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**Application of Focus Groups and Citizens' Jury in Creating  
Participatory Discourse in Water Management: Cases of Emajõgi,  
Talas and Chu River Basins**

**Master thesis**

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Tartu 2006

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# 1. Introduction

Citizen participation in policy design is a crucial component of democracy. In recent years stakeholder involvement has received increasing attention in water resources management that has a strong tradition in the engineering and technical sciences. As water management decisions affect all parts of society, public participation is considered a means of reaching considerate and applicable policies. The increased awareness of the human dimension is related to the insight that improved governance and integrated solutions are required to deal with the complexity of interest groups and the public at large in river basin management.

In this thesis the application of deliberative methods in water management risk debate will be elaborated on. The use of participatory methods of focus groups and citizens' jury in defining the most suitable management alternatives in diverse cultural and socio-economic settings will be analysed. Application of focus groups in Talas and Chu River basins between Kyrgyzstan and Kazakhstan, and focus groups and citizens' jury in Emajõgi River basin in Estonia will be examined.

More specifically **the aim of the thesis is to** critically analyse the process of focus groups and citizens' juries according to the criteria for rational discourse.

The objectives of the work are as follows:

- to identify the aspects that determine the need for participatory discourse in water management;
- to assess the limits and gains of the focus groups and citizens' jury in creating democratic discourse in water management decision-making in Estonia and Central Asia;
- to evaluate the implementation of these procedures of public involvement according to the criteria of fairness, competence and efficiency.

The thesis provides arguments for and analyses the limitations of participation in the post soviet contexts of Estonia and Central Asia. The first part of the thesis will explain the rationale and institutional preconditions for deliberative water management. Secondly, the common framework and appearing pitfalls of the participatory models will be looked at. In the third part, implementation of empirical case studies according to the criteria of fairness, competence and efficiency will be analysed.

The analysis of Emajõgi River basin case study is based on the results of the international research project which aimed at identifying the best approaches to increase public participation in the implementation of the EU Water Framework Directive (WFD, 2000) - River Dialogue

project (years 2003-2004). The River Dialogue project was supported by the European Commission under the Fifth Framework Programme, Contract No. RPAM-2002-00057. In the River Dialogue project, Linköping University in Sweden; Free University Amsterdam in Holland and an international nongovernmental organisation, Peipsi Centre for Transboundary Cooperation worked together. The author of the thesis was responsible for carrying out and analysing the focus groups in the Emajõgi River basin case study area. Author conducted the secondary analysis of the citizens' jury.

The Talas and Chu River basins case study is based on the Estonia-Kazakhstan-Kyrgyzstan joint research project "Support for the creation of a transboundary water commission on Chu and Talas Rivers between Kazakhstan and Kyrgyzstan". The author of the thesis was responsible for the research activities in the frames of the project: contributed to the implementation of focus groups and conducted their analyses. The research was also supported by the Estonian target financed project SF 0362483s03 and grant No. 6820 of the Estonian Science Foundation. Author is indebted to the supervisor of the thesis Henn Käärik for the guidance at every step of this work. Author is grateful for Aare Kasemets for his constructive critique.

## 2. Background

### 2.1. Integrated environmental management and social impact assessment

In many parts of the world, water demand is increasing while at the same time the availability and quality of water resources are decreasing, mainly due to human activities in connection with the growing world population, ongoing urbanisation, industrialisation and the intensification of agriculture. Environmental management decision makers are faced with difficult choices when trying to balance the objective of sustainability and multitude of social needs (Löfstedt, 2005). It is agreed that an integrated water resources management (IWRM) would help to better control and accelerate the integration, make the decision process more transparent and increase accountability of planning (GWP, 2000). A key principle of IWRM is adequate involvement of all the stakeholders. Active involvement of stakeholders in policy development and decision-making can result in social learning, and this is essential for achieving integrated water resource management. Though, there are complications stemming from the application of the IWRM. In addition to its technical complexity and uncertainties in the ecological assessments, Mostert (1998) states two main problems occurring in application of the IWRM:

(1) Multifunctionality (e.g. fishing, water tourism) – water is used by different social groups that may have contradicting user interests; (2) Multiple decision-makers at different scales (e.g. local, regional, national) leading to asymmetric power-relations.

In order to overcome these difficulties decisional procedure needs to take care of a coordinated inter- and cross-disciplinary dialogue between social, natural and engineering sciences, retaining the distinctive depth of the individual disciplines. In order to develop a process of **social impact assessment** at the end of which will emerge the most appropriate policy alternative to be implemented, dialogue needs to be established between stakeholders and decision-makers on the one hand, and scientists, representatives of environmental management agencies and NGOs on the other hand. The concept of the IWRM is driven by several international agreements, and has been adopted also by European Union WFD (2000) and is imperative to Estonian and Central Asian water management planning. For its implementation impact assessments of ongoing or planned projects are required to be made.

### 2.2. Social impact assessment

Impact assessments help to guide decisions regarding whether or not to proceed with a project and if so, to identify appropriate mitigation strategies to minimise its potentially adverse

consequences (Stone, 2001). Two key components in the assessment process are the definition and identification of the local populations potentially affected by the project, a collectivity referred to ‘**locally affected population**’ (LAP). Consultative relationships are suggested to be established among the LAP, project proponents and relevant environmental management agencies. Therefore, the LAP provides the geographic and socio-cultural framework for public participation programs in environmental management. Convention on Access to Information and Public Participation in Decision-making and Access to Justice in the Environmental Matters (Arhus Convention, 1998) defines **public** as one or more natural or legal persons, and in accordance with national legislation or practice, their associations, organizations or groups. Thus any person or group of persons, any organisation or informal association represents the public.

**Stakeholders** are defined as those groups or individuals who will be directly affected by the decision. It is representative of the public concerned or representative with interests in the decision-making (Arhus Convention, 1998). Among the main categories of stake-holding parties are identified: local population interested in executed or planned projects’ effects on their livelihoods; initiators of the activity, state authorities, nongovernmental bodies providing view of a wider societal group; and other bodies of international organisations etc. An important quality of a stakeholder is its ability to impede or assist in implementing the decision.

### ***2.2.1. The role of stakeholders in management design: from awareness to participation***

In many cases the benefit of involving public in management design is seen in changing the technical control management for more adaptive one. **Public involvement** stands for a spectrum of interactions between project proponents and third parties at any stage in an environmental impact assessment of planned activities in river basin. At large, public involvement in knowledge-based governance includes **information exchange, consultation and participation** (PUMA, 2001). **Information sharing** is the prerequisite of any empowerment of the citizens. Access to information on the management plans is crucial to allow different interest groups and the broad public to participate in policy design. **Consultation** process provides the stakeholder groups a chance to comment on the management perspectives and plans. In some cases it is called “symbolic participation” as people get a chance to comment on the planned policy or management decisions, but the incorporation of citizens’ suggestions for improvement depends on the executives’ preferences. It is a process **involving the public**, which is very strong and formalised, therefore obliging the

competent authority to take the results into consideration (OSCE, 2001). Foundation of public participation is to create a forum of discussion between different, often competing social priorities and interests and to reach a balanced consensus over the decision or legislative act (Catt & Murphy, 2003). It is a form of partnership that allows the citizens to conduct negotiations and achieve compromise with those who are traditionally at the top of the situation. Participation is more than consultations as it necessitates that representative of interest groups from all levels of social structure have an impact on decisions at different levels of resource management.

### **2.3. Institutional context of public involvement**

In recent decades, there has been a new wave of interest on the interrelated issues of public participation, legitimacy, societal trust, and the effectiveness of democratic institutions. Increased attention to the topic can be considered a response to prominent changes in political, economic and social environment and the changing role of the nation-state (Löfstedt, 2004). As for the negative consequences of these global changes transfer of authority from national political institutions to various international institutions cannot be constrained by democratic mechanisms. On the other hand, the global change can also be associated with the empowerment of the individuals by acquiring better access to information and communication technologies providing opportunities for political participation and organisation (Löfstedt, 2005).

As people are involved into decision-making only through voting for a political delegate, representative democracy has been blamed for the power trading and manipulations, poor legitimacy and estrangement of the people from political processes (Verba et al., 1978:47). In concurrence with these trends **participatory democracy** is seen to offer solutions by establishing constant dialogue between different parties of society. Wider public involvement necessitates general social readiness for social interactions and networks (social capital) in the decision-making (Stone, 2001).

OECD (PUMA, 2001) also imposes that the government-citizen relation should be enhanced in order to respond to calls for greater government transparency and accountability, as public and media scrutiny of government actions increases, standards in public life are codified and raised. The guiding principles are drawn in public administration theories of blurring networks of governance between public, private and non-governmental entities appear. Specifically theory of **good governance approach**, introduced by International Monetary Foundation (IMF), United Nations (UN) and OECD in the beginning of 1990s, outlines the principles of public



sectors' responsibility before larger stakeholders and importance of transparency in decision-making that can be reached by public information and involvement. OECD (PUMA, 2001) claims that the main aims of the popular democracy should be to guarantee the legal effect of declaration of citizenry intent official incorporation of public participation into the decision-making process.

### ***2.3.1. International legislative arrangements on public involvement in environmental management***

There are several internationally binding conventions that proclaim the public participation to be acknowledged and implemented as a part of any environmental management. Following conventions have been ratified in Estonia as well as in Kazakhstan and Kyrgyzstan. **Rio Declaration** inured in 1992 at the UN conference on Environment and Development states that issues are solved most efficiently due to participation of all stake-holding citizens. This principle proclaims: "Environmental issues are solved best way on condition of participation of all the stake-holding citizens at the appropriate level. At the national level every citizen should have a definite access to the environmental information available with the authorities, including information about dangerous materials and activities executed in his dwelling area, and also have a possibility to take part in decision-making processes" (Rio Declaration, 1992).

The principles of the Rio declaration were further elaborated in the UN ECE Convention on Access to Information Ensuring Public Participation in Decision-making and Access to Justice in the Environmental Matters – Aarhus Convention (2000). Aarhus convention establishes that sustainable development of the world community can be ensured only if all the stake-holding parties are involved in the activities. It states that the successful environmental protection stems from the conditions when authorities are subordinated to the public. The provisions of the Aarhus convention regulate "who and what should do when handling environmental information" and "how this should be done". It underlines three public rights: (1) access to environmental information, (2) participation in environmentally important decision-making and (3) access to justice on the environmental issues.

#### **2.3.1.1. Estonia acting in EU water policy system**

For the pan-European implementation of the Aarhus Convention in December 2000 the European Union **Water Framework Directive** was put into force (WFD, 2000). In European Union member-states, it sets framework for the analysis, planning and management of water at river basin scales. The major objective is to achieve a "good ecological status" of the water bodies until 2015. The water management plans must be compiled for all bigger river basins by

year 2009, indicating major problems threatening the water quality, the possible measures to improve the water bodies and the cost of these activities. In addition to the integration of different disciplines, analyses and expertise, integration of stakeholders and the civil society in decision-making is endeavoured. Article 14, of the WFD stresses that public participation and information are important aspects of creating awareness of environmental issues and can also help to increase acceptance and commitment towards intended water management plans. The guidelines set for the implementation of the plans leave quite flexible framework for how comprehensive stakeholder participation process and decision-support for policy-makers should be facilitated.

The developments in Estonian **water management decision-making** are mainly guided by European Union directives. 1994 the Estonian Water Law was inured aiming at use and protection of water resources in Estonia. Since 2000 the process of implementation of EU WFD has started. In accordance with the WFD, Estonian river basin has been divided into 9 sub-basins (Harju, Western islands, Matsalu, Pärnu, Pandivere, Viru, Lake Võrtsjärv, Lake Peipsi, and River Koiva) for which a Water Management Plan (WMP) has to be prepared (The Government of the Republic Regulation No. 124 of 3 April 2001). The implementation of the WFD has now passed the first phase, where the *status quo* of river basins has been assessed and pressures and impacts and economics of water use have been analysed. Now the phase of Planning of Measures and the development of Plans for Integrated River Basin Management are underway.

WMP processes in Estonia being lead by engineering companies and Environmental agencies show insufficient involvement of diversity of stakeholders inhabiting the sub-river basins (Ministry of Environment, 2006). The minimum requirements of involvement of the general public (information dissemination and consultations) are fulfilled, both upon preparing and updating the plans. Though, active participation in the planning process is unorganised for wider public. Ministry of the Environment (more precisely, the Water Department of the Ministry and Environmental Authorities) are responsible for the composition of WMP.

At large, the ideas of social inclusion in policy making are gathering momentum in Estonian society. Public participation rates, especially voter turn out, levels of trust in governing institutions remain still low by European standards (Proos et al., 2006). Surveys in 2005 indicated that Estonian political parties and governing institutions were considered by public as the most corrupt national institutions (Proos et al., 2006). Current reforms are generally guided only by the governing parties, while ignoring or using to minimal extent the specialists views or

results of social analysis. Though it is necessary that the interest groups would have competent and motivated speakers to support their argumentation and hold up the discussion. In 2004, the adoption of the implementation law of the Estonian Civil Society Development Concept (EKAK, 2004) was an important step. Agreement summarises work to date by A Joint Commission of the Government of the Republic of Estonia and the Representatives of the Citizens' Associations. However it is too early to see if these committees to investment by Estonian government to fostering nongovernmental organisation will reap significant returns. Also Estonian Agenda 21 (Säästev Eesti 21, 2005) prioritises the integration of information from different disciplines and larger consultation with local people for knowledge-based management of natural resources. Through networking based decision-making the strategy aims at reaching larger acceptance, cohesion and inclusiveness of the society. By larger inclusiveness it aims also transparency and better control for creating a framework.

#### **2.3.1.2. Institutional basis for participatory democracy in water management: Cases of Kazakhstan and Kyrgyzstan**

The extent of allowed popular democracy is also reflecting in the organisation of water management of Kazakhstan and Kyrgyzstan.

According to the Freedom House Democracy Report (2005) on political developments in post soviet countries, in **Kazakhstan** an enormous power is concentrating in the presidency. A relatively vibrant phase of media freedom, civic and democratic activism in the early 1990s has dissipated since 1995, when President Nursultan Nasarbaev adopted new Constitution vesting presidency with unchecked powers. Kazakhstan has maintained a unitary and centralised administration in which the president fully controls the appointment of *akims* (administrative heads) of *oblasts* and *raions*. Official argument against electing *akims* is that many regions are neither financially prepared to hold elections nor ready for the responsibility. Civil society movement is either supported by government or dependent on the foreign sources of funding.

The **structure for water management** in Kazakhstan is multi-level. According to the Water Code (2003) the central government ensures state management of water resources through the authorized national management body – the Committee for Water Resources (CWR) under the Ministry of Agriculture. The Water Code has granted sufficient powers and management functions to CWR and River Basin Organisations (RBO). At the regional level local Representative Bodies – *maslikhats* and Executive Bodies – *Akimats* provide implementation and control of the national water management programs and plans. Regional State Water Management (RSWM) organisations provide maintenance of the general state-owned national

and regional water facilities. Under the UNDP Project for the National IWRM Plan (UNDP Kazakhstan, 2005), the establishment of the eight river basin councils (RBC) began in June 2004.

The political development in **Kyrgyzstan** is highly dependent on the leadership of its first and only president Askar Akaev, who initially assumed office in 1990. In the first years of post communist rule, Akaev set country on rapid course of democratisation. In the mid 1990s the economic crisis and attacks on his leadership by national press, Akaev started to limit electoral competitions and ruled around the legislature consolidating so a super-presidential order. Despite the constraints imposed on the political opposition, he has allowed some space for civil society and has limited the state's role in the economy. One factor hindering the development of popular policies is the lack of popular consensus on democracy as the basis for the country's political system. In the minds of many ordinary Kyrgyzstanis, democracy has become associated with poverty and uncertainty.

As for **water management institutions**, Department of Water Industry (DWI) of the Kyrgyz Republic belongs under the Ministry of Agriculture and State's Water and Processing industry. Activities of DWI are aimed at management and regulation of national water resources with development and implementation of water policy in the fields of planning, construction and exploiting of water industry systems. The structure of DWI is multilevel with regional and district branches, adding support organizations such as scientific research institutes, water inspections. The legislation of the Kyrgyz Republic provides opportunity to establish grass-root level public entities such as water users' associations (WUA) as a result of privatisation of irrigation system. There are 348 water users' associations across the country united in National Water Users' Association. This organisation also has 7 regional and 26 district branches promoting the interests of farmers who are the members of WUAs at the grass-root level.

### 3. Theoretical background

#### 3.1. Environmental management strategies

The goal of the public policy has been to manage environmental risks „rationally“, or reducing the most serious risk at the lowest cost (Zeckhauser & Viscusi, 1990). The essence of environmental risk debates lies in main controversies about the health impacts, long-term consequences, institutional trust, cultural values, and economic disadvantages associated with risks (Renn & Klinke, 2000).

Renn and Klinke (2000) classify major issues that most of the risk debates encounter with: factual evidence, institutional performance and values systems. **Factual evidence** and probabilities reflect the extent of possible damage to social, economic or environmental systems. The **complexity** of environmental issues refers to the difficulty of identifying and quantifying causal links between a multitude of potential candidates and specific adverse effects. Increasing research and thorough monitoring for specifying the distribution of probabilities is a necessary remedy in that case, as suggested by Renn (1999). Renn (1999) also stresses the problem of **uncertainties** in factual evidence. Uncertainty comprises of statistical variation, measurement errors and indeterminacy that reduce the strength of confidence in the estimated cause and effect chain. As a remedy, first priority of risk management is the application of precautionary measures in line with the additional knowledge generated through research.

The environmental management have to encounter the issue of **institutional performance, expertise, and experience**. The questions of distribution of risks and benefits, and the compatibility of the proposed solution with current economic and social conditions set emphasis on personal and institutional judgments and experience (Renn & Klinke, 2000). **Conflicts about worldviews and value systems** are also designing risk debates. Resolution is found in the consensus on deep-lying values concerning the risk. Besides the technical uncertainties in the cause and effect relationships of environmental processes and their management, the management decisions may involve high **ambiguity**. There are different dimensions of what people label as negative impact or harm. People might fear damage to their health, livelihood, well-being, self-esteem, or be concerned about the violations of their central beliefs, and values, cultural convictions, social status and prestige. The term denotes the variability of legitimate interpretations based on identical observations or data assessments. Different interpretation of information influences the problem definition in water management

(Parsons, 1995:87): “We may agree on what is on the agenda. But we will never agree on what is the real cause of the problem and what should be taken under to resolve it.”

Renn (1999) suggests that, in case the debate focuses on differences of visions about future, basic values and the degree of confidence on human ability to control and direct its own destiny inclusion of those who express or represent them is necessary. Coping with ambiguity necessitates discursive management tools and rational value disputes. This risk class requires strategies building up consciousness, confidence, strengthening trustworthiness in regulatory bodies, and initiating collective efforts of institutions for taking responsibility. Klink and Renn (2002) suggest that in these cases the involvement of affected people for them to be able to integrate uncertainties and ambiguities into their own procedures of assigning tradeoffs.

It has been debated to which extent the public involvement is relevant to the decision-making about the environmental risks. Major philosophical debate in the risk management touches on the **constructivism versus realism**. According to Klink and Renn (2002) the issue is whether technical risk estimates represent “objective” probabilities of harm or reflect only conventions of an elite group of professional risk assessors that may claim no more degree of validity or universality than competing estimates of stakeholder groups or the lay public. The **constructivist** approach claim that risk assessments constitute mental constructions that can be checked at best against standards of consistency, cohesion, and internal conventions of logical deduction. On the other hand the **realist** approach sets technical estimates of risk as true representations of observable hazards that can and will affect people as predicted by calculations. Stemming from the constructivist approach experts argue for the integration of public concerns into the regulatory decision process for defining tolerable risk levels. On the other hand, the supporters of the realist thinking find that the sensational press coverage and intuitive biases may misguide public perceptions.

Reliable technical and scientific input is of course essential to making sound decisions about risk. Though, risk management decisions purely based on expert risk assessments with the aim of (economic or environmental) cost efficiency have inevitably become entangled with issues of **risk perception** and **construction** as well as questions concerning the **fairness of the risk distribution** (Linneroth-Bayer, 2000). Therefore, it is suggested that risk analysis needs interdisciplinary approach: endeavours of economic, behavioural and social studies (Stern & Fineberg, 1996).

### ***3.1.1. Relationships of scientific analysis and deliberation***

US National Research Council (1996) defines main differences between the analysis and deliberation in finding the applicable management options. Analysis uses rigorous and replicable methods, evaluated under the agreed protocols of an expert community to arrive at answers to factual questions. Deliberation, on the other hand, is defined as any formal or informal process for communication and collective consideration of issues. **Deliberation** has been adopted to highlight the style and nature of a discursive process that is believed to be capable of synthesizing the scientific expertise and value orientations (Webler & Tuler, 1999). Combination of assessment and dialogue is suggested having legitimate role in analysis and management of environmental issues. Non-scientists have critical information, for example knowledge of local conditions that can be used for checking the reasonableness of assumptions incorporated into technical analysis (Stone, 2001). Public values and social concerns may act as the driving agents for identifying those topics for which risk assessments are judged necessary or desirable (Klinke & Renn, 2002).

**Deliberation** implies equality among the participants, peer control as a means of verifying understandings by setting knowledge claims under public scrutiny. Deliberation sets priority for resolving conflicts in consensual rather than adversarial ways (Habermas, 1991; Webler, 1995). Renn (1999) suggests that the deliberation is an essential part in the risk debates that do not involve only ambiguities, but it is applied also in the debate among the specialists in explaining the phenomenon, i.e. *epistemological discourse*. Science itself advances by deliberation (Kuhn, 1970) as peer reviews and other are means for scientific communities to arrive at collective understandings through a combination of analysis and deliberation. Also in the decisions made about the acceptability of the future risks can be decided in what Renn (1999) calls *reflective discourse* among the policy-makers, stakeholder representatives and scientists. *Participatory discourse* is focused on resolving ambiguities and differences about values. It is appropriate to search for solutions that are compatible with the interests and values of people affected and to resolve conflicts among them. Issues of fairness and environmental justice, visions on future development and societal change, and preferences about desirable lifestyles and community life play a major role in these debates.

## **3.2. Rationales for deliberation**

Stern and Fineberg (1996) draw out normative, substantive and instrumental rationales for broad participation in risk decisions. The normative rationale is embedded in fact that the government should obtain consent of the governed. The substantive rationale of participation is

that diverse viewpoints of groups and individuals are essential in risk characterisation. Creating consensus and acceptance of the reached decisions are the key elements of instrumental rationale behind deliberation.

**Normative rationale** derives from the principle that government should obtain the consent of the governed. Citizens have right to participate meaningfully and to be informed about the bases for government decisions.

**Substantive rationale** is that relevant wisdom is not limited to scientific specialists and public officials, and that participation by diverse groups and individuals provides essential insights about the risk situation. Furthermore, as Blöch (1999) stresses that the success of the implementation of environmental management strategy depends on the information and advice gathered from the citizens, interest groups and NGOs inhabiting the area in question.

Non-specialists may contribute substantially to risk characterisation – for example, by identifying aspects of hazards needing analysis, by raising important questions of fact that scientists have not addressed, and by offering knowledge about specific conditions that can contribute more realistic assumptions for risk analysis.

**Instrumental rationale** for broad participation is that it may decrease conflict and increase acceptance of trust in decisions by government agencies. A combination of psychological tendencies to notice, believe, and give more weight to trust destroying than to trust-building information, and social factors, such as the tendency of mass media to favour bad news and some special interest groups to encourage distrust to influence policy debates, make trust very fragile (Slovic, 1993). People are more willing to tolerate a risk if they feel they have some control over the exposure (Slovic, 1987). The capacity of water management institutions to acquire relevant information and learn from that gives the policy its effectiveness (Olsen & Peters, 1996:33). Knowledge based on independent expertise helps to create socially beneficial institutions. The derivations of these rationalities will be further elaborated in the following chapters.

### ***3.2.1. Communicative rationality as foundation of deliberation***

Theory of communicative action (Habermas 1984; 1987; Webler, 1995; Renn & Webler, 1998) focuses on the communicative process of generating preferences, values and normative standards. According to Habermas (1991) **critical theory approach**, interaction is oriented toward individual and shared goals of the actors through a coordinated process of discourse. Individuals ought to be free from all forms of domination, so they are able to enter into social



reaction that encourages personal development as well as social and cultural reproduction. Before committing to new relationships people reflect on their actions and think about which society they really want. Habermas stems from the premise that modernising world stands for the process of rationalisation. Habermas is concerned that current schematisation of politics (increasing reliance on technological/scientific forms of rationality) has led to mere token public involvement, consequently jeopardizing society. Habermas's concept of **communicative rationality** stands for means of overcoming an over-reliance on technical-scientific knowledge and restoring democracy (Habermas, 1991). The discourse (Habermas, 1984) implies equality among the participants, peer review as a means for verifying the understandings, and an orientation toward resolving conflicts rather than adversarial ways.

Habermas asserts that **knowledge is socially constructed**. All validity is rooted in the background consensus of the lifeworld that is what we experience as individuals, what we construct as society, and what knowledge we have stored in culture (Habermas, 1984). No norms can be considered valid unless all those affected can accept the consequences associated, to the extent those consequences can be known (Habermas, 1991). People must meet certain requirements set in a theory of communicative **competence** for such discourse to appear.

In an **ideal speech situation** envisaged by Habermas (1984), citizens interact through language to develop mutual understanding and agreement. Communicative competence is the ability to communicate rationally: to use speech acts (language) to create understanding and agreement. Thus requires, that people entering the discourse are open to alternative definitions of reality, and committed to reflect ones own beliefs and values and interests. Elements of communicative competence are (a) mastery of rules for formal logic; mastery of linguistic rules; mastery of pragmatic rules; and mastery of rules for interaction.

As one of the strengths of the Habermas normative theory, the need for a dialogue which permits the participants freedom to define their collective preferences, interests, and values, and also enhances their ability to reflect on and develop changing needs and responses, is stressed (Bradbury et al., 1999). But the ideal speech situation does not adequately capture the two metacriteria of free deliberation: fairness and competence (Webler, 1995). Ideal speech situation does not relate in a clear way to what people actually do in discourse. From his point of view procedural and substantive aspects should be distinguished as it is likely that the consensus will not be reached in a discourse. Therefore their needs to be a way to resolve the normative disputes so that coordinated actions could be taken (Webler, 1995). Stemming from that, anyone affected must have an equal opportunity to attend the discourse; to make validity

claims; to challenge the comprehensibility; influence the choice of how the final determination of validity will be made. Fairness, equity, competence, and trust are the main important in assessing the deliberative models.

### ***3.2.2. Bringing competence into the normative model***

One of the weaknesses of the Habermas' normative model is omitting stakeholders the citizen's competence (Webler, 1995). Rather than talking about competent rules however, these could be seen as "rules for discourse that promote competent actions by the discourse participants." An obvious practical and ethical difficulty of evaluating individuals' competencies is that people may possess the skills, yet not apply them. Furthermore, as communicative competence can only be learned through communication, barring people from discourse on the basis of incompetence will not reproduce communicatively competent citizens.

A conception of competence that does not centre on the individual but on the rules that coordinate interaction is needed. Webler (1995) imposes that in addition to meeting minimal lingual and cognitive standards, every discourse participant must have access to the knowledge needed to make validity claims and criticize others. Judgements about conflicting dilemma must be made using the most reliable methodological techniques available.

Webler (1995) defines **competence** necessary as participation is normatively right insofar as it contributes to sustaining social systems. Political equality and popular sovereignty argument for competence: one should be capable of protecting her or his view when defending collective will. Competence relates to: (1) psychological heuristics, (2) listening and communication skills, (3) self-reflection and consensus-building.

#### **3.2.2.1. Psychological heuristics: awareness and perception of environmental issues**

Risk debates are also about the world-views and values that different parties relate to the risk situations. Webler (1995) establishes that as there are multiple social and problem contexts that no one can be fully competent about. The social context of the discourse will constrain the ability of the participants to employ the best available knowledge. Even competent understandings are impermanent, as our understanding of the world is changing. According to the view of cultural analysis, differences in risk perception are related to the issue of experts, policy-makers, and individual citizens being bound with different social contexts that influence how they construct their views of the seriousness of environmental risks (Linneroth-Bayer, 2000; Wildawsky & Dake, 1991). The cultural process is where the intrinsic commitments required giving any knowledge coherence and structure occurs, and where also understanding

or ignorance of a concrete risk occurs. What counts as a knowledge and ignorance are always shaped by cultural contexts, being subject to a cultural intrinsic labelling praxis, which is dependent on power relations. In different social contexts certain risks **are amplified, the others attenuated**.

Previous social studies of risk (Stern & Fineberg, 1996) have clearly affirmed the importance of social and political context in risk assessment. Risk amplification and attenuation proceeds from thesis that risk events interact with psychological, social, institutional, and cultural processes in ways that can either heighten or dampen perceptions of risk and shape the risk behaviour of institutions, groups, and individual people. Role-related considerations and memberships in social groups shape the selections of information that individuals regard as significant. People frequently ignore or attenuate interpretations or signals that are inconsistent with their beliefs or that contradict their values (Slovic, 1987). But also interactions in cultural or social groups (social stations of amplification) codetermine the dynamics and social processing of risk.

Social impact assessment studies have clarified that a project's social effect occurs to the extent that local populations perceive themselves to be at risk from the project (Stone, 2001). Project awareness is a necessary criterion for project-specific risk perception, and it has been used successfully to define the locally affected public in project-specific social impact assessment (Stoffe et al., 1993). Similarly, research on nature, extent and causes of environmental awareness and remedial action suggests that local people are not inclined to participate in actions designed to manage their surroundings if they are unaware of or perceive no risks to it.

Competence is reached when the composite of rationalities is complete and without gaps (Webler, 1995). Webler's assertion is that any public participation has to achieve the competence level that exceeds that of the immediate participants and the rules for selection of knowledge in discourse need to be established. Participation models should endeavour encouraging access to the stored knowledge which current participants are not familiar.

#### **3.2.2.2. A procedural view of competence: communication skills**

Competence is related to the performance of the participants in discourse – where they follow procedures for the collection and verification of knowledge that have been tried and proven over time to be reliable and accurate (Webler, 1995). Renn and Tyroller (2003) emphasize that “For a discussion to be deliberative it is essential that it relies on mutual exchange of arguments and reflections rather than decision-making based on pressure. Deliberative processes should

include a debate about the relative weight of each argument and a transparent procedure for balancing pros and cons”.

### **3.2.2.3. Consensus building**

The aim of a discussion is to set forth well-grounded and outspoken arguments, promote respect towards the presenters of opposite views; and throughout the well-grounded argumentation to reach a rational widely accepted decision (Habermas, 2001). Public consultation contributes **indigenous knowledge** (knowledge on traditional ways of problem solutions) in the process of environmental management (Stone, 2001). Depending on the circumstances, any aspect of culture that functions toward the long-term survival of a group may theoretically be treated as indigenous knowledge (Purcell, 1998). In a dialogue-based process different stakeholders interact to achieve an inclusive, systematic, shared understanding of a given set of issues and ways to manage them. Competence in discourse is a construction of the most valid understandings and agreements possible given what is reasonably knowable at the time.

Understanding requires people to detect what is about statements that give them their validity; agreement requires people to choose which statements are best (Webler, 1995). Progress could be significant if the discourse achieves mutual understanding. Yet, **consensus** is a possible outcome of deliberation but not a mandatory requirement. If all participants find a new option that they all value more than the one option that they preferred when entering the deliberation, a “true” consensus is reached (Renn & Webler, 1998). Finding such an option is the exception rather than the rule. In a tolerated consensus some participants voluntarily accept personal or group-specific losses in exchange for providing benefits to all of society.

### **3.2.3. Rationale of deliberation – building acceptance of policies**

Rational choice theories and cultural approaches offer different answers to why people participate in policy design: what are the relationships between participation, societal trust and effective governance. While rational actor approaches take trust as product of effective institutional arrangements, cultural approaches consider the interpersonal trust preconditions of democracy. **Rational actor theory** emphasises that there exists a strategic inter-dependence among individuals in decision-making process. These suggest that non-cooperation reflects the lack of trust between individual players. In the pattern on repetitive mutual dependence and mutual influence actors learn to trust certain institutions and players in it (Lundquist, 2001). Also the communication and coordination between the interdependent enables participants to obtain information about the intentions and trustworthiness of other players, to control the other players to enforce rules. Therefore, public participation in politics is possible in case of

existence of effective institutions that provide opportunities for communication, coordination, monitoring and sanctioning. It is a matter of actors' rational choice to pursue one's selfish interests through cooperation and participation.

**Cultural approaches** suggest that purely interest-based accounts of collective action are empirically inadequate. In the centre of cultural approaches lies the claim that norms that characterise interaction between individuals constitute societal norms that affect the functioning of the society as a whole. It argues that citizen participation is a function of dominant societal norms and values perpetuated by the process of socialisation (Almond & Verba, 1963). Social capital models focus on societal trust as the defining cultural attribute that accounts for political behaviour and the functioning of democratic institutions (Putnam, 2000). The grounding premise of the theory is that the general **societal trust stems from interpersonal trust that leads to higher levels of trust in public institutions and thus increased effectiveness of these institutions**. History, habit and socialisation are the channels that bear the need for cooperation. The participatory norms are considered as determinants of democratic stability and governance performance. While rational choice approaches seem to emphasize pure know-how of institutional design, norms and habit are likely to play a significant role in explaining institutional performance as well.

### **Trust and legitimacy**

Social trust refers to the expectation that other persons, institutions, or states in a social relationship can be relied upon to act in ways that are competent, predictable and caring (Kasperson et al., 1998, Cvetkovich & Löfsted, 1999). Cvetkovich and Löfsted (1999:11) emphasize that "social trust is a simplifying strategy that enables individuals to adapt to complex social environments and thereby benefit from increased social opportunities". Through mutual respect and solidarity among persons with different perspectives trust enables generating social cooperation.

It is established that explicit motivation for improving risk communication and public participation increases public trust in governments (Renn & Levine, 1991). According to Slovic (1999), there is very little evidence that risk communication has made any significant contribution to reducing the gap between technical expert assessments and public perception or to facilitating the decisions about any environmentally adverse decisions. Continuing to rely on expert-based risk management without respecting the demands of stakeholders and the public for more information and access to regulatory processes will accelerate decline in the legitimacy of social risk-managing institutions (Linneroth-Bayer, 2000).

Set forth with representatives of public and hearing their arguments the credit of public will rise from the point of view of experts and persons responsible for the decision-making (Lepa et al., 2004). Also positive self-image of being acknowledged and playing an important part in the planning process will help people gain confidence in the involvement process. Mutual understanding of the problem increases the capacity of authorities and other relevant parties to find innovative ways to manage river basins more effectively. Public involvement promotes larger acceptance of the laws and therefore also necessary sanctions (Lepa et al., 2004).

### ***3.2.4. Precondition for successful involvement – fairness***

Equity is about “fairness” of a particular arrangement, benefits and burdens from a particular agreement (Kasperson & Kasperson, 2000). According to Webler (1995) **fairness is** a key to producing forum where equality and popular sovereignty can emerge and personal competence can develop. People in discursive situations should be provided equal footing to determine the agenda, the rules for discourse, to speak and raise questions in addition to equal access to knowledge and interpretations.

#### **3.2.4.1. Problem of differential social access to public participation**

In larger philosophical ground access to decision-making is defined in egalitarian and liberitarian models. Participatory equity derives from egalitarian philosophical perspective. Libertarianism emphasises the right of the individual to control his or her destiny, unfettered by collective group constraint (Smith, 1937; Stone, 2001). The **liberitarian model** (also called pluralist approach) assumes that people have free and equal access to the decision-making process, guaranteed by state. It bears the assumption that potentially affected people are equally aware of these issues and that they all have opportunity to participate in environmental decision-making. The awareness and the actions taken upon are the individual’s responsibility. The critics of liberitarian approach find that as groups have different political capacity and expertise in decision-making they are not equal in the decision-making. **Egalitarianism** is marked by individual acquiescence to group maintenance and emphasises an equality of outcome in which individuals will sacrifice autonomy resulting in an equal distribution of outcome (Rawls, 1971; Stone, 2001). According to the egalitarianist approach, the involvement depends on various factors that are uncontrollable by individual. The institutions in charge of the decision-making have to take care that the social groups that due to their socio-cultural, geo-political conditions are not restricted from access to policy design. A derivation of egalitarianist approach is **neo-corporatist** approach which supports the idea of controlled representation of the social groups aiming at well-structured social dialogue (Lepa et al., 2004). Institutionalised

incorporation restricts the participation to only certain groups and is therefore less flexible and representative in responding to different societal problems.

In current assessments of environmental management, project-specific (non-systematic and administratively unorganised) environmental management is accused for its limitations and differentiating social access to decision-making (Stone, 2001). This phenomenon is called “**environmental discrimination**”. The problem of environmental discrimination lies in under-utilisation of the knowledge possessed by the local public through institutional arrangements for participation that fail to include and therefore incorporate the insights of the multiple publics which comprise it.

International Association for Impact Assessment states that similarly to the biological sections of impact statements there is a need to devote particular attention to species having special vulnerabilities (International Organisation on Guidelines and Principles, 2006). These vulnerable segments of the human population are also defined as “marginalized communities” – that may include poor, elderly, adolescents or culturally very distinctive ethnic groups, or a community that omits a special value to a concrete component of the biophysical environment. Specially affected populations are often socially isolated from the larger communities within which they are embedded and typically are unaware of and therefore implicitly excluded from environmental decision-making processes (Stone, 2001). At the same time these same groups might often bear the greatest environmental and social impacts of projects, that require environmental management at potentially extensive geo-political, socio-cultural, and ecosystem scales. Furthermore, there may appear synergistic effect of past and current inequities (Kasperson & Kasperson, 2000).

There are several **constraints that may affect involvement** of all relevant social groups in decision-making process. Participation in discussions means loss of working hours and other costs related to transportation, time loss *etc* (UNECE, 2006). Distance from the negotiation place means more difficult and expensive participation for rural people or other. It has been indicated in various studies that financially better secured people are also politically more active (Verba et al., 1978:61-64; Renn & Tyroller, 2003). Therefore the poorer people have likely less say in policy design. Due to **communication gaps** and poor access to information about the projects under discussion can limit the number of social groups represented at the discussions (Stone, 2001). Also language differences may impede some groups from participating in the planning. On the other hand, most often people have an active social position if the issue at stake closely affects their life, but most of the time they are passive. This

may lead to a biased representation of social groups in the discussions. Though, in some cases prevalent norms of behaviour or cultural biases can **impede involvement of some groups**, which might consider themselves obligated not to express openly disagreement with the dominating groups.

### **Choosing the groups to be included**

People organise themselves into multiple and potentially overlapping groups. This principle causes challenges to the decision-makers endeavouring involvement of stakeholder groups (Stone, 2001). Locally affected persons that are potentially consulted in decision-making do belong to different social groups. It is likely that these groups might have competing interests towards the project in question.

Anthropologists define **etical and emical derivations of group formation** (Stone, 2001). The etically conceived public is derived from human organisational definitions imposed from the outside that may not be coinciding with the real life groupings. These are for example demographic factors such as age, race etc. Emically conceived public derives from internal definitions of social interaction. These self-defined groups are based on social reality. Without emic definition of the affected groups the subsequent participation programs can homogenise the certain group of locally affected public by presuming that its members' behaviour was dictated by etical categories.

Public involvement in larger projects requires big efforts that may not be successful due to the large number of interested parties. Representatives of organised groups do not reflect all the relative concerns and social interests of the people affected by a decision and their relative power is not directly linked to their degree of support within the relevant population. Analysts of pluralist societies have demonstrated that the relative power of interest groups do not match the relative importance of the issue for society but depend on factors such as exclusiveness of representation, availability of power and resources, and potential for social mobilisation (Waller, 1995).

### **3.3. Structural rules for successful involvement processes**

Weber (1995) establishes that the motivation and authority of communicative competence does not lie completely with the individual, but in the collective experience of culture. Therefore, he finds that relying only on the competence of the individuals to self-design adequate communicative procedures is impractical and may result in more bias and less likely to be competent. From Weber's point of view, the constrained discourse would be necessary as: (1)



there is no need for initiative from the participants' side to rediscover known facts and laws themselves. People recognise that expertise is valuable, even though they might distrust the particular experts. (2) Set discourse rules leave less room for strategic action. In unconstrained discourse where only a few people determine the rules, the outcome is more dependent on the skills and intentions of each person. (3) Outcome is no longer reliant upon competence of concrete participants. Understandings reached have a firm basis and are replicable within another group of participants. Constrained discourse will also help to manage the problem of unlimited public demand for self-disclosure and it helps to manage the time constraints set for reaching the closure.

The public involvement cannot only be a procedure, for its proper functioning it needs to be grounded also in the administrative culture (Lepa et al., 2004), political support and administrative capacity as well as acknowledgement. Understandable and all-accepted rules of participation ensure greater participation and trust towards the organisers.

### ***3.3.1. Time constraints***

Start of involvement in the earliest phase of the policy design. The process needs to be continuous, sustainable and trustworthy. Long-term relationship between the dialoguing partners ensures the cooperation of the parties also after the decision is reached (Lepa et al., 2004). The larger involvement may cause delays in decision-making (UNECE, 2006). From the project initiator's or authority's point of view, risk lies in slowing down the critical planning process. In addition to the threat of losing valuable time, the initiator of the project may want to keep the information about the project confidential as long as possible and so impedes early public involvement and consideration of alternative options.

### **Continuity of the discourse**

Kasperson et al. (1998) stress that public discourse needs to be continuous and ongoing and not, as often happens, occur only sporadically or episodically. For discourse to be continuous, citizens require not only the opportunities but the means and resources to acquire and evaluate information. People must be empowered to enter into discussion and to see the results actually implemented.

### ***3.3.2. Management costs***

The public participation in the decision-making aims at providing more accurate consideration of arrangement **aimed at reduction of negative effects and maximising the benefits of the project**. If the public has been part of the decision-making from the start of the planning,

possible conflicts of realisation can be avoided. At an early stage of the planning amendments can be made with less financial and time costs (UNECE, 2006). Participation gives also possibility to weigh the costs and benefits of the project. Gives evidence for integration of work of different legislative entities endeavours in policy making (OECD, 1995).

Even though the information and consensus reached may be valuable for the successful implementation of the project, involvement process itself necessitates funding which is scarce.

Admittance of public as a valuable partner can inspire the citizens, government and enterprises for cooperation, which represents highest priority importance for successful implementation of regulative system. Public involvement in the decision-making improves **transparency of the decision-cycle**. Though, better knowledge of decision-making process helps public to observe and identify possible misuse of the authority. At the same time there is a backside of diffusion of responsibility. When everybody shares the responsibility nobody is really to be blamed for unsuccessfulness.

## 4. Framework of public involvement processes

A common framework for public involvement is suggested by Global Environmental Facility (GEF, 2006):

- Stakeholder mapping – to identify major stake-holding individuals/organisations;
- Compilation of stakeholder database for acknowledgement and strengthening of interactions between different groups;
- Stakeholder needs analysis and finding out possible forms of involvement;
- Elaboration of plan of public involvement in discussion and fulfilment of water protection arrangements;
- Plan implementation and monitoring of its efficiency.

### 4.1. Stakeholder mapping

#### *4.1.1. Defining the interest groups to be included in deliberation*

**Stakeholder identification** and analysis is the key component of the whole involvement process. At issue are the procedures applied to define the boundaries of the locally affected populations, identify its socially relevant constituent populations, and access the knowledge these people possess regarding their local environment and how they stand to be affected by deliberate changes to it (Stone, 2001).

It is suggested that when considering the circle of participants it is better to invite in a larger group of stakeholders. This may take more human and financial resources, but also would give a more comprehensive mapping of the needs and interests, and the decision reached a wider ground of support. For ensuring that key stakeholders have access to designing the process it is important to ask whose support or lack of it might significantly influence the success of the project (Allen & Kilvington, 2001). This is suggested to test the expert and activist groups, both of whom commonly claim to speak for a wider representation than may be the case and whose capacity to articulate their concerns might easily cause other groups to be overlooked.

**Stakeholder analysis** aims at identification of a project's key stakeholders, their characteristics, assessment of their interests, and the ways in which those interests affect project riskiness and viability (Allen & Kilvington, 2001). It contributes to project design by identifying the goals and role of different groups, and by helping to formulate appropriate forms of engagement with these groups. Purpose of the stakeholder analysis is drawing out the interests of stakeholders in relation to the problems that the project is seeking to address or the purposes of the project. Identifying conflicting interests helps stakeholders to manage such relationships

in the course of the project and helping stakeholders to identify possible lines of coalition for cooperation. Assessing the capacity of different stakeholders for participation and choosing a method of participation appropriate for the particular stage of the involvement project.

#### ***4.1.2. Selecting the charge***

Selecting the charge of the discursive process needs to be guided by the issue under discussion and is considered problematic also by locally affected people. Kasperson et al. (1999) draw out that the individual disputes need to be placed in the context of full range of decisions that affect public life and be viewed as idiosyncratic. It is important to avoid taking on complicated and multifaceted issues. As Renn and Tyroller (2003) warn that for highly technical issues; it could be impossible to bring citizens up to a certain level if there is not much time.

### **4.2. Instruments of public involvement**


After clearly defining the objective of the exercise, the target group maybe identified and appropriate tool chosen (PUMA, 2001). It is understandable that no single tool of involvement will be suitable for every situation. Often a mix of tools will be required, and these may need to be adapted to local traditions and practices. The choice of tools will also depend on the resources (e.g. financial and human), time and skills available. The type of participation will depend upon the spatial scale relevant to particular resource management and investment decisions and upon the nature of the political economy in which such decisions take place (GWP, 2006).

The lowest level of involving public into decision-making is the information sharing on the processes of development using different information channels and media (PUMA, 2001). Consultations with public can occur in the form of opinion polls or sociological surveys, or written comments collection etc. Such kind of techniques can still only provide the awareness of the processes, but do not ensure that the ideas would be taken into account.

**Referendum** is thinkable only in the case of decisions with state-wide importance. But it lacks collective negotiations and juxtaposing of different interests for finding compromise (Verba et al., 1978). Consultative methods such as **questionnaires** or **stakeholder meetings** are limited only to legitimise decisions already made by diffusing political opposition and to delay the implementation of decisions unsuitable to groups in power. Therefore real participation is necessary for the legitimisation of the decisions. **Round-table discussions** are a little less formalised procedure aiming at open discussion. **Mediation process** attempts to get all important players to sit at the table and pursue a compromise. Some sophisticated mediation

groups try to create representation from those interests, which exist latently are not organised. **Focus groups** can be described as a deliberation technique that includes a small number of persons, at a centralised location, responding to questions on topic of particular interest to a client. A moderator who keeps the respondents focussed on particular topic leads the interview. **Citizens' juries** is a way of obtaining citizen input through use of random selection of citizens to study specific public policy issue. The representatives of a microcosm of a community attend series of meetings to learn about the problem and come up with the knowledgeable decision about the solution for the issue. Arnstein (1969) created the ladder of participation moving towards increasing level of involvement: informing, consulting, involving, collaborating and empowering. International Association for Public Participation suggests the suitable means for satisfying these social goals (Figure 1).

Below two institutionalised methods of public involvement in water management in Estonia - public hearings; and Kazakhstan and Kyrgyzstan - citizens advisory councils will be looked upon.

INCREASING LEVEL OF PUBLIC IMPACT 				
INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:	Public Participation Goal:
To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered	The partner with the public in each aspect of the decision including the development alternatives and the identification of the preferred solution	To place final decision-making in the hands of the public
Example techniques to consider:	Example techniques to consider:	Example techniques to consider:	Example techniques to consider:	Example techniques to consider:
<ul style="list-style-type: none"> <li>- Fact sheets</li> <li>- Web sites</li> <li>- Open houses</li> </ul>	<ul style="list-style-type: none"> <li>- Public comment</li> <li>- Focus Groups</li> <li>- Surveys</li> <li>- Public meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Workshops</li> <li>- Deliberate polling</li> </ul>	<ul style="list-style-type: none"> <li>- Citizen Advisory Council</li> <li>- Consensus Building</li> <li>- Participatory decision-making</li> </ul>	<ul style="list-style-type: none"> <li>- Citizens Juries</li> <li>- Ballots</li> <li>- Delegated decisions</li> </ul>

**Figure 1.** Classification of participatory approaches according to their social goals (Adapted from IAP, 2004)

#### ***4.2.1. Public hearings***

Most commonly used participatory approach in Estonia is public hearings (Arhusi rakendamise aruanne, 2005). **Public hearings** are considered the most common, cheapest and also less complicated method of public participation (Webler & Renn, 1995). They are legalistic and can be convened only by governmental bodies under legal statutes. They have been used to investigate controversies, to provide advice to decision-makers, and to provide a forum for public discussion and a channel for public opinion to reach decision-makers (Renn & Tyroller, 2003). It is used for providing advice to decision makers: to provide channel and forum for public discussion. It offers regulators an opportunity to hear contending interpretations and interests (Webler & Renn, 1995). Public hearings assume firm determination of the discussed issue, mandatory distribution of preliminary information and issuing of the final document both to reflect agreement of the participating parties (Stone, 2001). To their favour, public hearings offer citizens an opportunity to get first hand information about government and project proponents' intentions. Policy makers can provide justification and explanations for the planned activities (Webler & Renn, 1995).

As forums held to strict legal requirements, hearings provide an excellent setting for citizens to get hard answers from the project sponsor, developer, or regulatory agency. By law, public hearings must be widely announced and open to all, regardless of the stake people have in the matter. These things, along with a strict time schedule, make it relatively easy for people to attend and make hearings an especially good way for people who only want to learn about a problem to come and get some answers (Renn & Tyroller, 2003).

It is considered unfair as it is often held late and therefore it has a minimal impact on the decision (Webler & Renn, 1995). According to Stone (2001), public hearings are notoriously self-selective and frequently fail to incorporate important population specific issues into the environmental management decisions. Deliberative bodies constitute mere mirror images of the power distribution in society rather than a correction of an agency's perspectives (Waller, 1995). Stakeholder groups are asked to feed their interest into the decision-making process without further public scrutiny (Renn et al., 1995).

It institutionalises the communicative bias towards favouring experts. Small representativeness only a very small proportion (more active, better informed) of the population has an opportunity to speak at the hearing. The structure of the event reveals its implicit communicative bias as experts stand on a stage above the masses (Webler & Renn, 1995). Hearings are held primarily to satisfy legal requirements, rather than really promote

public input (Renn & Tyroller, 2003). It is determined that low rates of public participation were due to weak pre-hearing procedures, poor and overly technical presentations of information, a bias of outcomes favouring participants with economic stakes, and minimal evidence that participation affects policy. Studies have showed that participants were more educated, politically active, and informed better than non-participating community members. Empirical studies support the idea that public hearings are dominated by organized interests with economic stakes. Perhaps the worst attribute of public hearings is that, under some circumstances, they turn into a staged performance of all actors involved. This is probably due to both the structure of discourse within the public hearing process and the timing of their use in the decision making process. Public influence through hearings is a matter of dispute.

#### ***4.2.2. Citizens' advisory councils***

The river basin councils in Kazakhstan and Kyrgyzstan stand for the citizens advisory council model of public involvement. **Citizens' advisory councils** (CAC) are comprised of respected citizens in a community who are charged with advising the legal decision makers (Renn & Tyroller, 2003). Attendance in CACs is highly restricted. Members are usually hand-picked by the institutional body seeking advice. Selection is based on the principal: to include a representative sample of the major interest positions. The full range of interests cannot, if only for logistic reasons, be included. Interested citizens may be able to attend meetings, but they cannot participate in structuring the agenda or the format, nor may they participate in discussion. Council members are typically not involved in making the agenda; the sponsor establishes the charge and focus. Members are also discouraged from discussing or influencing the moderation, although they may convince the sponsor a change is needed if they are persistent (Renn et al., 1995).

Inside the process, CACs offer few opportunities for participants to discuss issues outside of the prearranged charge. Within the confines of the agenda, discussions within CACs are fair. The committee has all the time it needs to discuss the allowed agenda items and a limited amount of freedom in deciding how to go about their work. They can set their own agenda (within limits of the charge), meeting times and places, rules for discourse (within limits), and may be able to select their preferred means to resolve disagreements. Nothing in the structure restricts members from raising cognitive, reflective or normative issues, but the sponsor may not provide the resources to pursue certain subjects. "Unmanageable" CACs

would likely be disbanded prematurely, starved to death, or simply ignored (Renn & Tyroller, 2003).

The group is expected to work differences out among themselves. There is no hierarchical relationship among the members, although there may be a chairperson appointed to serve as liaison to the sponsor. All of the discussions occur in a face-to-face communicative exchange. However, because the CAC model does not make an explicit commitment to the autonomy of the individual members, there is a danger that the consensus could be a "fake" consensus, as some participants might feel pressured to conform.

CACs may never reach shared understandings about the cognitive, reflective or normative issues that are competent. Although their small group size, the face-to-face discussions over relatively long periods of time (regular monthly meetings), and the role of the participants as "value-cluster representatives" promote practical discourse, the membership of the committee is typically chosen from among the leaders of the community (Vari, 1995). They are more apt to rely on instrumental understandings of the problem and downplay the value of anecdotal evidence and competing normative arguments. To function more fairly and competently, CACs would need more autonomy over specifying its charge. Of course, the later would discount the likelihood of the sponsor adopting the CACs recommendation. CACs work best when the problem under consideration is not wholly technical, but includes different types of tradeoffs spread over several interest positions and those positions are represented in the panel. Normative discourse would be promoted by CAC adopting some mechanism to solicit feedback from the non-participating public.

### **4.3. Assessment of the decision-making**

Quality standards of the participation allow assessing the success and real value of the whole process. The assessment process should carefully look over: (1) to what extent the goals set for the involvement of stakeholders were attained? (2) What prohibited their full attainment? (3) How cost-effective was the process in sense of result and human efforts and financial costs? (4) What are lessons learned for improvement? (5) How effective was the process from the viewpoint of participants?

One important indicator of the success of involvement is the **implementation of the deliberated decision**. It is important to give feedback on the use or neglect of the policy recommendations created. Seeing effect of their participation, people gain more faith in the importance of participation. Not giving evidence of how the information given by the public



will be used is the most likely way of losing the trust towards the policy makers (Lepa et al., 2004). The credit of quality, credibility and legitimacy of the policy decisions may instead decrease if citizens discover that their efforts to stay informed, provide feedback and actively participate are ignored, have no impact at all on the decisions reached or remain unaccounted.

#### **4.4. Common pitfalls of the discursive processes**

In the course of deliberative processes several complications may occur. In a broad scale the limitations of rational discourse can be divided as follows: deliberation may become a source of conflict itself, have little effect on decision-making, be hindered due to regularity imprecision and artificialness of the process.

##### ***4.4.1. Deliberation as a source of conflict***

It can be very difficult to find consent among so different publics (Webler & Renn, 1995). The consensus-seeking process might itself expand the scope of conflict or harden established positions. Webler & Renn (1995) see that parties can be taking advantage of the deliberation process to pursue broader political objective. Or the parties may join the deliberation process in order to prolong it, to press strategically for delay, or to shift the discussion to issues that they see more fundamental or as advantageous to their positions (Stern & Fineberg, 1996). Deliberation may increase the understanding without narrowing the differences among parties. The deliberation may fail as the parties do not accept to join the deliberation to keep their positions (Stern & Fineberg, 1996).

Understanding the project will avoid the public anxiety and resistance that normally occurs among people that see possible threat to their livelihood. In the process of public participation, the stakeholders are on the equal positions in the debate and the issues are settled sincerely (Renn et al., 1995). Though, it may happen that the contradicting or differing worldviews allow no discussion among the participants. One of the main **risks** is that in the process the **contradiction between the stakeholders may even increase**. Instead of finding ways of cooperation, participants are looking for arguments for defending their points of views against the other. Deliberation is also accused for creating incentives for parties to portray the other's interests as negatively as possible, consequently contributing to the conflict (Apostolakis & Pickett, 1998).

Burgess (1990) suggests that the conflict appears from different interpretation of information. Messages consist of knowledge, information, values and myths that are **encoded** by the sender and then **decoded** by the receiver within social contexts. Common public deciphers the

environmental information that they receive from the scientists, politicians, media or citizens, using personal and social schemata to order and interpret the information. The mental frames that environmental managers use might not be understandable from farmers', schoolchildren's or any other group's points of view. Webler and Renn (1995) stress that there is still insufficient knowledge: environmental managers are unaware of citizens concerns. And as the rationale used by managers does not compel to citizens', the citizens accuse environmental decision-makers for being technocrats.

#### ***4.4.2. Little efficiency***

One of the common pitfalls is little gains from being too careful about looking for popular policies (Webler & Renn, 1995; Coglianesi, 1999). The cost of deliberation might be over the resources that the results of the discussion will save (Stern & Fineberg, 1996). Approach of combining analysis with deliberation might seem impractical because it would require a major increase in the effort made to characterise risks at a time when responsible organisations are anyway under a heavy workload with tight budgets. Though in case the effort is appropriately scaled, the benefits are likely to outweigh the costs. In fact, deliberation in advance of risk analysis may reduce the immediate costs of analysis or increase its cost-efficiency by directing limited resources for analysis to the most decision-relevant issues (Stern & Fineberg, 1996). Excessive focus on analytical tools is also considered one of the pitfalls on the involvement (CWP, 2006).

#### **Deliberated decision neglected by policy makers**

The deliberation may also prove useless when the policy makers do not consider the outcomes, recommendations of the risk debate (Stern & Fineberg, 1996). Participation is often used as therapy (Webler & Renn, 1995), and therefore, citizens feel cheated if the decision has been already taken by the time they are asked.

It can happen that the involvement processes turn into more of a general study, but no commitment of the policy makers to the implementation cannot be guaranteed (CWP, 2006). Resources devoted to planning, not implementation of specific actions. Too narrow outlook on the problems and possibilities (Kasperson et al., 1999) draw out that the individual disputes need to be placed in the context of full range of decisions that affect public life and be viewed as idiosyncratic.

#### ***4.4.3. Lack of expertise to direct and employ rational discourse***

One of the pathologies of the consensus-seeking deliberation is considered the regularity imprecision (Coglianese, 1999). The problem lies in lack of professionals as well as well-established regulations supporting popular democracy. With introducing participatory models in policy design need for schooling and hiring new kinds of experts to support more extensive risk analysis (Stern & Fineberg, 1996).

The processes of involving public deliberation are considered too long and complex for decision-makers (CWP, 2006). Coglianese (1999) stresses that often governability and tractability has priority over public importance. Thus it is easier for regulators to handle traditional processes of asking for advice from expert committees.

It is problematic that participants of the consensus-seeking process may have **too high expectations on the outcomes of the deliberation**. Public expects sufficient protection of the environment and human health (Slovic, 1987). The involvement of the public may be misleading as the involved people do not have to think about the constraints of the implementation of the endeavoured projects (Armour, 1995). This may lead to increasing public distrust towards the institutions and decision-making processes (Webler & Renn, 1995).

In water management planning often very large areas and numerous stakeholders are under consideration (CWP, 2006). It can also happen that in the large areas of basins nobody really feels responsible for the protection of one or another. It can be very difficult to find consent among so different publics (Webler & Renn, 1995).

Coglianese (1999) draws out among other pathologies of consensus-seeking deliberation the problem of lowest common denominator problem. He is stressing that the deliberation can be as successful as capable and cognizant are the weakest members of the deliberation.

#### ***4.4.4. Inescapable artificialness***

Shanks (2003:3) stresses the unnaturalness of the deliberative models as the main pitfall of the means of research. In an everyday situation people do not think focused on a concrete matter alien to their everyday activities. In the research situation the participants are forced to be more critically analytic than in the normal life situation.

Morgan and Krueger (1998) consider one of the main limitations of the project that the participants have no means to control the results of the deliberation. It is impossible to verify that the presented views are authentic or they have formed in a group dynamics. Morgan and Krueger (1998: 45) warn from taking the information gathered in participatory discourse too

seriously. In these models people are often talk about the things that they might actually have no connection with. The discussions may not reflect real behaviour that is often lead by irrational drives. The members of the discussion may change their point of views in order to appeal to the other participants or are politically correct. In order to preserve their self-esteem, people may change their opinions or illustrate the truth.

According to Morgan (1998), it is impossible to avoid moderators' influence on the discussion. Moderator's physical and personal characteristics provoke associations that may affect the results. This may also affect the interpretation of the results of the participatory models. According to Kuhn (1970) experts representing presumably dispassionate science are largely affected by the beliefs and values of their scientific community. Institutions under study and the research itself are influenced by the persons and means carrying it out, leading to biased understandings about the situation.

## 5. How to evaluate the discursive processes?

For a successful discourse to take place the questions of time constraints, publication of result, positioning of parties in deliberation process, willingness to learn, obey the rules and open one for different positions needs to be taken into consideration (Renn & Klinke, 2000). Renn (1998) draw out criteria to evaluate the suitability of public involvement methods: variability of options, equity of exposure, personal experience, personal relevance, seriousness and openness for sponsor, acceptance by stakeholder groups. According to Armour (1995) there are three main categories of evaluation of the discursive processes: **fairness and competence, efficacy and applicability**. Category of fairness is measured against conditions of the ideal speech situation. Competence is measured in terms of the performance of the participants in constructing the best possible understandings and agreements, taking into account the information and knowledge available to them.

### 5.1. Fairness criteria

The most important discursive criterion is the equal position of all parties. A discourse needs the climate of powerless environment (Habermas, 2001). Therefore the internal rules of deliberation have to be egalitarian. Every participant has to have possibility to make proposals and evaluate options. Procedures and agenda have to be agreed by all parties. All the parties abide the rules the same way; there should be no privileges to anyone (Renn & Klinke, 2000).

#### **Equity of exposure to the decision-making**

Renn (1998) stresses that it is important to ask whether all groups of the community or the respective constituency exposed in some way to the potential disadvantages of the proposed options? It needs to be asked whether the participants are representative for the wider community from which they are selected (Rowe & Frewer, 2000). Members of the more affected groups should enjoy a higher probability of being drafted than members of the less affected groups. Though, the difference between representing interests (or stakeholder groups) and the public at large is such a basic one that it is difficult to know how to advance definitive arguments in favour of one approach over another (Crosby, 1995).

#### **Maintaining the integrity of the process: the rule enforcement**

**Effective citizen control** will help to maintain the integrity of the process. The process must be under the control of informed citizens (Crosby, 1995). In order to testify the participants' independence in deliberation Rowe and Frewer (2000) suggest asking: are the participants

'being participated' or are they fully in control? Participants should be allowed to reach consensus on the procedure the participants want to employ to derive the final decision or compromise, such as majority vote or involvement of a mediator (Stern & Fineberg, 1996). Crosby (1995) suggests to test whether the model provides everyone with an equal chance to put their concerns on agenda and to approve or propose rules for discourse, to debate and critique proposals for the agenda and the rules, and to influence the final decision about the agenda and the discourse rules witting the decision-making procedure?

## **Moderation**

Crosby (1995) stresses minimisation of staff biases as and essentials in maintaining the integrity of the involvement process. The participants should be enabled commenting on the facilitation style or debate proposals for how moderation should be carried out (Armour, 1995).

The style of moderating is described as limited to the shortest time extent that is possible (Crosby, 1995). Since it is rare for a staff not to impose its own values on the organisation it runs, it takes exceptional work to maintain these standards and convince public of their commitment.

Crosby (1995) suggests peer review as the remedy for the personal biases by moderators. For example staff monitor that the moderator of a project ensures that his facial expressions and body language does not indicate a preference for one point of view over another. Only the experiences can enhance the staff performance in conducting the projects according to this model. Crosby (1995) imposes that for evaluating the influence of moderator it is useful to ask: does the model provide everyone with an equal chance to suggest a moderator or debate proposals for the moderator, and comment on the facilitation style or debate proposals for how moderation should be carried out?

## **5.2. Criteria of competence**

A critical matter in designing any project is insuring that the jurors will be able to make good judgement on the issues before them. Competence and good judgement do not stand for the same thing. Crosby (1995) claims that a group of randomly selected citizen, when exposed to good information presented by witnesses from differing points of view, is able to make good judgements on public policy matters even though in terms of training and experience there are many people more competent than they. The ability of any group to make good judgments is strongly affected by the time they have and the size of discussion group (Crosby, 1995). Though, endeavours of longer deliberation and bigger discussion group might be contradicting.

As for rules for redeeming **truth validity claims** it is important to reach a dialogue between professional systematic, generalised knowledge versus public and its personal evidence and emotional reactions (Renn & Klinke, 2000). In the course of the discursive process, there should be means of verifying whether factual claims are consistent with the prevailing expert opinion or consistent with the anecdotal knowledge or other persons not involved in the discourse available for participants (Crosby, 1995).

It needs to be asked: does the model provide everyone who is potentially affected by the decision proposal (positively or negatively) an equal chance to be present or represented at the discourse and to put forth and criticise validity claims about language, facts, norms and expressions? Does everyone have equal access to available and relevant systematic and anecdotal and intuitive knowledge about the objective world? The materials presented to the participants should be understandable to everybody (Rowe & Frewer, 2000). Does the model promote discussion about the authenticity of the speaker's expressive claims and an examination of the speaker's sincerity as well as the qualities of the situation? Are individuals given enough time to state and defend their expressive claims? It is reasonable that in the course of discussions, the jurors discuss the authenticity of the witnesses' expressive claims and their sincerity (Armour, 1995).

In engaging lay public in deliberation **resolution of allegedly irrational responses** – is problematic (Renn & Klinke, 2000). Factual claims need to be based on the state of the art of the scientific knowledge and other forms of legitimate knowledge; in the case of scientific dissent, all relevant camps should be represented (Stern & Fineberg, 1996). For supporting the well-grounded evidence also the uncertainties regarding factual information should be considered.

As a rule for redeeming **comprehensibility validity claims** participants should be provided with equal access to sources for commonly-agreed upon standards and definitions, an opportunity to confirm each others' terms, definitions and concepts, and the ability to take advantage of pre-established reference standards (Armour, 1995) Necessary information materials or other resources should be available for the participant for their decisions early enough (Rowe and Frewer, 2000). In the initial stage of the deliberation process, the jurors should be presented with a glossary of terms and given introductory information on topic at hand.

On the other hand, in discursive processes participants' **willingness to learn** should be prioritised not the change of preferences or attitudes. Important aspect lies in recognition of

different forms of rationality in decision-making and different forms of knowledge such as systematic, personal, and cultural or other (Habermas, 2001; Renn & Klinke, 2000). Disclosing the values and preferences of each party is necessary for avoiding hidden agendas and strategic game playing (Stern & Fineberg, 1996)

Next to the willingness to learn, **demoralisation of positions and parties** is important, and moral judgements need to be avoided. The cognitive claims should be separated from the normative ones (Stern & Fineberg, 1996). Moralising may rank parties in their equity. Moralising masks deficits of knowledge and arguments. Ethical arguments are essential for resolving environmental disputes (Renn & Klinke, 2000).

From the point of view of Renn (1998) **personal experience** is decisive in determining the outcome of involvement. Do participants have some experience with the problem and do they feel competent about giving recommendations after they are further educated about the problem and the remedial options? Personal relevance is also important in order participants to judge the problem as serious enough to sacrifice several days of their time to work on solutions.

As for rules for redeeming **normative validity claims** the argumentation in the discursive processes should follow the rules of argumentative reasoning and laws of formal logic in stating and interpreting factual evidence (Habermas, 2001; Stern & Fineberg, 1996). Therefore it is of ultimate importance that the participants agree to subject oneself to the rules of argumentative disputes (Renn & Klinke, 2000). **Fair bargaining** should be the grounding principle in attempts to find a fair solution whenever conflicting values of preferences occur, including compensation or other forms of benefit sharing (Stern & Fineberg, 1996).

In designing or applying the participatory model it is important to avoid any explicit barriers that bias the distribution of interests that participate or prevent people from making subjective determinations the model contain. Instead it is important to assess whether the model promotes the discovery and development of mutual understanding among all the participants?

### **5.3. Efficacy and applicability**

The issue of **efficacy** of the process raises several questions: (1) is the process reliable source of citizen input? (2) Has the involvement process been effective on influencing the political decision? The participation can be considered meaningful in the sense that it has an effect on policy decisions (Rowe & Frewer, 2000).

Prior to applying the participatory process it is important to make sure the **openness of result**. Renn (1998) stresses the importance of variability of options. Do the participants have the



choice of selecting one option out of variety of options that are feasible in the specific situation? The default option of egalitarian distribution is a powerful agent to avoid *status quo* conservatism. Another structural requirement is the openness of the result. The deliberation should not aim at selling the already decided policies to stakeholders that believe they have a right to influence the decision. Renn and Klinke (2000) suggest that it is necessary to testify whether the policy makers or the sponsors of the project is not just to sell the decision as it has been already made or the discourse is really welcome and there is true will to use the deliberated decision (Renn and Klinke, 2000). The seriousness of the sponsor needs to be tested by asking: is sponsor willing to accept or at least carefully consider the recommendations of the discursive models or does it pursue hidden agendas?

A clear understanding of the options and permissible outcomes of such a process: the world cannot be reinvented by a discourse nor can historically made decisions be deliberately reversed. It needs to be asked whether the nature and scope of the exercise are clear beforehand (Rowe & Frewer, 2000). All participants should be clearly informed about the ranges and limits of the decision options that are open for discussion and implementation.

Commonly the participatory approach is not used due to the officials' confinement that it is not worth the effort. Due to the expensiveness conducting the process should be avoided in case there is some reason to believe that public officials will not pay attention to the recommendations (Crosby, 1995).

According to Armour (1995) it is necessary to question whether the participatory model enables citizens to **dialogue directly and in a meaningful way with those who govern them**. From the point of view of the applicability of the reached decisions that the policy recommendations elaborated in course of the discursive process would not only be a set of wishes, but would also include **considerations of implementation** of these **wishes**.

Renn and Klinke (2000) suggest questioning also the **suitability of participatory model** in deliberation of concrete issue. It is important to ask whether the process is well organized, is there an effective structure in reaching decisions (Rowe & Frewer, 2000)? Are the results of the application of the concrete participatory model better than what would have resulted from any other ways of public involvement?

Any participatory process needs careful consideration, planning and implementation, which take **time**. It needs to be clarified whether involvement is timely, to avoid deliberations after the decisions have been taken (Rowe & Frewer, 2000).

In order to guarantee the full effect of participation process and public scrutiny over the deliberative decision making the process needs to be **transparent** (Rowe & Frewer, 2000). Therefore, it is necessary to ask: is the process understandable for the public and can they observe it?

## **6. Implementing focus groups and citizens' jury**

### **6.1. Methodology of focus groups and citizens' juries**

#### ***6.1.1. Focus groups methodology***

Focus groups are, still a rather unknown research tool within environmental science. However, the method can be useful within a row of environmental planning activities. This chapter will demonstrate how the method has been applied and what are the benefits and restrictions that have to be borne in mind when using the focus groups.

Focus groups are widely defined as groups that have been designed to obtain perceptions on a defined area of interest in a permissive, non-threatening environment (Morgan, 1997). In a relaxed atmosphere a group of six to eight people share their ideas and perceptions. The group members enhance each other's contribution by leading each other to new ideas to express.

Focus groups can provide a method suitable for getting a brief understanding of an area not previously covered. By conducting focus groups within a possible field of interest, the researcher can gain insights, which may help to generate ideas on how to conduct continued research in the field (Wibeck 2000, Morgan 1993).

#### **History of focus groups: from market research to enhancing public participation in decision-making**

The focus groups' method was used for the first time in social science research in the 1920s through different forms of group interviews (Morgan, 1993). During the 1930s and 1940s, Robert Merton and Paul Lazarsfeld from Columbia University used the method to develop propaganda materials for the home front in the USA. From the 1950s to the 1980s, the method was partly forgotten and used only in market research. During the 1980s, some studies were published that used focus groups as a method for more academic social science research. Today, the method is used in such diverse fields as sociology, health studies, marketing, political science, geography, education, nursing and psychology.

#### **Planning and preparation of focus groups**

Preparation, and early consideration of possible problems, is a precondition for successfully completing focus groups (Kangur, 2004a). In a more structured focus group, the moderator follows the **interview guide** and the participants are asked to react to the questions given. In an unstructured focus group, the moderator leaves the development of the discussion to the participants and only slightly controls the discussion. Krueger (1994) suggests moderators to

lead participants deeper into the field of interest through the opening questions, introductory questions, transition questions, key questions and finishing questions. It is very important that questions in the interview guide are given sufficient consideration and reconsideration in the progress of conducting focus groups. This order of questions follows the logical thinking of participants (Krueger, 1994).

In **recruiting** the focus groups, it is important that the researchers keep the project's purpose in mind. Most articles and books claim that the number of participants in the focus groups should be between 4-10 members (Krueger, 1994; Morgan, 1997; Wibeck, 2000). Within a smaller group, the participants usually feel that they have a larger influence on the discussion and therefore a closer connection to the discussion (Kangur, 2004a). Also, it is usually easier to tempt reticent participants into talking in a smaller group.

Focus groups are mainly used to get a sense of a field. The total selection of participants for the projects focus groups is usually too few to create statistically valid material, which removes the need for a random selection (Morgan, 1997). People with a shared knowledge base will be more inclined to share their opinions with each other (Krueger, 1994; Morgan, 1997; Wibeck, 2000). If the group is too heterogeneous, participants may have problems relating to each other, and therefore be reluctant to open up in a discussion. Morgan (1997) sees that the aim of the focus groups should not be to set into a discussion people with very different social backgrounds that may have too contradictory views on issue.

It is easier to recruit participants from already existing groups. Also, it will be easier to get a discussion going because they already know each other. Therefore, it is reasonable to use the leaders of the interest group as contact persons (Kangur, 2004a). Furthermore, participants are likely to show up if somebody they personally know asks them (Krueger, 1994; Morgan, 1997; Wibeck, 2000).

### **Group moderation and guidance**

Safe and relaxed surroundings are a precondition for natural conversation in focus groups discussions. The moderator and the assistant should avoid placing themselves in any way that gives the group the impression that they will lead the discussion. After welcoming the participants, in the beginning of the focus groups the moderator briefly explains the procedure of the focus group and the role of the moderator and assistant (Morgan, 1997). In order to facilitate the relaxed atmosphere, before the moderator started off the discussion, the participants got to introduce themselves and explain their connection to the water resources. This will facilitate the formulation of a more relaxed atmosphere for further discussion.

Participants may be willing to try to compete with the other participants by revealing the researchers even more detailed information than they might have done in the case of face-to-face in-depth interview (Morgan, 1997; Kangur, 2004a). Furthermore, as the participants themselves are largely guiding the discussion, they might come up with a completely new approach to an issue, and doing so become a very insightful source of information for the research (Uusküla & Kangur, accepted).

**The moderator** should be there to help the focus group participants through the discussion on the chosen topic. The moderator should also try to keep all the participants involved in the discussion. It is important to avoid the group interview type of situation where the existence of an interview guide is apparent or when the participants at times turn to the moderator when discussing an issue, or to ask a question (Krueger, 1994). The assistant's role is to support the moderator by making notes from the discussion, for example, in what order different people speak, and their body language.

The **number of the focus groups** needed depends on the purpose of the project. During the process of conducting Focus Groups, after a while the same arguments will be repeated and the researcher can almost predict what is going to be said. This situation of "saturation" is a sign for researchers that there is no need to conduct additional focus groups (Morgan, 1997).

### **From data collection to data analysis**

In order to get a good overview of the focus groups, the tape-recorded material will be transcribed. Transforming the spoken contents of a tape to written form will never be able to capture all of the subtle communication that goes on in a focus group. The level of detail in the transcription is determined by the need for details in the project analysis. Detailed assistant notes will help transcribing with connecting voices and arguments to names and thereby save valuable time. Researchers should always be careful with their own earlier formed opinions on the research material (Morgan, 1997). The purpose of the study leads the researcher to ask participants of focus groups to discuss a certain topic and it would therefore be unwise to not use the same approach in the analysis.

### **Qualitative analysis**

Open-ended questions were abstracted and subjected to an inter-rater reliability process to develop code categories. An initial coding of the data from focus groups reveals a number of core issues emerging. These core issues were discovered through rigorous coding of the data, which was completed when no new properties or related issues emerged. In discourse analysis

the language, its structure, functions and patterns of employment are under investigation (Marshall & Goldstein, 2006). In sociological studies broader concepts formulated by words is under analysis. The discourse formed in one discussion group, handling of concrete themes in metaphors, oppositions, narratives, beliefs and values are of particular interest in focus group type of models. Focus groups evaluation sheets can be used to get more information on the participants understanding of the relevance of the topic to their lives and their views on the effectiveness of the method (Kangur, 2004b).

### **Putting together the conclusions**

Any conclusion will have to have a background in the material, which can be traced and valued by another outside researcher (Krueger, 1994). After using the coding the researcher should go through each focus group and make a summary of the opinions expressed about the main areas of interest for the project. These summaries are then used in comparison to each other and patterns and differences are noted down. Four common factors that help the researcher to decide on how much weight or emphasis to give comments or themes are their frequency, specificity, emotion and extensiveness (Krueger, 1994). When writing up a report the structure depends heavily on the context in which the report is expected to be used. It is also advised to have citations as examples of the conclusions that are made and that the report tries to give an accurate picture over how the research team came to their conclusions.

### ***6.1.2. Methodology of citizens' jury?***

The idea of a citizens' jury is to get a small group of citizens together and present them with a certain question. They hear evidence, question witnesses and then discuss the issues raised amongst them and make an informed judgment (Kuper, 1996).

### **Development of the model**

The model for a citizens' jury stems from the 1970s when there was a broad consensus that democracy should be renewed. Two people are generally mentioned in connection with the citizens' jury: Ned Crosby and Peter Dienel. The first actually invented the citizens' jury and implemented several of them in the USA across a broad range of issues (Crosby, 1995); the second invented the so-called Planning Cells (Dienel, 1978) and implemented these in various countries, usually for land use planning/architecture decisions.

### **Planning and finding the charge**

Kuper (1996) reports that finding a representative sample of the population takes several months, mainly because of incomplete or inaccessible registers of the citizenry. According to

Kuper (1996) and Dienel (1989) the definition of tasks for the cell takes a few months. The time needed for the preparation ranges up until 2 to 3 months, as also does the implementation of the cells, the compilation with the presentation of the results of the jury. All in all the process might take up to 14 months.

The **charge** is the assignment that the jury gets, the questions that they have to answer. Most citizens' juries that are held have a commissioning body that sets the charge in consultation with the organizers. Stewart et al., (1996) suggest that the questions should not be too simple, as they are boring for the jurors. The character of the charge should be more open. The questions that allow answers "Yes" or "No" should be avoided. Renn and Tyroller (2003) suggest that the jurors should collectively discuss at the beginning of their deliberations what is the preferred procedure to arrive at a final recommendation.

### **Searching for the jury members**

Jury consists of 12-24 members. Larger juries are usually split up in smaller groups to answer different questions. The advantages of doing so are: (1) a greater number of issues can be addressed as the jury works more efficiently, (2) people feel more comfortable in small groups and shy people therefore start talking sooner. The disadvantages are said to be as follows: (1) small groups contain lesser people, with differing opinions and perspectives, and therefore offer less opportunity to learn, (2) various issues can not be meaningfully discussed by the group as a whole after they have been in a smaller group already. It is important to keep the moderators role subtle. The moderator's reactions to juror opinions can already show subtle signs of disagreement and this needs to be prevented (Huitema, 2003).

The sources from which jurors are selected differ. The election register and telephone directory are most often used. Sometimes newspaper ads are used instead. As for the **number of jurors** to approach, it needs to be taken into account that the willingness to participate differs strongly. Renn and Tyroller (2003) report willingness to participate in citizens' forums varying from 5 to 40%. The participation in the juries depends: (1) on the duration of the jury, the longer the jury, the greater the time investment needed from the jurors; (2) the amount of money offered to participate: not paying jurors results in more older people, more people with flexible work schedules and more people close to the location of the meeting.

As the jury is perceived to be important by the public, and that a diverse background of jurors might help enrich the debate within the jury. The experiences elsewhere teach us that "overrepresentation" is likely to occur among the following group: males, elderly people and the highly educated. Conducting the juries during the jury, much is made of the experience and

neutrality of the moderators. Renn and Tyroller (2003) suggest that the **witnesses** are professionals and experts in their field of work. The maximum number of witnesses is 4 a day. They speak for 15 minutes and then 45 minutes of discussion will follow. It is stressed that the witnesses are competent as well as communicatively competent – to be able to present their points of views in understandable fashion (Huitema, 2003). Witnesses must not be paid because their independence will be called into question.

Renn and Tyroller (2003) advise that people tend to reason rather intuitively initially and not reflect upon the values and norms that guide their lines of reasoning. They suggest letting jury discussions play out for some time, but to intervene at a certain point in the process by asking people to specify reasons for their positions and quantify preferences. Therefore, it is reasonable to work topic-wise through recommendations and immediately start discussions. The moderator might help people to systematically summarize their opinions and recommendations. Renn and Tyroller (2003) indicate that the jurors should collectively discuss, at the beginning of their deliberations, what is the preferred procedure to arrive at final recommendations.

**The jury report** – quite a lengthy document is the main instrument for communicating the outcomes of the jury and is usually written by the organisers of the jury, but approved by all jurors. It is the basis for further contact with the commissioning body and can serve as the basis for a presentation in relevant institutions. An oversight committee of recommendations with representatives from stakeholders, government, and scientists is necessary to anchor the instrument of the citizen's jury.

## **6.2. Implemented case studies**

### ***6.2.1. Application of focus groups***

In May to June 2003, 9 focus groups were conducted with environmentalists, schoolchildren, owners of the recreation homes, fishermen, farmers, bureaucrats from local authorities, water recreation groups, NGOs and with people from a canoeing centre (Kangur, 2003). The focus group discussions concentrated on water management issues in the Emajõgi River basin, paying special attention to the environmental problems, its coverage in Estonian media, public awareness building and stakeholders' opportunities to contribute in water management and also the effect of the EU and Estonian water issues (Appendix 1). Focus groups were gathered mostly using the existing networks of interest groups. Research team also used the meetings of fishermen, NGO representatives, farmers and schoolchildren as the focus groups' discussion



sites. People's initial reaction, when they were invited to participate in the focus groups, was rather positive as they appreciated the interest in their opinion on the water management as well as because of the fascinating format of focus groups.

### **Focus groups' findings**

The analysis of focus groups revealed several topics. Focus groups participants' **views on the environment** did not differ to a large extent. It was stressed by schoolchildren, representatives of NGOs and local authorities, as well as fishermen, that water resources and their management earn too little attention especially in the rural areas. Though, all groups reached the conclusion that the environmental conditions in general, as well as water quality, has improved in the Emajõgi River as the wastewaters of Tartu and its industries have been processed, and the Soviet-time extensive use of fertilisers in agriculture has ceased.

Throughout the focus groups, contradicting views appeared on whether to allow **human interference** on making **natural areas** more visitor-friendly or to leave them untouched. Common understanding in local authorities representatives', fishermen's, farmers', as well as water recreation entrepreneurs' groups, was that poorly developed infrastructure hinders the realisation of environmental friendly ideas. The common opinion throughout the focus groups was that environmental issues, as well as problems concerning **water management**, are decided in inviolable spheres of power. The recreation homes, nature conservationists, water recreation entrepreneurs, as well as fishermen held this opinion particularly strongly and stressed it by giving numerous examples from personal experiences. They indicated particularly that there is a lack of knowledge about to whom to turn to with water related problems.

All focus groups indicated their scepticism on **nature conservation institutions** and ineffective state bureaucracy. In particular, the European Union directives driven nature protection institutions were blamed for setting thoughtless boundaries on fishing, agriculture – traditional and well-proven ways of making income for the people living on the Emajõgi River shore. The farmers and the owners of the recreation homes stressed that farmers doing traditional ecologically necessary, but non-profitable jobs should be supported financially while taking care of water-meadows, natural water purification systems and fish spawning areas. Nevertheless, all focus groups acknowledged the positive effect of the financial help from the European Union Structural Funds on the development of the water treatment systems.

It appeared in most of the groups that water management is a complex problem that can be solved only by taking into account environmental as well as socio-economic conditions. Focus groups showed that the Estonian **media** does not pay much attention to water issues.

### Participants on the focus groups

At the end of each focus group meeting, the participants filled out a questionnaire (Appendix 2). The questionnaire included questions with regard to the participants' expectations of the focus groups, the insights they generated, the relevance of the topics that were discussed, and their satisfaction with the focus group approach. Below the main outcomes of the questionnaire are presented.

Most lively discussion and strong presentation of the personal viewpoints, as well as more need for moderation of the discussion, was seen in the farmers, fishermen and recreation homeowners' groups. These groups are also more directly involved with the water management problems in their everyday life. The atmosphere was polite and peaceful in the majority of focus groups; it was more uptight in the group discussions of public officials and the representatives of environmental organisations, probably as they are practically bound to the water management issues.

### First reaction when being invited to participate in the study

The question "What was your first reaction after being approached in connection with this study?" received various answers. Most of all (38% of the respondents) expressed laconic and positive reaction. 17% admitted that they could not think anything of such an offer, had a nondescript attitude or felt uninformed. Up to 19% of the respondents were surprised at the invitation, as they were doubtful whether they themselves would have sufficient knowledge as to participate in the group discussions. The second reason for surprise was the novelty of the study format. Very few of the asked people were apprehensive or had an arrogant attitude, thinking that this was one of the many training seminars associated with the European Union. The number of such people, who did not comment on their initial reaction, was the largest among the fishermen. The most positive and enthusiastic first reaction was referred to by the representatives of NGOs and school children. A significantly more modest estimation – wavering, being uninformed – was shown, as the first reaction, by the summer cottage people and municipal officials.

**Table 1.** Evaluation of focus group process from the point of view of Emajõgi River basin stakeholder representatives (% of respondents)

	1	2	3	4	5
	To a large extent				Not at all
Fulfilment of expectations	25	33	23	15	4
Gained new information	2	31	52	13	2
Possibility to utter one's opinion	53	25	13	9	0
Readiness to participate again	52	27	15	4	2

### **Expectations at the beginning of the focus group**

When coming to the focus group, the participants were overwhelmed by various feelings. 21% had come to supplement their knowledge from the point of view of environmental and water-related information. The second self-targeted expectation was to complain about one's concerns. However, this was admitted solely by a few of the respondents. Up to 30% of the participants had positive and enthusiastic expectations. "To do something in favour of Estonia"; "At last we are given a possibility have a say" – this is how people expressed their positive expectations with regard to group discussion. 19% of the participants had a wait-and-see attitude, 10% had no expectations at all. Half of the representatives of fishermen, NGO-s and school children had no expectations with regard to the focus group. However, the majority of municipal officials demonstrated enthusiasm. Representatives of NGO-s and water tourism enterprises had a matter-of-fact expectation to obtain new information in the particular topic.

### **Fulfilment of expectations**

Participants in focus groups could assess the fulfilment of their expectations on a five-point scale ranging between "yes, to full extent" / "no, not at all". 83% of the respondents considered their expectations totally fulfilled or more-or-less fulfilled (grades on the scale 1; 2; 3) (Table 1). Thus the expectations were rather greater and positive. The expectations of the school children were fulfilled most of all: as much as 2/3 of them gave the highest points to the fulfilment of their expectations. Municipal officials and the representatives of NGO-s estimated their expectations as 'rather fulfilled'. The most critical persons towards the focus group were the fishermen whose expectations were fulfilled either moderately or to a lesser extent.

### **Obtaining of new information**

Obtaining of new information within the focus group was also assessed in a five-point scale, between "not at all" and "very much"; this criterion, in all groups, was assessed as "average" in 52% of the respondents (Table 1). No one among the participants of focus groups claimed as if they had not obtained any new information at all; only one of the participants in a focus group considered the obtained amount of information as "very much". Assessments with regard to obtained amount of information were split in accordance with the normal breakdown.

### **Subject matter of the new information**

In theoretical definitions of focus groups, this is regarded as an instrument for the exchange of information, learning from the experience of others and, by way of this, expanding one's world-view and reaching consensus. Up to 15% of the respondents felt that for him/her, the novelty

was mainly in the experience and opinions of others. For 29% of the respondents, the concept of water management and associated topics water transport, waste management were clarified. In a couple of times, the respondents also noted that the topics regarding information on fishery, more precisely, e.g. fish protection, were clarified. A very self-critical opinion – “I know too little of this matter myself” – was also revealed. When comparing different focus groups, it turns out that depending on the size and more varied composition of the participants, the new information was also of more various types. For municipal officials, school children and fishermen, the circle of new topics was indeed wide. This probably proceeds from the fact that in large focus groups, there is a potential for more topics, experience and opinions to emerge.

### **Opportunity to say something relevant**

Nearly 80% of those who filled in the questionnaires had chosen “I could speak as much as I wanted to” between “yes, totally” and “no, not at all”, on a five-point scale (Table 1). Nobody said that he/she could not say what he/she had wanted to. Most of all, the wish to express oneself was fulfilled in the case of municipal officials, representatives of environmental organisation and the people of Reku summer cottage association, of whom 2/3 gave the highest assessment.

### **Topics that were not talked about**

65% of the participants in focus groups confirm that all the topics concerning the area were covered. In addition, there could have been more discussion on nature topics and, fish poaching and fish protection should have attracted more attention. Municipal officials, schoolchildren and the representatives of NGO-s did not find any topics that could have additionally been discussed. According to fishermen, there could have been more thorough talks on fish poaching and its restraining, and on nature issues.

### **Impression regarding the meeting**

95% of the participants in focus groups had a good or very good impression of the meeting. Supplementary comments added that the meeting was matter-of-fact (10%). The focus group was considered as something that made people to think, and necessary – as written in a questionnaire, “it is better to discuss together”.

### **Ready to participate also next time**

79% of the respondents, when choosing between “yes, certainly” and “certainly not” on a five-point scale, gave an assessment 1...2 (Table 1). This means that in the majority of cases, the respondents certainly agree or rather agree to again participate in a study of such a format.

Municipal officials, representatives of environmental organisations and water tourism entrepreneurs would be motivated to participate in order to obtain information from other people taking part in the focus group. Fishermen and municipal officials consider focus groups as an opportunity to express their opinion, so that they would be heard and something would be done.

### **Why to participate again**

In rare cases, the respondents would take part in a focus group next time, either for a pastime or simply in order to be helpful. Approximately half of the respondents would come to obtain information and simply for the sake of an interesting topic and company. 10% of the respondents render more importance to participation than self-development (Table 1). It is also substantial for them to have a say in important matters, to express their opinion.

### ***6.2.2. Citizens juries – process and outcome***

In the River Dialogue project it was decided that the outcomes of the focus groups would determine the charge of the jury. Citizens' jury was held with the inhabitants of Puhja and Rannu rural municipalities under the title "Water transport on Emajõgi River in the Alam-Pedja Nature Reserve"? Jury was carried out by Peipsi Center for Transboundary Cooperation in November 2003 (Unt & Säre, 2003).

### **Preparation of the jury**

A lengthy (4 months) preparation period preceded the citizens' jury. During this period of organising, several meetings and discussions were held with local politicians, environmental specialists and NGOs in Tartu County, in Rannu and Puhja municipalities but also with business sectors such as Tartu river port. These negotiations were aimed at getting support for the charge of the jury. Discussions were also necessary for finding relevant experts that are witnessing the developments in sphere of water transportation on Emajõgi River. Preliminary discussions were also important in order to secure the follow-up process after the deliberation in the Jury and acquire technical advice on practical implementation of the process.

As for the **feedback from the policy makers**, the regional and central government officials welcomed the citizens' jury method with great enthusiasm and were very much interested in the results.

### **Finding jurors and the charge**

The selection of the charge that the jury gets was based on the results of the focus groups, held in the vicinity of Emajõgi River in summer 2003. As the issue of water transportation in Emajõgi River arose many controversial ideas throughout several focus groups and the conflict of interest between environmentalists and tourism and water transportation companies emerged, the proposal for the assignment of the citizens' jury was that topic.

The charge of the Jury was also discussed with local officials and environmental specialists in the region, several stakeholders: Tartu port, Estonian Ministry for Communication and Transport, The Environmental Service, Alma-Pedja Nature Protection Reserve etc. supported the formulation of the charge/assignment and expressed their interest to learn about citizens' opinions on the topic.

The initial selection of jurors was based on the random selection. As the local municipalities or other institutions (e.g. Estonian Post) are not allowed to give out the population registers with personal data there appeared some difficulties in receiving a full register of population. Heads of local municipalities of Rannu and Puhja advised organisers to use monthly local newspapers, (1000 and 1500 copies respectively), to distribute the letter of invitation to every post-box in the territory of the municipality.

In the beginning of October 2003, 800 letters were distributed with local newspapers. The letter contained: (1) a description of the citizens' jury and an invitation to participate in the citizens' jury on water transportation in the Emajõgi region; (2) a questionnaire on environmental issues in the Emajõgi region and an empty reply-paid envelope for responses. For wider publicity a short article about the citizens' jury was also published in Puhja and Rannu local newspapers in October. The information list about the jury was also printed out and distributed in the local library, community house, local government building, NGOs etc.

Altogether 49 answers were received; thus the rate of willingness to participate was 6.1%. 29 of respondents were men and 19 women, the youngest being 14 and oldest 70. In the group aged 14-35 years we had 8 answers; 36-59 years 27 answers and 60-70 years 13 answers.

Low answer turnout has probably many reasons, main being the new public participation tradition. Out of the 49 respondents, 15 people were selected, paying attention to the socio-demographic diversity: equal number of men and women, including people with university, gymnasium and primary education, from different professions (teacher, tractor-driver, pensioner, museum-worker, unemployed, NGO person etc.), and also from different age groups. With

selected 15 jury members the telephone interview was made, to receive more information about their educational-professional background and motivation to participate.

### **Conducting the citizens' jury**

Before the citizens' jury, a pre-meeting was organized on 28th of October 2003. The pre-meeting was aimed to introduce participants with each other and with the organizers, explain them in detail the jury process, their role and responsibilities. Also the charge of the jury was discussed with the jurors in the pre-jury meeting, and it was supported by most of the people. 13 participants from Puhja and Rannu rural municipalities introduced themselves and named the subject matters, which interested them most in the case of the Emajõgi River and came forward with the issues they would like to receive answers to during the 14th-15th November citizens' jury. The proposed charge, given to the jurors was "Water transport on Emajõgi River in the Alam-Pedja Nature Reserve" and it received positive feedback. Some advice was given regarding the choice of witnesses.

The citizens jury "Water transport on Emajõgi River in the Alam-Pedja Nature Reserve: what would be the compromise between the interests of environmentalists, entrepreneurs and local inhabitants?" took place in Tartu, Emajõe House, on November 14-15, in 2003 (Appendix 3).

The members of the jury comprised 14 people: 8 women and 6 men. A professional moderator facilitated the event. During the two days five witnesses presented their view on Emajõgi River water transportation issues: the Tartu Navigational Marking department of the Estonian Maritime Administration; the Waterways Development Foundation, also representing the Port of Tartu; from a nature conservation society "Kotkas" and the keeper of the Alam-Pedja Nature Reserve; Lake Võrtsjärv Foundation and from an engineering bureau. All witnesses were briefed to talk for 20 minutes and in the majority of instances. In the case of one witness several comments were made during the presentation and thus the given time was exceeded. Following the presentation, there was a discussion and time for asking questions, which generally lasted for 30-50 minutes. Having listened to the presentations, jurors were split into four groups, where they worked out their proposals and recommendations regarding the development of water transport on the Emajõgi River. The groups were given two issues to be answered: (1) firstly, the groups were asked to give a wider answer to the question whether they were for or against water transport on the Emajõgi River. (2) The second task was to work out proposals, setting preconditions for the development of water transport.

The presentations of the four work groups showed that the local inhabitants are in favour of developing water transport on the Emajõgi River. Subsequently, the proposals and

recommendations given by local people, in the development of water transport, were explained in a detailed manner. The permeating idea of all groups – in the development of shipping traffic it is extremely important to take into consideration the natural environment and the interests of local people. Recommendations were made to impose size and speed restrictions for water traffic vehicles. According to the opinions, more landing-stages should be built. The participants were of the opinion that it is necessary to observe the intensity of tourism and once it becomes a hazard for the environment, restrictions have to be imposed.

### **Evaluation of the jury**

At the end of the event, all the witnesses and the members of the citizens' jury could have their say. Several presenters mentioned that this was the first experience for them to listen to opinions of local people in the issues of water transport and they were surprised that people were so cognizant of the topic.

The members of the citizens' jury said they were very pleased to receive an invitation to such an event and that they had an opportunity to express their opinion. For quite a few of the people, this was the first time to participate in an official seminar. The citizens were of the opinion that the environment and the issue regarding water are of extreme relevance for them.

Several participants (incl. the witnesses) stressed that the important asset of the event was that the specialists of different fields were gathered in one room. In the peaceful atmosphere jury members asked experts additional questions and provided new angles to the discussion, acting as an active discussion generator. Everybody felt included, as every person could have his or her say. A spirit of cooperation being predominant was emphasized by a number of participants in their final statement.

### **Outcome of the jury**

The summary of the citizens' jury report was sent to the jurors and the witnesses at the end of December 2003, in order to obtain their assessment. After the feedback circle and the approval of proposals, the report was sent to relevant ministries, environmental authorities, rural municipality governments, NGOs and the enterprises dealing with the development of the Emajõgi River.



### ***6.2.3. Public involvement experiences in river basins of Talas Chu***

Focus groups were chosen as it enables to provide a brief understanding of an area not previously covered. For the help of Transboundary Water Commission of Talas and Chu basins the research aimed to identify the stakeholders needs, determine their awareness on the water resources and willingness to participate in the decision-making. This chapter aims to provide a short description of how the method was applied to the context of studying Talas and Chu transboundary river basin management. In the context of Talas and Chu rivers the knowledge on different stakeholders' ideas has been scarce (Kangur et al., 2005).

#### **6.2.3.1. Focus groups approach**

In preparing the study the planning of the methodological approach to be used was chosen several months before the focus groups meetings. Also the water management experts were involved in the planning and the recruiting process prior the focus groups. This bears the validation aims and also gives certainty that the focus groups results will be taken into account by the current decision-makers.

In recruiting the focus groups, the project purpose was borne in mind and therefore local water users, rural government bodies, and water facilities management bodies were approached and groups of 5 to 8 people were formed. In smaller groups participants have larger influence on the development of discussion. Local contact points were used for recruiting the focus groups as the participants are likely to show up if somebody they personally know asks them. In case of the local government representatives, the *akims* (local government heads) were contacted; water users were approached through their associations, and professionals from the water supply management bodies were selected from these organisations.

In order to cover diverse viewpoints from all the geographical locations and stakeholders 13 focus groups were conducted both in Kazakhstan and 8 in Kyrgyzstan side of the Talas and Chu River basins (Appendix 4, 5). The tape-recorded material was transcribed. The written material was coded and categorised to get an overview of the data and find trends and patterns.

#### **6.2.3.2. Focus groups results: problems and views on development in the Talas and Chu River basins**

For the inhabitants of Talas and Chu river basins the **water insufficiency** is the most essential problem. It appears from the focus groups, that the reason behind the water scarcity is that water distribution as well as drainage channels are **outdated** and leaking, impenetrable due to

the silt. Focus groups discussions reveal that modernised water management techniques, cementing the channels, appropriate canal locks would help to regulate the water supply, and would enhance the reliability of the assessment of the water resources as well as avoid the water losses. It was stressed that neither private persons nor water management authorities have any real informational or operational means to improve the current situation.

**Insufficiency of information** on water issues was stressed by all focus groups. This is especially problematic as there is no specialised, scientific knowledge on the water quantity, quality, and means of management of the waters. The water quantities and leakages are not under surveillance due to lack of measurement system. Scientific knowledge base would be a reliable basis also for the everyday management of water resources and for addressing the irrigation needs. One of the particular reasons for the lack of information on the water management appeared to be **institutional inability** to produce, disseminate and build awareness on the water issues. The small number and low capacity of the water specialists was attributed to the low image and pay of the position. Due to the poor capacity, the image of the water users associations is low and resistance to their activities hinders any useful actions. They look for the help of state officials and international donors to improve the current situation.

Moreover, the whole structure of the water management institutions remains unclear for the majority of the focus groups. The participants of most of the focus groups regret that the control on water resources has gone underway: there are no responsible persons on the water management objects. In many focus groups the irrational compartmentalisation in organisation and water management planning was stressed. The **ineffective bureaucracy** in the water management hinders the stakeholder considerate development of the use of water resources. Focus groups suggest that more professionalism and proper acknowledgement of the water managers would reduce the corruption among those. For ensuring clarity in the chain of command the participants endeavour the establishment of rule of law. People are discontent with the situation whereas the decisions are made and actions are taken in the inviolable political spheres.

In many cases it was drawn out that **empowerment of the farmers** would encourage them to forward their needs to the authorities. Small possibilities of the water users to satisfy their needs in the water management can be attributed to lack of social capital to influence the decision-making; but also and foremost the shortage of finances to acquire appropriate water care. More effective work of the water users associations would make local inhabitants more confident in endeavouring more to say on the water management decision-making. They need more

information on the funding possibilities as well as modern and efficient water management techniques and juridical regulations. Representatives of the water user associations would like to know more about their rights and responsibilities in order to protect themselves as the water users. People that have relevant experiences consider public forums and information days as a good means for the knowledge exchange and social capital establishing for future joint actions.

Relations between Kazakhstan and Kyrgyzstan concerning water management are considered critical as Kyrgyz people find it rightful that Kazakhs would also contribute to the management of the waterways that bring the water from Kyrgyzstan to Kazakhstan.

#### **6.2.3.3. Participants on the focus groups**

Participants were presented a questionnaire where they could comment on their expectations before the meeting and their fulfilment as well as on the gain of new information from the focus groups discussions. Also their alignment to take part in the focus groups discussions again was asked from the participants. This questionnaire aimed at assessing the successfulness of the discussions from the point of view of the participants.

As **for the first reaction** of the participants it appeared that quite mixed feelings had been over them. Though it appeared, that up to 90 per cent of the participants was positively interested. People were interested as they aimed at getting new information about the water management institutions and know-how for dealing with the issues (44%). 36% of the participants hoped that the discussion group would come up with a concrete solution for the problem (how to organise getting funds for renovations, looking for partners etc.). 20 % of the participants were more stroked by the possibility of socialising, discussing the problems with representatives of other organisations or villages and also to express ones views on the vital water resources. On the other hand, several people were in ambiguous situation, as they had no idea what would be talked about, or what does the focus groups format stand for. Few participants were at first sceptical on the fruitfulness of the focus groups, as they had doubts whether mere talking can bring any solution from the discussion. Only a few people indicated their surprise for someone else being interested in their problems except for themselves. Some people explained that they had appeared as it was their duty.

Participant **expectations for the meeting** were very much aligned with their description of first reaction when they got the invitation. Majority of participants hoped that exchange of new information would lead to solution that will be agreed upon to work towards. 77% hoped to channel their needs and come up with concrete guidelines for improvement of the water supply. Also they expected a democratic discussion offering to participants to get acquainted with new

people and different points of view. Many of them had hoped that the research team would come and help them out of the difficult situation, and therefore they found it important to be present to share their opinion. People who were interested to hear more information on the water issues did not expect that they would have to contribute anything themselves.

**Table 2.** Evaluation of focus group process from the point of view of Talas and Chu basin stakeholder representatives (% of respondents)

	1	2	3	4	5
	To a large extent				Not at all
Fulfilment of expectations	53	22	19	5	1
Gained new information	49	19	23	4	5
Possibility to utter one's opinion	73	7	16	4	0
Readiness to participate again	76	12	3	7	2

It appeared that expectations are not so much connected with the discussion itself, but instead with the future effects of the discussions and decisions taken. Dire need for improvements appeared. Due to some political incognizance and exclusiveness, some participants showed their pessimism towards such kind of seminars. People seem to be discontent with the endless talks. Therefore, on the one hand, participants were flattered that their opinion was heard, but on the other hand, stayed on the ground and hoped to get to know what the other organisations are doing to find a joint solution. They explained their hope that the results of the discussions would also reach the higher and decisive institutions for practical help such as lower water taxes, to renovate the water supply system.

As for concrete expectations for the meeting, almost 90% of the participants indicated that they expected that exchange of new information would lead to solution that will be agreed upon to work towards. People expected to have solid discussions and get useful information from the other parties and on the financial and judicial help. They anticipated getting to know on the Kazakh and Kyrgyz officials joint efforts in the management of the water resources. Also they expected a democratic discussion offering participants to get acquainted with new people and different points of view.

Participants assessed their **satisfaction with the seminar results** on the five rank scales. 75% of the participants showed their content with the results of the focus groups (grades 1...2, Table 2), whereas up to 24% of the participants assessed their experience from average to poor.

Participants considered **their information gain** on the five-point scale – from the abundance of new information to no information gain. It appeared that up to half of the participants gained a lot of information, whereas 9% got hardly anything new to know (Table 2). Participants found

important information gain on water management and related organisations as well as relations between Kazakhstan and Kyrgyzstan and activities of the joint commission on sharing the transboundary waters. As for the type of information gained people most often mentioned the intergovernmental commission establishment for the better management of the shared water resources. Discussions enhanced the knowledge of the water management in general. It also appeared that such kind of discussions is important in order to get in touch with possible partners for joint actions in modernisation of water supply and irrigation systems. Few participants also brought out the importance of deliberation that so far has been muted by bureaucracy. It appeared that for some homogenous groups the gain of new information was very low. The general benefit of reaching to the higher political grounds was also mentioned. For example: „It is good that there are people who look for us and whom our problems intrigue – this is important information gained through the focus groups.”

Participants got to assess in the five-point scale **how much they could have a say** during the discussions. As for the participants’ own contributions to the discussions, it came out that almost everybody got to say out everything that they aimed to (in five point scale almost 80 % of the participants assessed their contribution maximum, Table 2). The other got to express them to a lesser extent. The questions that they would have wanted to touch upon mainly concerned the solution for the current problems. **Specifically the focus groups participants appeared to be discontent that the focus group did not suggest any solution for systematic and coordinated management of waters and the renovation of technical facilities as well as the judicial rights for water resources.**

Participants’ **general impressions about the meeting** were positive. Participants praised the possibility to raise problems they found important and had a possibility to find a joint solution for those. Most often the participants supported their positive impressions with that they had an opportunity to listen to other opinions, and that everybody could contribute “their heart and best vision” as one expressed. Participants also expressed that it is not the common practice yet: in most of the meetings where a joint solution of the people from different fields of life and from different geographical regions should be reached. On the other hand there appeared a need for more often appearing focus group type of meetings, as the water management question touches every citizen, who in fact may not have much influence on the decision-making. In many filled questionnaires the gratefulness for giving a chance to say out ones opinion in a friendly and open discussion was expressed. More frequent discussions attract also more media attention and acknowledgement on a larger scale, were given as reasons for initiating similar meetings.

As the innovative approach of focus groups and the public participation in general are yet not widely recognised, the discussions were not that fruitful as they could have been. Though, participants showed some scepticism towards the fruitfulness of the focus groups: “we can really assess the results when the water question is solved.” Few participants suggested that better preparation for the future discussions would be as basis for more open discussions and richer contribution.

Reasons given for willingness to **participate again** in the focus groups type of activities was to get information on the changes in the water management issues. But most importantly the participants would like to contribute in future discussions in order to come up with solutions and reach solid decisions on the management of the strategic water resources. Focus groups offer an open forum for channelling ones opinion to trigger improvements in the water management – this was the major drive for participating. Participants also expect the focus groups in future to serve as a means of communicating new ideas and searching for partners to implement those in real life. Future meetings are necessary as a lot of questions remained open and in order to reach next level of joint actions to actually implement all the ideas to do something beneficial to the community as well as in order to be aware on the events in the water management field. Giving more say to the common citizens so that it would win more appreciation also in the governmental and decision-making level. One representative example: “Water – is the source of living, hope for the life and every citizen has to be able to participate”.

At the end of the focus groups discussion, participants were presented the questionnaire in order to identify their impressions about the focus groups and to assess the successfulness of the focus groups from their point of view.

#### **6.2.3.4. Atmosphere during the focus groups**

In order to get general overview on the participants’ feelings and attitudes while discussing the focus groups topics discussions group dynamics, atmosphere was observed by the assistant and as well as the moderator of the project (Figure 2).

In sense of **group dynamics** it appeared that in the beginning of the focus groups people appeared to be more reserved. They opened more towards the end of the meeting, as they got used to their situation. To the end of the focus groups discussions, the participants became more emotional in their expressions. Though some participants were more dominant and the others mostly agreed. In several focus groups younger people and female persons were quieter and listened what the older people had to say, and specialists talked after the *akims*. In most cases, next to quiet participants there also appeared more lively participants. Older and in the status

hierarchy higher people were given more say by the people lower in the status. In the water managers group the presence of the head of their department did not let them to express free.

In all cases, the people that had shown up at the discussions were also very much interested in the water management and showed to their willingness to participate in the water management decision-making as well as carrying out these decisions. The discussions stayed in the focus of the topics in all cases, as this was found most important and relevant to everybody's lives. Their eagerness showed that participants were very interested in the water management topics and would like to be more involved in the decision-making in the water management affairs. They are **longing for more concern** from the water management officials and government side.

Due to the equal footing of the participants, the groups worked as homogenous teams only to a certain extent. There appeared some **groupings** and the contradictions of opinions especially in the diverse groups. For example, water users and the officials' contradiction.

All focus groups needed some **moderation** in sense of giving a say to some of politely giving a word to the more modest contributors. Moderation was especially necessary in cases of when participants were not eager to talk and also winsome participants tended to dominate the discussions. Though, the clarifying the moderator's function in the beginning of the focus groups was successful and the discussants understood their role properly.



**Figure 2.** Focus group with farmers from Birdik village.

**Atmosphere** wise in general the focus groups discussions were more emotional than relaxed. In discussions groups where participants were on the equal footing, the discussions were emotional, **also intensive and many insights were generated**. In cases of local government officials and the regional water management authorities, the participants got irritated as they did not find themselves to be appropriate persons to answer particular questions. Therefore, they also need to be prompted to answer the questions and the discussion was not intensive. In cases of water reservoir the atmosphere was tense as the participants had to control themselves in the presence of their head. They only joined the discussion after the head had had its say.



## **7. Discussion**

In environmental management practices the decision-making and implementation diffuses from the state affairs more towards the larger societal ground. Ideally, public participation in the water management would be based on the institutional information exchange grounded on understanding social processes, different worldviews and interests (Woodhill, 2004:45). Current analysis concentrates on two participatory methods: focus groups and citizens' jury. The focus groups were carried out in two different cultural, social, political and environmental circumstances: in Emajõgi River basin in Estonia and in Talas and Chu River basin between Kazakhstan and Kyrgyzstan. The citizen's jury was carried out in Emajõgi basin; the initiative of carrying out a citizen's jury in Talas and Chu River basin did not find support from the water management regulators. With the help of the focus groups main water management issues were identified in the project areas. The citizens' jury offered Emajõgi River basin inhabitants an experience of deliberative decision-making.

### **7.1. Participation for what?**

The essence of environmental risk debates lies in main controversies about the health impacts, long-term consequences, institutional trust, cultural values, and economic disadvantages associated with risks (Renn & Klinke, 2000). Water management in Talas and Chu basin as well as in Emajõgi basin offered a compelling analysis material due to complexity of related environmental and social impacts, uncertainties of the environmental assessments and the ambiguities related with its use. Focus groups and citizens' jury indicated that in the case study areas water management is a complex issue of sustainability of the natural resources, and on the other hand, contradicting users' needs range from vital drinking water to recreational purposes. Ideally management priorities this could be decided in a fair competition of the ideas and people representing them. Studies indicated that political capacity of the interest groups is varying: technical experts and bureaucracy have gained the ruling position while leaving lay water users, fishermen and farmers more muted. Of course, knowledge questions such as right interpretations of the data cannot be resolved in a participatory discourse. Though, as suggested by Renn and Webler (1998), analytic deliberative processes would encompass procedures providing a synthesis of scientific expertise and value orientations. On the other hand, it is inappropriate to resolve value conflicts among the technical experts in the epistemological discourse. Stemming from the constructivist approach, the participatory discourse in water management could determine the borders of development and the limits of tradeoffs people are

ready to assign for common benefit. Therefore, consideration of the needs of broader range of stakeholders can add value to the decision-making.

#### ***7.1.1. Social political situation determining the need for more inclusive decision-making***

It has been stressed that lack of integrated organisation and coordination of involvement prohibits the public involvement in environmental decision-making (Rowe and Frewer, 2000).

**Kazakhstan and Kyrgyzstan** have the main components of water management in place. Recognising the need for administrative, public and water user participation in water resources management decision-making, the Government of Kazakhstan and Government of Kyrgyzstan have instituted river basin councils. The river basin councils provide the forum to facilitate interaction among water users and with the regional management authority. Though, the members of the council are appointed, as well as the agenda of the deliberation is determined by the state water administrations. Regional water authorities also determine the constitution and the agenda of the advising council. It is typical of many developing countries that governments are suspicious of public participation and other forms of civil society involvement in what are considered government affairs, and Kazakhstan as well as Kyrgyzstan are not exceptions. Except for scarce water users associations, rural or urban domestic water user or an irrigating farmer has little means to make his or her views known and be represented on the council. At the same time, government appointed “stakeholder representatives” of the council do not reach the source of real life information to base their arguments on. So the council members belong to the same class of elites as the governmental officials, experts, and stakeholders. One of the possibilities for fulfilling this missing gap was carrying out focus groups for identifying the grass root needs. Focus groups fulfilled the task in getting first hand information about the stakeholders’ views and needs.

**Estonian water management** legislation follows the EU WFD, including its Article 14 enacting that the EU member states shall also encourage the active involvement of all interested parties in the production, reviewing the river basin management plans (WFD, 2000:37). But how should this be put into practice, by which means or to which extent? Whereas there are quite detailed instructions concerning the information process, the demand for active involvement, which goes far beyond if taken seriously, is not defined precisely. In current water management planning most commonly public hearings of the ready-made management plan have took place. Exceptional cases are Pärnu sub river basin management plan where the open planning process was employed, and Harju sub river basin where mediation groups were

organised. There are various pitfalls of the current involvement process. Theoretically, public hearings may also provide an effective means for people to influence policy, but more research is needed to support this counter-intuitive conclusion. Public hearings are often used by administrators as forum to announce to the public what the agency intends to do and argue for it. It institutionalises the communicative bias towards favouring experts. In current public hearings, typically, attendance is slight. Only a very small proportion (more active, better informed) of the population has an opportunity to speak at the hearing. To regulatory officials, experts, and project sponsors, the public hearing hall is a battle zone. Yet legal obligations must be met, hopefully without raising the hackles of the local populace.

Currently used deliberative techniques leave the control of the decision-making to the hands of power institutions. They only serve information dissemination or to the most consultation purposes. Decentralised decision-making would diminish the effects of the biased interest based decisions. Though, heading away from the centralised decision-making, enhancing cooperation on different spatial and institutional dimensions requires new means and techniques for communication. Focus groups and citizens' juries offer alternative to the current practices of public involvement, yet have their own pitfalls. The representativeness in citizen's jury is minimal. The focus group does not enable constructive dialogue among the different stakeholder groups. Comparison of the currently used citizens' advisory councils, public hearings, and alternative models of focus groups and citizens' jury applied in case studies is presented in Table 3.

**Table 3.** Qualities of commonly used participatory methods in comparison with methods applied in case studies

Technique	Description	Requirements	Number of participants	Duration	Application	Advantages	Disadvantages
Focus Group	<ul style="list-style-type: none"> <li>• Group of ordinary citizens sharing a common background deliberate on set of issues</li> </ul>	<ul style="list-style-type: none"> <li>• Both systematic and anecdotal knowledge</li> <li>• Need of team of skilled moderators</li> <li>• Free discussion</li> </ul>	<ul style="list-style-type: none"> <li>• 5-10 people members of public</li> <li>• Number of focus groups: until the saturation of gained information</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting: 90 minutes</li> <li>• Process: 1 month</li> </ul>	<ul style="list-style-type: none"> <li>• Early phase of decision-making to obtain views of different social groups</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunity to develop various views on development</li> <li>• Possible consolidation of interest group</li> </ul>	<ul style="list-style-type: none"> <li>• No deliberation among the stakeholder groups</li> <li>• Find participants able and willing to dialogue</li> </ul>
Citizens' Jury	<ul style="list-style-type: none"> <li>• Group of ordinary citizens empanelled to learn about an issue, cross-examine witnesses, make recommendations</li> </ul>	<ul style="list-style-type: none"> <li>• Requires skilled facilitator</li> <li>• Commissioning body must follow recommendations or explain why not</li> <li>• Initial briefing materials</li> </ul>	<ul style="list-style-type: none"> <li>• 12-20 people (members of the public)</li> <li>• Experts from different area</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting: up to 5 days or 2 weekends</li> <li>• Process: 3 months</li> </ul>	<ul style="list-style-type: none"> <li>• Early phase of a decision-making process to obtain possible solution</li> </ul>	<ul style="list-style-type: none"> <li>• Opportunity to develop deep understanding of an issue</li> <li>• Public can identify with the "ordinary" citizen</li> <li>• Public access to experts</li> </ul>	<ul style="list-style-type: none"> <li>• Resource-intensive (time and costs)</li> <li>• Always nonbonding with no legal standing</li> <li>• No representativeness</li> </ul>

Technique	Description	Requirements	Number of participants	Duration	Application	Advantages	Disadvantages
Citizens' Advisory Councils	<ul style="list-style-type: none"> <li>• Group of stakeholders representing various community interests or expertise, to provide informed input (advisory body assisting decision makers)</li> </ul>	<ul style="list-style-type: none"> <li>• Define roles and responsibilities up front</li> <li>• Be forthcoming with information</li> <li>• Use a credible process</li> <li>• Select members carefully</li> <li>• Use third-party facilitation</li> </ul>	<ul style="list-style-type: none"> <li>• Small group of (10-20) stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>• Recurring meetings</li> <li>• Eventually institutionalised</li> </ul>	<ul style="list-style-type: none"> <li>• At any point in the decision-making process but seems to be mostly effective in the early stages</li> <li>• Possibly institutional instrument</li> </ul>	<ul style="list-style-type: none"> <li>• Provides for detailed analyses of issues</li> <li>• Participants gain understanding of others' perspectives, leading to compromise</li> <li>• Commissioning of expertise, sanctioning and veto depending on mandate</li> </ul>	<ul style="list-style-type: none"> <li>• General public may not embrace committee's recommendations</li> <li>• Members may not achieve consensus</li> <li>• Organiser must accept need for give-and-take</li> <li>• Time- and labour-intensive</li> </ul>
Public Hearings	<ul style="list-style-type: none"> <li>• Project proponents enable random interested people to question and critique the proposed project</li> </ul>	<ul style="list-style-type: none"> <li>• Willingness to learn</li> <li>• Be forthcoming with critique</li> </ul>	<ul style="list-style-type: none"> <li>• Unlimited number of participants: open for everybody</li> </ul>	<ul style="list-style-type: none"> <li>• Meeting: up to few hours</li> <li>• Recurring meetings</li> </ul>	<ul style="list-style-type: none"> <li>• At any time of the decision-making</li> </ul>	<ul style="list-style-type: none"> <li>• Participants gain hard answers from the project proponents</li> <li>• No compromise gained</li> </ul>	<ul style="list-style-type: none"> <li>• Representativeness</li> <li>• Does not provide equal deliberation of the project</li> <li>• Institutionalises communicative bias in favour of proponents</li> <li>• No compromise attained</li> </ul>

## 7.2. Evaluating the applied discursive processes

For a discussion to be called deliberative it is essential that it relies on mutual exchange of arguments and reflections rather than decision-making based on the status of the participants, sublime strategies of persuasion, or social-political pressure (Habermas, 2001; Renn & Tyroller, 2003). Case studies demonstrate that in fact diverse groups inhabiting the river basins have different access to decision-making processes. In order to try out possible methods for creating fair, competent and efficient deliberative policy design focus groups and citizen's jury were tried out.

### 7.2.1. Fairness of decision-making

**Equity of exposure to the decision-making** is defined an important indicator of fairness. The question is whether the participants are representative for the wider community from which they are selected? The fairness of participatory policy design hinges on the success of the selection process, which should include all groups who are concerned by the issue in question (Renn et al., 1995). Yet, as the case studies indicated, determining who should be regarded as

“concerned” is difficult. Based on the case study experiences, there are two important steps in defining the persons to be included: defining the affected population and constituent groups; and defining representative members of the groups.

In large-scale water basins that are shared by several different communities or even countries as in case of Talas and Chu Rivers it is difficult to determine of which population the participants of the discourse need to be representative. Conducted studies were guided by the integrated river basin management principles suggesting that the relative constituent population is all the people inhabiting the basin. In case study areas the stakeholder mapping took place in previous studies where primary interest groups were defined in Peipsi sub-basin (Kangur, 2003) and Talas and Chu basin ([www.counterpart.kz](http://www.counterpart.kz)). These extensive studies as well as long-term experiences of cooperation with local authorities, environmental groups and NGOs helped defining the stakeholders to be included into the deliberation project in the basin.

The focus groups findings connote differential social access to public participation in environmental management, and they illustrate the potential spatial implications of environmental discrimination. 72 % of the participants were from Tartu or from the vicinity of Tartu town (Tartu, Ülenurme and Vara parishes) leaving other subregions of the basin underrepresented. In case of focus groups in Estonia 9 interviews were conducted. This definitely does not cover the plurality of interest groups in the basin. In case of Talas and Chu basin altogether 21 focus groups were conducted following the principle of geographical coverage of needs. Even though the topic of water transportation development cannot be restricted to parishes of Puhja and Rannu, only these communities were represented in citizens' jury. Therefore, in case studies the aim of gathering a representative transect of the population was fulfilled conditionally.

#### **7.2.1.1. Recruiting concrete participants**

It is important to recognise that the members of the public belong to multiple emical groups and therefore embody numerous and sometimes also conflicting responses to a given project (Stone, 2001). In the case of focus groups, representatives were gathered taking into account their emic group characteristics, whereas etic characteristics guided the selection of the jurors for the jury process. Random selection theoretically assures every individual in the examined population an equal opportunity to participate in the process (Huitema, 2003; Renn & Webler, 1998). In case of selecting of focus groups participation, the groups are usually too few to create statistically valid material, which removes the need for a random selection. Furthermore, in policy making process the focus groups can be created as deliberate groups, as the aim of these is to gather an

opinion of the interest group. Even though recruiting participants through random selection is well-structured and tractable, bearing in mind enabling all related interest groups to participate, the emic characteristics should be preferred as guiding principles.

Random selection provides equal chances to all members of a community, but it still remains up to each individual if he or she wants to use that opportunity. Therefore, it can be assumed that the deliberative bodies constitute mere mirror images of the power distribution in society.

#### **7.2.1.2. Eliminating the possibility for environmental discrimination**

It is considered important that the group is heterogeneous in that it matches the wider community in certain respects (Huiteima, 2003). Here a question comes up: how to involve full range of participants whose knowledge, insights, perspectives, and skills are needed for the particular task?

Sometimes the interested or affected parties do not have resources (economic or social) to participate (Stone, 2001). These groups may be unorganised, inexperienced in regulatory policy, or unfamiliar with or inexpert in water-related science. To overcome this challenge, **local contact points and existing groups** were used in gathering the relevant parties to focus groups. Using the existing groups as a source for the focus groups participants spared the organisers' valuable time and energy. Due to the vast area under study the leaders of the network or interest group were most reasonable to use in gathering the focus groups in Talas and Chu basin. The focus group recruiting was entrusted to contact persons among fishermen, NGO representatives, schoolchildren, water users associations and regional authorities. Contact points had better overview about the politically inactive, but potentially affected groups of people. When properly instructed they are able to draw in the people. Also the contact points proved to be effective as they are wider known and trusted among the local groups when compared to the organisers of the project. The network members are definitely more responsive to the person that they already now when compared to the unknown researcher. On the other hand, the professionalism of the local contact points is harder to ensure. As some contact points also confessed, they invited more outspoken people to the focus groups. On the other hand, in case of water recreation groups, the low turnout happened due to the inactive recruiting job by the contact person. The experience proved that the when using contact points in recruiting the discourse groups organisers might also lose the control over the recruiting process: who, how many and why are invited.

According to Armour (1995) the problem lies also in the fact that most of the members of a certain stakeholder group cannot decide on who will be their representative in the discussion.

Also in the case studies, participants were chosen according to the views they are believed to be representing according to their demographic characteristics or group belongings. The validation of the chosen groups and people was limited to a few people – contact points, authorities and research group itself. It would probably take years to allow everyone to engage in the above activities and reach a consensus about who should be involved.

In recruiting the deliberators, “**overrepresentation**” is likely to occur among the following group: males, elderly people and the highly educated (Huitema, 2003). In case of focus groups in Talas Chu basin, the overrepresentation of older male persons was hard to avoid. On the other hand, this was not the case in Emajõgi basin, where female participants dominated in many of the interview groups (women were dominating in 5 out of 9 focus groups). The representation in citizens’ juries was well guided and led to socio-demographically diverse grouping. The overrepresentation can be avoided through controlled recruiting of the groups.

#### **7.2.1.3. Determining the process rules**

One of the crucial elements of discursive participation is discussants’ right to determine the process rules and agenda (Renn, 1999; Stern and Fineberg, 1996). For testing its fulfilment, it needs to be asked whether the model provides everyone with an equal chance to approve or propose rules for discourse, to debate and critique proposals for the agenda within the agreed upon decision-making procedure?

For ensuring the effective deliberation in focus groups, the process rules were predetermined by the organisers of the participatory process. The participants were informed about the rules as well as the issues to be discussed when invited to participate. Their showing up indicated acceptance of the process rules and agenda.

Jurors had more influence in designing the rules and agenda of the citizens’ jury. They used this opportunity minimally, though. The charge set forth was chosen by the organisers according to the criteria that it would be an interesting problem that has already gathered some momentum in the society. Consultations with local government officials and environmental specialists aimed at getting acceptance for the problem setting, but the policy-makers’ priorities in the water management issues were not asked from regulators. In that way, groundwork for real implementation of the formed policy recommendations remained poor. In the pre-meeting of the organisers and jurors, the discussion focused on reviewing the ground rules, the goals of the deliberation, and the roles of the participants. Most of the participants proved the topic to be relevant and worth discussion. Besides obtaining further information, participants expressed their preferences as the witnesses. In addition to nature protectionist, water tourism developer

chosen by the organisers, the participants wanted to have a witness from the legal sphere of water transportation. The participants did not propose many suggestions for changing process rules and witness selection. This may be attributed to the novelty of the process in Estonia and little experience of citizens to determine the policy design rules.

#### **7.2.1.4. Ensuring powerless discussion**

It is an important structural requirement of the rational discourse that all the parties share equal position. A discourse needs the climate of a "powerless" environment (Habermas, 1991; Renn & Tyroller, 2003). Peer pressure might lead to unreal consensus. The reality of focus groups and citizens' jury showed that it is very difficult to reach this ideal. For constructive deliberation it is important that the participants would be respectful to each other in sense of giving chance to utter one's views to everybody. Though, in case of focus groups as well as citizens' jury, in the discussion quieter and more dominant, outspoken participants appeared. In case of Talas and Chu focus groups the influence of presence of people sharing power positions determined the span of the process. The endeavours of trying to create a powerless negotiation were hard to attain while the representatives of heads of water user's associations or akimats (mostly male and elderly persons) dominated the discussion. Other participants silently agreed with them. The moderator's trials of bringing the less active group members into the discussion did not work out very well. The self-regulation worked better in smaller groups with 5-6 participants.

A measure used for preventing a limited number of jurors to dominate the jury process was to split the members to smaller groups during certain parts of the process. The participants who seemed to be shy and felt unsafe in the beginning soon gained confidence within the small working groups and made constructive contributions while devising questions for witnesses or writing of the recommendations. Changing rapporteurs of the groups stimulated less articulate members in the group to come up with questions and also to present them. Majority vote that was used for deciding the final resolution did not actually guarantee the integrity of minority interest positions in the discourse.

#### **7.2.1.5. Moderation**

The **moderator's task** is to nurture an atmosphere of rapport and trust the participants gain feedback on the processing of their contribution to the decision-making (Morgan & Krueger, 1998). Though, the moderator has to stay neutral. The neutrality of the facilitator of the discourse was guaranteed in case of the focus groups as well as in the case of citizens' juries. The moderators were not personally associated with any of the involved parties. The



professionalism of the moderators grew throughout the focus groups while gaining experiences of balancing between the guidance and letting the discussion free from influences. For ensuring the neutrality of the moderators peer review is suggested by Crosby (1995). This can only be practice if human and material resources are available.

In **conclusion**, everybody's right to access the decision-making can be fulfilled if the meaning of everyone stands for all the individuals in the community. Due to the limited time of the involvement processes the number of discussants cannot be too big. On the other hand, the equality criterion is difficult to meet as the people who for some reason did not get the information about the upcoming focus groups or jury remain without opportunity to even consider participation. Furthermore, the resources necessary for holding a jury or focus groups set limitations and enabled only a certain number of participants to influence the deliberation. Thus, we have to agree with Crosby (1995) and Renn (1998) – no matter how good the organisation and implementation, no method of which we are aware gives a virtually equal chance to everyone to participate. In fact, we can only get an overview of the random persons that appeared to be more willing and interested in the water management issue. The aim of the public participation practitioner should be to identify and compensate for these social, cultural, and environmental contexts of social access to environmental management.

### ***7.2.2. Rational discourse***

#### **7.2.2.1. Lessening bounded rationality**

The deliberation is expected to lead to changes in attitude amongst the participants, to transform values, learn from each other's experiences and knowledge, and to lessen the bounded rationality of the decision makers by filling in the knowledge gaps (Huitema, 2003). Focus groups participants from Talas and Chu area often mentioned in their process evaluation sheets that they valued highly the opportunity to get to know other perspectives on water issues, talk about the related problems and elaborate possible solutions in a common circle, where the ideas are easier to come. Also the participants stressed that in their every day life they do not have a chance to elaborate water management solutions that are vital for their everyday activities. In Emajõgi focus groups' evaluation sheets, respondents often stressed that focused discussion widened their understanding about the water issues that they normally did not think of. In that sense the focus groups helped to widen understanding of necessity to cooperate in decision-making. Though, aim of synthesizing the scientific expertise and value orientations was fulfilled only to a minimal extent in case of focus groups. The result reflects a synthesis of needs and values of only a narrow stakeholder group.

### **Influence of the group constitution**

Focus group participants with a homogeneous background are more inclined to share their opinions with each other (Kangur, 2004b). Therefore, it was understandable that discussions in a focus group based on pre-existing network were livelier and open, but not many points of disagreement appear. Another aspect of using the existing network is a danger that the information self-evident for the group members, but new for the research team will not be touched upon during the focus group (Morgan & Krueger, 1998). Homogenous groups, consisting of participants with more or less shared views and interests with regards to water related issues, obviously contribute to the opinions being similar. As the evaluation sheets demonstrated, focus groups participants sharing the common background (e.g. fishermen and summer cottage owners in Emajõgi case or representatives of the same regional water authority in Talas basin) did not learn so much during the focus groups when compared to the groups that were formed by the project organisers (e.g. water recreation entrepreneurs in Emajõgi basin or representatives of different villages in Chu basin). The focus groups consisted of homogenous groups that facilitated the creation of consolidated point of view on the management options, instead of broadening participants' opinions on the topic, as is the ideal aim of deliberation. For example the summer cottage owners group quickly reached agreement on the irrational conservatism of leaders of nearby nature protection area in Emajõgi basin.

Participants bearing different identities enrich the discussion with the knowledge from different perspectives. Also more heterogeneous group gives participants an experience to utter and defend one's opinion in a more diverse company. Nevertheless, it has to be borne in mind that mixed groups with regards to degrees of knowledge can lead to the more learned participants dominating the discussion. For example in the water users associations group, the leaders of the group also tended to dictate the discussion, as he had more broad understanding of the problem. Bearing these experiences in mind, it can be recommended to have more diverse groups when it comes to giving participants an experience of deliberating on different points of view and broadening ones views on the issue. On the other hand, if the aim is to get an overview of a concrete interest groups' understanding the discussion group should be more homogenous.

#### **7.2.2.2. Synthesising scientific and anecdotal knowledge**

Deliberation is necessary to define the role of systematic and anecdotal knowledge, finding strategies for dealing with uncertainty in environmental decision-making (Crosby, 1995).

Focus groups aim was to reflect the opinion of a certain interest group on water management issues. Unlike focus groups, in citizens' jury a contrast appeared among two modes of evidence.

The jury members referred to more anecdotal and personal evidence mixed with emotional reactions. They stressed the traditions of water transportation with nostalgia; emphasized their personal preferences about the means of transport and shoreline design. The witnesses (e.g. nature conservationist, transportation experts), to the contrast, played out their systematic and generalized evidence based on more abstract knowledge such as the influence of transport to the siltation, banks and ecosystem of river; the cost-effectiveness of and technical feasibility of the water transportation development in Emajõgi River. The witnesses had different views, making clear areas of disagreement and uncertainty on the influence of more extensive water transportation, and were questioned by jurors. In that way an intensive exchange of argumentation was put into practice. On the other hand, the citizens' jury process implemented in Emajõgi basin idiosyncratically focused on approximately one sixth of the length of river and considered only the transportation development possibilities. The process did not promote critical inquiry into the broader issues of water management and no systematic method was retained to reach the best possible understandings about facts and states of affairs concerning the point pollution, ecological status of the river ecosystem and other issues of water management development. In case of the citizens' jury the result reflected the consensus reached by representatives of various interest groups. But the personal biases may determine the results more than in case of focus groups.

### **Issue of comprehensibility**

Even though the citizens' juries are highly competent in reflective and normative discourse; they may however lack the ability to fully understand the technical and cognitive issues in question (Renn et al., 1995; Renn & Webler, 1998). In case studies it appeared, that the participants entered the focus groups and citizens' jury with relatively little idea what the process will be about. Hence, they had difficulty in assessing the appropriateness of the other participants' point of views, problem addressing, and thus they could not be very critical in their argumentation. For example, in case of Emajõgi focus groups up to 40% of the participants could not think anything about an invitation to the focus groups, felt uninformed or doubtful about ones' suitability to participate. Though, after introduction of the method, the role of the participants, and after some minutes of discussion, the participants gained confidence and felt easier in setting forth their claims. Throughout the progress of the jury the participants' knowledge increased and they could start raising more critical questions and arguments.

In case of citizens' juries one of the components of the pre-meeting should be brainstorming to get an insight to the issues that jurors associate with the issue, and also to identify their

information needs. In this interactive process the witnesses and the charge will be decided upon. Pre-meetings will also stimulate group cohesion and improve the juror's skills to question the witnesses and to jointly make decisions. The implemented citizen's jury proved that learning about a subject in a few days cannot be regarded as a substitute for years of formal training and expertise.

Supplying jurors with the technical information packages as done by Jefferson Centre (Crosby, 1995) was not employed in case of Emajõgi citizens' jury, but can be useful tool for evening the knowledge gaps prior the negotiations. If the question is highly complex, for the benefit of the competence of the recommendations the participants should receive some preliminary information to study before the discussions.

#### **7.2.2.3. Requirement for the participants: willingness to understand and be well-articulated**

Tuler and Webler (1999) suggest that conflict of different rationalities can only be resolved if both parties are willing to **empathise with the other party's view and be willing to learn**. For a discussion to occur among the people that had come together in the focus groups and citizens' jury they had to accept the other participants views. On the other hand, as showed the Talas-Chu focus groups participants' evaluation sheets, main incentives for participation were more self-centred: gaining information, uttering their own problems and ensuring that they would be taken into consideration (77% of the respondents). Only one fifth of the participants aimed at discussing the water related problems with other people.

The dilemma of environmental management is that it is virtually impossible from the values point of view to have anyone but the affected people make the final choice, yet often these people can be **whipped up emotionally** and make what appear from the point of view of experts to be irrational choices (Crosby, 1995). In fact many focus groups (e.g. farmers and water users groups in Talas Chu area, and fishermen and summer cottage owners groups in Emajõgi basin) could be described as very emotional discussions. Though, their irritation is probably logical as these groups are dependent on water resources to the largest extent and suffer from the failing management practices the most. The case studies proved the standpoint of Jefferson Centre experience that it is easier to put citizens in setting where they are likely to be rational than to put experts into a setting where they are viewed as legitimate substitutes for the public. This is especially true in case where the scepticism over public officials runs very high as in Talas and Chu river basin areas.

The models do not provide a very good means for balancing awareness building about the problem and brainwashing. According to Armour (1995), in the jury process it cannot be assured that the discussion would not instead turn into **persuasion** of the jurors on one or the other witnesses' perspective. In case of focus groups in Talas and Chu area, the akims dominated the speaking, as they are probably more experienced in public speaking and articulating ones views in a more convincing manner. In case of jury, it seemed that due to the simplistic and down-to-earth explanations given by the representative of nature protection reserve, the jurors tended to get aligned with his positions on need for protecting the vulnerable species habitat. This probably also affected the final decision of the jury that affirmed the need for protecting the biodiversity as one of the attractions of water tourists. In fact, deliberation process emphasizes the oratory capacity of involved persons.

Setting so many requirements for participants sets deliberators in a quite artificial situation. Participants have to come up with well-supported insights under group pressure. Furthermore, they are set into a situation where they have to elaborate on issues they do not think of in their real life. Therefore, it can be doubted whether the results of the discursive processes reflect their everyday thinking and argumentation.

#### **7.2.2.4. Representativeness of the knowledge base**

The discursive processes do not provide for ratification of the normative choices of the discussant (Armour, 1995; Renn et al., 1995). Focus groups neither citizens' juries allowed the participants to test the consistency of their choices with the general will while public only had opportunity to learn more about the policy issue and how their peers addressed it. The jury members had no opportunity to justify or give explanations on why and how they reached the policy recommendation.

The results of the focus groups as well as the citizens' jury do not reflect the basins' population's point of view. As the recruiting of focus groups as well as citizens' jury proved, the participants tend to represent the views of population that are more interested in particular discussion topic and/or are more reactive in their social life. Persons invited through the telephone interviews and did not consider the topic relevant to them, did not show up to the meeting. Also in the citizens' jury only people that deemed important to satisfy their information needs or to contribute to coming up with a solution decided to participate. Therefore, the conclusions of focus groups analysis nor citizens' juries cannot be considered as the ultimate truth that applies for all the community.

A problem also lies in the interpretation of the information gathered through the focus groups. It is difficult for analysts and organisers to be neutral in their interpretations of the process and results. As a moderator facilitates the process, the recorder could be used to sort, group and summarise data throughout the focus group. This would allow the participants to receive a summary copy of issues and opportunities identified during the conversation not long after the focus group has finished. Participants are then able to provide feedback whether the issues were comprehended correctly by the outstanding people.

### **Deliberation as a multi-faceted source of information**

Besides the information gathered throughout the focus groups and citizens' jury, the dynamics of the process itself can tell a lot about public views towards the issue at stake and towards the (deliberative) policy-making (Morgan, 1997; Kangur, 2004a). As the focus groups' recruitment showed, first reactions are a substantial source of information on the general attitude towards the participatory democracy and interest in the problematic issue at stake. Invitations throughout the telephone allow to describe the procedure of the focus groups and also to receive an instant feedback from the potential participants. Another solution could also be to provide invitees a response sheet to be sent back to the organisers gathering the information from the people who could not participate in the process. Also the body language and group dynamics of the participants of the meeting gives some hints about participants' knowledge and attitudes on the issue.

### ***7.2.3. Effectiveness***

#### **7.2.3.1. Enhancing the quality of decisions**

For policy makers, public consultations are the possibility to **obtain local knowledge** of a wider community and get aware of their key apprehensions (Stone, 2001). Deliberation can produce new options and novel solutions to a problem. In the pleasant atmosphere, focus groups participants facilitated each others thinking, and as a result even some innovative solutions were prompted. Their unstructured nature created a synergistic effect of generating ideas and enhancing understanding within the group itself thus contributing to the overall quality of the data being gathered. For example, in the Emajõgi basin fishermen set forth an idea of institutionalising community policy towards the poaching; water users in Birdik came up with a financing scheme that would direct the money they pay for the water to water users associations for renovation work, leaving the regional water authorities only the inspecting role. Of course, the applicability of the elaborated proposals depends on the feasibility. In more structured and consensus-oriented citizens' jury the goal was to balance out different ideals and find a solution

acceptable to all. Therefore, also the result of the jury “to develop the water transportation without harming the vulnerable habitats and social space” does not suggest any too original solutions, but is applicable to real life.

In the plurality of worldviews the consensus is harder to reach. There exists a threat that the **decision-making becomes even vaguer**, since different points of view have to be taken into account (Renn, 1999). Due to its explorative nature, focus groups proved to be suitable to get insights into issues not covered before. The solutions elaborated during the focus groups lie on very hypothetical grounds as the format does not allow feedback to the elaborated positions from other stakeholder groups nor from the authorities. Focus groups worked as the tool for mapping the needs of the stakeholders, though it does not suggest any means for integrating and evaluating them from the point of their overall importance. For example, in the group of *akims*, centralisation of the water management to the regional level was suggested as the local water users associations are not able to take under larger renovation of the irrigation systems. To the contrary, the group of farmers insisted on need to concentrate the financial and instrumental power to the hands of water users associations, who are better aware of local needs. The advantage of citizens’ juries over the focus groups is that former offers a concrete policy option as a result.

#### **7.2.3.2. Conflict resolution and reaching a consensual agreement**

Discourse implies peer review as a means for verifying the understandings, and an orientation toward resolving conflicts rather than adversarial ways (Habermas, 1984; Renn, 1998). In case of citizens’ jury one out of few disagreements that was arisen among the jurors was about whether it should be allowed for the water cruisers to enjoy the untouched nature of Alam-Pedja Nature Reserve. Not all the jurors were convinced that the arguments of the expert from Nature reserve were true or morally strong enough to change their own position; but they understood the reasons for opponents’ conservative arguments. If all participants find a new option that they all value more than the one option that they preferred when entering the deliberation, a “true” consensus is reached (Renn & Webler, 1998). In the process of citizens’ juries a tolerated consensus about building landing sites in places away from the most vulnerable species habitat was reached. Some participants voluntarily accepted personal or group-specific losses in exchange for providing benefits to all of society. Voting definitely has a major weakness in that it might result in alienation of some of the stakeholders and, in effect, perpetuate the disagreements.

In the focus groups the consensus was reached quite quickly among homogenous groups. In the groups, where representatives of power institutions were present, the rest of the people, who even probably did not agree with their positions, did not want to step into conflict by critiquing the regulators. Through greater awareness participants acknowledged their inter-dependence and problems of their biophysical environment and about the complexity of social interactions. They built up a shared problem perception in a group of actors and critical self-reflection, which implies recognition of individual mental frames and valuation schemes and how they pertain to decision-making.

### **7.2.3.3. Usability of the deliberated decisions in policy making**

By leaving the environmental regulators out of the decision-making the deliberators will have a chance to come up with **unbounded ideas** that cannot be engaged in meaningful policies (Armour, 1995). Furthermore, the decisions reached through public deliberation may not be the most rational in sense of their suitability to the particular ecological context. The water management is grounded on very specialist knowledge acquired through years of studies. These cannot be replaced by a few hours or days of awareness building in citizens' jury. We have to agree with Webler (1995) that the social contexts that we act in constrain our knowledge and ability to employ the knowledge.

In case of the focus groups' limited discourse, the malfunctioning of the environmental management was drawn out. The focus groups were conducted among the representatives of a concrete social group, and thus, reflect the ideas generated among particular social group. This also sets limitations to the relevance of the results to the real life policy options. In case of Emajõgi focus groups a special group was formed for interviewing the local environmental administrators. This served only for getting information about the points of view of local regulators. So there was no real opportunity for dialogue between different stakeholder groups. The fundamental aim should not lie in problem solving, but in ensuring long-term welfare and economical and ecological sustainability (Renn & Tyroller, 2003), if the decision is not reached the mental gaps of priorities may even increase among the stakeholders. This was the case in focus groups where the deliberation among the certain stakeholder group representatives (fishermen, water tourism developers) even promoted outrage towards the policy makers. The groups consolidated into an opposition accusing regulators for low capacity and power trading for their own benefit.

The interview groups were more mixed in Talas and Chu area: in few groups formed based on geographical areas also the representatives of *akimats* were present. This confused the lay



representatives, and following the unwritten laws of paternalism, they let the representatives of power positions dominate the discussion. Despite of the numerous trials to promote the contribution of quieter participants the constructive dialogue often remained restrained, as the participants seemed scared to step out against the regulator.

In sum, without hearing the policy-makers points of views focus groups discussants could not reflect on the real life opportunities for improvements. The benefit lies in good articulation of the problems of a certain interest group.

The plurality of groups chosen to be jurors in the process enabled more active discussion of the faults and virtues of different viewpoints. The decision reached in that way should be more applicable in policy design. On the other hand, in the citizens' juries process, there were no regulators of the water transportation among the witnesses. The result of the jury was presented to them orally. From that it proceeded that the policy-makers as well as the jury had to make their decision in the absence of potentially very important information. Personal presentation allows the policy makers personal contact with the authors of the recommendations. Thus, gives the policy suggestions definitely more weight when compared to the anonymous proposals on paper.

As a **pre-decisional tool** the recommendations cannot serve as binding decisions in most cases (Renn & Tyroller, 2003). Official decision-makers need to acknowledge and to process the reports by the discourse panellists, but they are not obliged to follow their advice. In Estonian and Kazakhstan, Kyrgyzstan cases, the outcomes of discussions were communicated to representative institutions and thereby fulfil a complementary role in the decision process. Even though due to the low capacity of the regulators to include the proposals of focus groups and citizen jury in policy decision, the application of the methods seemed to be timely enough. As the development of River Basin Management plans is to take place in three to four years time, the discursive processes took place rather early than late. Since the Peipsi river basin management plan is still in the phase of where the management measures and tools are elaborated, and the Joint Commission for the Management of Talas and Chu rivers is not working yet, it is early to say how much effect the deliberations had on the real policy outcomes. However, the processes failed in a sense that as the participants have received little to no comments about their suggestions, and deviations from the recommendations are neither explained nor justified to the participants. Citizens' juries and focus groups can only be successful if the legal decision-making institutions are prepared to give the citizens a clear

mandate and consider their results. If this is not guaranteed, the participation process lacks legitimacy and creates frustration if not hostility.

In conclusion neither focus groups nor the citizens' jury process allowed the citizens to interact with the elected officials leaving citizens outside the policy arena, talking among themselves and hoping that their input will be taken into account. Ideally, with involvement of public, the resistance and critique towards the management decisions would lessen. But the models as implemented did not enable citizens to dialogue directly and in a meaningful way with those who govern them.

#### **7.2.3.4. Transparency**

In order to achieve the goals of discursive democracy, public involvement process should be open and transparent (Renn & Tyroller, 2003). The **popular awareness of the problem** is also important so that people whose interests are not primarily affected will choose to participate (Renn, 1998). In case of focus groups the information about the project was not distributed as widely as in case of citizens' juries whereas the information was disseminated through media and billboards etc. In case of Emajõgi focus groups the media coverage was missing. Media coverage on the rationale of the focus groups was organised in the Talas Chu area. Additionally a brochure on the on water management options was published.

In case of citizens' juries the information dissemination was not so active and functioned as complementary invitation to participate in the jury. Therefore, also the response rate was relatively low, and possibly reflects the views of the groups most interested in water management decision-making. Formation of focus groups under the predetermined principles gave the participants as well as organisers better overview of the groups' formation process. In case of citizens' jury, the press was allowed to interview the jurors at appropriate times. Several articles were published in local and regional media.

In conclusion, environmental managers should consider how not being aware of a specific environmental project relates to social, demographic, and geographical characteristics of the locally affected public, and what implications this might have for participatory equity in environmental management. Media attention towards the citizens' jury and focus groups contribute to the broader understanding of the importance of public participation in the environmental decision-making. In cases of post-communist societies, the most important outcome of the first trials of the discursive methods is the introduction, popular awareness and acknowledgement of the need for public deliberation. In the countries where the civic

movement and participatory approaches are not yet so well established more explanation needs to precede the understanding of the purpose of using such methods and the use of these data.

#### **7.2.3.5. Time and cost-effectiveness**

The participatory approach is not used mainly due to the officials' confinement that it is not **worth the effort**. The deliberative processes may take time and financial resources to organise, but the investment is worthwhile as the delays caused by insufficient consultations are even longer (Renn & Klinke, 2000). The experience showed that focus groups and citizens' jury demand detailed planning from the beginning and a flexible time schedule during the process. Careful planning and recruitment process as well as processing and interpreting gathered information takes time: altogether one month per one focus group, 3-4 months for a citizens' jury.

As for the focus groups itself, not more time than 90 minutes should be reserved for the session. This is an optimal time as the intensive discussion exhausts the participants. This time allows all the participants to get chance to say everything that they wanted to. One and a half an hour is a suitable time also for acquiring new information until the participants get overwhelmed. The citizens' jury process is much more demanding in sense of the time and effort need, and this definitely sets boundaries for the recruitment of the jurors, favouring the people that can afford spending time on the issue. The process is expensive and there is no use in conducting it unless there is some reason to believe that public officials will pay attention to the recommendations.

#### **7.2.3.6. Empowerment of the participants**

By asking people representing the spheres of life distant from water management, their mental constructs of not being able to influence such vital issues are eliminated and the feeling of empowerment can be raised (Kangur, 2004b). The focus groups and citizens' jury definitely built up the participants' self-consciousness as citizens. Similarly to the Emajõgi focus groups, Talas and Chu focus groups evaluation sheets indicated very high satisfaction rate (85 % gave high or very high grades) among the participants. The contentment was attributed to possibilities to discuss the issues together to find a joint solution. In a citizens' jury, the members are set forth with a situation where they have to come up with informed policy-decisions themselves. The models **altered participants' cognitive maps** as they acknowledged the need for engaging citizens into the decision-making process.

Participating in focus groups and citizens' jury was a good practical exercise for the people whose participation in policy making is restricted to the boundaries of representative democracy. When comparing the current experience with the participatory approaches used in

countries with a plethora of public involvement, conducting focus groups and citizens' jury is welcome in the countries where the participatory methods have not been introduced yet and the public has not had the chance to influence the policy decisions to a larger extent. Therefore, it can be assumed, that these methods of public participation can be especially emancipative for the societies in transition from the command ruling to the democratic state of the art.

The **therapeutic effect** of public involvement may remain short-term, though. Kasperson et al. (1998) stress that public discourse needs to be continuous and ongoing and not, as often happens, occur only episodically. The participants' satisfaction may soon turn into even bigger frustration towards the policy makers if these are not able to include deliberated opinions in management design.

For groups interested in water management applied participatory methods were means to canalise their points of view in a real suggestions for policy changes. The tendency is that the **groups that have a natural interest in water issues and thus tend to get more involved in water management**. Furthermore, they are more inclined to make an effort and take part in the focus groups type of activities. With regards to how the focus groups contributed in involving the participants in water management, the difference between the groups that did not feel affected by water issues and the groups, which felt more affected, should be highlighted. Experiences show that groups, which did not feel affected by water issues as well as were less knowledgeable about water, experienced that the focus group sessions contributed, more or less, to increasing their awareness of water and water management, simply by discussing the topic. In contrast, the groups, which were more affected by water related issues i.e. the fishermen, water recreation entrepreneurs and most of the groups involved in Talas Chu basin had a relatively good knowledge of the topic, viewed the focus groups more as a forum where they had the opportunity of discussing and voicing their opinions. They seemed to long for more established dialogue between the involved parties. For several groups the focus groups seemed to be a way of acknowledging the possibilities to work in the field of water management. "Socialising" and "finding partners for joint actions" was considered important by most of the participants in Talas and Chu basin focus groups.

Participatory methods proved to be quite **demanding to the participants** while testing their citizenry capacity. Unlike the focus groups, the citizens' juries require preparation, tend to last several days, and demand intensive concentration.

The selection of the participants for deliberative models may further the inequality among politically more active and less articulate groups. Even though the participation is everybody's

free decision, the more knowledgeable and active groups have greater possibility to get heard by the policy makers. Thus, the inactive members of the society will be left even in a more disadvantaged position.

### **7.3 Suitability of the focus groups and citizens' jury model to post-soviet context**

The type of participation will depend upon the spatial scale relevant to particular resource management and investment decisions and upon the nature of the political economy in which such decisions take place (GWP, 2006; Renn & Webler, 1998). As the case studies proved, the choice of participatory tools also depends on the resources (e.g. financial and human), time and skills available. Mapping techniques such as focus groups are particularly necessary if little information is available about the issue. As a qualitative method they enable researcher to grasp the context of the research problem quickly through direct interaction with people in the organisation (Kangur, 2004b). The structure of citizens' jury is more sophisticated, and thus more aspects need to be taken into account to create a democratic discourse.

The cultural approach suggests that the level and type of political participation is determined by the dominant political culture (Almond & Verba, 1963). The case studies under analysis show that the more restrictive political culture in Kazakhstan and Kyrgyzstan **is not very supportive of public involvement in decision-making**. Though, at the time of organisation of the focus groups in Talas and Chu River basins the political situation was more liberal and the endeavours of non-governmental environmental organisations in educating and drawing public to the decision-making was more tolerated.

Representative of cultural approach in analysis of political systems, Putnam (2000) emphasizes that the **intimate interpersonal trust** generated among the close-knit groups generates the impersonal trust of complex societies. When compared to the Emajõgi River basin inhabitants, more traditional community relations are dominant among the inhabitants of Talas and Chu River basins. Even after the years of communism close-knit community relations omit decisive role to the older males, who gather for deliberating on the rural management options. In that sense the broader community based decision-making is familiar to the people living in the basin. Gathering into a deliberation groups for the focus group interview was acceptable to many. Therefore, based on the case studies one can agree, that stable cultural attributes determine the level of trust and hence, the societal predisposition towards the cooperation.

One of the structural requirements of the successful rational discourse is a clear and **unambiguous mandate of what the deliberation process should or deliver** and how the

participants stand for the implementation of the decision (Renn & Tyroller, 2003). Though, in both Talas and Chu as well as Emajõgi river basin cases the problem of artificial situation and upset power relations appeared. Discursive process set average citizens instead of those with power. Given this cultural discrepancy of the citizens jury and focus groups from normal political procedure there has been some resistance on part of elected officials of the process. Focus groups and citizens' juries rely on participants' will to get involved, rather than being elected or nominated to decision-makers. Unlike legal juries they lack the cultural tradition that provides some degree of legitimacy, and places them above immediate criticism. Without acknowledging the citizens' juries and focus groups as a source of valid base information for the policies it can be doubted whether any actions will be taken under according to the recommendations.

### ***7.3.1. Necessary know-how and implementation system***

Focus groups and citizens' jury demonstrated the need for appropriate know-how and professional organisers of the process. It is important to keep the moderators' role subtle. The moderator's reactions to participant's opinions can already show subtle signs of disagreement and this needs to be prevented (Huitema, 2003). Researchers should always be careful with their own earlier formed opinions on the research material (Morgan, 1997). The case study experiences showed, that there needs to be a critical mass of people who know how to employ such kind of techniques. It is also important to choose appropriate method suitable for particular case. The need for efficiency demands a logically sound and economical methodology to summarise individual values, preferences and priorities, and integrate them into a group decision for eliciting. Depending on the aim of the involvement, the choice of deliberation instrument or combination of models has to be made.

Also it is the responsibility of the organiser of the participatory project to ensure that the participation in environmental decision-making would not be restrained by socio-cultural or geographical circumstances that differentially restrict the access to the process. Unfortunately the knowledge about alternatives for current management practices is still scarce among the regulators and environmental administrators. For finding out suitable models for involvement it is important to try out different instruments of facilitating wider inclusion of public needs in the context of water management in Estonia as well as in Kazakhstan and Kyrgyzstan.

Also integrated mechanism for organising and consideration of the results of the process is lacking in both of the case study areas. Influence on the policymaking largely depends on the

capacity of the administrative power to apply the recommendations into the policies. Current project specific impact assessment leaves too much up to the skills of the power people, too much up to the awareness and political capital of the local affected public. The coordination and control mechanisms are generally missing.

For ensuring the consideration of the deliberated decisions an **integrated mechanism** and control system needs to be put into force on the local ground as well as in the state affairs. A clear set of rules for incorporating the social partners in decision-making would allow power institutions to maintain their initiative and the leader position in policy making. Initiatives to inform, request feedback from and consulting citizens should be coordinated across government to enhance knowledge management, ensure policy coherence, avoid duplication and reduce risk of “consultation fatigue” among citizens and civil society organisations. Co-ordination efforts should increase the capacity of government units to pursue innovation and ensure flexibility. Absence of such systems would lead governors to the situation where they only can look for solutions to the problems instead of preventing them

Need for **more positive experiences** to build up trust that the process works and is worth. Repetition of the process helps learning the positive effects of the deliberation. Therefore, more research should be encouraged on the suitability of the participatory tools adjusting to the special case and socio-cultural, economic, and geopolitical conditions. Better understanding of the limits and advantages of the inclusive models would enable governments to **establish standards for public involvement**. Ideally these should recommend peer review by qualified specialists. The governments of Estonia, Kazakhstan and Kyrgyzstan should consider establishing an interdisciplinary task force with members from academia, industry, NGOs, media and government regulatory bodies to debate controversial environmental management issues, so as to weigh more effectively the relative input of science and consultation into regulatory decision-making.

## 8. Results

In current analysis the evaluation of the application of focus groups and citizens' jury methods according to the criteria of fairness, competence and effectiveness was conducted. From the analysis following conclusions can be drawn.

**The need for participatory discourse in water management is well reasoned under following premises.**

- The deliberative approach was appropriate in water management policy design in Talas and Chu as well as Emajõgi basins due to the complexity of environmental and social impacts, and ambiguities related to the use of water resources in particular areas.
- Next to technical assessments and scientific as well as planning expertise, public is a source of relevant knowledge, helps to determine the border of the development and the limits of tradeoffs people are ready to assign for common benefit.
- Diverse groups inhabiting the river basins have different access to decision-making processes. Public hearings, widely used in social impact assessments of environmental development projects in Estonia, are often used by administrators as forum to announce to the public what the agency intends to do and argue for it. The work of public involvement bodies, river basin councils in Kazakhstan and Kyrgyzstan are under elite ruling, which determines the constitution and the agenda of the councils.

**When applying the deliberative techniques following issues need to be taken into account:**

1. When determining who should be regarded as "concerned" and relevant to influence the policy design (1) defining the affected population and constituent groups; and (2) determining representative members of the groups needs to be taken under.
2. Extensive prior knowledge on the area and inhabiting social groups potentially affected by the development project, established relationships with the people helps conducting the stakeholder analysis and determining the groups to be included in decision-making.
3. The formats of deliberative decision-making in focus groups and citizens' juries do not enable to cover plurality of interest groups in the basin. Variety of information reasonable to gather in focus groups is close to end if the saturation is reached.
4. No matter what the selection technique, the participation depends on person's free will. Due to differential access to information, possibilities for participation and different experiences, the deliberative bodies constitute mere mirror images of the power distribution in society. The aim of the public participation practitioner should be to



identify and compensate for these social, cultural, and environmental contexts of social access to environmental management.

5. People in focus groups and citizens' juries are usually too few to create statistically valid material, which removes the need for a random selection. Instead emic group characteristics should be guiding to ensure the representativeness of plurality of worldviews and needs.
6. Experiences and understanding of the rationale of the deliberative models is necessary in order to be able to use the opportunity to determine the policy design rules.

**Fairness, competence and effectiveness of the conducted focus groups and citizens' jury were assessed as follows.**

***Fairness criteria:***

1. Powerless negotiation is hard to attain among the people with paternalistic mentality.
2. Incentives for participation are predominantly self-centred (to gain information and discuss the issues to reach a solution for personal problems). Among the gathered participants, it is hard to avoid the domination of people with greater oratory capacity in discussions and in drawing the conclusions.
3. For the effectiveness purposes the goals of representativeness (it is not possible to include all related parties in citizens' juries nor focus groups with) and equity (participants agreed with the predetermined process rules and problem setting) need to be compromised.

***Competence criteria:***

1. Focus groups had moderate educating effect while offered opportunity to get to know the perspectives of people with similar background. Citizens' jury enabled more extensive exchange of anecdotal and systematic knowledge among experts, bureaucrats and laypersons. Though, participatory discourse does not enable to reach the knowledge level necessary to decide on complex issues of water management.
2. More homogenous focus groups facilitated the creation of consolidated points of view on the management options of one concrete social group. Better-informed participants of citizens' jury could come up with a consensual management option.
3. Focus groups enabled coverage of complex problems related to water management. On the other hand, the citizens' jury idiosyncratically focused transportation development possibilities on a small area of the basin.

4. The conclusions drawn from deliberative discussions are the results of a particular discussion group. The results cannot be considered the ultimate truth that applies for all the community as they are not validated among the larger public they should be representing.
5. In the non-threatening atmosphere, focus groups participants facilitated each others thinking and came up with several innovative solutions. In more structured and consensus-oriented citizens' jury different ideals were balanced out and a solution acceptable to all was reached.

***Effectiveness criteria:***

1. Consultations with regulators local government officials and environmental specialists aimed at getting acceptance for the problem setting, but the policy-makers' priorities in the water management issues were neglected. Inviting the major actors to be part of the decision making process from the beginning improves the likelihood that the resulting decision will be accepted.
2. For the empowerment of the participants the proposals need to be considered by policy makers. However, in the case studies, the therapeutic effect could not possibly last too long as the participants did not receive comments about their suggestions, and deviations from the recommendations were not explained nor justified to the participants. Therefore, also the cost-effectiveness of the trials is hard to assess.
3. Methods of public participation can be especially emancipative for the societies with little experiences in participatory democracy. Media attention towards the citizens' jury and focus groups contribute to the broader understanding of the importance of public participation in the environmental decision-making.
4. Project based, sporadic public involvement practices may even increase distrust and dissatisfaction towards the policy-makers. Integrated organisation, coordination and control are necessary for ensuring meaningful public involvement.
5. For the appropriate application of participatory models, there needs to be a critical mass of people who know how to employ such kind of techniques. Awareness building and positive experiences are also important for winning recognition of the organizers, for the participatory instruments and results. Knowing the water management issues, their possible solutions and knowing one's right to influence the decision-making is important for ensuring broader participation.

## 9. Conclusions

In the emergence of new techniques of public deliberation it is crucial to evaluate the practices in terms of their efficiency in creating a rational and fair discourse. In this thesis the application of Focus groups and Citizens' jury in water management decision-making was analysed. The focus groups were carried out in Emajõgi River basin in Estonia and in Talas and Chu River basin between Kazakhstan and Kyrgyzstan. The citizen's jury was carried out in Emajõgi River basin. With the help of the focus groups main water quality, quantity, management problems and awareness issues were identified. The citizens' jury offered Emajõgi River basin inhabitants an experience of deliberative decision-making. Following conclusions can be drawn from the research experiences.

### **1. The determinants of the need of deliberative democratic procedures were identified as follows:**

- Current water management practices show that the technical expertise and bureaucratic standards are necessary, but not sufficient condition to make prudent environmental decisions.
- Citizens' advisory councils and public hearings institutionalise communicative bias towards the people in power.
- For building trust towards decision-makers and legitimising the selection of prioritised values discursive deliberation as opposed to strategic manipulation is necessary.
- Public can be a source of relevant and innovative knowledge, determine the limits of tradeoffs people are ready to assign for common benefit.

### **2. Assessment of the limits and gains of the focus groups and citizens' juries in creating democratic discourse showed following:**

- Semi-structured nature of focus groups facilitates generation of numerous insights and possible solutions for a problem under study.
- Focus group does not enable wider public scrutiny over the solutions, leaving it up to the regulators which problems to prioritise.
- In citizens' juries participants bearing different identities benefit the process with the knowledge from different perspectives.
- The number of participants in citizens' jury is too few to be representative for plurality of groups inhabiting the river basin.

**3. The observations and evaluations of focus groups and citizens' juries gave basis for evaluating process according to the criteria of fairness, competence and effectiveness.**

- Due to the participants' differential social background, oratory abilities and experiences in regulatory democracy, it was difficult to guarantee an equal footing of the participants in the focus groups and citizen's juries.
- Focus groups generated innovative solutions that can be possibly applied in policy design in its numerous aspects. Citizens' jury synthesised anecdotal and systematic knowledge into a consensual solution.
- The effect on decision-making is still to be determined due to the low capacity of regulators processing deliberative input in policy design.

From the research experience it can be concluded that every environmental management case needs application of a combination of deliberative instruments adjusted to the political and regulatory culture. The weakness of the deliberative process lies in the regulators' capacity to carry out the process and apply the decisions in a real life situation. The participation process will fail its purpose if deviations from its recommendations are neither explained nor justified to the discourse participants.

Therefore, it can be suggested that initiatives to inform, request feedback from and consulting citizens should be coordinated across government to enhance knowledge management, ensure policy coherence, avoid duplication and reduce risk of "consultation fatigue" among citizens and civil society organisations. Co-ordination efforts should increase the capacity of government units to pursue innovation and ensure flexibility. A clear set of rules for incorporating the social partners in decision-making would allow power institutions to maintain their initiative and the leader position in policy making. Absence of such systems would lead governors to the situation where they only can look for solutions to the problems instead of preventing them.

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## Resümee

### **Fookusgrupi ja kodanikepaneeli meetodite rakendamine osalusdemokraatia kujundamisel veemajanduses: Emajõe ja Talas Chu valgalade näitel**

Avaliku teenistuse esindajad on pideva surve all tegemaks kvaliteetseid otsuseid, püüdes vastu tulla kodanikele, keda need otsused mõjutavad. Keskkonnakorralduses avaldub see probleem eriti teravalt, kuna tegu on tehniliselt keeruka alaga, kus tegutsevad erinevaid väärtussüsteeme kandvad huvigrupid. Nende vahel võivad tekkida lahkarvamused ja usaldamatus. Tingituna üha suurenevast rahulolematusest demokraatia tänase toimimisega on hakatud enam rääkima osalusdemokraatia võimalustest avalikkuse tunnustuse ja usalduse tagasivõitmiseks poliitikute vastu (Löfstedt, 2005). Käesoleva töö annab hinnangu kodanikepaneeli ja fookusgrupi intervjuude sobivusele ratsionaalse arutelu kujundamisel veemajandusküsimuste üle kahes vesikonnas: Emajõe valgalal Eestis ja Talas Chu valgalal Kasahstani ja Kõrgõzstani piirialal.

#### **Sellest tulenevalt on töö eesmärgiks:**

- määratleda sotsiaalpoliitiline taust, mis tingib vajaduse osalusdemokraatia rakendamiseks;
- selgitada millised võimalused ja puudused on kodanikepaneeli ja fookusgrupi meetoditel ratsionaalse diskursuse tekkimiseks;
- hinnata kuivõrd õnnestus tagada nende aruteluvormide abil õiglane, pädev ja efektiivne dialoog.

Fookusgrupid ja kodanikepaneel viidi läbi 2003.-2004. aastal Euroopa Komisjoni 5. Raamprogrammi poolt rahastatud rahvusvahelise uuringuprojekti raames, milles osalesid ka Hollandi ja Rootsi eksperdid. Töö autori osaks oli Eesti-poolsete fookusgruppide läbiviimine ja analüüs ning kodanikepaneeli ettevalmistamine ja järelanalüüs. ÜRO Euroopa Majanduskomisjoni (UNECE) ja Eesti Vabariigi Valitsuse ning Kasahstani ja Kõrgõzstani Valitsuste ühisprojekti raames oli töö autoril võimalus läbi viia fookusgrupe ka Talas ja Chu jõgede valgala elanikkonna seas.

### **Osalusdemokraatia keskkonnakorralduses**

Põhilisteks kriteeriumiteks, mille alusel demokraatliku diskursuse olemasolu ja kujunemistingimusi hinnata on protsessi õiglus kõikide osalevate poolte vastu, osalevate inimeste kompetentsuse maksimaalne ärakasutamine ja protsessi efektiivsus ehk tulemuse

rakendatavus konkreetses keskkonnakorralduses (Habermas, 1998). Osalusdemokraatia vahendite rakendamist peetakse vajalikuks ametnike usaldatavuse taastamiseks ja otsuste arvestatavuse tõstmiseks (Slovic, 1993; Olsen & Peters, 1996). Lisaks usalduse suurenemisele huvigruppide ja võimuesindajate vastu on avalikkuse kaasamise eesmärgiks sellised sotsiaalsed hüved nagu avalikkuse harimine; avalikkuse huvide ja väärtuste rakendamine otsuselangetamisel ja seeläbi otsuste kvaliteedi parendamine, konfliktide vältimine ja otsuste maksimaalse tasuvuse saavutamine (Renn, 1998; Webler, 1995). Keskkonnaotsuste kujundamisel on erinevate huvigruppide arvamuste ja vajadustega arvestamise eesmärgiks rikastada ametnike maailmapilti kohalike/rahvalike teadmistega võimalikest lahendusvariantidest ning nende arvesse võtmisega tagada otsuste parem rakendatavus reaalsesse ellu (Renn et al., 1995). Tavaelanikud võivad osutada heaks infoallikaks kohalikest oludest ning pakkuda välja just kohalikke tingimusi ja traditsioone arvestavaid lahendusi (Blösch, 1999; Stone, 2001).

Kui epistemoloogiline diskursus on vajalik erinevate teaduslike käsitluste seast tõestatuima valimiseks, siis kaasav diskursus on vajalik erinevate väärtushinnangute ja vajaduste kaalumiseks (Renn, 1999; Webler & Tuler, 1999). Kaasamisprotsessi nõrkadeks külgedeks võivad osutada madal representatiivsus (Crowfoot & Wondolleck, 2000) ja oht kalduda ennatlikesse järeldustesse, kui olemasolev informatsioon on ebatäielik (Stern & Fineberg, 1996; Renn, 1999).

### **Kaasamise sobivus Eesti Kasahstani ja Kõrgõzstani veekorraldusse**

Eesti veepoliitika lähtub Euroopa Liidu Vee Raamdirektiivist (2000 EC/06), mille kohaselt peavad aastaks 2009 valmima kõikide valgalade veemajanduskavad. Viru-Peipsi valgala veemajanduskava juhtnööride väljatöötamiseks viidi lisaks mitmekülgsale tehnilisele ekspertiisile 2003.-2004. aastal läbi fookusgrupid ja kodanikepaneel piirkonna elanike väärtushinnangute ja vajaduste selgitamiseks. Nii Eestis kui ka mujal maailmas on rakendatakse planeeringute ja poliitikakavade **avalikke arutelusid**, mis ometigi on saanud kriitika osaliseks just piiratud tõttu olulist infot reaalselt otsustusprotsessi kaasata. Seda peetakse efektiivseks vahendiks juba väljatöötatud planeeringute kaitsmisel, kuid tõelist arutelu ei teki planeeringu esmastel etappidel (Fiorino, 1990).

Veemajandusküsimused Kasahstani ja Kõrgõzstani piiriveekogudel Talas Chu jõgedel puudutavad veenappust ja ressursside jagamist kahe riigi vahel. Piirijõgede haldamiseks 2003. a. loodud Ühiskomisjoni töö hõlbustamiseks viidi läbi uuring kohalike veemajandusprobleemide kaardistamiseks, kasutades fookusgrupi meetodit. Veeressursside

piiriülese jagamise otsustamiseks püüti algselt ka kodanikepaneel, kuid see initsiatiiv ei leidnud poliitilist toetust. Tsentraliseeritud veemajanduse lokaalseteks tugipunktideks on valgala nõukogud, milles osalevad kohalikud veetarbijad. Sellised **kodanikenõukogud** on aga kokku kutsutud keskvõimu poolt, et regionaalsetele veemajandusotsustele avalikkuse silmis enam kaalu anda. Nõukogus arutletava problemaatika ja otsustamise aja määrab regionaalne veemajandusüksus. Kohalike huvigruppide esindajad saavad teemat oma seisukohast kommenteerida. Samas ei ole kindlat garantiid, et nõukogu kokkukutsujad ka selle hinnanguid arvesse võtavad.

Vesikondades eelnevalt läbi viidud uuringud (Kangur, 2003 ja [www.counterpart.kz](http://www.counterpart.kz)) ja tihe koostöö kohalike elanikega võimaldas töö autoril jõuda järeldusele, et kohalike inimeste tõhusam kaasamine veemajanduspoliitika kujundamisse on vajalik.

#### **Vajaduse kohalike inimeste paremaks kaasamiseks on tinginud:**

- (1) Elanikkonna rahulolematuse seniste poliitikatega ja usaldamatus vastutavate ametkondade suhtes.
- (2) Veemajandusküsimused hõlmavad väärtushinnanguid ja maitse-eelistusi, mille üle ei tohiks otsustada tehnilised eksperdid.
- (3) Ilma kohalike teadmisteta ei ole võimalik määratleda veemajanduse arengu piire ja ohvreid, mida üksiktarbijad on valmis kandma ühise heaolu nimel.

Emajõe alamvesikonnas läbi viidud fookusgrupid ja kodanikepaneelid ning Talas ja Chu jõgikonnas teostatud fookusgrupid püüdsid pakkuda tõhusamat alternatiivi senistele kaasamistavadele.

#### **Hinnang fookusgrupi ja kodanikepaneeli mudeli võimalustele kujundada ratsionaalset arutelu**

**Fookusgrupiintervjuu** on kvalitatiiv-uuringu vorm, kus valitud sihtrühma esindajaid (ühes grupis 6-10 osalejat) intervjuerib poolstruktureeritud intervjuukava alusel moderaator (Morgan & Krueger, 1998). Et soodustada vaba arutelu värvatakse osalejad sarnase sotsiaalse taustaga inimeste seast (Wibeck, 2000). Intervjuukava koostatakse vastavalt tellija vajadustele. Nii Emajõe piirkonnas teostatud 9 fookusgrupi kui ka Talas ja Chu piirkonnas läbiviidud 26 fookusgrupiintervjuu puhul kaardistati mittetulundusühenduste, äriettevõtete, kohaliku võimu esindajate ja tavakodanike hinnanguid veemajandusele. Intervjuud tõestasid kohalike elanike rahulolematust senise veeressursside haldamisega, rahaliste vahendite kasutamisega. Eriti Talas

ja Chu vesikonna kohalikud huvigrupid sooviks saada rohkem infot ja võimu, et ise määratleda millal ja milliste vahenditega praegust veevõrku kaasajastada. Emajõe piirkonna fookusgrupid suhtusid kriitiliselt liigselt euronõuete täitmisele ja looduskaitsele suunatud veemajandusse.

**Kodanikepaneel** võimaldab kuni 15-liikmelisel kogukonna eri huvisid esindaval inimgrupil end kurssi viia probleemi olemusega ja seejärel jõuda omapoolsete ettepanekuteni probleemi lahendamiseks (Kuper, 1996). Juhuvalimi põhimõttel koostatud paneel Rannu ja Puhja valdade kodanikest arutas veetranspordi arendamise võimalikkuse üle Emajõel Alam-Pedja looduskaitseala piires. Keskkonnakaitsja, veeturismiekspert, kohaliku arengu sihtasutuse ja maaparandusbüroo esindaja tutvustasid paneelis osalejatele probleemi olemust oma valdkonnast lähtuvalt. Pärast grupiarutelusid otsustas kodanikepaneel, et veetranspordi areng on lubatav vaid määral, mis ei häiriks väärtuslike taime- ja loomaliikide elupaikasid ja traditsioonilist inimtegevust piirkonnas.

#### **Fookusgrupi ja kodanikepaneeli praktiline elluviimine aitas määratleda nende diskursusemodelite võimalused ja kitsaskohad:**

- Väiksemas grupis, meeldivas atmosfääris saavad **fookusgrupis** osalejad avaldada oma meelsust ja eelistusi probleemi lahendamise osas. Fookusgrupiintervjuud sobivad erinevate käsitluste kaardistamiseks ning on eriti efektiivsed varem uurimata teemade avamisel ja mitmete innovatiivsete lahenduste kujundamisel. Ent suhteliselt kitsast ringi inimesi koondav grupp ei võimalda erinevate eelistuste kaalumist ja parimate argumentide selgitamist. Vähestruktureeritud aruteluvorm võimaldab vaba mõttevoolu, aga laiema avalikkuse tagasiside või kriitika vastaspooltelt ei ole võimalik. Osalejate värbamine toimub organiseerija poolt ettenähtud alustel ega sõltu huvigruppide oma initsiatiivist.
- **Kodanikepaneelis** osalejatele antav informatsioon sõltub ekspertide valikust. Ent paari päeva jooksul esinevad eksperdid ei pruugi anda täit ülevaadet probleemi mitmetahulisusest. Ideaalselt peaks osalejad ise saama määrata, milline on kõige teravam lahendus vajav probleem, mis arutelu alla peaks tulema. See on pikk protsess ja nõuab suuri ajalisi ja rahalisi kulusi, mis võivad tingida vaid väga huvitatute ja paremini kindlustatud huvigruppide suurema esindatuse.

## **Kuivõrd õiglane, pädev ja kompetentne oli fookusgruppides ja kodanikepaneelis saavutatud diskursus?**

Diskursuse õigluse hindamisel peetakse oluliseks kriteeriumiks osalejate võrdseid võimalusi otsustusprotsessi kujundamisel ja otsust oma arvamust avaldades mõjutada (Renn & Klinke, 2002). Diskursuse pädevuse hindamisel lähtutakse sellest, mil määral on arutus sünteesitud erinevat tüüpi teadmised ja kuivõrd tõestatavad on need teadmised (Armour, 1995; Rowe & Frewer, 2000). Diskursuse efektiivsuse määrab see, kuivõrd rakendatavad ja mõjuvad on arutelutulemused reaalses poliitikas (Renn, 1999).

**Fookusgruppide** sundimatus õhkkonnas kujundasid osalejad üksteise õhutusel välja mitmeid originaalseid ideid: kuidas suunata vee eest makstavaid tasusid efektiivsemalt veevarustussüsteemide tõhustamisele, kuidas saaks kodanikud omaalgatuslikult kaasa aidata kalavarude ja vee kaitsele j. Nende innovatiivsete lahenduste rakendamine võib aga jääda küsitavaks nende vähese valiidsuse tõttu. Konkreetse huvigrupi kitsas arvamusteriing ei pruugi kokku langeda teiste veetarbijate vajadustega, veel vähem võimukandjate huvidega. Seepärast peab kahtlema nii otsuste piisavas pädevuses üldise veemajanduskonteksti taustal kui ka rakendusvõimalustes. Vaid kitsa huvigrupi esindajate omavaheline arutelu ei võimaldanud oluliste eriarvamuste teket; küll aga tugevnes vastasseis näiteks võimuesindajate suhtes. Kuigi fookusgrupid koondasid suhteliselt väikese arvu inimesi võrreldes valgalade rahvaarvuga tervikuna, on tulemus representatiivne saavutatud infohulga mõistes. Nimelt viidi intervjuusid läbi seni, kuni teemaderiing ammendus ja uurijatele ei laekunud enam olulisi uusi vaatenurki ega infot.

**Kodanikepaneel** andis võimaluse tavakodanike ja ekspertide mõttevahetuseks ning soosis osalejate intensiivset õppimisprotsessi. Ometi võib kahelda, kas demograafiliste tunnuste põhjal koondatud paneel on tõepoolest esinduslik mitmekesistele huvigruppidele, kes valgalal elavad. Väike ekspertide hulk võimaldas kajastada vaid minimaalse hulga probleemikäsitlustest, mis veetranspordi areng võib kaasa tuua. Kuigi paneel jõudis konkreetse otsuseni, ei pakkunud tulemus midagi kvalitatiivselt uut ega alternatiivset praegustele majandusraskuste tõttu konservatiivsetele arengutele.

## **Järeldused**

Uurimistulemuste põhjal võib teha järeldused:

- Fookusgruppide ja kodanikepaneeli tulemuslikkust demokraatliku diskursuse toetamisel võib hinnata heaks. Kodanikepaneel aitab leida ühiskonna eri huvigruppide vahel konsensust, kuid selle miinuseks on otsuste üldtuntud iseloom ja vähene konkreetsus,

mis ei pruugi pakkuda head alternatiivi praegustele halduspõhimõtetele. Fookusgrupi intervjuud pakuvad palju erinevaid lahendusi, mille seast valimine jääb siiski võimukandjate suvasse.

- Käsitletud kaasamismudelid põhinevad inimeste vabal osalemistahtel, soosides nii teadlikumate ja paremini kindlustatute osalemist. Inimese osalemisotsust ja seega ka arutelutulemusi mõjutavad lisaks kaasamise protseduurireeglitele ka veemajandusproblemaatika olulisus osalejale, uurimuse läbiviija autoriteet, koha ja aja sobivus ning muud faktorid. Seepärast võib kahelda selle pildi elulisuses, mida kaasamismudelid meile annavad.
- Eesti, aga veelgi enam Kasahstani ja Kõrgõzstani kontekstis on avalikkuse osalemine poliitika kujundamises võõras nii rahvale, läbiviijatele kui ka võimuladvikule. Fookusgrupid ja kodanikepaneelid võivad olla teraapiliseks foorumiks, kus osalejad saavad väljendada oma muret praeguse keskkonnakorralduse kitsaskohtade või konkreetsete mureobjektide üle. Ent kui seda tulemust ei osata kuidagi väärtustada ning puudub süsteem selle arvestamiseks on kaasamine mõttetu ja hoopis pärsib demokraatliku diskussiooni teket ühiskonnas.
- Peab väga selgelt piiritlema ja seadustama, millistel puhkudel on vajalik laiema avalikkuse kaasamine. Teaduslikel hinnangutel põhinevaid ekspertarvamusi tuleb seada prioriteetseks, kui lahendust vajavad tehnilised küsimused. Avalikkuse kaasamise meetodeid on planeerimisprotsessides mõistlik rakendada siis, kui probleemi on hõlmatud erinevad väärtushinnangud ja maitseelistused.
- Avalikkuse kaasamine otsustusprotsessi nõuab suurt tehnilist kompetentsi. Ebapädevalt läbiviidud kaasamisprotsess võib headele kaasamiskavatsustele ja usaldusliku suhte loomisele hoopis negatiivselt mõjuda. Kaasamise institutsionaliseerumine ja teadlikkuse tõstmine selle vajalikkusest ja piiridest aitaks kaasa positiivsete kogemuste kogunemisele. Pidev, süsteemne, eesmärgistatud ja kompetentne kaasamine vähendab konflikte ühiskonnas ning suurendab usalduslikkust ametkonna ja kodanike vahel.
- Keerukad, aega ja rahalisi kulutusi nõudvad kaasamisprotsessid ja nende järelmõjud vajavad kindlasti mitmekülgset analüüsi enne kui nende viljelemist keskkonnakorralduses laiemalt propageerida.

# **Appendixes**

## **Appendix 1. Questionnaire**

### **Focus groups questionnaire**

#### ***Opening questions:***

- What kinds of water problems are there in your regions?
- Have there been any changes concerning the water resources throughout the past ten years?
- What kind of organisations are dealing with water management problems in you region? What are their roles?
- When you hear the term “water management”, what comes to your mind?
- Have you got any information on the water resources through the radio? How useful was the information for you? How to improve the information?

#### ***Key questions***

- How are the water management problems solved without the local government’s contributions? Give examples of successful solutions?
- What would you do if you would be responsible for the water management in your region?
- Do you think you have enough possibilities to influence the water management decision-making?

#### ***Conclusion***

- What would you like to know on the water management issues?
- What was the most important question we discussed?
- What kinds of questions were not considered in our discussion?



## Appendix 2. Focus groups evaluation questionnaire

### FOCUS GROUP QUESTIONNAIRES

**1:** What was your initial reaction when you were contacted?

**2:** What were your expectations at the start of the meeting? To what extent have they been met?

To a great extent   ☐   ☐   ☐   ☐   ☐   Not at all  
1                      2                      3                      4                      5

**3:** Have you learnt anything new about water management through today's discussion?

Very much   ☐   ☐   ☐   ☐   ☐   Nothing  
1                      2                      3                      4                      5

If you did learn something new, about which topics did you learn?

**4:** Have you been able to say what you feel is important?

Yes, everything   ☐   ☐   ☐   ☐   ☐   No, nothing  
1                      2                      3                      4                      5

**5:** Are there topics that you think should have been discussed but were not? If so, what were they?

**6:** What is your overall impression of this meeting?

**7:** Would you participate in a focus group again?

Yes, definitely   ☐   ☐   ☐   ☐   ☐   No  
1                      2                      3                      4                      5

Why?

Thank you for your time!

### Appendix 3. Agenda of citizen's jury

**“Veeliiklus Emajõel Alam-Pedja looduskaitsealal: milline oleks kompromiss keskkonnakaitsjate, ettevõtjate ja kohalike elanike huvide vahel?”**

**Emajõe Maja, Emajõe 8, Tartu**

#### 14. november, reede

17.30 – 21.30 Kodanikepaneeli sissejuhatav kohtumine: Margit Säre, Peeter Unt  
Õhtusöök Püssirohukeldris Schrammi kambris

#### 15. november, laupäev

Diskussioone juhib: Marju Unt, Estonian Euromanagement Insitute'i direktor

10.00-11.30 Eesmärgi ja osalejate tutvustamine

11.30-12.00 Eino Martihhin, Eesti Veeteede Ameti Tartu Navigatsioonimärgistuse talituse juhataja kt

12.00 *Kohvipaus*

12.20-12.50 Eero Mikenberg, Veeteede Arendamise Sihtasutuse juhataja

12.50-13.20 Einar Tammur, LKÜ “Kotkas”, Alam-Pedja looduskaitseala hoidja

13.20 *Lõuna*

Fotode tegemine Emajõe ääres

14.00-14.30 Jaanika Kaljuvee, Võrtsjärve Sihtasutuse juhataja

14.30-15.00 Urmas Nugin, Urmas Nugini Inseneribüroo direktor

15.00 *Kohvipaus*

15.15-15.45 Grupitööd

15.45-16.45 Grupitööde ettekanded

Lõpusõnad

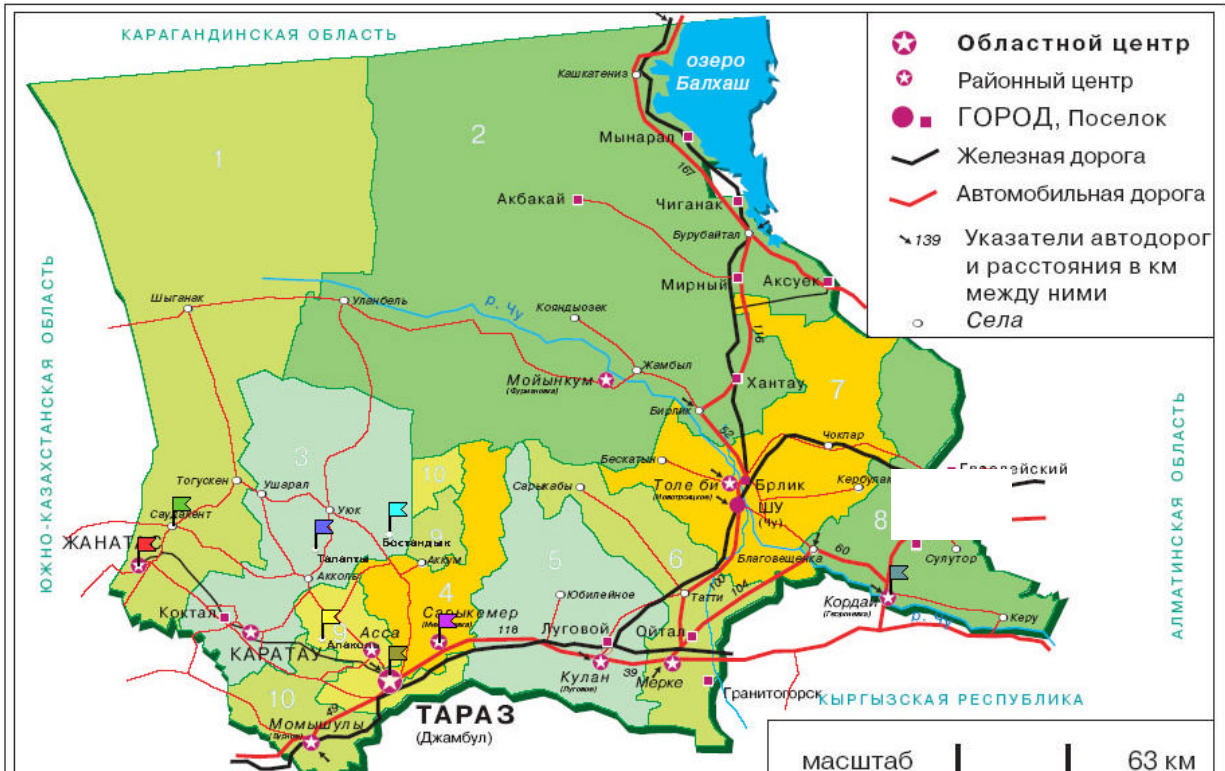
17.30- Šampus. Mitteformaalne vestlus

## Appendix 4. Focus groups conducted in Talas and Chu River Basins in Kyrgyzstan



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# Appendix 5. Focus groups conducted in Talas and Chu River Basins in Kazakhstan



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