Making Participation Work When Interests Conflict: Moving from Facilitating Dialogue and Moderating Debate to Mediating Negotiations

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This article uses a public management controversy in California to show how planners who work with contentious publics can learn from skillful mediators. Citizen participation often produces more heat than light, since conflict often yields little new understanding or dialogue, and even less negotiated agreement on public action. Yet skillful mediation may move beyond either dialogue or debate to craft mutually beneficial public agreements among contentious stakeholders. Mediated participation techniques can redirect conflict into joint inquiry, explore options rather than escalate demands, and achieve practical ends that will serve diverse interests.

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Easy to preach but difficult to practice, effective public participation in planning and public management calls for sensitivity and technique, imagination and guts. Planners and public managers need not only skill and thick skin, but the ability to listen astutely, probe practically, and "enlarge the shadow of the future" (Axelrod, 1985, p. 126) by making citizens more aware of their looming vulnerabilities and practical opportunities. This practical artistry combines learning and deliberation, negotiation and politics (Arnstein, 1969; Baum, 1997; Forester, 1999a; Hoch, 1994; Innes & Booher, 1999; Schön, 1983; Susskind, McKearnan, & Thomas-Larmer, 1999).

Local residents often doubt planners' good intentions, as do real estate developers, so planners can easily feel caught in the middle as they hope to work with many affected parties (Forester, 1987). Public participation efforts often involve citizens who want not just to talk, but to express deeply felt differences and to defend diverse interests: promoting affordable housing, protecting their neighborhoods, providing parks and open spaces, developing the local economy, and more (Eckstein & Throgmorton, 2003; Healey, 1997; Lowry, Adler, & Milner, 1997; Sandercock, 2003b; Susskind & Cruickshank, 1987). The stakes here are imaginative and creative: Can planners and stakeholders transform what they believe possible in the first place and act together to realize those possibilities (Forester, 1999b)? Planning done well organizes hope, enhancing our abilities to imagine our communities as we might yet really live in them, while planning done poorly diminishes what we imagine we can do, weakens our hope, and discourages action (Baum, 1996; Forester, 1989; Sandercock, 2003a). Planners facing conflicting claims and interests need ways to encourage mutually acceptable, critically vetted actions as they work with multiple stakeholders, all of whom are convinced that the planners are really on someone else's side.[1]

In earlier research I asked experienced planners, "How do you try to work with everyone, when everyone thinks you're partial to someone else?" Their responses revealed diverse practical strategies that planners can use every day, including coaching parties, shuttle diplomacy, and splitting the convening and mediating roles (Forester, 1989). But many planners face challenges as they try to foster participation when interests conflict.

Planners face the complex challenges of what I call "mediated participation," resembling mediators whenever they work in between multiple stakeholders to

encourage their participation in making decisions that will affect their lives. Skillful mediation practices can transform real antagonisms into working relationships and practical agreements by using sustained and creative effort even though many parties think little might be done (Innes & Booher, 1999; Reich, 1990; Susskind et al., 1999).

But public participation in planning processes can be messy, unpredictable, and uncertain. Inequalities of power, income, and information threaten participatory processes (Hillier, 2002; Hoch, 1994; Marris & Rein, 1973). Multiple and diverse stakeholders posture, hide information, stereotype one another, and presume strictly zero-sum, winner-take-all outcomes, as well as exaggerating, manipulating, and misrepresenting (Fung, 2005; Flyvbjerg, 1998; Forester, 1989; Lax and Sebenius, 1987). Planners' good intentions do not erase citizens' histories of distrust of public authorities and those who work for public agencies (Corburn, 2005; Needleman & Needleman, 1974). In many public meetings, speakers decide, announce, and defend their positions, bringing a visceral skepticism to collaboration with other groups, be they bureaucrats, Blacks, Whites, aboriginals, developers, or environmentalists (Lewicki, Gray & Elliot, 2003; Fung & Wright, 2003; Susskind & Cruickshank, 1987). Planners sometimes act in these ways as well: posturing, simplifying, hiding real interests, presuming zero-sum outcomes, and being impatient with the process or skeptical about cooperating with others (Flyvbjerg, 1998; Yiftachel, 1998).

Nevertheless, there is cause for hope. Skillful practitioners and carefully designed processes can respond to these real problems in surprisingly successful ways (Forester, 1999a; Sandercock, 2003a). This article explores a skilled mediator's account of her work with diverse parties to resolve long-standing and bitter disputes among multiple stakeholders over the regulation of off-highway vehicles by using land use and environmental planning tools. This mediator's reflections suggest strategies, responses, and insights that might help planners to improve participatory processes in contentious planning disputes.

Note on Method

The interview material that follows uses oral history methods and interviews to understand the practice of successful planners and mediators (Eckstein & Throgmorton, 2003; Portelli, 1991). These differ from traditional interviews in several important ways. They approach practitioners as actors, not as spectators. They do not ask planners and mediators, "What do you think about (challenge) X?" but, "How did you deal with (challenge) X?" Rather than

seeking observers' beliefs or preferences, I want insiders' concrete, messy stories of practice (Forester, Peters, & Hittleman, 2005; Forester, 2006a; 2006b).

These practice-focused oral histories produce detailed and reflective self-portraits which illuminate difficulties of planning and mediation practice.[2] As interviewees, practitioners try to make sense of both the challenges and the opportunities they have faced, and they provide detailed, emotionally nuanced, and politically revealing portraits of their work (Forester, 1999a, in press). Like case studies generally, these accounts are not the last word, but when they echo other cases and analyses of planning and mediation processes, corroborating similar experiences, they provide richly instructive ethnographic material (Eckstein & Throgmorton, 2003; Flyvbjerg, 2001; Nussbaum, 1990).

Learning from Mediators

Experienced Canadian mediator Bill Diepeveen has used mediated processes on inter-municipal planning disputes over issues like land annexations and road realignments with striking success. Asked what gave him a sense of possibility as he faced contentious public disputes, he replied:

> It never ceases to amaze me that people—when push comes to shove—haven't taken the time to really understand where the other is coming from and what's really driving them. It's still "your grandpappy did it to my grandpappy"—and they're so fixated [on that]. They identify themselves so much in the history and the bad situation, the bad relationships, that they can't see beyond it—and that's the challenge that I see that really gets me reinvigorated: that there is a way beyond it.[3]

Diepeveen acknowledges the vortex of bad relationships, but the challenge, he suggests, is to see beyond that history and show skeptical parties mired in suspicion and antagonism that mediated processes offer practical promise. He explains why savvy municipal politicians listen to him as follows:

> [They listen] because they recognize that the traditional process has not been satisfactory. Administrative tribunals are costly, and they're antagonistic. They do absolutely nothing for inter-municipal relations. They basically create win-lose [outcomes]—it's a very, very distributive kind of process, and it does nothing to address what—I think they realize at the end of the day—is their ultimate desire, which is to improve

inter-municipal cooperation and to work better with their neighbors.

> They're seeing that the traditional processes aren't working. But in some ways it's hard for them to give it up, because that's all they know.

Diepeveen is critical of those who recite the difficulties of participation or mediation and fail to ask whether politics as usual or the courts have done better (Arnstein, 1969; Susskind & Cruickshank, 1987). He echoes Susskind's argument that planning strategies must vary as cases do, and that planners should assess the potential of mediated-participation or consensus-building processes by asking, "Compared to what?" (Susskind, 1994; Susskind et al., 1999). Routine administrative and legal processes themselves can be costly, adversarial, and damaging to ongoing relationships. Still, suggesting mediated processes might be a better way does not yet demonstrate how they might be better.

When parties in public disputes are angry and impatient, fighting each other in the political process, in the media, and perhaps in the courts too, what might a skillful mediator do? Several authors have begun to address this question (Innes, 2004; Innes & Booher, 1999; Susskind & Field, 1996; Susskind et al., 1999). This article complements earlier studies by assessing how a talented mediator assisted deeply divided and suspicious participants to resolve longstanding California environmental disputes (Dodge, Ospina & Foldy, 2005; Forester, Peters & Hittleman, 2005; Hughes, Forester & Weiser, 1999). This analysis offers practical lessons and broader insights about the implications of facilitated and mediated processes for planning practice (Forester, 1999a, in press).

Case Study: Making Participation Work after Years of Contentiousness

In the summer of 2000, a California Department of Parks and Recreation deputy director asked Lisa Beutler, the Associate Director of the Center for Collaborative Policy at California State University in Sacramento, to assist a stakeholders' roundtable confronting hard-fought issues of regulating and managing off-highway motor vehicle use. Lisa had worked on numerous state, local, and federal issues including, among other things, natural resources, correctional reform, and e-government, and provided assistance with quality improvement and efficiency initiatives. Because I quote her account at length, I use her first name in what follows.

The group concerned itself with access, noise levels, and state and federal land uses, and the stakeholders included environmentalists, private property owners, local officials, off-highway vehicle enthusiasts, equestrians, mountain bikers, businesses, and multiple public agencies. Chavez and Fitzhenry (2005) describe the background to this case as follows:

> In May 2000, the State of California's Department of Parks and Recreation Off-Highway Motor Vehicle Recreation (OHMVR) Division established the Off-Highway Vehicle (OHV) Stakeholders' Roundtable and convened a precedent-setting series of meetings to address reauthorization of the OHV program and the efforts necessary to develop the optimum off-highway motor vehicle recreation program in California. The purpose of the OHV Stakeholders' Roundtable is to enhance the OHMVR Division's ability to provide quality off-highway recreation opportunities in a safe and environmentally responsible manner. The Division and OHMVR Commission consider stakeholder recommendations for incorporation into legislation, regulations, Commission policy, and the Division action plan. The Division initially formed the OHV Stakeholders' Roundtable to inform and ensure a consensus-oriented process, respecting the needs of all affected parties, and focused on identifying the best methods to manage OHV programs. (p. 29)

However, the group had an infamous history. Although the deputy director envisioned the possibility of a collaborative approach, and had already used an in-house facilitator, this had not been successful. As Lisa put it,

> This program had continuously, for every single State administration, been a complete thorn in their side and a source of all sorts of chaos and problems, and typically it was a source of bad press—and litigation—and a million other things. The program director and the Governor both had said to the deputy director, "You get that friggin' thing under control. It's a nightmare for us." [4]

Lisa explains the situation she inherited:

> What had happened in the first two meetings was that the previous facilitator—and this was part of my assessment of what was going on—had come into the process with a classic problem solving model . . . a complete step-by-step process, and so he was just going to go through the seven steps of problem solving. . . .

Well, here, [though,] you had this really high level of contention in the room, and I had people who weren't even speaking to each other. So asking them to begin to define the problem just immediately put them into [saying,] "The problem is, the other guy is a jerk!"

That was going nowhere very fast. Plus, you've got 55 people. Plus, you've got a guy that was used to working with maybe six to twelve people. It was a complete mismatch.

This experience might seem atypical, but planners rarely start with a clean slate (Lowry et al., 1997). When they take new jobs, the successes and mistakes of their predecessors may still linger. Community members who say they have heard it all before often meet planners' good intentions with suspicion.

Lisa's job was to try to get the process back on track. She believed her employer desired civil dialogue among the parties, but she set out to do more.

Their beginning was not promising. I asked Lisa if the parties had foreseen their ultimate agreement on the point-of-use standard. Speaking as much about herself as about the stakeholders, she replied:

Oh, no. They didn't know what the agreements would be. They had no idea. They didn't even have a single topic to discuss. One of the first things I had to do was assess what could even be negotiated. I mean, I didn't even know—no one even knew—what could potentially be discussed.

She worked with the stakeholders to move them beyond their years of contentiousness even though they began with little real hope of such a dramatic turnaround. Many planners will find this situation familiar. Planners often find that differences of history, knowledge, and interests produce divisive suspicion and antagonism, polarizing rhetoric, and hot-button issues (Lowry et al., 1997). Lisa recounted how the stakeholders made significant progress with her help:

Probably the most dramatic agreement was to lower the point-of-use sound standard to 96 decibels from what was formerly 101 decibels.

That was a huge agreement. It's the strictest standard except for one other state in the United States. We also had side agreements—associated with [sound] for continuing study, manufacturing standards, and that sort of thing. The point of use standard is so dramatic that the U.S. Forest Service and the Bureau of Land Management are both looking at adopting the standard, so it could end up having national implications.

Lisa took these angry stakeholders from what she called "complete mismatch" to an agreement that could have national policy implications. She explains that she helped them to shift their attention from disagreements over federal manufacturing standards (set by the U.S. Environmental Protection Agency, and over which they had no special influence) to California's point-of-use standards (which they could possibly influence):

[We realized that] the state has a right to say you cannot use alcohol on state property. It's not illegal to have alcohol . . . if you're a certain age. . . . But the state has a right to impose that restriction. So somehow that came into the mix, [and] so the next question was, "Could the state impose a similar type of a standard for *other uses*?"

So, we investigated that question, [and] the answer came back, "Yes, you can."

OK, if you *can*, you've got room to move forward. So then what would have to be the piece of this that we can move forward on? So then we actually got to talking about numbers, . . . a strict, straight-up negotiation about numbers: What could we physically do?

The stakeholders reframed their problem from one they could not influence to one they could (Laws & Rein, 2003; Lewicki, et al., 2003; Schön, 1983). This crucial reframing grew from a careful, deliberative process that Lisa crafted to enable the stakeholders to identify key issues and study them together, only later attempting to negotiate agreement.

Reframing: Acknowledging Mutual Vulnerability and Defining Common Challenges

Lisa began with what she called a "classic reframing," moving from an initial problem-solving focus to a shared agreement that "it was in everyone's interest to find an optimum approach to physically managing this program." She gave an example:

The environmental community . . . realizes that the potential for environmental harm with an unregulated use is far greater, because you can mitigate for a regulated use. So this was an important piece of the conversation, to say, "OK, we're going to stipulate that you don't like off-highway vehicles. We'll stipulate to that. But that being the case, are you willing to agree that an optimum management of this program is in your interests?"

This reframing shifted attention from individual interests to shared needs and vulnerabilities. Backing up from each participant wanting to solve the problem his or her way, she sought to get everyone to agree that it was in all of the stakeholders' interests to have an optimally targeted and administered program, however differently they might each define that. Lisa did not ask anyone to give up anything, but she called stakeholders' attention to a vulnerability that they all shared: a poorly designed and poorly administered program of state regulation. If the traditional processes weren't working, wasn't it in everyone's interest, Lisa asked, to support the principle of an optimal program? This successful mediation strategy suggests that planners might often achieve more by helping parties find new ways of satisfying their interests than by asking them to compromise (e.g., Fisher & Ury, 1991; Susskind & Cruickshank, 1987). She continued:

> So from there what we did was a "mind-map"—to say, "If we were going to write a book about this program and what the elements of this program are, what would be the chapters of the book? What would have to be in the book—in a conversation about an optimal program?" And [so] we spent a meeting building this book: . . . like a sunburst . . . in the middle . . . "optimum program" and shooting out . . . there would need to be a chapter on funding, . . . a chapter on mitigation for X, . . . a chapter on soil, . . . a chapter on sound. . . .
>
> So we drew the picture—and we took a whole wall, and we drew what would need to be in the book, and then I had the group prioritize what they had energy to work on in writing the chapters of the book—and so they multi-voted and picked through these.

Notice what Lisa has and has not done here. She has not asked one party what his or her dispute is with another party. She has not asked what criticism of the existing state program the stakeholders may have. She has not asked these parties to make any compromises. She has instead asked everyone a common question, "If we were going to write a book . . . what would have to be in the book, in a conversation about an optimal program?"

Lisa's questions to the group asked them to do work together to respond. Now facing the wall and working first to identify and then to prioritize relevant issues, they were not talking about one another's failings. This reframing shifted stakeholders' attention not only from personal antagonisms to substantive issues, but also from past failures to future possibilities (Dukes, Piscolish, & Stephens, 2000; Weisbord, 1992).

Moving toward Joint Education

Many planners might be skeptical, if not discouraged, at the prospect of facilitating a useful conversation between parties who are hardly on speaking terms with one another. Little in most planners' training prepares them to work with strong emotions (Baum, 1996). Lisa explained her approach this way:

> The mind-map did a couple of things that were helpful with the contentiousness of the process. The energy was directed to the wall, not at each other. So by having people focus as if we were writing a book—what would the chapters be—it was content-based and all the attention was on the wall.
>
> When I'm writing a book on a program, one of the chapter headings is not, "Joe is a jerk!" But if I ask you what your issues are, one of your issues might be that "Joe is a jerk!"
>
> So it's a way of framing the conversation. . . . It's less adversarial.

Experienced mediators know that the response to an apparently innocent and respectful question like, "Well, what are your issues?" can escalate into antagonism and recrimination, leading to very little that is productive. So Lisa has helped stakeholders to talk together in a less adversarial way as they begin to explore disputed issues (Weisbord, 1992).

The role of the mind-mapping exercise was to focus the energy in the room not at each other, but at the wall, and on the substantive issues and priorities that the group together needed to address. Rather than being put off or threatened by the hostility in the room, Lisa asks questions to focus the stakeholders' attention on an optimal program in which they all have an interest, because they see that the absence of such a program makes them all vulnerable as the shadow of the future looms.

Once she had helped the group define their stakes in future regulations, she turned to other practical, future-oriented tasks.

> So, we came up with about five or six things that we thought might be useful to talk about, and once we had defined those things . . . , then we moved into an education phase, where we began, based on the topics that had been identified, to learn what was involved, to learn what the parameters were. . . .
>
> We did one meeting for each of the topics. We actually set up the meetings around them. In the beginning, we met monthly. It was pretty intense. . . . So, for example, when we got to "sound," we'd called

the U.S. Environmental Protection Agency, and we had their sound expert come, and he spoke to the group and explained what the federal laws were.

Lisa tried to move the 55 stakeholders through issue identification to assessing priorities for exploration (where stakeholders had the energy to work) and to a process of joint education, listening to and learning from outside experts about questions posed by the group (Andrews, 2002; Susskind & Field, 1996). All this was essential preparation for mediated negotiations to craft practical agreements about actual regulations.

Listening for More than Words: Analyzing Underlying Interests

Lisa hoped to help the stakeholders learn about each other's underlying concerns. Following familiar mediation practice, she worked with the groups to look beyond their initial positions to the less clearly articulated wishes, needs, aspirations, concerns, obligations, and fears that were driving their adamantly proposed solutions (Fisher & Ury, 1991; Susskind & Cruickshank, 1987; Forester, 2006a):

To get the issues and interests statements, I gave them a set of questions to work on: "The areas where my constituency . . . has deep concerns are . . . " "If we were to think about how to make this [program] work correctly, the way we would describe that . . . would be such and such"; and, "The reason that I think that this will really solve the problem is . . ."—and that, of course, is a real interest, when they explain *why it is* that they think that this is the optimum solution.

It's not what they actually present [as how to make the program work correctly]—it's their reasoning that provides what their interest is, but you can't get them there directly. So, you have to walk them through it.

So once they had done that, we actually presented those to the others, so each of the caucuses shared with the others their perspective. So, I took away the solution and only talked about their reasoning. . . .

Lisa explained why she had she had to do this *indirectly*:

When you ask people, people typically think in terms of a proposed solution, not the underlying assumptions or premises that led them to a solution. I think . . . that in our society people are actually trained to be solution-proposing. . . . "I know the solution to this problem; the solution is X."

Lisa expects people to propose solutions, and she knows she needs to listen for far more than these proposals

themselves. She must listen to the reasons justifying those solutions, which may reveal pressing underlying interests. We might call such listening for underlying interests "the classic mediator's response."

So, [Lisa continues,] you . . . hit a pause button, and you say, "OK, you've proposed a solution, but you have reasoning behind that. What are you thinking about when you propose [that] solution?" Because typically, what people are reacting to is not one another's interest, it's their proposed solution. That's what they're typically reacting to.

These comments suggest a practical lesson. When stakeholders argue pointedly against each other's proposed solutions, Lisa implies that planners should listen carefully both to what they are saying, and to what they are not saying, to their interest-driven reasoning as well (Adler, 2005; Sloan, 2005; Susskind et al., 1999; Townsend, 2005).

This process was not all smooth sailing. Chavez and Fitzhenry (2005) wrote the following about the obstacles Lisa faced, "It was extremely difficult to get [stakeholders] to appreciate that they were living in two worlds—they served as representatives for their group, yet at the same time they were part of the Roundtable's collaborative effort" (p. 31).

Lisa's story suggests that indirect strategies can help when parties focus primarily on the inadequacies of each other's proposed solutions. These might include: slowing processes of argument, and resisting the urge to debate options prematurely, instead learning about multiple and diverse underlying interests that stakeholders really wish to satisfy (Adler, 2005; Forester, 1999a, 2004; Umemoto, 2005).

Mediating Participation Rather than Moderating Debate

Lisa warns against moderating a debate between stakeholders instead of mediating their practical negotiations. Moderating turns argument toward counter-argument, and so it encourages, and risks escalating, debate; mediating turns parties toward their multiple and diverse interests, and so it encourages practical proposals to negotiate. Moderating helps parties to sharpen conflicting arguments and terms of disagreement. Mediating helps parties instead to respond to one another's concerns and to craft workable agreements leading to mutual gain. Susskind put this succinctly:

The essence of the process here is acknowledging the other's needs as well as your own, and making propos-

als that respond to both. *Arguing* that you don't like what the others want, and you want something else instead (which is the old model of bargaining), doesn't produce agreement. Remember, we're trying to get an agreement. We're not done until we get agreement. (Susskind, 1994, p. 343)

Like Lisa and Bill Diepeveen, Susskind stresses the importance of creating a less adversarial mode of conversation. Compared to the old model of bargaining, mediated participation enables a more constructive process, as it seeks to meet others' needs as well as ones own. Susskind stresses the crucial difference between encouraging an argument and mediating a negotiation, crafting an agreement to address the concerns of all parties (Susskind & Cruickshank, 1987; Susskind et al., 1999).

Recognizing one another's differing interests provides opportunities for parties to form practical coalitions and effectively negotiate with each other. They can collaborate by trading precisely because their real priorities do differ. Mediators suggest that processes of participatory planning and public dispute resolution go far beyond argument and debate to create and demonstrate a robust capacity for listening to one another's concerns so that parties can craft options that offer mutual gain and even mutual aid.

So mediators might help planners to integrate procedure and substance. They do not simply manage processes without regard to outcomes. Convening processes of joint information gathering and education introduces substantive threats, dangers, and opportunities into stakeholders' considerations of proposals, options, and workable agreements. Mediated participation builds upon and generates substantive planning expertise. Identifying and satisfying diverse stakeholders' interests also protects against the danger of a good process leading to a bad outcome. Stakeholders decide together on the outcomes they can achieve, given the best available information they together can obtain (Adler, 2005; Susskind et al., 1999).

Working with Anger: Harnessing the Energy in Acrimony

I asked how Lisa saw real opportunities as she walked into a room of 55 bitterly divided stakeholders. Her response was striking and instructive:

Whenever there's conflict in the room, it means there's energy to work on something. Conflict is always better than apathy, so that's where I start. . . .

[As a party,] if I'm angry, I'm angry about something—and I'm angry because I don't think something is working right, and I want things to work right.

"But maybe you're angry," I said, "that they're a jerk, and they lied to you at the last meeting, and their boss lied to your boss," to which she replied:

All that's true—that's the Hatfields and the McCoys. There was a piece of that here too, [but] you have to differentiate between the Hatfields and the McCoys, which is about, "Your brother shot my brother," from "I have a fundamental public policy concern with the way business is being conducted."

Often times, both things are true, because I might have started out with my fundamental disagreement— "I shot your brother," or "You shot mine"—so then my job is to say, "We're going to stipulate to the fact that you shot at each other. Now, we can go on all night and day about that, but that doesn't fix the fact that you are very unhappy with the way that this is working."

So I'll say, "I'm walking into the room today and there isn't a single thing that *I* can do about the fact that people messed around and got shot. The only thing that I can work with today is the reality of today, and the reality of today is that this situation isn't working for you, period, for all of you. If you're sitting in front of this room and thought that this situation was working for you, you wouldn't be in this room. So, your big question—that you have to pick up your mirror and ask yourself about—is: 'Am I willing to not be in this situation anymore? . . . Am I willing to take the risk to be in a conversation?' "

Lisa acknowledges claims of historical injuries, and urges stakeholders to recognize past grievances as a step toward, not as a substitute for, future action. Lisa makes no claim to pre-empt the justice system. She poses instead a community planning question to each party: Are you willing to be in a conversation about rebuilding the community? As she put it,

We can say it right now—we can put it up on the wall—we can do whatever you need to do to say, "In the past, I've been shot," or "In the past, you've been shot." That's not a secret!

This is true, and so I ask, "Do you choose to continue suffering? Do you choose to be shot at in the future, [and] choose to shoot at someone in the future? Is *that* your choice?"

I will say that to them 20 times. You have to say it constantly—because that's really what it's about: "Is it worthy of your time to cease your suffering?"

So mediation does not erase differences of worldview, values, or identity. On the contrary, what fuels effective mediated participation is far more the desire to satisfy real interests, to meet needs and diminish suffering, than the desire to achieve vague ideals or any ideological consensus. Lisa asks us to consider collaboration and mediated participation not as abstract ideals, but as practical strategies that explore innovative proposals and achieve community planning goals better than traditional debate-centered processes (Diepeveen, 2005; Innes & Booher, 1999; Sandercock, 2003b; Susskind et al., 1999).

Conclusions

This story of Lisa's practice provides no simple recipes, but it does suggest important lessons for planners and public managers facing the challenges and opportunities of public involvement (Moore, 1995).

1. *Planners should recognize, and work proactively to move beyond, community members' dissatisfactions with past government efforts.* Memory and sense of identity matter, and because histories can be quite painful and longstanding, planners cannot ask citizens to check their pain at the door. These histories can involve legacies of power and politics, promises made but never fulfilled, cultural and racial bigotry, outright neglect, or, as in Lisa's case, botched attempts at addressing community problems. In planning scholarship, we know too little about these issues as they arise within planning processes (Baum, 1996, 1997; Marris, 1986; Sandercock, 2003b; Susskind & Field 1996; Umemoto, 2001).

2. *When stakeholders turn to mutual blaming and recrimination, planners can use indirect strategies to explore issues, enable learning, and simultaneously build relationships.* Lisa's mind-mapping exercise shifted attention from positions in a debate toward working together to define the elements necessary to an optimal program. Face-to-face meetings do not have to be head-to-head arguments. Indirect strategies include field trips and tours, role-switching and role-playing exercises, small group meetings complementing plenary sessions, informal times and spaces complementing formal programs, and occasions for food and drink. These strategies provide ritual and institutional spaces where planning stakeholders can argue less and listen more, dig in less on initial positions and explore underlying concerns more, and learn together as they reframe options for meeting their real interests (Forester, 1999a).

3. *Because parties often bring suspicions and vulnerabilities to community planning encounters, such meetings may often benefit from using trained mediators.* Given that attempts to manage disputes can easily fall back to moderating debates, good intentions are not enough. As Lisa suggested, it may not always be helpful to ask each party in a meeting, "What are your issues?" Public participation is not self-organizing. It requires skillful and imaginative design and guidance. Schools of planning and public policy should identify and teach these competencies.

4. *Planning educators and practitioners should cultivate a broad repertoire of skills and strategies for planning in the face of conflict.* Mediating and facilitating practices, collaborative problem-solving, and consensus-building processes are closely related to one another, at times overlapping and at times distinct. All are valuable.

5. *Mediated participation requires deliberately recognizing the past and addressing future possibilities.* Recognizing the past may involve acknowledging past suffering, perhaps even reframing anger as a resource for change, and generating concrete proposals for negotiated agreements. When stakeholders in public disputes are interdependent because no one party can get what he or she wants unilaterally, stakeholders can use mediated-negotiation and consensus-building processes to craft workable agreements that yield joint gains to all, including the weaker, parties (Susskind, 1994).

6. *Because mediating participation means building feasible and mutually beneficial agreements to act, planners must distinguish between (a) fostering dialogues, (b) moderating debates, and (c) mediating negotiations.* Fostering dialogues can promote understanding and mutual trust and respect between parties, beginning the work of building relationships. Moderating debates can sharpen arguments, identify crucial or missing information, and clarify critical differences between parties, but risks escalating antagonisms and weakening relationships between the parties. Mediating negotiation enables parties themselves to craft agreements to act together to satisfy the interests of all of the stakeholders they represent though deeper structural issues may remain (Reardon, Welsh, Kreiswirth & Forester, 1993). Planners must be clear with themselves and community members alike: Are we here to foster a dialogue, to moderate a debate between perspectives, or to reframe proposals and agree together upon a plan of action? (Or might we carefully, deliberately, and deliberatively try to combine them?)

This article leads to questions for further research. How ought mediators and planners best recruit representative stakeholders? If negotiations should result in agreements that will be substantively innovative, practical, stable, and fair (Forester, 1999a, in press; Innes, 2004; Reardon et al., 1993; Susskind et al., 1999), how can mediators and planners foster participatory processes that minimize exclusion and deal-making, and maximize both transformative learning and mutual gains?

This case example illustrates how planners might cope with histories of suspicion and acrimony that threaten to cripple working groups. It begins to show how planners might effectively identify issues and interests without making participants vulnerable, and without opening the door to, "My issue? It's simple: Joe's a jerk!" and to Joe's hot response. Both planning practice and planning theory can use insights from the scholarly literature on dispute resolution and from astute mediation practice to help diverse and distrusting stakeholders to learn about issues and their differing interests, and to propose mutually beneficial, mutually agreeable, options for joint action.

Notes

1. Professor Soo-Jang Lee of Kangnam University pointed out in correspondence that "the point of departure for collaborative planning is not a collaborative situation but an adversarial one." The same is true for communicative planning, as Flyvbjerg (1998) argues. Listening insightfully, critically, sensitively, and politically becomes even more important when posturing and rationalization threaten to trump rationality. This is also true when advocates of conflicting interests compete for advantage (Hillier, 2002). Mediation practice neither ignores conflict nor assumes it away, but instead begins with concerns about power and interdependence. Exemplary mediators work to craft new, unforeseen alternatives. This article continues the author's research into the possibilities of participatory planning processes fostered by deliberative (here mediated) practices in settings of inequality, difference, conflict, and power (Forester 1989, 1999a, in press).

2. For extensive first person accounts by mediators of public disputes, see the collection of mediator profiles in Forester (2005).

3. All quotes from Bill Diepeveen come from teaching materials based on the author's interview with him in Kitchener, Ontario, June 3, 2004 (Diepeveen, 2005). Bill Diepeveen is Coordinator of Mediation Services

for the Alberta Ministry of Municipal Affairs where he designed and implemented the Municipal Dispute Resolution Initiative.

4. All quotes from Lisa Beutler come from the teaching materials based on the author's interview with Lisa Beutler in Sacramento, California, January 7, 2004 (Beutler, 2005).

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