilment of the 'ideal speech criteria'. Rather, this requires comprehensive analysis of the process itself. I now turn to this task.
The SHWMS was produced by a process of discursive deliberation. I have divided this process into two parts, agenda setting and policy formulation. The following analysis uses the ‘ideal speech criteria’ to assess the extent of communicative distortion within the process (see section ’3:2:1:1:1 Process’). I begin with agenda setting.

4:2:1 Agenda Setting

Two aspects of agenda setting need to be considered. First, problem definition and second, identification of stakeholders. I divide agenda setting into two time periods. First, the time prior up until the first meeting of all those interested in forming the task group (referred to as the ‘stakeholders meeting’). Prior to this moment, stakeholders had no formal discursive opportunity to take part in agenda setting, except for writing submissions. The second time period refers to the stakeholders meeting when the task group was chosen. This constitutes the first formal involvement stakeholders had setting the agenda. These periods provided different discursive opportunities for stakeholders, enabling greater analytic focus on the agenda setting process. I begin by applying the accessibility criterion to problem definition and stakeholder identification in each of these periods.
The accessibility criterion is concerned with opportunity for stakeholders in agenda setting. The CCC had an advantage because it had responsibility and authority to raise the issue of a long term waste management strategy. The specific question for this thesis is the level of opportunity for other stakeholders in agenda setting and the extent to which such involvement or lack of involvement constituted communicative distortion. The SHWMS was a CCC initiative, with Dolan producing the initial discussion document (CCC, 1992). This resulted in 75 submissions analyzed by an independent consultant (Taylor Baines and Associates, 1992). Dolan and Pavelka discussed the idea of a task group and decided to gauge public interest through a question in the discussion document (CCC:1992). Those individuals or groups who indicated an interest in the task group were then formally invited to the stakeholders meeting. Apart from informal and routine contact with individuals in the waste management industry (e.g., Trans:4), there was no opportunity for public input to that point.

There were two important facets of the agenda setting process operating prior to the stakeholders meeting. One was Pavelka's agenda. She wanted to demonstrate to the participants the possibility for groups of different people to work together cooperatively, producing better quality answers than individuals working alone could. She sought an outcome where participants with different points of view could find common ground and come to agreement. The second facet was that the Council, through Dolan, drew the boundaries of the process. They defined the scope, timeframes and specific outputs, though not the policies themselves. The scope was
restricted to solid and hazardous waste management, not any other area of waste management. According to one participant, they defined what the task group could and couldn't consider (Trans:4). It was more about presenting the process than negotiating the process (Trans:Pavelka). However, there is no evidence from the task group minutes that the scope, i.e., only solid and hazardous waste, presented a discursive limitation in the deliberations. The only criticism of the scope came from a submission suggesting the discussion document (CCC:1992) failed to integrate "wider environmental issues, particularly the use of fossil fuels and sustainability" (Taylor Baines and Associates, 1992:31). While the scope defined the general boundaries within which the strategy was to be produced, it did not specify the list of possible subjects for discussion within those boundaries. The minutes for the first meeting of the task group states there was no firm agreement on what subjects ought to be discussed (CCC:1993c).

Does the non-discursive defining of the scope and time-frame constitute systemic communicative distortion? At one level yes. These definitions, scope, time-frame and outputs do shape the ensuing deliberation. Yet, it is hardly fair to expect there to be no defined process, as much as it would be incorrect to expect impartial knowledge (in the epistemological sense). To assume any policy process can begin at a neutral point, i.e., with assumptions which contain no parochial values, contradicts the epistemology developed in this thesis; that all knowledge is necessarily partial, although some knowledge is more partial than others. The critical question, then, is not whether there is a starting point for deliberation, but the extent to which this starting point is itself the product of communicative rationality. The only opportunity

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2 See section '1:2:1:3' on 'strong objectivity' for a development of this theme.
for deliberation over the scope of the strategy was through written submissions to the discussion document (CCC:1992). Therefore, accessibility to agenda setting was limited at this point.

This limitation is essentially one of structure, i.e., the structure of the agenda setting process precluded discursive deliberation. Thus, there was a violation of the symmetrical distribution of chances to engage in discursive deliberation (Habermas, in Thompson, 1981:92). However, the task group participants did not experience any sense of exclusion, or indicate it limited their ability to freely participate in discursive deliberation. The question can be restated: did the agenda setting process produce significant communicative distortion? This raises a theoretical issue in analyzing policy processes; if participants do not consider their discursive freedom compromised by a structural limitation like the one above, does this constitute discursive distortion? I address this point more fully in the conclusions (Chapter Five). For now, I suggest the answer is no, for two reasons. One, the intention of the facilitator was explicit, namely, to produce common agreement for action from different points of view. This is the motive of communicative rationality. My second reason is that every process must have a starting point and some boundaries. While the starting point and boundaries were set by the Council, this cannot be considered communicative distortion until the reflexivity of the policy process is examined. The point is this. While it is important where initial boundaries of a discursive process are set, more significant is the reflexivity of the ensuing process, for this provides opportunity to redress inappropriate boundaries. I leave aside the broader question raised earlier of the communicative limitations imposed by existing political and legal institutions discussed in section '4:2 Context'.
One stakeholder group not represented in the task group were the Tangata Whenua. They were invited to the stakeholders meeting, but their representative was unable to attend due to time commitments (Trans:7). However, in the interview he raised some critical questions about the process, including who decided the task group should operate within a particular time-frame and who has the right to be represented. The issue of time is important because of the need to report back to constituencies. In this case, Maori had well established constituencies and would have required more time than the SHWMS process allowed. While information was passed to the representative by Pavelka, this situation represents a generic problem for Tangata Whenua. It also represents a generic problem for the Crown, for Tangata Whenua are not simply one stakeholder among many, but have a unique place as bi-cultural partners under the Treaty of Waitangi (Wilson, 1995). The difficulty encountered by the SHWMS process concerned how consultation with Maori ought to take place. The SHWMS process was designed around CCC criteria and did not suit the particular needs of Tangata Whenua. This resulted in their exclusion from the discursive process, thus producing communicative distortion. While Maori did make a presentation to the operations committee, they did not enter discursive deliberation, resulting in the potential loss of improved knowledge of the waste management issue. In the bi-cultural context of public decision processes, this represents a significant flaw of the SHWMS process.

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3 This also represents a problem for the wider community. The communicative theory used in this thesis asserts the best knowledge can only be gained by an inclusive approach to policy analysis. Therefore, the issue of the systemic exclusion of Tangata Whenua is not just a concern to Tangata Whenua themselves, but represents potential epistemic loss to the whole community.

4 For example, the RMA states the relationship of Maori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga as a matter of national importance (s5(e)). It also charges those with functions and powers under the Act to take account of the Treaty of Waitangi (Te Tiriti o Waitangi) (s8).
The extent to which Maori personally experienced exclusion from the process is unclear. One participant reported the Maori representatives at the presentation to the operations committee felt they (Maori) had been fully consulted and their contribution was valuable (Trans:9). The Maori representative I interviewed could not remember a great deal about the process, and the comments he made were more generic rather than specific criticisms of the SHWMS process. While much personal effort was made by Dolan to include Tangata Whenua in the discursive process, these failed, in terms of producing communicative rationality, due to inadequate institutional procedures on the part of the Council to facilitate bi-cultural decision processes.

The stakeholders meeting had some opportunity to define the boundaries. Dolan and Pavelka presented the process to the group, but emphasised the development of strategy options was up to the group (Trans:Pavelka). Pavelka posed a set of questions, and the group decided on an agreed response, e.g., should observers be allowed into the meetings? Pavelka was sure the participants were clear on the framework and boundaries of the project (Trans). One participant thought the CCC had already decided what policies they wanted and were simply seeking legitimation (Trans:1). However, this view is difficult to substantiate. Within the task group's general scope there was evidence of considerable freedom to create policy (CCC, 1993c). While it is arguable the final strategy does not significantly depart from what the Council would have produced themselves, there is no evidence this can be attributed to the Council simply seeking legitimation on decisions already made. The Council did not produce any policy suggestions until the task group produced the first draft of the SHWMS (CCC, 1993b). The previously published discussion document contained no policy suggestions, and Dolan 'thought it was important' not
to have a prior strategy (Trans:Dolan). The view that the Council had predetermined the strategy was not shared by other task group members.

In summarising stakeholder’s access to problem definition, stakeholders were excluded from involvement in defining the problem to be dealt with in the SHWMS process. There were no procedural mechanisms by which some initial consultation or problem scoping in partnership with stakeholders could take place. Were this available, accessibility by stakeholders would have been greatly improved. This critique needs to be balanced against the fact that most participants accepted the process and its boundaries as presented by the Council, and therefore did not consider lack of accessibility a hinderance in the deliberation. Nevertheless, the acceptance of the problem definition by stakeholders does not eliminate potential communicative distortion, because the problem definition was not produced by a communicatively rational process.

Problem definition was the first aspect of agenda setting. The second involves the selection of stakeholders. This selection process was accomplished as follows. First, the distribution of the Where To Now? (CCC:1992) document to:

- residents groups, environmental groups, business associations, waste collection and recycling businesses, representatives of the Tangata Whenua, businesses with substantial waste streams and community representatives, and then on request (Dolan and Pavelka, 1993:4).

In total, 1700 copies were distributed. Thirty three submitters expressed an interest in being involved in the task group and were invited to the stakeholders meeting. The Council then checked to ensure no known interest groups were accidentally omitted (ibid). The concept of ‘stakeholder’ was essentially ad hoc, developed from the council
data base, letters of concern, day-to-day involvement with people and groups (Trans:Dolan) as well as others who sent submissions on the *Where To Now?* (CCC:1992) document. As Dolan pointed out, he was already interacting in a network.

Prior to the stakeholder’s meeting, Dolan and Pavelka made a careful check of those invited to ensure no groups were unrepresented. One person was invited to the task group who had not presented a submission. This was a personal contact of Dolan’s (Trans:4). Some individuals or groups may have missed the opportunity. One participant noted it was easy to hear about the SHWMS if one worked in the industry; otherwise, one would have to watch the public notices in the newspaper calling for submissions (Trans:6). Nevertheless, stakeholder accessibility to this part of agenda setting appears quite high. The task group participants felt all stakeholder groups were accounted for. The only exception was a person involved in composting. Although he presented a submission, he omitted to state his interest in the task group and was therefore not sent an invitation. This was an oversight, for he would have been invited had he indicated his desire to be involved. With this exception, all groups or individuals with a known interest in waste management were given the opportunity to attend the stakeholder’s meeting. There was a high level of accessibility to the agenda setting process.

The stakeholders meeting (the second time period) was designed to outline the task group process and select the participants. Bob Watts introduced the meeting, and Dolan explained the aim of the task group. There was no opportunity for the group to address the issue of problem definition. This was because the scope and time-frame were already set and the meeting had another purpose, to form a task group. Again, this discursive limitation does not constitute communicative distortion, unless there
is evidence that the problem definition excludes particular discourses. There is no evidence of this from the participants.

The more significant process during this meeting was the selection of task group members. Dolan explained the purpose of the task group and the time commitment it involved. Pavelka presented the stakeholder categories she and Dolan had developed. The group discussed whether this represented a fair balance of interests (see Appendix One) (Trans:6). "There was opportunity for discussion and objection. ... It was agreed that there be opportunity for specialist speakers" (Trans:11), provided the group agree. The group was then asked for names of those interested in joining the task group. Where there were more names than positions, those particular interest groups were asked to decide amongst themselves who would represent their group. This enabled the Council to avoid appointing the representatives. The environmental representatives decided fairly quickly, but one participant commented such appointments may not always be so easy (Trans:11). This approach retains discursive deliberation for, ideally, such decisions are themselves products of communicative rationality.

There was one case of 'floating representatives' sharing one position (Trans:11). There was a primary representative who usually attended, but was replaced by a stand-in if they could not attend. This raises an issue for communicative rationality. Based on obtaining intersubjective understanding between participants, this is undermined when different participants turn up. Intersubjective understanding could not develop with a revolving pool of representatives. The SHWMS decided that task group participants:
need to attend all meetings, not just meetings on topics of particular personal interest. This is to ensure that various topics are integrated and reflect the interdependence between the different aspects of waste management (CCC, 1993c, emphasis in original).

Thus, the task group demonstrated a commitment to this aspect of communicative rationality. This was marginally undermined by the single case of two people sharing one position on the task group.

The role of the facilitator was important in the selection of task group members because of the need for some behind-the-scenes negotiating with one over-represented sector (Trans:Dolan). The point was also raised that there was, at that stage, only one woman on the task group, and the group agreed to appoint a women's representative. If the aim of this was to reduce the gender imbalance, then it was unsuccessful, given the 1:8 ratio of women to men. If this appointment was designed to represent women in general, even more problems are created. It is not possible for one woman to speak for the interests of all women. Women speak with many voices and from many perspectives. This highlights a methodological problem in stakeholder selection, particularly in relation to defining exactly what 'interest' in waste management is, as well as 'who' ought represent such interests. Standpoint epistemology insists strong objectivity, i.e., a culture's best beliefs (Harding, 1991:119), can only be ensured when no potential knowledge is excluded or marginalised from a policy process. In this case, the SHWMS task group did not fulfil the theoretical requirements of a discursive design.

Pavelka asked the group how it ought to be run. She suggested some ground rules for the process which were discussed and agreed upon (Trans:Pavelka). These
ground rules are discussed later (section '4:2:2:2'). Task group participants all felt satisfied with their ability to contribute to these deliberations and none felt that, with the exception of Tangata Whenua, there were any groups or interests unrepresented. There are two issues remaining however. First, the interviews I conducted were with the successful interests, those who made it onto the task group. There may have been unidentified, and therefore unrepresented interests. However, there is no evidence for this. The role of the independent facilitator was important in ensuring all those at the meeting had the opportunity to contribute and be heard. This role was enacted very successfully in the actual task group setting and therefore was important in the stakeholders meeting. The second issue concerns the charge that industry was under-represented. There was only one industry participant representing 39% of the Christchurch waste stream (Trans:10). This raises the question of how stakeholders ought to be defined, e.g., by the amount of waste produced? Pavelka notes she and Dolan did not discuss this to any great extent, but were primarily concerned to have the diversity of views represented. If the SHWMS task group was a formal voting body, pro-rata representation may be essential. The aim of the task group was, however, to produce a communicatively rational strategy, not a strategy based merely on power bloc voting. Communicative rationality demands all standpoints be given a symmetrical distribution of chances to employ speech acts (Habermas, in Thompson, 1981:92). The emphasis here is on standpoints. Provided such standpoints are granted equal discursive opportunity as other standpoints, there is no advantage or need to have a pro-rata representation of those standpoints because production of communicative rationality would not be assisted by a greater number of representatives. Communicative rationality is derived from deliberation over
standpoints, not representatives. For this reason, I do not consider the charge of under-representation to constitute communicative distortion.

Most significant stakeholders were represented on the task group, although there was no initial representation of the City Councillors until Cr. Wright joined at a later date (Trans:4). Tangata Whenua were a major exception, as was the representation of women. Stakeholders had little access to the problem definition aspect of the agenda, but somewhat more opportunity in relation to stakeholder selection. Thus, there is evidence for some systemic communicative distortion in the process. However, the extent of communicative distortion cannot yet be fully assessed until the policy formulation process has been examined. At that point, reflexivity in the process will be assessed, thereby revealing the extent to which the problem definition, scope and time-frame hindered open discursive deliberation.

4:2:1:2 Equality and Agenda Setting

Equality of opportunity in agenda setting is dealt with briefly. As discussed above, there were significant opportunities for stakeholders to have access to stakeholder selection, but limited opportunity for problem definition. The critical question for equality concerns the opportunity of participants to take part in discursive deliberation. Because the task group and the protocol by which it operated were not yet formed, the CCC and Pavelka had greater discursive opportunity than other meeting attendees. Obviously, the task group idea was new to the meeting attendees, and they came to discuss the idea and to form a task group. Therefore, the Council and Pavelka had more information and control at this point, as the agenda
was already set by the Council. Nevertheless, there was a significant effort to include attendees in setting the task group procedures and protocol, and in choosing the task group members. The significant decision about the constitution of the task group was made in open deliberation facilitated by Pavelka. Thus, there is evidence of significant equality regarding this particular decision process. Further, opportunities were given throughout the meeting for discussion about issues raised. Because I only interviewed task group members, I cannot more adequately assess the operation of communicative distortions in relation to equality. That would require interviewing all the attendees of that stakeholders meeting. However, detailed analysis of the equality criterion is given in section '4:2:2:2'.

4:2:1:3 Reflexivity and Agenda Setting

The question here is to what extent did the agenda setting process enable reflexive evaluation of the problem definition and stakeholder selection? First, problem definition, including scope and time-frame, was not open to reflexive evaluation by the task group participants. This has been discussed previously. It has yet to be assessed whether the scope of the process generates communicative distortion. This is done during the analysis of policy formulation. The time-frame is more problematic. The size of the project given to the task group was considered very large (Trans:2, 5, 8) in relation to the time-frame. Dolan noted the major stress was time-frame related; he was concerned the strategy might not be ready on time. One participant considered extra time may have helped, but added that it probably would have been too much commitment for some. This issue of time commitment is reflected
in the fact that at the stakeholder’s meeting, of the 15 people from the community (as opposed to some specific industry or environmental interests), only 3 indicated they were able or willing to commit themselves to the time needed for the strategy (Trans:4). One participant (Trans:4) commented time was not a problem. While there was pressure in the task group process to complete the strategy in the designated time, a longer time-frame would appear to be unacceptable for many. It may, in fact, have been too long, considering those who did not put their names forward.

The time-frame was set by the Council and was not open to reflexive evaluation. This is most problematic in relation to Tangata Whenua. Thus, some systemic communicative distortion was produced out of the needs of different cultures. The CCC face institutional and political deadlines, and their staff have performance criteria to meet (Trans:Dolan). Tangata Whenua have consultation requirements which are time consuming, at least in Western organizational terms. In other words, both cultures engage in divergent normative priorities which were not adequately accommodated in this process. As stated before, this is a generic problem which, despite the best intentions of Dolan and Pavelka, was unable to be resolved. This has significant implications for policy initiatives because the generic nature of the systemic communicative distortions produced by divergent normative priorities can only frustrate or obstruct the production of communicative rationality. Unless Maori and other stakeholders are able to meet on mutually agreeable terms, communicative rationality cannot emerge. The implication of this is continued production of inadequate knowledge and the loss of potential epistemic resources for problem solving.
Stakeholder selection, examined above, was more open to reflexive evaluation. Attendees at the stakeholder's meeting were given opportunity to both discuss and decide categories of representation, and who those representatives ought to be. However, as discussed above, there were some systemic limitations on the ability of all stakeholders to participate, thereby producing systemic communicative distortion.

4:2:1:4 Information and Agenda Setting

Unequal access to information is considered an important factor in producing distortion in communication (Kemp, 1985). The information available to the stakeholder meeting attendees consisted of the Where to Now? (CCC:1992) document. It was a document of "extraordinary high quality" (Trans:8) and was designed to be easy to understand. Using cartoon style illustrations, it "was written to be as interesting as possible to the readers" (ibid). For the most part, it did not contain highly technical information, and where there was doubt about adding additional information the adage "when in doubt, leave it out" was applied (Dolan and Pavelka, 1993:3). Tangata Whenua concerns were specifically addressed in a study by Te Wero Consultants and approved by the Runanga o Ngai Tuahuriri (ibid).

Information was equally available and very accessible to stakeholder groups and individuals. The only information not readily available prior to the formation of the task group was CCC information on policies and budget restraints, as well as technical information which was shared during the task group meetings. The CCC had unequal access to information compared with other stakeholders. However, one of the task group's outcomes was that non-Council stakeholders became more
conversant with the Council's position, something which would have been difficult to achieve outside of the discursive forum of a task group. As one participant put it, "It gives you a chance to see the inner workings of the Council" (Trans:5). The Council, in relation to agenda setting, had a significant advantage over other stakeholders. This only constitutes communicative distortion if there is not "a symmetrical distribution of chances to choose and apply speech acts" (Habermas, in Thompson, 1981:92, author's translation). There was not, based on the information each group had available, a symmetrical distribution of chances to engage in speech acts. This constitutes systemic communicative distortion, for it disadvantaged other groups in setting the agenda. However, there is a lack of empirical evidence demonstrating the participants felt disadvantaged by this. While some participants were unsure or sceptical about the role of the Council (Trans: 3, 10, 12), at least initially, most felt the process had been fair. This is examined in greater depth in section '4:2:2:2'.

There is evidence of systemic communicative distortion in the agenda setting part of the SHWMS process. However, the significance of these communicative distortions on participants is unclear. Stakeholder selection appears to have been a relatively accessible and equal process, with some reflexive capacity. This was not the case for the problem definition part of the process. It was framed by institutional requirements and was not, therefore, discursively open. However, policies were not suggested, only the scope of the strategy was. The time-frame was given and was largely acceptable to the task group, but appears partially responsible for the non-involvement of Tangata Whenua. The last part of the analysis is the policy formulation process. This further identifies systemic communicative distortion and
enables more accurate conclusions to be reached. I now turn to the process of policy formulation.

4:2:2 Policy Formulation

The discursive deliberation of the SHWMS is most clearly apparent in policy formulation, for this is where most deliberative communication took place. This section analyzes the task group meetings by assessing them in terms of the 'ideal speech criteria'. I begin with the accessibility criterion.

4:2:2:1 Accessibility and Policy Formulation

The criterion of accessibility assesses whether there were any barriers or hindrances to participants involved in the SHWMS process. Although perhaps self-evident, ability to gain access to a deliberative process is a precursor to communicative rationality. In this case, there are two areas which pose potential accessibility problems. The first concerns practical costs of time and travel, while the second concerns the cultural and socio-economic setting of the SHWMS process.

None of the participants experienced any major costs in being involved in the task group. Although payment of participants was discussed by the task group, it was not done primarily because of the precedence it would set (Trans:Dolan). One participant felt the Council could have reimbursed their travel expenses (Trans:5)
while another participant thought he had been reimbursed (Trans:9).\(^5\) Whichever was the case, costs did not prove a barrier to participation. One person had to occasionally hire a baby sitter, a personal expense, but did not consider this a major impediment to attendance (Trans:13).\(^6\) Most participants recorded time as a cost. Some attended in work time, and therefore were being paid, while others attended in their own time. Again, this did not prove a barrier to any, although one participant noted some people may have not attended because of time (Trans:13). There is no evidence for this in the interviews. However, the time commitment may have caused some potential participants not to put their names forward. This presents a difficulty for the CCC, because I argue Tangata Whenua needed more time, while others may have found the time commitment too great. Such issues must be negotiated in accordance with the ‘ideal speech criteria’ to minimise communicative distortion within that discourse.\(^7\) A critical implication is the Council giving up its right to determine time-frames. This may require institutional adjustments and longer term planning to accommodate such discursive processes.

A more significant, although less conclusive, issue concerns the cultural and socio-economic make-up of the task group. A couple of participants noted the group was not overly representative (Trans:1, 5). All participants, bar one, represented a

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\(^5\) This difference of recollection is most likely due to the considerable time between their participation and my interviews (approximately 12 months). Some participants said they could not remember some minor details.

\(^6\) Participation costs regarding travel or baby-sitting may change if more women or Maori were included in the process.

\(^7\) There is a regressive potential here, with each previous discursive process needing a still prior discursive process to establish conditions for free discourse. This is theoretically unavoidable because we are dealing with ‘ideal speech’, something impossible to fully replicate in the real world. Therefore, closure must occur at a point participants agree on. Besides, communicative rationality would be unlikely to justify an endless regression, for that would be an irrational act itself, for it would constantly defer intersubjective understanding, the very aim of communicative rationality.
specific socio-economic location, the educated section of society (Trans:5). As one participant put it, "There were some very intelligent individuals" in the group (Trans:3). The meetings took place with participants seated in a circle around a board room table. While these factors are one reason the task group had so little significant conflict, they pose an interesting question whether participants who did not have the education, cultural background or familiarity and comfort with Western decision making environments, e.g., board rooms, would be enabled to discursively participate, or would feel alienated. This question did not appear to arise with the SHWMS, but it may be questioned to what extent the cultural or educational setting pre-disposes stakeholders towards involvement. It may also be questioned, although not answered, whether the definition of stakeholder being used, even though it was not explicitly defined, caused some people to devalue their actual status as a stakeholder. I simply raise the possibility that the term stakeholder could be associated only with educational status, thereby producing an unintended barrier to involvement for some people. There is some indication this occurred in the task group. One participant commented that if someone had more 'seniority than he did, he felt he had better shut up' (Trans:8). This raises the issue of what, exactly, are these task groups about, collections of expertise or collections of affected interests. The answer will determine how accessible these groups actually are. I explore this more fully in Chapter Five. Whatever the answer, these questions demonstrate the usefulness of this criterion as a critical tool.

There is only limited evidence of a lack of accessibility in the SHWMS process. This evidence is more of a question regarding the social and educational requirements of the group participants. Apart from this, there were few access problems for the
participants to the discursive deliberation of the SHWMS. The next potential location for communicative distortion is the criterion of equality.

4:2:2:2 Equality and Policy Formulation

Equality refers to the capacity of participants to freely take part in the discursive process. There are a number of aspects of the SHWMS process which relate to the equality criterion. Analysis of the ability of participants to challenge the views of others is made, and the roles of control exercised by Pavelka and Dolan are carefully examined. Decision making processes and the role of consensus are also analyzed. First, however, I examine the meeting protocol and analyze the ability of participants to communicate freely.

The task group meetings involved protocol which provided a clear structure to the deliberations. This protocol was based on certain values held by Pavelka. She describes some of them as follows:

*People with an interest have a right to be heard, and what we are doing is negotiating really, not consulting, not just putting forward ideas but you would expect those ideas to have some punch, to carry weight, with outcomes. Another value is to allow all those differences to be expressed, together, so that people actually hear each other. I see it as an education process... It's about creating as much proportional power as possible, making it as easy as possible for people to contribute* (Trans:Pavelka).

From these values, meeting protocol were suggested by Pavelka and discussed and agreed by the task group. They set the ground rules for all subsequent communication. They were:
Meetings will be informal with direct discussion between participants;
Facilitator will keep the meeting 'on track';
Participants will keep to discussing issues and not resort to personal abuse;
Participants will freely consult with their organizations;
Comments to the media will be made after discussion and approval by the task group.

Other comments were:

Observers are welcome at the meetings;
The task group may break into smaller working groups if appropriate at a later stage (CCC:1993c).

These ground rules provided a basis for open and free exchange of ideas. Informality was an important aspect of the process for it provided an environment where participants were able to work co-operatively. This informality was based on a Western concept of formality, i.e., formal meeting structures and procedures, and therefore displays its cultural orientation. While all the task group participants appeared comfortable with this particular style of 'informality', it is likely that not all potential participants would be comfortable with this particular style. Such informality would therefore need to be monitored to ensure it was appropriate to all those represented.

All participants were able to speak freely and without undue hinderance within the group. One participant felt the process took things out of the 'confrontational mode' and more into a 'discussion mode'. Referring to the history of the Metropolitan Refuse Committee, which had to 'fight every step of the way', "all of a sudden you would go from a battle situation to a discussion situation" (Trans:2). Another participant reported doing more listening in the first few meetings, but realised "no one was going
to hold it against you if you said something that wasn’t perhaps along the right lines ..." (Trans:11). When asked whether he felt he could speak freely, one participant replied, "Not always", but decided to assist the group and not ‘push his own barrow’ (Trans:11). Another commented about being very confident about speaking, and that there was a lot of tolerance given to everyone (Trans:12). It was easy to share one’s views (Trans:5). There were, according to another participant, adequate opportunities for critical debate (Trans:4). The majority of participants felt their views had been adequately understood by other group members. One person thought the task group was "no good if you’re shy", but felt others understood him (Trans:8). A number of participants thought there were some strong views in the group, but no one seemed to dominate (Trans:3, 5, 6, 8, 9, 13, 14). Despite different points of view, there was ‘surprisingly’ little conflict; "Sounds boring, but I thought that everyone worked together very well" (Trans:10).

The control role refers to monitoring the group, ensuring those with less social, intellectual or persuasive ability are not disadvantaged in the process of deliberation. This role was primarily taken by Pavelka. Her specific task, as agreed to by the CCC, was as follows:

To design and facilitate a series of meetings that will result in agreement of goals, objectives and policies for waste management in Christchurch. This agreement will be put forward to the Christchurch City Council as a recommended strategy by parties forming the task group. Facilitation will include preparing written records of meetings for members and telephone contact as appropriate (Private Correspondence, Pavelka, 1993).
Her role, in the words of one participant, was to "oil the wheels ..., keep things moving" (Trans:10). A number of participants felt her role was critical to the success of the group (Trans:Dolan; Trans:1 - 5, 9 - 12, 15), due to her ability to create discursive space for all group members. If someone was 'hogging the floor', she would turn to someone else to elicit their views by asking 'What do you think?' (Trans:6). She was considered by all participants to be impartial. Pavelka notes that facilitators must put aside opinions, not to have no opinions, just put them aside (Trans). She acknowledged her role had power; she did not think she used it, except occasionally. There is no evidence that she produced communicative distortion within the deliberations. On the contrary, her role was discursively agreed by the group and was an important reason for the discursive equality which existed within the group.

Dolan also performed a control role, due mainly to his technical expertise. However, he made it clear he was only offering suggestions to the group. It was up to the group to approve or reject his ideas (Trans:5). He took a 'standoff position' (Trans:10), and the group appeared to trust that neither he nor Pavelka would control or dominate the process (ibid).

Decision making is another important aspect of the equality criterion. The formation of consensus was the decision making approach most used by the task group. Decisions concerned primary objectives and key principles to guide the future of solid and hazardous waste management in the city. I note this because the type of decisions made by the task group were general and conceptual. This probably enhanced the development of consensus on most issues.

Pavelka explains that consensus occurs when:
we get anyone who is committed to being involved, who has been legitimised as being involved, ... to be able to accept whatever the final outcomes are ... or whatever principles the group espouses. That means almost going to the lowest common denominator to get there. It is about finding the common ground and the agreements that everyone can live with. If somebody can't, then we don't have consensus (Trans:Pavelka).

The question posed by Pavelka, "Can you live with that?" (Trans:11), was a critical component of this decision making procedure. When I questioned her about how she knew people could 'live with it' and were not simply succumbing to group pressure (which would violate the ideal speech criteria), she said it was primarily experience in watching out for people. Specifically asking someone what they honestly thought provided opportunity for that person to engage in discursive debate. She also noted that people do not tend to give up things which are really important to them. Resolution was only reached after quite a bit of discussion (Trans:9), and everyone had the opportunity to veto a decision (Trans:11). One participant felt Dolan 'might have taken too much licence' with what he prepared for the task group (summary of decisions), but they also felt there were enough checks and balances (Trans:13). Although Dolan argued forcibly on occasions, he did not always get his own way and had to concede to the group on occasions (ibid).

Voting occurred only on a couple of occasions, due to the tight schedule the task group was under. One participant felt some things were vetoed because of Council politics (Trans:1), another that decisions tended to be compromises (Trans:3), and a third that there tended to be a degree of majority rule in the end (Trans:4). Apart
from one participant (Trans:3), who was hesitant about wholeheartedly endorsing the final strategy, the others felt the strategy was something they could endorse.

No significant systemic communicative distortion emerged from this analysis of the equality criterion. Indeed, the discursive freedom afforded the participants appears quite high, with no one unable to communicate their views. Some participants were not entirely happy with the generality of the final document and the compromises it contained, and a couple noted the effort to meet deadlines curtailed the openness of discussion at some points. Nevertheless, all participants said they had opportunities to clearly state their views, be understood by the other participants and challenge views they did not agree with. This demonstrates significant discursive freedom was experienced by all participants.

4:2:2:3 Reflexivity and Policy Formulation

For my purposes here, opportunities for reflexivity, an on-going consideration of beliefs, values, facts and data, can occur on two levels. First, the level of group process concerns the extent to which it created opportunities for group reflexivity. The second level concerns the extent to which the process stimulated self-reflexivity by participants on their own beliefs and values. While any distinction between group and individual is theoretically problematic,\(^8\) it provides a useful way of addressing the issue of reflexivity.

\(^8\) There is no simple distinction between group and individual. For example, to what extent can 'group' reflexivity take place without producing 'individual' reflexivity, or vice versa? As in the agency/structure debate in sociology (e.g., see Berger and Luckmann, 1967), individual reflexivity is shaped by social or group norms concerning reflexivity. Therefore, such a simple distinction between them, while didactically useful, remains theoretically problematic.
The first level requires analysis of reflexivity in the task group process. Participants appeared content with the task group agenda (Trans:3, 5, 14). One participant reported the group was frustrated with the agenda until they decided they could not rewrite the document Dolan had originally written (CCC:1992), so they adopted the general framework provided by Dolan (Trans:14). However, this approach was the outcome of extensive deliberation and was accepted by the group. At the beginning of each meeting, a summary of the points agreed upon at the previous meeting were presented. If anyone felt these points did not adequately represent the previous week's discussion, they were debated until everyone was satisfied or could 'live with it'. At the end of each meeting, the following week's agenda was discussed and agreed to. All of this was open to debate. However, Pavelka regards challenges to a group's agenda as uncommon once it is set, and she is not sure she created such opportunities (Trans:Pavelka). The time-frame restricted open-ended debate because the task group was committed to addressing the full content of the agenda for each meeting.

There is evidence of reflexivity in the group process. The SHWMS process was centred on consensus, as discussed above, and this necessitates intersubjective understanding. As Dolan noted, "In this process they had to listen, discuss, listen and agree. They could not just go along and advocate" (Trans). Another said the task group made everyone listen to each other and understand other's concerns (Trans:2). These comments illustrate a degree of reflexivity produced by the process structure. Participants were committed to attending all meetings, and Pavelka ensured each speaker was satisfied they had been adequately heard by the group. She would do this by occasionally asking a participant for their views on what another speaker had
said. This reduced the tendency for participants to simply concentrate on their own concerns.

The theme of learning through the process is an essential part of reflexivity. Most participants felt they learned something about waste management, although exactly what they learnt varied. Dolan said he did not learn anything substantive, but he did learn a lot about people's perceptions of waste management. One participant did not learn 'as much as some', but did learn about some of the latest figures (Trans:1). Another felt the CCC learnt things by talking to people at the 'sharp end of it', i.e., the practitioners (Trans:2). One participant 'learnt heaps', especially about the inner workings of the Council (Trans:5). Many others indicated similar things (Trans:9-14).

Learning is also a part of self-reflexivity, the second level. Again, the majority of participants reported changes or modifications to their views as a result of their involvement with the task group. One felt everyone was not so hard and fast by the end of the process (Trans:6). Another was 'converted' from a 'spaceship analogy to practical reality' (Trans:8). One participant began with an aversion to the green movement, but ended the process with the greatest respect for them (Trans:15). Only one participant was reluctant to say they had modified their views, but did feel it was good for others to hear his views since they were 'coalface answers' (Trans:6).

Reflexivity involves reconsidering not only values but facts and information. The operation of reflexivity involves determining the truth or deception in an argument. All participants believed other participants spoke truthfully, and no one felt they were being misled or deceived. Everyone was "very very honest" (Trans:3). Two participants felt there was overemphasis at times, although this was not seen as dishonest
communication (Trans:6, 8). There was enough skill and knowledge in the group to challenge incorrect or untruthful information (Trans:11). As one participant commented, although it was easy to understand others, it "didn't mean you believed them. Everyone was up with the play" (Trans:6). Nevertheless, potential for miscommunication existed. One participant noted occasions when "a grunt becomes, 'the group decided'" (Trans:8).

The discursive design of the task group enabled a degree of reflexivity to take place. The group developed norms of free expression and questioning within a framework of co-operation. This provided the opportunity for reflexive evaluation of the emerging SHWMS within certain boundaries. The overall scope and time-frame of the process restricted reflexive opportunity for participants. While there were examples of mild reluctance in questioning group decisions (Trans:3), for example not wanting to be uncooperative, this only occurred with less important issues. Everyone felt able to state their case and be heard on issues important to them. Thus, there was little detectible communicative distortion due to suppressed reflexivity.

4:2:2:4 Information and Policy Formulation

Unequal access to information during policy formulation can strategically advantage some participants and disadvantage others. I examine what information was available, how it was provided and if it was understandable.

Most of the information available to the task group came from Dolan (Trans:Dolan). One of his roles was to provide the group with enough information to ensure a suitable strategy could be produced. One participant recalled Dolan as being
well prepared, supplied drafts, did not dominate any session and did not push the Council view (Trans:6). A number of participants commented the information given by Dolan was easy to understand (Trans:5, 6, 8, 9). There was not too much 'technobabble' according to one participant (Trans:11). Pavelka used small groups on occasions to help the task group assess information provided by Dolan. Summaries of discussions were written on a white board to ensure accuracy of information. Meeting summaries were another significant aspect of information availability. These were written up and sent to all task group participants within 24 hours of the meeting, enabling time for review and examination (CCC:1993c; Trans:6, 12). There was also some information sharing between the participants (Trans:11). There were a couple of participants who experienced some difficulty with the more technical aspects of the strategy (Trans: 9, 11). There is a "limit to understanding if you're a lay person. They [the Council] were aware of that. If you get bogged down in technicalities you tend to give up ..." (Trans:9).

The task group was informed that more information was available if they wanted it (Trans:9). The information available to the task group was generally easy to understand and was equally shared among the group. There was no evidence that information was withheld by any participant to the disadvantage of another. Neither were any participants unduly disadvantaged by the technical complexity of the information. Pavelka expressed awareness that the influence of some participants was due to their knowledge of waste management. For this reason, Dolan ensured everyone had access to the information they needed. She trusted him to present the relevant information, also noting that in other cases she had facilitated such trust had
been unwarranted (Trans:Pavelka). There is, then, no evidence of unequal access to information causing communicative distortions in the SHWMS task group.

4:2:3 Summary of Analysis of Process

The analysis of the SHWMS process reveals participants believed they experienced little systemic communicative distortion. There was, however, significant systemic communicative distortion arising from the context and structure of the process. This distortion emerged principally from the scope and time-frame, the exclusion, albeit unintentional, of Maori, limited representation of women and restricted socio-economic conception of a stakeholder. The requirement that the task group only 'recommend' policy produced a systemic constraint on communicative rationality, for there was no guarantee the Operations Committee would conduct its own deliberations in a communicatively rational way.

With the significant exceptions above, the policy formulation process appears relatively free from communicative distortion. However, policy formulation occurred after the agenda was set. While participants were generally happy with the policy outcomes, such outcomes resulted, in part, from the agenda, and the agenda was only partially open to discursive deliberation. The stakeholder selection aspect of the agenda, with the above exceptions, was a very open process, providing good opportunities for stakeholders to take part in forming the task group. Problem definition was the site for most communicative distortion, with limited opportunity for accessibility, equality, reflexivity and information sharing. There is no clear
evidence, however, that this produced a distortive effect on the final discursive outcome.

This analysis examined the SHWMS context, process and the operation of communicative distortion. However, I have not yet applied this analysis specifically to the three research questions. This entails producing some conclusions from the analysis and is the task of Chapter Five. It is to this chapter which I now turn.
CHAPTER FIVE

Conclusions

This thesis began with a critique of some dominant assumptions of public policy analysis, presented a critique of those assumptions and developed a reconstruction of the policy process. This reconstruction is epistemologically based, developed through the standpoint epistemology of Harding (1991), the hermeneutics of Gadamer (1975) and the communicative theory of Habermas (1971a). The reconstruction I developed leads to the idea of discursive design. To this point, the thesis is theoretical. The next element involved the application of discursive design theory to a real world case study. The adequacy of the theory is assessed by examining the results of the analysis. This chapter draws some conclusions from the theory and case study analysis. The three research questions provide a framework for my conclusions. The questions deal with different aspects of this thesis. Theory and its application in analysis, as well as the SHWMS process itself, are examined and conclusions reached. I suggest areas for future research throughout these conclusions.
5:1 THE RESEARCH QUESTIONS

5:1:1 First Research Question

To what extent does the SHWMS process fulfil the theoretical requirements of the 'ideal speech criteria'? 

The 'ideal speech criteria' of accessibility, equality, reflexivity and information demand unconstrained discourse. However, the SHWMS process took place within a context which placed significant constraints on the 'ideal speech criteria'. The requirement on the task group to only 'recommend' policy took what communicative rationality there was in the strategy and subjected it to a form of political rationality (the CCC Operations Committee). Whether the Operations Committee's deliberations were communicatively rational is a moot point, for this cannot be assessed here. My point is simply that contextual constraints on the 'ideal speech criteria' existed.

The problem produced by the requirement to only 'recommend' policy can be generalized as follows. In discursive processes, intersubjective understanding, and any communicative rationality produced, is undermined when decision making authority is deferred to other agencies. This produces a need to integrate discursive deliberation with formal decision making structures. In the SHWMS case, this would mean formalising the role of the task group as a decision mechanism within the operations committee, not just as an advisory addendum. This, however, presents some significant difficulties because Councillors are publicly elected officials, whereas the task group was, to a certain degree, self-appointed. To what extent ought a non-elected group be given statutory decision making authority? The relationship between discursive processes which fulfil the 'ideal speech criteria' and liberal democratic
decision structures requires further research.\textsuperscript{1} This issue might be viewed as an inherent limitation of discursive design. Conversely, if communicative rationality is necessary to resolve many of the pressing problems facing our world today, then discursive design theory, rather than being the problem, highlights the issues as one of inappropriate (or potentially irrational) contemporary decision structures.

In summary, the context produced a significant level of systemic distortion due to the advisory nature of the task group vis-à-vis the Council. I now examine the SHWMS task group process, and specifically address the first research question. Conclusions are drawn from analysis of each of the 'ideal speech criteria'.

5:1:1:1 Accessibility

Access to the SHWMS's discursive deliberation by potential stakeholders was high. The major exceptions were access to problem definition, particularly scope, time-frame and involvement of Tangata Whenua. These exceptions were the product of institutional constraints. The SHWMS process was designed around CCC criteria and did not suit the particular needs of Tangata Whenua. This raises the issue of cultural or institutional bias in the policy process. The Council's decision processes are based on Western values, e.g., a time-frame orientated to the needs of the Council, and acted as a cultural barrier to open participation by Maori. Decision processes, if communicatively rational, will need to be rearranged to reflect the values and needs of Maori, not just the needs of the Council.

\textsuperscript{1} Dryzek (1995) argues discursive designs ought to be removed from the state and be run by social movements. Roger (1985) also explores the possibility of reviving the 'public square' concept, that is, the discursive space existing between individuals and the state (see also, Dryzek, 1990a). This argument appears cogent in light of my analysis of communicative rationality and the political structure of the CCC.
Such rearranging of decision processes may involve pre-problem scoping among known stakeholders. This would allow some discursive deliberation into agenda setting. Likewise, the time-frame could also be discussed, thereby giving opportunity for discursive deliberations by stakeholders. These suggestions would require longer term planning in order to accommodate extended deliberation. While discursive design might be charged with unnecessarily long time frames, and possibly greater cost, the issue is really one of values. Current planning practices incorporate certain values which inform practice. I argue communicative rationality is necessary in policy analysis and decision making. If communicative rationality is a norm which is accepted, then adjusted time-frames for policy processes will not appear inefficient. In other words, policy analysts and decision makers need first to determine what norms and values their practices ought embody. Policy analysis has assumed instrumentally rational norms in much of its practice, norms which largely determine the structure of policy process. The possibility that the structure of policy processes may alter, is not, then, an argument against discursive design.

5:1:1:2 Equality

There was significant discursive equality within the task group, fostered by intellectual and communicative equality of the participants. However, it needs to be remembered this was not a highly controversial issue, and therefore no significant pressure on the participants to object or resist the outcomes existed. The capacity of discursive design to deal with highly conflictual situations cannot be assessed from this case study. However, I note most of the participants felt the SHWMS process could be used successfully in more conflictual environments, thus providing an
educational opportunity for task group participants to appreciate the value of discursive deliberation.

5:1:1:3 Reflexivity

While the overall framework for the strategy was set, and some opportunity for reflexivity denied due to time constraints, a high degree of reflexive potential in the deliberation existed. I note this potential, rather than actual reflexivity, because it is difficult to assess the actual reflexivity of the group without examining the content of the argument and debate (a task beyond the scope of this thesis). Nevertheless, this criteria requires discursive processes to provide opportunity for reflexivity, and this was highly evident through the level of learning, modification of views, and opportunity to challenge truth claims afforded the participants. The task group adjusted its membership to include a women's representative when it realised there was only one woman on the task group. However inadequate this response was in terms of representing the interests of all women, it demonstrates a degree of reflexivity in the group process.

5:1:1:4 Information

Finally, there was both sufficient and equal access to information. If the required information was any more technical, it may have produced inequalities. However, no person appeared disadvantaged through the information used in the task group.
In summary, the context and agenda setting produced a significant level of systemic distortion due to the advisory nature of the task group vis-à-vis the Council and institutional practices. This aside, there was a high degree of fulfilment of the 'ideal speech criteria' in the process itself. While any future discursive deliberation needs to address the contextual and agenda setting issues, I conclude the SHWMS was a successful process of discursive deliberation, producing a communicatively rational document.

5:1:2 Second Research Question

(2) How useful are the 'ideal speech criteria' in identifying communicative distortions of the SHWMS process?

This question forms a reflexive evaluation of the 'ideal speech criteria'. The question assesses the use of the criteria as a 'guide' in identifying distortions in communication. The criteria detected little communicative distortion in the SHWMS process. However, these criteria are dependent upon research methodology. Phenomenological analysis, for example, might be useful for investigating the experience of the participants, but it may miss detection of more structural distortions, distortions of which the participants may not be aware. Lack of awareness of communicative distortion by participants does not mean the non-existence of such distortion. Without the analysis of context, the institutional constraint discussed above may not have been detectable. In this case, the most significant communicative distortion came from structural and contextual features, not from interaction. This suggests the importance of structure, defined as the physical, procedural, social and
political environments in which the SHWMS took place. Because much of the
distortion is structural, it can potentially be eliminated by paying attention to
contextual features which impinge on discursive freedom in deliberation. The 'ideal
speech criteria', then, linked with appropriate methodologies, proved a useful means
of assessing structural distortion.

There are some difficulties with the concept of communicative distortion. In its
ideal form, any "non-symmetrical distribution of chances" to enter discursive deliberation
constitutes communicative distortion (Habermas, in Thompson, 1981:92, authors
translation). However, the SHWMS task group was under City Council budget
constraints. These budget constraints were the product of political decisions over
Council expenditure and not subject to discursive deliberation or the communicative
rationality of the SHWMS task group. Does this constitute communicative distortion?
If task group deliberation was constrained by decisions which were not themselves
communicatively rational, then the answer is yes. This potentially introduces a
regressive element into the issue. Policy decisions are never discrete and bounded, but
are usually constrained by contexts produced by communicatively distorted processes.
Does this mean one must revisit each previous decision process and subject it to
discursive deliberation to ensure it does not produce communicative distortion further
down the line? Obviously, this is impossible to achieve. Communicative distortion,
then, might always exist at some level, especially in highly integrated and complex
institutions. This does not deny the usefulness of the criteria, for there are many levels
of communicative distortion which can be eliminated. Within a clearly defined policy
process, the 'ideal speech criteria' prove very useful in the detection of communicative
distortion. They also provide some remediation to the problem of cumulative

\[\text{Note: For context and structure, see Chapter Four.}\]
distortion by 'breaking the cycle' of communicative distortion, thereby enabling subsequent policy deliberation the advantage of building upon communicatively rational policy.

Another consideration concerns the use of the 'ideal speech criteria' as a means of criticism. Where policy processes have no opportunity for discursive deliberation, or where they marginalise some genuine stakeholders, the criteria might demonstrate limited accessibility, equality, reflexivity or unequal access to information. In this case, the criteria proved highly effective. Because the SHWMS process was deemed so successful by participants and the Council, and much of my analysis demonstrated high levels of discursive deliberation, the deeper structural distortions could have been overlooked. However, careful attention to the criteria, particularly accessibility, demonstrated the contextual limitations of the process. This is not to downplay the achievements of the SHWMS process, but rather to indicate the potential of the criteria as a critical tool.

The 'ideal speech criteria' proved useful in analyzing the SHWMS, in part, because there was little conflict. However, I do not consider the 'equality' criterion has been adequately assessed in this policy process, and suggest it needs application in a highly conflictual process. In particular, the phenomenological analysis used has yet to demonstrate it can identify problems of equality. Because the SHWMS process was so apparently successful, the participants generally spoke highly of it and did not indicate any significant inequality within the actual deliberation. While there is no reason to believe the phenomenological analysis could not identify such distortions, adequate assessment requires further application.

I believe the reflexivity criterion requires theoretical expansion. While analysis of learning and modification of views among participants is useful, a more thorough
assessment of reflexivity could involve an analysis of the discourse, i.e., the content of the deliberations. This would enable a more thorough assessment of the degree of reflexivity within the discursive process. However, this would be a retrospective analysis and be more useful as a critique. There still remains the requirement to design reflexivity into the discursive processes. I suggest careful attention be given to mechanisms for reflexive deliberation, thus providing opportunities for further research.

In conclusion, while there are some important modifications yet to be made to some of the 'ideal speech criteria', they demonstrated considerable utility in identifying communicative distortion in the SHWMS process. This, in turn, identifies problems to be addressed by careful design of discursive processes. For this reason, I conclude they constitute useful tools for discursive policy analysis.

5:1:3 Third Research Question

(3) What can be learnt from the SHWMS process that improves our understanding of discursive policy processes?

The SHWMS offered an opportunity to study a discursive process. What I offer here are some practical considerations arising from the SHWMS process and some theoretical reflections.

The role of an independent facilitator was essential in the success of the SHWMS process. The communicative theory I developed tends to underestimate the psychological constraints to open communication.\(^3\) A skilled facilitator whom all

\(^3\) Baum (1987) explores the operation of the unconscious in bureaucracy. He argues: "The costs of neglecting the psychological domain of organizations are unacceptable" (pg. 5). Although Baum’s psychoanalytic perspective focuses on bureaucratic organization, it is relevant to discursive designs in the way it deals with unconscious behaviour. He uses four specific assumptions: (1) That people think both consciously and unconsciously; (2) that a significant
parties acknowledge as impartial is an important part in dealing with this issue. The process only worked because of a relatively high level of trust between the participants. A brief reflection on the skills Pavelka brought to the process will help identify some key characteristics for successful facilitation. She was clear on her goal, the production of intersubjective understanding (she did not use this term), and sought, where possible, to facilitate consensus. She had a high level of personal skill in dealing with participants, indicating an understanding of human behaviour. She ensured discursive space was equally available to all, would redirect the discussion if someone was dominating and kept the process to the agreed agenda. Through the use of questions, she kept the participants 'in touch' with each other, thereby ensuring understanding developed. Lastly, she kept her personal opinions to one side, ensuring they did not intrude into the discourse. In terms of strong objectivity, it is perhaps ironic that the ability of the facilitator to remain 'detached' is critical in enabling the 'attachments' or 'particularities' of others to be expressed. Pavelka's skilled facilitation was, therefore, a central element of the SHWMS. Without such a role in discursive processes, it is unlikely the necessary trust and communication needed for intersubjective understanding would develop, especially in a conflictual environment. I conclude that independent facilitation is an essential component in a discursive design.

Dolan also formed an important part of the process as policy entrepreneur. His involvement was essential in a number of ways. He had the trust of his manager, and was therefore able to develop the process. He had good people skills such as an

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part of unconscious thought involves anxiety and efforts to relieve it in relations with others; (3) that such anxiety is unconscious because people wish to avoid the pain associated with it; and (4) that adults tend to use psychological defence patterns they developed as children to deal with this pain (pgs. 6-7). I state this to make the point that human relations are complex, and communicative rationality produced by intersubjective understanding is no simple feat. For this reason, a skilled facilitator can help participants negotiate the many conscious and unconscious barriers to intersubjective understanding in a discourse. See also, Warren (1993).
ability to listen, highly developed verbal and written communication skills, was personable (participants liked and respected him). He understood the process and was genuinely open to new and alternative ideas. Without such skills, it is unlikely the process would have been so highly recommended by the participants.

One issue which presents a potential problem in discursive processes is technical complexity. Although this was not a problem in the SHWMS process, the question can still be raised about how to ensure technical complexity does not restrict discourse solely to experts. This would produce communicative distortion by excluding other stakeholders. One response is to distinguish between norms and technique. Communicative rationality can produce agreement over norms and values without necessitating agreement over technique. This was essentially the case with the SHWMS. The task group, while dealing with technical issues, was primarily concerned with priorities and general policy, not instrumental technique. This, however, is problematic, for there may not always be clear distinction between norms and technical issues. However, my arguments against technocracy (see Chapter One) recognise that technique tends to dominate normative deliberation, rather than being bound by communicatively rational norms. There is, then, a case for discursive deliberation to focus on production of norms and the subjection of technical debate to those normative priorities. Policy analysts will still need to ensure all policy process participants are assisted in understanding technical information and are given opportunity within deliberation to understand what is going on.

I argued in section '5:1:2' that much of the communicative distortion in the SHWMS process came from structural and contextual features and could be eliminated by careful design. I do not suggest all structurally produced constraints are equally amenable to resolution by design. For example, the CCC could conceivably
institute procedures requiring policy decisions to be produced by discursive deliberation of stakeholders. However, as previously discussed, the difficulties posed by decision mechanisms involving democratically elected representatives requires fundamental change to political structures. Also, fiscal decisions by central government pose significant challenges in relation to adequate representation of stakeholders. As the distance between stakeholders and decision mechanisms increases, access difficulties by stakeholders also increase. This implies discursive design is only appropriate for small scale or local decision making. Localised decision making increases the chances for intersubjective understanding, while increasing the links in the representative chain increases the locations for miscommunication and, subsequently, communicative distortion. But is it correct to assume communicative rationality can only function in localized situations? I argue our world needs communicative rationality, not just locally, but nationally and globally (see Dryzek, 1990a, 1990b). The seemingly intractable international problems of environmental degradation, violent conflict, social injustice and so forth, involve conflicts of values. Communicative rationality, I argue, provides a means of producing mutually agreed solutions to value conflicts. Addressing such problems in large scale fora may bring with it many constraints. For example, intersubjective understanding may be reduced for some affected parties because they are either not represented, or their representatives are unable to adequately communicate the substance of the deliberations. Even if they are able, intersubjective understanding involves much more than provision of information; it involves relationships (see Chapter Two). While intersubjective understanding may increase for those actually involved at the international or national level, it may not increase for those not privy to the deliberations. Thus, this suggests a theoretical problem with discursive design because
it does not appear to acknowledge such constraints. In other words, the face-to-face deliberation implicit in discursive design necessarily limits the numbers involved. Rigorous application of the ‘ideal speech criteria’ to an international or national discursive process, therefore, is very likely to uncover communicative distortion. Nevertheless, the ‘ideal speech situation’ is an ideal, and communicative distortion will exist to some extent in any discursive process. It follows that such discovery of communicative distortion need not mean intersubjective understanding has not increased. Indeed, the presence of communicative distortion in the SHWMS process does not deny the fact there was also significant development of intersubjective understanding. Good design of discursive processes can minimise communicative distortion, although never eliminate it entirely.

The self-selection of task group participants was a positive step towards communicative rationality, for it restricted the opportunity for any interests to manipulate the task group membership for their own benefit. There were concerns that the ‘right’ mix of people got onto the SHWMS task group, and there was an opinion that a different mix of people would change the co-operative style of the group (Trans:2). While this is a concern, it ought not override the self-selection process. Minimising unnecessary disruption to the group process requires competent facilitation and education of group members. People joining such a group to adversarially advocate their own ideas with no interest in reflexivity need to be educated in a more co-operative model. Intersubjective understanding necessitates reflexivity and co-operation. Adversarial approaches limit the possibility of communicate rationality by denying potential legitimacy of other views and interests. Such approaches suffer the same epistemic limitations as the dominant assumptions of policy analysis discussed earlier. On the other hand, communicative rationality
legitimates difference. What communicative rationality denies is the ability of adversarial approaches to adequately address public policy problems. In other words, adversarial approaches are functionally unable to generate epistemically improved knowledge. I therefore argue discursive design needs to promote co-operation. This, in fact, was one of Pavelka's aims, and indicates that education is an important aspect of discursive design processes. There was evidence that one or two participants were not particularly open, at least initially, to some differences within the group. However, this did not become a problem because the norm of intersubjective understanding was established early in the process, thereby legitimating difference. I suggest the norm of intersubjective understanding can be established in such processes, resulting in an increased ability to accept difference.

Another reflection on the SHWMS process involves questions of inclusivity. For example, there were no children on the task group. The theory I developed opened the question of inclusion of all interests being represented in discursive deliberation. Children have interests in waste management, even if their interests are not yet clearly articulated. But what would have been gained, in a substantive policy sense, if a child had been on the task group? At face value, it may seem unnecessarily pedantic to have a child on the task group. But my theoretical perspective insists this be seriously considered. Reflexive questions which begin from the standpoint of 'Others' open up new possibilities for problem solving.4

Criticism may be raised that such rigorous application of the 'ideal speech criteria' will result in absurd conclusions concerning representation in discursive

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4 On such questions see Carlin (1993). She provides a useful analysis of issues relevant to identifying stakeholders in environmental disputes. Her approach is reflexive, insisting the mediator to a dispute ask: "what if ...? What if a women's group was present? What if we had children on the panel? What if future generations were given their own representative ...? What if there was some kind of proportional representation between gender, race and class?" (1993:65). Such reflexivity enables analysts to assess a problem situation from different standpoints.
deliberation. For example, animals presumably have interests in waste management, and therefore ought to be represented. In response, I have four comments. First, recognition must be given to changing norms regarding who has a legitimate voice in public policy matters. It was not so long ago that women were not allowed to vote (the most basic voice in policy matters). No one in a Western democracy could seriously question this voting right of women today. By the same logic, what other voices will be 'discovered' and given discursive space? Thus, the question of discursive space for children's voices may not be so far fetched. Second, we need to remember the goal of communicative rationality is to establish shared norms to assist practical problem solving. I am not advocating participation for participation sake. Rather, we need to clarify what will assist communities in effective problem solving. This leads to the third comment, the issue of stakeholder identification. Although I have not provided criteria for this, it is an important aspect of effective discursive deliberation. Because I argue valuable epistemic resources are potentially lost through exclusion or marginalisation of certain discourses, effort must be made to ensure such exclusion or marginalization does not occur in policy processes. Maximum inclusion in, or accessibility to, policy processes is necessary to produce the most communicatively rational policy response possible. Thus, careful attention to stakeholder selection (see, Carlin, 1993) is needed to ensure increased problem solving ability. I offer this view to counter the charge that discursive design will necessarily lead to absurd (i.e., fruitless) conclusions. My final comment notes again the importance of education. Fear, scepticism or cynicism of such 'open' participation in policy analysis demonstrates a need for people to understand discursive design theory. Because we view the world through our assumptions, any alteration of our views requires a change of assumptions. Discursive design in policy analysis can only
occur as people, including policy analysts, reflexively evaluate their assumptions about policy processes, expertise and participation.

This analysis has presented evidence demonstrating the positive contribution of discursive design in the development of communicatively rational public policy. There is still much research to be done and I summarise six possible areas. First, the relationship between discursive processes and democratic decision structures is a major issue and requires further research. There is, secondly, the need to design reflexivity into the discursive processes, requiring research into mechanisms for reflexive deliberation. Third, the ‘equality’ criterion has not been adequately assessed, and I suggest it be applied in a policy process with high conflict. Fourth, the use of discursive design in national and international fora and its relationship to the development of intersubjective understanding is an important theoretical question. Fifth, stakeholder definition is critical in determining who gets access to discursive processes. Issues such as who ought define stakeholders, and criteria or procedures for identifying stakeholders require further research. Finally, the interface between communicative and instrumental and technical rationalities needs further study. As I argued earlier, instrumental and technical rationalities cannot produce socially approved goals, and therefore need to be subordinated to communicative rationality. Thus, the integration of technical information and social values needs close examination.

In summary, I have argued public policy analysis requires discursively designed policy processes. As the SHWMS case demonstrated, discursive design is more of a creative than technical process. The SHWMS process demonstrated this with the variety of deliberative methods, including some role play (Trans:9). It relied upon goodwill and the ability to cultivate positive relations as much as it did on good
structure. Discursive design needs to be conceptualised as an interpersonal process rather than a purely technical process. This is both its strength and its weakness. In as much as participants are empowered to engage in cooperative action with real people, communicative rationality will emerge. However, there is no guarantee people will choose this. Good designing, positive experiences and normative change towards cooperation will assist this, but certainty of outcome cannot be assured. Despite growing trends towards conflict resolution, mediation and other discursive approaches, reluctance to engage in such personally demanding processes with unknown outcomes may encourage some analysts to keep to their traditional and known paths. Discursive design is not a panacea for all policy ills, and its practice does not immunise one from failed policy processes. However, as I have argued throughout this thesis, the current state of affairs is hardly satisfactory. Provided analysts are prepared to see themselves as facilitators, rather than repositories, of public knowledge, discursive design promises more rational public policy, granting communities increased capability for problem solving.
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APPENDICES

Appendix One: The SHWMS Task Group

Industry: Manufacturers Association

Recycling: Canterbury Paper Co. Limited

Waste Disposal Companies: Waste Care

Waste Management (NZ) Limited

Hazardous Waste Treaters: B. J. Dakin and Company Limited

Environmental Groups: Epicentre

Individual

Public: Three individuals

Community Boards: Hagely-Ferrymead Community Board

Christchurch City Council: Councillor R. Wright

Laurence Dolan, Solid Waste Planner

Dave Harris, Solid Waste Manager

Tangata Whenua: Centre for Maori Studies and Research, Lincoln University

Community Groups: Individual
Appendix Two: The Initial Question List

This is the initial and complete list of questions developed from the three research questions. These questions are not operationalised.

Questions to be considered when data gathering

Structural Analysis

(a) Context

Institutions

What is the management structure of the Waste Management Unit?
What changes has it undergone?
What relationship does the unit have to the rest of the CCC?
Were there any guidelines in relation to the preparation of the strategy?
If so, what were they?
How large is the unit?
How long has it existed in its current form?
Why was the strategy produced?
How has it produced similar policy previously?

Personnel

Who was responsible for this strategy?
What authorization did they need to use this particular process?
Why was this process chosen?
Were other staff involved?
Were other staff supportive, indifferent or negative?
Where did the idea originate?
Was their personal (professional) risk involved?
Who else was influenced in this process?
Did anyone help modify this process?

Legal

What were the legal obligations of the unit?
What legislation was involved?
Did this legislation mandate any procedures?
If so, what were they?
Political
What role did local politicians play?
Who was aware of it?
What was their attitude to it?
Did their attitudes change over time?
If so, in what way?
Were they supportive, negative or indifferent?
Would they support any future similar processes?

Nature of Subject
What was the scope of the subject?
How many stakeholders were there?
Was this subject controversial?
If so, in what ways?
Was there significant risk?
Was there significant clash of values?
Was there sufficient technical knowledge available?

(b) Process
Accessibility
1 Agenda Setting (i.e., the initial pre-task group agenda)
How was the agenda set?
Who set it?
Did all stakeholders have free and equal access to the agenda setting?
Were any stakeholders left out?
How were the stakeholders defined and located?
Were any groups or views marginalised by the agenda setting?
2 Formulation
Did the meeting times or locations discourage or disable anyone from involvement?
Where were the meetings held?
Did the setting and culture discriminate against any stakeholders?
Equality
How were the meetings run?
What were the speaking arrangements?
How was speaking time allocated?
What forms of communication were permitted?
How were meeting protocol and procedures established?
What procedures helped ensure that participants were free to share their feelings?
Were they free to share their feelings, attitudes etc?

Reflexivity
How were the initial rules for the meetings set?
Were they able to be questioned and reevaluated?
Were arguments able to be challenged?
How were disagreements resolved?
Were there procedures in place for reflexive evaluation of past decisions?

Control
What explicit roles operated within the group?
How were they established?
Were they able to be questioned?
What guidelines existed for these roles?
How were decisions made?

Information
What information was available to the group?
Did everyone have equal access to it?
Was it able to be understood by everyone?
If not, how was this handled?
Was there sufficient time for the participants to become conversant with the information?

Phenomenological Analysis
(a) Personal context
Why did they get involved?
How did they find out about it?
Have they been involved in similar groups before?
If so, what?
What is their relationship to waste management?
What did they hope to get out of it?
Did they have strong views?
Did they understand exactly what a task group was?

(b) Personal experience of the process
Did they have firm expectations of the process?
Was the process as they had expected?
If not, in what ways did it differ?
Were they able to be understood?
Did they understand others?
Did they have a personal agenda (convictions, beliefs)?
Did they feel that they were able to share these with the group?
If not, why not?
Did they feel the group listened to them?
If not, why not?
Did they feel able to challenge views that they thought were wrong or inadequate?
Did they feel that others told the truth?
Did anyone, in their opinion, inappropriately dominate the meetings?
Did they feel that this was a group of equals?
Did they experience any personal benefits from this process?
Did they have any negative experiences?
Would they rate this exercise as a success (or failure, or something inbetween)?
What reasons could they give for this?
Would they be willing to do it again?
Were there any personal costs of involvement?
How could the process be improved next time?
Are there any limitations to this process?
What could they be?
Do they think they have given the CCC a valuable policy statement?
Would they endorse the strategy wholeheartedly?
Did they learn anything about waste management issues?

Questions for CCC Staff
What were the time constraints on the process?
What did the process cost?
In what ways does the policy differ from what Dolan would have produced using more traditional consultation methods?
What was their initial feeling/attitude towards the task group concept?
How would they evaluate its success?
What were its positive features?
What were its limitations?
In what other policy situations could they see this process working?
Would they endorse this concept in general?
Would they endorse this concept with conditions attached?
What, in their opinion, are the prospects for such a process?
Appendix Three: Questions for Task Group Members

This is the list of operationalised questions used in the interviews.

Context
1. What is your interest in Waste Management?
2. How did you get involved in the Task Group?
3. Why did you get involved?
4. Have you been involved in similar groups before?
5. What did you hope to get out of it?
6. Did you have any practical difficulties in attending the meetings?
7. How were the meetings run?
8. Did you have access to all the information that was provided?
9. Was it easily understood?
10. Did you have sufficient time to become conversant with the information?

Process
11. Did you have firm expectations of the task group?
12. Was it like you had expected?
13. If not, in what ways did it differ?
14. Did you have any strong convictions and beliefs you were concerned about before you joined the task group?
15. Did you feel you were able to share these with the group?
16. Did you feel that the other members understood your perspective?
17. How easy was it to understand the others and their points of view?
18. Did you feel the group listened to them (others)?
19. If not, why not?
20. Did others have strong convictions at the start of the meetings?
21. What were they?
22. Did these strong convictions change during the process?
23. Did you feel that you could challenge views that you thought were wrong or inadequate?
24. Did you feel that others were speaking truthfully?
25. Did anyone dominate the meetings at any time?
26. How did this occur?
27. Did this have any effect on the group?
28. Would you describe this as a group of equals?
29. Did you experience any benefits from this process?
30. Did you have any negative experiences?
31. Could you rate this process as a success or failure?
32. In what sense was it a success or failure?
33. Would you be willing to do it again?
34. Were there any personal costs for you in being involved?
35. How could the process be improved next time?
36. Do you think that this is a good way to make public policy?
37. Do you think it has any limitations?
38. Do you consider that you have given the CCC a valuable policy document?
39. Would you wholeheartedly endorse this policy?
40. Did you learn anything about waste management?
Appendix Four: Draft Letter Sent To Participants

This is an example of the letters sent to participants requesting an interview. Most letters followed this example, but one or two were marginally different depending on the person being written to. For example, I requested an interview with Cr. Ron Wright due to his role as a city councillor.

Dear ..... 

I am writing to you regarding your involvement on the Christchurch Solid and Hazardous Waste Management Strategy task group.

For the last few months I have been developing a research topic for the Masters of Applied Science Degree that I am undertaking at the Centre for Resource Management, Lincoln University. My primary interest is in decision making processes for public policy.

This is where the Waste Management Strategy comes in. The process that you were involved in is a very interesting example of community policy making. What I am interested in finding out is how well the participants thought it worked, its pros and cons, and its value in making public policy.

With this in mind I would like to talk regarding your experience, thoughts and ideas about the task group. This would take no more than an hour, though if this was too much, then whatever time you could give me would be gratefully received.

I will conduct an informal interview. Although I have some general questions about the task group, I am particularly interested in your experience and opinions of it. Any information you give me will be treated with utmost confidentiality, and no one will see the interview transcripts except myself and my supervisor. Unless you specifically say so, your identity will not be revealed in the final thesis.

I hope that you will be able to assist in this research as it is an ideal opportunity to carry out an in depth analysis of the value of facilitated task groups in developing public policy. I will ring you in a few days to see if you are able to see me, and to arrange a suitable time for the interview.

Please don’t hesitate to call me if you have any queries.

Yours faithfully