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Commentary on Producing Environmental Information from Stakeholder Engagement

This article provides practice-informed advice, guided by and responsive to theory, for policymakers who seek to improve their environmental policies by generating their own informational value from their interactions with stakeholders. First, the article explains a self-reinforcing opaqueness of conventional environmental policymaking and how this opaqueness disproportionately and cumulatively impacts underrepresented communities. Drawing from the literature of social ecology, political economy, and political methodology, the article adumbrates opaqueness' contributions to environmental injustice and identifies potential benefits of a more informative approach to stakeholder engagement. Next, the article explains specific methods that policymakers can use to convert stakeholder input into greater awareness of the costs, benefits, risks, and tradeoffs presented by a given environmental policymaking. By conducting stakeholder engagement as an interactive and investigative pursuit, oriented toward underrepresented constituencies as well as policymakers' own problem statement, policymakers can better inform their policies while also improving relationships with the parties those policies affect.

Keywords

stakeholder, community, outreach, engagement

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INTRODUCTION

Where civic process should influence the development or implementation of environmental policy, the public sector routinely dedicates staff to facilitate that process. That facilitation wears many labels, although the label is usually some combination of the words “community,” “public,” “engagement,” “stakeholder,” and “outreach.” Among those options, this article generally uses the term “stakeholder engagement,” due in part to the article’s interest in “stakes”. Whether involving paid advocates or concerned citizens, this process of stakeholder engagement takes place at varying scales of government, from the local to the federal. Policymakers tend to conduct these activities in a passive way, most explicitly in the recent trend of holding “listening sessions” with members of the community. But policymakers taking this approach miss an opportunity to generate greater informational value through a more active and intentional engagement with stakeholders. Missing this opportunity is particularly detrimental for low-resource communities, whose interests are often underrepresented by rote stakeholder engagement programs.

This article is a combination of literature review and commentary, designed to provide practice-informed advice for policymakers, in the context of research and guided by theory. This practitioner advice intends to support policymakers who are seeking to improve their policies by generating their own informational value from their interactions with stakeholders. This pursuit means approaching stakeholder engagement not merely as a duty in itself but also as an opportunity to improve the responsiveness and efficacy of policy. To conduct stakeholder engagement in this way, policymakers must understand the practices, field, and influences driving the products of advocacy. This understanding equips policymakers to conduct stakeholder engagement as a proactive, investigative pursuit, with an eye toward systematically empowering underrepresented constituencies in policymaking processes.

A prerequisite to building that understanding, however, is acknowledging the unique challenges that opacity places on the fields of environmental policy. Opacity is a significant challenge to all fields of policy, and this challenge is likely pronounced in the complex sociology of natural resources. Although scientific research and quantitative analysis can find the answer to a specific question, policy must also answer all of the related questions that naturally follow from that first answer (Talbot 2009) (Naustdalslid 2011). Policy must operate in the “real world,” where an unknown number of indefinite causal relationships distort the costs and benefits that are at stake in any given environmental choice. This opacity explains a field of constant churn, where the consequences of environmental choices continually crop up and sometimes require ad hoc management.

Communities of social privilege are generally better equipped to repeatedly respond to these consequences even when the consequences emerge unexpectedly, so environmental harms (both expected and unexpected) tend to concentrate in underprivileged communities (McKendry and Janos 2015). As a cumulative result, explicit forms of racism and exclusion are abetted by the less conspicuous deficiencies of policymaking, which merely shift problems from the areas of study, into areas not being studied. This tendency for problems to accumulate in politically underrepresented communities places particular importance on policymakers’ goal of accurately identifying the stakes involved in an environmental choice, before that choice is made.

In pursuing that goal, policymakers have a number of tools available. Among them, scientific and other research are necessary but insufficient, for reasons this article adumbrates from the existing literature. Fortunately, the available tools also include inputs from “stakeholders,” a term this article uses to mean any person or entity with value at stake in a given environmental choice. At local levels of governance, these stakeholders might be represented by unpaid members of the community, or volunteering or nonprofit community organizers. At higher levels, stakeholders are more likely to be represented by paid advocates, such as lobbyists, lawyers, or other consultants. Whatever the level of governance, inputs from stakeholders are inherently biased, often unscientific, and sometimes strategically deceptive, though sometimes honest. These characteristics present challenges to policymakers attempting to evaluate and use stakeholder input, given the existing gaps between the practice of stakeholder engagement and established standards for methodological screening or other mechanisms of quality control.

Nonetheless, despite these drawbacks, stakeholder input contains distinct informational value for those policymakers who know how to distill it (Beierle 2002). Moreover, so long as policymakers are required by law or political necessity to engage with such stakeholders, they may as well seek to benefit policy from it. Accordingly, this article seeks to explain methods that policymakers can use to improve the results of their stakeholder engagements.

This article begins with an explanation of the typically opaque circumstances of policymaking. Because opacity is to a large extent self-reinforcing, this first section describes opacity’s causes and consequences together. This first section also describes how this opacity disproportionately and cumulatively impacts underrepresented communities, contributing to environmental injustices and doubling the importance of a more informative stakeholder engagement. Next, the second section of this article explains methods that policymakers can use to optimize stakeholder engagement to reduce opacity and empower underrepresented communities to advance their interests. Whereas the first section rests heavily on the scholarship of social ecology, political economy, political methodology, and related fields, the second section cites the literature less so. The first section is occupied with demonstrating the general consensus around empirical evidence for causes and consequences of opacity, and the second section is more wholly characterized by my personal judgment based on years of professional practice. Although the second section does draw from the scholarship of deliberative democracy, negotiation, and conflict management, the section is essentially advice from one practitioner to the reader.

The methods recommended by this article’s second section are intended primarily to help policymakers to ascertain, vet, qualify, or clarify new knowledge, data, or perspectives that characterize the stakes in a given environmental policymaking. In addition to this primary informational interest, these methods are also inclined to produce the following co-benefits:

- Providing public information to interested stakeholders about plans or upcoming or ongoing actions. A more intentional stakeholder engagement creates a dialogue where policymakers can provide relevant information to stakeholders in the course of soliciting inputs from them.

- Adapting communication styles, formats, and terminological uses to the forms that are the most accessible to the affected community. A more intentional stakeholder engagement may produce information for policymakers relevant to making accommodations for community members with disabilities and addressing language barriers, as well as adapting technical jargon to more understandable communications.
- Making the most productive use of policymakers' time and resources and, similarly, making the most productive use of stakeholders' time and resources (i.e., conducting stakeholder engagement for the sake of specific positive outcomes, instead of conducting stakeholder engagement for the sake of conducting stakeholder engagement).

The co-benefits listed above, however, are mostly beyond the scope of this commentary. They are particularly relevant to the duties of public information officers (in the case of the first- and second-listed co-benefits) and government executives concerned with state capacity and bureaucratic efficiency (in the case of the third-listed co-benefit).

In contrast, this commentary focuses on other co-benefits which are more relevant to the duties of policymakers (i.e., the practice of making policy in dynamic political environments to reliably and justly govern over time). Those co-benefits of intentional stakeholder engagement include:

- Cultivating trust and new relationships with stakeholders. In addition to gaining usable information from stakeholders in regard to a particular immediate policymaking, intentional stakeholder engagement can also build relationships with stakeholders that provide even greater informational value to future policymakings.
- Reinforcing trust and existing relationships with stakeholders. The potential for intentional stakeholder engagement to strengthen existing relationships can be most relevant in cases where the outcomes of policymakings disappoint or frustrate stakeholders. Having a reserve of trust to maintain the relationship, despite momentary disappointments or frustrations, can have significant long-term value.
- Creating metrics for evaluating the effectiveness of stakeholder engagement. Conducting intentional stakeholder engagement inclines policymakers to look for outcomes that matter instead of outputs that are merely easier to quantify.
- Empowering disadvantaged communities to influence or even drive policymakings. Intentional stakeholder engagement is fundamental to environmental justice, equipping underrepresented stakeholders with the tools to provide influential inputs.

In both of its sections, this article elaborates on each of these co-benefits.

In addressing its advice to “policymakers,” this article uses the term expansively to mean any public-sector professional with a discretionary role in the development, adoption, or implementation of environmental policies. Staff making decisions or recommendations regarding how, when, and where to conduct stakeholder engagement, or who are asked to evaluate or

incorporate stakeholder input, play a pivotal role in deciding the usefulness of those activities. This article will also use the nouns “advocate” and “stakeholder” relatedly but differently. A stakeholder is a person or entity that would be affected by a given environmental choice, whether they speak up about it or not. In contrast, an advocate is typically a stakeholder (or somebody representing a stakeholder) who speaks up about it. Viewed this way, the distinction obliges policymakers, wherever possible, to turn every stakeholder into an advocate if they are not one already.

This article weighs its review of the literature with my professional experience in local, state, and federal environmental policymaking as a lobbyist, political strategist, and government official at various levels of governance. This combination of research and practice informs a professional development course I taught for six years at the University of California at Davis, which trains public-sector professionals in techniques of stakeholder negotiation, facilitative discussion, and collaborative policymaking; and a graduate course I presently teach at California State University, Sacramento, on collaborative policymaking. Here, I try relaying the same advice.

CAUSES AND CONSEQUENCES OF OPACITY

Imperfect Information as a Source of Opacity

Faced with making an environmental choice, policymakers ostensibly start with identifying and framing the costs and benefits that are at stake in that choice. But the stakes are often at least partially opaque or, worse, misunderstood. Explaining that opacity starts with the characteristics of environmental knowledge, where data, information, and local wisdom about environmental conditions are often decentralized, mismatched, and constantly changing (Martin et al. 2009). These characteristics lead to diverging subjective perceptions of the likely effects of environmental choices, to which statistical methods are only a partial remedy.

Looking at these problems in the wider context of how other fields use data science lays bare the unique challenges presented by our natural environment. Researchers find the usefulness of data for extracting meaning rests upon the five “V”s of data: volume, velocity, value, variety, and veracity (Jagadish et al. 2014). For environmental analysis, a prime challenge is increasing *volume* to a level that is useful while holding *variety* down to a level that is still manageable. Between direct monitoring, manual observation, remote sensing, and historical records, the heterogeneity of methods of collecting, storing, and exchanging environmental data can impede their mutual intelligibility and, thus, their usefulness. (It is worth noting that, across the history of developing data science, as theorists discovered and codified each new “V” of data, *volume* and *variety* had always been included from the start, suggesting something of their fundamental operation). *Velocity* is also a challenge as the “long tail of science” delays vast amounts of data in research silos. Finally, and central to the focus of this article, citizen science collection methods can cast a shadow on *veracity* (a bidimensional measure of accuracy and precision), as research turns to *in situ* observations without methods of validation (Blair et al. 2019).

These challenges are evident, for example, by a 2019 report of the United Nations Environment Programme (*Measuring Progress: Towards Achieving the Environmental Dimension of the SDGs*). Seeking to accurately assess progress of the United Nation's Sustainable Development Goals, the report applies strict and exclusive standards to the data it uses; for example, data must be published by a United Nations agency or United Nations partner operating at a global level, and time series data cannot be older than ten years, among other standards. As a result, the report finds "There is very little data that can be used to assess biodiversity, ecosystem health, the concentration of pollution and waste in the environment" and "Currently, there is only enough information available to assess global progress for less than 40 percent of the environment-related SDGs indicators."

In my experience, when I previously worked with President Obama's *State, Local, and Tribal Leaders Task Force on Climate Preparedness and Resilience*, a recurring challenge we identified was gaps in data application around flood risk and erosion hazards. Federal agencies like FEMA, NOAA, and the US Geological Survey seek to collaborate with state, local, and tribal governments, to leverage resources, avoid redundancy, and help state, local, and tribal governments build capacity to more independently monitor and assess their own hazard risks. Ideally, this capacity-building will enable state, local, and tribal governments to apply the resulting data more intelligibly to the land-use management, emergency response, disaster recovery planning, and economic recovery policies they administer. But the more widely a central agency involves other various agencies, the more it exposes data collection to geospatial and institutional prerogatives, assumptions, and technical limitations. Generally speaking, it is difficult to increase the volume or applicability of data without the data also becoming more siloed. This difficulty is especially salient when the subjects of data collection are rapidly changing, producing multiple datasets that are not only incompatible but also asynchronous.

When policymakers are faced with considering a new environmental choice, these entropic and asynchronous characteristics restrict the amount of data available to model that choice's likely effects. So, quantitative analyses generally focus on answering narrower sets of questions, modeling only a portion of the variables and, even in a best-case scenario, making a qualitative judgment about the rest. This tendency limits policymakers' ability to predict and account for all of the consequences of a given environmental choice.

In the meantime, several factors turn this uncertainty into *ambiguity*, as organizational theorist Martha S. Feldman (1989) defines it as "a state of having many ways of thinking about the same circumstances or phenomena." First, time is a finite resource. As Peter Drucker (2017) observes in his landmark *The Effective Executive*, the main concern of decision-makers is to manage time rather than to manage tasks. This perspective means policymakers are likely to value a source of information for its timeliness at least as much as they value the source for its accuracy (Recall *velocity* as a prime pillar of a dataset's usefulness). The "right answer" must also obtain at the right time, or else its moot.

Second, in areas of uncertainty, normative values loom larger while also occasionally taking the guise of objective knowledge. Responding to an emerging recognition of the limits of positivist analysis, constructivists in the 1990s began viewing analysis itself as essentially argumentation (Fischer and Forester 1993). This "argumentative turn," embedding empirical

knowledge in sociopolitical contexts, appears prominently in environmental policymakings. When the available facts do not precisely answer the questions policymakers must ask and answer, policymakers tend to rely on social values to extrapolate facts' meanings (Meppem and Bourke 1999; and Skilling et al. 2021). The scarcer the facts to anchor decision-making, the greater the pressure for policymakers to turn to stakeholders, giving social groupings, emotions, and moral intuitions an energetic hand in interpreting the problems and shaping the solutions (Stone 2011). If they cannot find the facts to authenticate decisions, they can at least make do with values.

In addition to producing ambiguity, these two factors combine to present to policymakers the unique paradox of advocacy by stakeholders. On the one hand, stakeholders offer timely and sometimes exclusive information and, where information comes up short, they offer values. Both of these inputs can authenticate policies. On the other hand, stakeholders are nearly the very definition of bias. Their influence strips away any last pretense of "rational" choice in policymaking, leaving policymakers to ask, how then shall we define what's fair?

A common approach to this paradox is to evenly invite stakeholder feedback and listen passively. Cynically, this approach can be merely a token of engagement. Even with the best of intentions, the impact of this approach is often minimal or even corrosive to the goal of growing a base of empirical knowledge. The next section evaluates passive stakeholder engagement as its own source of opacity.

Passive Stakeholder Engagement as a Source of Opacity

In many cases of developing, adopting, or implementing environmental policies, laws or formal procedures require policymakers to engage with affected stakeholders. In other cases, this engagement is required by political necessity. Ostensibly, a purpose of this stakeholder engagement is to identify and disclose how stakeholders could be affected by a proposed environmental policy, and to collect stakeholders' reactions to the proposed policy so that the policy can be improved.

Depending on how policymakers conduct this engagement, research finds stakeholder engagement can significantly illuminate what is at stake in a given environmental policy decision. Particularly where environmental policies would apply to large swaths of land with variegated conditions, local community members often have knowledge more in tune with the specific ecological conditions of their area. Moreover, the very circumstance that makes local community advocates *stakeholders* (i.e., having a stake in preserving the long-term health of their environment) equips local advocates to more authentically weigh costs against benefits, risks against rewards (Gottlieb 2009). In addition to generating information, founding a new environmental policy on intentional stakeholder engagement also helps to ensure the policy's *political* sustainability (Dryzek 2009; Korten 2007).

Nonetheless, despite these benefits of and opportunities for intensive stakeholder engagement, policymakers often conduct stakeholder engagement in a passive way. This often starts with publishing a draft policy or discussion question or problem statement, as a prompt for one-way input from stakeholders. Casting the policymaker as tight-lipped gatekeeper and

reducing the stakeholder's input, in many cases, to "a shot in the dark," this approach to "transparency" can actually heighten conflict and polarization between stakeholders and policymakers (Marantz 2019). Further, merely inviting stakeholders to advocate without an ongoing, responsive dialogue to guide it only exacerbates the natural tendencies for advocacy to evolve narrow positions.

Similar to the tendencies of scientific research to resolve specific questions one at a time in a way that dissatisfies policymakers' need for holistic solutions, advocacy also tends to advance narrow solutions. This nearsightedness is largely by organizational necessity. Campaigns don't launch and lobbyists don't lobby until there is a specific, narrowly defined goal in mind. A focus is required because advocates cannot meet their goal without first assembling and maintaining a sufficient base of supporters. The broader the goal, the greater the risk of including dealbreakers that cost supporters or bog the coalition down in dithering. So, in order to be impactful, every coalition has a kind of carrying-capacity for values and priorities. Exceeding that capacity would mean breaking up the coalition (as does setting unachievable goals).

Established membership organizations like trade associations and other broad-based interest groups can sustain an organizational infrastructure for stakeholders of like interests. Such organizations can dedicate this infrastructure to a generalized statement of values. But when the organization takes action to influence a specific policymaking, the organization must inherently prioritize some values over others. That particular act of advocacy may satisfy some members more than it satisfies other members, inclining the organization to compensate for whatever member dissatisfaction it has caused with its next act of advocacy appealing more to those dissatisfied members. Hence, a pendulum dynamic helps the organization cohere across time or across a portfolio of simultaneous advocacy campaigns. This dynamic may, in a net effect, incidentally approximate some holism. But each act of advocacy, viewed in isolation, is likely narrowminded by necessity, and that is the expression of advocacy that policymakers must consider in a given policymaking.

Similarly, organizations that are seemingly geographically defined, like a neighborhood association or community-based organization, can pretend to advance a comprehensive vision, until the organization opts to actually exert influence on a specific policymaking. Such organizations cannot meaningfully influence policy without defining a specific goal, to the exclusion of other interests, one at a time. Outside of these organizations, other stakeholders exert influence ad hoc, in a manner even more narrowly focused. A goal too broadly defined also gives policymakers too much interpretative latitude to claim they are meeting advocates' demands. So advocacy tends toward nearsighted agendas.

This tendency applies whether the advocacy is at the national level or the local level, and whether the advocates are paid or volunteers. Lobbyists, lawyers, and campaign managers representing a coalition must justify their goals and activities to funders. Such advocates must occasionally score victories to validate funders' investments. In a similar way, members of the community rallying for a cause, or community organizers drumming up volunteers, must draw a coherent frame around a complicated set of circumstances. This frame must tell a story that volunteers can understand and stage demands that policymakers can satisfy.

As policymakers receive these advocacy campaigns, policymakers often find them incompatible with one another. One factor of this incompatibility is that each campaign, either implicitly or explicitly, redefines the problem in its presentation of the solution. Because policymakers struggle to sample from a proposed solution without accepting its unique definition of the problem, the scope of a policymaking can vacillate continuously throughout the policymaking process, generating its own arena of politics where policymakers must develop a solution while they are still working on defining “the problem” (Jones 1994; Hoyt and Garrison 1997). Zahariadis (2003) identifies the social constructions of solution-problem couplings in five case studies, across British, French, German, and Greek policymaking bodies. Contrary to rational choice theory holding that more information linearly produces better decisions, Zahariadis also demonstrates *selective representations* of information, not as a corruption of policymaking but as integral to policymaking. Thus, advocates play a prominent role not only in developing solutions but also in conceptualizing the problem. The scrum of competing problem statements places the onus on policymakers to combine inputs, which were not originally intended to be combined, into one coherent understanding of the consequences of varying combinations of available options.

Each position being argued by an advocate is often the product of some prerequisite exercise in coalition-building, an implicit kind of Pareto-optimal sorting necessary to organize, rally, or fund all the efforts that brought this position to policymakers’ desk. The position is a social construction, but not necessarily an unusable one. Policymakers should engage vigorously with advocates to interrogate their positions, ascertain their interests, identify and ask the right questions, and validate and combine informational inputs to build a coherent understanding of the stakes involved in each particular decision.

The complacent view is to accept these conditions of ambiguity as inevitable. This view accepts *reactive* policymaking — shifting from one crisis to the next — as the *modus operandi*. This view certainly keeps policymakers busy, and it propels a thriving civic engagement among communities that are resourced to participate. But many communities lack the resources to participate, and it is evident that crisis-to-crisis policymaking tends to concentrate its crises in these underrepresented communities. If only for this reason, it is not just to accept the consequences of ambiguity as inevitable.

Disproportionately Negative Effects on Underrepresented Communities

Where the opacity of environmental stakes leads to unexpected externalities, one might expect their incidence to occur randomly among constituencies with varying levels of representation. *Expected* externalities are subject to the politics of policymaking, where well-represented constituencies are effective at deflecting environmental harms from their communities, even if those harms land visibly in other communities. *Unexpected* externalities, those which evade prediction due to imperfect information, could appear anywhere.

Yet the *cumulative* incidence of unexpected externalities nonetheless impacts the underrepresented constituencies the most, because these constituencies are the least equipped to respond effectively to every unexpected harm that crops up. In *Slow Violence and the Environmentalism of the Poor*, Nixon (2011) documents this gradual accretion of exposures as the

“slow violence” of environmental injustice: “a violence that occurs gradually and out of sight, a violence of delayed destruction that is dispersed across time and space.”

This quiet accretion does not happen in well-represented constituencies because well-represented constituencies can reassert influence on policymakers, time and time again, to address new and emerging problems (Taylor 2014). As a function of routines and relationships, affluent communities possess the political infrastructural stamina to *regularly* place their concerns on policymakers’ agenda. Meanwhile, and in contrast to the direct influence of affluent constituencies, low-resource constituencies are often reliant on weaker proximal mechanisms of representation (Krings 2020). These mechanisms may include an environmental-justice advisory committee, a tacked-on “equity” plank in the strategic plan, or an annual or ad hoc “equity audit,” for example. Such mechanisms are not nearly as nimble or integral to the whole system of governance as the representation of affluent constituencies.

This disparity is among the factors concentrating environmental problems in low-income communities and communities of color, quietly compounding the effects of the more explicitly racist practices that characterize local histories and, to some extent, current practices in the United States. The opacity of what is at stake in environmental choices cumulatively hurts underrepresented constituencies the most. This tendency places particular importance on policymakers’ goal of reducing opacity and the value for engaging stakeholders to do so.

METHODS OF ENGAGING STAKEHOLDERS TO REDUCE OPACITY

This article now turns its attention to providing advice regarding approaches that policymakers can take to stakeholder engagement to reduce, rather than increase, opacity. While this article’s first section moved briskly through the literature with a goal of summarization, this second section now approaches that summary more reflectively to expound practice-informed methods from its findings.

These methods acknowledge that any information provided by a stakeholder to policymakers is, essentially by definition, biased. But that information can still be useful to policymakers. Also, stakeholders’ participation in a policymaking, and their seeing value in that participation, can be useful to policymakers. A sustained, collaborative relationship between stakeholder and policymaker can produce value from stakeholder input, however biased. In their sweeping integrative framework for understanding collaborative governance, Emerson and Nabatchi (2015) identify processes of shared discovery and shared definition as two related prerequisites to collaborative governance, which potentially correct for bias. Although not always strictly sequential, this discovery-definition pairing can be considered as two necessary stages. First, a process of *discovery*, enabling stakeholders through transparent dialogue to reveal their interests and concerns, opens up and expands the information available to policymakers. Next, the stage of *definition* starts to contain and shape that information into more tractable terms, building shared meaning between policymaker and stakeholder from the macro (concepts) to the micro (terminologies). In a successful collaborative governance regime, this work ultimately coalesces into a shared theory of change between policymaker and stakeholder. But, even in the interim, the policymaker can derive useful knowledge from the interaction all while also strengthening the stakeholder relationship. Emerson and Nabatchi identify these processes of *discovery* and

definition as components of “principled engagement,” echoing Fisher and Ury (1991), underlying the type of dialogue which builds trust, mutual understanding, and buy-in between stakeholder and policymaker.

Those principles emphasize the importance of seeking a transparent dialogue with stakeholders, in spite of the underlying dynamics that impair transparent dialogue. Because those dynamics drive formation of the inputs that policymakers receive from advocates, and are inescapable to some extent, the first and most crucial task for policymakers is to understand those dynamics. Drawing on an extensive scholarship, this article summarizes those dynamics as *framing* and *positioning*. First, this section examines framing and positioning as universal dynamics. Next, the section provides tactical advice on how policymakers can handle them to increase transparency. This advice builds on principles of *discovery* and *definition* identified by Emerson and Nabatchi, by recommending specific techniques which give them life and impact.

Framing and Positioning

Reconciling theory to observation, physicist John Archibald Wheeler once declared, “A picture without a frame is not a picture”—a liberating concession for those of us in politics. If physicists can agree upon reducing the world to categories, disciplines, and schemata, as people’s only keyhole to partially understanding reality, then those of us in politics should feel comfortable with sampling from ideological and social cues as indicators of stakeholders’ interests and predictors of advocates’ actions. Policymakers should use such frames advisedly, however, because a frame only clarifies some issues by excluding others. Because the conventional framing tends to disadvantage *equity*, attention to the framing is probably the first imperative to actually making the outcomes of policymaking more equitable.

Attention to framing is also imperative because, to some extent, it is inevitable. In my experience, most successful techniques in multistakeholder negotiation and advocacy proceed from an assumption of faceless power dynamics, of which our individual actions are merely knowing or unknowing constituencies at one time or another. This perspective informs one of the distinctions between stakeholders and advocates. Whereas “stakeholder” is used to describe a broad representation of *interests*, an “advocate” is more distinctly a specific *person* giving voice to some of those interests. That person can be anyone, volunteer or professional, who is speaking on behalf of particular interests, or who considers themselves to be speaking on that behalf. For example, that person could be a concerned resident who views themselves as speaking on behalf of their neighborhood, or a paid lobbyist who is representing a national trade association. Although individual persons have agency and their own opinions, their actions are generally guided or enabled by interests. The interests shape the person’s actions, whether the interests are funding that person as a professional lobbyist, or whether the interests are providing resources to an activist (providing organizing resources to activists, for example, or providing information that shapes an activist’s perceptions of the complicated issues at stake in a policymaking).

Scott Campbell (1996) categorizes the types of interests that recur in environmental policymakings, with his “Planner’s Triangle”. Campbell’s triangle examines the distinct type of conflict that arises from each possible pairing of three socially constructed priorities (also known as “the three E’s”): Economic, environmental, and equity. (“Environmental” in this context

largely means conservationist). The conflict that arises from each of these possible pairings frames the policymaking discussion. For example, the conflict between the *Economic* corner and the *Environmental* corner is called the “Resource Conflict,” which decides whether to tap natural resources for their economic utility or for their ecological utility. To whom this utility accrues in either case is not addressed in the “Resource Conflict,” which is preoccupied with whether to “grow the economy” or “conserve nature.” This binary discourse often defines the whole debate in many environmental policymakings, eluding critical questions about racial inequalities and socioeconomic hierarchies (Checker 2011; and Schusler 2020). Deciding who actually benefits from “growing the economy” happens in a separate conflict which occurs between the *Equity* corner and *Economic* corner, just as deciding who benefits from “conserving nature” happens between the *Equity* corner and *Environmental* corner. But the policymaking only attends to these conflicts if the policymaking is framed as such. Often, the questions necessary to prompt such framing fail to capture sufficient amounts of attention of policymakers or other stakeholders.

It is possible for a policymaking to attend to all three conflicts, more or less simultaneously considering each conflict intentionally and balancing discussion between the three. Responsible policymakings strive to strike this balance. However, the natural gravity of deliberative process, and the selective representations of information that deliberation requires, will generally pull policymakings toward settling on one of the three possible conflicts as its exclusive frame (Swynghedouw 2007). Campbell’s triangle is a useful tool for creating awareness of these three stubbornly emergent frames, so that no single frame dominates the policymaking to the exclusion of other important considerations.

In addition to forecasting the types of conflicts likely to arise in a given policymaking, Campbell’s triangle also serves as an axiom for the distortive effects those conflicts tend to place on underlying interests. In a visibly multistakeholder policymaking, advocates tend to establish positions in reaction or anticipation of one another. Whether strategic or defensive, advocates are responsive to their opponents and to their allies (and to parties *perceived* as being likely opponents or allies). This behavior introduces a level of unpredictability that Yuval Noah Hariri (2015) calls “Second Order Chaos,” a condition where the subjects of predictions keep *reacting* to said predictions. This behavior also distorts policymakers’ perceptions of what really matters because strategic or defensive positioning obscures each advocate’s *actual interests* (or each stakeholder’s actual stakes) in the policymaking.

The most straightforward representation of this distortion occurs in two-party negotiation, which tends toward positional bargaining. Positional bargaining occurs where each party opens with their position and the parties then haggle from their separate opening positions. If the negotiation is “successful” (success being a relative term), the parties eventually agree on a single position somewhere in the middle. Fisher and Ury (1991) argue positional bargaining is an inefficient mode of reaching agreements, in part because positional bargaining tends to neglect the interests of *both* sides. This neglect happens because advocates focus on each other’s positions instead of *why* they hold those positions (in other words, their *interests*).

As an alternative, the theory holds that parties to a negotiation can often come to better terms by explaining their interests, instead of asserting their positions. When one advocate explains their interests to the other advocate, they are essentially recruiting that second advocate

into the investigation of possible alternatives to satisfying those interests. Transparent dialogue can produce better results for both parties. For examples of this approach, we could look toward a number of practices in ecosystem management, such as the establishment of water trusts to protect riparian habitat. Throughout the Western states and especially in the Pacific Northwest, conservationists and farmers have collaboratively formed dozens of mutually beneficial agreements to share water, meeting agricultural needs while also protecting instream flows for salmon, steelhead, and trout (Anderson and Leal 2015). Although conservationists and farmers could fight over water rights to a zero-sum conclusion, this alternative approach allows them to cooperate to form positive-sum arrangements. But these water trusts depend upon detailed information being exchanged between farmer and conservationist, about each party's respective values for water and purchasing power, and objective goals and metrics for hydrological and ecological conditions, and monitoring plans — *interests* that become the subject of both parties' efforts. Likewise, policymakers are in a better position to craft effective and equitable policy when they understand *why* their stakeholders feel the way they do (i.e., the “stakes” that make them stakeholders). Negotiations with three or more parties, and with a policymaking authority acting as arbiter, complicate the geometry, but the same principles remain. Policymakers understanding stakeholders' underlying interests at a detailed and empirical level can help the policymaking process to generate a richer, more informed range of options, multiplying potential pathways toward positive-sum arrangements.

Understanding advocates' interests can also help policymakers assign values to positive externalities (a first step toward rewarding or reinforcing them). This benefit has particular salience for identifying ongoing unpriced ecosystem services, as well as latent, untapped capacity to provide enhanced ecosystem services. Landscape architect Robert Thayer gives an example of such untapped services in his *LifePlace: Bioregional Thought and Practice*. Reflecting on the pressures our mispriced agricultural economy place on rice farmers, Thayer observes: “In addition to providing one of the world's essential staple crops, what other local services might rice farmers be equipped to provide the nonfarming public? The answers: habitat for waterfowl, aquifer recharge, flood control, soil conservation, air quality, salmonid stream flows, wildlife observation, hunting areas, natural beauty, and outdoor recreation. Yet are they paid for any of these potential services? Hardly. We (the nonfarming, largely urban/suburban public) expect the rice farmer to provide all of these secondary services out of pocket as the cost of doing business” (2003). The first step toward compensating the farmer for these services is ascertaining those services' value (i.e., stakeholders' *interests* in them). Those stakeholders — including conservationists, municipal governments, and recreationists, not to mention other farmers — are in a better position to secure these services by explaining their interests.

This strategic emphasis on transparent dialogue drives a battery of methods which public-sector professionals can employ when engaging advocates in a multistakeholder policymaking scenario, including facilitative, negotiation, and agenda-setting techniques. These techniques arrange the types of forums, and foster the types of responses, necessary for transparent dialogue about interests.

Methods of Increasing Transparency

Applying Fisher and Ury to policymaking requires several caveats. First, the emphasis on transparent dialogue assumes all parties are acting in good faith, which is not always the case in environmental politics. So, the methods proceeding from this application of Fisher and Ury must account for the risks of bad faith negotiation such as surface bargaining, violations of confidence, or disingenuousness.

Second, Fisher's and Ury's principles assume roughly equal access to the decision-making. But that is only rarely the case in environmental policymaking. In many cases, constituencies with serious stakes in a policymaking are underrepresented, relative to others. Sometimes this underrepresentation is deliberate; other times, it's hardly known what those stakes are until the decision is already made and its aftereffects harm underrepresented communities. Campbell's triangle identifies *equity* as one of three priorities driving environmental planning. But our general system of governance, bound by imperfect information and piecemeal policymaking, inherently advantages the implementation of some priorities over others. Even in a best-case scenario excepting explicit racism or exclusionism, advocates for *equity* face an infinite regress of uphill battles, one externality after another. Better funded and better equipped to voice their positions *or* their interests, the advocates of *environmental* and *economic* priorities keep their hands on the wheel, turning a Sisyphean churn of semi-informed choices begetting semi-informed choices, begetting, inevitably, inequitable distributions of costs and benefits by environmental outcomes (Rosa 2021). Therefore, policymakers seeking to incorporate Fisher and Ury into their methods of stakeholder engagement must account for these two caveats.

Such methods must also measure what matters. Policymakers' ability to generate useful information from stakeholder engagement depends upon relationships, credibility, and shared understandings. Policymakers should measure these assets as a gauge for their ability to generate information, but these assets are not directly quantifiable. In a field where quantitative methods are prized methods of analysis and authentication, realistically assessing relationships, credibility, and shared understandings, across educational and cultural differences, can be a challenge. Nonetheless, policymakers must pair their methods with a more direct way of measuring whether their methods are working or have promise of working.

Finally, the methods of stakeholder engagement must empower the policymaker as a self-directed and investigative force in the engagement. This means testing assumptions, validating assertions, steering the discussion toward questions the policymaker needs answered, and driving the lines of inquiry throughout a continuously iterative process.

The methods of stakeholder engagement can account for all of the needs discussed above by centering the perspectives of underrepresented constituencies, starting with the questions, and assessing their relationships with stakeholders in a realistic way. These goals underpin the methods recommended below.

1. Frontload Lived Experience

The process of environmental policymaking should not merely include communities of lived experience but also hinge on those communities' input. It is fashionable to agree that policymakers should embed in the policymaking the lived experiences (perspectives, knowledge, and values) of people whose circumstances are at stake. But this cannot be done authentically by merely reserving a slot in the policymaking for this lived experience to occupy. The entire shape and process of the policymaking must be co-determined by the lived experience. While the end product (the policies) should produce equitable distributions of *costs* and *benefits*, the process of creating it (the policymaking) should produce equitable distributions of *access* and *empowerment*. This requires policymakers to consult lived-experience contributors at the very start of the policymaking process, not to react to proposed solutions, but to identify and define the problems, then meaningfully contribute to the applicability of the solutions that research generates. For example, Ross et al. (2021) finds “citizen juries,” convened before formally starting urban climate policymaking, to effectively help policymakers identify the right questions and priorities. The process begins by selecting a diverse group of individuals who are representative of the affected community, providing them with relevant information including scientific or technical data, and giving the “jurors” an opportunity to deliberate on the issue, drawing on their own experiences. The process is facilitated by moderators who help ensure that all voices are heard.

A practical corollary for policymakers to consider whenever initiating a policymaking, and wherever possible, is to avoid predetermined timelines and a rigid scope, which is in contradiction of common practices. A common practice, for example, is to initiate a policymaking by setting it to a specific schedule defined by its deadline, such as a nine-month calendar for a regulatory action. This schedule consists of phases, one of which is set aside for “stakeholder engagement.” That phase of stakeholder engagement may be a legally required formal public comment period or a more ad hoc “technical workshop” or a community-focused “townhall” event. However tailored this phase might be to engage communities of lived experience, the engagement is less likely to authentically embed lived experiences in the policymaking if the engagement is anchored to a particular phase of a linear timeline bound by predetermined deadlines or scope.

At the beginning of the process, policymakers should have sparse expectations for the scope, flexible expectations for the timeline, and specific expectations for both scope and timeline to hinge on early lived-experience input. In many cases, legal or administrative constraints may require predetermined timelines or scope. In such cases, policymakers should acknowledge these institutional barriers. But often, these predeterminations are elective, setting artificial internal deadlines and presupposing outcomes before stakeholder input is gathered. To truly incorporate lived experiences, policymakers should frontload that input and allow it to inform the timelines and scope.

2. Have a Relationship with Stakeholders

The title of this section uses the verb “have” instead of “build” or “cultivate,” because this section seeks to emphasize the simultaneous acts of producing a relationship while also stewarding it through attentive evaluation and adaptive communication.

In order to derive useful knowledge from stakeholders, policymakers must earn the stakeholders' trust and demonstrate mutual interests, reciprocity, and respect. Each of these acts can be performed in the regular course of policymaking through a mindful recognition that stakeholders (and their advocates) are people with values, needs, and their own particular perspectives, shaped in part by the limits that are placed (whether deliberately or indifferently) on their insights into the policymaking process. Earning trust requires policymakers to take actions consistent with the mutual understandings between them and stakeholders, so policymakers must set clear and realistic expectations. Demonstrating mutual interests and reciprocity requires formalizing goals, values, or priorities in alignment with stakeholders' interests; equally important, it also requires making this alignment visible. Policymakers could set meeting agendas around stakeholders' values, or initiate presentations with a statement of shared priorities. If, in the iteration of a new policy, policymakers choose to add a stakeholder's proposed text to the draft policy, then the policymaker should be sure to point that out to the stakeholder in their next conversation. Make sure stakeholders see the influence they are having. Putting particular effort into these tasks is itself a sound expression of respect for the stakeholder's role in the policymaking.

However, although most policymakers likely agree with these *standards* of stakeholder engagement, common approaches to evaluating the *impact* of stakeholder engagement abandon the standards for different metrics, which are usually distinct for being quantitative. It is common practice, for example, for a local government considering a new policy adoption, to define its community engagement goal as holding a specific number of outreach events. These events might be called townhalls, surveys, or "pop-up" events. But no number of events will meaningfully engage the community if the government conducting them is focused primarily on producing a big number of events. Similarly, federal agencies or state agencies initiating a rulemaking may set aside an established number of meetings to "hear from the stakeholders." But meetings, by themselves, do not produce useful information from stakeholders. Only the relationships, as an active force *in* meetings, can produce useful information from stakeholders. Therefore, policymakers should not track the number of events they conduct. Instead, they should measure the quality of relationships they have.

The quality of a relationship is mostly non-quantifiable. For example, do you assure your spouse of the quality of your marriage, by citing quarterly increases in the *number* of conversations you have had? If the number of conversations you have had with your spouse has increased from one quarter to the next, does that number by itself tell you anything important about the relationship? Not likely. So why should we judge the quality of our relationships with stakeholders the same way? The number of meetings, townhalls, or other means is, by itself, nondescriptive of the quality of the relationship.

A reason that policymakers nonetheless tend to use quantitative measures of stakeholder engagement or community engagement likely stems from political expectations. Seeking to build legitimacy for an upcoming policymaking, especially in controversial policymakings that impact members of a community, policymakers often need to be able to justify the policymaking, in part, on the basis that "we heard from the community" or "we worked with stakeholders." To buttress that point against the subjectivity of various political views, policymakers need an *empirical*

product to announce, which makes numbers an attractive measure. Nonetheless, although the quality of relationships is mostly non-quantifiable, there are useful ways of grounding the policymaker's evaluation of the relationship by empirical and objective metrics. For example, the policymaker might use a yes/no questionnaire which asks questions like:

- Do community leaders trust the policymaker enough to pass policymaker's announcements, guidance, or other information on to their constituents?
- Are advocates/community members *coming back* to meetings, a second, third, and fourth time?
- Are stakeholders routinizing these interactions as proactively as the policymaker? In other words, are the communities asserting the process of engagement as much as the agency?
- Are communities taking an active role in framing the engagement? For example, are they participating in the design of workshops and neighborhood charettes, or merely giving the inputs?

The answers to these questions can all be indicators of the quality of the policymaker's relationships with the stakeholders/in the communities which the policymaker is seeking to engage.

I draw this lesson from a previous experience from when I served as an advisor to the mayor of Sacramento. At that time, I was tasked with managing a regionwide workforce development initiative which relied completely on the voluntary involvement and contributions of area businesses and civic organizations. In addition to soliciting these stakeholders' input on the development of a workforce investment program, the initiative simultaneously asked employers to make a commitment to hire a certain number of employees from a targeted pool of job-seekers. Because the initiative depended overwhelmingly on raising awareness and gaining buy-in among employers, my staff and I developed metrics for tracking the performance of our stakeholder engagement. Over time, we found the metrics tracking the numbers of meetings, phone calls, and "townhall" events, were not predictive of the involvement and contributions we would eventually earn from stakeholders. The metrics that were more predictive of outcomes overwhelmingly described our relationships with stakeholders. Eventually, our yes/no questionnaire for each stakeholder, using questions similar to those listed above, correlated almost perfectly with the commitment that the stakeholder eventually made, whereas we could not identify any correlation between the number of events we held and the performance of the initiative.

3. Assign Homework

Naturally, advocates assertively provide information to policymakers, typically of the advocates' selection. Even when the information is credible, advocates only provide that which supports their interests, as broadly or as narrowly as those interests are constituted. So long as policymakers qualify this information according to its bias ("taking it with a grain of salt," so to speak), then the

information can be beneficial for policymakers to consider. But policymakers need not limit themselves to passively receiving and quietly filtering advocates' information.

Instead, policymakers can also decisively request specific information of advocates. When a policymaker identifies a need for some particular knowledge, data, or advice, in excess of the policymaker's capacity or expertise, then the policymaker should ask advocates to generate it. One approach to issuing this request is concluding a discussion with advocates with a specific, time-bound request for specific information. The policymaker can then evaluate whether advocates meet that request, as an indicator of the advocate's own expertise or commitment to reciprocal collaboration. In many cases, advocates will be eager to please. If the requested information does not directly undermine the advocate's position, and if the request is within the advocate's technical capacity to meet it, they likely will deliver. Of course, any requested information that the advocate provides will be embedded with bias. But at least the information would be ostensibly aimed at satisfying the policymaker's needs. In addition to answering specific questions and testing advocates' commitment to reciprocity, "assigning homework" enables the policymaker to steer the broader conversation.

I draw this lesson partly from my own experience being assigned homework, when, in a previous role, I worked as a contract lobbyist for a construction trade association. I was tasked with halting the passage of a legislative measure adverse to my client's interests. In a series of conversations with the bill's author, I noticed the legislator or her staff answered each of my assertions with an only tangentially related technical question about the broader subject matter of the bill. Sometimes I didn't know the answer and, resolved to maintain a positive relationship with the legislator, I committed to finding the answer and getting back to the legislator with this information as promptly and reliably as possible. To that end, I researched the issue, consulted my client's subject matter experts, and developed an accurate and cogent answer to the question. Informed by this dialogue among other factors, the legislator's bill eventually evolved into a different policy altogether (and passed into law), and I humbly realized I had been conscripted as part of the legislator's research team. In later roles where I served in the public sector, on the other side of gate, I have since utilized the same strategy of assigning advocates homework. This approach can present a "win-win" where the policymaker gets the research they need and the advocate is able to assist the evolution of policy in a manner which serves, or at least doesn't harm, their interests.

"Assigning homework," however, should be undertaken by policymakers only with sensitive recognition of disparities in privilege. In cases where policymakers are dealing with advocates of historically well-represented interests (for example, dealing with paid lobbyists representing a corporate interest), then assigning homework is an appropriate method of generating necessary answers to specific questions and testing advocates' commitment to reciprocal collaboration. But in cases where policymakers are dealing with advocates of underrepresented communities, then the burden of proving reciprocal collaboration is on the policymaker, given the histories whereby an underrepresented community is defined. This flip would apply, for example, to local officials engaging with residents of a disinvested neighborhood, or to state policymakers engaging with advocates for social or economic justice. In the broader effort to promote a more equitable distributions of access and empowerment among stakeholders, policymakers should assign homework advisedly.

While “assigning homework” can help a policymaker to find answers to a specific inquiry the policymaker may have, engaging community members in the act of research doesn’t need to be limited to the policymaker’s unilateral interests. Gonzalez (2019) recommends a method of facilitating community engagement through “participatory action research,” which actively involves community members in activities such as co-designing research questions, collecting data, and analyzing results. According to Gonzalez, “participatory action research” is a useful strategy for facilitating community engagement because it allows community members to have a voice and take control of the research process while still serving policymakers’ needs for actionable information. Additionally, this method can help create a sense of ownership and investment in the policymaking among community members, which can ultimately lead to greater success.

4. Formalize Multilateral Discussions

In some instances, policymakings can benefit from a series of one-on-one discussions, wherein the policymaker engages with stakeholders one at a time. This approach may be necessary to protect confidentiality, promote candor, or delve into policy details. But there are other instances where one-at-a-time discussions can produce “he said-she said” contradictions and confusion. One-at-a-time discussions can also produce a perception of backroom-dealing, whereby some stakeholders may perceive that they are marginalized, relative to other stakeholders, even when that is not the case.

Where the ethics of confidentiality allow, policymakers should consider “getting everyone in the same room” and conducting multistakeholder discussions. Policymakers may even consider formalizing such discussions by establishing a working group of stakeholders. Formalizing a stakeholder working group can demonstrate equal access for all stakeholders involved and create a perception that, ultimately, the policymaking is a product of the whole group, even if some members of the group disagree with some aspects of the policymaking. Policymakers should consider this approach carefully, however; by formally including a group of selected stakeholders, this approach could be interpreted by others as explicitly excluding anyone who is not in the working group.

Nonetheless, accounting for these risks, the working-group approach has promise for creating a more accountable and transparent process of stakeholder engagement. Again, I recall my experience with President Obama’s Task Force on Climate Preparedness and Resilience. The task force was comprised of state, local, and tribal leaders for the purpose of developing our recommendations to the federal government for policy change (I was representing the City of Sacramento in my role as an advisor to the mayor). So task-force members operated to some extent as advocates for our respective jurisdictions. But White House staff didn’t let those jurisdictional agendas dominate the task force’s conversations, or else the final report would have been a hodgepodge of unrelated wish lists.

Instead, the White House held task force members accountable for *one another’s* inputs. The White House’s Council on Environmental Quality facilitated an inclusive, interactive dialogue where task-force members all heard and reacted to one another’s proposals and concerns.

This dynamic caused members' input to tend toward incorporating the priorities and concerns voiced by others, and/or correcting or clarifying inputs that had been put forward. Also critically, the White House gave us homework. They didn't passively accept whatever research we chose to submit. They also made their own requests for specific information. They tracked questions that arose in each meeting and followed-up by recruiting selected task-force members to help substantiate answers before the next meeting. They geared these requests toward moving the collective discussion toward some consensus while refining and balancing a final set of recommendations. This experience demonstrated how formalizing multilateral discussions can generate accountability, inclusivity, and buy-in.

Through a series of similar examples, Buijs et al. (2019) demonstrate how intentionally structured multilateral working groups can help policymakers to identify and drive shared goals among stakeholders to support urban green infrastructure. Characterized as "mosaic governance," the use of intersectoral deliberative processes, Buijs' examples consistently involve formalized intersectoral working groups involving a diverse range of stakeholders as a successful approach to developing policy or projects.

5. Define the Problem First, Through Phased Discussion Prompts

A major challenge to deliberative democracy is conflicting redefinitions of the problem to be addressed. Stakeholders often advocate problem-solution couplings together with a simultaneity which suggests the problem statement is just as often fitted to the solution as the other way around. Residents attending a townhall may start with only the problem statement, complaining, for example, about a local nuisance and calling on policymakers to create a solution. But the more sophisticated a campaign gets, the more its funders demand greater forethought, and a carefully defined problem suited to a predetermined solution. Parliamentary rules often reinforce this simultaneity. Legislators introduce bills proposing a solution, not a problem statement. *Robert's Rules of Order* require participants to "make a motion"; as a result, the solution is debated before the group even agrees to what problem is being addressed.

This tendency can impair a policymaking from the outset. Building a policymaking on a set of conflicting perceptions of the problem the policymaking is addressing not only makes it difficult for policymakers to build multistakeholder consensus around a proposed solution. It also obscures the information that policymakers can gather from their conversations with stakeholders. In some cases, the definition of the problem is openly debated in the midst of also debating solutions. While this case makes it difficult for policymakers to build multistakeholder consensus around a proposed solution, it at least provides transparency. The worst-case scenario occurs when the fundamental disagreements over what the problem is, or whether there even is a problem, are left unsaid. Oftentimes, differing perceptions of the problem are implicit, lingering quietly as policymakers seek to consensually develop a solution and skewing the inputs that stakeholders submit to policymakers. This is a worst-case scenario because policymakers might spend a lot of time piecing together a proposed solution, from the inputs of stakeholders, without first recognizing the inputs are each tailored to a unique conception of the problem.

Policymakers can preempt this tendency by engaging stakeholders in phases. The first round of soliciting stakeholder input should be focused solely on deciding whether there is a problem. The second round should focus on deciding what the problem is. Policymakers may already encounter disagreements among stakeholders even at these preliminary phases, but at least the disagreements are being acknowledged and addressed. If a disagreement is to be had over defining the problem, policymakers should approach it openly and firstly, before wasting time talking about incongruous solutions.

In his *How to Make Collaboration Work*, David Straus (2002) outlines a six-phase model for gathering stakeholder input on *Perception, Definition, Analysis, Generation of Alternatives, Evaluation, and Decision-Making*, specifying that each activity should be clearly cordoned off from the others. Stakeholders tempted to assert solutions prematurely in the *Definition* phase, for example, should be reminded that solutions will need to wait until there is consensus on the definition. This structure is meant to aid deliberation, not stymie it. The policymaking might proceed all the way to the *Generation of Alternatives* phase before discovering particular reasons to reconsider the problem definition. The model does not forbid policymakers from jumping backward and reevaluating the *Definition* phase, so long as it is clear to everyone that the policymaking is revisiting the definition, and consensus is established before proceeding again. It may be impossible for the policymaking to proceed with consensus. Advocates may be so deadlocked over defining the problem that policymakers must proceed with their own executive judgment of the problem, over the protests for some stakeholders. But, at a minimum, policymakers would have at least proceeded with a clear understanding of what the differences are.

6. Search for Institutional Help

Another challenge to deliberative democracy, and more specifically to investigative stakeholder engagement, is simply the administrative costs such engagement entails. The work of facilitating, managing, supporting, and planning and re-planning an investigative, iterative dialogue with multiple stakeholders easily outstrips the work of holding a series of listening sessions. But intentional stakeholder engagement need not place administrative burdens solely on public agencies. Legal aid organizations, such as the Community Environmental Legal Defense Fund (CELDF) have a track record of helping local communities across the United States to draft and adopt their own environmental laws prioritizing the interests of stakeholders, such as laws that ban fracking or the spreading of sewage sludge on farmland. By providing legal and technical expertise to stakeholders, and building local capacity to take action, CELDF's approach is an example of how community-based organizations and other stakeholders can play a critical role in environmental policymaking (Fung 2000).

Researchers and practitioners have also developed a variety of models for public agencies to consider using to delineate and delegate roles and responsibilities. For example, Gonzalez describes a framework for engagement that ranges from awareness-raising and information dissemination to consultation, collaboration, and co-creation. Like Straus, Gonzalez proceeds through a deliberative democratic method step-by-step, with the added benefit of also delineating between "City Staff Activities" and "Community Activities" (2019).

CONCLUSION

Gathering stakeholder input in a passive way creates a range of plausible outcomes, none of which are optimal for policymaking or for underrepresented constituencies. At best, and in rare cases, stakeholder input gathered passively can genuinely inform a policymaking by coincidentally answering a question about which policymakers had been wondering, or by making policymakers aware of an important question that they had failed to ask themselves. At worst, and in frequent cases, stakeholder input gathered passively can further advantage privileged communities over lower-resource communities that are less able to provide input and less able to respond nimbly to unexpected externalities. Somewhere in the middle of this range, and certainly also suboptimal, is when policymakers gather input from stakeholders passively as a function of “checking the box,” with little intention of actually altering a policymaking in response to input. These outcomes result from policymakers’ expressed wishes to “hear from the stakeholders,” without proactive and intentional planning proceeding from this initial vague whim.

As an alternative, this article has argued for a more intentional approach to stakeholder engagement as an interactive and investigative pursuit. In this alternative, stakeholder engagement is truly “a dialogue,” where policymakers help to guide the discussion with their own questions, transparently explaining their informational needs so that they can satisfy inquiries as well as gathering feedback on the questions themselves. This approach requires greater consideration at the beginning of a policymaking but, in the long run, benefits policymakings with significant advantages over the passive approach. For instance, this approach creates greater opportunity for policymakers to receive answers to the questions that are actually facing them. This approach also treats stakeholders with greater respect and provides guidance to stakeholders so that they understand how to *meaningfully* provide input, thus improving the policymaker-stakeholder relationship. Most importantly, approaching stakeholder engagement as an interactive and investigative pursuit creates access for underrepresented constituencies to participate in policymakings.

Equitable policymaking starts with an acknowledgement of persisting asymmetries – Asymmetries of knowledge and asymmetries of access. But merely acknowledging these asymmetries is insufficient to correct them if policymakings are going to default to laconically inviting one-way communication for communication’s sake. Rather, effective and equitable policymaking requires a genuine *conversation* with stakeholders, one that takes advantage of the wisdom stakeholders have to offer.

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