

## **Citizen Participation and Murray Darling Basin Futures – *Better Practice Design*<sup>1</sup>**

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### **Abstract**

This paper argues that the inability of the Commonwealth and State governments to affect significant progress on water reform is largely a product of their inability to win the hearts and minds of rural communities. Hitherto the failure to bring the politics back in and integrate community voices into the process of policy development has proved the major obstacle to the achievement of a balanced social and environmental perspective in the Murray Darling Basin (MDB) and has served to reinforce traditional prejudices. This paper forms the first part of a broader research program exploring the opportunities and challenges of greater grassroots community engagement with water reform by Murray Darling Basin communities.

It is observed that the secondary literature provides a good understanding of the international drivers of citizen-centric governance, the normative and instrumental arguments in support of the value of public participation, the methodologies of community engagement available to practitioners and the capabilities required to do it well. Existing research is less insightful on the strategic potential of citizen-centric governance in managing communities under stress. Moreover, there are few diagnostics available to help governments and communities identify the best forms of engagement in times of crisis.

This pilot study seeks to make four main contributions to the study of communities experiencing stress. Firstly, we present the case for deep democratization in times of stress. Secondly, we develop a diagnostic tool – the CLEAR model – to evaluate the effectiveness of the consultation process underpinning the Guide to the Murray Darling Basin Plan and apply it to the Forbes consultation. Thirdly and fourthly, we use the findings from this pilot evaluation to identify principles of community engagement which provide the best possible conditions for effective social mobilization and the capabilities that are necessary to deliver effective citizen-centred policy outcomes in communities experiencing high levels of stress.

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<sup>1</sup> This is still a draft document and should not be quoted without the agreement of the authors.

## 1. Introduction

The Rudd government's decision to establish an Advisory Group on the Reform of Australian Government Administration (RAGA, p. 1) in 2010, was testimony to its commitment to engage in a further process of administrative modernisation to meet the challenges of 'increasing complexity, increasing public expectations, demographic change, technological change, globalisation, financial pressures and workforce planning and retention'. The Gillard government has continued to pursue this agenda although with a limited funding base. The governing rhetoric underpinning this process has oscillated between 'slash and burn' and the need for 'governance innovation' but there has been a consistent message – 'enable citizens to collaborate with government in policy and service design' (RAGA 2010, p. 39). These drivers for modernisation are particularly evident in the MDB yet the Commonwealth government has continued to pursue a top-down 'government-knows best' approach to the Basin, as most recently demonstrated in the consultation process leading up to the publication of the *Guide to the Murray Darling Basin Plan* (see Connell and Grafton, 2011).

This pilot study seeks to make four main contributions to academic and practice-based thinking on this thorny issue. Firstly, we present the normative and instrumental case for citizen-centric governance in the MDB. Secondly, we develop a diagnostic tool – the CLEAR model – to evaluate the effectiveness of the consultation process underpinning the Guide to the Murray Darling Basin Plan focusing on the Forbes, Dubbo, Griffith and Canberra consultations. The CLEAR model (Lowndes and Pratchett et al., 2006) argues that participation is most effective where citizens:

- Can do – have the resources and knowledge to participate
- Like to – have a sense of attachment that reinforces participation;
- Enabled to – are provided with the opportunity for participation;
- Asks to – are mobilised through public agencies and civic channels;
- Responded to – see evidence that their views have been considered.

*At this juncture we are only able to report the preliminary findings from the Forbes consultation process. At a later date we will also evaluate three official participation schemes in high, medium and low risk MDB communities to develop a strong data set encompassing a broad range of MDB communities. Thirdly, we use the findings from this evaluation to identify principles of community engagement which provide the best possible conditions for effective social mobilisation. Fourthly, the research also identifies the capabilities that are necessary to deliver effective citizen-centred policy outcomes in communities experiencing high levels of stress.*

## **2. Understanding public participation in communities experiencing stress**

The case for citizen-centric governance in the MDB can be made on both instrumental and normative grounds.

### **Instrumental justifications**

The value of public participation in policy-making can be conceptualised through an instrumental lens – i.e. it is worth having as a means towards getting something that is considered ‘a good’. Hence certain authors argue that it can be used as a tool for enhancing trust and confidence in public institutions. Rowe and Frewer (2000), Daniell et al. (2008) and Bourgon (2009) note that trust in government has been declining since World War 11. Indeed, Rowe and Frewer (2000), Abelson *et al* (2003) and Leighninger (2010) all argue that increased public engagement in policy-making can be seen as a response to a loss of faith in government institutions. The instrumental case for investigating the role of localism in Murray Darling Futures rests on the potential for broader ownership of policy problems to help manage rising citizen expectations. Moreover, efficiency gains can be made by generating qualitative information about community needs and capabilities and targeting resources more efficiently. In addition, co-design, co-production and co-decision processes create opportunity structures for identifying adverse consequences of action and developing mitigating strategies for dealing with them.

### **Normative justifications**

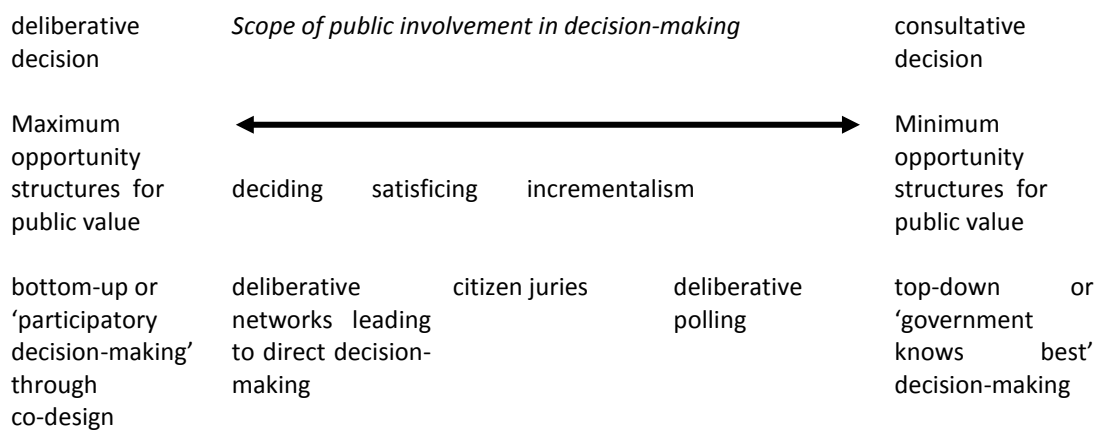
The value of public participation in the MDB can also be conceptualised through a normative lens – i.e. as an essential ingredient of a liberal democratic way of life. From this perspective it is argued that there is more to democracy than exercising a vote every three, four or five years it requires ongoing engagement with the citizenry. This emphasis on the role of the citizenry in policy-making and delivery is viewed as an important method for generating legitimacy and ownership of government interventions. Curtain (2003), for example, observes that involving citizens early on in the policy process creates broader support for policy options and solutions, reduces the risk associated with new initiatives and, therefore, ‘makes government policy more effective and legitimate’. The normative case for investigating the role of localism in Murray Darling Futures rests on the argument that the failure to bring the politics back in and integrate community voices into the process of policy development has proved the major obstacle to the achievement of a balanced social and environmental perspective and has served to reinforce traditional prejudices.

Citizen-centric public value experiments tend to be characterised by different models of decision-making underpinned by different conceptions of democracy and reflecting different modes of public engagement. Figure 1 situates these models of decision-making along a continuum in which ‘bottom-up’ or ‘interactive’ deliberative decision-making and ‘top-down’ or ‘government-knows best’ consultative forms of decision-making can be found at each end of the spectrum. The further you move towards the deliberative end of the continuum, the greater the ability of the citizen to affect policy outcomes. This research project will evaluate engagement initiatives which reflect this continuum of involvement to identify better practice design, implementation and monitoring for such engagement initiatives in the future.

There are therefore strong normative and instrumental reasons for pursuing a citizen-centric approach. But what are the key design issues at stake here? At least nine key observations can be derived from the practice-based literature:

1. *The design of citizen-centred policy-making and delivery depends on its purpose* – it is important to be clear on what this purpose is as the outset (e.g. feedback on services) as it will lead to very different styles of participation (Involve, 2005).
2. *Effective citizen-centric governance demonstrates the importance of place* – citizen-centred policy-making and delivery means different things in different places – the key is to find out what works in the context you are working in. This philosophy will inevitably lead to co-production with citizens (Leadbeater, 2010).

Figure 1. The scope of public involvement in public value decision-making



3. *Social mobilisation on specific issues is required prior to intervention* and the application of engagement methodologies (see: Involve, 2005; Putnam, 1995; USAID, 2008).
4. *Representativeness and efficacy* are crucial to ensuring continued engagement (Mihaly, 2010).
5. *It is crucial to hold engagement activities in local institutions and spaces that engender the support of the local community and allow for free and frank deliberation* (e.g. community forums, sports clubs, churches or other social institutions). (Leadbeater, 2010).
6. Effective citizen-centred policy-making and delivery is *a development process* which requires time and resources and cannot be done on the cheap! (Involve, 2005).
7. Expert facilitation is crucial to producing progressive outcomes (Barakat and Evans, 2006).
8. *Participation is not appropriate in all areas of decision-making* – we need to identify where and when, where and to what extent it is most appropriate. Preliminary research on this topic in the European context includes Ison et al. (2004) and HarmoniCOP (2005). Literatures on collaborative governance and stakeholder engagement in the MDB (Daniell, 2011, provides a brief overview) can also be drawn upon for this question.
9. *Citizen-centric governance provides important opportunity structures for the creation and delivery of public value innovation* (Alford, 2009; Evans 2011; Stoker 2010).

All of these observations emphasize the importance of developing tools which help communities and practitioners to diagnose what will work for them in their communities. The CLEAR model provides such a tool.

### 3. The CLEAR model

The CLEAR model was developed by three members of our project team – Lawrence Pratchett, Gerry Stoker and Vivien Lowndes (see: Lowndes, V., Pratchett, L. and Stoker, G. (2006a&b). The CLEAR tool develops from a framework for understanding public participation which argues that participation is most successful where citizens:

- C an do* – that is, have the resources and knowledge to participate;
- L ike to* – that is, have a sense of attachment that reinforces participation;
- E nabled to* – that is, are provided with the opportunity for participation;
- A sked to* – that is, are mobilised by official bodies or voluntary groups;
- R esponded to* – that is, see evidence that their views have been considered.

The tool is organised around these five headings and provides a focus for individuals to explore participation in their area. This tool is a refined version that reflects the experience of the road test conducted by 23 municipalities in five countries across the European Union during the Spring of 2006. The tool is currently being used in New South Wales, Victoria and Western Australia.

#### Using the tool

It is important to distinguish the process of self-diagnosis from the audit and evaluation tools that have proliferated in the public sector in recent years. The self-diagnosis process facilitates reflection and understanding of local political participation among those who are most in a position to do something about it. Potential users of the tool, therefore, include: elected or appointed officials in local government; other public bodies that have an interest in sponsoring participation initiatives (state and commonwealth departments and agencies); the organisations of civil society within a locality; and, citizens interested in enhancing the participation opportunities within their localities.

An important feature of the CLEAR framework is that its five factors are neither hierarchical nor sequential. The presence of one factor is not a precondition for others and effective participation does not necessarily depend on all of the components being present although, in an ideal world, they would be. Furthermore, the model does not attach a specific weight or importance to any particular factor: there is no assumed balance between the different factors that should be expected in any given locality. Rather, the underlying assumption of the diagnostic tool is that it will serve two purposes: it will help those conducting the diagnosis to identify and understand the balance of factors affecting participation in their localities and it will provide an opportunity for all those involved in a diagnosis to reflect upon the relative strengths and gaps in participation in their localities and to consider strategies for addressing these gaps.

These features of the CLEAR framework will become apparent when we apply the model to the consultation process leading up to the publication of the *Guide to the Murray Darling Basin Plan*.

*You can't take 23 per cent of the groundwater it will devastate our community. There is still no consensus on the science; so on what basis are you making this decision. There has been no attempt to explain where the rescued water will go and how it will help. There has been no attempt to develop a common understanding. But we will fight to the end to keep our communities together (Farmer from the Lachlan Valley, Forbes consultation).*

#### **4. Contexts**

This section is organized into three parts with the aim of providing a detailed understanding of the Forbes consultation: environmental context; political context; the role of the consultation process in the development of the MDB Plan; and, research context including methods of data collection.

##### **Environmental context**

The sustainability of the MDB is under threat from over-allocated water resources, salinity and climate change. As the Department of Sustainability, Environment, Water, Population and Communities (SEWPAC, 2011a) observes:

*Water use in the Basin has increased five-fold in less than a century. The problems caused by over-allocation have been exacerbated by severe drought and the early impacts of climate change. There is insufficient water to maintain the Basin's natural balance and ecosystems, resulting in a marked decline in its ecological health. Many species that were once common are now rare and listed nationally for protection under the Environment Protection and Biodiversity Conservation Act 1999. At least 35 bird species and 16 mammals that live in the Basin are endangered. Twenty mammal species have become extinct since 1900 and Murray Cod, Australia's largest freshwater fish which was once widespread, is in severe decline.*

The first basin-wide report card on the ecological health of the Murray-Darling Basin, the Sustainable Rivers Audit which was conducted between 2004 and 2007 found long-term degradation in most of the Basin's valleys. Moreover, the dramatic decline in rainfall (see Figure 1) has corresponded with an increase in water use (see Figure 2). CSIRO's work through the Murray-Darling Basin Sustainable Yields project revealed that consumptive water use in the Basin has reduced average annual streamflow at the Murray mouth by 61 per cent. The river now ceases to flow through the mouth of the river 40 per cent of the time, compared to 1 per cent in the absence of water resource development. Climate change could further reduce flood events in many parts of the Basin, in some cases dramatically, affecting birds, fish, plants and animals (see Connell and Grafton, 2011).

##### **Political context**

In January 2007, water policy was recast as Commonwealth policy with the announcement by the Prime Minister of a National Plan for Water Security. This set out a \$10 billion, 10 point plan 'to improve water efficiency and address over-allocation of water in rural Australia' (Howard, 2007). The focus of the Plan was the MDB and it sought a transfer of powers over the Basin from the States to the Commonwealth and the reconstitution of the Murray Darling Basin Commission (MDBC) as a Commonwealth agency reporting to a single

Figure 1. Rainfall distribution in the Murray-Darling Basin. Queensland New South Wales Victoria South Australia Australian Capital Territory

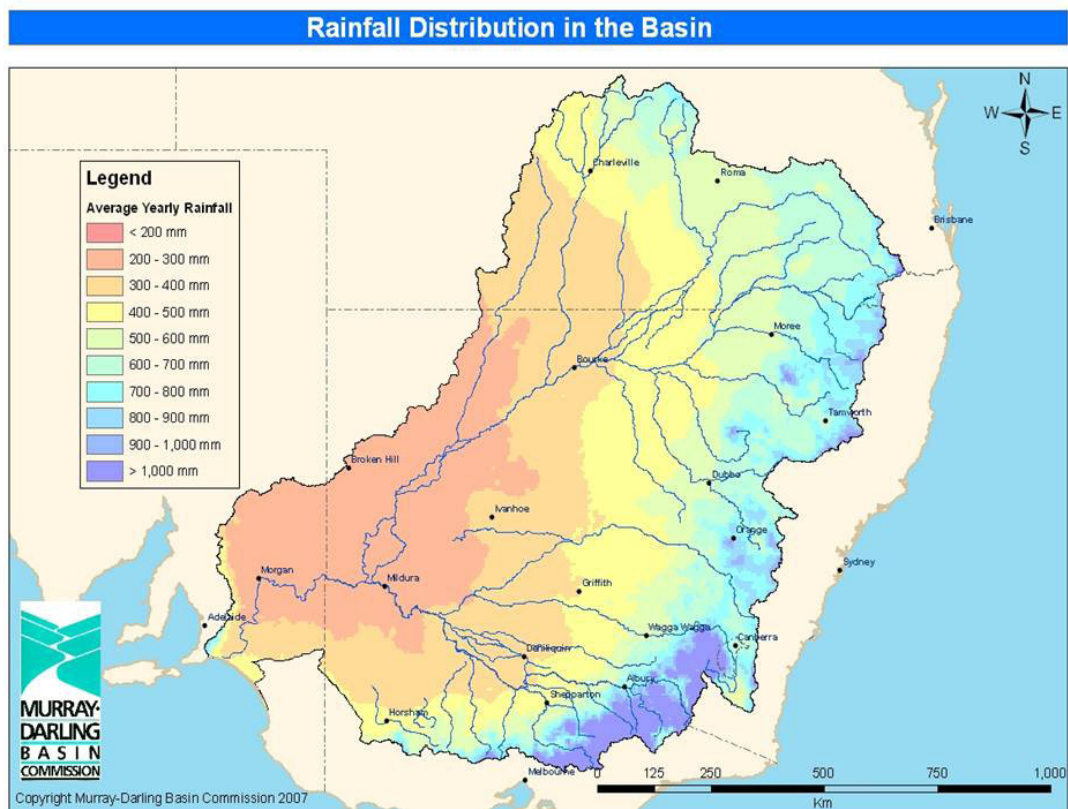
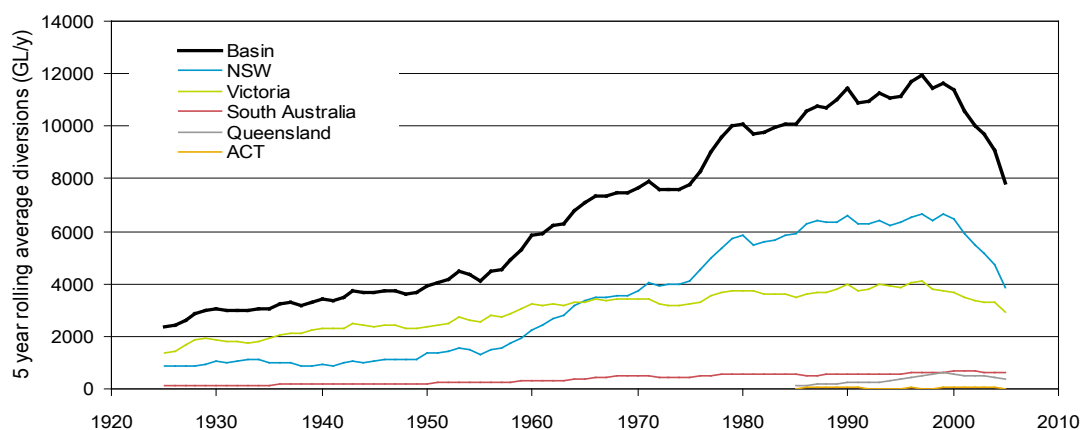


Figure 2. The growth in total water use



Minister. The statement argued that this was needed because ‘existing arrangements centring on the MDB Agreement and the MDB Ministerial Council are unwieldy and not capable of yielding the best possible Basin-wide outcomes’.



Although the National Plan for Water Security stated that it would 'also accelerate the implementation of the National Water Initiative, which is the blueprint for water reform nationally' (p.4), the new Plan was clearly a criticism of progress on reform. With respect to the issue of over-allocation, the Plan clearly blamed the States and argued that the objectives of the NWI agreement to address this issue were 'unlikely to be met without a significant intervention' (Howard, 2007, p. 10).

In January 2007, portfolio responsibility for the NWC accompanied the move of Malcolm Turnbull from Parliamentary Secretary to the Prime Minister to the position of Minister for Environment and Water Resources. The Department of Environment and Water Resources also took on new responsibilities:

*...the portfolio took carriage of national water resource policy, including the Prime Minister's National Plan for Water Security. The National Water Commission moved into the portfolio from the Department of the Prime Minister and Cabinet. A number of the government's other water programs and statutory functions were also transferred into the department, and the department's name was changed to reflect its expanded roles (Department of the Environment and Water Resources 2007, p. 2).*

The voluntary transfer of powers over the MDB sought by the Prime Minister did not occur and in August 2007 the Government introduced a Bill leading to the *Water Act 2007* based in part on the external affairs power. In introducing the Bill, the Minister for Environment and Water Resources, Malcolm Turnbull argued that the 'Water Bill and the national plan build on the 2004 National Water Initiative' (Turnbull 2007). The *Water Act 2007* had two key features which impacted on the institutional arrangements for water policy. Firstly, it replaced the MDBC with the Murray-Darling Basin Authority (MDBA) and empowered it to develop a Plan for the Basin.

The MDBA approached the task of developing a Plan for the Basin in a three-stage process consisting of a Guide, a Proposed Basin Plan and the Basin Plan. The Guide would give stakeholders an overview of the Proposed Basin Plan ahead of its release and an additional opportunity for feedback before the formal consultation and submission process began. This unnecessarily complicated approach created public confusion from the outset as communities were constantly bewildered as to the status of the consultation process in relation to the political decision-making process. 'Given the importance of community feedback', the Chair of the Authority, Mike Taylor, said the Authority would publicly launch a comprehensive *Guide to the Proposed Basin Plan* to 'enable people to see all the details of what is being proposed in plain English and to build a good understanding of the issues'.

In accordance with the *Water Act 2007*, the Proposed Basin Plan would be followed by a formal, 16-week consultation period. The Authority would then consider all submissions before the Plan was finalized. It was eventually released on 28 November 2011.

### **Research context**

Our focus here is on evaluating the effectiveness of the consultation process underpinning the Guide to the Murray Darling Basin Plan focusing on the Forbes, Dubbo, Griffith and Canberra consultations in November and December 2010. At this juncture, however, we will focus purely on preliminary findings from the Forbes consultation as we are yet to complete the data collection phase. There are two main sources of data informing this investigation: the use of participant observation techniques during the consultation process itself (Dalkey

and Helmer, 1963; Daniell, 2011) and the deployment of a follow-up survey tool to establish participants views on the consultation process one year on. This timescale is important in order to provide useful data from the application of the CLEAR model. The fifth dimension of this model requires an evaluation of whether participants feel that their views have been 'responded to'. The next section reports our key findings through the lens of the CLEAR model. The accuracy of the narration of the event is supported by evidence drawn from a post-consultation questionnaire and presented in Box 1. Cross referencing is provided for this purpose. We would like to take this opportunity to thank the River Murray Group of Mayors for helping us to generate the interview sample.

## **5. Applying the CLEAR model**

The arguments in this section are organized into three parts. We begin with some background on the socio-economic history of Forbes. In part two we provide an overview of the consultation process. Part three examines the case study through the lens of the CLEAR model.

### **About Forbes**

Forbes is a former gold mining town situated along the Lachlan River in the heart of the Lachlan Valley and is the centre of one of the richest primary producing areas of the State. The district is a cropping area where wheat and similar crops are grown. The town was probably named after Sir Francis Forbes, first Chief Justice of New South Wales and dates back to the 1800s. The town is therefore not just rich in agriculture but also rich in history from the days of goldmining. The Albion Hotel was at the centre of the town's infamy. The rooms beneath the Albion Hotel were used extensively during this period to convey gold and money to and from the banks to avoid the threat of robbery at street level. The Albion Hotel has now been established as the Bushranger Hall of Fame featuring the deeds of Ben Hall, Frank Gardiner, John O'Meally and many others who became national celebrities due to their daring robberies of stage coaches and banks. Ben Hall is buried in the Forbes Cemetery, and a statue is located at the Forbes Visitors Information Centre.

The historic importance of Forbes is enormous and is reflected in the town's architecture and Heritage Trail which includes significant historic landmarks, buildings and people that contributed to the town's colourful past. The shire has several tourist attractions including two historic wineries, an alpaca farm, a historical museum, and a native wildlife sanctuary.

At the 2006 census Forbes had a population of 6,954. Forbes Shire has four public primary schools: Forbes Primary School, Forbes North Primary School, Corinella Public School and Bedgerebong Public School. There is one private primary school, St Laurences Primary School. Forbes High School, a public school, is located to the north of town. Red Bend Catholic College at Forbes is a co-educational high school, with the campus at the site of the former Marist Brothers' College, on the banks of the Lachlan River. In addition, Forbes has two local tertiary institutions – the Forbes College of Technical and Further Education (TAFE) and the Forbes Conservatorium.

In sum, Forbes is a town rich in culture, identity and institutions.

### **The consultation**

From the moment we switched on the television to watch breakfast television it was evident that this would be an eventful day in this history of Forbes. It was announced that the opposition leader, the Rt Hon Tony Abbott, would be attending the Forbes consultation on the Guide to the Murray Darling Basin Plan to 'listen to the views of the community and to make it clear that they are not on their own'. He would be joined by Queensland Senator Barnaby Joyce who had already made public his desire to return to rural New South Wales and contest either Tony Windsor or Rob Oakeshott's seats at the next general election. It was also made clear that the consultation would be led by MDBA public servants and there would be no ministerial presence.

The consultation was to be held at the local club; a good choice of location as it would provide a familiar environment with positive connotations for participants. It was a popular venue for weddings, birthdays and other social events and in recent years had become a key meeting place for the community. There was also plenty of parking in areas adjacent to the venue allowing for easy access to the event (see Box 1, question 10). It was, however, held in the morning at a time of significant inconvenience to members of the community (see Box 1, question 9).

The news that Abbott and Joyce and their political entourage would be in attendance guaranteed the presence of both the media and a broad range of protest groups. A large number of protesting farmers bearing placards waited patiently for the politicians to arrive. There was also a large and active presence from the *Citizens Electoral Council of Australia*. Although the atmosphere was tense it was not vitiated. This was an audience that was anxious to ask questions about the future of their community. It desired and anticipated a serious discussion (see Box 1, questions 1 & 8).

The lay-out of the room, however, was not conducive to a deliberative activity (see Involve, 2005). It was designed to be adversarial with a clear division between the public service elite seated at the front and the exiguously participating community. This created the perception of a 'government-knows best' approach from the outset.

In a tactic designed to win hearts and minds, the Forbes consultation was facilitated by the former National Party leader and Chair of the MDBC, the Rt Hon Ian Sinclair. However, Mike Taylor, the Chair of the MDBA dominated much of the proceedings (see Box 1, questions 16, 17, 18 & 19). Taylor informed us later in an interview that Sinclair was considered a good choice because 'he was not considered to be one of us', he had been 'critical of the Water Act and the federal government's leadership on the Murray-Darling' (Interview, 4 December 2010). Sinclair continues to be used in this role.

Sinclair gave the *Wiradjuri Welcome to Nation* and the consultation began. Immediately afterwards, in a scene reminiscent of the Godfather, the Abbott entourage arrived donned in black suits and dark sunglasses and took-up a row of reserved seats near the front of the audience. With the exception of the odd cheer, the audience did not greet Abbott as the all conquering hero. Indeed his presence immediately turned the consultation into a potential soap box for the opposition and removed the possibility of a serious deliberation on community hopes and fears.

For the 362 participants, the ensuing two hours became an object lesson in how not to design a community engagement. The following sins of omission were starkly evident. From the outset, community members were not invited to participate in a way that was consistent with encouraging broad based participation (see Box 1, questions 16, 17, 18 & 19). No attempt was made to set out the purpose of the consultation to the audience. Indeed, after spending five minutes emphasizing the importance of communicating the plan in 'plain english', Taylor spent a further 15 minutes describing the MDBA's statutory responsibilities in dense public service speak. The language deployed by public servants throughout the event further reinforced the top-down approach and served to exclude rather than include. Phrases such as: 'please sir, read the guide', 'we are here to help you to understand the science', 'they breed them tough around here', 'you have to understand the science', betrayed a lack of knowledge about the audience.

**Box 1. Preliminary findings from the post-consultation survey**

<b>About you</b>		
1. Gender	Male Female	24 14
2. Age	Aged 18-24 Aged 25-34 Aged 35-54 Aged 55+	4 7 11 16
3. Employment	Employed Looking for employment Retired	30 2 6
4. Education	School Higher education	17 21
<b>About the Consultation</b>		
5. Were you personally invited to participate?	Yes No	4 34
6. How did you know about the community consultation?	Advertisement in local press TV/Radio Local government website/ Community notice-board Via a community group Friend or family	4 2 4 16 12
7. How does this issue impact on you?	I live in this community. I work in this community. I work in the farming industry. I perform a representative role in this community.	37 33 16 4
8. I am familiar with the key issues at stake.	Strongly agree – Strongly disagree (Likert scale 1-7)	5
9. The community consultation was held at a time which was convenient for participants.	Strongly agree – Strongly disagree (Likert scale 1-7)	6
10. The community consultation was held in a venue which was easily accessible for participants.	Strongly agree – Strongly disagree (Likert scale 1-7)	1
11. Not including parking, did you have any special needs that needed to be dealt with in order for you to participate? E.g. childcare.	Yes No	2 36
12. Were any facilities available to help?	No	2
13. Did you have any special needs that needed to be managed by the organisers?	No	38

<b>About the Consultation</b>		
14. My needs were addressed efficiently.	Strongly agree – Strongly disagree (Likert scale 1-7)	No responses
15. This is a crucial issue for the future of my community.	Strongly agree – Strongly disagree (Likert scale 1-7)	1
16. The purpose of the consultation was made clear at the outset.	Strongly agree – Strongly disagree (Likert scale 1-7)	6
16. The consultation was facilitated in such a way that it encouraged participation.	Strongly agree – Strongly disagree (Likert scale 1-7)	6
17. We were given plenty of opportunity to ask questions.	Strongly agree – Strongly disagree (Likert scale 1-7)	7
18. My participation was valued by the organisers.	Strongly agree – Strongly disagree (Likert scale 1-7)	5
19. The views of participants were taken into consideration.	Strongly agree – Strongly disagree (Likert scale 1-7)	6
20. Did you receive any formal follow-up from the organisers after the event?	Yes No	4 34
21. Would you participate in an exercise like this again?	Yes No	36 2

It became evident as the consultation progressed that the public servants were not happy with the task that they had been given and this became blatantly obvious to the audience. Taylor's resignation from the MDBA a short time afterwards supports this view. There should have been a ministerial presence at the consultations. The public servants were placed in an invidious position.

The MDBA technocrats spoke for 72 minutes without providing the audience with the opportunity to ask questions. Attempts to ask questions were aggressively suppressed, with shouts of 'you will get your opportunity later'. During this lengthy period, the audience was subjected to five highly technical presentations of varying length and quality which sought to obviate rather than clarify the key issues at stake. There was an important opportunity lost here to provide effective visualizations of the impact of environmental degradation but the MDBA chose the appliance of science (see Box 1, questions 16, 17, 18 & 19).

Given these circumstances, the audience was incredibly patient and it was surprising that barracking from the floor took such a long-time to occur; but come it did! By the time

questions were invited from the floor any remnant of trust between the MDBA and the community had dissipated and heated exchanges were made. The absence of elected government spokespeople further undermined the legitimacy of the consultation and allowed opposition politicians to turn the event into a media circus. Sinclair allowed this to happen on several occasions. Notably when given the opportunity to rally the community against the Guide, Abbott had to be reminded by a member of the audience that his government had been the author of the 2007 Water Act. Box 2 does demonstrate, however, that the audience did have the capacity to engage in informed debate when provided with the opportunity but ultimately insufficient time was allocated to deliberation of the wicked issues. This problem was exacerbated by the use of poor technology with the roaming microphones failing on several occasions and holding up proceedings. Pre-meetings could have been with representatives to solicit questions prior to the event.

The CLEAR model will now be applied to the case to make sense of the problems inherent in this 'top-down government-knows best' style of engagement.

### **'Can do'**

This dimension of the model is concerned with the socio-economic arguments that have traditionally dominated explanations for variations in local participation rates – when people have the appropriate skills and resources they are more able to participate. These skills range from the ability and confidence to speak in public or write letters, to the capacity to organise events and encourage others of similar mind to support initiatives. It also includes access to resources that facilitate such activities (resources ranging from photocopying facilities through to internet access and so on). These skills and resources are much more commonly found among the better educated and employed sections of the population: those of higher socio-economic status.

#### *Box 2. Key problems with the Guide identified by participants during the deliberation*

<p>Disenfranchisement of community voices and capacities. Lack of consideration of social impact. Ignorance of social policy implications. Disregard of existing water-sharing plans and community impact assessments. Limited attention to food security issues. Challenges over the credibility of the science. The absence of thinking about engineering initiatives. The absence of any attempt to measure social costs and benefits. The damaging social implications of applying a swiss cheese approach to water allocation. Poor communication of how the water market will work. The need to renegotiate the terms of the 2007 Water Act. Ignorance of local water knowledge. Implications for special welfare payments. Poor communication of the science of run-off. Case for a Citizens Council. Lack of consideration of the future of Australian agricultural production.</p>
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If we apply this aspect of the CLEAR model to the case study it is evident that this was a lost opportunity for constructive engagement as this was a community that had the capacity and the willingness to engage in deliberation (see Box 1, questions 3, 4, 7 & 8). The Forbes community was mobilized on the issue of Murray Darling futures. It possessed a good level of knowledge about the issues at stake; although admittedly from a different values base to that of the MDBA and other government stakeholders.

### **'Like to'**

This dimension of the model rests on the idea that people's emotional sense of community encourages them to engage. The argument is that if you feel a part of something then you are more willing to engage. Evidence from many studies confirms that where people feel a sense of togetherness or shared commitment they are more willing to participate. This concern about a sense of attachment to the political entity where participation is at stake has been given new impetus in recent years in relation to debates about social capital. A sense of trust, connection and linked networks can, according to the social capital argument, enable people to work together and co-operate more effectively. Sense of community can be a strong motivator for participation. Conversely, an absence of identity or commitment to a locality can militate against participation.

The Forbes consultation demonstrated the existence of significant stocks of social capital in the sense of identity and community but limited trust in the MDBA due to the absence of an approach to engagement that emphasized the importance of mutualism and reciprocity. Forbes is a relatively stable and homogenous community with a proud history and tradition and a high degree of intra-communal trust. It does not suffer from major cleavages with the exception of some tension between absent tenants and locals. These are fertile conditions for collective action.

### **'Enabled to'**

In normal circumstances, this dimension of the model would focus on two research observations: that most participation is facilitated through groups or organizations; and, that political participation in isolation is more difficult and less sustainable (unless an individual is highly motivated) than the mutually reinforcing engagement of contact through groups and networks. Hence we would seek evidence of the role of groups and networks in providing opportunity structures for participation. This is termed the 'civic infrastructure' and encompasses the range of organizations that exist and are active in the locality (e.g. youth groups, environmental campaigns, social welfare organisations, parent-teacher associations, sports or hobby groups, ethnic associations, cultural bodies, media). We would therefore seek to measure the activity and impact of civic organizations in mobilizing around the issue of MDB futures. In the context of the Forbes consultation there is evidence to demonstrate that civic organizations were successful in mobilizing the community on this issue (see Box 1, questions ). However, the MDBA was not successful in enabling effective participation in the consultation itself due to issues of poor design. These are best couched within the 'asked to' dimension of the CLEAR model.

### **'Asked to'**

This factor builds on the finding of much research that mobilisation matters. People tend to become engaged more often and more regularly when they are asked to engage. Research shows that people's readiness to participate often depends upon whether or not they are



approached and how they are approached. Mobilisation can come from a range of sources but the most powerful form is when those responsible for a decision ask others to engage with them in making the decision. Case studies have demonstrated how open political and managerial systems in local municipalities can also have a significant effect by extending a variety of invitations to participate to their citizens. The variety of participation options for engagement is important because some people are more comfortable with some forms of engagement such as a public meeting while others would prefer, for example, to engage through on-line discussions. Some people want to talk about the experiences of their community or neighbourhood while others want to engage based on their knowledge of a particular service as a user. This component of the model asks questions about the ways in which governmental entities seek to engage with citizens.

The design of the Forbes consultation inhibited rather than encouraged participation:

- cognitive barriers were created from the outset by the failure to clearly articulate the purpose of the consultation.
- The lay-out of the room encouraged an adversarial rather than collaborative deliberation.
- Poor facilitation led to the mobilization of bias in favour of political representatives.
- Critical dilemmas were given insufficient deliberation.
- Technical difficulties undermined the flow of discussion.
- Trust systems broke down.

In sum, the form of participation selected for the engagement was completely ill-suited to building social capital between the community and the MDBA. It is also noteworthy that the reach of the consultation was confined to the white majority and indigenous groups were conspicuous by their absence.

### **'Responded to'**

This final dimension of the model captures the idea that for people to participate on a sustainable basis they have to believe that their involvement is making a difference and that it is achieving positive benefits. For people to participate they have to think that they are going to be listened to and, if not always agreed with, at least in a position to see that their view has been taken into account. Responsiveness is about ensuring feedback, which may not always be positive – in the sense of accepting the dominant view from participants. Feedback involves explaining how the decision was made and the role of participation within that. Response is vital for citizen education, and so has a bearing on the 'front end' of the process too. This set of questions asks how different messages are weighed by decision-makers and how conflicting views are prioritised. They also examine how information on decision-making is fed back to citizens.

In the case of the Forbes consultation, with the exception of political representatives, the vast majority of participants felt that they were not 'responded to' (see Box 1, questions 20 & 21) but notably this would not prevent most of them from participating in the future. Of course this is not surprising given the important of the issues at stake.

## **6. Engaging with communities under stress – lessons for practice**

As Curtain (2006) notes, the management of water allocation in the MDB is a classic example of a wicked problem which requires the collaboration of citizens because the problem can only be solved through co-production. A stakeholder survey conducted in 2001 found that 95 per cent of respondents supported an environmental allocation of water for the river if local people were involved in making decisions (see: Nancarrow and Syme, 2001). Moreover, the Windsor Inquiry into the Murray-Darling Basin Plan published its findings at the beginning of December 2011 calling for greater community engagement in creating the Murray-Darling Basin Plan. The potential for community participation in building sustainable and resilient communities in the MDB cannot be over stressed but unfortunately the Forbes consultation was a paradigmatic case of how not to engage with communities. For this very reason we must be careful in generalizing too much from the one case study. By implication this paper must be considered as work in progress. We will await the completion of the data set to establish our evidence-based conclusions. Thus far the gravity of evidence strongly suggests that the consultation process was fatally flawed due to poor design. The consultation was designed to inhibit rather than facilitate participation and did nothing to help foster trust between the MDBA and the local community. It probably did heighten community cohesion in opposition to the Guide to the Basin Plan. The only design issue that the MDBA appeared to get right was the choice of venue; the local club.

Box 2 provides an overview of the policy implications of our findings. The crucial observation derived from Box 2 is that a top-down ‘government-knows best’ approach to citizens’ engagement will not achieve sustainable outcomes in the MDB. A progressive agenda on this wicked problem requires the transformation of dominant values and traditions in citizens’ engagement and a fundamental change in the nature of the questions that the MDBA puts to participants. It involves sharing power with communities, understanding the lives of others, building trusting relationships and co-designing the change process. Such an approach places the notion of public value creation in collaboration with citizens and stakeholders at the heart of the change process (Stoker 2006e).

The evidence presented here demonstrates that the CLEAR model provides a useful diagnostic tool to help develop strategies that enhance rather than diminish the efficacy of community engagement processes. It doesn’t have all the answers – for example, it could offer greater insights on design issues such as how to build cohesive community networks or stage manage deliberations – but it benefits from asking the right questions which lead to the empowerment rather than the disempowerment of citizens and providing a crucial source of social stabilization in times of crisis.

Box 2. Lessons for practice

<b>Responding to investigative lessons from CLEAR</b> Critical barriers to change	<b>Policy Response</b>
<p><b>“Can do” – barriers</b></p> <p>In general, this community has the desire and the capacity to participate. However, greater attention could be paid to community education on key technical issues in the MDB and cultural flows.</p>	<p>Specialist community development, training and development and practical support through the provision of community learning organizations and resources targeted at those groups or communities that need help to find their voice.</p> <p>Exemplars: Maguire and Cartwright (2008)</p>
<p><b>“Like to” – barriers</b></p> <p>No major obstacle exists in terms of White Australian identity issues. However, greater attention should be paid to integrating indigenous concerns.</p>	<p>People have to feel part of a community to be comfortable with participation; so strategies of building social or community cohesion with those that feel excluded may be an important part in creating the right environment for participation.</p> <p>Exemplars: Lowndes and Pratchett (2008), Pratchett (2004), Smith (2003), Smith et al (2004)</p>
<p><b>“Enabled to” – barriers</b></p> <ul style="list-style-type: none"> <li>• Top-down ‘government-knows best’ approach to consultation.</li> <li>• Politicisation of the consultation.</li> <li>• Cognitive barriers were created from the outset by the failure to clearly articulate the purpose of the consultation.</li> <li>• The lay-out of the room encouraged an adversarial rather than collaborative deliberation.</li> <li>• Poor facilitation led to the mobilization of bias in favour of political representatives.</li> <li>• Critical dilemmas were given insufficient deliberation.</li> <li>• Technical difficulties undermined the flow of discussion.</li> </ul>	<p>More sophisticated design thinking needs to be applied to facilitate greater deliberation on critical governance dilemmas. In particular design thinking in the MDB should focus on: identifying trusted brokers; designing deliberations in a way that fosters interaction; developing learning aids such as visual communication of impact and trade-offs to support the learning process; designing through the eyes of participants; designing for emotion; design for transforming embedded values; and designing for public value creation and sustainable outcomes.</p> <p>Exemplars: Involve (2005), Daniell et al. (2010), John and Stoker (2009)</p>
<p><b>“Asked to” – barriers</b></p> <p>In this context, the major obstacles to participation emerged from poor design thinking underpinning the consultation process itself. These barriers included those identified above plus:</p>	<p>Public participation schemes that are conceived from the perspective of the participants provide the best option in terms of making the ‘ask’ factor work. Different groups will require different forms of mobilisation.</p>

<ul style="list-style-type: none"> <li>• The absence of a formal invitation to participate. Greater attention needs to be paid to the voices of minorities and inviting their participation.</li> </ul>	<p>Exemplars: Fung (2003&amp;2006), USAID (2008)</p>
<p><b>“Responded to” – barriers</b></p> <ul style="list-style-type: none"> <li>• The absence of response mechanisms that are perceived to be genuine by participants.</li> </ul>	<p>A public policy system that shows a capacity to respond – through specific outcomes, ongoing learning and feedback.</p> <p>Exemplars: Involve (2005), Rowe and Frewer (2000), Leadbeater (2010)</p>

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