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Participatory Experiments from the Bottom up

The role of environmental NGOs and citizen groups

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Abstract

While there is a vast body of literature on participatory planning, researchers have hardly addressed the question of how traditional modes of governance can be turned into more democratic forms of decision-making. The aim of this article is to investigate to what extent non-governmental organizations (NGOs) can serve as change agents. Following the classical role of NGOs as a watchdog over governmental operations, it is hypothesized that participatory experiments instigated by NGOs might come closer to the communicative ideal than their government-initiated counterparts. The hypothesis is tested using an experiment with democratic planning in Haifa, Israel. The main conclusion of the analysis is that NGOs may be able to *pressure* governmental institutions into altering existing practices, but that the dominant actors remain the ones that *shape* such new practices. The consequence here being that NGO-instigated participatory practices suffer from the same shortcomings as the democratic experiments initiated by governmental bodies. The article ends with two suggestions on how NGOs could gain more control over the design of new democratic practices.

Key words

Participation, participatory planning, communicative planning, non-governmental bodies, governance, Haifa, Israel

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Introduction

Communicative planning theory has developed as one of the leading planning approaches during the past decade. In its ideal form, communicative planning envisages a decision-making process which involves all ‘stakeholders’ and provides a ‘deliberative space’ in which all forms of knowing, valuing and giving meaning are recognized and accepted as legitimate (e.g. Innes 1996; Healey 1995; Healey 1997). The ‘communicative turn’ therefore poses an important challenge to the actors active in the planning arena. It urges them to change the traditional, entrenched ways of decision-making into more democratic practices that adhere more closely to the ideals of communicative planning and its (Habermasian) roots (Forester 1999; Foley and Lauria 2000: 219; Huxley 2000: 376).

The chief objective of this paper is to address the role NGOs can play as change agents. There are two reasons to pay specific attention to NGOs. First of all, in much of the current literature on communicative planning the role of change agent is reserved for the planner or policy analyst working primarily through the state (Sandercock 1998: 97). As a result, much of the literature has a tendency to ‘moral exhortation’ (Fainstein 2000: 455) in that it urges the planner ‘to function as a watchdog, as a “guerrilla in the bureaucracy”, as an agent of radical change or as one who monitors communication flows and guards against the dissemination of false information’ (Brooks 1996: 118). It remains to be seen whether real life planners are willing and able to live up to this ‘wishful thinking about planning and planners’ (Flyvbjerg 1996: 387). While there certainly are planners that take up the challenge that communicative theory poses to them (see e.g. Krumholz and Forester 1990), it seems more likely that most planning practitioners will not choose this route (Baum 1987; Storper 2001). Empirical research shows that planners tend to do quite the opposite in their daily work: they often prefer defending institutional positions to opening up the decision making arena (Foley and Lauria 2000: 221-222), they often prefer to deceive the public than to speaking sincerely (Flyvbjerg 1996: 386-387), they often prefer to hide behind technical skills than to subject their proposals to public scrutiny (Baum 1996: 373-374). Moreover, if planning is viewed as a communicative, interactive enterprise involving many people, why focus on the planner to bring about change? Why not look at the broader spectrum of actors involved in – or excluded from – decision-making efforts? Here, NGOs as the classic ‘watchdog’ over activities of governments, come to the fore as a possible change agent (Yishay 1991; Coston 1998; Foley and Lauria 2000). Where planners may prefer to hide behind the comforting walls of bureaucracy, bringing about change is what the activities of many NGOs are all about. In this paper I aim to explore to what extent NGOs, as the classic ‘watchdog’ over government agencies, are in a position to change the *rules* of the game, rather than only the outcomes, and bring about more participatory decision-making procedures.

The second reason for focusing on NGOs stems from the criticism of many of the experiments with communicative planning initiated by governmental agencies. These efforts have been criticized for not being truly inclusive, avoiding controversial issues and lacking impact on actual decision-making and implementation (see e.g. Healey 1997; Fainstein 2000). The rise of democratic decision-making has not led to a demise in traditional modes of governance, but rather to the emergence of a ‘dual planning system’, with inclusive but relatively powerless participative processes existing next to, and largely separated from, influential corporatist and formal practices (see e.g. Hajer and Kesselring 1999; Neuman 2000; Alfasi 2003). There are several reasons to investigate whether the new participatory practices that come about as a result of pressure from NGOs, and are thus instigated from the 'bottom' up, actually suffer from the same shortcomings. First, the fact that many NGOs have traditionally been excluded from decision-making might make them sensitive to the range of actors included in, and excluded from, new participative practices. Second, NGOs that manage to instigate participative processes may have the opportunity to influence the agenda of these processes, as well as the working procedures. By so doing they may also be able to delimit the possibilities for the powerful to dominate the deliberations. Finally, NGO pressure is usually directed towards the arenas were important decisions are being made. When this pressure leads to the initiation of a more democratic practice, it may be expected that this practice will be linked to the decision-making arena, thus avoiding the development of a 'dual planning system'. These arguments suggest that the democratic practices that come about under the pressure of NGOs may be more inclusive, more attentive to the needs of weaker participants or interests and have more impact on overall policy for any given locality. NGO instigated practices may, in short, adhere more closely to the communicative ideal than their government-initiated counterparts.

These arguments are not meant to suggest that NGOs are the 'natural' motor behind participatory practices. There are many reasons to actually assume that the opposite might be true. NGOs play various roles within governance networks and are often more closely linked to governmental bodies than to the wider public. Many NGOs are also dependent on government funding or carry out tasks on behalf of the government and as such may have little interest in promoting decision-making procedures that might threaten the position of the governmental bodies with whom they are deeply intertwined. Likewise, advocacy groups may prefer to promote their own sectarian interests through established channels of lobbying, formal procedures, and legal proceedings, rather than seek to promote more participatory practices (see e.g. Coston 1998; Hudock 1999). But while NGOs might not be the natural motor behind the democratization of governance, the arguments presented above do suggest that, *if* NGOs decide to promote more participatory decision-making procedures, they might be more committed than governmental bodies to establishing practices that are more inclusive, more balanced in terms of power relations, and more directly linked to key decision-making centres, than many of the government-initiated experiments with public participation.

The paper presented below describes such a case. It discusses the efforts of a group of environmental NGOs and citizen groups to force a local government to adopt more participatory practices of decision-making in the field of urban planning. The goal of the paper is to assess to what extent the NGOs have indeed succeeded in instigating participatory practices that can stand the test of communicative planning.

Land policy, planning and public participation in Israel

The case study discussed below is set in Haifa, Israel. It focuses on the multiple struggles of environmental organizations and citizen groups against a municipality that is propagating a 'high speed' development policy and on the efforts to redefine the relations between both sides through a special committee on public participation and a unique pilot project. In order to understand the case description, it is important to highlight some of the specific features of the Israeli case.

First, land ownership and land policy have traditionally been dominated by the state (Alterman 2002; Benchetrit and Czamanski 2004). More than 93% of all land in Israel is owned by the state or by quasi-state authorities. It is managed and administered by the Israel Lands Administration, which uses leasehold tenure, as the legal authority to actually sell the lands is extremely limited. The remaining 7% is in private hands, but plays a relatively important role in land use planning due to the fact that the vast majority of these lands are located within metropolitan areas. For the end user of land (households, business etc.) the difference between public and private land is limited. Currently, most leases are renewable and leaseholders can 'sell' e.g. a housing unit (i.e. the lease) as in a normal housing market. For developers, there is a difference between public and private land, most notably in the case of open spaces or areas without urban land uses (i.e. agricultural areas, natural areas, etc.). Formally, it is not possible to purchase the leasehold of public lands that are zoned for agricultural use or other areas that have the character of 'open space'. While developers can circumvent this inhibition by closing 'deals' with leaseholders of agricultural land, it substantially limits their possibilities for land speculation and for the promotion of land use plans that are beneficial to the developers in terms of increases in land values and/or building opportunities (Benchetrit and Czamanski 2004). In addition, since the end of the 1970s the Israel Lands Administration has used a type of leasehold contract that further limits land speculation. According to this contract, the value of the leasehold for its life's duration is assessed up-front, and has to be paid in full in advance by the lessee or the developer (Alterman 2002). In contrast, privately owned land can be purchased freely as in a regular market economy. The owners of the land are also officially entitled to develop and promote plans to change the planning status of their lands and reap the benefits from such changes. More important perhaps than these legal and financial differences between public and private lands, is the public 'standing' of private lands. Since most land in Israel is public, the private status adds extra weight to the strength of the property rights attached to private lands. While the uses of private lands are obviously subject to planning and other regulations, the owners of private lands have a relatively strong position in the promotion of new land use plans through the planning system. This element also plays a role in the case study discussed below, as it relates to an area that is in private hands.

Israel's land use planning system is a legacy of British Mandate rule, and consequently shares many characteristics with the British Town and Country Planning System (Alterman 2001). A three-tier hierarchy of planning authorities at national, regional and local levels administers the system. The National Planning and Building Board stands at the top of the hierarchy and is responsible for the production of strategic policy through the development of National Outline Schemes for specific planning issues. At both the regional and local levels, planning is administered by Planning and Building Commissions. The Local Planning and Building Commissions are composed of elected members from municipal councils and representatives of several government departments.

Public involvement in the Israeli planning system is extremely limited in comparison to most Western countries. Whereas the preparation of Local Outline Plans does include a stage of public hearings, the application procedure to receive a building permit for a specific plan does not require a stage of public consultation. This is problematic as local Planning and Building Commissions base their approval on many other criteria than the Local Outline Plan and often approve plans that are in conflict with the formal Plan (Alfasi and Portugali 2004). In general, detailed building plans are prepared by the local authority and/or initiators of a project, where necessary in consultation with relevant government bodies. The general public is not involved at all in the planning process until a detailed plan is submitted for approval to the local Planning and Building Commission. Only then do *affected* citizens and a selected number of public organizations and professional bodies have the formal opportunity to voice their opinion regarding the proposed plan. The Planning and Building Commission has the obligation to notify the public of the opportunity to respond to the proposed plan. However, the typical announcements in newspapers include only the map reference of the proposed development site, therefore in practice, it is often only when construction begins that local residents learn of a proposed development (Fletcher 2000). Furthermore, because the public can only respond at the end of the process, the public input takes the form of objections to the proposed building plan. Taken together, these features have created an impression among the general public that planning in Israel is often protecting some private interests at the expense of others rather than securing the public interest from the adverse effects of private initiatives (Alfasi 2003). This has resulted in a general atmosphere of mistrust between planning authorities on the one hand, and active citizens, citizen groups and NGOs on the other (Levine 2005).

Since the early 1990s, planning authorities have slowly started to open up planning procedures to greater citizen involvement, partly as a result of increasing awareness among the public and increasing pressure from interest groups. Stronger local authorities, most notably Tel Aviv, have initiated various forms of public involvement (Alfasi and Portugali 2004). Most of these public participation exercises focus on strategic or statutory land use plans rather than building plans. Examples include the use of focus groups in the development of a strategic plan for the city of Tel Aviv, and citizen involvement in the selection of alternative plans for two Tel Aviv neighbourhoods (Alfasi 2003). Only a handful of examples exists of citizen involvement in the preparation of plans with direct consequences for the physical environment (see e.g. Shmueli and Kipnis 1998; Levine 2005). Because the experiments with public involvement lack a statutory basis and most are initiated by the authorities, citizens are left with the choice either to participate without having any guarantee that authorities will heed their input, or to keep outside the consultative processes and use the formal procedures of objection instead.

The role of NGOs in planning procedures was rather limited until the late 1980s. As in other policy fields, the arena of spatial planning has been characterized by a centralized, elitist and paternalistic way of decision-making since the foundation of the State of Israel in 1948 (e.g. Danet 1989; Drezon-Tepler 1990; Gertel and Law Yone 1991; Yishay 1991). These elitist characteristics have certainly been challenged by interest groups of all kinds, but generally with little success (Drezon-Tepler 1990). While the Society for the Protection of Nature in Israel (SPNI), Israel's largest environmental NGO with approximately 35,000 members, has held a seat in the National and Regional Planning and Building Commissions for many years, its actual involvement in the preparation of plans has been extremely limited. Only towards the end of the 1980s did this situation begin to change. Since then, the number of NGOs active in the planning and environmental arena has grown dramatically to more than 100 organized bodies. At the same time, the relationship between NGOs and governmental bodies has been undergoing a measure of change. Governmental bodies have started to open up to some extent, while NGOs have begun to demand more participatory decision-making procedures. Currently, the situation is in flux, and new modes of decision-making that ascribe clear roles to each of the involved parties (governmental bodies, NGOs, citizen groups, 'ordinary' citizens, etc.) have not yet emerged. The confusion is reflected in the academic literature. For instance, Yishai (Yishay 2005) believes that Israel has moved from a position of active exclusion of interest groups and citizens to one of passive inclusion, while Alfasi (Alfasi 2003) upholds that some NGOs have even been incorporated by governmental bodies in a 'bear hug'. While both observations may be correct to some extent, at the local level the relationship between the establishment and organizations belonging to civil society is still far from settled. Most NGOs, as well as more informal citizen groups, still have severe problems in having their voice heard in planning processes. The case discussed in the paper is one example of the many struggles currently going on between the establishment and the emerging civil society in Israel about the new shape of governance practices and the interrelationship between each side.

The case study: Haifa's struggle for more public participation

The scene of the case study is the city of Haifa, the third-largest city in Israel with about 270,000 inhabitants in 2003. The city is situated on a promontory of land sticking out into the Mediterranean Sea; it is surrounded on three sides by sea and on the fourth by a national park. The neighbourhoods in the city are generally situated along mountainous ridgelines, one of the characteristic and much-appreciated features of the urban structure of the city. Haifa is one of Israel's mixed cities. About 82% of the total population is Jewish, while the Arab population accounts for about 9% of the population, or about 24,000 inhabitants (Central Bureau of Statistics Israel 2004). The Jewish population consists of various sub-groups, most notably a large group of immigrants from the former Soviet Union. The Arab population, in turn, includes both Christians (5%) and Muslims (4%). While ethnic conflict pervades much of planning in Israel (see e.g. Yiftachel 1995), Haifa is generally considered as a success story in terms of the co-habitation of its Jewish and Arab populations. This is not to say that both population groups are in all respects equal, as reflected for instance in the lower-than-average income levels of, and lower-than-average provision of municipal services to, the Arab population. Also, the principle underlying much of the formal decision-making in Israel that Jewish demands should be implemented first and not be superseded by the demands (or needs) of the Arabs, obviously also pervades much of Haifa's planning processes (Falah, Hoy et al. 2000).

The case study discusses one of the many struggles that are currently going on in Israel around the issue of (urban) open space. This issue has arisen in recent years onto local and national agenda's and is currently probably the most sensitive environmental issue in the country. The high population density in the urban centres of the country, the rapidly growing population due to vast immigration and high birth rates, the increasing space consumption per person, have all led to a growing awareness among Israeli citizens that availability of, and access to, open spaces within and outside urban areas is an important factor in the quality of life (Feitelson 1998: 19-21, 41). The need for urban open space is especially pressing in Israel, as the vast majority of the urban population lives in multi-storey buildings and therefore lacks the advantage of private gardens. On top of this, a recent study shows that the availability of public open space for leisure use in most urban areas is well below international standards. In the Tel Aviv area, for instance, the average individual has access to about 9.5 m^2 of urban open space, less than half the internationally excepted standard for city-wide recreational space (Israel Union of Environmental Defense 2005). With the rise in the standard of living, the availability of open space has become a key concern for active citizens and national and local environmental organizations. The local and national press is very much aware of this concern and the issue receives regular attention in the media. It is no wonder, then, that many of the struggles of the environmental NGOs and citizen groups focus precisely on this issue. The case study discussed below must be viewed within this context. It is one out of the many struggles going on in Israel at the moment. It stands out among these other cases with regard to the new mode of governance that was initiated as a result of the struggle.

The material for the case study was mainly gathered in the period May 2000 - March 2002 via in-depth interviews with the most involved people (actors) in each case. These include representatives of NGOs, citizen groups, governmental agencies, political parties, and other actors participating in the newly initiated mode of governance. However, a key actor – the mayor of Haifa – was not accessible and was therefore not interviewed. The interviews typically lasted between one to three hours. All interviews have been transcribed and sent to the interviewees for correction, before use. In addition to the interviews, several documentary sources were used to gain insight into the particularities of the case. A number of shorter follow-up interviews were carried out in the period January-May 2005 in order to collect additional information necessary for writing the paper. The case description covers the period from the late 1990s up to the middle of 2001, when Haifa's Committee on Public Participation submitted its report outlining the outcomes of the public participation process to the Municipality of Haifa (see below).

The committee for public participation

Haifa is known in Israel as a city of 'work' and 'labourers'. For the last few decades, it has been loosing young and well-educated people to Tel Aviv, the country's economic, cultural and leisure centre. Since the end of the 1990s the policy of the municipality – led by a strong mayor – was to counteract this trend by developing the city at high speed. The results of this policy can be felt throughout Haifa, with new projects being planned in many parts of the city. Among the projects supported – and for a large part actively pushed – by the Municipality of Haifa are a marina, large-scale hotels on the seashore, expensive high-rise buildings in existing neighbourhoods and road projects. Many of these projects ignite fierce opposition in the city. The opposition is especially strong against the marina and beach hotel projects. In Israel, the beaches are considered a prime leisure facility that should be freely accessible to the general public. The development of a marina would not only destroy a substantial part of the existing beach and thus decrease the available beach space in a highly urbanized area, but would also threaten the beach to the north of the marina due to changes in the water flow and the connected erosion of the coastline (Fletcher 2000). Many of the high-rise projects in the neighbourhoods also ignite opposition, as many citizens fear that they will attract additional traffic to the neighbourhood, reduce existing open spaces, and obstruct daylight for the surrounding buildings. The threat to urban open space in particular serves as a trigger for public protest, given the sensitivity of this issue among citizens and environmental groups (see above). The large number of proposed projects is reflected in a tremendous rise in the number of new neighbourhood groups (Gilboa 2001). Each of these groups aims to stop unwanted developments in its own neighbourhood. Taken together they create a significant amount of pressure on the Municipality of Haifa.

Several of the struggles proved to be – at least temporarily – successful. The most important success in this respect was the temporary blockage of the flagship project of the mayor, namely, the marina. After a fierce legal struggle led by the Haifa branch of the SPNI – one of the leading environmental NGOs in Israel – the national planning and building committee decided in 1999 that a decision on the marina could only be made after the preparation of a comprehensive plan for the Haifa coastal strip. The roots of the success of the environmental NGOs lay, according to a representative of the SPNI, in the 1980s. During this period, the environmental organizations became much more sophisticated, both in terms of their use of the formal planning procedure to block unwanted projects, as in their ability to generate popular support for environmental causes among the wider public and the media.

The frequent clashes between the aggressive development strategy of the Municipality of Haifa and the opposition of the environmental NGOs created an atmosphere of anger and frustration in the city. The environmental NGOs followed the moves of the municipality like a watchdog and opposed almost every new development. A national newspaper described the situation in Haifa as ‘a war of attrition over every square meter’ (Ha'aretz English Edition 2000).

One of the continuous and repeated demands of the environmental NGOs and neighbourhood groups was for more public involvement in the planning process. During 1999 they managed twice to gain enough force to extort a public hearing from the mayor. Both hearings turned out to be a disaster, however, as the initiators of the projects used the public hearings as a means to ‘sell’ their project and the public responded with fierce attacks on the initiator of the project and the municipality. The failed experiments did not, however, prevent the director of the Haifa branch of the SPNI from continuing to push for greater public participation. Despite the atmosphere of 'violence, anger and frustration' he managed to remain on 'speaking terms' with the mayor and in one of their meetings succeeded in convincing him that it was time 'to change the atmosphere and to change the norms' about decision-making in the city. He proposed to establish a committee that would investigate the possibilities for public participation. The mayor, faced with increasing opposition against his development strategy and the individual projects, agreed to this proposal and installed the Haifa Committee on Public Participation at the beginning of 2000.

The installed committee consisted of three representatives of the municipality, two representatives from the environmental NGOs and three academics in the field of town planning. The representatives of the municipality included the ombudsman of the city, a city planner, and a representative from the department responsible for community development. The academics primarily participated in the committee as specialists in the field of public participation, although two of them are also actively involved in an environmental NGO. The other two members of the committee were the director of the Haifa branch of the SPNI and the director of the local NGO, Law and Nature. Both were selected by the members of the Haifa coalition of environmental organizations, in which most of the local environmental and citizens groups are represented.

The official task of the committee was to prepare recommendations about the ways in which the public can be involved in decision-making with regard to different types of plans and projects. This broad definition of the goal ensured that the work in the committee remained somewhat detached from the ongoing struggles over concrete projects in the city. The obvious advantage of this arrangement was that the deliberations in the committee did not carry the burden of the antagonistic relations between the municipality and the NGOs and could proceed in relative harmony. The positive attitude of the three representatives of the municipality towards public participation further added to the positive atmosphere in which the deliberations took place. Yet, the work on the committee was bounded by what the participants viewed as 'realistic' and 'achievable' within the circumstances. They shared the opinion that – given the limited experience with public participation within Haifa and Israel in general – only small steps could be taken at that stage on the road to 'true' communicative planning. As one academic member of the committee described it: 'You can't just jump from nothing to an extreme form of participation.'

The realistic view is reflected in the recommendations of the committee. First, the committee advised that only those plans that meet certain criteria be subject to public participation. The most important being whether a plan has implications for a large number of people or a large area, whether it entails a major shift in existing policy, or whether it is controversial and might trigger strong opposition among the residents of the city. Second, the committee advised that the level of public participation be varied according to the characteristics of the plan concerned. For this purpose, the committee distinguished four types of plans: comprehensive spatial plans for the municipality or parts thereof; concrete projects proposed by developers; public projects like a central library or a football stadium; and out-dated but approved plans that lack a proper environmental assessment. The most elaborate form of participation is reserved for comprehensive plans. The recommendations for these plans encompass public consultations in every phase of the planning process, from the setting of goals, through the development of alternatives, to the decision about the final plan. The recommendations for the other three types of plans only include forms of public consultation in the later stages of the planning process (see below). One important recommendation of the committee applies to all type of plans. This recommendation requires that the decision makers – the local planning and building committee – relate to the results of the participation procedure in their final decision and provide reasons why certain concerns of the public are addressed in the approved plan and why others are not. For all types of plans, the main goal of the proposed procedures is to make 'the planning process more rational and more transparent', as an academic member of the Participation Committee formulated it.

Table 1. Overview of key events in Haifa's participation experiment

Period	**Event**
1997 onwards	Haifa develops its 'aggressive' development policy
1999	SPNI and other environmental NGOs manage to block development of marina in Haifa
1999	Two failed experiments with public participation (public hearings)
January-February 2000	Installation of Haifa Committee on Public Participation
September 2000	Presentation of report of committee to mayor; decision to engage in Stella Maris pilot project
October-November 2000	Two public hearings
November 2000-January 2001	Five focus groups
February-May 2001	Preparation of advisory report by the extended Participation Committee
June 2001	Submission of advisory report to the Carmelites, the Municipality of Haifa, and the general public

The Stella Maris Pilot project

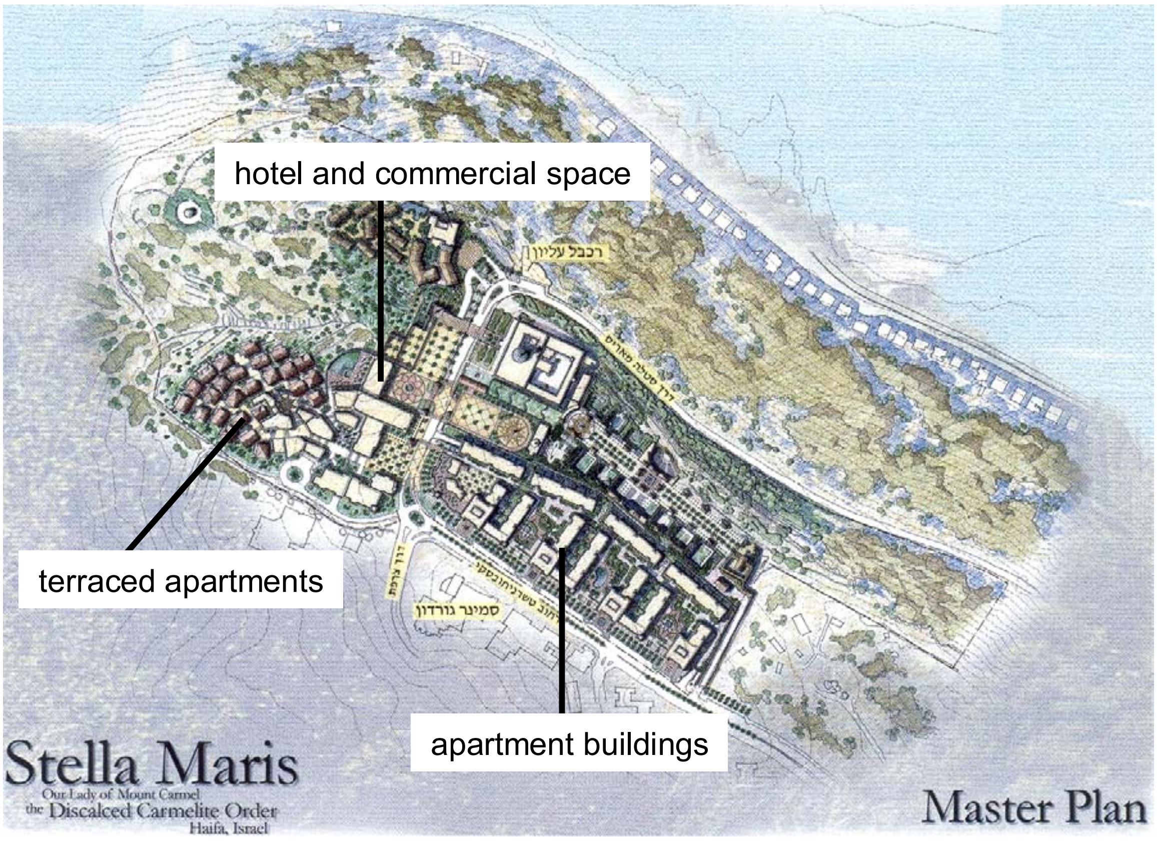
The Committee on Public Participation presented its final report to the mayor in September 2000, after more than six months work. The mayor neither approved nor disapproved of the report, but instead decided to gain experience with the recommended procedures in a pilot project. The members of the committee agreed to this approach, as they, too, considered it valuable to gain experience with the new procedures. They also agreed to the project that the mayor proposed as the pilot: the Stella Maris Project of the Carmelites.

The Stella Maris Project was initiated by the Carmelites, a Roman Catholic community that had been living in Haifa for more than a thousand years. They intended to improve the area around their monastery with amenities for (religious) tourists such as a public garden, a promenade, a well-preserved archaeological site, a museum and an amphitheatre. In order to create enough revenue to finance these facilities, a substantial part of the area was designated for apartment buildings, commercial facilities and a hotel. The project encompassed the development of an open area of, in total, 50 acres. The open area is located in a prime spot in Haifa, on the tip of the Carmel Mountains facing the Mediterranean Sea. Located on the mountain ridges below and above the open area are a number of neighbourhoods, varying in socio-economic composition from well-to-do to poorer neighbourhoods (Figure 1).

The Carmelite project was subjected to the participation procedures for concrete projects proposed by a developer as outlined in the committee report. The whole process was supervised by the Participation Committee, which was enlarged for this purpose by two representatives from the Carmelites and the planner of the Municipality of Haifa responsible for the Carmelite project. The participation process began after some initial delay, but then proceeded in a very orderly fashion. First, two public hearings were organized in October-November 2000, one in the area of the project and one in the city hall. The hearings were attended by nearly six hundred people, including people that did not tend to make their voices heard in the Haifa arena, such as lower socio-economic groups, Arabs, and Russian immigrants. Both sessions were moderated by a ‘neutral’ facilitator selected by the Participation Committee. The hearings started off with an introduction by representatives of the municipality on the historical and legal context of the project area, followed by a presentation of the advisors of the Carmelites on the Stella Maris Project. The largest part of the hearings were reserved for questions and remarks by the public, an opportunity that was seized upon by many citizens.

The second step in the participation procedure consisted of focus groups. Five of these groups were organized in the period November 2000 - January 2001, two for representatives of NGOs and professionals such as planners and architects, and three for ‘ordinary’ citizens. Each of the groups was attended by approximately twenty people. As in the public hearings, the participants came from diverse backgrounds and included young and old, male and female, Jewish and Arab, secular and religious, albeit not in equal proportions. The goal of these groups was to attain a deeper understanding of the various opinions about the project and of the issues raised at the public hearings. They were definitely not meant to provide an arena for discussion between the participants and the developer. The representatives of the Carmelites only attended the groups to answer questions and to learn from the discussions between the participants. In addition to the hearings and the focus groups a questionnaire was handed out to the people that attended the hearings, thus providing a channel to voice opinions to people who preferred not to speak in front of large groups.

Figure 1. The Stella Maris Master Plan



The final step in the participation procedure involved the summing up of the results of the three routes to public participation in a report. This report was written under the auspices of the extended Participation Committee that supervised the Carmelite Project. The report was presented to the Carmelites, the local planning and building committee and to the general public shortly before the summer of 2001. The main purpose of the report was to provide the local planning and building committee with information on the issues and concerns raised by the citizens in the participation process. The members of the Participation Committee hoped that this information would widen the scope of the deliberations in the planning and building committee and 'make them think about different aspects that are usually not in the discussion', as an academic member of the Participation Committee put it.

Interpreting the Haifa case

How must the Haifa case be judged from the perspective of the framework developed in this paper? In other words, how does the Haifa case score on the three criteria for new democratic practices developed in the first section of this paper: the level of inclusiveness of the actors, the (lack of) domination by the powerful, and the link with, and impact on, subsequent decision-making? Before answering this question, it has to be noted that it is too early for a final assessment. The impact of the Participation Committee can only be assessed in the long run. Yet, it is possible to forward an initial evaluation of the (possible) success of Haifa's public participation initiative.

First, the Committee on Public Participation deserves an explicit assessment here, as this committee can also be considered a participatory practice instigated by NGOs. It is clear that the committee cannot be considered an inclusive forum. Many crucial and directly affected stakeholders – such as developers, citizen groups or representatives of the city council – were not included in the committee and did not even have an opportunity to voice there opinions on the recommendations of the committee. The low level of inclusiveness could easily lead to the ironic observation that a forum that is supposed to deal with public participation is itself a non-democratic enterprise. Such an observation, however, ignores the specific context in which the forum was established. Compared to the Israeli tradition of centralistic, top-down planning, the inclusion of environmental NGOs can certainly be considered a (small) step forward. It should also be noted that the Participation Committee had to operate within an atmosphere of 'violence, anger and frustration'. It seems hardly advisable under these circumstances to discuss the issue of participation within a broad forum of (strongly opposing) parties. Successful participatory practices depend to a large extent on relations of trust between participants, something that is more easily achieved within a small group of key actors (Kumar and Paddison 2000). The fact that the committee managed to produce recommendations within relative harmony underlines this observation.

At first sight, the Participation Committee seems to score better in respect of the issue of the domination of the powerful. The deliberations within the committee were neither controlled nor dominated by the most powerful party that participated in the forum – the municipality. The accounts of the committee members give a picture of discussions carried out in an atmosphere of mutual trust and respect. The domination of the powerful has exerted itself in a more subtle way, however. The members of the environmental NGOs and the academics clearly felt bound by what they considered 'realistic' and 'achievable' within the context of 'local circumstances'. The view of the authorities about an 'acceptable' level of participation thus implicitly dominated the deliberations. Participation models that implied more than informing or consultation were actively kept out of the discussion, not so much because the municipal representatives in the committee would have opposed them, but because they would not be acceptable to the elite strata of municipal politicians and officials. The dominance of the stronger parties was thus reflected in the self-censorship of the 'weaker' participants.

Clearly the NGOs have been unsuccessful in linking the work in the Participation Committee to the relevant decision-making arenas in Haifa. This can be mainly ascribed to the strategies employed by the mayor. He decided, single-handedly, to install a committee without consulting with, or even informing, the city council, thus actively preventing the committee from gaining a formal status within the Haifa political arena. He also ensured that the committee's recommendations would not be on the agenda of the city council for deliberation and decision – as was the original intention of the committee members – by neither approving nor disapproving the report but instead proposing to engage in a pilot study to gain experience with the recommended procedures. By so doing, he did not only obstruct formal decision-making on the issue but also opened up ways to distance himself from the report in the future. These observations raise the question of whether the mayor had sincere intentions when he installed the Committee on Public Participation. The fact that the municipality refused to subject two of the major projects to the recommended participation procedures suggests otherwise. The mayor undoubtedly intended to use the committee as, at best, a means to 'cool' the heated atmosphere, and at worst as a way to weaken or co-opt the opposition. The fact that the neighbourhood and environmental organizations are currently using the committee's recommendations in their battles against the municipality shows that the mayor's strategy only partly paid off. Thus, even though the efforts of the committee were not linked to, and its recommendations were not confirmed by, a formal decision-making forum, they have had an impact on the way in which public participation is perceived in the Haifa arena.

The pilot project obviously reflects some of the weaknesses of the work in the Participation Committee. Yet, despite its limitations, the pilot project was rather successful in some respects. This holds true in particular in respect of the level of inclusiveness that was achieved, both in the number of citizens and in the variety of societal groups that seized the opportunity to voice their opinion about the Stella Maris project. The relatively high level of inclusiveness that was actively promoted by the Participation Committee sheds new light on the worries aired by some that the 'politics of voice and reliance on existing organized groupings leaves out those who are silent in public arenas, and those who may have a stake but do not really realize it' (Healey 1997: 271; see also Hillier 1998). The Haifa case discloses exactly the opposite: it shows that the organizations with a 'voice' can push participatory practices *beyond* the ring of government-oriented interest groups. The involved environmental NGOs and neighbourhood groups did not simply exert their powers to improve their own position and increase their influence in the decision-making arena. Instead, they actively used their powers to obtain some level of access for citizens who had previously been silent or even unaware of the ongoing planning activities around the Stella Maris project. The Haifa case thus underlines the expectation formulated above that NGOs might be more sensitive to the issue of inclusion and exclusion than many governmental bodies.

The pilot was, however, much less successful when it came to the issue of domination and control over the policy debate. This is, of course, the direct consequence of the participation procedures that were employed. The three avenues of participation – hearings, questionnaires and focus groups – all put the initiative in the hands of the dominant actors. In the Haifa case, it was the Carmelites and their advisors that profited most. It was their plan for the Stella Maris project that was at the heart of the participation procedures. Broader discussion about the development of the area was thus automatically sidelined, while the discussion of more fundamental issues such as the development of 'privately-owned open spaces' was also substantially hindered. On top of this came the self-censorship of the environmental NGOs and most active neighbourhood groups. Their eagerness to turn the participation process into a success induced them into keeping 'a low profile' throughout the process.

The extended Participation Committee does deserve some credit on this issue, however, in the sense that it managed to enable a policy debate to take place at all. The committee succeeded in 'bracketing' the heated atmosphere between the Municipality of Haifa and the environmental and neighbourhood organizations and in winning the 'quiet' support of the citizens and organizations for the participation procedures around the Carmelite project. A crucial factor here was the mixed composition of the committee overlooking the procedure. It was the inclusion of representatives of environmental NGOs that created some level of confidence among the public that the participation procedures would be more than merely a form of ‘token participation’ (Arnstein 1969) like earlier attempts with public hearings in the Haifa arena. The case thus underlines the observation of Kumar and Paddison (2000) that control is an important tool to increase and maintain trust among participants who engage in a democratic experiment.

Finally, the link between the participation procedures and the arenas where decisions are made and actions are taken has to be addressed. Many authors consider this the litmus test for participatory practices (see e.g. Sandercock 1998: 157; Huxley 2000; Neuman 2000: 346). The Haifa case can be considered both successful and unsuccessful in this respect. Its success lies in the simple and straightforward link between participative experiment and formal decision-making: a report summarizing the results of the participation procedures that is available for everyone and intended to assist the local planning and building committee – the formal decision-making body – in its decision-making. This link is certainly not a unique element of the Haifa case, but is part and parcel of many regular planning procedures that include public hearings. Its innovative value is limited to the fact that the report was written by an independent person rather than a public body, and was focused on the opinions of the public rather than on the responses of the authorities. The link, of course, also reveals the lack of success of the Haifa case. It underlines once again that the participation procedures in the Haifa case do not incorporate any transference of decision-making power from the existing power holders to the people participating in the procedures. The public has no assurance that their views will be heeded by the powerful, be it the developer and its advisors, the city planning department, or the local planning and building committee. The participation procedure thus, at best, only enhances the system of representative democracy by strengthening the power of the local planning and building committee through improved information.

Discussion

In this paper, I have raised the question of whether NGOs can be the instigator of participative practices that can stand the test of communicative planning better than their government-initiated counterparts. The Haifa case that has been described in detail provides some answers to this question, but also raises a crucial question about the possible role and focus of NGOs.

The Haifa case first of all illustrates that NGOs can be the initiator of new and more open practices of governance. Through a combination of street level protest, legal action and lobbying, the environmental NGOs and citizen groups managed to create ‘a “crack” in the power relations’ (Healey 1997: 269) convincing the municipality to engage in a participatory experiment. While limited in scope, the experiment can certainly be considered a small step towards the ideal of communicative planning. The Committee on Participation managed to put the issue of public participation onto the public and political agendas. The Stella Maris pilot project added several small, but concrete improvements to the regular planning procedure. Taken together, these steps can certainly be considered to constitute a more sincere effort in terms of public participation than most of the government-initiated experiments that are currently conducted in Israel. Where these governmental experiments are more often than not examples of token participation, the Haifa case can be regarded a genuine endeavour to extend the involvement of the public in planning. It is this achievement that reveals the bright side that power can obtain (Martens 2001).

At the same time, the Haifa case clearly highlights the limits of the ability of NGOs to function as instigators of participatory practices. While they may be able to create a crack in the prevailing network of power relations and instigate changes in the dominant mode of governance to some extent, they are in no position to shape the format of the new practices. Although the NGOs had a dominant position in the special committee that explored the future participatory practices for Haifa, they were not able to escape the dominant opinions of the local political and bureaucratic establishment. The political elite delineated the boundaries within which innovation of the existing modes of governance was acceptable, even though they did not actively participate in the committee. The resulting participation procedures thus reflect the determination of the dominant actors to hang onto their power. They do not contain any redistribution of power towards the public or the participation process as a governance institution, but instead enable the elite to uphold their control over the public debate and the decision-making arena's. It is thus the dark, regressive side of power and planning (Yiftachel 1995) that determined the shape of Haifa's public participation initiative. The recent decisions of the powerful to ignore the proposed participation procedures for several key projects further underscores the impotence of NGOs to shape governance practices and suggests that it will be the dark side of power that will determine Haifa's future modes of governance.

This last observation sheds new light on the possible role and focus of NGOs. It raises the question of whether they will be able to instigate substantial and long term changes in modes of governance within an environment that is dominated by governmental institutions that have hostile attitudes towards public participation. The Haifa case suggests that the impact of such efforts will be limited. They will at best result in meagre forms of public participation and at worst be annihilated by regressive governmental actors. The conclusion should not be that NGOs shy away from taking up their role as change agents promoting democratic governance practices. It should, instead, induce the NGOs to assess whether government institutions should be at the focus of (all) of their efforts. Here, two possible alternatives might be considered.

The first would be to shift away from governmental bodies and focus on other key actors in the planning arena. The most obvious candidates here would be developers, landowners, and large-scale users of land, such as industries. These actors have in common the fact that they bear – more than governmental bodies – the cost of prolonged planning procedures and blocked projects that result from the oppositional activities of NGOs and citizen groups. They may thus also be more receptive to the pressures of NGOs to engage in participatory experiments than their governmental counterparts, once they are 'addressed' directly and offered an alternative. This observation implies that NGOs should reverse the causal logic that is behind their current strategies. While they currently conceive the decision-making power of governmental (elected) bodies as a tool to fight unwanted private projects, they should instead start to view the economic power of private parties as an instrument to pressure government institutions to accept new democratic modes of governance.

The second route has more far-reaching consequences for the role and position of NGOs. This route would consist of the purposeful development of a dual system of planning (see above). The core of such an approach would be that NGOs no longer rely – directly or indirectly – on state institutions to promote democratic modes of governance, but instead develop democratic practices that are detached from formal procedures of planning. NGOs should thus become the initiator and instigator of a 'civic planning route' that is wholly conceived within the confines of civil society (Dryzek 1996). Such a strategy would require a massive effort in coalition building between the various organizations and active citizens that currently constitute civil society. But if such a mobilization effort were to succeed, the 'civic planning route' might have enough clout to affect the 'formal planning route' in both content and procedure.

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