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# PROCEDURAL JUSTICE AND SOCIAL LEARNING

NEW PERSPECTIVES FOR  
IMPROVED PUBLIC  
PARTICIPATION PRACTICE

## INTRODUCTION

Procedural Justice and Social Learning perspectives have been identified as methods of encouraging greater public participation in planning. Procedural Justice theory asserts that when participants are satisfied that the process they are involved in is fair, they are more likely to be involved in the decision-making process and accept the decisions. Social Learning theory suggests that when participants have the opportunity to be fully involved in the policy/plan development stages they will learn about the planning issues from a more holistic perspective, and will gain the technical skills required to participate effectively in the decision-making process. This paper provides an overview of these two new approaches for public participation and outlines 'good practice guidelines' for public participation practices in New Zealand.

## PROCEDURAL JUSTICE

Within the Procedural Justice approach emphasis is placed on the procedures/process undertaken in the public participation programme rather than the outcomes.

According to the Procedural Justice model of public participation, if the participants perceive the process to be unfair, and that their involvement is undervalued, then regardless of the outcomes they will be less likely to support the decision (Thibaut & Walker, 1978). That is, even when a satisfactory decision is made, the manner by which the decision was made may have a significant effect on the public's perception, and therefore acceptance of the decision (Lind & Tyler, 1998). This has implications for planning given that community support is often necessary for projects and policies to be implemented successfully.

The principles of Procedural Justice have been organised into six rules (Leventhal, 1980), namely:

1. Equality of Opportunity - applying fair

procedures across all potential participants and combating political pressures.

2. Bias-suppression - preventing self interest or blind allegiance from hijacking the process.

3. Information Accuracy and Accessibility - preventing barriers to information access by ensuring information is targeted to a variety of age groups, literacy abilities, ethnic groups, genders, etc.

4. Responsive Regulatory Authority - opportunities must exist for the public participation process to influence the outcome, and not be merely lip-service.

5. Representation - ensuring that all groups can be represented throughout all stages of the public participation process.

6. Ethicality - procedures must be compatible with the moral and ethical values of the participating individual.

Lawrence (1997) has explored the application of Procedural Justice in public participation processes in policy and plan development. He found that processes developed to meet participant's perceptions of procedural fairness would result in increased participant satisfaction in the short and long term. Short term satisfactions identified included immediate acceptance of decisions made and contentment with the decision-making process. Long term satisfaction included increased levels of acceptance of decisions made, resulting in increased buy-in of these decisions. A further positive spin-off was an increased level of trust and confidence in the decision makers.

## SOCIAL LEARNING

The second new approach to public participation in planning is entitled 'Social Learning'. Social Learning is the process whereby the public becomes actively involved in the development of mutually acceptable solutions to a problem or decision that affects their community. That is, they are involved in a public participation process

that gives them the opportunity to learn about and address the issue from a region-wide perspective thus minimising potential for a NIMBY reaction.

The Social Learning approach to public participation can be broken into two components - cognitive enhancement and moral development. Cognitive enhancement involves participants gaining technical competence and learning about collective values and preference. Facilitating cognitive enhancement involves:

- Learning about the state of a problem
- Learning about possible solutions
- Learning about other peoples or groups interests in the problem
- Acknowledging your own interest in the problem
- Learning about the communication methods required to reach agreement with the group
- Practicing integrated thinking about the problem (incorporating all of the above).

The second component, moral development, involves the ability of individuals to make judgments about right and wrong and setting aside self-interest. Facilitating moral development within a public participation context would involve:

- Developing a sense of self-respect and responsibility to self and others, regardless of how these may affect one's own personal interests or values, and acting accordingly
- The ability to take on the perspective of others
- Developing moral reasoning and problem solving skills
- Developing a sense of solidarity with the group
- Learning how to integrate new cognitive knowledge into your own opinion
- Learning how to co-operate with others in solving collective problems.

When applied within a planning context, the process of Social Learning engenders an understanding of civic responsibility to the decision-making process, resulting in mutually acceptable decision-making. The most notable example of the Social Learning theory being applied to a planning problem took place in Switzerland and involved the selection of an appropriate site for a landfill (Webler, 1995). The objective of the public participation process was to manage the process so that the participants would act in a

responsible manner for the greater good of the region, for instance selecting the most appropriate site for the landfill based on environmental conditions.

In this example there were four potential host communities for the landfill. Four community panels were selected to represent each community. Overall, 40 hours of meetings and a two-day workshop were held with the panels, in order to educate the members on the different landfill sites and design options. Following the 'educative' stage in the process, panel members rated the landfill options. The end result was all panels coming up with the same preferred option for the landfill location, a result that was widely accepted by the regional and local communities.

It is notable that the NIMBY issues commonly associated with landfill siting were avoided when Social Learning principles were employed. This was mainly attributed to the increased level of public involvement in the site selection process and the opportunities for participants to understand and have responsibility within this process.

## NEW ZEALAND CONTEXT

Statutory approaches for public participation in planning provide the minimum requirement for involving the public in plan development. As such, they should be viewed as the basis upon which to develop a public participation strategy. It is evident from the relatively small numbers of people participating in the development of plans and policies that public dissatisfaction in the public involvement practices employed by local government exists. This dissatisfaction is largely attributed to confusion regarding their expectations of their involvement.

The benefits identified in the example of Social Learning, and those from Procedural Justice could have several positive implications for planning in New Zealand. Such benefits could include increased public satisfaction with their involvement in planning issues, increased public acceptance of the decisions made, the development of civic responsibility, mutually beneficial and consensus-based decisions and increased public understanding and knowledge about the planning process and planning issues.

**GOOD PRACTICE GUIDELINES**

Whilst further research is required in order to fully investigate the application of the Procedural Justice and Social Learning approaches in planning practice in New Zealand, some guidance for improved practice can be drawn from the research carried out. Table 1 outlines methods which, if incorporated into public participation strategies, may result in the process being perceived as just by participants, and will help to facilitate Social Learning.

**CONCLUSION**

To conclude, these two approaches to public participation offer guidance for improved public participation practice in New Zealand. Whilst the practicality of utilising these approaches warrants further investigation, in that they may be more suited to some planning problems than others, the possible benefits of employing these approaches appear significant for both plan and policy development and NIMBY-prone issues.

**REFERENCES**

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**Table 1**

<b>Procedural Justice Rules</b>	<b>Guidelines for Public Participation Programmes</b>
<b>Equality of Opportunity</b>	Ensure that all participants have the same opportunity to be involved in the planning process, and to influence the outcomes of the proceedings.  Establish safeguards within the public participation process to ensure that political/financial/or other agendas do not dominate proceedings.
<b>Bias Suppression</b>	Develop safeguards, in conjunction with the public if possible, to prevent biases affecting the process.  Ensure that participants are aware of the safeguards and that they consider the process to be bias-free.
<b>Information Accuracy and Accessibility</b>	Ensure that record keeping is comprehensive and in non-technical language.  Provide assistance in making the information available to the public, for instance publish in local newspapers, send directly to participants - provide feedback directly to the public rather than having them seek it out.  Ensure that the process is managed by people who are objective, ie, do not have a vested interest in the outcome.
<b>Responsive Regulatory Agency</b>	Establish clear communication channels between the local authorities and the public, for instance, appoint a spokesperson or community representative. Ensure that appropriate grievance and appeal proceedings are established.
<b>Representation</b>	Identify all the important groups in the community and establish procedures that are appropriate for each group. For instance, hold workshops at schools to encourage greater youth participation.
<b>Ethicality</b>	Ensure that the process is consistent with the moral values of the majority of participants. For instance, encourage honesty and openness throughout all aspects of the public participation.
<b>Social Learning Criteria</b>	<b>Guidelines for Public Participation Programmes</b>
<b>Cognitive Enhancement</b>	Provide the public with technical information to allow them to learn about the issue, possible solutions and the consequences of each solution.  Facilitate holistic or interactive thinking by encouraging participants to consider the issue from all points of view by holding group workshops and discussions. Allow them to consider the short and long term implications of their decisions.
<b>Moral Development</b>	Develop group cohesion using team building mechanisms. Provide opportunity for participants to take on the perspectives of others.  Teach skills of moral reasoning and collective problem solving, using case study scenarios if necessary.