Localizing Public Dispute Resolution in Japan: Lessons from experiments with deliberative policy-making

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ABSTRACT

Can consensus building processes, as practiced in the US, be used to resolve infrastructure disputes in Japan?   Since the 1990s, proposals to construct highways, dams, ports and airports, railways, as well as to redevelop neighborhoods, have been opposed by a wide range of stakeholders.   In response, there is a growing interest among Japanese practitioners in using consensus building processes, as practiced in the US, in order to resolve infrastructure disputes.   Scholars and practitioners in the field of negotiation and dispute resolution, as well as policy transfer theorists, have raised concerns about cross-border transfers by referring to a variety of contextual differences between the "importing" and "exporting" countries.

This dissertation investigates the relationship between the context and the introduction of consensus building processes from two perspectives: the adaptation of consensus building processes for the Japanese context and the organizational changes that seem to be required to allow processes from the US to work in Japan.   Without process adaptation and organizational change, consensus building processes are unlikely to be helpful in resolving infrastructure disputes in Japan, considering the breadth and depth of the contextual differences—in organizational, normative, and regulative realms—between Japan and the United States.   The Japanese context for infrastructure planning was investigated through in-depth interviews with 40 practitioners in Japan.

In order to explore possible strategies for adaptation and organizational change, I have closely observed an 18-month pilot test of a consensus building process for road intersection improvements in Tokushima, Japan as an instance of adaptation and organizational change.   My close observation of this experiment identified a range of creative adaptation.   Based on these observations, I argue that process adaptation and organizational change must occur simultaneously when consensus building processes are transferred to a foreign location.

Dissertation supervisor: Lawrence E. Susskind
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Introduction

Introduction

In Japan, intractable public disputes have slowed down the efficient delivery of public infrastructure (*shakai-shion*) in the last few decades[1].   Consider the following:

· ***Gaikan* Highway:** In the early 1960s, the Ministry of Construction announced a grand plan for the *Gaikan* Circumferential Highway.   The project sought to prevent traffic from coming into central Tokyo by building a bypass.   However, local residents in the western part of Tokyo mobilized a successful social movement against the project; they struggled to protect the environment of predominantly residential neighborhoods.   The plan was abandoned until the late 1990s when the level of through-traffic in Tokyo became unbearable.   The Ministry, as well as the Tokyo Metropolitan Government, vigorously pursued the implementation of the plan.   Various public involvement techniques, imported from Europe and the US, were used.   However, there is no foreseeable prospect of building the bypass forty years after the plan was first offered.

· **Watershed Management Plans:** Japan has a relatively unique watershed environment: stream gradients are generally steep and the land is susceptible to flash floods.   The government has traditionally tried to

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[1] In this dissertation, public infrastructure includes highways and roads, seaports, airports, railways, watershed management facilities (e.g., dams and levees), waste management facilities, and other urban structures (e.g., urban renewal schemes) that are developed by public or quasi-public agencies.

manage flooding by building dams upstream.   In the early

1990s,environmentalists opposed the construction of certain new dams.   In

response, the River Law was amended (in 1997) to require public

participation in formulating master plans for river environment

management (*kasen seibi keikaku*) for each watershed.   Paradoxically, the

creation of this public participation provision triggered a new wave of

disputes over watershed management.   For example, the Ministry of Land,

Infrastructure and Transport established the Yodo River Watershed

Committee in 2001 as a vehicle for public participation.   In January 2003,

the committee prepared a draft proposal for watershed management.   That

included the discontinuation of five dam construction projects[2].   Following

their recommendation, however, the government made a unilateral decision

to discontinue two dam projects, instead of five, in July 2005[3].   Local

newspapers applauded the decision because it was the first of its kind.

Committee members, however, are fighting the government's decision

because all recommendations were not accepted.

- **Urban Renewal Schemes:** Intractable public disputes can be found even at
  the neighborhood level.   The most notable are those over the plans for
  urban renewal (*toshi sai-kaihatsu*).   An urban renewal scheme

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[2] MLIT Yodo River Watershed Committee. (2003, January). *Arata na kasen-seibi wo mezashite: yodo-gawa suikei ryūiki iinkai teigen.* Osaka, Japan.
[3] MLIT Kinki Regional Development Bureau. (2005, July 1). *Yodo-gawa suikei 5-damu-ni tsuite-no hōshin.* Osaka, Japan.

consolidates fragmented land titles into a jointly held property, facilitating large redevelopment projects. Floor space created by the development is sold off to cover the cost of redevelopment. This scheme is legally institutionalized through the Urban Renewal Act (*toshi sai-kaihatsu hō*) of 1969 and there has been over one thousand such plans implemented across the country. Theoretically, urban renewal provides benefits to everyone: property owners will be able to live in new condominiums, developers can make profits, and the public will be able to enjoy widened streets and improved urban infrastructure. After the Japanese economic "bubble burst" in the early 1990s, however, urban renewal schemes have become particularly difficult because of uncertainties in their profitability as well as heightened interest in preserving the lifestyle of traditional Japanese neighborhoods. Property owners and tenants are concerned about the additional costs they have to pay. Those who want to protect historical buildings and neighborhoods are willing to chip in to protect against the "bulldozing" of their neighborhoods.

These are just a few examples of recent public disputes surrounding the provision of infrastructure in Japan. It is unlikely that the number of such disputes will decrease in the near future. On December 7 2005, the National Supreme Court ruled that the neighbors of a proposed infrastructure project—those within the study area for environmental impact assessment—have

legal standing to request an injunction.   Previously, legal standing was only granted to those with property rights within the project site[4].   The court reversed its decision because the Law on Suits Against the Government (*gyōsei sosyō hō*) was amended in April 2005 by the National Diet.   Now, backed by a right to sue, neighbors and environmental groups opposed to infrastructure projects are likely to rush to court.

Because of these disputes, infrastructure planning efforts in Japan do not satisfy the "four good outcomes of negotiated settlements" (i.e., fair, efficient, stable, and wise) suggested by Lawrence Susskind[5].   First of all, planning and implementation are generally <u>inefficient</u>.   Planning processes and implementation efforts are often delayed by local opposition.   Such delays cause opportunity costs as well as additional management costs to the government. For instance, it is estimated that the nation's gross domestic product will increase by 1.3 trillion yen (approximately 11 billion USD) by reducing the time necessary for implementation[6].   Second, planning processes are sometimes <u>unfair</u> because they do not necessarily ensure the full participation of stakeholders.   For example, Japanese advocates for increased public involvement in transportation planning point to the existence of "silent majority" not been involved in the

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[4] Following a Supreme Court's ruling in 1999.
[5] Susskind, L. and Cruikshank, J. (1987). <u>Breaking the Impasse: Consensual approaches to resolving public disputes.</u> New York, NY: Basis Books. pp. 21-33.
[6] Tada, N., Morichi, S., Fukuda, D. and Tsutsumi, M. (2004). Economic effects by shorting project periods of public works (in Japanese). <u>Journal of the Japan Society of Civil Engineers, 765(IV-64),</u> 91-103.

Introduction

planning processes.   Third, the outcomes are often <u>unwise</u>.   Even though Japan

boasts advanced construction technologies, negotiations with local stakeholders

usually do not produce creative trade-offs.   Finally, planning processes are often

<u>unstable</u> because of bureaucratic planning processes as well as political

interventions.   This issue will be reviewed in Chapter 4.

Of course, it is not necessarily a "bad" thing that such public disputes occur.

The fact that the public can protest infrastructure projects and government action

is a sign that democratic governance is working.   Public disputes cannot emerge

if the government suppresses protests through coercive measures.   For Japan to

progress as a democratic nation, however, disputes—or conflicting

interests—need to be handled in a way that minimizes their negative side-effects.

For instance, protracted disputes often harm relationships among concerned

parties, such as government agencies, civil society organizations, and

neighborhood groups, by accelerating the process of what social psychologists

call "escalation[7]."   Unless such disputes are resolved, stakeholders will be faced

with increasingly difficult barriers to finding mutually beneficial solutions.

In order to deal with recurring disputes, a concept called "conflict management

systems design" emerged in the US in the 1990s.   The idea is to institutionalize

procedures for conflict management so that disputants can prevent social and

political conflicts of interest from developing into intractable disputes.   In other

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[7] Pruitt, D. (1994). <u>Social conflict: Escalation stalemate and settlement.</u> New York, NY: Free Press.

words, the idea is to identify streams of recurring disputes where there is a lack of an appropriate system to handle conflict in a productive way.   Such institutional thinking might be applied to public disputes over infrastructure projects in Japan: If there were appropriate systems for managing such conflicts in Japan, Japanese society might be able to reduce the problems associated with protracted public disputes by institutionalizing better systems for handling them.

Learning from abroad: its pitfalls

In analogous situations, the Japanese government has traditionally learned from and appropriated institutional innovations from abroad.   For example, fundamental institutions of modern Japan after the Meiji Restoration in 1868, such as police and postal systems, were designed by imitating their counterparts in European nations[8].   John Campbell even argues that many of Japan's policy solutions were borrowed from other nations without carefully considering their compatibility with the problems that Japan faced[9].   There are numerous examples of "learning from abroad" in recent years: the Freedom of Information Act from the US[10], "Next Steps" initiatives from Britain[11], public involvement

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[8] Westney, E. (1987). Imitation and innovation. Cambridge, MA: Harvard University Press.
[9] Campbell, J. (1992). How policies change: The Japanese government and the aging society. Princeton, NJ: Princeton University Press.
[10] Repeta, L. (2003). The birth of freedom of information act in Japan: Kanagawa 1982. Cambridge, MA: MIT-Japan Program Working Paper Series.
[11] Nakano, K. (2004). Cross-national transfer of policy ideas: Agencification in Britain and Japan. Governance, 17(2), 169-188.

processes for highway planning from European countries[12], workshop meetings from the US[13], and the public comment system from America.

In order to deal with growing number of infrastructure disputes in Japan, there is interest within the community of policymakers and scholars in the fields of civil engineering and public policy as to how consensus building processes, which are used in the US to deal with similar disputes, might be used in Japan.   Consensus building is "a process of seeking unanimous agreement[14]."   It also entails elaborate processes, tailored to the needs in each situation (its details will be explained in Chapter 2).   In principle, it may be useful for Japanese society to incorporate consensus building processes into its conflict management systems to handle recurring infrastructure disputes more effectively.

But there are risks.   One cannot "transplant" such institutional arrangements from one place to another without considering a wide range of institutional factors. For example, Dolowitz and Marsh, who studied the transfer of policymaking instruments, argue that there are three types of failures—uninformed transfer, incomplete transfer, and inappropriate transfer—commonly observed in such

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[12] Ministry of Land, Infrastructure and Transport. (2001). *dōro keikaku gōi keisei kenkyū-kai teigen.* Tokyo, Japan.

[13] Sanoff, H. (2000). Community participation methods in design and planning. New York, NY: John Wiley & Sons.

[14] Susskind, L. (1999). An alternative to Robert's rules of order for groups, organizations, and ad hoc assemblies that want to operate by consensus. In Susskind, L., McKearnan, S., and Thomas-Larmer, J. (Eds.) The consensus building handbook. (pp. 3-57). Thousand Oaks, CA: Sage. p. 6.

transfers across nations[15].　Practitioners of consensus building and alternative dispute resolution also argue that such processes must be carefully tailored to the local context in order for them to function effectively.

Process adaptation and organizational change

Drawing on lessons from the field of policy transfer, organizational studies, and conflict management systems design, I argue that <u>two types of transformation</u> must typically occur when consensus building processes are transferred from one place to another[16].

The first type of transformation involves the <u>adaptation of consensus building processes</u>.　Even though consensus building processes are indeed tailored to individual situations in the US to some extent[17], unique cultural context in the target location outside the US are likely to require these processes to be adapted more than they are commonly adapted in the US.　Policy transfer theorists argue for the importance of adaptation by pointing to various failures caused by inappropriate transfers[18].　Practitioners and instructors who operate at the international level also point to a range of contextual differences and the risk of applying procedural models without adapting them[19].

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[15]　Dolowitz, D. and Marsh, D. (2000). Learning from abroad: The role of policy transfer in contemporary policy-making. <u>Governance 13(1),</u> 5-24.
[16]　The need for process adaptation and organizational change is further discussed in Chapter 3.
[17]　Susskind, L. and Cruikshank, J. (1987). p. 77.
[18]　Dolowitz, D. and Marsh, D. (2000).
[19]　Consensus Building Institute (1997). Exporting dispute resolution: Are there limits? <u>CBI Reports,</u>

The second type of transformation involves <u>organizational changes in response to consensus building introductions</u>.   To use a new set of techniques for deliberation, such as consensus building processes, requires users to create new patterns of interaction among themselves.   For instance, an ethnographic study by Stephen Barley revealed that the introduction of CT scanners in hospitals changed commonly observed patterns of interaction between radiologists and technologists[20].   Individuals who want to benefit from using a new technology—not only a physical technology but also a social technology—might have to change their patterns of interaction, or their implicitly shared theories-in-use[21].   In order to maintain the authenticity of consensus building processes, the users—sponsors, facilitators, government agencies, civil society organizations, and other stakeholders—may have to change their relationships. Meanwhile, scholars of conflict management systems design argue that the introduction of conflict management systems is indeed an occasion for organizational change[22].

If the users in Japan do not change their current ways of interacting, but merely try to overlay new consensus building processes on existing institutional

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1997 Fall. Cambridge, MA: Consensus Building Institute; Menkel-Meadow, C. (2003). Correspondences and contradictions in international and domestic conflict resolution: Lessons from general theory and varied contexts. <u>Journal of Dispute Resolution, 319-352.</u>
[20] Barley, S. (1986). Technology as an occasion for structuring: Evidence from observations of ct scanners and the social order of radiology departments. <u>Admin. Science Quarterly, 31,</u> 78-108.
[21] Argyris, C. and Schon, D. (1996). <u>Organizational learning II.</u> Reading, MA: Addition-Wesley
[22] Constantino, C and Merchant, C. (1996). <u>Designing conflict management systems: A guide to creating productive and healthy organizations.</u> San Francisco, CA: Jossey-Bass.

arrangements, they are likely to be disappointed with the results.   The new social technologies may have to be modified to such a great extent that they will not be recognizable as "consensus building processes" any more if the environment does not change.   Policy transfer theorists have observed many instances in which public policy instruments are transformed to such a great extent that the adapted versions have completely different sets of goals and means[23].   Carrie Menkel-Meadow, a legal scholar in the field of alternative dispute resolution (ADR), warns that such processes can even be "abused" or "corrupted" when they are transferred outside the US[24].

The site: improving the Kita-josanjima Intersection

In order to examine the organizational changes that might be required when consensus building processes are imported to Japan, I studied an experimental effort to improve a road intersection *(kōsaten)* in Tokushima City.   The site is the Kita-josanjima Intersection on National Route 11.   The experimental effort was designed to test the applicability of consensus building as practiced in the US in the Japanese context.

The experiment was initiated in the fall of 2004 by the Tokushima River and Road Office, the Ministry of Land, Infrastructure and Transport (MLIT). Shikoku Chapter of the Japan Society of Civil Engineers (JSCE) and a local

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[23] Dolowitz, D. (Eds.) (2000). <u>Policy transfer and British social policy: Learning from the USA?</u> Philadelphia, PA: Open University Press.
[24] Menkel-Meadow, C. (2003). p. 326.

not-for-profit organization called Commons designed and implemented the effort

to improve the intersection with the help of non-partisan neutrals[25].   The goal of

the experimental project was to formulate consensus-based recommendations for

improving the usability and safety of the Kita-josanjima Intersection.   There was

a commitment to implement the recommendations within fiscal year 2006

(between April 2006 and March 2007).

   The neutrals prepared a conflict assessment.   This involves interviewing a

complete slate of possible stakeholders and developing detailed recommendations

regarding whether and how to proceed with the consensus building process[26].

The final report was published in March 2005, drawing on in-person interviews

with 54 individuals, and suggested "stakeholders would be able to find

consensus-based solutions through the dialogue between stakeholders[27]."   The

Committee for the Improvement of Kita-josanjima Intersection (CIKI) was

convened on July 22, 2005 and held five meetings over eight months.   It

produced consensual recommendations, including eight proposed improvements

to the intersection, on February 10, 2006.

   From the inception of the project, I was involved as a participant observer and

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[25] "Non-partisan neutral" refers to an outside helper who facilitates interactions between stakeholders
without taking sides with particular stakeholders.
[26] Consensus Building Institute and Land Use Law Center at pace University School of Law (2000).
Conducting conflict assessments in the land use context: A manual. Cambridge, MA: Consensus
Building Institute.
[27] JSCE Shikoku and Commons (Stakeholder Assessment Team). (2005). *Kita-jōsanjima-chō kōsaten
kōtsu-anzen hōsaku-kentō-no-tameno kankeisya bunseki chōsa (saishū hōkoku-sho).*

provided information about how consensus building processes are practiced in the US[28].   My close observation of the experiment revealed a range of creative process adaptations in the consensus building techniques and a range of organizational changes.   These transformations emerged from the creative minds of the Japanese practitioners involved.   They worried that certain features of consensus building, as practiced in the US, were unacceptable in Japan because they did not fit with Japanese "common sense (*jōshiki*)" and other contextual factors.   The Japanese practitioners, however, were careful not to transform the processes to such extent that they jeopardized the core idea of consensus building. Indeed, they adjusted their own rules (i.e., experienced an organizational change) in order to maintain the authenticity of consensus building processes notwithstanding apparent psychological and institutional barriers to such changes.

Organization of this dissertation

This dissertation consists of nine chapters.   In Chapter 1, I review the history of infrastructure-related disputes in Japan.   Even though Japan is often portrayed as a country known for its harmony, *wa* in Japanese, modern Japan is rife with public disputes over the construction of dams, highways, railways, airports, and other types of infrastructure.   In Chapter 2, I briefly review the current practice of consensus building in Japan with particular attention to "what has been transferred to Japan."   Chapter 3 offers a review of general accounts related to

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[28] I was also asked to record stakeholder meetings and prepare meeting minutes and transcripts.

transfers of other social technologies including policy instruments.   In this chapter, I present an analytical model that addresses how two kinds of transformations—adaptation of the technology and organizational change—occur. In Chapter 4, I outline the context to which consensus building needs to be adapted in Japan.   This is based on in-depth interviews with forty practitioners of urban and regional planning in Japan.   Japanese practitioners talk about being responsive to a number of common contextual factors.   From Chapter 5 to Chapter 8, I present my observations of the Kita-josanjima experiment. Chapter 5 familiarize readers with the local context of the Kita-josanjima Intersection: location, geography, history, and other background conditions.   In Chapter 6, I describe the experimental effort in chronological detail.   It is a story of people in Tokushima working hard to help stakeholders find acceptable ways to improve the intersection by using consensus building processes.   Chapter 7 offer my reflections on the experiment, based in large measure on feedback from those involved.   In Chapter 8, I summarize the process adaptations and organizational changes I observed in the Kita-josanjima experiment.   In order to insure the "appropriateness" of the adaptations imposed in response to the Japanese context (i.e., to make sure that the changes did not violate the core values of consensus building), I include comments from a few experienced consensus building practitioners in the US.   In the final chapter, I argue for the importance of both process adaptation and organizational change in using "imported" processes in facilitating the importation of social technologies from one country to another.

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Chapter 1: Difficulties of Infrastructure Planning in Japan

Introduction

In the last few decades, Japan has made substantial progress in promoting more widespread involvement of non-governmental actors in public policy-making. The legal system has increased public accountability through the enactment of the Not-for-Profit Organization (NPO) Act in 1998 and the Freedom of Information Act in 1999. Various branches of the administrative system, both at the local and national levels, have introduced mechanisms to solicit greater input from non-governmental entities. The cabinet directive of March 23, 1999 requires national government agencies to solicit *paburikku comento* (public comments) before implementing regulatory policies. During the fiscal year of 2004, 486 draft regulations were subjected to public comments, and the total of 1,415 comments were received by government agencies[29].

Nevertheless, the legacy of mutual distrust among government, business and civil society continues to hinder the development and implementation of a wide range of public policies and programs aimed at addressing important social, economic and environmental issues. In particular, construction of large-scale

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[29] Ministry of Internal Affairs and Communications. (2005, September 27). "*kisei no settei matawa kaihai ni kakawaru iken teishutu tetuduki''-no jissi jōkyō.* Press Release.

infrastructure projects, such as highways, dams, railways, and airports is often challenged by citizen groups, environmental groups, local residents, and local governments.　As an introduction to this dissertation, I will briefly review the difficulties of infrastructure planning in Japan, and explain how Japanese society is trying to adopt a new approach to handling public disputes.

Historical context: Before World War II

Even though Japan is often stereotyped as the country of harmony (*wa*), disputes have always existed.　Public disputes are not an emerging phenomenon at all.　Several anthropological studies indicate the existence of environmental disputes, for example, in the Edo Era (1603-1867).　Most environmental problems across the country during the period were concerned with pollution caused by mining[30].　Proposals to develop gold, copper, and lead mines were often opposed by local farmers and fishermen whose livelihood could be severely damaged by water pollution.　For instance, a transboundary water dispute emerged between the domains of *Iyo* (Kagawa) and *Awa* (Tokushima) in the early 19th century: a copper mine in *Iyo* on the upper stream of Yoshino River polluted the river and fishermen in *Awa* down the river suffered[31].　Local residents observed shoals of dead fish floating on the river.　Samurais from the domain of *Awa* negotiated with the mine developer, Sumitomo, for a halt to the project.

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[30] Iinjima, N. (2000). *kankyō mondai no shakai-shi.* Tokyo, Japan: Yūhikaku. p.22.
[31] Ando, S. (1991). *kinsei kōgai-shi no kenkyū.* Tokyo, Japan: Yoshikawa Kōbun-kan. p.255-273.; Iijima, N. (2000). p. 33-34.

Because of Sumitomo's political power and a lack of formal authority, the officials from *Awa* encountered difficulties in compelling Sumitomo to take measures to alleviate pollution. In general, however, petitions by local farmers and fishermen to shut down polluting mines in the early Edo era were often approved by the domain governments because the production of rice was seen as more important than mining[32]. In the later period, however, the value of mineral resources started to grow and developers offered monetary compensation to farmers in order to continue their operations[33]. In addition to these mining disputes, minor disagreements over the development of rice fields, the production of Japanese gelatin (*kanten*), and the operation of river transport were reported across the country in the Edo era[34]. Generally speaking, environmental disputes in the Edo era did not have national implications the way they have in later periods.

Large-scale public disputes over infrastructure developments appeared in the Meiji Era (1868-1912) following rapid industrialization. The dispute over the operation of the Ashio Copper Mine in Gunma Prefecture is one of the best-known environmental disputes in Japan. Poisonous effluents from the copper mine devastated the surrounding forests and farmlands. In response, affected communities launched protests against the operation of the mine as early

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[32] Iijima, N. (2000). p. 22
[33] Iijima, N. (2000). p. 22
[34] Ando, S. (1991).

as 1890.   Frustrated by the inaction of the Meiji national government, Shozo

Tanaka, a diet member from the area, made a direct petition to the Meiji emperor,

which was a serious crime at that time.

There were similar incidents of industrial pollution in other parts of Japan, such

as Bessi in Shikoku.   In addition to the disputes over industrial pollution,

newspapers reported various instances of public protest against railway

construction and water resource management projects[35].   In the Meiji Era, the

railway was considered as an essential piece of infrastructure for modernization

and the economic prosperity of the nation.   Both public agencies and private

companies vigorously pursued construction.   As a result, public disputes

between railway developers and local residents occasionally emerged.   In 1893,

for instance, villagers in Kaitō Province in Aichi Prefecture asked Kansai Railway

Co. to refrain from surveying land during the rice-cropping season[36].   The

developer ignored the request.   Fueled by defiance, as many as 3,000 villagers

mobilized to barricade the project site.   The village head and police officers tried

to mediate, but in vain.   Only after the prefectural governor issued an order to

the developer to halt the survey for two days, did local residents return to their

normal life.

Infrastructure disputes were present, albeit not prevalent, even before the 20th

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[35] Nihon Toshi Center (1989). *shinbun ni-miru shakai-shihon seibi no rekishi-teki hensen (meiji taishō ki).* Tokyo, Japan: Nihon Keizai Hyōronsha.
[36] Nihon Toshi Center (1989). p. 61.

Chapter 1

century.   However, such disputes become less visible as the militaristic regime took over the government in the early 20th century.   For instance, local residents in the Town of An-naka in Gunma Prefecture opposed the development of a lead refinement facility in 1937[37].   The developer responded by characterizing those opponents as "non-patriots (*hi-kokumin*)" who opposed to the production of alloyed metal for military equipment.

Historical context: Between World War II and the 1980s

After the war, infrastructure projects in Japan did not encounter much opposition.   Severe bombing during the war devastated almost the entire urbanized area of Japan.   The need for rapid recovery and reconstruction of infrastructure, especially in urban areas, took the form of nationwide support of the developmental state[38].   A study of newspaper articles from this period suggests that the severe lack of resources (i.e., food, electric power, and employment opportunities) between 1936 and 1950 led the public to feel that the nation must develop infrastructure at any cost, in order to meet basic needs[39]. Immediately after the war, government agencies launched various war recovery projects (*sengo fukkō jigyō*) focused on reconstruction of essential infrastructure, such as streets, bridges, and parks.   Some planners regarded devastation as an

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[37] Iijima, N. (2000). pp. 98-100.
[38] Johnson, C. (1982). <u>MITI and the Japanese miracle: The growth of industrial policy, 1925-1975.</u> Stanford, CA: Stanford University Press.
[39] Nihon Toshi Center (1987). *shinbun ni-miru shakai-shihon seibi no rekishi-teki hensen (shōwa ki)*. Tokyo, Japan: NIRA

invaluable opportunity for comprehensive urban reforms by constructing

European-like boulevards and greenbelts[40].   The cabinet issued draft guidelines

for urban redevelopment in October 1945—only 2 months after the end of the war.

Several major cities in Japan, such as Nagoya, Hiroshima, and Sendai succeeded

in developing wide boulevards as part of the city grid.

This push for infrastructure development continued for at least two decades.

A number of major infrastructure projects, including the *Tōmei* Highway between

Tokyo and Nagoya, the Metropolitan Highway System (*shuto-kōsoku*) and other

trunk roads in downtown Tokyo, and the *Tōkaidō shinkansen* High-speed Railway,

were developed without much disruption, compared to the current level of

resistance to infrastructure development.   Prominent events, such as the Tokyo

Olympic Games in 1964 and Osaka Expo in 1970, served as symbolic target

deadlines for the completion of major infrastructure projects.

In the late 1960s, various social movements, seeking to curtail industrial

pollution and other public nuisances (*kōgai*), and ensure compensation for those

who suffered from related health problems, surfaced in various parts of the

country.   Their efforts resulted in a number of civil suits against the government

and major industries.   After losing several important lawsuits, such as *Minamata*,

the government reacted by establishing stringent environmental regulations[41].

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[40] Koshizawa, A. (1991). *tokyo toshi keikaku monogatari.* Tokyo, Japan: Nihon Keizai Hyoronsha.
[41] Gresser, J., Fujikura, K. and Morishima, A. (1981). Environmental law in Japan. Cambridge, MA: MIT Press.

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The Environmental Dispute Coordination Committee, which sought to resolve pollution-related disputes through mediation and conciliation, was established as an independent agency of the national government in 1970. However, as new environmental laws which required stringent control of pollution have been enacted, the intensity of public disputes over environmental issues has gradually faded[42]. One author points out the following changes in the context for citizens' movements in the mid-1970s: the shift in the government's regional policies, a reduction in the number of municipalities with "revolutionary (*kakushin*)" mayors[43], and the declining influence of social movements in general[44]. In a nutshell, there is a disjuncture between the social movements for better environment that burgeoned in the 1970s and the environmental protests against infrastructure after the mid-1990s.

Two major lawsuits requesting the removal of existing infrastructure—Osaka International Airport and *shinkansen* in Nagoya—were brought to the courts in the 1970s. In the former case, the Ministry of Transport reached a series of settlements with the majority of more than 20,000 plaintiffs by promising to reduce noise levels as well as by limiting operation time[45]. In the latter

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[42] McKean, M. (1981). Environmental protest and citizen politics in Japan. Berkeley, CA: University of California Press.

[43] Mayors not affiliated with the Liberal Democratic Party.

[44] Hasegawa, K. and Funabashi, H. (1985). *shinkansen kōgai towa nani-ka.* In Funabashi, H., Hasegawa, K., Hatakenaka, S. and Katsuta, H. (Eds.) *shinkansen kōgai.* (pp. 1-60). Tokyo, Japan: Yūhi-kaku.

[45] Gresser, J., Fujikura, K. and Morishima, A. (1981). pp. 339-341.; Kameyama, S. (1997). *kōkū bun-ya ni okeru sō-on taisaku no shinten*, *chōsei* (A newsletter by the environmental dispute

shinkansen case, after two defeats on the plaintiff's side, the Japan National

Railway and local residents reached a settlement in 1986 regarding noise

abatement measures.

During the same period, infrastructure projects in the fringe areas of the Tokyo

Metropolitan District (23 Special Wards: *tokubetsu-ku*) encountered intensive

opposition from local residents.   Various communities in Tokyo launched

campaigns against road construction, out of fear of health hazards caused by

automobile emissions and other environmental impacts of automobile traffic.   In

fact, it was an era of smog in Tokyo; in 1971, as many as 28 thousand people filed

claims with the Tokyo Metropolitan Government charging that they suffered from

photochemical smog (*kōkagaku sumoggu*)[46].   In response to the protest against

a road project, Ryokichi Minobe, the Governor of Tokyo, announced that, "no

road shall be constructed if anyone objects to the project[47]."   Many road projects

in Tokyo, including the Gaikan Highway project, were officially put on hold.

Disputes over highway and road construction proposals in the 1970s were

temporarily suspended, not because they were resolved but because controversial

road projects were withdrawn.

Waste management in Tokyo was another difficult matter for the metropolitan

coordination commission), 11.

[46] Tokyo Metropolitan Government, Bureau of Social Welfare and Public Health. (undated). *Kōkagaku sumoggu chūihō-tō hatsurei nissū oyobi kōkagaku sumoggu-ni-yoru to-omowareru higai todokede jōkyō-no suii.* [WWW Document] URL http://www.fukushihoken.metro.tokyo.jp/kanho/smog/ todokede.html

[47] Akiyama, T. et al. (2001). <u>*juumin sanka no michi zukuri.*</u>. Kyoto, Japan: Gakugei Shuppan.

government. The governor declared a War on Trash (*gomi sensō*) in 1971. The need for waste management plants (i.e., incinerators to reduce the volume of trash) was evident because landfills in the Tokyo bay area were reaching their full capacity. Nevertheless, communities around the sites proposed for incinerators, such as Suginami communities, fiercely opposed such projects. In order to ameliorate this opposition, the government started to build "repayment" facilities (*kangen shisetsu*) such as heated swimming pools and community halls adjacent to incinerators so that host communities would be more willing to accept them. It has become a common practice in Japan to provide such side-payments to local communities in return for accepting waste management facilities.

Most infrastructure disputes in the 1970s were triggered by the narrow interests of local communities. Community-based opposition was often characterized in terms of the NIMBY (Not-In-My-Backyard) syndrome. In response, some projects were abandoned. Others were built when the host community was compensated enough through side-payments (such as auxiliary facilities built in exchange for waste management plants). The conflict between the government and host communities was kept at the manageable level for public officials because the focus was solely on the appropriate level of compensation. In other words, public disputes could be "privatized" through side-payment mechanisms[48].

In the 1970s, large-scale infrastructure projects such as the development of

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[48] Pharr, S. (1990). Losing face: Status politics in Japan. Berkeley, CA: University of California Press.

airports, highways, and high-speed trains in rural areas did not face as much

opposition did as their counterparts in Tokyo.   Prime Minister Tanaka Kakuei,

who published a grand plan for infrastructure development, was one of the most

popular prime ministers since WWII; his approval rate reached 62% when he was

elected in 1972[49].   In addition, the national government turned "public bads,"

such as nuclear power plants, into attractive facilities for rural communities

through various compensatory schemes[50].   The dispute over the New Tokyo

International Airport (Narita) between local farmers and the government, which

was intensified by the involvement of communist activists, was one of the few

instances of an irresolvable dispute over large-scale infrastructure development in

a rural area in the 1970s[51].

Current issues: After the 1990s

In the mid-1990s, public outcry against large-scale infrastructure projects of

various kinds surfaced in different parts of Japan.   Proposals to build dams,

highways, rapid railways (*shinkansen*), and airports are now contested not only by

local residents but also by the media, political groups, and environmental

advocates.   The costs and benefits of each infrastructure project suddenly

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[49] Tanaka, K. (1972). *nihon rettō kaizō ron.* (Building a New Japan : A plan for remodeling the Japanese archipelago). Tokyo, Japan: Nikkan Kogyo Shinbunsha.; Johnson, C. (1986). Tanaka Kakuei, Structural corruption, and the advent of machine politics in Japan. Journal of Japanese Studies, 12(1), 1-28.
[50] Lesbriel, H. (1998). NIMBY politics in Japan. Ithaca, NY: Cornell University Press.; Aldrich, D. (2005). *shinka suru minshu shugi.* PI-Forum, 1(1), 11-14.
[51] Apter, D. and Sawa, N. (1984). Against the State. Cambridge, MA: Harvard University Press.

became a subject of national debate in the mid-1990s.

The construction and operation of the Nagara River Estuary Barrage was one of the first few cases harshly criticized by environmental groups and the national media.   The barrage was going to be constructed by the Water Resources Development Public Corporation (*mizu shigen kōdan*) using subsidies administered by the Ministry of Construction and local prefectures.   In the early 1990s, environmentalists became concerned about its potential impacts and questioned the promised benefits of flood management and irrigation.   Members of the national Diet, both for and against the project, became involved and what was a local dispute over a river barrage evolved into a nationwide debate.   The level of interest in the Nagara dispute can be measured by the newspaper coverage; between 1990 and 1995, the Tokyo edition of the Yomiuri Shinbun newspaper released 122 articles related to the Nagara Barrage[52].   While the construction of the barrage was completed in 1995, the Nagara dispute triggered a social movement against dam construction across the country.

More recently, the land reclamation of Isahaya Bay has generated a massive dispute between the Ministry of Agriculture, Forestry and Fishery (MAFF) and local fishermen.   Immediately after the partial completion of the project in 1997, the production of seaweed (*nori*) and the catch of fish near the project site

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[52] A search result for *nagara-gawa-kakō-zeki* in the Yomiuri Shinbun Database.   In addition to the Tokyo's national edition, its Chubu regional edition released 367 articles between 1990 and 1995.

dropped substantially.   The community of fishermen filed a lawsuit requesting an

injunction against the project.   They are still fighting in court, debating the

causal relationship between the project and the reduction in the production of

seaweed.

These disputes are not exceptional.   There were a number of other public

disputes over large-scale infrastructure development projects in the 1990s,

including the following[53]:

- Highways
    - Gaikan Highway (Tokyo); and
    - Ken-ō-dō Highway (Tokyo)
- Dams and watershed management:
    - Chitose River Drainage Canal (Hokkaido);
    - Kawabe River Dam (Kumamoto);
    - Tokuyama Dam (Gifu);
    - Yamba Dam (Gunma); and
    - Yoshino River Daijū Barrage (Tokushima);
- Land reclamation over wetlands:
    - Fujimae Tidal Flat (Nagoya);
    - Nakaumi (Shimane); and
    - Sanbanze (Chiba);
- Railways:
    - Nagano Shinkansen High-speed Railway (Nagano and Gunma); and
    - Odakyu Commuter Railway Elevated Structure (Tokyo);

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[53] See Appendix 1-A for the detailed account of disputes over Gaikan Highway and Yosino River
Daijū Barrage.

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- Airports:
  - Kobe Airport (Hyogo); and
  - Shizuoka Airport (Shizuoka)

The number of articles published in Yomiuri Shinbun (newspaper) also indicates the surge of interest in infrastructure development and associated public disputes in the middle of 1990s (see Figure 1-1).   Between 1990 and 1994, 33 related articles were published.   In contrast, 130 articles were published between 1995 and 1999.   In 2000, the number surged to 84, which is the highest in the years surveyed.   These numbers indicate the heightened interest in infrastructure projects.

In response, the government, in particular the Ministry of Land, Infrastructure, and Transport (MLIT, formerly the Ministry of Construction (MoC) before January 6, 2000), introduced new initiatives to counter such opposition. Examples of such initiatives are:

- Dam Project Deliberation Committees (*dam tō jigyō shingi iinkai*)
  [Since 1995 MoC has been organizing a dozen committees to evaluate controversial dam projects in the *shingikai* format.];
- 1995 amendment to the River Law (*kasen hō*)
  [The new law required watershed management authorities to prepare master plans with public participation.];
- Mandatory project evaluation (*jigyō hyōka*) on all projects
  [After 1998, project evaluation is required before each project receives construction funds.];

- Public involvement in highway and airport planning
  [MLIT has produced several guidelines for public involvement in infrastructure planning.]; and
- Budget cut in infrastructure-related projects
  [The Koizumi Cabinet (April 2001-) has cut back on the government spending on infrastructure development.].

Notwithstanding those initiatives, many public disputes have not yet been completely resolved, although they have probably been lessened in the last few years.   The prolonged economic downturn in Japan since 1992 could have generated popular support for increased public spending through more investments in infrastructure development.   In the past, Japan has successfully adopted a kind of Keynsian policy: government increases its investment in public

Figure 1-1: Number of Newspaper Articles on Infrastructure Disputes

Search results from the Yomiuri Shinbun Database.   Articles published by in the Tokyo morning edition that contains the following combinations of keywords were selected from the database: (*kōkyō-jigyō* and *hantai-undō*), (*kōkyō-jigyō* and *jūmin* and *hantai*), and (*kōkyō-jigyō* and *shimin* and *hantai*).   Duplicate results were removed.

works in order to stimulate money flows and reduce unemployment.   In the 1990s, however, the downward economy did not lead to strong public support for new infrastructure development.

Possible causes of opposition to infrastructure development in the 1990s

Why did the number of high-profile public protests against infrastructure development increase in the latter half of the 1990s?   Several explanations are possible, even though there is probably no definitive answer to the question.

First, the rise of public concern over a new round of global environmental issues such as sustainable development, global warming, and long-term health risks of chemical substances appears to have rekindled popular concern about environmental issues in the late 1980s and early 1990s.   The interest of Japanese citizens in public policies appears to have shifted from infrastructure development in particular to the protection of the natural environment in general.

Second, exposure of corruption related to public works projects worsened the public image of infrastructure development projects.   Since the first half of the 1990s, corruption involving politicians as well as bureaucrats has been reported by the media.   "Decent from the heaven (*amakudari*)," the practice of corporations hiring ex-bureaucrats for lucrative compensation, became highly

criticized[54].   For instance, the Japan Highway Public Corporation created a number of spin-off companies, managed by its retirees, and provided excessively "sweet deals" for them; those privately-owned companies made profits from exclusive contracts and distributed the spoils to ex-civil servants.   The image of the construction industry continued to slip, particularly after the arrest of Kanemaru Shin, who allegedly received illegal contributions, in 1993.

Those two trends of the early 1990s can be spotted again in newspaper coverage. For instance, the number of articles containing the term "global warming (*chikyū ondanka*)" or "global environment (*chikyū kankyō*)" surged in 1989 to 683, from 60 in the previous year.   Its peak was in 1992 when the United Nations Conference on Environment and Development was held in Brazil in June.   The
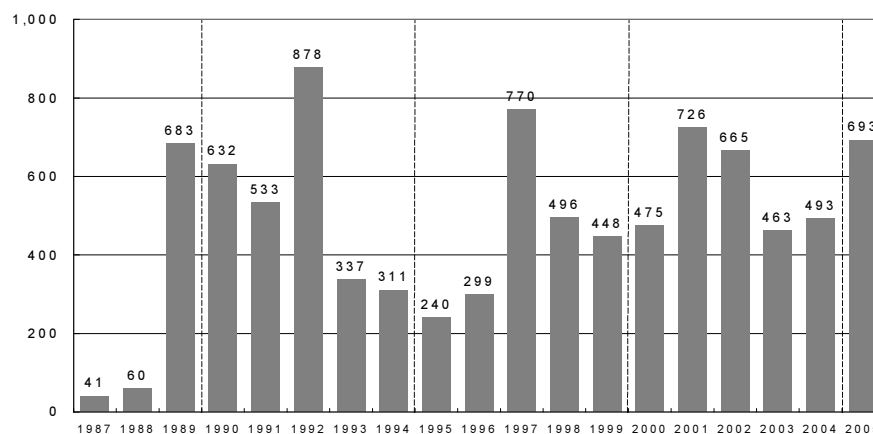
Figure 1-2: Number of Newspaper Articles on Global Environment and Warming

Search results from the Yomiuri Shinbun Database.   Articles published by in the Tokyo morning and evening edition that contains *chikyū kankō* or *chikyū ondanka*.   Duplicate results were removed.

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[54]   Drucker, P. (1998). In Defense of Japanese Bureaucracy. <u>Foreign Affairs,77(5),</u> 68-80.
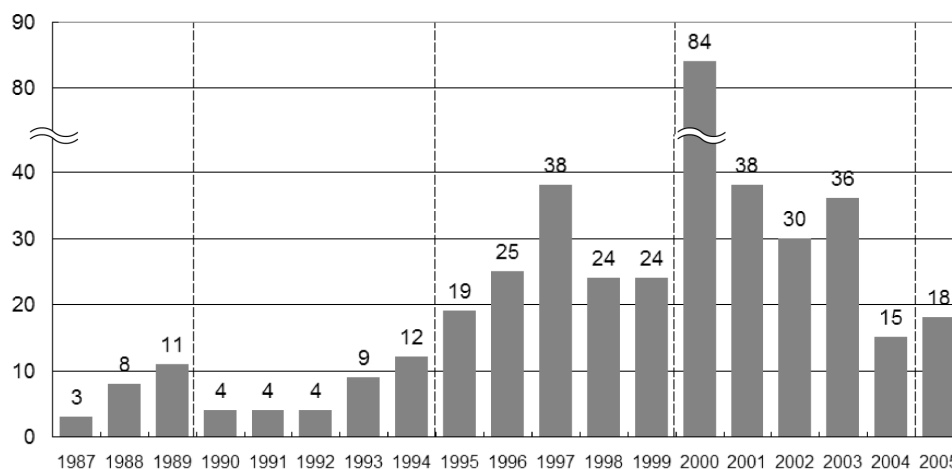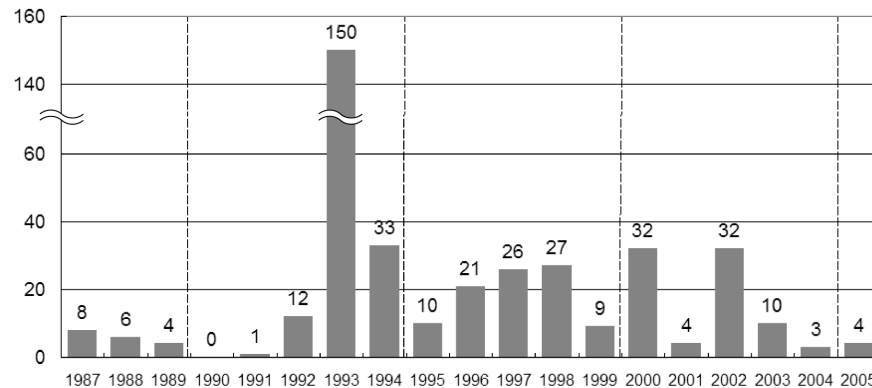
Figure 1-3: Number of Newspaper Articles on Corruptions in Infrastructure
Projects

Search results from the Yomiuri Shinbun Database.   Articles published by in the Tokyo morning and
evening edition that contains *kōkyō-jigyō* and *oshoku.*   Duplicate results were removed.

number of articles on corruption related to infrastructure projects surged in June
1993, when the mayor of Sendai City was arrested for accepting bribes from
several major contractors in Japan.   It may not be a coincidence that more than
35 years of dominance by the Liberal Democratic Party (LDP) ended after the
general election in July 1993, immediately after the surge of concern over
corruption related to infrastructure projects.

   There are still several other possible causes of the surge in opposition to
infrastructure projects.   Infrastructure disputes might be caused by the
decreasing level of trust in Japanese bureaucracy.   This argument is related to the
second thesis mentioned above, but deals more with general attitudes toward
government.   The level of public distrust of the conduct of bureaucrats is said to

have reached its height in the 1990s[55].   Distrust in the bureaucracy might have
led to distrust in large-scale public projects prepared by those distrusted
bureaucrats.

Fourth, environmentalists and others opposed to specific construction projects
seized the opportunity to broadcast their concerns using the new media of the
1990s.   In contrast to NHK news, which paid meticulous attention to factual and
neutral coverage of key stories, a new program called News Station favored
stories that were more interesting and stimulating from the perspective of the
average citizen, not of journalists[56].   Coverage of infrastructure disputes was
more detailed, and anchors occasionally provided critical commentaries of the
government's decision to build some large-scale public project.   Of course, the
Internet might also have facilitated a transition to new ways of obtaining
newsworthy information.

Fifth, the number of public disputes may have increased simply because the
number of controversial public projects increased.   Between 1985 and 1995, the
level of direct investment in construction by the government sector increased by
6.1 per cent per year on average, while the gross domestic product (GDP)

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[55]   Pharr, S. (2000). Officials' misconduct and public distrust: Japan and the liberal democracies. In
Pharr, S. and Putnam, R. (Eds.) Disaffected Democracies: What's Troubling the Trilateral Countries?
(pp. 173-201). Princeton, NJ: Princeton University Press.
[56]   Krauss, E. (2000). Broadcasting politics in Japan: NHK and television news. Ithaca, NY: Cornell
University Press.

increased by 4.3 per cent per year during the same period[57].

Lack of an institutionalized system for dispute resolution

While the factors listed above have contributed to the re-emergence of protests against infrastructure projects in the 1990s, I will focus on another possible factor. That is, the lack of an institutionalized system for handling controversies over infrastructure development proposals in the 1990s.

Formal public participation procedures, such as voluntary public hearings (*kōchō-kai*) and consultative meetings (*setsumei-kai*) before planning decisions are made, were institutionalized by the Urban Planning Act (*toshi keikaku hō*) of 1969. In 1970, the Public Nuisance Dispute Resolution Law (*kōgai funsō shori hō*) was enacted. This established an institutionalized system to assist in the resolution of disputes between private parties over public nuisances, such as air and water pollution, excessive noise, and offensive odors. In 1984, the Cabinet issued a directive regarding environmental impact assessment, which required additional public scrutiny from the perspective of environmental protection. At the same time, public officials engaged in various informal negotiations with important community figures—so-called *nemawashi* in Japan[58].

I argue, however, these mechanisms for ensuring greater government

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[57] Source: MLIT. *kensetsu tōshi mitōsi* (Construction Investment Forecast) and Economic and Social Research Institute. *kokumin keizai keisan* (System of National Account).
[58] Reed, S. (1993). Making common sense of Japan. Pittsburgh, PA: University of Pittsburgh Press.

accountability increased the number of public disputes because they made no provision for reconciling the conflict views that they were designed to amplify. If these mechanisms had been effective in handing the rising number of infrastructure disputes in the 1990s, the conflicts would not have escalated to the extent I have previously discussed. A new arrangement that can resolve infrastructure disputes is needed to head off prolonged disagreements that are unlikely to yield positive outcomes for everyone involved.

Japanese tendency to emulate institutional innovations

Examples of emulation

In analogous situations, the Japanese government has traditionally sought to learn from relevant institutions in foreign countries. In fact, the Japanese government seems to be one of the most earnest borrowers in the world. Eleanor Westney analyzes three cases of organizational emulation in late 19th century in Japan immediately after the collapse of the Tokugawa shogunate in 1867[59]. Fundamental institutions of the state, such as policing and the postal system, were designed based on the information that public officials gathered during their study trips to the West. John Campbell supports her argument by saying,

Many of Japan's policy solutions came more or less directly from abroad.
Such borrowing can be partly explained by Japan as the "rational shopper," the
image of "Japanese decision-makers clutching a list of desired institutions,

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[59] Westney, E. (1987). Imitation and Innovation. Cambridge, MA: Harvard University Press.

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engaging in painstaking comparative shopping, and selecting the brand most
suited to their tastes and needs." But such borrowing of innovations implies that
the borrower already has tastes and needs, when in fact problem definitions and
priorities themselves were heavily influenced by the policy solutions available
from the West[60].

Campbell's argument seems to suggest that the practice of borrowing institutional arrangements from abroad is almost "habitual" for policy-makers in Japan.

The trend is still present in Japan.   In his study of the introduction of the Freedom of Information Act (FOIA) to Kanagawa Prefecture in the early 1980s, Lawrence Repeta says,

Explaining the possibility of creating such a system was much simpler; (the
person who advocated the new system) simply cited the examples abroad.
Feasibility had already been demonstrated by FOIAs operating in the United
States and other countries.   The Japanese have never been shy about learning
from abroad[61].

More recently, Koichi Nakano studied the transfer of "agencification" policy from Britain to Japan in the late 1990s[62].   The British arrangement for agencification was initially studied by a few Japanese economic bureaucrats who were seconded to the Japanese embassy in London.   Their report caught the

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[60] Campbell, J. (1992). How policies change: The Japanese government and the aging society. Princeton: Princeton University Press. p. 359.

[61] Repeta, L. (2003). The birth of Freedom of Information Act in Japan: Kanagawa 1982. Cambridge, MA: MIT-Japan Program Working Paper Series. p. 10.

[62] Nakano, K. (2004). Cross-national transfer of policy ideas: Agencification in Britain and Japan. Governance, 17(2), 169-188.

attention of a parliamentarian, Hakuo Yanagisawa, who was seeking a way to help

the LDP restructure government agencies in Japan.   Mainly because

"agencification" legitimized the reduction in the number of public servants

(*kōmu-in*), the British model was introduced to the community of policy

entrepreneurs in Japan.

Imported techniques for public participation

The introduction of public comment periods for new regulations, which was

adopted following the cabinet's directive on March 23 1999, is another example

of recent policy transfer to Japan.   In this case, the U.S. government was putting

pressure on the Japanese government to introduce and improve the public

comment system as a part of its demand for open markets[63].

In the field of infrastructure planning, the MLIT has tried to attend to the

increasing level of opposition against highway projects by borrowing the idea of

public involvement (*paburikku inborubumento*) from the US and Europe.   Early

examples include participatory planning for the Ueki Bypass project in

Kumamoto Prefecture in 1997[64] and the Tamayu Bypass project in Shimane

Prefecture in 1998[65].   Later, it was applied to the most controversial Gaikan

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[63] US Embassy in Tokyo (2005, December 7). Annual reform recommendations from the government of the United States to the government of Japan under the U.S.-Japan regulatory reform and competition policy initiative.

[64] Miyaishi, A., Chitose, Y. and Mizokami, S. (1999). *ueki baipasu keikaku ni taisuru pī-ai hōshiki no dōnyū.* Proceedings from the Conference of Infrastructure Planning, 22(1). 9-12.

[65] MLIT Matsue Road Construction Office. (2000, April). *tamayu kairyō jigyō ni okeru pī-ai dōnyū jirei* (Introduction of PI to the Tamayu Improvement Project). Dōro Gyōsei Seminā, 1-6.

Highway project in Tokyo.   Open house (*ōpun hausu*) style exhibitions and various consultative committees have been organized since 2001.   However, the idea seems to have been less successful in Japan than the ministry anticipated. In fact, the dispute over the Gaikan highway still persists after three years of *paburikku inborubumento* efforts.

Planners and architects in the private sector have also borrowed participatory planning techniques from the US, particularly in the 1990s.   A few pioneers studied "design game" methods from Henry Sanoff of North Carolina State University and "workshop meetings" proposed by Randolph Hester of UC Berkeley[66].   In particular, participatory meetings in the "workshop (*wāku-shoppu*)" format have become popular in the context of *machizukuri* movement after the publication of "The toolbox for participatory design (*sanka no dezain dōgu-bako*)" by the Setagaya Community Design Center in 1993[67].

In recent years, a few academic researchers have been active in introducing "consensus conferences (*konsensasu kaigi*)" from Denmark.   In 1998, a group of researchers experimented with the process by applying it to a discussion of genetically modified organisms (GMOs)[68].   A civil society group that specializes in the promotion of the idea was incorporated as a not-for-profit organization

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[66] Ito, M. (2001). *kenchiku machizukuri ni okeru jūmin sanka shuhō to shite-no wākushoppu no kenkyū*. Doctoral dissertation, Chiba University.
[67] Setagaya Community Design Center. (1993). *sanka no dezain dōgu-bako.* Setagaya, Japan: Setagaya Community Design Center.
[68] Wakamatsu, M. (2005). *konsensasu kaigi to nihon de-no kokoromi*. PI-Forum, 1(2), 23-27.

(NPO) in 1999.

Such examples of "borrowing" are inexhaustible in Japan. Even though almost all nations around the world draw lessons from the experiences of other countries, the Japanese seem to be particularly eager to do so. It is one of their preferred strategies for finding solutions to emerging problems.

Learning about consensus building processes

In the last few years, there has been a growing interest among Japanese researchers and practitioners in learning about consensus building processes in order to resolve infrastructure disputes. The five-step process for consensus building, which will be discussed in Chapter 2, was not discussed in Japan until the late 1990s.[69]

There have been several efforts in Japan to learn more about consensus building processes in the U.S. In June 1999, Scott McCreary, a practitioner based in California, was invited to a conference titled "Sanbanze International Forum (*kokusai fōramu*)." In the conference, he provided a review of the history of planning and restoration of San Francisco Bay[70]. In January 2001, Professor Lawrence Susskind from MIT was invited to Tokyo by Mitsubishi Research

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[69] Some aspects of consensus building, including a case study of the Alewife Task Force project, were introduced to Japan in the early 1990s as an alternative mode of public participation in environmental impact assessments (See Harashina, S. (1994). *kankyō asesumento*. Tokyo, Japan: University of the Air Press); however, the five-step process has not been discussed until recently.
[70] CONCUR. (undated). International Projects. [WWW Document] URL http://www.concurinc.com/worldprojects.html (visited 2005, February 14).

Institute (MRI) to give a public lecture on consensus building processes[71].   In addition, he and David Laws, also from MIT, offered a half-day seminar on consensus building processes for the PI-Forum, a not-for-profit organization that promotes public participation in public decisions.   They presented an outline of consensus building and described its applications in the US.

Between 1998 and 2002, I was invited by six prefectural agencies to give lectures for their employees on negotiation theories and consensus building techniques.   In October 1999, I presented an outline of consensus building processes at the 22nd Conference of Infrastructure Planning organized by the Japan Society of Civil Engineers[72].   In July 2002, I had an opportunity to give a lecture for the Shikoku Chapter of the Japan Society of Civil Engineers.   My encounter with the researchers in Shikoku led to the experimental effort described in detail in Chapter 5.

Intractable public disputes over infrastructure developments in Japan since the 1990s demonstrate the need for a new approach to infrastructure decisions (see Appendix 1-A for selected case studies).   Recognition of this need has led to a growing interest in consensus building.   In the next chapter, I will outline key

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[71] Mitsubishi Research Institute. (2001). *gōi-keisei no aratana tenkai*   [WWW Document] URL http://sociosys.mri.co.jp/PCW/resource/lsnote.pdf (visited 2005, February 14).
[72] Matsuura, M. (1999) Consensus building on public works projects using a third-party assistance. Proceedings of the Civil Planning Research Conference, 22(1), pp. 33-36.

features of the consensus building process practiced in the US and the way it was

described to Japanese audiences.

Chapter 2: The Practice of Consensus Building in the United States

In this chapter, I will provide an overview of the practice of consensus building in the United States. The reason for reviewing these efforts—which have been documented extensively elsewhere—is to define precisely what is being transferred to Japan. Without specifying the object being transferred to Japan, I cannot examine how it was (or wasn't) adapted to take accounts of contextual differences.

Even in America, consensus building processes are tailored to the particulars in each situation. Consensus building is an "ad-hoc" procedural model that can be, or should be, tailored to each setting[73]. Because of its flexibility, it is not so easy to say what the essence of consensus building is. The five-step process described in this section primarily draws on lessons from two textbooks on consensus building—*the Consensus Building Handbook* and *Breaking the Impasse*[74]. Some parts of the following descriptions about consensus building might not necessarily be fully endorsed by the entire community of consensus building practitioners in the US. Nevertheless, the following describes what has been described to the relevant Japanese practitioners as consensus building

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[73] Susskind, L. and Cruikshank, J. (1987). <u>Breaking the impasse: Consensual approaches to resolving public disputes.</u> New York, NY: Basic Books. p. 77.
[74] Susskind, L. and Cruikshank, J. (1987).; Susskind, L., McKearnan, S. and Thomas-Larmar, J. (Eds.). (1999). <u>The consensus building handbook.</u> Thousand Oaks, CA: Sage.

pronounced as:	*konsensasu*	*birudingu*	*purosesu*
written as:	コンセンサス・ビルディング・プロセス		
meaning:	consensus	building	processes

Figure 2-1: "Consensus Building Processes" in Japanese

processes commonly practiced in the US.

Terminology

Consensus building processes have been introduced to Japan as *konsensasu birudingu purosesu* using katakana characters so that the term refers to a specific model of consensus building that is transferred from the US (see Figure 2-1). Sometimes the word *shuhō* (techniques) is used in place of *purosesu* (processes). Occasionally people prefer to use an abbreviation for such a long word; consensus building is often abbreviated as "CB," resulting in people saying *see-bee purosesu* (CB Process). Consensus building can also be translated as *gōi keisei*, which literally means the "agreement development." The term, however, can refer to almost anything that has something to do with public participation or negotiation. In order to avoid confusion, the term *gōi keisei* is deliberately not used in this dissertation to refer to consensus building practices in the US.

Historical context of consensus building in the US

Early experiments

The root of consensus building dates back to the 1970s when mediation and other conflict resolution techniques were applied to difficult public policy questions for the first time. It is generally agreed that the first case of environmental conflict resolution was the mediation of a dispute over the construction of Snoqualmie River Dam[75]. Snoqualmie River, situated on the east of Seattle, Washington, consists of three forks in the upper potion of the Snohomish River Basin flowing into Puget Sound. For many years, recurring floods caused damage to the adjacent farmlands and other private properties. In 1968, the Army Corps of Engineers proposed a project to construct a dam in the Middle Fork of Snoqualmie River for flood management. Because of considerable risks to the natural environment claimed by environmentalists, as well as possible urban sprawl that might be triggered by the reduced chance of floods, environmental organizations as well as Governor Evans opposed the Corp's proposal. After a careful examination of the conflict, Gerald McCormick and Jane McCarthy intervened to mediate the dispute in 1973[76]. With an endorsement from the governor, a stakeholder involvement process started in May 1974. The process sought to find a plan that would be acceptable to both

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[75] Dukes, F. (1996). Resolving public conflict: Transforming community and governance. New York, NY: Manchester University Press.
[76] Dembart, L. and Kwartler, R. (1980). The Snoqualmie River conflict: Bringing mediation into environmental disputes. In Goldman, R. (Ed.) Roundtable justice: Case studies in conflict resolution. (pp. 39-58). Boulder, CO: Westview.

farmers and environmentalists.   Stakeholders reached an agreement by the end of the year.   The new plan called for a smaller dam on the North Fork of the river, offset levies, flood easements, and a planning organization.   Following this success, the movement to apply mediation processes to environmental disputes spread across the country.   For instance, Gerald Cormick, the mediator for the Snoqualmie case, became involved in the mediation of Interstate Highway 90 on the west of Seattle in 1975[77].

Meanwhile, on the other side of the US, an innovative approach to participatory planning was underway.   In 1975, the Massachusetts state government organized the Alewife Task Force (ATF) in order to prepare a plan for a multi-modal transportation facility to connect a subway with an existing highway[78].   The task force was designed as a mechanism for public participation, which was required after the enactment of the National Environmental Policy Act.   The ATF was assisted by a faculty member from MIT who served as its chairman.   With the assistance of that faculty member, members of the ATF, both proponents and opponents, jointly examined proposals from the state government.   In order to examine the initial proposal for a parking facility with 7,500 parking spaces, the

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[77] Patton, L. and Cormick, G. (1978). <u>Mediation and the NEPA process: The Interstate 90 experience.</u> In Jain, R.K. and B.L. Hutchings(Eds.) Environmental Impact Analysis: Emerging Issues in Planning. (pp. 43-54). Urbana, IL: University of Illinois Press.
[78] Susskind, L. (1977). <u>The importance of citizen participation and consensus-building in the land use planning process.</u> Cambridge, MA. Prepared for the Lincoln Institute Land Use Symposium (October 27-29, 1977).; Susskind, L. (1981). <u>Citizen participation and consensus building in land use planning.</u> In deNeufville, J.I. (Ed.) The land use policy debate in America. (pp. 183-204). New York, NY: Plenum.

chairman suggested that the ATF examine other facilities of similar size. According to the chairman, everyone agreed that the proposed facility was oversized for the setting and "it changed the tone" of the discussion[79].   The parking facility was downsized to 2,000 parking spaces, and a "linear park" concept was introduced as a part of the design of the adjoining area.   The group almost reached a consensus on a plan in 1977.   Reflecting on the experience with the ATF, Lawrence Susskind, who was the chairman, proposed a five-step model for "consensus building" as an alternative to conventional models of citizen involvement[80].

Development of the field

After the first few successful experiments, the use of environmental dispute resolution grew substantially by the mid-1980s.   The following paragraph by Gail Bingham neatly summarizes the rapid growth of the field in the late 1970s and early 1980s:

Nationally, by the end of 1977, 9 environmental disputes had been mediated. Another 11 were mediated in 1978, and 19 more were mediated in 1979.   By mid-1984, mediators and facilitators had been employed in over 160 environmental disputes in the United States.   Compared to 1973, when only two individuals were beginning to develop a mediation practice for environmental disputes, there are now organizations and individuals in at least 15 states, the District of Columbia, and Canada offering environmental dispute resolution

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[79] Kolb, D. and Associates. (1994). When talk works: Profiles of mediators. San Francisco, CA: Jossey-Bass.
[80] Susskind, L. (1977). pp. 36-38; Susskind, L. (1981). p. 202.

services.   Others, elsewhere, are attempting to establish similar practices.[81]

Susskind and McKearnan argue that there were five initiatives that characterized the rapid development of the field in the mid-1980s: seminal publications on environmental mediation, an expanding group of skilled individuals, creation of the National Institute for Dispute Resolution (NIDR) to provide funding, increased demand for training, and the creation of newsletters to publicize results[82].   *Breaking the Impasse*, published in 1987, was the first publication, in a generally accessible form that outlined the five-step process for consensus building, which is explained later in this chapter[83].

The Environmental Protection Agency (EPA) was one of the first few federal agencies to support experimentation with consensus building processes in the 1980s.   It adopted negotiated rulemaking—a mediated strategy for preparing draft federal environmental regulations with the participation of stakeholders.   In 1984, the EPA first deployed the process in determining nonconformance penalties for Clean Air Act violations[84].

The Army Corps of Engineers was another federal agency that utilized dispute

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[81] Bingham, G. (1986). <u>Resolving environmental disputes: A decade of experience.</u> Washington DC: Conservation Foundation. p. xvii.
[82] Susskind, L. and McKearnan, S. (1999). The evolution of public policy dispute resolution. <u>Journal of Architectural and Planning Research, 16(2),</u> pp.96-115.
[83] Susskind, L. and Cruikshank, J. (1987).
[84] Susskind, L. and McMahon, G. (1985). The theory and practice of negotiated rulemaking. <u>Yale Journal on Regulation.</u> 133-165.; Susskind, L. and Van Dam, L. (1986). Squaring off at the table, not in the courts. <u>Technology Review. 89(5).</u> 39-40.

resolution techniques beginning in 1980s.   In particular, the Corps introduced

techniques for improving its relationships with contractors.   The process, known

as "partnering," sought to bring relevant stakeholders (e.g., contractors,

environmentalists, other government agencies) together from the outset of

contractual relations in order to develop positive relationships[85].

A few state governments were also active in encouraging the use of

environmental dispute resolution.   With help of the NIDR, state offices of

mediation opened in Massachusetts, New Jersey, Hawaii, Wisconsin, and

Minnesota in 1984[86].   The number of states with offices of dispute resolution

expanded to 28 in 2000[87].

The field continued to grow in the 1990s.   In fact, many institutional

innovations involving the use of consensus building processes emerged in the

1990s.   Federal legislation is one such example.   In 1996, the Administrative

Dispute Resolution Act was enacted to encourage federal agencies to use dispute

resolution processes.   Following on the decades of experience at EPA, negotiated

rulemaking processes were institutionalized by the Negotiated Rulemaking Act of

1998.   Such legislation facilitated the adoption of dispute resolution processes by

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[85] Consensus Building Institute. (1995). Partnering, consensus building, and alternative dispute resolution: Current uses and opportunities in the U.S. Army Corps of Engineers. Fort Belfor, VA: Institute for Water Resources.; Tri-Service Committee. (1996). Partnering guide for environmental missions of the Air Force, Army, Navy. Fort Belvoir, VA: Institute for Water Resources.
[86] Susskind, L. (1986). NIDR's state office of mediation experiment. Negotiation Journal. 2(4). 323-327.; Dukes, F. (1996). p. 80
[87] Susskind, L., van der Wansem, M., and Ciccarelli, A. (2000). Mediating land use disputes: Pros and cons. Cambridge, MA: Lincoln Institute of Land Policy.

federal agencies.   In 1998, the Congress created the U.S. Institute for

Environmental Conflict Resolution (USIECR) in Tucson, Arizona.   This

organization assists federal agencies in using dispute resolution and other

processes for resolving environmental disputes as well as maintaining a national

roster of experienced mediation practitioners.

In 1999, another seminal publication—*the Consensus Building*

Handbook—was released as an edited collection.   The colossal 1147-page

volume contains contributions from most experienced practitioners and scholars

on every aspect of the consensus building in the public arena.   The process

outlined in the handbook, in particular its *Part I: A Short Guide to Consensus*

Building by Lawrence Susskind, constitutes what I call "consensus building

processes" in this dissertation.   The five steps in the consensus building process

are described in the following sections.

Consensus building processes

Consensus building processes are implemented in five steps.   This five-step

model has provided the framework for explaining the processes in Japan.   In the

following descriptions, technical terms in Japanese are shown in parenthesized

italics.

Convening (*shō-shū*)

All processes start with convening.   Anyone who has an interest in building

consensus on a policy issue can convene.   In most cases, though, public agencies take the role of convenor (*shōshū-sha*).   A convenor, or a group of convenors, asks a neutral assessor (*hyōka-sha*) for an evaluation of the situation, known as a conflict assessment (*funsō asesumento*)[88].   It is sometimes referred to as stakeholder analysis (*sutēkuhorudā bunseki*), as well, in the US.

The assessor prepares the assessment report based on the information gathered through stakeholder interviews.   First, the convenor provides an initial list of stakeholder interviewees to the assessor.   The assessor conducts confidential interviews with each stakeholder in order to fully apprehend his or her interests (*rigai*) behind their stated positions (*tachiba*)[89].   Information gathered in confidential interviews is not disclosed to anyone else including the convenor. Interviews can be conducted over the phone or in person, depending on resources available.   At the end of each interview, the assessor asks, "Who else should I interview in order to fully understand the situation?"   Those who are suggested are added to the list of interviewees.   The assessor completes the stakeholder interviews when no new person is added to the list, or when no new category of interests is likely to be represented by additional interviewees.

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[88] Consensus Building Institute and Pace University Land Use Law Center. (2000). Conducting conflict assessments in the land use context: A manual. Cambridge, MA: Consensus Building Institute.
[89] Fisher, R. and Ury, W. (1991). Getting to yes: Negotiating agreement without giving in. New York, NY: Penguin.

招集　責任の明確化　審議　決定　合意事項の実現

発議を行う
アセスメント素案を用意する
完全版アセスメントを用意する
利害関係者代表を特定する
予算を特定する

ファシリテーター等の役割を明確にする
傍聴者に関するルールを定める
議事と規約を定める
制約条件となる先例を定める
コミュニケーション手段を評価する

透明性を確保する
アイディア出しと拘束力を分離する
部会を設ける
専門家のアドバイスを求める
単一文書を用いて"言い訳を防ぐ"

相互の利得最大化に努める
不慮の事態も考慮する
既決の決定ルールにしたがう
記録を残す

支持者による批准を求める
モニタリングを行う
状況の変化に適応させる

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CONSENSUS BUILDING ESSENTIAL STEPS
From The Consensus Building Handbook (Sage, 1999)

CONVENE / CLARIFY RESPONSIBILITIES / DELIBERATE / DECIDE / IMPLEMENT AGREEMENTS

Initiate discussion
Prepare a pre-assessment
Prepare a full assessment
Identify stakeholder representatives
Locate funding

Specify roles of neutrals and parties facilitators
Set rules regarding observers
Set agenda and ground rules
Determine if it is a precedent
Assess communication options

Strive for transparency
Separate inventing from committing
Create subcommittees
Seek expert advise
Use a single text and "avoid attribution"

Try to maximize joint gains
Use contingencies
Follow agreed-upon decision rule
Keep a record

Seek ratification by constituencies
Provide for monitoring
Provide for adaptation to changed circumstances

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Figure 2-2: Five-step Consensus Building Process Diagram in Japanese and English

The assessor then prepares a draft conflict assessment report (*yobi hōkoku sho*). The report categorizes and maps the interests of the stakeholders.   The report does not ascribe specific statements to individual interviewees.   For example, the report might say "Several stakeholders expressed concerns about the issue of X." instead of "Mr. A expressed his concerns in …"   In preparing the report, the assessor prepares a "matrix," summarizing categories of stakeholders and their views on key issues.   The matrix is used to structure the assessment even though

it is not always included in the report. At the end of the report, a list of interviewees is attached in order to demonstrate that a full range of stakeholders was contacted[90].

The draft report, including a recommendation regarding whether to proceed with consensus building, is distributed to all interviewees, including the convenor, in order to make sure that everyone's interests are clearly represented. Feedback is gathered by the assessor. The convenor is not given a chance to review the draft before it is distributed to the other interviewees. After incorporating stakeholder feedback, the assessor distributes the final report to the public as his or her assessment of the situation. The submission of the report concludes the contract between the convenor and the assessor.

After reviewing the conflict assessment, the convenor decides whether to initiate a consensus building process. If the convenor decides to move forward with the process, he or she convenes the first meeting. The assessor can assist the convenor in choosing the appropriate representatives to be invited to the meeting. In some instances, a small group of key stakeholders is convened to form a steering committee. The steering committee jointly prepares for the first meeting of all stakeholder representatives. The assessor does not have to become the mediator for the full group. In some cases, the steering committee

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[90] Note: This advice has not been transferred to Japan until recently. In the experimental process described in Chapter 6, participating mediators were not aware of this when they started the process because I did not give instructions for it before starting the experiment (see p. 231).

evaluates proposals from multiple candidates for the mediator position and chooses the one that everyone prefers.

The Consensus Building Institute has prepared a number of conflict assessments. For example, it has prepared an assessment of stakeholders for the Northern Oxford County Coalition (NOCC). The coalition was a group of stakeholders in Maine focused on pollution and public health concerns caused by the area's major employer, a large pulp and paper mill[91]. A stakeholder analysis report for the NOCC has been translated by the author into Japanese as an example of stakeholder analysis in the US[92]. Another example is the one prepared to assess a dispute over a commercial development in Assembly Square in Somerville, Massachusetts. The highlight of the assessment is its conclusion: CBI suggested that stakeholder should not proceed to a consensus building process at that time because of pending lawsuits. A neutral assessor must always provide a candid assessment of the possibility of reaching a meaningful agreement, even though he or she might be tempted to "sell" the consensus building process to potential clients.

Because of this possible conflict of interest, there are two differing ideas regarding hiring an assessor and a mediator for each consensus building process.

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[91] Consensus Building Institute. (undated). <u>Northern oxford county coalition.</u> [WWW Document] URL http://www.cbuilding.org/projects/nocc/index.html (visited 2005, February 14).
[92] Consensus Building Institute. (1995, May 26). <u>Stakeholder analysis: A report to the Northern Oxford County Coalition.</u>

Some argue that it is most efficient to hire the assessor as the mediator if the process goes forward because he or she has become familiar with the interests underlying the dispute and developed relationships with each stakeholder[93].   On the other hand, the possibility of being hired as a mediator to facilitate the actual stakeholder meetings gives an incentive for the assessor to offer a recommendation in favor of proceeding.   In order to avoid such a conflict of interest, assessing and mediation are sometimes deliberately assigned to different people.   For example, this often the case with projects administered by the Massachusetts Office of Dispute Resolution[94].

Clarifying responsibilities (*sekinin-no-meikaku-ka*)

In the first meeting, the responsibilities of the individuals involved in any consensus building process are defined.   A mediator (*mediētā*), or a team of mediators, is introduced to manage of the process.   They moderate stakeholder meetings using facilitation (*fashiritēshon*) techniques—preparing meeting minutes, drafting an agreement, and organizing stakeholder caucuses as needed[95].   The mediator should be knowledgeable about both the process as well as the substance

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[93] Susskind, L. and Thomas-Larmar, J. (1999). <u>Conducting a conflict assessment.</u> In Susskind, L., McKearnan, S. and Thomas-Larmar, J. (Eds.). The consensus building handbook. (pp. 99-136). Thousand Oaks, CA: Sage. pp. 131-2.; S. McCreary and B. Brooks (personal communication, November 19, 2004).

[94] L. Della Porta and J. Adams. (personal communication, November 17, 2004).

[95] In this chapter, the person who assists consensus building processes will be referred to as a "mediator."   However, the person is sometimes referred to as a "facilitator" or a "process manager" in the US.   For example, Federal Highway Administration prefers the term "facilitator."   See, FHWA and USIECR. (2002). <u>Collaborative problem solving: Better and streamlined outcomes for all.</u> Washington, DC.

of the discussions.   Because the mediator will handle the flow of communication among stakeholder representatives, it is imperative that he or she understands the language, including technical jargon, and is familiar with the local geography.   A mediator in a consensus building process is not simply a process manager but also an active assistant to the stakeholders in their problem-solving efforts[96].   This non-partisan intervener is sometimes referred to as a facilitator (*fashiritētā*). Even though there are many discussions about the difference between a facilitator and a mediator, the differences are not crucial in designing a process because responsibilities must be clearly defined no matter what title is bestowed[97].   In Japan, the role of facilitator has been recognized in the field of urban planning in the last few years, especially in the context of "workshop (*wāku-shoppu*)" style meetings.   The range of assignments given to Japanese facilitators, however, is quite limited: they are often brought in just to manage workshop meetings.

A recorder (*kiroku-sha*) is often introduced as an assistant to the mediator. The recorder writes down key elements of each participant's comments on a flip chart as the discussion moves forward.   The purpose of having the discussion recorded simultaneously is to create a "group memory" that meeting participants

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[96] Forester, J. (1999). <u>Dealing with deep value differences.</u> In Susskind, L., McKearnan, S. and Thomas-Larmar, J. (Eds.). The consensus building handbook. (pp. 463-494). Thousand Oaks, CA: Sage. pp. 466-7.   Forester, J. (1999). <u>The deliberative practitioner.</u> Cambridge, MA: MIT.
[97] Susskind, L., Amundsen, O. and Matsuura, M. (1999). <u>Using assisted negotiation to settle land use disputes.</u> Cambridge, MA: Lincoln Institute for Land Policy.; FHWA and USIECR (2002).

can refer to as they progress[98].

The responsibilities of observers (*bōchō-sha*) must be determined. First of all, stakeholder representatives have to decide whether to admit observers to their meetings. In consensus building processes dealing with public policy issues, it is usual to allow the public to observe in order to ensure accountability[99]. Observers have to agree to abide by certain rules of conduct. For example, they must refrain from disrupting conversations. When they enter the meeting room, they must be given a statement that describes their responsibilities as observers.

Finally, the responsibilities of each participant must be defined. Each participant is supposed to represent a certain category of stakeholders who share an interest in the process and the outcome of the discussions. Therefore, participants are expected to represent not just their own views but the groups they represent. They are also expected to keep their group members informed on the meetings proceed. Even though the discussion does not proceed in a highly formal fashion, such as the one prescribed by Robert's Rules of Order, participants are expected to cooperate to make the most of each session[100]. In order to allow the meeting facilitator to manage the meetings in a disciplined way, guidelines for participant conduct are usually agreed upon ahead of time.

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[98] Doyle M. and Straus, D. (1982). How to make meetings work. New York, NY: Jove.
[99] Susskind, L. (1999). An alternative to Robert's rules of order for groups, organizations, and ad hoc assemblies that want to operate by consensus. In Susskind, L., McKearnan, S., and Thomas-Larmer, J. (Eds.) The consensus building handbook. (pp. 3-57). Thousand Oaks, CA: Sage. p. 25
[100] Robert H. M (1990). Robert's rules of order (9th ed.). New York, NY: Scott Foresman.

All these responsibilities are codified in a document called ground rules (*kiyaku*).   The document describes the mission of this collective body of stakeholders.   The convenor should explicitly explain its expectations— *what needs be decided by when*—at the outset and include this information in the ground rules.   Ground rules, then, describe the responsibilities of participants, their alternates, other members of the public, the mediator, and other staff involved.   Ground rules also describe how the group will make decisions, how its proceedings will be made public (including the relationship with the media), and how subgroups will be formed if necessary.   An illustrative example of ground rules—for Delaware's Coastal Zone Act Regulatory Advisory Committee—is included in the Consensus Building Handbook[101].

In addition to ground rules, the group has to have an agenda (*giji shidai*).   The agenda describes which issues will be discussed in what order.   It should also explain: *How many meetings will be held at which intervals?   What will be discussed at each meeting?   How subcommittees will be organized and for what purposes?   By when is the group expected to reach an agreement?*

These all have to be agreed by all participants before deliberations start.   First, the mediator has to be accepted by everyone.   Second, the ground rules and the agenda have to be endorsed by all participants.   Without these elements wholly endorsed by all stakeholders at the outset, the process can fall apart in the middle,

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[101] Susskind, L. and Thomas-Larmar, J. (1999). pp. 124-7.

especially when those who have an interest in maintaining the status quo question

the legitimacy of the mediator or the process.   Others might simply ignore the

ground rules and disrupt the flow of the discussion.   Still others might want to

discuss an issue that is completely off the agenda.   Even though such unexpected

demands cannot be subdued completely, the likelihood of encountering serious

barriers to consensus building can be reduced by reaching unanimous agreement

ahead of time regarding the mediator, ground rules, and the agenda in the

beginning.

Deliberating *(shin-gi)*

Consensus building processes are relatively straightforward once the actual

deliberations begin.   They are similar to conventional blue-ribbon committees

(*shingikai*) and other types of participatory committees (*iinkai*) in Japan in that

members meet periodically face-to-face across a table[102].   Each meeting is

scheduled according to the agenda, which is agreed to by everyone at the first

meeting.   The mediator works with stakeholders to prepare necessary reference

documents for each meeting, inviting outside experts, managing the discussions,

and preparing minutes (meeting summary: *giji-yōshi*) of what has been agreed.

Meeting summaries must be agreed to by all participants, often at the outset of the

subsequent meeting, before they are published.

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[102] For more information about the *shingikai*, see Schwartz, F. (1998). Advice and Consent: The politics of consultation in Japan. Cambridge, UK: Cambridge University Press.

Figure 2-3: Visual simulations of an offshore wind farm from the project sponsor (left) and an opposition group (right).

Source: Cape Wind web site (left), Alliance to Protect Nantucket Sound web site (right)

A technique that is particularly important in consensus building processes dealing with technical and scientific information is joint fact-finding (*kyōdō jijitsu kakunin*).   Public policy disputes are often intertwined with scientific questions. For example, the design of a highway hinges on the forecasted volume of traffic in the future.   Traffic volume is usually calculated by using elaborate traffic projection models that incorporate many exogenous parameters, such as land use patterns, population growth, and economic growth.

When scientific information is one of the key factors in determining the level of benefits and impacts associated with different alternatives, each disputing party often cites contradicting scientific evidence to support its position.   This model

of scientific advising in policy-making is known as *adversary science*[103].   For example, in a dispute over the construction of an offshore wind farm in Massachusetts, both proponents and opponents released completely different projections of potential visual impacts (see Figure 2-3).   Each group postulated a different context to depict proposed wind towers, as is obvious from the visual simulations.   However, neither rendering is technically erroneous.   In a stakeholder dialogue process organized by the Massachusetts Technology Collaborative, it was recognized that both renderings are similar in terms of turbine location and dimensions[104].

Joint fact-finding has been introduced as an alternative to adversary science as well as to incorporate the best available scientific information into public deliberations.   It is a process through which participants "jointly frame research questions, specify the method of inquiry, select the researchers, and monitor the work, injecting their concerns at every appropriate point.[105]"   First, the stakeholders identifies key issues to be analyzed scientifically and other necessary technical information they are seeking.   The mediator then suggests a list of scientists who might be of help to the group.   The group must reach a consensus on the choice of such advisors.   Without an explicit agreement, some members

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[103] McCreary, S., Gamman, J. and Brooks, B. (2001) Refining and testing joint fact-finding for environmental dispute resolution: Ten years of success. Mediation Quarterly, 18(4). 329-348.
[104] Raab, J. (2005, October 2). Engaging stakeholders in energy and environmental policy and technology decision making in the United States. Presentation at the International Workshop on Social Decision Making Process. Tokyo, Japan.
[105] Ozawa, C. and Susskind, L. (1985). Mediating science-intensive policy disputes. Journal of Policy Analysis and Management, 5(1), 23-39. p. 33

are likely to question the validity of their advisors' findings when they contradict initial stakeholder positions.   In some instances, scientists who have already sided with disputing parties are invited to the deliberation so that the stakeholders can fully understand the differences in assumptions and models behind conflicting conclusions.

Scientific advisors must not have an interest in the outcome of the discussion, in the same way a mediator must maintain neutrality.   It is also desirable for the advisors to have the ability to present their findings in a way that can be understood by laypersons.

Deciding *(kettei)*

At some point in the discussion, the mediator should start preparing a draft agreement (*gōi so-an*).   Drafts should not be prepared by each stakeholder because they will be tempted to employ wording and tone most favorable to their own interest.   This is one of the tasks that can be undertaken most efficiently by a mediator.   The mediator brings the draft to each stakeholder in turn to see improvements they might have to suggest in order to maximize the likelihood of consensus.   This method is known as the *single text approach* (*tan-itsu bunsho tetsuzuki*), which is often used in the field of international diplomacy.

Mediators should seek consensual decisions.   In order to find solutions that are acceptable to everyone involved, a mediator should suggest a package of solutions that allows parties to trade across issues of differing importance to them.

The idea of value creation through trades was first articulated by Vilfred Pareto, an Italian sociologist of the early 20th century. By trading an item that has more value to other parties than one's self, both parties can increase their level of satisfaction. This mutual gains approach to negotiation is applicable to the agreement-seeking process in consensus building as well[106]. The mediator should be alert to possible trades informed by the information gathered through participation in the dialogue as well as from the initial conflict assessment.

Even though a unanimous agreement is always desirable, the process should not be protracted simply because a few participants might not agree with any proposal. In practice, consensus building processes are occasionally concluded by an overwhelming agreement; however, Susskind says, "it would be hard to make a claim for consensus having been reached if fewer than 80 percent of the participants in a group were not in agreement.[107]"

Each representative should sign the agreement[108]. Once the agreement is reached among the stakeholder representatives, the agreement needs to be ratified by their constituents. Ratification should not be difficult if each representative has tried to keep his or her constituents informed about the progress of the discussions.

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[106] Susskind, L., Levy, P., & Thomas-Larmer, J. (Eds.) (2000). Negotiating environmental agreements: How to avoid escalating confrontation, needless costs, and unnecessary litigation. Washington, DC: Island Press.
[107] Susskind, L.(1999). p. 33
[108] This advice was also not given to participating mediators in the experimental process when it started.

Implementing agreements *(gōi-jikō no jitsugen)*

Consensus building does not end with the production of an agreement. Implementation is a part of the process. Because consensus building does not substitute for formal decision-making by elected and appointed officials, agreements need to be linked to formal decisions. An agreement is "recommendation" from a stakeholder group, even if government officials participated directly in the dialogue. The stakeholder group should work to gain public support for their agreement. The mediator can help by arranging meetings with high-ranking government officials, preparing press releases, and promoting the agreement to the media.

When the agreement requires adjustments in order to respond to contingent situations, monitoring is crucial. In such instances, arrangements to monitor implementation of an agreement must be incorporated into any final accord. A mediator can assist stakeholders during the monitoring phase as well. He or she can administer necessary technical studies from a neutral standpoint.

The mediator can administer the funds required to compensate for unexpected outcomes. For example, when abutters of an industrial development are worried about its possible impacts on their health in the future, the developer can deposit a certain amount of money held to be held in trust and paid to those who actually incur damages in the future[109]. Such a contingent agreement can facilitate

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[109] Susskind, L. and Cruikshank, J. (1987). p. 126.

consensus building because differences in estimates of likely outcomes can be finessed: abutters believe that such impacts will surface, and developers usually do not.   The mediator can offer to become the manager of the trust.

No matter how an agreement is framed, stakeholders might want to reconvene and discuss how an agreement is being implemented.   The mediator can help them to reconvene and discuss newly emergent issues.

Rationale for using consensus building processes

A variety of benefits from adopting consensus building, instead of other conventional approaches to public participation, have been suggested by practitioners as well as theorists.

Susan Carpenter and W.J.D. Kennedy illustrate four types of conventional strategies of government officials in dealing with public disputes[110].   In particular, what they call "the Solomon Trap" crisply illustrates the problem of conventional public participation[111].   It is a four-step process.   First, a public official solicits inputs from the public.   Second, the official prescribes a solution by referencing those inputs.   Third, stakeholding groups attack the official's decision because it does not incorporate all of their requests.   Finally, the official is forced into a position to defend his or her decision.   When multiple

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[110] Carpenter S. and Kennedy W. J. D. (1988). <u>Managing public disputes: A practical guide to handling conflict and reaching agreements.</u> San Francisco, CA: Jossey-Bass.
[111] Carpenter S. and Kennedy W. J. D. (1988). pp. 22-26.

stakeholders have different interests, it is theoretically impossible to satisfy all of their requests. However, the heightened expectation on the stakeholders' side through the invitation to participate leads to frustration because all their requests have not been incorporated into a final decision.

As an alternative to the conventional participatory approach that is likely to draw public officials into the Solomon Trap, they can step aside and take the role of facilitators who engage stakeholders to find a consensus-based solution[112]. Carpenter and Kennedy find the following five characteristics in such alternative approaches:

- The decision maker is a facilitator;
- The focus is on solving a problem;
- Parties meet face to face to work out differences
- Parties help shape the process; and
- Decisions are made by consensus[113].

The consensus building process, described in the previous section, encompasses all five features. When I recommend using consensus building processes to Japanese audiences, I use this line of argument (see Figure 2-4). Therefore, consensus building processes have been suggested to Japanese audiences as an alternative to conventional participatory approach.

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[112] Susskind L. and Ozawa C (1984). Mediated negotiation in the public Sector: Planner as mediator. Journal of Planning Education and Research, 4(1), 5-15.
[113] Carpenter, S. and Kennedy, W.J.D. (1988). pp. 26-29.
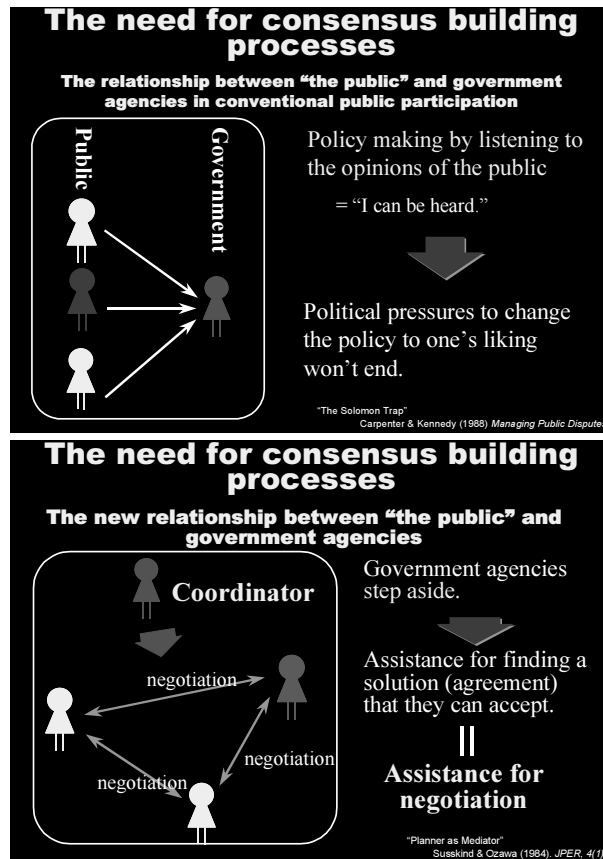
Figure 2-4: Presentation slides for explaining the Solomon Trap and the alternative approach to Japanese audiences

The use of consensus building processes not only allows public officials to avoid falling into the Solomon Trap but also to produce positive outcomes. Susskind suggests four good outcomes of negotiated agreements: fairness, efficiency, wisdom, and stability[114].

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[114] Susskind, L. and Cruikshank, J. (1987). pp. 21-33.

Evaluating consensus building efforts

Evaluation of consensus building efforts has been an essential part of the expansion of the field. The practice of consensus building in the US has been evaluated periodically since the 1980s. Gail Bingham published one of the first evaluations in 1986. In the late 1990s, the Consensus Building Institute evaluated 100 cases of consensus building in the US through interviews. More recently, the US Institute for Environmental Conflict Resolution—an independent federal agency that promotes the use of consensus building in environmental policy-making—has been working to develop a framework for evaluating individual cases.

Each consensus building effort can be measured in terms of process and outcome. Evaluation of processes focuses on how effectively interactions were managed during the consensus building dialogue, while evaluation of outcomes tends to focus on the distribution of gains and losses before and after the dialogue. Even though process and outcome are not completely independent, this demarcation provides a convenient framework for evaluating consensus building efforts. Judith Innes suggests the following 22 evaluation criteria, 8 for process and 14 for outcomes:

- Criteria about Process
    - The consensus building process includes representatives of all relevant and significantly different interests.
    - The process is driven by a purpose that is practical and shared by the group.

- It is self-organizing
- It follows the principles of civil discourse
- It adapts and incorporates high quality information
- It encourages participants to challenge assumptions
- It keeps participants at the table, interested, and learning
- It seeks consensus only after discussions fully explore the issues and interests and significant effort was made to find creative responses to differences

- Criteria to Assess Outcomes
  - The process produced a high-quality agreement.
  - It ended stalemate.
  - It compared favorably with other planning or decision methods in terms of costs and benefits.
  - It produced feasible proposals from political, economic, and social perspectives.
  - It produced creative ideas for action.
  - Stakeholders gained knowledge and understanding
  - The process created new personal and working relationships and social and political capital among participants
  - It produced information and analyses that stakeholders understand accept as accurate.
  - Learning and knowledge produced within the consensus process were shared by others beyond the immediate group.
  - It had second-order effects, beyond agreements or attitudes developed in the process.
  - It resulted in practices and institutions that were both flexible and networked, which permitted a community to respond more creatively to change and conflict.
  - It produced outcomes that were regarded as just.
  - The outcomes seemed to serve the common good or public interest.
  - The outcomes contributed to the sustainability of natural and social

systems[115].

These evaluation criteria will be applied to evaluating the experimental consensus building effort described in the Chapter 7 of this dissertation. It must be noted, however, that assessing the outcomes other than the contents of agreements is difficult because "they may not be identifiable long after a process is over.[116]"

Conclusion

As reviewed in this chapter, consensus building has become a highly formalized process in the US. Even though process designs are usually tailored to each dispute or public participation effort, a considerable body of codified practice and examples is available for would-be adopters. In fact, there is a "mushrooming" body of literature on public dispute resolution and consensus building processes[117]. There are also US experts willing to act as resources, and some Japanese with growing skills and knowledge.

As I suggested in the introduction of this dissertation, however, there is great danger in transplanting consensus building processes from the US to Japan without considering important differences in the context in the two countries. Consensus building techniques for public dispute resolution have been developed primarily in the context of urban and environmental planning in the US.

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[115] Innes, J. (1999). Evaluating consensus building. In Susskind, L., McKearnan, S. and Thomas-Larmar, J. (Eds.). The consensus building handbook. (pp. 631-675). Thousand Oaks, CA: Sage.
[116] Innes, J. (1999). p. 640.
[117] Forester, J. (1999). The deliberative practitioner: Encouraging participatory planning processes. Cambridge, MA: MIT Press. p. 165.

Therefore, such techniques are unlikely to be useful without further adaptation to the Japanese context. In the next chapter, I will review theories pertaining to the international transfer of social technologies that might be useful in analyzing such adaptation of consensus building techniques.

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Chapter 3: Analyzing the International Transfer of Social Technology

Introduction

The primary goal of this dissertation is to explore the interaction between context and governmental policy-making mechanisms by analyzing an instance of transferring the consensus building idea from the US to Japan.   As we reviewed in the previous chapter, consensus building processes have been developed primarily in the United States since the 1970s.   Therefore, it is likely that these processes are influenced by contextual factors in the United States where these processes have developed over 30 years.

A number of institutional factors peculiar to the US may explain the emergence of consensus building in the US.   On the other hand, the institutional context in the US might have been the key to the success of consensus building in America. They might have been transformed over 30 years to respond to the unique demands in the US.   Consensus building processes, as they exist today, reflect a series of successes and failures in the field.   For instance, several philanthropic organizations in the US offered generous support for the application of dispute resolution techniques to environmental disputes.   These eventually evolved into consensus building processes.   Were it not for this initial investment by these organizations in the 1970s, would consensus building have been used at all?   If

those processes are transferred to a country where funding from philanthropic sources is not available, can the neutrality of mediators, paid by one of stakeholders, be assured?

The "embeddedness[118]" of consensus building processes in the US context requires close attention to a possible cultural clash when they are transplanted to a different location.   If these processes are applied in foreign locations without any modification, they are unlikely to produce agreements as they do in the US.

The impact of contextual differences on the international transfer of social technologies—the term which I employ to contrast them to physical technologies—has been studied by various academic disciplines.   In order to investigate the relationship between consensus building—a kind of social technology—and its context, lessons from studies of the relationship between other types of social technologies and their context are helpful in developing a theoretical framework for this dissertation research.

In this chapter, I will review a range of theories pertaining to the international transfer of social technology with a special focus on the implications of contextual differences.   There are three categories of literature that I will focus on: international policy transfer, international transfer of organizational innovations, and the relationship between culture and negotiation.   In order to further my

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[118] Granovetter, M. (1985). Economic action and social structure: The problem of embeddedness. American Journal of Sociology, 91(3), 481-510.

discussion for the implication of context to social technologies, I will briefly

review institutional theories on the relationship between institutions and

individual actions. By drawing lessons from a wide range of academic

discipline, I will try to develop a model for analyzing an instance of transferring

consensus building processes as an occasion of process adaptation and

organizational change.

International policy transfer

For a variety of reasons government agencies around the world have introduced

new policy initiatives by learning from experiences elsewhere, including those in

foreign countries[119]. Researchers have studied these phenomena from different

perspectives—such as policy transfer, policy diffusion, policy convergence, policy

learning, and lesson drawing[120]—even though they all have a common theme of

studying "how policies, administrative arrangements, institutions and ideas in one

political setting (past or present) are used in the development of policies,

administrative arrangements, institutions and ideas in another political setting.[121]"

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[119] Helco, H. (1974). <u>Modern social politics in Britain and Sweden.</u> New Haven, CT: Yale University Press.
[120] Dolowitz, D. and Marsh, D. (2000). Learning from abroad: The role of policy transfer in contemporary policy-making. <u>Governance, 13(1),</u> 5-24. p. 5.; Stone, D. (2000, December). <u>Learning lessons, transferring policy and exporting ideas.</u> International workshop: Diffusion of environmental policy innovations. Berlin, Germany.
[121] Evans, M. and Davies, J. (1999). Understanding policy transfer: A multi-level, multi-disciplinary perspective. <u>Public Administration, 77(2),</u> 361-385.

Lesson drawing

One of the earliest examples of analytical frameworks for studying

international policy transfers is "lesson drawing" initially proposed by Richard

Rose[122].   Before lesson drawing, others have analyzed the subject by focusing on

specific effects of policy transfer, such as the effect of giving "evidence" to the

effectiveness of proposed policies[123].   Rose proposes five alternative ways of

lesson-drawing: copying, adaptation, making a hybrid, synthesis, and

inspiration[124].   He suggests that copying, a complete imitation of what happened

elsewhere, is relatively difficult across national boundaries.   He introduces

adaptation as an effort to adjust "for contextual differences a program already in

effect in another jurisdiction.[125]"   Then he discusses the feasibility of lesson

drawing by introducing the dichotomy of "total fungibility" (i.e., programs are

applicable anywhere) and "total blockage" (i.e., programs are not applicable

elsewhere at all).   By drawing on Japanese examples of organizational emulation

after the Meiji liberation, he suggests that programs can be transferred to other

countries by adapting them because the reality lies between total fungibility and

total blockage.   He says, "In the real world we would never expect a program to

transfer without some adaptation, but equally we would not expect public officials

to develop a major program in total ignorance of what is being done by

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[122]   Rose, R. (1991). What is lesson-drawing? Journal of Public Policy, 11, 3-29.; Rose, R. (1993). Lesson-drawing in public policy. Chatham, NJ: Chatham House.
[123]   Bennet, C. (1991). How states utilise foreign evidence. Journal of Public Policy, 11, 31-54.
[124]   Rose, R. (1993). p. 27-34
[125]   Rose, R. (1993). p. 30

counterparts elsewhere[126]." He also suggests that the lessons need to be "doubly desirable," meaning that they have to be practical in the eyes of technical experts as well as attractive to politicians who make the ultimate decision to introduce a program to a country[127].

Policy transfer

There is a growing interest in policy transfer among European researchers particularly after the increased influence of the European Union as a supranational body—a trend known as "Europeanization.[128]" Bearing in mind the European context, Dolowitz and Marsh claim that the lesson-drawing framework, which is reviewed above, focuses only on "voluntary" policy transfers initiated by those who draw lessons from elsewhere[129]. They argue that there are "coercive" kinds of policy transfer as well that are imposed by other governments and supranational bodies.

Like Rose, the new generation of European "policy transfer" researchers support the importance of adaptation by pointing to failures that have already been caused by ignorance of cultural and institutional differences between two countries. For instance, in an introduction to case studies of policy transfers from the US to Britain, Dolowitz says, "Particularly influential in the emergence

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[126] Rose, R. (1993). p. 42
[127] Rose, R. (1993). pp. 44-49
[128] Bomberg, E. and Peterson, J. (2000). Policy transfer and Europeanization: Passing the Heineken test? [On-line Serial] Queen's Papers on Europeanization, 2. Belfast, UK: Queen's University Press.
[129] Dolowitz, D. and Marsh, D. (1996). Who learns what from whom: A review of the policy transfer literature. Political Studies, XLIV, 343-357.

of problems was policy makers' failure to adapt American (and other foreign) models appropriately to their new setting, despite continual claims that they understood the importance of adapting 'foreign' models before implementing them[130]." Dolowitz and Marsh categorized unsuccessful transfers into three types commonly observed in policy transfer[131]:

> *Uninformed transfer: The borrowing country may have insufficient information about the policy/institution and how it operates in the country from which it is transferred;*

> *Incomplete transfer: Crucial elements of what made the policy or institutional structure a success in the originating country may not be transferred, leading to failure; and*

> *Inappropriate transfer: Insufficient attention may be paid to the differences between the economic, social, political and ideological contexts in the transferring and the borrowing country[132].*

The third kind of failure, inappropriate transfer, relates to the problems that occur after not adapting transferred policy instruments to the local context.

Policy transfer theorists have been focusing on developing insights that can be applied to analyzing actual instances of policy transfer. For instance, Dolowitz and Marsh's model entails asking the following six questions:

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[130] Dolowitz, D. (Eds.) (2000). <u>Policy transfer and British social policy: learning from the USA?</u> Buckingham, PA: Open University Press. p. 1.
[131] In evaluating policy transfer they focus on "the extent to which policy transfer achieves the aims set by a government (p. 17)" while admitting the difficulty of defining success and failure.
[132] Dolowitz, D. and Marsh, D. (2000). p. 17.

Chapter 3

- Why do actors engage in policy transfer;
- Who are they key actors involved in the policy transfer process;
- What is transferred;
- From where are lessons drawn;
- What are the different degrees of transfer; and
- What restricts or facilitates the policy transfer process.[133]

These questions have been used to analyze a variety of instances of policy transfer[134].

Policy transfers to Japan

Even though there are numerous examples of lesson drawing by various entities in Japan, as reviewed in Chapter 1, the actual process of transfer has not been studied empirically or systematically in a way that would respond to the six questions above[135].　Koichi Nakano recently published a thorough study of the transfer of agencification policies from Britain to Japan[136].　In 1996, a report on the British "Next Step" initiative for agencification, which was prepared by a few Japanese economic bureaucrats, caught the attention of a parliamentarian who was seeking for an idea for restructuring the government agencies in Japan. Because the idea of agencification facilitated the implementation of the LDP's political agenda for the reduction in the size of central departments, the British model was transferred to Japan.　The final form of the agencification policy in

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[133]　Dolowitz, D. and Marsh, D. (2000). p. 8.
[134]　Dolowitz, D. (Eds.) (2000).
[135]　I will discuss Westney (1987) as a study of organizational change.
[136]　Nakano, K. (2004). Cross-national transfer of policy ideas: Agencification in Britain and Japan. Governance, 17(2), 169-188.

Japan, however, is substantially different because "the civil service culture, the political incentive structures, and the legal-institutional frameworks were all different[137]."

Transnational networks of environmental activists

I have so far reviewed theories on policy transfer that primarily focus on the behavior of government agencies and the performance of transferred policy instruments. In recent years, however, there is a growing body of literature on the role of international non-governmental organizations (INGOs) in the international diffusion of environmental concerns, following their increasing influence in the policy-making arena in the last few decades[138]. INGOs and other types of transnational environmental activists groups work toward their goal of transferring and implementing certain environmental policies by collaborating with a range of local non-governmental actors across borders. The chance of their proposals evolving into actual environmental policy in the target country hinges on the political opportunity structure, which involves "those aspects of the political systems that shape the degree and avenues of access that individuals and groups have to political processes.[139]"

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[137] Nakano, K. (2004). p. 184.
[138] Keck, M. and Sikkink, K. (1998). Activists beyond borders: Advocacy networks in international politics. Ithaca, NY: Cornell University Press.
[139] Carmin, J. and Hicks, B. (2002). International triggering events, transnational networks, and the development of Czech and Polish environmental movements. Mobilization, 7(3), 305-324. p. 306.; Kitschelt, H. (1986). Political opportunity structures and political protest: Anti-nuclear movements in four democracies. British Journal of Political Science, 16(1), 57-85.; Tarrow, S. (1994). Power in

Like policy transfer theorists, various authors argue that transferred ideas for environmentalism need to be adapted, translated, or reframed for the context of the target location[140]. An interesting feature of their strategies for policy change in foreign locations, however, is the use of "fluid approach" which focuses on changes in "the boundaries of what is considered acceptable behavior[141]." Wapner elaborates his arguments as follows:

> *States and economic actors ... are constructed and motivated by cultural frames of reference. As a result, their nature, purposes, behavior and self-understanding get redefined as cultural frames themselves change. When NGOs try to shift the terms of cultural reference, then, they are not merely targeting ordinary citizens but are influencing the ideational structure within which states and corporations also operate[142].*

For example, they promote movies with certain messages and engage local people in conservation activities in order to transform public perceptions on certain environmental issues. Such transformations provide more political opportunities for social movements in the target country by legitimizing their values and

movement: Social movements, collective action and politics. New York, NY: Cambridge University Press.
[140] Steinberg, P. and Garcia-Johnson, R. (2001, February) Transnational environmental actors: Toward an integrated approach. Paper presented at the International Studies Association Annual Convention. Chicago, IL.; Jencar-Webster, B. (1998). Environmental movements and social change in the transition countries. In Baker, S. and Jehlicka, P. (Eds.) Dilemmas of Transition. (pp. 69-90). London, UK: Frank Cass.; Doyle, T. (2002). Environmental campaigns against mining in Australia and the Philippines, Mobilization, 7(1), 29-42.
[141] Wapner, P. (1995). Politics beyond the state: Environmental activism and world civil politics. World Politics, 47, 311-340. p. 326.
[142] Wapner, P. (2002). Horizontal politics: Transnational environmental activism and global cultural change. Global Environmental Politics, 2(2), 37-59. p. 49.

norms[143].   Those strategies of INGOs for policy transfer are noteworthy because

they suggest the possibility of "indirect" policy transfers by manipulating with the

political opportunity structure for its advantage, rather than fighting against it as a

barrier to the transfer.

International transfer of organizational innovations

International transfer of innovations

Not only ideas for public policy are transferred internationally.   There is a rich

body of writing that addresses international transfers of organizational forms and

management techniques.   In particular, the rise of Japan as an economic

powerhouse in the 1980s triggered interest among American researchers as to how

Japanese techniques for organizational management, such as the Total Quality

Management (TQM) and Toyota's renowned Just-In-Time (JIT) method, could be

transferred to the US[144].   In more recent years, the rise of Multinational

Corporations (MNCs) following the trend toward globalization are particularly

concerned about the effectiveness and the appropriate adaptation of their

manufacturing processes and other production functions at their oversea

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[143] Carmin, J. and Hicks, B. (2002). p. 307.; Keck, M. and Sikkink, K. (1998). p. 17.
[144] Lillrank, P. (1995). The transfer of management innovations from Japan. Organization Studies, 16(6), 971-989.; Powell, T. (1995). Total Quality Management as competitive advantage: A review and empirical study, Strategic Management Journal, 16(1), 15-37; White, R, Pearson, J, and Wilson, J. (1999). JIT manufacturing: A survey of implementations in small and large US manufacturers Management Science, 45(1), 1-15; Young, M. (1992). A framework for successful adoption and performance of Japanese manufacturing practices in the United States. Academy of Management Review, 17(4), 677-700.

Chapter 3

operations.

Frameworks for transferring organizational innovations

The influence of various contexts on the effectiveness of transferring organizational innovations has been studied by several researchers with a focus on the adaptation of the transferred technologies. Jensen and Szulanski argue, "There is significant agreement … that some level of adaptation of firm specific assets is necessary to ensure the long-term survival of the subsidiary[145]." Various authors have argued for adaptation in international technology transfer because of differences in culture[146]; social, organizational, and relational contexts[147]; and the "stickiness" of such international transfers[148]. However, in the past MNCs in fact did little to adapt their own technologies to conditions in developing countries[149].

Several authors have suggested frameworks for thinking about adaptation in the transfer of production processes and other types of social technologies. In particular, Mark Young suggests the following three strategies for adaptation by focusing on the introduction of Japanese manufacturing models to the US:

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[145] Jensen, R. and Szulanski, G. (2004). Stickiness and the adaptation of organizational practices in cross-border knowledge transfers. Journal of International Business Studies, 35, 508-523. p. 510.
[146] Kedia, B and Bhagat, R. (1988). Cultural constraints on transfer of technology across nations: Implications for research in international and comparative management. Academy of Management Review, 13(4), 559-571.
[147] Kostova, T. (1999). Transnational transfer of strategic organizational practices: A contextual perspective. Academy of Management Review, 24(2), 308-324.
[148] Jensen, R. and Szulanski, G. (2004).
[149] Reddy, M. and Zhao, L. (1990). International technology transfer: A review. Research Policy, 19, 285-307.

- To maintain Japanese manufacturing practices as they are employed in Japan;
- To modify some or all of the Japanese practices, but to maintain the current features of the U.S. manufacturing environment; and
- To modify some or all of the Japanese practices as well as the current features of the U.S. manufacturing environment[150].

By analyzing a few imported Japanese practices in the US, he suggests that the third strategy would be most promising.

Other authors have also studied such transfers of production processes from Japan to the U.S. since the 1980s. Lillrank reviews two failed instances of transferring ideas for the Quality Control Circle (QCC) and Time-based Competition (TBC) to the US and suggests that those ideas should be first abstracted and recreated to fit the local contexts[151]. On the other hand, research and development centers in the U.S. owned by Japanese firms, which attempted to espouse American ways of management, gradually pulled toward the Japanese models because of their close relationships with their headquarters in Japan[152].

In general, the literature on the transfer of organizational innovations across borders suggest the existence of complex interactions between social technologies and the local context (after they are transferred). Although several authors have focused only on the adaptation of such innovations, others have hinted at possible

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[150] Young, M. (1992). p. 678
[151] Lillrank, P. (1995).
[152] Westney, E. (1993). Cross-pacific internationalization of R&D by U.S. and Japanese firms. R&D Management, 23(2), 171-181.

changes in the "receiving" environment as a side effect of such transfers.

Imitation and innovation: organizational emulations in Meiji Japan[153]

For this dissertation, D. Eleanor Westney's detailed analysis of the introduction of various institutional arrangements to Japan from abroad—the police, postal system, and the press—after the Meiji Restoration in 1867 is particularly instructive in suggesting a model for analyzing the transfer of consensus building processes.   She says,

> … *while the resort to foreign organizational models in Meiji Japan was voluntary, the selection of models was constrained by a number of considerations which were "rational" by most standards, but which were not based primarily on the considerations of optimal compatibility with the Japanese environment that underlie the "rational shopper" image. ... Georges Bousquet, a French advisor to the early Meiji government, described his observations of Japanese organizational development as follows:*

> … *The last thing the Japanese consent to study is their own country, their needs, their own aptitudes; it is a question, in their opinion, not of knowing themselves, but of transforming themselves; not of what they are, but of what they want to become. ...*

> *The fit between the new institutions and their social environment was not the result of the perspicacity of the organization-builders nor of some kind of uncanny compatibility between the new and the existing social structures, but of the capacity of the new institutions for transforming the environment. ... The selective invocation of elements of the past, reinterpreted in the light of the needs of the*

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[153] Westney, E. (1987). Imitation and innovation: The transfer of Western organizational patterns to Meiji Japan. Cambridge, MA: Harvard University Press.

present, was an important part of the organizational development process in Meiji Japan, as it still is in Japan today[154].

First, she suggests the importance of changing the receiving environment, as well as adapting the imported innovation, when introducing a new institutional arrangement from a foreign country.   As suggested by other researchers reviewed in this section, international transfers of organizational innovations require appropriate adaptations of the imported innovations because local contexts can limit the effectiveness of newly imported systems.   In addition, she identifies various strategies that newly created organizations in Meiji Japan used to change the receiving environment by influencing people's behaviors and perceptions. For instance, entrepreneurs of the Japanese postal service, which originally emulated the British model, successfully improved the public perception of its subcontractors in order to recruit well-qualified subcontractors and expand its network rapidly.   They also aggressively advertised and promoted the use of the postal service (e.g., by introducing prestamped postcards) in order to develop a market base required for organizational survival.   Those efforts to influence the environment, coupled with their own adaptations, could have improved the chance of their survival in the turbulent society after the Meiji restoration.

Second, her case studies of entrepreneurs who designed new institutions after the Meiji Restoration suggest the possibility of learning from a foreign system in

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[154] Westney, E. (1987). pp. 23-24.

a way that does not necessarily offer the best solution for the receiving society. Instead, the act of learning from foreign country could have a meaning in itself. Reformers in the Meiji Period introduced foreign innovations not only for the practical benefits from institutionalizing new organizations, but also in line with their personal beliefs about what Japanese society should be. Policy transfer theorists, reviewed in the previous section, would probably consider such policy transfers as "inappropriate" because of their incompatibility with local conditions[155]. Westney's analysis, however, demonstrates the possibility of exploiting incompatibility to push for changes in the social context with which imported organizational innovations are supposed to fit.

Transferring and institutionalizing negotiation and dispute resolution processes

The international transfer of negotiation and dispute resolution techniques is an arena on which researchers have recently started to focus. Even though there have not been many empirical studies of actual transfers, compared to the other fields of practice reviewed above, theoretical discussions particularly of the relationship between "culture" and the practice of negotiation and dispute resolution have continued for more than a decade. In this section, those discussions, as well as emerging theories of conflict management systems design, will be reviewed.

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[155] Dolowitz, D. and Marsh, D. (2000). p. 17.

Conceptual frameworks of the relationship between culture and the practice of negotiation and dispute resolution

Culture is perhaps one of the prominent contexts that influence the effectiveness of negotiation and dispute resolution efforts.   In the past, several researches have tried to identify the relationship between nationality and negotiating behavior[156].   Culture isn't, however, a variable determined solely by a negotiator's nationality.   Using the term "culture" can add confusion to scholarly discussions because people often assume different definitions of the term.   Attributing a "culture" to a particular population can lead to ignorance of diversity within that population.   For example, "the culture of Native Americans" could miss important "cultural" differences among tribes[157]. Organizational affiliation, gender, race, and other social factors also shape cultural identity[158].   Therefore, studies that compare the practice of negotiation and dispute resolution among countries will not automatically reveal the subtle relationships between cultural contexts and effective public dispute resolution practice.   Instead, we need to "unpackage" a culture through a comprehensive examination of such relationships, based on detailed observations of carefully

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[156] Brett, J., Adair, W., Lempereur, A., Okumura, T., Shikhirev, P., Tinsley, C. and Lytle, A. (1998). Culture and joint gains in negotiation. Negotiation Journal, 14 (1), 61-86.; Salacuse, J. (1998). Ten ways that culture affects negotiating style: Some survey results. Negotiation Journal, 14 (3), 221-240.
[157] Menkel-Meadows' editorial comment in Sunoo and Falkner (1999). Regulatory negotiations: The Native American experience. In Susskind, L., McKearnan, S., and Thomas-Larmer, J. (Eds.) The consensus building handbook. Thousand Oaks, CA: Sage.
[158] Avruch, K. (1998). Culture and conflict resolution. Washington, DC: US Institute of Peace.

selected instances of public dispute resolution[159].

I will not go into the myriad of discussions over the definition of "culture" because this dissertation is not an inquiry into cultural differences.   However, it is worth discussing the relationship between "cultural" properties and negotiation and dispute resolution strategies which have been studied by a number of authors. Jeanne Brett argues that culture influences negotiation in two ways: cultural "values" influence negotiators' interests and priorities while cultural "norms" define acceptable behaviors in negotiation[160].   In fact, a variety of indicators that help us identify such cultural norms have been suggested by anthropologists as well as organizational management scholars.   Such examples include, individualism-collectivism, power distance, contextuality, and monochronicity-polychronicity[161].

The first two indicators are suggested primarily by Geert Hofstede and applied to several studies of negotiation behavior[162].   Among those four dimensions, the individualism-collectivism dimension has been most rigorously studied in the field of conflict management[163].   A collectivist culture values gains to a group over gains to individual members.   Japan is often characterized as a collectivist

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[159] Dialdin, D. and Wall, J. (1999). Third parties and culture. Negotiation Journal, 15(4), 381-387.; Avruch, K. (1998). pp. 61-63.

[160] Brett. J. (2001). pp. 6-21

[161] Bazerman, M. Curhan, J., Moore, D. and Valley, K. (2000). Negotiation. Annual Review of Psychology, 51, 279-314.; Brett, J. (2001).; Jandt, F. and Pedersen, P. (1996).

[162] Hofstede, G. (1983). The cultural relativity of organizational practices and theories. Journal of Intl. Business Studies, 14(2), 75-89.

[163] Bazerman, M. et al. (2000). p. 297.

country[164].   Power distance refers to "the extent to which the less powerful

members of organizations and institutions accept and expect that power is

distributed unequally[165]."   In a culture where power distance is high, negotiators

are likely to act according to their social status defined not by the context of each

negotiation, but by the preexisting social structure.

The other two dimensions emerged from the work of Edward Hall[166].

Negotiators influenced by a highly contextual culture assume that they share

relevant information, knowledge, and norms with their counterparts without

articulating them.   Therefore, contextual negotiators regard the clarification of

facts and information, which usually takes place in less contextual negotiation, as

unnecessary.   The monochronicity-polichronicity dimension concerns the sense

of time.   Those with monochronic conception of time pay attention to and do

only one thing at a time[167].   Time is considered as a tangible resource to be

allocated to each task.   In polychronic cultures, however, people discuss multiple

issues at a same time.   According to Hall and Hall, "there is more emphasis on

completing human transactions than on holding to schedules[168]."   Negotiators

often do not follow prearranged agenda and try to renegotiate formally agreed

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[164] Brett, J. *et al.* (1998).
[165] Hofstede, G. (undated). <u>A summary of my ideas about national culture differences.</u> [WWW
Document] URL http://feweb.uvt.nl/center/hofstede/page3.htm (visited 2006, March 2).
[166] Bazerman, M. *et al.* (2000). p. 297.; Brett, J. *et al.* (1998).; Brett, J. (2001). <u>Negotiating globally.</u>
San Francisco, CA: Jossey-Bass. pp. 20-21.; Hall, E. and Hall M. (1987). <u>Hidden differences: Doing
business with the Japanese.</u> New York, NY: Anchor Books.; Hall, E. and Hall, M. (1990).
<u>Understanding cultural differences.</u> Yarmouth, ME: Intercultural Press
[167] Hall, E. and Hall, M. (1990). p. 13.
[168] Hall, E. and Hall, M. (1990). p. 14.

upon items.   Researchers have identified Japan with high contextuality and polychronicity.

Empirical studies of cultural influence on negotiation and dispute resolution

One of the earliest comparative studies of dispute resolution practice internationally was produced by P. H. Gulliver, an anthropologist.   He studied how members of African community negotiated and mediated, and suggested differences in the role of mediation across cultures[169].   Culture as a research agenda, however, has not drawn much attention in the field of international negotiation and dispute resolution[170].   In recent years, several researchers have attempted to relate those four dimensions to differences in behaviors in and outcomes of negotiation simulations.   For example, Jeanne Brett and her team of international researchers have conducted a negotiation simulation for 228 students and managers from France, Russia, Japan, Hong-Kong, Brazil, and the US[171].   They related cultural differences in four dimensions, which are reviewed in the previous section, to differences in the level of joint gains created in each negotiation session.

In the domestic U.S. context, there have been efforts to analyze the cultural attributes of indigenous people in negotiation and dispute resolution.   In Hawaii,

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[169] Gulliver, P.H. (1979). Disputes and negotiations: A cross-cultural perspective. New York, NY: Academic Press.
[170] Zartman, W. (1993). A skeptic's view. In Faure, O. and Rubin, J. (Eds.), Culture and negotiation: The resolution of water disputes (pp. 17-21). Thousand Oaks, CA: Sage.
[171] Brett, J. *et al.* (1998).

environmental dispute resolution efforts are often related to the concerns of native Hawaiians.   In an effort to reach agreement over the management of shared forest resources, stakeholders were engaged in a process that incorporates the tradition of *ho'oponopono*, which means "disentangling" in the Hawaiian native language[172].   According to the tradition, each meeting begins and ends with a prayer or a chant.   Other steps uncommon in the US-based public dispute resolution processes were introduced to these mediation sessions.   In a case of regulatory negotiation following the enactment of the Indian Self-Determination and Education Assistance Act, mediators have assisted in investigating indigenous approaches to dispute resolution, including prayers and other ritualistic requirements[173].

There have been several ethnographic efforts in the US to document the relationship between the culture of specific professions and the choice of dispute resolution mechanisms.   *When Talk Works* by Kolb and associates reveals how subject matters affect the way practitioners mediate disputes[174].   In *Beyond Winning*, Mnookin and others identify the characteristics of various negotiation strategies adopted by lawyers[175].   Based on extensive interviews with the users

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[172] Adler, P. (1995). Pig wars: Mediating forest management conflicts in Hawaii. Negotiation Journal, 13(3), 209-215.; Wall, J. and Callister, R. (1995). Ho'oponopono: Some lessons from Hawaiian mediation. Negotiation Journal, 13(1), 44-53.

[173] Sunoo, J. and Falkner, J. (1999).

[174] Kolb, D. and Associates. (1994). When talk works. San Francisco, CA: Jossey-Bass.

[175] Mnookin, R., Peppet, S., & Tulumello, A. (2000). Beyond winning: Negotiating to create values in deals and disputes. Cambridge, MA: Belknap.

of the court systems, Ewick and Silbey illustrate how people differentiate three modes of interaction in the face of various legal questions[176].   These works suggest that the choice of dispute resolution techniques is influenced by the context in which these techniques are used.

International transfer of dispute resolution processes

The risk of transferring various kinds of techniques for dispute resolution, including consensus building processes, has been pointed out by a variety of practitioners and researchers.   Franklin Dukes warns about the risk by pointing to the innate link between the procedures and the American context as follows:

> *While there has been considerable use in other nations of public conflict resolution procedures developed in the United States, there is some question about their applicability.   The rapid development of the field in the United States has much to do with many conditions particular to American society[177].*

Carrie Menkel-Meadow raises another point in the context of alternative dispute resolution (ADR)[178], by saying,

> *Exportation of ADR techniques and theories must be culturally and politically sensitive to the host nations or cultures and recognize that ADR ... can be abused,*

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[176] Ewick, P. and Silvey, S. (1998). The common place of law: Stories from everyday life. Chicago, IL: University of Chicago Press.
[177] Dukes, F. (1996). Resolving public conflict: Transforming community and governance. New York, NY: Manchester University Press. p. 86.
[178] ADR usually encompasses any kind of dispute resolution effort other than formal court procedures.

corrupted, or transformed too much when it is 'transplanted'[179].

Her statement suggests the possibility of "too much" adaptation of the ADR processes when they are transferred to other locations.   This point is worth noting because it suggests the existence of core features of ADR processes that should not be transformed even when they are transferred to other locations.

Finally, the Consensus Building Institute (CBI), a not-for-profit organization that specializes in providing consensus building assistance around the world, also suggests the following three concerns in importing and exporting these processes: their appropriateness to other cultural settings; the risk of ulterior motives held by partners in foreign locations; and the lack of process adaptation to new cultural contexts[180].

Even though the community of practitioners has worked internationally and warns about the risks of transplanting dispute resolution processes across borders without modifications, there has not been empirical research that addresses how contextual differences between exporting and importing countries influence the effectiveness of transplanted process in the new location.   Even though many of the practitioners involved understand the need for cultural adaptation, they do not know precisely how such process adaptation should be managed.   In fact, this

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[179] Menkel-Meadow, C. (2003). Correspondences and contradictions in international and domestic conflict resolution: Lessons from general theory and varied contexts. Journal of Dispute Resolution, 2003(2), 319-352. pp. 325-6.

[180] Consensus Building Institute (1997). Exporting dispute resolution: Are there limits? CBI Reports, 1997 Fall. Cambridge, MA: The Consensus Building Institute.

dissertation is an attempt to address this void through observation of an instance of international transfer, which will be described in detail after Chapter 5.

Conflict management systems design (CMSD)

Aside from the international context, there is a growing body of literature on conflict management systems design (CMSD) that suggests an approach to institutionalizing processes for handling recurring disputes between its members and with external parties more effectively[181]. The effort of designing such "systems" for each organization, often for privately-owned corporations, is known as CMSD.

Although CMSD is not primarily focused on the "transfer" of conflict management systems, it still is relevant to this dissertation in that it informs ways of institutionalizing systems at the "importing" location after such ideas are transferred from one place to another.

Slightly different step-based design processes are suggested by different authors. For instance, Ury, Brett, and Goldberg suggest the following four-step process for developing dispute resolution systems: getting started; diagnosis and design; putting the changes into place; and exit, evaluation, and diffusion[182]. Those steps, starting from stakeholder involvement and ending with

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[181] In this dissertation, "conflict management systems (CMS)" and "dispute resolution systems (DRS)" are used interchangeably.
[182] Ury, W., Brett, J., and Goldberg, S. (1988). Getting disputes resolved: Designing systems to cut the costs of conflict. San Francisco, CA: Jossey-Bass.

institutionalization, are followed in most approaches to CMSD[183].

Theories for CMSD particularly focus on the importance of organizational change. Ury, Brett, and Goldberg suggest that the parties relevant to the kinds of dispute to which the new systems will attend should be involved from the outset in the process of diagnosis and design[184]. Rather than imposing new processes for conflict resolution on those parties, designers of new conflict management systems are encouraged to involve them and induce a change among them. Constantino and Merchant elaborate this point by drawing lessons from organization development concepts and techniques, such as Lewin's three-step "unfreezing, movement, and refreezing" process[185]. Corinne Benderski adds to it by pointing out that failures in CMSD efforts are often triggered by not attending to the target organization's implicit cultural norms[186].

In sum, CMSD suggests that an organization has to reflect on its problems with its "theories-in-use" for handling conflicts and disputes, and engage in "double loop learning" for an organizational change[187]. Even though strategies for

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[183] Constantino, C and Merchant, C. (1996). Designing conflict management systems: A guide to creating productive and healthy organizations. San Francisco, CA: Jossey-Bass.; Slaikeu, K. and Hasson, R. (1998). Controlling the costs of conflict: How to design a system for your organization. San Francisco, CA: Jossey-Bass.

[184] Ury, W., Brett, J., and Goldberg, S. (1988). p. 65.

[185] Constantino, C and Merchant, C. (1996). pp. 28-29.; Lewin, K. (1952). Group decision and social change. In Society for the Psychological Study of Social Issues (Ed.) Readings in Social Psychology. New York, NY: Henry Holt.

[186] Bendersky, C. (1998). Culture: The missing link in dispute systems design. Negotiation Journal, 14(4), 307-311.

[187] Argyris, C. and Schon, D. (1996). Organizational learning II. Reading, MA: Addition-Wesley.; Bendersky, C. (1998). p. 311.

conflict management should be adapted to the unique setting in each organization, the organization may also need to experience a change by abandoning its traditional way of managing conflicts.

Institutional thinking on the relationship between institution and individual action

Unlike the transfer of physical objects, the transfer of social technologies asks individuals in the target location to follow what transferred technologies suggest. This suggests a potential conflict between individuals who seek to operate by the new social technology and the institutions that govern the actions of those individuals.   Institutions are "the rules of the game in a society or, more formally, the humanly devised constraints that shape human interaction.[188]"   The relationship between institutions, organizations, and individuals has been investigated by many institutionalists.   In this section I will review two streams of institutional thoughts on the relationship between institutions and individual action.

Isomorphism for increased legitimacy

Studies of organizations have traditionally identified the goal of organizations with their survival and self-perpetuation by focusing on the relationship between an organization and its environment[189].   For an organization to survive, it is

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[188] North, D. (1990). Institutions, institutional change and economic performance. New York, NY: Cambridge University Press. p. 3.
[189] Pfeffer, J. (1997). New directions for organizational Theory: Problems and prospects. New York,

imperative that it acquires "legitimacy" within its environment in addition to

necessary resources for its survival[190].   An organization can achieve the

legitimacy by adapting itself in order to comply with the institutions, such as state

regulations and social norms, that regulate its environment.

Early institutionalists in sociology, such as Parsons, Durkheim and Weber,

regarded institutions as relatively static, beyond the control of individuals

embedded in the society[191].   Such institutions are supposed to guide individuals

for rational action that ultimately transcend to the bureaucratization of

organizations.   For example, Weber once referred to such institutions as an "iron

cage" that binds human beings with formalized rules[192].

Neoinstitutional theorists in the field of sociology, however, view institutions as

more socially constructed[193].   Meyer and Rowan suggest that organizations

incorporate externally legitimated formal structures even if they are inefficient as

a means of production[194].   The need for legitimacy forces an organization to

adopt a certain formal structure so that it conforms to institutional pressure rather

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NY: Oxford. p. 9.

[190]   Parsons, T. (1956). Suggestions for a sociological approach to the theory of organizations. Admin. Science Quarterly, 1, 63-85; Pfeffer, J. and Salancik, G. (1978). The external control of organizations. New York, NY: Harper & Row, p. 24; Scott, W. R. (2001). Institutions and organizations. Thousands Oaks, CA: Sage. pp. 58-61.

[191]   Scott, W. R. (2001).

[192]   Weber, M. (1930). The protestant ethic and the spirit of capitalism. New York, NY: Routledge.

[193]   Berger, P. and Luckmann, T. (1966). The social construction of reality: A treatise in the sociology of knowledge. Garden City, NY: Doubleday.

[194]   Meyer, J. and Rowan, B. (1977). Institutionalized organization: Formal structure as myth and ceremony. American Journal of Sociology, 83(2), 340-363.

than proven efficiency.   DiMaggio and Powell advanced the idea of institutional

isomorphism in order to explain why organizations in a shared context become

homogeneous[195].   These theories address the interaction between organizations

and their environments. Organizations adapt, albeit the changes may be

superficial, in order to gain legitimacy.

Organizational changes by structuring

Other scholars of organization have offered micro-level views focusing on the

relationship between the institution of an organization and its members.   In their

view, institutions reside in each organization rather than in their environments.

Inspired by structuration theory, recent studies of organizations indicate that the

influence between the institution and individual action is not a one-way street[196].

Institutions are created and reinforced as a result of repeated interactions, while at

the same time they regulate such interactions[197].   In particular, Stephen Barley

developed a sequential model of a structuring process in which institutions and

actions are mediated by scripts which are "outlines of recurrent patterns of

interaction that define, in observable and behavioral terms, the essence of actors'

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[195] DiMaggio, P. and Powell, W. (1983). The iron cage revisited: institutional isomorphism and collective rationality in organizational fields. American Sociological Rev., 48, 147-160.
[196] Giddens, A. (1984). The construction of society: Outline of the theory of structuration. Berkeley, CA: University of California Press.
[197] Barley, S. (1986). Technology as an occasion for structuring: Evidence from observations of CT scanners and the social order of radiology departments. Admin. Science Quarterly, 31, 78-108.; Barley, S. and Tolbert, P. (1997). Institutionalization and Structuration: studying the links between action and institution. Organization Studies, 18(1), 93-117.

roles.[198]"   He tested the model by closely observing changes in the scripts

deployed by radiologists and technologists after the introduction of CT scanners

in hospitals.   Other studies of organizations from this structuration perspective

also suggest the possibility of members of an organization transforming its

institutions, or more precisely, its accepted patterns of interaction in order to

benefit from new technologies[199].

Analytical framework: process adaptation and organizational change

In this chapter I have so far reviewed theoretical frameworks that are helpful in

analyzing the transfer of various kinds of social technologies—policy transfer,

international transfer of organizational innovations, negotiation and dispute

resolution, and theoretical accounts on the relationship between institutions and

individual actions.   By applying the lessons from the reviewed literature to my

initial question of transferring consensus building processes to foreign locations, I

hypothesize that two types of transformation—process adaptation and

organizational change—need to occur for any effort to import consensus building

processes to be successful in helping stakeholders reach an agreement.

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[198] Barley, S. (1986). p. 83
[199] DeSanctis, G. & Poole, M. (1994). Capturing the complexity in advanced technology use:
Adaptive structuration theory, Organization Science, 5(2), 121-147.; Orlikowski, W. & Yates, J. (2002).
It's about time: Temporal structuring in organizations. Organization Science, 13(6), 684-700.;
Orlikowski, W. (1992). The duality of technology: Rethinking the concept of technology in
organization. Organization Science, 3(3), 398-427.; Robinson, D., Savage, G. & Campbell, K. (2003).
Organizational learning, diffusion of innovation, and international collaboration in telemedicine.
Health Care Management Review, 28(1), 68-92.

	Adaptation	Change in the context
Policy transfer	· Between total fungibility and total blockage (Rose) · Problems of inappropriate policy transfers (Dolowitz and Marsh)	· INGO's fluid approach (Wapner)
Intl. transfer of organizational innovations	· Adaptation of transferred innovations by MNCs	—
	· Imitation and innovation (Westney) · Simultaneous modification to Japanese practices and U.S. manufacturing environment (Young)	
Negotiation and dispute resolution	· Culture and negotiation styles (Brett) · Concerns about cultural differences (Menkel-Meadow)	· Conflict management systems design (Constantino and Merchant)
Relationship between institution and individual actions	· Myth and ceremony (Meyer and Rowan) · Mimetic isomorphism (DiMaggio and Powell)	· Structuration (Barley)

Figure 3-1: Theories of adaptation and change in the context

Need for adaptation

Consensus building processes must fit with the environment in which they are used.   This requires a variety of adaptations for several reasons.   The first is to ensure legitimacy.   Potential users of consensus building processes gain legitimacy by adjusting some features of the processes to the norms, culture, and other dimensions that determine what is legitimate or not in the target country.

The other reason for adaptation is to take account of the relevant institutional arrangements of the country.   For example, if there has already been an

institutionalized system for negotiation between stakeholders in the foreign location, consensus building processes must be adapted so that they can coexist, or be integrated with, such established procedures.

Need for organizational change

On the other hand, consensus building processes might be effective in a foreign location without any process adaptation if the context, in which the processes are used, is transformed to match the US. For instance, stakeholders who are participating in a consensus building effort in a foreign location might develop their own cultural norms regarding negotiation—similar to such norms in the US—through repeated interactions after being influenced by the norms in the US.

Such transformations in the local culture are sometimes seen as "cultural imperialism" imposing American norms and values on other nations; however, international transfer of social technologies is nonetheless expanding both in the government and corporate sectors. Patterns of interaction inevitably change in order to accommodate the use of newly adopted technologies, as illustrated in Barley's study of the introduction of CT scanners[200]. In addition, strategies to influence the perception of legitimacy, norms, and values in foreign countries are in fact pursued by transnational environmental organizations[201]. It is highly unlikely that the contextual factors of a foreign location are so inflexible that an

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[200] Barley, S. (1986).
[201] Wapner, P. (1995).

imported social technology can't be operational unless it entirely fits with the new context.

In this dissertation, however, I limit the scope of my investigation into transformations in context to "organizational change." In the long run, for example, accepted patterns of interaction in any policy-making forums in Japan might completely change when consensus building processes become ingrained in policy-making. That kind of change, however, is beyond the scope of this dissertation because the introduction of consensus building process to Japan has just begun and the transformation will probably take place over several decades. In addition, it is hard to identify the link between such widespread transformations in the society and the introduction of a specific social technology. Many other factors can contribute to transformation in the long run.

Even in a short period of time, for a few pilot tests, however, it is likely that some organizational changes will take place in the institutions that utilize consensus building process—most likely in the convening agency. Because consensus building processes have been developed by assuming various institutional arrangements in the US, organizations that use consensus building in Japan might have to assume new patterns of interaction and change their theories-in-use during the pilot tests. Considering that approaches to conflict management systems design emphasize the importance of organizational change, it is likely that the first-time users of consensus building processes in a foreign

location will experience at least some changes in their ways of doing businesses.

Dual transformation: transfer as an occasion for process adaptation and organizational change

My inquiry into the international transfer of consensus building processes is quite straightforward if only one of the two possible types of transformation—adaptation to the imported process or organizational change in response to its use—is likely occur as a consequence of transfer.   I argue, however, not one of them but both forms of transformation occur at the same time when social technologies are transferred across borders.

While contextual differences across borders require adaptation of social technology, organizations in the target location that utilize such processes also have to modify their ways of doing businesses.   The simultaneous nature of adaptation and organizational change after the transfer of a social technology is exemplified by how Japan leaned from foreign organizational innovations after the Meiji Restoration[202].   Entrepreneurs who transferred innovations, such as police and postal systems from Europe, not only adapted those systems to the Japanese context, but also molded social perceptions to enhance the chance of success.   After reviewing the transfer of management techniques from Japan to the US, Young suggested that simultaneous modification to the Japanese practice and the US manufacturing environment would be the best strategy to reduce

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[202] Westney, E. (1987).
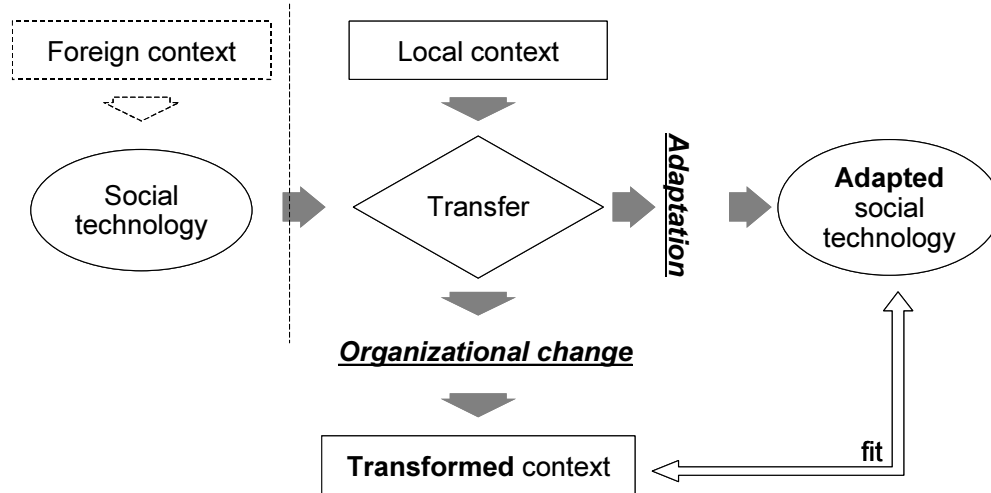
Figure 3-2: Transfer of social technology as an instance of adaptation and organizational change

friction between them[203].

Drawing on lessons from a variety of academic fields, I propose a hybrid model for analyzing international transfers of social technology: transfer of social technology as an occasion for process adaptation and organizational change (see Figure 3-2).   The effort to transfer a social technology brings the technology and the local context together.   If they happen to fit together no process adaptation or organizational change will occur.   When they do not, users of the imported social technology must adapt it as well as change their own ways of doing businesses in order to find a fit between context and the technology.   Such transformations do not occur all at once, particularly because local contexts, including accepted patterns of interaction, is not recognizable until users actually experiment with the

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[203] Young, M. (1992).

imported technology.   Once users of the new technology recognize the friction between the context and the technology, they adapt it, as well as assume new ways of doing things, by trial and error in experimentation.

Applying the framework to the Japanese setting: research questions

The primary goal of this dissertation is to answer the following question: *Can consensus building processes, as practiced in the US, be used to resolve infrastructure disputes in Japan?*   Therefore, the analytical framework that I developed above needs to be fitted to the effort to transfer consensus building processes from the US to Japan.   Consensus building processes, as practiced in the US, were reviewed in Chapter 2.

There are a variety of factors in the Japanese context relevant to the transfer of consensus building processes for resolving infrastructure disputes.   For instance, legal systems might limit the use of particular approaches to public participation. Culturally accepted patterns of behavior in negotiation might guide the conversation among stakeholders.   In a nutshell, context can be found in the current practice of handling infrastructure disputes in Japan.   Those contexts are explored in Chapter 4 through extensive interviews of forty planning practitioners in Japan.

Figure 3-3 illustrates the application of the model for analyzing the international transfer of social technologies to an instance of experimenting with consensus building as practiced in the US.
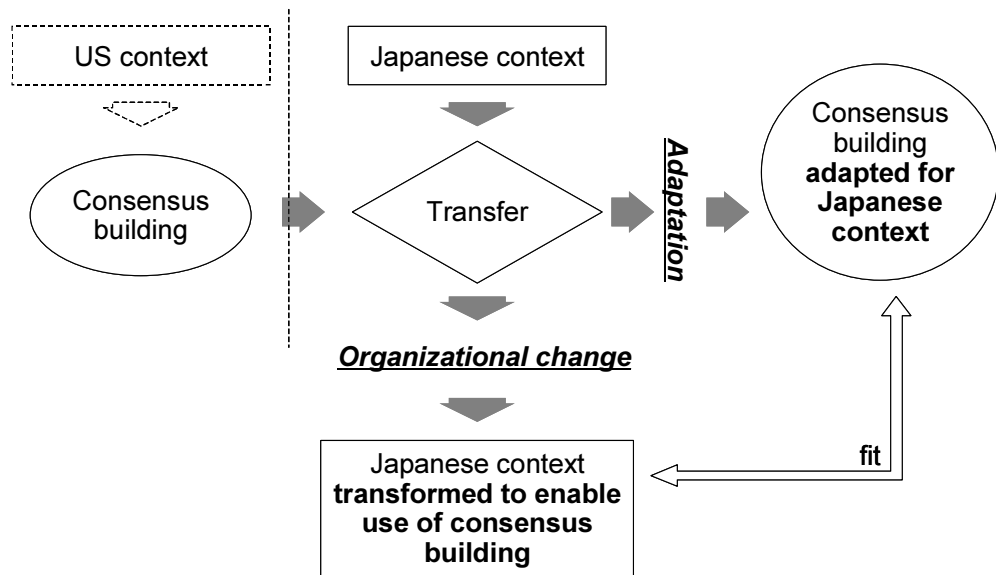
Figure 3-3: Adaptation and organizational change in the transfer of
consensus building processes to Japan

My key question about the usability of consensus building processes in Japan

can be divided into the following sub-questions:

    1) Process adaptation: How should "foreign" consensus building
processes be adapted to the Japanese context?

    2) Organizational change: How might Japanese organizations (e.g.,
government agencies and NGOs) have to change in order for them to use
"foreign" consensus building processes effectively?

Research methods

    This dissertation research contains two parts:

    Part 1: Description and analysis of the Japanese context in which public
dispute resolution must take place.   This will be accomplished through

qualitative interviews and a thorough literature review; and

> *Part 2:Identification of possible process adaptation and organizational change strategies that will permit effective use of foreign consensus building techniques. This will be accomplished through participatory observation of experimental efforts.*

Part 1: Description and analysis of the Japanese context

An exploratory investigation is necessary because the context for introducing consensus building processes in Japan has to be fully understood before I examine process adaptation and organizational change in a particular experiment. There are numerous studies that provide useful information about the Japanese context, such as governance structure, common patterns of interaction among Japanese, and legal constraints. For example, anthropologists have suggested various portrayals of Japanese culture, and some are especially concerned with the way people interact[204]. However, these studies do not articulate the theories-in-use in the context of infrastructure dispute resolution in Japan. The concept of theories-in-use refers to "the theory of action which is implicit in the performance of (a given) pattern of activity[205]". For instance, several authors have studied such underlying patterns in the practice of urban planning, law, and mediation in

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[204] Nakane, C. (1970). Japanese society. Berkeley, CA: University of California Press; Doi, T. (1973). The anatomy of dependence: *Amae no kōzō.* Tokyo, Japan: Kodansha; Lebra, T. S. (1976). Japanese patterns of behavior. Honolulu, HI: University of Hawaii; Ishida, T. (1984). Conflict and its accommodation: omote-ura and uchi-soto relations. In Krauss, E., Rohlen, T. and Steinhoff, P. (Eds.) Conflict in Japan. (pp. 16-38). Honolulu, HI: University of Hawaii Press.
[205] Argyris, C. and Schön, D. (1996). p. 13.

the US as reviewed in the previous section[206].   The practice of infrastructure

dispute resolution in Japan has not been studied in a similar fashion.   Previous

research on infrastructure disputes in Japan focused more on the details of

opposition strategies used in individual cases[207].

   This dissertation, therefore, must start by reviewing the current practice of

resolving infrastructure disputes, and then analyze the assumptions behind that

practice.   In this step, my research methods include in-depth interviews with a

number of practitioners and a qualitative analysis of transcripts.   I asked each

interviewee to tell two stories of infrastructure disputes and/or public participation

based on their experience.   I interjected questions to elicit the details of

decision-making processes, interaction among stakeholders, and critical moments

(Interview protocol is attached as Appendix 4-B; it is approved by the Committee

on the Use of Humans as Experimental Subjects at MIT on May 04, 2005).   In

order to allow interviewees to recreate their worldviews through interaction with

the interviewer, semi-structured interviews were more appropriate (compared to

more structured formats)[208].   Each interviewee was asked to fill in a short

paper-based survey before the interview.   My objective was to identify their level

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[206] Kolb, D. and Associates. (1994).; Mnookin, R., Peppet, S., & Tulumello, A. (2000).; Ewick, P. and
Silvey, S. (1998).

[207] Apter, D. and Sawa, N. (1984). <u>Against the state: Politics and social protest in Japan.</u> Cambridge,
MA: Harvard University Press.; Groth, D. (1996). <u>Media and political protest: The bullet train
movements.</u> In Pharr, S. and Krauss, E. (Eds.) Media and Politics in Japan. (pp. 213-241). Honolulu,
HI: University of Hawaii Press.

[208] Merriam, S. (1998). <u>Qualitative research and case study: Applications in education.</u> San Francisco,
CA: Jossey-Bass.

of experience in the field, the nature of their involvement in disputes, and other background information.   All interviews have been transcribed for qualitative analysis in a similar way to the "profiles of planners" in the US[209].   I analyzed interview transcripts and attached codes to important vignettes in order to identify various theories-in-use that Japanese practitioners fall back on in dealing with public disputes.   I used NVivo, a qualitative analysis software package, to organize these transcripts and codes.   Codes are examined and integrated into a theoretical account that explains the past and current practice of infrastructure dispute resolution in Japan and the influence of Japanese contexts[210].   The findings from this part of the research are described in Chapter 4.

Part 2: Identification of possible process adaptation and organizational change strategies

Small-scale pilot tests are indispensable to understanding the applicability of consensus building processes in the unique operational environment of Japan. Toward that goal, I have examined how a new approach can operate in a real setting by organizing an experimental use of consensus building in Japan.   Pilot tests of such processes are in fact quite common.   For example, government agencies in Australia and England have recently experimented with the use of "mediation" processes in a few selected land-use disputes to test their

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[209] Forester, J. and Kreiswirth, B. (Eds.) (1993). Profiles of planners in land use, transportation, and environmental planning. Ithaca, NY: Dept. of City and Regional Planning, Cornell University Press.
[210] Emerson, R., Fretz, R., and Shaw, L. (1995). Writing ethnographic fieldnotes. Chicago, IL: University of Chicago Press.; Weiss, R. (1994). Learning from strangers: The art and method of qualitative interview studies. New York, NY: Free Press.

applicability[211].

Through observations and feedback from a pilot test I identified the areas in which the Japanese version of public dispute resolution will have to be most attentive. I have gathered qualitative information, such as meeting transcripts (for both internal staff meetings and stakeholder dialogues), e-mail communications, and participant-observer vignettes, because my dissertation is concerned with how Japanese people act, rather than what they say they will do. An action encapsulates not only an observable behavior, or an espoused theory, but also the implicit process of reasoning that led to the particular behavior[212]. Barley and Tolbert also argue, "Information on actors' interpretations is crucial for assessing whether they consciously consider alternative courses of action and the costs and benefits associated with such choices.[213]" Quantitative data are insufficient, albeit helpful, in identifying contextual factors and local knowledge that influence each participant's behavior in a public dispute resolution context. On top of those concerns, Chalmers Johnson suggests that the complex Japanese political system, involving non-verbal communication and non-literal meanings of

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[211] Saunders, R. (1994). Mediation in planning disputes: Mediation in planning pilot project final report. Melbourne, Victoria: Department of Planning and Development.; Welbank, M., Davies, N. and Haywood, I. (2000). Mediation in the planning system. London, UK: Department of the Environment, Transport and the Regions.

[212] Erickson, F. (1986). Qualitative methods in research on teaching. In Wittrock, M. C. (Ed.), Handbook of Research on Teaching (3rd ed.). (pp. 119-161). New York, NY: Macmillan.

[213] Barley, S. and Tolbert, P. (1997). Institutionalization and structuration: Studying the links between action and institution. Organization Studies, 18(1), 93-117. p. 105.

words and symbols, requires a special attention to language[214]. Therefore, the study of the pilot test results requires an ethnomethodology that can grasp the intersubjective meanings of language, patterns of non-verbal communication, and communicative rationalities that emerge from continuous interactions among the participants in the pilot test[215].

As suggested in the previous sections, a number of studies on the relationship between "culture" and negotiation, as well as conflict resolution, employed quantitative methods in order to measure difference in strategies, preferences, and behaviors among people from different cultures[216]. However, this is not the only way to understanding such relationships. Dialdin and Wall suggest two approaches to culture and mediation research as follows:

> *(1) testing theory-driven predictions of the relationships between specific cultural characteristics and the third party (or disputant) behaviors; and*

> *(2) measuring these behaviors and then relating them back to the specific cultural characteristics[217].*

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[214] Johnson, C. (1995). <u>Japan: who governs? The rise of the developmental state.</u> New York, NY: W. W. Norton

[215] Dryzek, J. (1994). <u>Discursive democracy.</u> New York: Cambridge University Press.; Habermas, J. (1971). <u>Knowledge and human action.</u> Boston, MA: Beacon Press.

[216] Adler, N. and Graham, J. (1989). Cross-cultural interaction: The international comparison fallacy? <u>Journal of International Business Studies, 20(3),</u> 515-537.; Brett, J. (2001).; Brett, J. *et al.* (1998).; Salacuse, J. (1998). Ten ways that culture affects negotiating style: Some survey results. <u>Negotiation Journal, 14(3),</u> 221 - 240.

[217] Dialdin, D. and Wall, J. (1999). Third parties and culture. <u>Negotiation Journal, 15(4),</u> 381-387. p. 386.

This dissertation assumes the second approach, starting with the measurement of actual behaviors, as well as their meaning for the participants.

All interviews with the users of consensus building processes, as well as summaries of stakeholder meetings, have been transcribed in Japanese. Some of the internal staff meetings have been transcribed as well. I have analyzed the qualitative data from the pilot test, as well as those transcripts, and attached codes to important vignettes in order to identify various scripts[218]. Codes are examined and integrated into a theoretical account that explains how participants sought to transform new consensus building processes, as well as the impact of their participation on their own organizational arrangements.

Based on the framework outlined in the previous section, I searched for two types of vignettes. First, I examined how the staff and public officials modified the consensus building processes from their original format in the US. Instances of process adaptation have been sought in the transcript of internal meetings, as well as through a comparison between their final work plan and its US original. I also interviewed staff members and public officials to elicit the reasons behind the adaptation so that I could connect those instances of adaptation with the Japanese contextual factors found in Part 1 of this research. However, adaptation may eliminate the most significant elements of the public dispute resolution imported from the US even though such adaptation may have been

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[218] Emerson, R., Fretz, R., and Shaw, L. (1995).; Weiss, R. (1994).

necessary to fit the current Japanese context.   In order to check

"appropriateness," instances of process adaptation have been evaluated by a few

leading practitioners of public dispute resolution in the US.

Second, I have explored how the staff members and other stakeholding

organizations took on new organizational arrangements as they organized the pilot

test.   For instance, Barley studied the change in the relationship between

radiologists and technologists after the introduction of CT scanners in hospitals by

examining scripts—recurring patterns of interaction that defined the essence of

each actor's roles[219].   My study took a similar approach by examining the

recurrent patterns of interaction among the various actors in the pilot test, as well

as the final arrangements (e.g., contracts) produced by the participating

organizations.   I have tracked how they changed their patterns of interaction

during the pilot test.

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[219] Barley, S. (1986).

Chapter 4: The Japanese Context: A Qualitative Study

Introduction

The Japanese context will shape the adaptation and organizational change that will occur when consensus building is introduced. Numerous studies have provided information on aspects of the Japanese context, such as the governance structure, commonly observed patterns of interactions among Japanese, and legal constraints. For example, in portraying Japanese culture, some anthropologists have been especially concerned with the patterns of interaction[220]. However, these studies do not describe the theories-in-use—the theory of action implicit in the performance of (a given) pattern of activity[221]. Explication of these theories is critical to understanding the field of infrastructure planning and dispute resolution in Japan. American authors have qualitatively studied such underlying patterns in the practice of urban planning, law, and mediation in the US[222], but no comparable studies have been done for Japan. Previous research on infrastructure disputes in Japan has focused more on the details of opposition

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[220] Nakane, C. (1970). Japanese society. Berkeley, CA: University of California Press.; Doi, T. (1973). The anatomy of dependence: *Amae no kōzō.* Tokyo, Japan: Kodansha.; Lebra, T. S. (1976). Japanese patterns of behavior. Honolulu, HI: University of Hawaii Press.; Ishida, T. (1984). Conflict and its accomodation: omote-ura and uchi-soto relations. In Krauss, E., Rohlen, T. and Steinhoff, P. (Eds.) Conflict in Japan. (pp. 16-38). Honolulu: University of Hawaii Press.

[221] Argyris, C. and Schon, D. (1996). Organizational learning II. Reading, MA: Addition-Wesley. p. 13.

[222] Ewick, P. and Silbey, S. (1998). The common place of law: Stories from everyday life. Chicago, IL: University of Chicago Press.; Forester, J. (1989). Planning in the face of power. Thousand Oaks, CA: Sage.; Kolb, D. and associates. (1994). When talk works: Profiles of mediators. San Francisco, CA: Jossey-Bass.; Mnookin, R., Peppet, S., & Tulumello, A. (2000). Beyond winning. Cambridge, MA: Belknap.

strategies used by various social movements in individual cases[223].

This chapter outlines findings from a qualitative study of contextual factors that have guided the government's efforts in infrastructure planning and dispute resolution in Japan.   Most of the studies of public participation in Japan have been concerned with specific techniques or cases.   They do not discuss either the role of underlying planning processes[224] or the common institutional backgrounds that guide the actions of individuals in different settings.   This study is probably the first synthesized attempt to understand "who does what, how, when and why" in the face of infrastructure disputes.   Analyses of interviews with 40 practitioners of urban and regional planning in Japan reveal the existence of how contextual factors prompt individuals to take certain actions.

Research method

Interview protocol

All interviews were conducted in a semi-structured manner in informal settings. Most of the first contacts were made by e-mails (see Appendix 4-A for a sample letter of invitation).   In the first contact, I asked each interviewee to offer his or

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[223] Apter, D. and Sawa, N. (1984). Against the state. Cambridge, MA: Harvard University Press.; Groth, D. (1996). Media and political protest: The bullet train movements. In Pharr, S. and Krauss, E. (Eds.) Media and Politics in Japan. Honolulu, HI: University of Hawaii Press.; Krauss, E. and Simcock, B. (1980). Citizens' movements: The growth and impact of environmental protest in Japan. In Steiner, K., Krauss, E., and Flanagan, S. (Eds.) Political Opposition and Local Politics in Japan. (pp. 187-227). Princeton, N.J.: Princeton University Press.; McKean, M. (1981). Environmental protest and citizen politics in Japan. Berkeley, CA: University of California Press.

[224] Tanishita, M. (2001). *shakai shihon seibi-no keikaku sakutei tetsuzuki-ni okeru shimin-sanka.* Journal of Infrastructure Planning and Management IV, 681(52). pp. 37-49.

her account of infrastructure planning efforts in which he or she had been involved. When the interviewee agreed to participate in the research, an interview protocol was sent to the subject by e-mail (see Appendix 4-B). The interview protocol was designed to elicit the "structure" behind each action that the interviewee took in interacting with different kinds of individuals.

An interview usually began by exchanging business cards (*meishi*). Ordinary interactions for developing a rapport in Japanese business settings were followed: several minutes were spent discussing current affairs, my background, and other issues that were not directly relevant to the interview[225]. The interview officially started when the subject signed a consent form. First, the interviewee was asked to provide an account of the case. Then, each was asked to describe instances of difficult interactions with other stakeholders. Interviewees were encouraged to provide detailed accounts of such difficult moments.

If an interviewee began to relate generalized and abstract thoughts, I asked him or her to choose one or two of the most difficult interactions. When the subject finished his or her story, I asked about specific behaviors in the interaction. If the interviewee was not the person who took that particular action, I asked him or her to suggest why the actor might have behaved in the way described. Finally, interviewees were asked to reflect on their experience by summarizing lessons

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[225] Graham, J. and Sano, Y. (1989). Smart bargaining; Doing business with the Japanese. Cambridge, MA: Ballinger.

learned from it.   The answers revealed the existence of norms for appropriate behaviors that have influenced infrastructure planning in Japan.

Interviewees

Between January and December 2005 I interviewed 40 practitioners who had been involved in a total of 79 cases and projects.   The demographic backgrounds of the interviewees and attributes of the cases are summarized in Figure 4-1.

I initially gained access to interview subjects through Japanese research partners with whom I had worked in my previous career as a think-tank policy consultant.   These partners include public officials at the Ministry of Land, Infrastructure, and Transport; researchers at the University of Tokyo and the University of Tokushima; members of the research staff at the Central Research Institute of Electric Power Industry, Mitsubishi Research Institute; and personnel at other think tanks.   My colleagues at the PI-Forum, a not-for-profit organization for improving participatory governance in Japan, were also helpful in recruiting interview subjects.   To avoid recruiting subjects only from those whom I know well, I employed a snowball sampling strategy: I asked each interviewee to suggest a few individuals experienced in infrastructure disputes. Out of 40 interviewees, 21 were recruited on the basis of recommendations of other interviewees.

The diversity of interviewees' backgrounds was carefully considered to avoid generating a biased sample of Japanese practitioners.   To insure that my findings

Profession	
government official	9
public corp. official	7
zaidan staff	4
think tank	7
urban planning consultant	5
construction consultant	5
academics	3
Total	40

Interview Subjects by Profession

Age Group	
30-34	8
35-39	12
40-44	5
45-49	8
50-54	5
55-60	1
60-65	1
Total	40

Interview Subjects by Age Group

Project Type	
highway and road	28
urban planning	11
railway	6
watershed management	16
port and airport	11
waste management	5
others	2
Total	79

Projects by Project Type

Project Location	
Tokyo and its suburbs	24
regional cities and towns	29
rural areas	21
nationwide issue	5
Total	79

Projects by Project Location

Figure 4-1: Interviewee demographics and project attributes

could be generalized, interview subjects were evenly distributed among the

following categories:

- Profession: government officials; public corporation (*kōdan*) officials; think tank staff (including *zaidan hōjin*); urban planning (*toshi keikaku*) consultants; construction (*kensetsu*) consultants; and academics
- Project Type: highway and road; urban planning; railway; watershed management; airport and port; and waste management.

I concluded the recruitment process when additional interviewees began to offer

no new information.

Professional Distribution

Interviewees from a wide range of backgrounds were recruited. The largest group was comprised of government officials. Their age group is somewhat skewed toward younger generations. Half of the interviewees are between 30 and 39 years old.

This does not represent a bias, however, because interviewees who were older than 50 years old—at least three of them—mentioned that they had faced no opposition when they were working in the field office many years ago. Because of the prevalence of life-long employment in Japan, senior practitioners in managerial positions have not had much field experience in the last ten years. Therefore, senior interviewees had difficulties recalling any stories of interaction with the public. The most senior interviewee reflected on his experience as a field officer in the 1950s as follows:

> *Interviewer:* *Did you receive complaints (when you were the project leader at the field office in a small village in the 1950s)?*
> *Interviewee:* *Nah, when I was there. So many communities wanted these projects. ... During that period, I don't know much about what happened in urban areas, but I was then in rural communities and the mood was for the recovery from the devastation of the war. ... I came to Tokyo in the early 1960s. Even during that time, the Metropolitan Highway system* (shuto-kō) *was being built for the Olympic Game. I was watching those in the field, but it was the era in which oppositions would not surface. ... Everything had to be built for the Olympic Game. Like, "bam! bam!" When the* shinkansen *trains were being built, no one uttered the word "environment." It was the* Shōwa *30s (i.e., 1955-1964). You see, the Kasumigaseki Building, the Metropolitan Highway, and the* Shinkansen*. So, we bulldozed everything from 1962 until the Olympic Game.*

Project Type Distribution

Cases are not equally distributed among project types. Thirty-five percent of the projects mentioned in the interviews are related to highway and road projects. The majority of the initial set of interviewees was most experienced in the field of highway planning. I could not gather many stories of railway development because there had not been many railway construction projects in Japan in recent years. Another possible reason for the lack of railway-related stories was the organizational culture of the organizations that undertake their construction[226]. In my interviews, employees of railway companies showed relatively strong concerns about the confidentiality of the interview process compared to those hired by the government agencies.

Interview settings

All interviews were conducted in person. Considering the delicate nature of interview topics (i.e., public-policy controversies), phone interviews would have been an inappropriate way to seek candid reactions from interview subjects for several reasons. First, in-person interviews have the advantage of rapport between the interviewee and the interviewer. Second, the amount and the quality of information exchanged through phone interviews are limited. In in-person interviews, an interviewer can interject questions in response to interviewees' physical and facial reactions. During my interviews, many interviewees drew

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[226] Unlike many other countries, almost all railways are owned by private entities in Japan after privatization efforts in the late 1980s.

abstract drawings of the project site to better explain it—a kind of visual information cannot be transmitted over the phone.   Finally, phone interviews are particularly difficult in Japan because most of the middle-class staff in Japanese companies and government agencies do not have their own offices.   Their colleagues could easily overhear phone interviews.

Most interviews took place in conferences rooms at the interviewee's office. Even though I did not explicitly ask them to do so, interviewees carefully selected venues to avoid being overheard by their colleagues.   Other interviews were conducted outside the office to accommodate personal schedules.   Locations included a hotel room in Boston, an interviewee's home in Tokyo, and coffee houses in various Japanese cities.

The length of the interviews ranged from 30 minutes to 3 hours.   The shortest one was with a high-rank public official who offered almost no response to the majority of my questions.   All interviews were conducted in Japanese according to the interview guidelines.   Language was not a significant concern in my interviews, compared to similar researches conducted by non-native Japan specialists[227].   In fact, my knowledge of specific jargon used by Japanese urban planning practitioners helped my interaction with the interviewees.

All sessions were tape-recorded and transcribed in Japanese for further analysis.

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[227] Bestor, T., Steinhoff, P. & Bestor, V. (Eds.) (2003). <u>Doing fieldwork in Japan.</u> Honolulu, HI: University of Hawaii Press.

In order to minimize the influence of tape-recording, I explained the subject's

rights, which were outlined in a consent form, before starting the interview.   I

also promised that their identities would be kept confidential by removing their

names, project names, and geographical information when I quote their comments.

No subject refused to have his or her responses tape-recorded.   Most interview

subjects didn't seem to care about the existence of a tape recorder.   Another

scholar who has conducted in-person interviews extensively in Japan suggests that

tape-recording in Japan actually influences a subject's candor less than the

presence of a research assistant[228].

Other sources of contextual information

The purpose of the interview-based research was to discover elements that

might affect the introduction of consensus building but that had never been

explicitly expressed by Japanese practitioners of urban and regional planning.

However, both parties to the interview had to possess some of the same basic

information about the infrastructure planning context to establish a meaningful

communication between them.   An example of such information is the

configuration of government agencies and legislatures, readily gained from

reference documents and websites. Anthropologists and negotiation researchers

have found that communications in Japan are highly contextual—Japanese often

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[228] Krauss, E. (2003). Doing media research in Japan. In Bestor, T., Steinhoff, P. & Bestor, V. (Eds.) Doing fieldwork in Japan (pp. 176-192). Honolulu, HI: University of Hawaii Press.

talk without elaborating background assumptions[229].   Therefore, the knowledge

of basic information about public participation and infrastructure planning in

Japan was crucial to the conduct of meaningful semi-structured interviews.

In this chapter, I will also discuss these background contextual factors to

familiarize readers with the Japanese context[230].   Those who are not familiar

with Japan should carefully pay attention to this auxiliary information. Without it,

the stories in the following chapters might not make sense.

Categorizing the information: four realms of analysis

For this study, information from the interviews have been broken down into

"vignettes" describing individual experiences or interactions in which the

interviewees participated directly or as observers.   Most of the interview

vignettes could be categorized into three realms of institutional attributes:

organizational, normative, and regulative.   The idea of disaggregating such

vignettes into three categories is drawn from the work of Richard Scott[231].

Based on a historical review of institutionalism, he suggests three "pillars" of

institutions—regulative, normative, and cognitive.   The framework for my

analysis of the interview vignettes from Japanese practitioners will draw on

Scott's framework.

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[229] Hall, E. and Hall M. (1987). <u>Hidden differences: Doing business with the Japanese.</u> New York,
NY: Anchor Books
[230] See Appendix 4-C as well.
[231] Scott, R. (1995). <u>Institutions and organizations.</u> Thousand Oaks, CA: Sage. pp. 33-47.

However, for the purposes of accurately describing the influences on and changes in institutional context when consensus building (or perhaps any new and unfamiliar system) is introduced, it is necessary to modify and add to Scott's framework.   I suggest three changes.   First, this study will use the term "realms" instead of "pillars."   Because I analyze the context by grouping the vignettes from the field, rather than from theory, the term "pillar," which suggests the accumulation of scholarly discussions, simply does not fit my findings.   The term "realm" more adequately describes the pervasive quality of the attributes I describe.

Second, this study substitutes the term "organizational" for Scott's conception of the "cognitive." The formal decision-making processes and structures characterizing the organizations involved in infrastructure planning in Japan (e.g., government agencies, consulting firms, and community groups) differ.   Vignettes addressing the nature of these groups fall into what I call the organizational realm. They suggest the involvement of a few important organizations and their attributes such as organizational structures, formal decision-making processes and what some scholars call organizational cultures[232].   Because each group of organizations has its own distinct way of organizational management and decision-making, this dissertation summarizes those findings by each category of organizations.

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[232] Schein, E. (2004). <u>Organizational culture and leadership (3rd Ed.).</u> San Francisco, CA: Jossey-Bass.

Realm	Function	Attribute
Organizational	Government	Organization
		Hierarchy
		Aversion to info sharing and public involvement
		Coordination within an agency and between agencies
		Mochikaeri (to bring back)
	Consultants	Organization
		Work involvement
		Disadvantage of small firms
		Idea generation
		Profitability
	Community orgs.	Rural versus urban
		Community leaders
		Representation of communal interests
		Environmental groups
	Political orgs	Intervention by political actors
		Significance of political movements in rural areas
		Local councils
	Academics	*Shingikai* and *iinkai* (deliberative committees)
Normative	Interpersonal	*Kao-mishiri* (acquaintance)
		Seken-banashi (small talks)
		Age as an indicator of status
	Participation norms	Can't speak out in the public
		Free-wheelers
	Group dynamics	Anger and peer mediation
		Nemawashi
		Sō-ron sansei, kakuron-hantai
	Inter-organizational	*Kō-otsu* relationship between government agencies and consultants
		Municipal government as a mediator between project proponents and local communities
	Substantive	(egalitarianism)
Regulative	Public laws	Urban Planning Act
		Environmental Impact Assessment Act
		River Act
	Guidelines	Leadership endorsement
	Fiscal year	Project deadline
		Personnel transfers
Settings	Logistics	Time and place of meetings
	Techniques	Fourteen management techniques
	Subject	An overriding concern, in this set of interviews: compensation

Figure 4-2: Four categories of contextual factors identified in interview vignettes

Vignettes in the second category—normative realm—relate to how human interactions between the Japanese should be conducted in infrastructure planning. They indicate certain patterns of interaction that are commonly followed in those

planning efforts.   Deviating from such patterns is considered inappropriate and can lead to disruptions in communication.

Third, the regulative realm refers to various espoused rules (i.e., public laws and regulations) of government agencies for urban planning and infrastructure development.   Vignettes indicate certain effects of various laws and regulations in practice.

A fourth "realm" amplifies the three realms of institutional function suggested by Scott.   Interview vignettes revealed another type of contextual element shaping infrastructure planning efforts in Japan—elements that may or may not be present in a specific planning process.   Compared to the elements of other three realms, however, these elements do not have restrictive character of institutions, which are "the rules of the game in a society or, more formally, … the humanly devised constraints that shape human interaction.[233]"   For example, interviewees repeatedly referred to various meeting management techniques, such as facilitation, workshops, and open houses.   These techniques for public participation and involvement have been widely deployed in the last few years and are well known among practitioners.   They certainly functioned as part of the context for planners even though planning processes that do not involve such techniques were not necessarily inappropriate or illegitimate.   I classify these

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[233] North, D. (1990). Institutions, institutional change and economic performance. New York, NY: Cambridge University Press. p. 3.

vignettes into a new category of "settings."   While "settings" may or may not be operative in shaping an infrastructure planning process, analysts should be alert to their potential influence.

Organizational realm

In the organizational realm, eight organizational forms were identified in the interviewees' stories: the government, consultants, community organizations, political organizations, academics, industrial organizations, the media, and not-for-profit organizations.   Those organizations often played important roles in participatory planning and dispute resolution efforts for infrastructure projects. In this section, details of the first five types of organizations will be explained because they were often the most important actors in the interviewees' stories.

The government

The foremost important actors in the interviewees' vignettes were government agencies, such as the Ministry of Land, Infrastructure, and Transport, prefectural governments, and municipal governments.   Sometimes they act as the proponent of the project; while in the other occasions they act as an agent for the interests they serve, such as local residents and environmental groups.   For example, municipal governments in rural areas often played the role of liaison between project proponents and local residents.

Organizations

Japanese government has a three-tiered hierarchical structure: national, prefectural (*to-dō-fu-ken*)[234], and municipal (*si-chō-son*)[235]. There are 49 prefectures and approximately 1,800 municipalities (see Figure 4-2)[236]. Prefectural and municipal governments are collectively called "local governments (*chihō jichi-tai*)." Each prefecture oversees the administration of municipalities within its boundary. Prefecture governors and municipality mayors are elected directly by their residents[237]. Each prefecture and municipality has a general council as well. Policing is the function of prefectural governments, not municipalities. Each prefecture has a police department (*kei-satsu*).

Most of major infrastructure facilities, including highways, dams, airports, are built and maintained by the Ministry of Land, Infrastructure and Transport (MLIT)—one of the 10 ministries of the national government. The ministry itself has a three-tier hierarchical structure: the headquarters (*hon-shō*) in Tokyo, eight regional development bureaus (*chihō-seibi-kyoku*), and field offices

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[234] Most prefectures are called *ken* in Japanese. Exceptions are: Tokyo-*to*, Hokkai-*dō*, Osaka-*fu,* and Kyoto-*fu*. The difference in their denominations does not have any implication to their status.
[235] Municipal governments in Japan have three categories. *si* (city) is the highest. To be designated as a city, a municipality must have the minimum of 50 thousands residents. Fourteen cities are designated as "government-designated city (*seirei-shitei toshi*)" by the national government. Those city governments have additional authorities. *chō* (town) is the second, and *mura* (village) is the lowest. Each prefecture has the authority to designate *chō* and *mura* within its jurisdiction.
[236] The number of municipalities in Japan is reducing rapidly from 3,232 in 1999 to 1,821 in 2006, following the national government's initiative to consolidate small municipalities. Source: Ministry of Internal Affairs and Communications. (undated) *gappei sōdan kōnā.* [WWW Document] URL http://www.soumu.go.jp/gapei/
[237] On the other hand, the Prime Minister is elected by the majority vote of Diet members, who are elected by Japanese citizens.

Figure 4-3: Forty-nine prefectures of Japan

(*jimusho*).   The national headquarters are located in the Kasumigaseki complex

in Tokyo where most of the national government's functions are concentrated.

The majority of officers working at the complex are the elites who passed the 1st

class civil servant examination[238].

There are eight regional development bureaus for each region (see Figure

4-3)[239].   Each regional bureau oversees the Ministry's activities in each region.

For example, the Kita-josanjima experiment in Tokushima, which is discussed in

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[238] Civil servants hired by the national government are classified into three ranks: 1st, 2nd, and 3rd classes.   To become a civil servant, everyone has to pass the civil servant examination.   Difficulty of the examination differs by the class one is applying for.   Each staff member's positions and tasks are determined by his or her class and the years of experience.
[239] Infrastructure development in Hokkaido and Okinawa are under the jurisdiction of the Cabinet Office.

Chapter 4

the following chapters, was overseen by the Shikoku Regional Development

Bureau located in Takamatsu.   The lowest tier of the hierarchy is the field office.

There are currently 307 field offices across the nation (see Figure 4-3)[240].   Each

office undertakes the management of infrastructure development projects as well

as the maintenance of national roads, major rivers, national parks, and other

infrastructures.   For the Kita-josanjima experiment, Tokushima River and Road

Office (*kasen kokudō jimusho*) took the convenor's role.

   The national government controls most of public spending on infrastructure

projects, especially after Tanaka Kakuei (1918-93) reformed public funding

systems in the 1970s[241].   For instance, sixty percent of the national infrastructure

development budget (*kōkyo-jigyō kankei hi*) was distributed from the national

government to prefectural and municipal governments in 2003 in various forms of

subsidy[242].   Current Koizumi administration is trying to minimize the

involvement of the national government in infrastructure development through its

structural reform efforts by scaling down the budget.

   Each project is managed by a handful of people: the section chief (*kachō*), the

subsection chief (*kakarichō*), and their assistant staff.   The general manager

(*shochō*) of each field office participates in meetings and events only at important

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[240] As of April 2006.   Based on the information on the web sites of the eight regional bureaus.
[241] Johnson, C. (1986). Tanaka Kakuei, structural corruption, and the advent of machine politics in Japan. Journal of Japanese Studies, 12 (1), 1-28.
[242] Board of Audit. (2004, November 9) *heisei-15-nendo kessan kensa hōkoku no gaiyō.* [WWW Document] URL http://www.jbaudit.go.jp/gaiyou15/ 200411/zaisei_04.htm
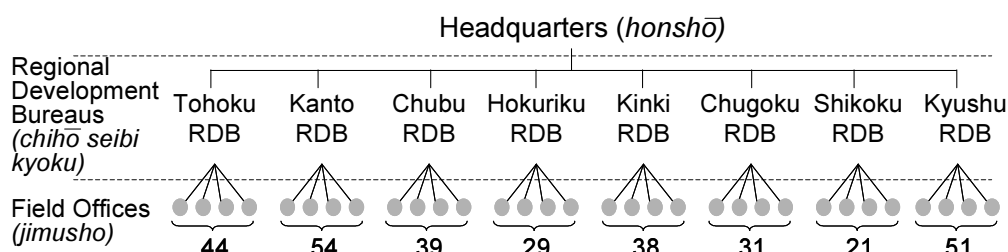
Figure 4-4: Organizational structure of the MLIT

junctures.   The group of lower-tier officials enjoys a substantial level of autonomy in preparing for the project, even though they occasionally receive unilateral interventions from their supervisors.   The high level of autonomy found in the management of individual project is congruent with Shiroyama's description of policy-making process at the Ministry's headquarters[243].

Projects administered by local governments are managed in a similar way. The head of the project is usually, however, the division chief (*buchō*) of local governments' headquarters.   In some instances, the head of the local government (i.e., governor or mayor) is involved in a few politically sensitive infrastructure projects, as discussed in the next section.

Hierarchy

Several attributes were found consistently among the stories relating to government agencies in Japan.   First of all, hierarchy seems to discipline the relationship between government officials in making decisions.   According to

[243] Shiroyama, H., Suzuki, H. and Hosono, S. (1999). *chūō shōchō no seisaku keisei katei: nihon kanryōsei no kaibō.* Hachiōji, Japan: Chūō University Press.

the stories of seventeen interviewees, anyone in a higher rank or position often has a strong, sometimes decisive, influence on the course of action.   Their accounts of hierarchical relationship are congruent with Chie Nakane's portrayal of Japan as a "vertical society[244]."

In the case of the MLIT, officers in regional development bureaus or the general manager of individual field offices are on the top of the hierarchical chain of command for each project.   In the case of prefectural and municipal governments, the governor, the mayor, or the deputy mayor (*joyaku*) have the final say in each project.   For example, a mayor's decision was crucial in terminating a light rail transit project even though the city's officials were trying to move forward with it.   A consultant recollects the experience as follows:

> *Interviewee: I couldn't understand what the mayor was seeking for.   The city's officials were trying hard to implement the project, but the mayor took such an action (to stop it).   They couldn't figure out what to do. I worked together (with the staff) for the project.   But finally, when the project went upward from the deputy mayor to the mayor, the proposal was always killed.   It was a deadlocked situation.*

Because governors and mayors are elected by citizens, infrastructure development projects can be seriously influenced by local elections.   In particular, Nagano prefecture's governor Yasuo Tanaka, first elected to the position in 2000, had a substantial influence on various types of infrastructure projects in Nagano in the last few years.

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[244] Nakane, C. (1970).

The unilateral influence of the head figure is occasionally counterproductive to the work of lower-tier officials, such as the section chief and the subsection chief, as well as their consultants who concentrate their energy on individual projects. One private consultant told me the following story:

> *Interviewee: Well, it is different among field offices.   In a nutshell, you know, everything often gets turned over when the issue went to the table of the supervisor of the person in charge.   Let's say the person in charge is either the section chief* (kakarichō) *or the subsection chief* (kachō).   *But the strategy becomes completely different when things go up to the general manager* (shochō).
> *Interviewer: Does that often happen?*
> *Interviewee: Often?   Maybe.   The general manager of the field office is the key. Sometimes the manager has too much power in the field office.   But the manager doesn't participate in our meetings.   We, and the staff on the other side, make plans through long discussions.   Then the manager, who doesn't know anything about it, comes in and screws up everything according to his tastes.   That's painful.*
> *Interviewer: You can't push back?*
> *Interviewee: Well. Not if the staff in the field office can't (laugh).*

Two other interviewees also referred to the strong influence of general managers. However, the unilateral influence of the head can be productive in changing the management of the organization.   One consultant reflects on his experience of working with a general manager who had been advocating for public involvement:

> *Interviewee: The general manager, at that time, seemed to be actually leading the project.   That guy was a deputy manager of the X Field Office.   As you can guess, he had been attacked by local residents, and opposed by citizens.   He had been blamed even though he had a sincere intention to do good things for them (laugh).   He probably wanted to change the situation.   He had a quality or something that the Prime Minister Koizumi has.   He tried to do it even if his fellows tried to stop it.*

Later, a new system for public involvement was implemented by this general

manager which gave him the hierarchical authority to manage the office in the way he wanted.

Aversion to information sharing and public involvement

Public officials are generally reluctant to disclose information to the public, especially when they are not ready for the public scrutiny.   A public official comments:

> *Interviewee: In the past, when I was involved in some other projects, we didn't provide information until the environmental assessment (is published) in order to forestall counterarguments.   That was the way.   Well, it wasn't espoused (in the rule), but there was such an atmosphere.   So, we didn't publish or disseminate the information to a wide range of people, other than to the local residents.*

A consultant, who designed a participatory process, reflected on his experience of being surprised by a "secret" plan:

> *Interviewee: The mistake was that … the government tried to be a hero.   They could have told us everything at the outset, like "There is such and such plans for this watershed.   We have this idea.   We want your reactions by the next year."   But they began by claiming that they wanted to reconsider the plan from the scratch by listening to everyone's voice….*
> *Interviewer: Did you know that there was a (secret) plan?*
> *Interviewee: Yes.   Consultants knew it.   Hmm… I felt, "Will that be acceptable?" at the outset...   Anyway, we weren't informed about the plan.   They uttered something like, "We have to negotiate with the municipality on this matter."   So, we had a hunch that they had something in their mind.   Anyway, public officials are reluctant to disclose information.   Well…*
> *Interviewer: So you weren't informed much of it.*
> *Interviewee: You have to ask them.   We can't know unless we ask.*

This does not suggest that the agencies are trying to "conceal" the information from the public.   None of the interviewees, including consultants and other planners, suggested any government intent to conceal wrongdoings.

The propensity to avoid sharing information seems to be changing in the recent years. The Freedom of Information Act (*jōhō kōkai hō*), which was enacted in 1999 and has been implemented since 2001, requires government agencies to disclose various types of information when they are requested to do so[245]. A public official reflects on his long-term experience in watershed management projects as follows:

> Interviewee: Well. In the past, we're very reluctant (to talk with stakeholders). But in 1995, I think, in May 1995, the Nagara River Barrage started to operate. Of course we knew that many things about the watershed management could be done in much better ways. Information disclosure was insufficient. We were also not open to such negotiations (with stakeholders). Negative reactions probably made the project much worse (than it could be). Such reflections were shared by the entire organization.

Public officials' reluctance to share information has led to unwillingness to involve the public in planning processes. According to interviewees' commentaries, this characteristic is not necessarily true of all public officials. Port development projects in particular have lacked stakeholder involvement in the past.

> Interviewee: Mmm. Those in the field of port development have a strong sentiment against outsiders stepping into their field. In a nutshell, ... special cargo equipments are moving around the port, and (the officials) are worried about possible accidents by letting people into the arena of port activities. It is a matter of security. They tried to shut everyone out of the area. ... Because they have strong sentiment against letting people in, public participation was just unimaginable.
>
> Interviewer: You previously mentioned *"waterfront* (wōtā-furonto)*" development projects that would allow the public to the port area. Wasn't there*

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[245] The official title of the Act is "the Law on the Publication of Information Retained by Government Agencies (*gyōsei-kikan-no hoyū-suru jōhō-no kōkai-ni kansuru hōritsu*)."

> *any public involvement for those projects?*
> *Interviewee: There was no project that tried to listen to the voice of local residents.   Maybe there might be a case that involved opinion surveys that asked something like, "What kind of facilities do you prefer?"   But there was definitely no project involving workshop style meetings.*

Uncertainties and the lack of experience in experimenting with a new approach to public involvement constitute another possible factor that contributes to the public officials' unwillingness to involve the public.   A consultant, who tried to introduce workshop techniques to a traditional *singikai* meeting[246], was harshly opposed by public officials.

> *Interviewee: In the past, most advisory committees were managed in a formal manner.   ...   I suggested them to use the workshop format that would allow the exchange of candid thoughts.   But the national government reacted by saying something like, "We can't ask the professors to do such things!   What the heck is the Post-it note!?   No kidding."   I clinched by saying, "Please let us do this once.   Only once.   Please trust us."   ...   Then we did.   Once we introduced it, the discussion started to move forward!   Then, uh...   The government could speak out frankly, and those professors could be relaxed and vent out their thoughts.   It went well.   After this, workshop meeting became possible in this field office.*

Another type of concern was related to the inflated expectation of citizens involved in planning processes.   Sometimes participants feel that they have the formal power to dictate the terms of an infrastructure project.   Three interviewees suggested such concerns:

> *Interviewee: In a nutshell, if (the government) decides to listen to the voice of the citizens, the citizens will ask for anything they want.   (The mayor) was worried that the citizens would later complain that their requests (that they put forward in public forums) were not fully attended.*

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[246] See p. 165.

For a variety of reasons, it is not easy for anyone to introduce public involvement and stakeholder dialogue into infrastructure planning in Japan. It requires a sufficient level of support by a wide range of public officials.

Coordination within an agency and between agencies

Twelve interviewees touched on the subject of *tatewari*—lack of coordination between ministries and bureaus. Because organizational management is highly hierarchical, horizontal coordination between ministries and bureaus, particularly at the lower-tier of the organization, is rare and difficult in formal settings. Each public official is situated on a vertical line of command within each ministry or bureau. The bureaucratic boundaries of turf become problematic when a public involvement effort is focused on a location, not on a particular function, of a project. For instance, an advisory committee on the management of a dam prepared a comprehensive plan that proposed activities not administered by the MLIT. A consultant says,

> *Interviewee:* If (the committee's recommendations) were the matter of the MLIT, its officials would be happy to implement them. On other kinds of recommendations, such as those administered by the town's School Commission (kyōiku iinkai), (their plans) could not be elaborate. ... [Reviewing the committee's official report] Uh… Something like, "Developing a flower village" and "Eco-tourism." Those are in the field of education and environment. ... and this "Culture Museum." How can the MLIT build a culture museum? There's no way of justifying such investments. Of course the ministry can't spend money on such projects.

In the interview, the consultant regretted that the committee's recommendations couldn't be implemented because of the lack of coordination between

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stakeholding organizations (i.e., other ministries).

It seems, however, as though the difficulty of cross-sectional coordination is more problematic at the local level (i.e., prefectural and municipal governments) because their plans are often focused on certain geographical areas rather than on specific types of infrastructure. Internal coordination between local government departments—each of which is focused on specific types of infrastructure—is difficult. Coordination is a time-consuming task for officials working on urban planning and redevelopment issues because those projects require complex coordination between different departments. At least three interviewees, who have worked with local governments, referred to this internal coordination as a difficult issue for managing participatory planning projects at the local government's level. For example, preparing a city's master plan involves consensus building among multiple departments. For example,

> Interviewer: Between which departments did the internal coordination take place?
> Interviewee: It's same for almost all municipalities. In this case, the Urban Planning Department was managing the project. But the scope of an urban master plan extends to different departments. The land use pattern in the master plan might have been acceptable to the Urban Planning Department, but it has to be negotiated with the Land Readjustment Department (kukaku seiri ka), the Farm Policy Department (nōsei ka), and many other departments. If the issue is politically sensitive, it has to be negotiated by department heads. This step is necessary at the end of the process.

Implementation of public participation efforts was often delayed due to the time necessary for this kind of internal coordination.

Interagency or intra-agency negotiations are usually conducted behind the

scenes and are not open to the public.   In fact, there is no accountability

provision—such as sunshine laws or the Federal Advisory Committee Act in the

US—that encourages the public to scrutinize meetings between public officials[247].

The newly enacted Freedom of Information Act (*jōhō kōkai hō*) primarily deals

with requests by the public for such information[248].   It is difficult for the public

to know about the existence of internal staff meetings.   The consultant whose

vignette is quoted above referred to this invisible negotiation process as a "black

box."

Mochikaeri (to bring back)

For public officials, particularly those in the lower tier of the hierarchy, it is

crucial to develop a consensus within the agency before announcing anything to

the public.   Therefore, in consultative meetings where lower-tier staff members

participate as government representatives, issues on the table cannot be decided

on the spot.   Controversial issues have to be brought back to the office and

studied or negotiated behind closed doors within the agency or between relevant

agencies.   The practice of bringing issues back to the office is known as

mochikaeri in Japanese[249].   A consultant gave his analysis of how this tendency

to defer public decisions occurs:

> Interviewee: In the eyes of the public (simin)… They don't know much about how

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[247] Uga, K. (2000). *Amerika gyōseihō* (2nd ed.)*.* Tokyo, Japan: Kōbundō. pp. 44-48.
[248] Uga, K. (2002). *Shin jōhō kōkaihō no chikujō kaisetsu: Gyōsei kikan jōhō kōkaihō dokuritsu gyōsei hōjin tō jōhō kōkaihō.* Tokyo, Japan: Yūhikaku.
[249] *Mochikaeri* literally means "to bring back."

the government works. Government agencies have to follow
certain processes such as council meetings and budget approvals.
They are also concerned about the public nature of the project.
They are operating under many constraints and no one can help it.
But, maybe average citizens are too much ignorant of how the
government works. ... From the perspective of the government,
there are many areas where the project manager can't make
decisions on the spot. It is just inevitable, I guess. If those
citizens do not know the systems of the government, I guess, they get
irritated.

Consultants

Consultants also play important roles in various infrastructure projects in Japan.
They are called *konsarutanto* in Japanese.

Organization

There are more than 500 construction (*kensetsu*) consulting companies in
Japan; they employ more than 70,000 staff in total[250]. Their services range from
preparing engineering drawings to conducting social scientific policy analysis.
They also assist public officials in designing and implementing public
involvement programs. In addition, think tank staff, independent consultants,
and architects occasionally serve as consultants for government agencies.

In some cases, different foundations (*zaidan houjin*), often abbreviated as
zaidan, serve as the principal contractor, and subcontract a substantial part of the
work to private consultants. These foundations are established under the civil
code of Japan to serve the public interests. Government officials are often
heavily involved in the management of these foundations. Staff members are

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[250] Source: Japan Civil Engineering Consultants Association web site. http://www.jcca.or.jp/.

often seconded from supervising agencies.   *Zaidan*s are sometimes confused with civil society organizations, but are in fact quite different in its nature from most not-for-profit organizations (NPOs) because the latter have little political influence and financial resources.

Consultants usually work with lower-tier government staff, such as section and subsection chiefs, in developing site plans and public policy proposals.   They provide assistance based on service contracts.

Work involvement

The ways in which consultants obtain service contracts with government agencies are interesting: social networks have an important role in matching appropriate consultants with particular government officials at the right moment. The following are selected vignettes in which consultants explain how government officials asked for their assistance.

> *Interviewee A: Our manager got acquainted with the official in a previous work. When the official was looking for a good consultant in order to launch this project, he happened to remember Mr. X, who is our manager.   So he called our manager.*
>
> *Interviewee B: The consulting company (principal contractor) got the contract, but the company was asked by the city government to seek help of the academic community.   Then the company asked Professor X.*
> *Interviewer: Why the company asked him?*
> *Interviewee B: Probably... there was a connection. (...)   A former student of Professor X was working for the company.*

These vignettes do not suggest that one must have a connection with public officials and other key organizations in order to get a contract.   Other consultants

suggested that they had won many contracts through competitive proposal processes. These vignettes do suggest that being acquainted with government officials, particularly those having good reputations, can potentially lead to a contract.

Disadvantage of small firms

Independent consultants, who own small firms with a handful of staff or who operate independently, have greater difficulty in obtaining a direct contract with a government agency for various bureaucratic reasons. At least three interviewees, who are independent consultants specializing in participatory planning, mentioned that they were subcontracted from other consulting firms, think tanks, or *zaidan*s even though they had very important project roles. One interviewee mentioned that this has been a difficult matter for him for the last two decades because he had to make appropriate arrangements with larger organizations in order to participate in projects:

> Interviewee: *I have worked on a series of project, but I did not receive the contract as an individual.*
> Interviewer: *How about as an informal study group?*
> Interviewee: *Mmm. The study group could receive only a few projects… Others were through the industry's association. In a nutshell, unincorporated organization (like his study group) couldn't receive a contract no matter how much experience it may have. It's still difficult, isn't it? But public officials have their own rules. … So, all of the past projects needed an intermediary (organization). We had to ask a* zaidan *to be the intermediary so that we could work on this project.*

Idea generation

Consultants work with government officials to generate the best solutions for a

specific problem.   For dispute resolution and participatory processes, two

patterns of idea creation were found in the interviewees' vignettes.   The first

pattern is policy transfer and lessons drawing[251].   Consultants learned about new

policy-making techniques and policy instruments that had been successful

elsewhere, and applied the lessons to their own projects:

> *Interviewee: In terms of organizations, we kind of created a citizen supporters'*
> *organization.   There had already been several small groups, like a*
> *study group on the light rail transit in the local chamber and junior*
> *chamber.   We organized a citizen's group by pulling them*
> *together…*
> *Interviewer: In organizing this supporter's organization, did you draw on similar*
> *cases in other locations, like for trolleys?*
> *Interviewee: Yes.   There was a case that succeeded in saving a trolley line that*
> *was about to be abolished.   In that case, citizen's groups did a*
> *fairly good job.   So we went to interview them as well.   Yes, we*
> *draw upon it.*
> *Interviewer: Did you go to the interview with the public official?*
> *Interviewee: Yes.*

In a similar vein, architects drew lessons from American urban planners (e.g.,

Henry Sanoff) and have experimented with their "workshop" techniques since the

1980s[252].

Several "epistemic communities[253]" of government officials, consultants, and

academics interested in participatory policy-making have facilitated the flow of

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[251] Dolowitz, D. and Marsh, D. (1996). Who learns what from whom: A review of the policy transfer literature. Political Studies, XLIV, 343-357.; Dolowitz, D. (Eds.) (2000). Policy transfer and British social policy: Learning from the USA? Philadelphia, PA: Open University Press.; Rose, R. (1991). What is lesson-drawing? Journal of Public Policy, 11, 3-29.. : Rose, R. (1993). Lesson drawing in public policy. Chatham, NJ: Chatham House

[252] Ito, M. (2001). A study on workshops as the method to ensure resident participation in architectural and community development programs. (in Japanese). Unpublished doctoral dissertation, Chiba University.

[253] Haas, P. (1992). Introduction: Epistemic communities and international policy coordination. International Organization, 46(1), 1-35.

information about policy-relevant innovations.　　They are mediated by both formal consultative committees (*shingikai*) and informal study circles (*benkyo-kai*).　　Those meetings are attended by (i) persons of learning and experience (*gakushiki keiken-sha*), (ii) public officials, and sometimes (iii) consultants who aid the officials.　　They often learn from similar foreign experiences by sending delegates on short-term research trips foreign countries.

　　The second pattern of idea creation arises from spontaneous problem solving. When the interview subjects were asked how they came up with new ideas for public participation and dispute resolution, some of them didn't remember exactly "how."　　They claimed that the ideas were their own.　　The ideas came out of staff meetings and their imaginations.　　A consultant explained how his team developed an interesting technique:

> *Interviewee:* *After examining meeting transcripts, we found that one participant was just extraordinarily (dominating the discussion).　　We thought it would be better if we could show this information quantitatively. So, we created bar charts, showing that Mr. A spoke for this seconds, and Mr. B spoke for that seconds, something like that…*
> *Interviewer:* *How was the idea of creating bar charts conceived?*
> *Interviewee:* *We suggested that.*
> *Interviewer:* *How about the inspiration?　　Did you see something similar before?*
> *Interviewee:* *No.　　Nothing at all.　　It was our original.*
> *Interviewer:* *Did they come out of discussions, or meetings at the company, spontaneously?*
> *Interviewee:* *We were at an impasse.　　We had no other choice and tried it like "Let's do it!"　　Well, it turned out to be effective in the end.*

An interesting feature of idea generation through this kind of problem solving is the importance of "discussion (*giron*)."　　Three out of four interviewees who suggested such spontaneous problem solving referred to "discussion" as the

source of idea.   None of them attributed these innovations to a specific person.

Profitability

All consultants who discussed the profitability of public involvement projects suggested that they do not generate much profit.   Services for local governments are much less profitable, even generating deficits, compared to those for the national government.   A consultant who has experience in managing public participation projects for both national and local governments explains the matter as follows:

> Interviewee: *In a nutshell, it is all about which organization pays for the project. Projects are managed by the MLIT, prefectures, or municipalities. Well.   Based on my experience, the MLIT has been flexible in making adjustments to the design contract in the last few years (when there's a need to expand the scope of work).   However, it's difficult (to gain such concessions) from local governments. Therefore, public participation projects are not always unprofitable. It's not a matter of project type, but more a matter of which organization pays for the project.*
>
> Interviewer: *You mean the difference between the national and local governments?*
>
> Interviewee: *Yes, indeed.*

At least two other consultants hinted at the lack of sufficient funding for public participation by the local government.   There is also a difference in the attitude toward public involvement projects between large consulting firms and small independent consultants.   For instance, a manager of a large consulting firm says,

> Interviewee: *There are many tiny consulting firms that are enthusiastic about these projects.   ...   Probably urban planners with architectural backgrounds.   They even spend the whole night to moderate a meeting discussion.   Those, mostly independent consultants, accept*

> *those tasks for nominal fees.　There are many people who want to*
> *do those.　Compared to those, our firm sets a higher fee, and is also*
> *engaged in different kinds of projects.*

However, an independent consultant who advocates for participatory planning

provides pro-bono work for a local government.

> *Interviewee: I visit Mr. X's house in order to discuss the plan.　Or, there are*
> *other new projects spinning out of the project.　I'm paid for the*
> *management of the meeting.　But after starting this job a new*
> *project for revitalizing the neighborhood emerged.　I'm writing*
> *proposals and newsletters.*
> *Interviewer: Those are your personal projects?*
> *Interviewee: Yes, they are my personal stuff (laugh).*

Interviewees were recruited from both large consulting firms and small

independent ones.　At the time of the interview most of them were all entering

relatively new field of public involvement and were experiencing different

outcomes, resulting in mixed feelings about the profitability.　In the future,

however, supply and demand for these services should come into balance.

Community organizations

In stories about infrastructure projects, community organizations and their

leaders often appear as important stakeholders.　Their characteristics, however,

are quite different depending on the geographical location of the project.

Rural versus urban

In rural areas, an informal group of 20 to 30 households comprise a *ku, shūraku,*

or *buraku*.　These groups make decisions in *yoriai*, which is the general meeting

of all households in the community[254].   Community organizations have a

significant influence on the life of individuals particularly in the rural area.   The

same set of local residents meet each other in various occasions—from the

informal meeting of women's self-help groups (*fujin-kai*) to the controversial

discussion about the management of communal water resources.   In the past,

those who did not follow communal rules were ostracized from the community

and barred from the use of communal properties (e.g., junkyards and communal

forests).   The practice of ostracizing non-abiding households is called

mura-hachibu, and its occasional uses in very rural communities are still disputed

in courts today[255].

Community groups are found in urbanized areas as well.   They are usually

organized by the unit of neighborhood (*chō*)[256].   The groups are called

neighborhood groups (*chōnai-kai*) or self-governance groups (*jichi-kai*).   In a

survey by the Japan Center for Cities, 75.2 per cent of municipalities responded

that they have community groups in all parts of their cities[257].   Those areas

without community groups are concentrated in the neighborhoods occupied by

condominiums and apartments.

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[254]   Torigoe, H. (1985). *Ie-to mura-no syakai-gaku.* Tokyo, Japan: Sekai-Shisō.
[255]   Mainichi Shinbun. (2006, April 7). *sekikawa-mura numa-no mura-hachibu sosyō.* Tokyo, Japan: Mainichi Shinbun. [WWW Document] URL. http://www.mainichi-msn.co.jp/chihou/niigata/news/20060407ddlk15040113000c.html.
[256]   *Chō*, in this context, is not an individual township but a subunit of a city.   Their boundaries are defined by the city government.   In addition to the function as the neighborhood boundary, *chō* is used for mailing addresses.   For example, the mailing address for the Prime Minister's residence is "Nagata-Chō 1-6-1" which means the tract number 1-6-1 in the Nagata-Chō neighborhood.
[257]   Japan Center for Cities (2001). *kinrin jichi-to comyunitī.* Tokyo, Japan.

Few of these community groups have any official status.   They are neither part of the government nor incorporated organizations[258].   They are simply voluntary associations of individuals who live in the neighborhood[259].   The ratio of those residents who join those neighborhood groups is, however, high: eighty percent of municipalities in Japan report participation of seventy percent of the population. In 2002 there were 296,770 community groups across the nation[260].

Community leaders

Each community group has a head person.   They are usually referred to as group heads (*kaichō*) or neighborhood heads (*kuchō*).   In most communities that appeared in the interview vignettes the heads are elected or rotated every few years.   The head person is responsible for organizing communal events such as seasonal festivals (*matsuri*) and street cleaning.   In infrastructure planning efforts, they are usually asked to serve as representatives for the community.   Therefore, it is crucial for the project proponents to maintain good relationships with them. For example, it is a common practice for public officials to consult with local

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[258] In the modern Japan, community organizations were officially integrated into the government structure only between 1940 and 1947.   The occupation force considered that this system had helped the state control of individuals during the war.   In 1947, the national government ordered that municipalities disband those community organizations.   However, nearly 80% of those organizations revived as voluntary associations within three months after the order. See Takayose, S. (1979). *Komyunitī-to jūmin soshiki.* Tokyo, Japan: Rokusho Shobo Nakagawa, T. (1980). *Chōnai-kai: nihon-jin-no jichi-kankaku.* Tokyo: Chuko-Sinsho.).

[259] There was a lawsuit in which a community group sued a resident, who declined to join the group, for not paying the membership fee.   The community claimed that the participation was mandatory for all residents in the community.   On April 26, 2005, the Supreme Court issued a verdict that a community group could not force anyone to join it and pay membership fees.

[260] Cabinet Office. (2004). *kokumin seikatsu hakusho.* Tokyo, Japan: National Printing Bureau. p. 106.

community heads before holding public meetings.   The practice is known as

nemawashi.

> *Interviewer: Well, the community leaders are usually consulted by the*
> *municipality before consultative meetings.   I'm not sure if this*
> *really is a common practice.   But anyway, they inform the leaders*
> *that they will distribute this and that documents.   Sometimes we ask*
> *leaders to insert those informational brochures in the community's*
> *circulation[261].*

The head person is not necessarily the leader, however.   In rural areas, elders

often hold the highest status as the community leader (no matter whether they are

the official head or not) [262].   An elder may be called *chō-rō* (the leading elderly

person) but may not necessarily be the official head of the neighborhood.

Relatively junior members of the community, those in their 50s or 60s, may

lead community protests against infrastructure projects.   In a story of local

opposition against the construction of a drainage canal, an interviewee told how

the leader for an opposition movement was chosen:

> *Interviewer: How old was the leader?*
> *Interviewee: He was about 60… Well, the leader actually changed.   Initially, it*
> *was led by a person in the 90s.   Later, the person in the 60s took*
> *over.   But (in the final stage of the dispute,) he quit and the person*
> *in the 90s came back…*
> *Interviewer: What was the 90-ish guy like?*
> *Interviewee: He was the elder* (chō-rō) *of the local community… The change*
> *occurred when the opposition was the most intense.   Maybe it*
> *would be too difficult for the elderly person to manage the movement.*
> *I don't know much, but maybe that's why they changed their*
> *leadership.   Anyway, I don't know the details.*

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[261] "Kairan-ban" in Japanese.   Community organizations maintain a system of disseminating their
information using a clipboard.   A clipboard with attached documents is passed around its members
according to the sequence decided by the organization.
[262] Miyamoto, T. (1984). *wasure-rareta nihon-jin.* Tokyo, Japan: Iwanami

In another story offered by a different interviewee, a rural community chose a representative other than their elderly leader because the representative previously had experience negotiating with the government over the compensation for the loss of his family member in an accident.   According to those stories, community leaders against infrastructure projects are chosen not only their established status in the community but also for their qualifications as a representatives.

Representation of communal interests

Occasionally, community leaders do not fully represent the interests of local residents.   In urbanized areas, young families who have recently moved to a community sometimes decide not to join the local group.   In other instances, community leaders are just unable or unwilling to achieve a consensus within the community.   In such cases, another local resident may begin to act as the leader and form a new faction.   The community is then divided into multiple factions that may be pitted against each other.

> Interviewee: Well.   Each community has a district head.   But when the community is divided into two groups, and those groups are saying different things, we can't ask the head to build a consensus of the community...
> Interviewer: Why (do they get divided?)
> Interviewee: Umm.   Probably the personal relationships between them. Factions are often formed and had been on bad terms.   And, the power dynamics within the community.   Someone might be trying to become the leader.   There is a head, aside from that leader, but the head changes every year.
> Interviewer: Aha. The head changes every year?
> Interviewee: In most cases, the head changes every year, or every two years. Each district has different rules.   Aside from the head, there always

is a local notable, someone who is vociferous... The head is just for the convenience of the management. He simply manages various communal events.

In urbanized areas, the division between those who are active in the traditional *chōnai-kai* community organizations and those who do not participate seems to have led to a new ideology for public participation. An academic, who also works as a consultant, referred to his public participation project as follows:

> *Interview:* *Then we got involved. We examined candidates for (a consultative committee's) members (who had been suggested by the government). But the balance of the membership was just bad, in terms of age and sex. So we decided to call for additional members through* outreach[263]. *(...) The interesting thing was that, usually, the participants were retired elderly men, or (...) active mothers with kids in some cases. But in this case, a fair number of daddies in 30s and 40s came. I heard that our* outreach *event at the train station had a good effect. They were actively involved and did good jobs in all subgroups.*

His effort to recruit "additional" members was based on the assumption that traditional community leaders do not necessarily represent the interests of new comers and relatively young residents.

The focus on such nontraditional stakeholder representatives, however, occasionally backfires in participatory planning projects. In a participatory workshop forum that tried to formulate a traffic-calming plan in a neighborhood, local community leaders did not participate in the first few meetings because they were not invited. These meetings were dominated by activists and environmental advocates. When the local leaders became aware that the forum

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[263] The interviewee said, "outreach" in English.

was about to introduce new traffic rules, which would make some streets one-way, they rushed into a meeting and tried to scrap the plan.

At least seven other vignettes touch on similar instances in which community leaders and environmental groups tried to interrupt the discussion of participatory forum because their interests were not represented in it.   An interviewee mentioned that such "agitation" in the middle is quite common in a particular part of the country.

Environmental groups

In addition to community-based groups, ad-hoc civic associations that focus on particular issues exist across the country.   In stories about infrastructure disputes, environmental groups (*kankyō dantai*) are often the key stakeholders that protest against proposed projects.   They are different from the groups that had been formed to protest against particular projects or industrial pollutions in the 1970s. They are also different from powerful environmental lobbies in the US.

Japanese environmental advocates are much less organized at the national level[264].   Environmental groups in Japan engage in various grass-root activities for environmental conservation, such as educational outreach and clean up. They are similar to grass-root organizations in the US that focus on the conservation of a particular watershed or a park (e.g., "Friends of …").   Many,

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[264] Pharr, S. (2003). Conclusion: Targeting by an activist state: Japan as a civil society model. In Schwartz, F. and Pharr, S. (Eds.) The state of civil society in Japan. (pp. 316-336). New York, NY: Cambridge.

not all, of them are officially incorporated as not-for-profit organizations, often abbreviated as NPOs.

They form a loosely-knit coalition when there is a need to protest against the government; however, they are often on bad terms with each other.   An interviewee who was involved in a project that was faced with protests by local environmental groups described the relationship as follows:

> Interviewee: *To be more exact, there were many different organizations.   They got together on the issue of wetland protection.   But they were normally on bad terms.   Not so good.   Mmm.   There were sects. I can't elaborate much, but…   (There were) schoolteachers or left-wing activists affiliated with the Teacher's Union* (nikkyō-so)*. On the other hand, there were local intellectuals who were interested in culture, history, and nature.   There were many different organizations, and they got together when the issue of wetland came up.   When the project got cancelled (in order to protect the wetland), they gradually dissolved the relationship.*

Political organizations

Compared to the aforementioned three types of organizations—the government, consultants, and community organizations—political groups have much less significance in the interviewees' vignettes.

Intervention by political actors

Political parties and politicians can take advantage of political polarization in a community triggered by infrastructure disputes.   Four interviewees referred to various forms of intervention by political parties including the Japanese Communist Party (*Nihon kyōsan tō*) and the Japan Socialist Party (*Nihon shakai*

tō).   An interviewee suggested that his project could move forward with negotiations with local communities because he "could prevent such outsiders from coming into the community."   Another interviewee, who observed an opposition movement against the construction of a waste management plant, explains his experience of having a party politician intervening into a community-based opposition group:

> Interviewee: *A local councilman from the Communist Party came to the second meeting (of the opposition group).   He claimed that his visit was intended to provide more information.   Then he distributed flyers. He started to argue that the town manager should be recalled, and this movement be continued, and such and such (laugh).   The movement was gradually taken over by the party.   Meanwhile other community organizations in neighboring communities held their own meetings against the project.   These community groups used to collaborate with each other fairly well.   But they gradually became on bad terms.   Finally, the opposition movement was divided into two factions…   People knew that some groups were heavily influenced by the party.   Some people didn't want to support the party no matter what it said.   So, they left the group and formed something like the second opposition group.   They were really pitted against each other.   Then they started to make arguments not to the town hall but to each other.   While they were quarreling, the project proceeded as scheduled.*

Stories of public disputes over the construction of a particular kind of infrastructure often involved political representatives at the national level[265].

The opponents used political channels to pressure the national government:

> Interviewer: *Who were those Diet members?*
> Interviewee: *They were not the representatives for the local interests.   The same group (of Diet members) came to protest against different (projects).*
> Interviewer: *How many Diet members were involved?*
> Interviewee: *Mmm.   Representatives from the local district came once or twice,*

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[265] The type of infrastructure cannot be revealed in order to protect interviewees' identity.   Only a handful of public officials at the national headquarters in each division are involved in the negotiation with Diet members.

*but there were four or five who always came. ... But at that time,
those affiliated with the opposition parties were not necessarily
available in every district. Opposition parties were weak in those
rural districts, in particular where (projects) were being built.
Maybe the condition is a little different now. No one could
represent for the local interest then. So, those who were interested
in those issues, not necessarily elected in those districts, came to us.
They did not oppose to each .. project. They teamed up with the
national coalition group.*

In general, however, political representatives do not appear in the vignettes of
infrastructure development as important stakeholders. They often appear as
auxiliary players who provide political support and intervention in order to assist
particular local stakeholders.

Significance of political movements in rural areas

In rural areas, debates over an infrastructure project can have an influence on
local politics. A rural community can be easily divided into polarized factions
for or against an infrastructure project if the project provides benefits to some of
its members while having unwanted impacts on the others. Anyone seeking an
elected position, such as the mayor and the townsman, must indicate whether he
or she is for or against the proposal in order to score votes. An interviewee
reflects on his experience, in which interpersonal relationships in a rural
community were disrupted because of such a political division:

*Interviewee: There were a few proponents in the community. The community was
        sharply divided in two groups…*
Interviewer: Why did the proponents support the project?
*Interviewee: Well. At the outset, everyone was against the project. But some of
        them started to trust our explanations… So, they left the protest
        group, and formed a new group…*
Interviewer: Did you see any confrontation between those groups?
Interviewee: Well… Supporters and protesters lived in the same community. So

they don't speak to each other.   They spread bad rumors about the other side…   like "They turned into supporters because they were tricked by the Ministry." …   The protesters group nominated a candidate for the town council.   But, the supporters group also nominated one.   …   I don't know much about what's happening in other countries, but at least in Japan, public projects create such problems to a greater or lesser degree.   But that divides rural communities severely.   Interpersonal relationships were jeopardized.   I wish we could care more about the interpersonal relationships between the people who have lived in the community for a long time.

Local councils

Local councils (*gikai*) seem to have a significant influence in infrastructure planning.   Each prefecture and municipality has its general council, whose members are elected by the vote of its residents.   If the local council makes an official resolution against a project, the project proponent has to do whatever it can to make the council withdraw the decision before the proponent can proceed. Even though local councils do not have the formal authority to veto any project undertaken by entities such as the national government, government officials are particularly sensitive to the reaction of local councils.   Two interviewees suggested that opposition by local councils were sometimes intended to draw more concessions from the project proponent.

> *Interviewee: Anyway they closed a bargain.   At the outset, they claimed that the nature and the environment should be protected, and the airport shouldn't be built.   But somewhere behind the door, sweet candies (laugh) were offered.   Like saying, "If there's an airport, more and better employment opportunities will be available."   Government agencies tried to rebut each argument (against the project).   Local councils, I mean, municipal councils decided formal resolutions against the project in the beginning.   But when (the compensatory schemes) came out, all councils reached resolutions to promote the project.   So, they closed the bargain when they got the candies (laugh).   Maybe they had no intention to protest.   They opposed as*

a negotiation tactic.

Academics

In Japan, academic scholars have a fairly important status in a variety of
policy-making efforts.   Most of them are faculty members of universities, and
referred to as "persons of learning and experience (*gakushiki keiken-sha*).[266]"

Shingikai and *iinkai* (deliberative committees)

The prominence of academic scholars in policy-making efforts in Japan is
supported by the importance of various consultative forums, known as
deliberative committees (*shingikais*) and advisory committee (*iinkais*).   Creation
of *shingikai*s is regulated by Article 8 of the National Administrative Organization
Act (*kokka gyōsei soshiki hō*): a *shingikai* must be established by a public law or a
cabinet order.   Only a limited number of *shingikai*s exist on the matter of
infrastructure planning.   In addition, the Cabinet issued a plan to reduce the
number of *shingikai*s in 1999[267].   The MLIT currently organizes thirteen
*shingikai*s, most of which address nationwide issues[268].   In addition to the
*shingikai*s, government agencies often create *iinkai*s[269].   Those *iinkai*s are ad-hoc

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[266] Schwarz, F. (1998). Advice and consent: The politics of consultation in Japan. New York, NY:
Cambridge. p. 74-5.
[267] Cabinet Office. (1999, April 27). *Shingikai-tō-no seiri-gōrika-ni-kansuru kihonteki-keikaku.*
Cabinet directive. [WWW Document] URL http://www.kantei.go.jp/jp/kakugikettei/
990524singikai.html.
[268] MLIT (undated). *shingikai, iinkai, tō.* [WWW Document] URL http://www.mlit.go.jp/singikai/
singikai.html
[269] They are also known as study circle (*benkyō kai*), research group (*kenkyū kai*), and study group
(*kentō kai*).   There is no difference in the function between those informal groups.

assemblies of academic scholars, researchers, consultants, and public officials. They are informally organized and not regulated by the National Administrative Organization Act[270].

Government agencies often enjoy autonomy in choosing members for a *shingikai* or an *iinkai*.   Even though they do not have complete freedom in choosing the *shingikai* members, they are generally careful to appoint only those who support government policies[271].   As a result, those organizations are often criticized as "'kept body (*goyō kikan*)' and 'invisibility-working fairly cloak (*kakuremino*)'. [272]"   It was in response to such criticisms that the Cabinet decided to reform the use of *shingikai*s[273].

Vignettes of infrastructure disputes and public participation included various uses of *iinkai*s that involved academic scholars.   First, *iinkai*s were used to formulate policy guidelines pertaining to public participation and involvement. For example, the development of guidelines for public involvement in highway planning and airport planning involved several academic scholars through *iinkai*s[274].   Second, they are occasionally created to supervise various public

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[270] The Japanese government does NOT have provisions similar to the sunshine laws in the US. Therefore, the government agencies have the freedom of holding *iinkai*s without publicizing them in advance.
[271] Schwarz, F. (1998). p. 62-4.
[272] Schwarz, F. (1998). p. 54.
[273] Cabinet Office. (1999, April 27).
[274] Togashi, A. (2002). *"simin sankaku-gata dōro keikaku purosesu"no gaido-ra-in*. Traffic Engineering, 6(37), 38-45.   MLIT (undated). *ippan-kūkō-ni-okeru arata-na kūkō-seibi purosesu-no arikata-ni-tsuite.* [WWW Document] URL http://www.mlit.go.jp/koku/04_outline/01_kuko/ 04_process/index.html.

involvement activities. The guidelines for public involvement in highway planning stipulate that third-party *iinkai*s that involve "persons of learning and experience" should be created in order to monitor the transparency, objectivity, and fairness of public involvement processes[275]. Third, *iinkai*s are occasionally used as devices for public participation by involving a few additional local stakeholders. Unlike stakeholder dialogue processes, those *iinkai*s involve many academic scholars with technical expertise pertaining to a project.

Normative realm

Vignettes in the normative realm are subcategorized into the followings: (i) interpersonal norms, (ii) participation norms, (iii) group dynamics, (iv) inter-organizational relationships, and (v) substantive norms. "Interpersonal norms" guide interactions between individuals. "Participation norms" inform each meeting participant of appropriate behaviors in the meeting. "Group dynamics" refer to commonly observed interactions between multiple individuals in a meeting. "Inter-organizational relationships" are concerned with the organizations discussed in the previous section. Vignettes in this category describe culturally accepted patterns of interaction between particular organizations. Finally "substantive norms" relate to implicitly shared understanding about substantive issues (e.g., fair division). Each of these five types of norms in Japanese infrastructure planning is explained below.

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[275] Togashi, A. (2002).

Interpersonal norms

Kao-mishiri (acquaintance)

Being "acquainted[276]" is one of the critical conditions for starting a constructive dialogue between the parties.   For instance, an interviewee (consultant) used a stage play to acquaint local residents with the functions of public officials..   He asked public officials to write a drama that recreated their daily jobs in the planning department:

> Interviewee: I was almost kicked out of the first meeting.   ….   Some participants (i.e., local residents) told us that they didn't need us, I mean, the consultants.   Then we did (the stage play by public officials).   Well, I was worried that they would complain about us to the city hall.   But the audience applauded their theatrical performance!   Then (the performers) went to the table.   When they came, these old ladies sitting around the table seemed to be feeling some bonds with the officials.   Someone said, "Hey, the actors coming to us!"   There seemed to be the feeling of being connected. The meeting went well.   The workshop meeting went smoothly.

At least five interviewees provided vignettes that indicate the development of acquaintanceship between stakeholders as a critical condition for constructive dialogues.   However, the sense of being acquainted is different from the Japanese sense of friendship (*tomodachi*)[277].   A consultant who has observed meetings of a committee for three years told an illustrative story:

> Interviewee: The number of official meetings so far is 10 or so, but in addition to those we had approximately 10 subcommittee meetings.   So the total number (of the meetings) would be about 30.
> Interviewer: I guess that the stakeholder representatives were complete strangers

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[276] *Kao-mishiri* in Japanese.   Its literal translation is "knowing (someone's) face."
[277] John Forester suggests that public sector mediators have to be "critical friends" of the disputants (See Forester, J. (1999). The deliberative practitioner: Encouraging participatory planning processes. Cambridge, MA: MIT. pp. 155-197).   The acquaintanceship discussed here is probably similar to the concept of "critical friends."

at the outset.   Did they gradually come close together?
Interviewee: No.   But maybe, it's better than it was before…   I think everyone now understands what the others are thinking, but they are not close together, something like that.

At least three other interviewees suggested that the acquaintance relationship was different from a friendship.   Their vignettes suggest that the relationship, as operative in an infrastructure planning context, can be characterized as a weak tie[278].   Stakeholders get together to resolve the conflict but do not meet each other frequently outside this arena.   They are not close friends[279].   Stakeholders work together to resolve their differences so that they can find an arrangement that they can live with.   According to the interviewees' stories, this level of interpersonal relationship (often characterized as *kao-mishiri*) is necessary to enable a constructive dialogue between stakeholders.

Seken-banashi (small talk)

In developing such an acquaintanceship, small talk, known as *seken-banashi* (small talk) in Japanese, seem to play an important role.   Even though such chitchat is not necessarily relevant to the project at all it encourages the sense of acquaintanceship.   A public official recalls the experience of negotiating with a landowner who wouldn't sell his land:

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[278] Granovetter, M. (1973). The strength of weak ties. American Journal of Sociology, 78(6), 1360-1380.

[279] The concept of friendship is different among the county, as Hall and Hall reports as follows: "In countries such as the United States, developing friendship is easy enough. ... However, a study on the subject, conducted by Edward T. Hall for the U.S. State Dept., revealed that a worldwide complaint about Americans was that they seemed capable of forming only one kind of friendship: the informal, superficial kind that does not involve an exchange of deep confidences." (Hall, E. and Hall M. (1987). Hidden differences: Doing business with the Japanese. New York, NY: Anchor Books. p. 7)

> *Interviewee: There was a thatched house, and the owner's farmland was inside the project area (for a highway).   Except for that old buddy everyone had sold the land.   That guy was only the protester…   He wouldn't give up.   I was told by the staff in our Land Acquisition Department that he was the most difficult person.   I went to his home every week, every week in the morning, just to see him.   He was a farmer…   Well, I went there so often.   His wife kindly offered me a cup of tea.   The guy looked annoyed to see me coming again and again.   But as time went by, he started to talk about his family.   They told me that their son was working for the town hall. The wife talked about what she heard from her son about the difficulties of working for public agencies…   One day, she suggested to her husband, "Why don't you give it a thought?   He comes to see us with so sincere intentions."   Then, the guy reluctantly agreed to sign the contract…   Sometimes I went into his farm and praised his cucumber.   I didn't ask for his land repeatedly…   Well, the guy actually didn't like the negotiators from the Land Acquisition Department.   He said, "They always asked for the land whenever they came.   That was all."*

Other interviewees, who have negotiated in rural areas with community leaders and persons adamant about their positions talked about similar experiences in which they gained people's confidence through friendly discussion of topics completely unrelated to the infrastructure project.   One young public official said, "Well, after all, we are all human beings… So, *seken-banashi* and things like that are maybe important."

Age as an indicator of status

Comparative studies of negotiation have found that Japanese are particularly concerned about "status.[280]"   Appropriate interactions between Japanese people

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[280] Hodgson, J., Sano, Y. and Graham, J. (2000). <u>Doing business with the new Japan.</u> Lanham, MD: Rowman &Littlefield. p. 35.; Influence of status difference on negotiation is often discussed under the heading of "power distance."   See Brett, J., Adair, W., Lempereur, A., Okumura, T., Shikhirev, P., Tinsley, C. and Lytle, A. (1998). Culture and Joint Gains in Negotiation. <u>Negotiation Journal, 14(1),</u> 61-86.

are guided by the difference or similarity in the relative status of the parties in dialogue. Six interview vignettes revealed the influence of age as a determinant of status in the interaction between various types of individuals. A junior consultant suggests the importance of age in managing public meetings:

> *Interviewee: When we meet with local residents… Well, I've just become 31 years old. Those residents won't trust me, or listen to me, because I'm too young. On the other hand, I'm more suitable for making them feel relaxed. Anyway, when we have to discuss important issues, basically, these males in the 40s or over are better suited. Everyone calmly listens to these persons. In such cases, I bring those persons out to the meeting. … Our five staff members, including my bosses, went to the first two or three meetings with the municipal government. Once we develop a trust relationship (with the public officials), only I, and sometimes another staff member, went to the meeting.*

In terms of status, hierarchy and the *kō-otsu* relationship (discussed below) are also important factors shaping the interaction between various types of government officials and consultants.

Participation norms

Can't speak out in the public

Even though there are a few outspoken stakeholders in various venues for resolving infrastructure disputes, most participants are reluctant to speak out in public forums. Vignettes related to public meetings that had no intervention mechanism to let each participant speak out (e.g., meeting facilitation), often included people who only participated by showing signs of agreement with particular speakers. A public official told about organizing a meeting with local

farmers in a very rural area:

> Interviewee: *Of course, we asked everyone to come to a meeting. In addition, we conducted individual negotiation by visiting each household directly. When everyone was there, different opinions wouldn't come out. But when we visited individual households, they have their own issues. Among the 6 or 7 farmers, 4 or 5 of them had the intention to continue farming. When everyone got together, everyone said that they wanted to continue farming. But in individual negotiations, some revealed that they had problems in finding their successors, and were considering closing their farms. So, the number (of negotiating parties) reduced by 1 or 2.*

This issue of "can't speak out" is related to the Japanese consciousness of *omote* (front) and *ura* (behind). According to T.S. Lebra, interactions of Japanese in the *omote* arena, where they are exposed to public attention, tend to be ritualistic[281]. In order to save face, they hide their true feelings to avoid taking actions that might offend bystanders. Her portrayal of ritualistic interaction precisely fits with interviewees' description of silent participants in large meetings.

Free-wheelers

Despite widespread sentiment against speaking out in public, there are a few "free-wheelers" who do not hesitate to offer their thoughts in the public. They are often called "vociferous (*koe-no ookii*)" persons. These people are often emboldened by their social status as community leaders.

> Interviewee: *In such instances (of consultative meetings), the head of the community is usually the first person to raise a question. Then the others follow. That's what usually happens. When there is a momentum, everyone starts to speak out. That's the common*

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[281] Lebra, T. S. (1976). Japanese patterns of behavior. Honolulu, HI: University of Hawaii Press.

pattern.

Such persons are, however, not always the leaders of local communities.   Many interview vignettes suggested that such vociferous persons did not have leader status among other participants.   In one consultative committee the vociferous person was a public official who did not have status superior to other members.

> *Interviewee:* *The representative from the City of X always respond to the presentations by the project proponents, like "This document is faulty."*
> *Interviewer:* *The first comment after the presentation by the proponent?*
> *Interviewee:* *Yes, yes, yes.   It always starts by the representative from X.   He says, "This statement is wrong," "I didn't agree with it," and "It's different from what we have agreed."   And we think, "There he goes again!"   We always couldn't discuss what we had planned. Many subcommittee meetings have been busted by him.*

Free-wheelers in public meetings were discussed unfavorably in the interview vignettes.   Organizers of public meetings, in particular consultants, regard them as an obstacle to managing these meetings effectively and tried to control their dominance.

Group Dynamics

Anger and peer mediation

Many stories about public disputes touched on the moment in which one participant expressed his or her anger against other members and project proponents.   Stories about such angry participants are often related to the norms against speaking out in the public.   By appearing "angry", these participants could break the norms for remaining silent, and speak out in public.

In five stories of infrastructure disputes, peer members appeased the angry person and tried to restore an atmosphere in which they could continue the dialogue.   The following is a story by an academic who served as the chairman for a participatory conference in a community:

> Interviewee: *What did I say? ...   Maybe I rejected him by saying, "This is not a forum for talking about such an issue."   Anyway, I was almost losing my temper.   Yes, myself.   Then, at last, the other average* (futsuu-no) *persons helped us.   Like appeasing him.   Yes.   Like saying, "There's no point doing that, man."   Then the man turned silent.   Soon he left the meeting.*

The same kind of interaction was found in another case, in which acrimonious verbal interactions between a public official and two academics were often moderated by an average citizen who participated in the meeting.   In other stories, however, participants did not necessary pay much attention to one person's anger. The difference between these stories lay in the level of relationship developed between the participants.   When peer members tried to appease the angry person, there was a sense of acquaintanceship embedded in the triangular relationship among the angry person, the person whom he or she is angry with, and the peers.   Everyone knew who the others were.   This triangular relationship created an incentive for the peers to mediate the dispute in order to maintain the acquaintanceship on which the decision making process depended.   In other words, if the participants share a sense of acquaintanceship, one person's anger and other emotional reactions can be appeased by peer members.   In stories in which angry persons were not appeased, peer members

did not know who the angry persons were or why they were angry.

Nemawashi

Literature on Japanese negotiation point to the importance of *nemawashi*: the practice of negotiating behind the scenes before holding formal meetings. The term *nemawashi* comes from a traditional Japanese gardening technique: when a tree needs to be transplanted, a gardener usually cuts its main roots well before the transplantation so that it will grow thin roots that will absorb water very well.

In the organizational realm of contextual issues affecting infrastructure disputes, community leaders are considered to be key stakeholders who should be consulted in advance through *nemawashi*. In fact, *nemawashi* is not just a technique for consensus building. It is a normative practice that must be followed. An interviewee elaborates this point.

> *Interviewee:* *Regarding the local business association, there won't be any problem at all if we give a friendly notice to those local people. But if we don't do that at all, we will encounter a harsh reaction. The project in the previous year was faced with such oppositions. In the next year we first consulted with local people (and they helped us). ... I think, it is crucial that we first talk with them, and follow the ceremony of developing a formal acquaintance (*jingi-wo kiru*).

Therefore, to regard *nemawashi* simply as a technique for consensus building negates its ritualistic meanings. Such visits—in particular to local community leaders—behind the scenes must be made as a sign of respect.

Sō-ron sansei, kaku-ron hantai

Two interviewees used the Japanese term *sō-ron sansei, kaku-ron hantai* in elaborating their experience with public participation. It refers to the tendency of the public to agree with generalized goals but to disagree with particular plans. An interviewee explains his experience of preparing a neighborhood traffic regulation plan with local residents:

> *Interviewee: Well, in a nutshell, it is a* sō-ron sansei, kaku-ron hantai *situation. We first organize a general committee for the whole area. ... Later we organize committees for each street by involving the residents on the street. In the general committee, everyone agrees with the strategies for the whole area, such as "better traffic safety" and "exclusion of thru traffic." ... They agree with those* sō-rons *(general strategies). But then we have to decide on the specific devices and regulations. As you know, we build humps and chicanes. But they don't like to have the humps built in front of their houses (laugh). They also disagree with the plan to introduce the one-way traffic regulation on their street. But the community have to decide to which street they will introduce the one-way traffic regulation. So, we have to explore those issues between* sō-ron sansei *and* kakuron hantai.

This might not necessarily be a dilemma that is culturally particular to Japan. It is plausible that even in the US that stakeholders might agree with generalized goals but oppos particular plans. Whether or not it is culturally unique, *sō-ron sansei kakuron hantai* is one of the contextual factors that Japanese planners must anticipate in organizing participatory planning efforts.

Inter-organizational relationship

Several relational patterns may be commonly observed between particular types of organization. They inform each party of appropriate patterns of

interaction between the members of those organizations.

Kō-otsu relationship between government agencies and consultants

Japanese consultants are under the pressure of the *kō-otsu* relationship. *kō-otsu* means "the first party, the second party."   Service contracts in Japan usually use the Chinese character of *kō* and *otsu* to represent a consignor and a consignee respectively.   The *kō-otsu* relationship is a jargon term used by government officials and consultants; it refers to the fact that the consultants are contractually bound to perform services to the government.   It also implies that the consultants are under the complete control of the government officials.   At the same time, the government is supposed to take full responsibility for the work that it commissioned from the consultant.

> Interviewee: *... and the* kō-otsu *relationship with consultants.   If you see a report (for a project in a foreign country), the consultant's name is indicated on the cover. ...   It implies that this consultant is responsible for the numbers (that the consultant prepared for) the report.*
> Interviewer: *The same thing won't happen in Japan?*
> Interviewee: *Probably never.*

For instance, Japanese consultants usually do not appear before the public in consultative meetings,unless they are hired as facilitators, because government officials are supposed to know everything about the work they commissioned.

The relationship between government officials and consultants is similar to *jouge-kankei*—the vertical relationship—rather than a partnership[282].   The

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[282] Nakane, C. (1970).

vertical nature is also reflected in the language.   Contractors are called

"*shita-uke*" in Japanese; *shita* means "under" or "lower."

When a consultant was asked to act as a neutral assistant to a consultative

committee convened by a prefecture, it encountered difficulties in working with

municipal governments:

> *Interviewee: Well, umm…   Municipalities assumed that we were a contractor
> hired by the prefecture. … They can't imagine a neutral organization.
> It's not commonsensical (to them) based on the experience of
> conventional* iinkai*s in the past.   This was an exceptional case.
> So, we were simply the prefecture's contractor.   As a result, well…
> It was not derogatory, but they told us something like, "What the
> heck are you doing?   If the prefecture wants to build the facility
> then you should prepare a report supporting it."*

Municipal government as a mediator between project proponents and local communities

Municipal governments often serve as mediators between the national

government and local communities during the planning and the implementation of

large-scale infrastructure projects.   For instance, the national government relies

on municipal governments to relay project information to local communities.

For large projects, such as the development of highways and high-speed railways,

local governments establish a special section or designate a special officer in to

deal with various issues throughout the planning and the construction of

infrastructure.

> *Interviewee : At the prefectural level, the Coordination Office (*taisaku-shitsu*) will
> be created first.   Below that, I mean the prefecture, there are cities.
> Each city usually establishes a Coordination Division (*taisaku-ka*)
> or something like that for the liaison purpose.   It is sometimes*

> *established as a subsection of the Urban Planning Division…*
> Interviewer: *So, the liaison person at the municipality's Urban Planning Division*
> *does what?*
> Interviewee : *Usually that person deals only with our project.*
> Interviewer: *Ah.   Only for the project.*
> Interviewee : *We ask them to do so.   That person works as a sort of the*
> *"connecting person (*paipu-yaku*)" between our project manager*
> *and local communities.   We ask the person to coordinate with local*
> *communities, including the task of scheduling community meetings.*
> *Well, it is not necessarily true for all of our projects.*
> Interviewer: *The municipal officer stands in the middle.*
> Interviewee: *Yes.   Someone like a "connecting person."*

Sometimes, information goes in the opposite direction.   In a few railway construction projects mentioned by two interviewees, municipal government served as the primary contact for the local residents.   The following is a story from a very small village:

> Interviewer: *Did the local residents make a phone call to your office?*
> Interviewee: *Well, the first contact was indeed to the village's town hall (*yakuba*).*
> *Village managers were asked (by the local residents), "Water won't*
> *come out anymore.   What's going on?"   Then, they thought, "Well,*
> *there's nothing going on around your places.   But if I have to*
> *identify something that's currently going on, there's a construction of*
> *a railway over there."   So, the village's town hall made an inquiry*
> *to us.   Our projects may have done something wrong.   But we*
> *didn't hold a public meeting in the area, because it was outside the*
> *potentially impacted areas that we had projected.*

The role of the municipality as a mediator increases when the project must be registered as part of the municipality's urban plans (*toshi-keikaku*).   This issue will be explored in the section on the regulative realm.

Substantive norms

Interviewees also touched on various normative issues unrelated to personal interactions and group dynamics.   The most commonly cited issue was the

egalitarian norm and its influence on the actual practice of planning.   There seems to be a mild consensus that every person is entitled to receive an equal amount of compensation and attention from the government.   A public official discussed the difficulty of making special arrangements in the context of developing sidewalks on a national route:

> Interviewee: Well, that's because of the standards.   Of course we can't apply our standards too strictly.   But if we give up too much, then they will say, "Why that person got a larger (entrance)?   Why I can't?"   That's all.   We have to do things equally.   That's the thing we take pains.
> Interviewer: If you sweeten up someone then you will be asked from others?
> Interviewee: Yes.   If one's neighbor with the same condition has a wider entrance, he will get angry.   We can't explain to him.   So, that's what we cared the most.

In infrastructure disputes, precedents are used as the reference points for argument, as in the story cited above.   If equality is an accepted norm of the society, anyone who is influenced by a project is likely to be entitled to as much compensation as others have received.   However, sometimes that is impossible, especially when the economy is in stagnation.   This issue is further discussed in the "settings" section as one of the subjects for dispute.

Regulative realm

Various regulations influence policy-making processes for infrastructure developments in Japan.   Infrastructure planning in Japan must comply with public laws, which are enacted by the Diet, as well as with informal guidelines, ordinances, and other regulations of the national and local governments.

Public laws

Urban Planning Act

Among various regulatory frameworks, such as environmental impact
assessment and the project evaluation system, urban planning decisions
(*toshi-keikaku-kettei*) based on the Urban Planning Act of 1968 (*toshi-keikaku-hō*)
are the most important forinfrastructure planning in Japan.   Road, highway, and
urban redevelopment projects must be registered in the prefecture's urban plan
(*toshi-keikaku*) before project proponents start land acquisition and construction.
In most cases, project proponent and municipalities, under the direction by the
corresponding prefecture, jointly hold several consultative meetings (*setsumeikai*)
near the project site.   Each municipality prepares a draft urban plan with inputs
from local residents, and the prefecture incorporates it into its final urban plan.
Anyone can submit his or her written comments on the draft within two weeks
following its publication.

After reading those comments, as well as hearing the opinions of the
prefecture's City Planning Commission (*toshi-keikaku shingikai*), the governor
makes a formal urban planning decision.   Within two years following the
decision, the proposed project must be approved as an urban plan project
(*toshi-keikaku jigyō*) by the governor.   When an area is designated for a project,
all construction activities in the area, other than those for the approved project, are
prohibited.   The project decision also grants the project proponent the power of

eminent domain.

In Tokyo, a number of urban planning decisions, including one for the Gaikan highway, were made in the late 1960s. Those were referred to as last-minute (*kakekomi*) decisions by the interviewees. Project proponents submitted their proposals before the enactment of the new Urban Planning Act of 1968, which required government agencies to seek more inputs from local communities.

However, many projects were suspended in the 1970s as described in Chapter 1. Suspension was not equal to the withdrawal of those decisions. These planning decisions remained effective even though the government did not try very hard to implement them. Because these plans remain inactive, those who have houses within the designated areas have not been able to renovate their homes nor sell their lands for 30 years. This legacy of inaction is an important contextual element complicating the resolution of infrastructure disputes in Tokyo. The issue was mentioned in almost all of the stories related to the Metropolitan Tokyo District. In a recent project to widen a major street in Tokyo, residents of the abutting areas demanded that the project be implemented for their neighborhoods as well:

> Interviewee: There wasn't much opposition (to the project). But the biggest issue was that the urban planning decision was abandoned for 50 years... The current width of the road is 25m. The plan is to widen it to 50m… (The landowners') opposition was intense. They demanded that the whole project be implemented instead of only a part of it. The segment we were working on was approximately 2km. The urban plan decision was made for a 4km segment. It had long been unimplemented, and only 2km of it would be implemented. The protest from the rest of the project site

> *was immense.*
> *Interviewer: Asking for the implementation in their area as well?*
> *Interviewee: Yes.*

In the same project, these landowners demanded compensation for the financial losses imposed by the building restriction.   The interviewee said that such compensation would not be legally permissible.

Environmental Impact Assessment Act

Another important law affecting Japanese infrastructure planning is the Environmental Impact Assessment (EIA) Act (*kankyō-eikyō hyōka hō*).   It was enacted by the national Diet in 1997.   Before its enactment, a Cabinet Order required environmental impact assessments for all major infrastructure projects. In addition, all prefectures have their own EIA ordinances.   Unlike the National Environmental Policy Act (NEPA) in the US, the EIA Act in Japan seems to be a relatively trivial issue in the infrastructure planning processes.   Approximately a quarter of interviewees (11) referred to various systems for EIA, but only three of them referred to it in the context of controversy.   Those EIA controversies were all related to the projects in the Tokyo suburbs.

One possible reason for the relatively low importance of EIA in infrastructure disputes in Japan is the integration of EIAs into the formal urban planning processes described in the previous section.   Most public meetings and other venues for sharing public information for an EIA are combined with the public forums for urban planning decisions.   No additional forum for public

involvement was created for environmental impact statements (EIS: *kankyō eikyō hyōka-syo*), in addition to public meetings for the Urban Planning processes that had been in place since 1968[283].   Another possible reason for the low prominence of EIA processes is the lack of the kind of political implications that an EIS has in the US.   Even though the Environment Ministry has the formal authority to suggest revisions to the draft EIS, it rarely does so.   A consultant suggested the scarcity of ministry interventions as follows:

> *Interviewee: It was a project to reclaim a wetland.   The wetland was ... considered to be very pristine as a location for bird migration. Environmental groups opposed to the project fiercely. ...   In fact, there were substantial concerns about environmental impacts.   So, (the project proponent) agreed with the Environmental Agency, now the Ministry, to stop the project if there would be environmental impacts.   This was a very rare case at that time.   The project moved forward with a possible termination in the middle.   At that time, it was a very innovative project.   I heard (that it was innovative) from other people as well.*

Urban planning decisions have many more implications than does EIA for local neighborhood and property owners because they can impose serious restrictions. Formal urban planning processes also have a longer history in Japan compared to the EIA.

River Law

Almost all interviewee who discussed watershed management projects referred to the River Act (*kasen hō*) of 1997.   This new Act requires river maintenance

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[283] The EIA Act requires a public meeting in addition to the requirements by the Urban Planning Act; however, it is held in a very early stage of planning and does not often address infrastructure disputes or substantial issues in planning decisions.

authorities (in most cases the national government) to formulate a master plan for river environment management (*kasen seibi keikaku*) for every watershed. Article 16-2 of the law mandates the authority to solicit inputs from "persons of learning and experience" and the public into the master plan.   The law reads,

> *Article 16-2. (3): In preparing a draft master plan for river environment management, the river management authority must listen to the opinions of the persons of learning and experience when the authority acknowledges that it is necessary.*

> *Article 16-2 (4): In (preparing a draft master plan for river environment management,) the river management authority must take necessary measures, such as public hearings, in order to reflect the opinions of the relevant residents when the authority acknowledges that it is necessary.*

Because of those provisions, a number of participatory forums have been created across the nation in preparing such master plans.   Before the River Law was amended in 1997, there was no legal mandate for government agencies to involve the public; the Urban Planning Act did not regulate the watershed management. Revisions of the law in 1997 had a significant impact on policy making in this field.

<u>Guidelines</u>

Aside from the Urban Planning Act and other major planning laws, the government occasionally issues formal regulations such as *shō-rei* (ministerial order) and *tsū-tatsu* (administrative guidance).   These seem to have a significant

influence in changing how public officials conduct their business.   For instance, the Ministry of Land, Infrastructure, and Transport issued a guideline for public involvement in 2003[284].   This helped an interviewee, who is a private consultant working on public involvement projects, argue for more public involvement activities.   Previously, he had to overcome considerable resistance to such activities from skeptical staff in field offices.   Now, he doesn't encounter harsh rejections because the Ministry issued the guideline.

Another consultant was also helped by a city's ordinance that required public participation.   His client, the city's section chief, was reluctant to request the participation of other section chiefs in a participatory conference on Sundays because of possible negative reactions from them.   However, the ordinance explicitly stated that each section of the government would foster partnerships with civil society organizations.   The ordinance empowered him to request other sections to participate on Sundays without worrying about their angry reactions.

Those stories suggest the power of formal guidelines in changing the conduct of government organizations.   The guidelines alone can't change the way in which the government conducts its business.   Organizational theorists reject the idea that organizational change can be effected by the unilateral imposition of new guidelines[285], a position underscored by the interviewees' experiences.

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[284] MLIT. (2005, June 30). *Kokudo-kōtsū-shō shokan-no kōkyō-jigyō-no kōsō-dankai-ni-okeru jūmin-sanka tetsuduki-gaidorain-no sakutei-ni-tsuite.* Press Release.
[285] Beer, M., Eisenstat, R., & Spector, B. (1990). Why change programs don't produce change.

However, they were able to use the symbolic value of the guidelines to persuade reluctant officials to adopt participatory planning processes: This existence of the guidelines implied support from the top of the hierarchy.   Considering the strength of vertical relationship between government officials, directions from the top are likely to have a substantial effect in changing the conduct of those with lesser authority.

Fiscal year

Project deadline

In Japan, service contracts with the government start and end within each fiscal year (April 1 - March 31).   Consultants must finish their project by the end of March, and wait until sometime in the next fiscal year for public officials to commission new contracts.   Sometimes, this time constraint overburdens Japanese consultants, because the deadlines for almost all of their commissioned works are set for March.   It is a ritual among consultants to complain about their busy schedule in March.

   This time lag is can pose a special problem for participatory planning projects. One of the interviewees, a private consultant, even volunteered to continue a participatory project in the early part of one fiscal year without being paid by the government because he had once lost the active participation of local residents

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Harvard Business Review (Nov.-Dec.), 158-166.; Kohn, A. (1993). Why incentive plans cannot work. Harvard Business Review (Sept.), 54-63.; Carroll, J. S. & Hatakenaka, S. (2001). Driving organizational change in the midst of crisis. Sloan Management Review, 42, 70-79.

due to the time lag between contracts:

> *Interviewee:* *I think the continuity of participation is important.   I became keenly aware of that.   On the government's side, there are transitions between fiscal years.   But there's nothing to do with that on the residents' side.   When the project is put on hold, I felt something have to be done as an interlude. ... (In another project,) the workshop meetings started in October or November 199X, and the last one was supposed to happen at the end of March, but it was actually delayed until April.   Then, the same thing happened like the other case.   What I did was to try a new participatory planning method.... I wanted to secure the continuity of participation.   It was an interlude.   So it was a pro bono project.*
> *Interviewer:* *There was no contract (between him and the government agency)?*
> *Interviewee:* *No*
> *.*

Personnel transfers

Because almost all government agencies in Japan assume lifetime employment, each staff member is automatically promoted to a higher position even without applying for it.   For example, the MLIT suggests a model "career path (*kyaria pasu*)" for its staff members as follows:

> **Year 1 to 3:** *After the employment, you will be assigned to policy-making and legal functions as the headquarters' staff.*
> **Year 4 to 6:** *As a subsection chief of the headquarters, you will be assigned to policy-making and regulatory functions with more creativity.   You will have opportunities to expand your skill of civil service as a section chief of regional divisions or a seconded staff to other ministries.   You will have chances to study in domestic and foreign universities by applying for the Civil Servant Long-term Research Fellow systems.*
> **After Year 7:** *As a deputy section chief of the headquarters, you will assume the key policy-making functions of the MLIT.   After that, you will serve as the first-class secretary in foreign diplomatic missions, division or section chief of local governments, or division chief of regional divisions.   After those careers, you will be promoted to prominent positions, such as the section chief of the headquarters.*[286]

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[286] MLIT (undated). *saiyō-jōhō teikyō hōmu-pēji*. [WWW Document] URL http://www.mlit.go.jp/ saiyojoho/categ01.html.

Promotions usually occur at the beginning of each fiscal year, the first weekday of April.   For employees of the national government, a new assignment can be located anywhere in Japan.   When an officer is appointed to a new position, he or she must learn how his or her predecessor has managed various projects.   This transition, known as *hikitsugi*, can have serious impacts on public participation projects.   In the interviews, four consultants suggested that the transition at the beginning of a fiscal year changed the course of projects in which they assisted.

> *Interviewer:*   *You mentioned that nothing has happened for one year.   Did the transfer influence the inaction (of the government agency)?*
> *Interviewee:*   *Staff transfer is a huge issue.   This kind of consultative committee would take two and half years (to complete).   But the processes often stop in April because the assigned officers change.   If that was the case, let's say if we planned to have the next meeting in May, but would be delayed until July or later because of the issues at the field office.   Well… Everything usually works fine if the newly assigned person agrees with us.   We explain how we managed (the committee).   But if the new person didn't agree with us, everything would collapse.   I heard such stories from my bosses.   Fortunately I do not have such an experience in person.*

Settings

Meeting logistics

In Japan, official public meetings for local residents, such as consultative meetings, are held in the evening so that workers can participate.   The utility of this tradition is obvious to public officials that a few of the interviewees sounded surprised to be asked about the starting time for such meetings.   Meetings are usually held at community halls owned and managed by community organizations, or at elementary or junior high schools gymnasiums.

Techniques

Fourteen techniques for meeting management, public participation, and public involvement were identified in the interviews. They are:

- Open house *(ōpun hausu)*
- Study forums (*benkyō-kai*)
- Project Cycle Management (PCM) (*pī-sī-emu*)
- Facilitation (*fasiritēshon*)
- Workshop (*wāku-shoppu*)
- Pattern language (*patān rangēji*)
- Brainstorming (*burēn-sutōmingu*)
- KJ method
- Newsletters (*nyūsu retā*)
- Public comment (*paburikku komento*)
- Survey (*ankēto*)
- Delphi *(derufai)*
- Social experiment (*shakai jikken*)
- Site visits (*genchi-kengaku*)

Most of these techniques are adaptations of English words using Katakana characters in Japanese. This suggests an influx of participatory planning techniques from abroad. Indeed, the National Institute for Japanese Language included "public involvement (*paburikku inborubument*)" as one of the foreign words that should be translated into Japanese[287].

Subject

Compensation for land and other assets is the subject that appeared most often

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[287] See the web site for the "Foreign Word" Committee of the National Institute for Japanese Language. http://www.kokken.go.jp/public/gairaigo/Teian3/index.html. According to its survey, less than 25% of the public could not understand those words.

in the interviewee's stories.   It seems that the land acquisition for infrastructure development has become more difficult in recent years.   An interviewee, who was a project manager for the Ministry in the 1980s, mentioned that landowners were actually better off selling their land to the government than to real estate developers.   In the late 1980s, the bubble economy had driven up land pricse and inflated landowners' expectations.   Following the collapse of the bubble in 1992, land prices fell substantially.   According to three interviewees, landowners then became more reluctant to accept the offers from the government because they had received better offers in the late 1980s.

The level of compensation is also different among the types of project. According to interviewees' stories, airport projects seem to offer the largest amount of compensation, followed by highway projects.   Railway projects tend to offer the least amount because the private corporations that own the railways will pay property taxes to municipalities every year following completion of the project. (Infrastructure owned by government agencies is not taxed.)   These differences in the level of compensation complicate negotiation for land acquisitions.   A project manager in a railway project explained the difficulty of negotiating for land acquisition in a neighborhood where local residents had negotiated with highway authorities in the past; they expected as much compensation as they received from the highway project:

> Interviewee: I was working for a project to develop a railway in a rural region.
> In some parts of that region, the route of the railway is almost

aligned with an existing highway. .... In such areas, local residents were previously compensated by the Japan Highway Co (nihon dōro kōdan)[288]. They argued, "Hey! Everything is so different!" I responded, "Yes, because the system is completely different." When I explained such systematical differences, they understood. But they often base their argument on the expectations that were developed through sweet deals with the Japan Highway. So, sometimes our negotiation got off the track.

Conclusion

In this chapter the context for Japanese infrastructure planning was reviewed using data from in-depth interviews with 40 Japanese practitioners. Based on a qualitative analysis of the interview data, the context can be disaggregated into four realms: organizational, normative, regulative, and settings. The attributes of the functions in the four realms together form the context in which practitioners must prepare infrastructure development proposals and resolve disputes with local residents.

In order to fully explore all the material relevant to decision making that could be gleaned from the interviews, it was necessary to build on Scott's analytic framework. I substituted the term "realm" for Scott's term "pillar"' to suggest the potentially interactive quality of Scott's groupings. I recast the category of "cognition" to reflect the structural elements of organizations. Finally, I added a realm, "settings", to encompass a set of elements related to decision making that may be of critical importance in analyzing the impacts of the introduction of new designs. In developing this approach, the objective is to build an analytic

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[288] A public authority that developed and managed most of the national highways in Japan. It was privatized on October 1, 2005 and divided into three "Expressway Companies."

framework that researchers can use to think about the addition of any new decision tools, not only consensus building, to a existing cultural mix.

In Chapters 5 through 8, I will examine an experimental use of consensus building processes in Japan by focusing on the relationship between the experiment and the Japanese context.   Because the experiment was conducted in the Japanese context of infrastructure planning, "interactions" between the Japanese context and consensus building could be expected.   The contextual factors identified in this chapter influenced the way consensus building was performed for the first time in Japan.   At the same time, as the essential functions of consensus building were carried out, some of these contextual factors were transformed.

Chapter 5: The Site: Kita-josanjima Intersection

The consensus-building experiment took place in Tokushima, Japan.   In order to fully understand what happened during the experiment, one has to understand the contextual background.   Important elements of the context in which public infrastructure disputes are resolved in Japan have been reviewed in the previous chapter.   This chapter provides an overview of the experimentation site, the community of Kita-josanjima in the City of Tokushima, Tokushima Prefecture, as well as problems associated with the previous configuration of the Kita-josanjima Intersection that led to the experimental introduction of consensus building.

Issues with the Kita-josanjima Intersection

The Kita-josanjima Intersection

The Kita-josanjima Intersection is located on National Route 11 (NR 11: *kokudō*), half mile south of the Great Yoshino River Bridge (*Yoshino-gawa ō-hashi*) and a mile north of the Tokushima Prefecture Headquarters.   NR 11, Prefectural Route 39 (PR 39: *kendō.* also known as the "Tokushima-Naruto Line" and "Tamiya Route" by locals), and the city's Josanjima-Okinosu Line intersect at the Kita-josanjima Intersection (see Figure 5-1).

PR 39 and the city road are both one-lane (for each direction) roads.   Even though the prefectural route and the city road may appear to be a single street because of their alignment, they are owned by different entities.   PR 39 functions
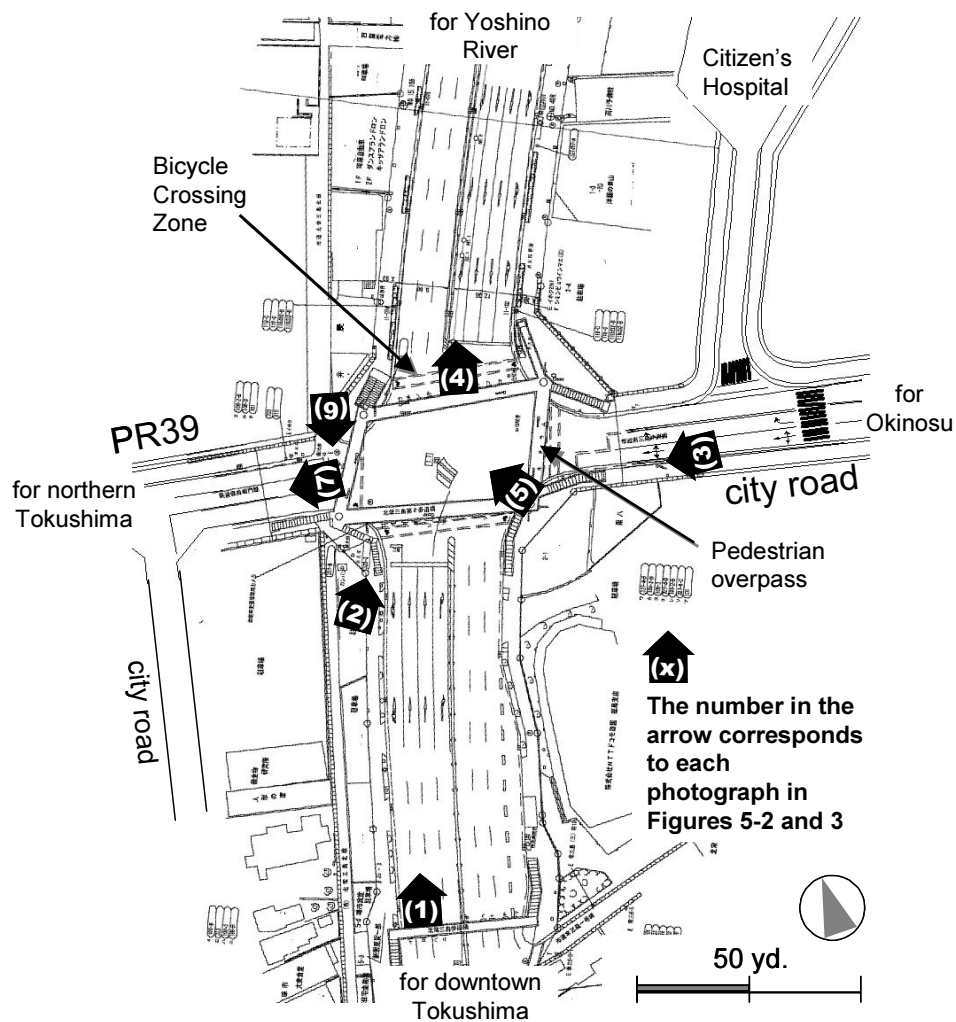
Figure 5-1: NR 11 Kita-josanjima Intersection

as the key east-west axis for the northern part of Tokushima City.   The city road

toward the east is one of the few routes to a coastal neighborhood known as

Okinosu.   The city's Central Food Market and an industrial complex are located

in Okinosu.

NR 11 widens from three lanes to four lanes (an additional lane for right turns
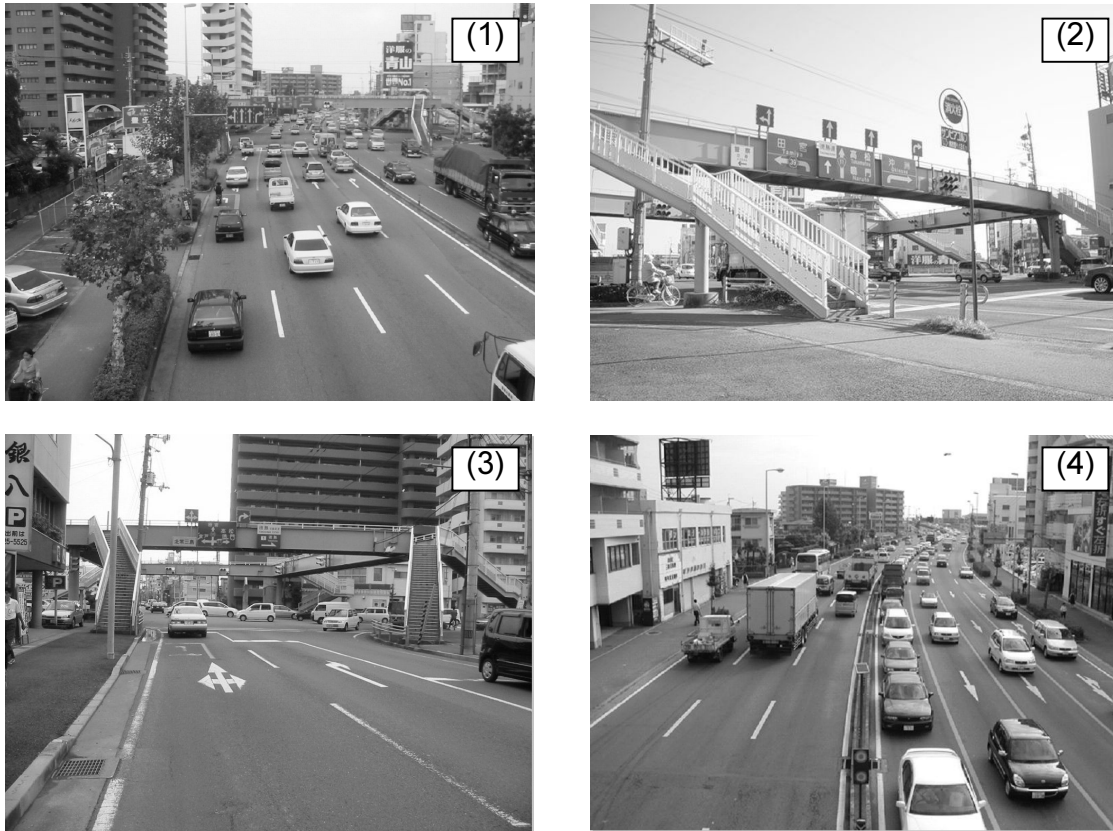
Figure 5-2: NR 11 Kita-josanjima Intersection

(Photo: Reproduced from TAT (2005, September 2). *Kita-josanjima Kosaten no genjō to kōsaten-no kaizen jirei* ((1), (3), (4)). Masahiro Matsuura (2)).

only) before entering the intersection 200m [220 yards] from the north and 100m [110 yards] from the south.

The design of PR 39 to the west of the intersection is a little complex. Another signaled intersection is located only 50 yards away from the Kita-josanjima intersection.   From the intersection a one-lane (each direction) city road goes south in parallel with NR 11.   This city road used to be NR 11 before the current one opened.   Locals call this the old road (*kyū-dō*).   Between

Figure 5-3: NR 11 Kita-josanjima Intersection (2)
(Photo: Reproduced from TAT (2005, September 2). *Kita-josanjima Kosaten no genjō to kōsaten-no kaizen jirei.*)

this intersection and Kita-josanjima, there are three lanes on PR 39: one westbound and two eastbound.   The middle one is restricted for right turns onto NR 11.

Entrance from the other city road to the east of the Kita-josanjima intersection to the Kita-josanjima Intersection has three lanes as well: two westbound and one eastbound.   The middle one is restricted for right turns to the north.

The intersection has a pedestrian overpass structure, which was initially built

Chapter 5

Number of accidents by the parties involved

	Pedestrian	Bicycle	Motorbike	Automobile
1997	1	3	0	7
1998	0	0	0	8
1999	0	3	0	8
2000	0	1	1	6
2001	0	0	2	5
2002	0	2	0	3
2003	0	2	0	5
Total	1 (1.8%)	11 (19.3%)	3 (5.3%)	42 (73.7%)

Types of accidents involving motorbikes and automobiles

Rear-end collision	29 (64.4%)	Left-turn	2 (4.4%)
Front-end collision	1 (2.2%)	Right-turn	6 (13.3%)
Side-impact collision	5 (11.1%)	Other types	2 (4.4%)

Figure 5-4: Number of traffic accidents at the Kita-josanjima Intersection
Source: TAT (2005, September 2). *Kita-josanjima kōsaten no genjō to kōsaten-no kaizen jirei*.

when NR 11 opened in 1973.   According to traffic rules, pedestrians should cross the street by walking over the overpass to avoid traffic accidents and to facilitate the flow of automobile traffic.   In order to accommodate bicycle traffic, however, Bicycle Crossing Zones (BCZ: *jitensha-ōdantai*) are drawn between corners (shown as dotted lines in Figure 5-1; see picture (5) and (6) in Figure 5-3). Even though only bicycles are supposed use the BCZ, the physical arrangement allows pedestrians to walk on the BCZ.

   The number of reported accidents at the intersection has been slightly decreasing since 1999 (see Figure 5-4).   Seven accidents were reported in 2003.

Three quarters of the accidents between 1997 and 2003 involved automobiles.
Two thirds of these automobile accidents were rear-end collisions.
Approximately one fifth of all accidents between 1997 and 2003 involved
bicycles.   Three quarters of those bicycle-related accidents occurred when
automobiles were making left turns.

<u>Key issues for the convening agency</u>

The Ministry of Land, Infrastructure and Transport (MLIT) is responsible for
managing and improving physical arrangements of National Routes, including
their intersections with crossing streets.   Its local field office staff—Tokushima
River and Road Office—maintains the Kita-josanjima Intersection.   Due to the
relatively large number of accidents, the Intersection was officially designated as
one of the most dangerous points (*jiko kiken-kasho*) in Tokushima prefecture.
Because of this designation, the field office had a mandate to improve the
physical arrangement of the Intersection in order to reduce the number of
accidents within a few years.

The Intersection is heavily used by different kinds of traffic flowing in from all
directions.   To make matters worse, because PR39 and the city road extending
from the Intersection are among the most important streets for Tokushima City,
many drivers make either left or right turns at this intersection.   These complex
movements increase the risk of traffic accidents between automobiles, motorbikes,
and bicycles.

Another key issue was the need to improve ways of handling pedestrian traffic. Even though pedestrians are supposed to walk on the overpass structure, it has been reported that pedestrians, especially elderly people who don't have the strength to climb up the stairs, occasionally cross the street by walking in the Bicycle Crossing Zones.   The city's main hospital is near the Intersection, and the lack of accessible facilities for physically-challenged people seemed to be a problem.

Therefore, there was a clear need to improve the Intersection; however, finding a set of feasible improvement options could not be a simple task because any changes would affect a wide range of local residents and other stakeholders.   It was very possible that local stakeholders would try to forestall the implementation of a project that would negatively influence their lives.

Need for consensus building

Compared to other onerous public disputes discussed in Chapter 1, disputes over the new arrangement for the Kita-josanjima Intersection were not likely to be as intense because negative impacts from the improvement would be limited to local stakeholders.   Any protests would probably not involve supporters outside the immediate community.

However, there was a clear potential for a local public dispute.   Business owners having parking lots adjacent to the Intersection would probably protest any proposal that would make their parking lots inaccessible from NR 11.   Local

residents would probably oppose to a project if it would increase road noise. Local schools and parents would protest if the agency removed the pedestrian overpass, which children had been using to walk to school.   Bicycle users would be angry if the project removed the BCZ and forced them to take detours. Drivers in Tokushima, who had been suffering from severe rush hour congestion, wouldn't tolerate longer red lights which would make it much worse.

Clearly, a wide range of stakeholders could be influenced by the reconfiguration of the Kita-josanjima Intersection; however, no one had a clear idea of who the important stakeholders were and what their interests might be. Therefore, the organizer of the experiment considered that consensus building would help stakeholders and the convenor (i.e., MLIT) to find feasible improvement options for the Intersection.   They assumed that consensus building through conflict assessment and facilitated dialogues between stakeholder representatives could effectively address these questions.

In theory, the experimental application of consensus building could have demonstrated more social implications if it were used to resolve a more intensive dispute such as the one over the renovation of Daijū River Dam (see Appendix 1-A).   In practice, it would have been extremely difficult to convince the leadership of the convening organization to experiment with consensus building, which had never been tried in Japan before, to such a high-profile case.

The intensity of possible conflict over the Kita-josanjima project was, however,

very appropriate for the first experiment.   Because the problems with the Kita-josanjima Intersection could probably have been handled in other ways if the consensus building process produced no meaningful outcome, the project was an appropriate field for experimenting with consensus building, as practiced in the US, for the first time in Japan.

The context for the Kita-josanjima Intersection

Tokushima

The experimentation site is located in the City of Tokushima in Tokushima Prefecture.   Tokushima Prefecture is located on the eastern end of Shikoku Island, one of the four major islands of Japan (see Figure 5-5).   Shikoku means "four states" in Japanese; the island was named after the four states—*Awa, Sanuki, Iyo,* and *Tosa*—that had been in place for more than thousand years.   Shikoku is connected to Honshū, the main island of Japan, by the Honshū-Shikoku Connection Bridges (*Honshū-shikoku renraku kyō*) most of which were opened to the traffic in the 1990s.

Tokushima Prefecture has a population of 810 million and an area of 1,600 square miles[289].   Eighty percent of its land is mountain terrain[290].   Most communities are aligned with the coast and Yoshino River Valley.   Akashi Strait

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[289] Statistics Bureau of Japan. (2005). *heisei 17-nen kokusei chōsa*
[290] Tokushima Prefecture. (undated). *tokushima-ken ni tsuite.* [WWW Document] URL
http://www.pref.tokushima.jp/generaladmin.nsf/about?OpenPage&TableRow=2.2
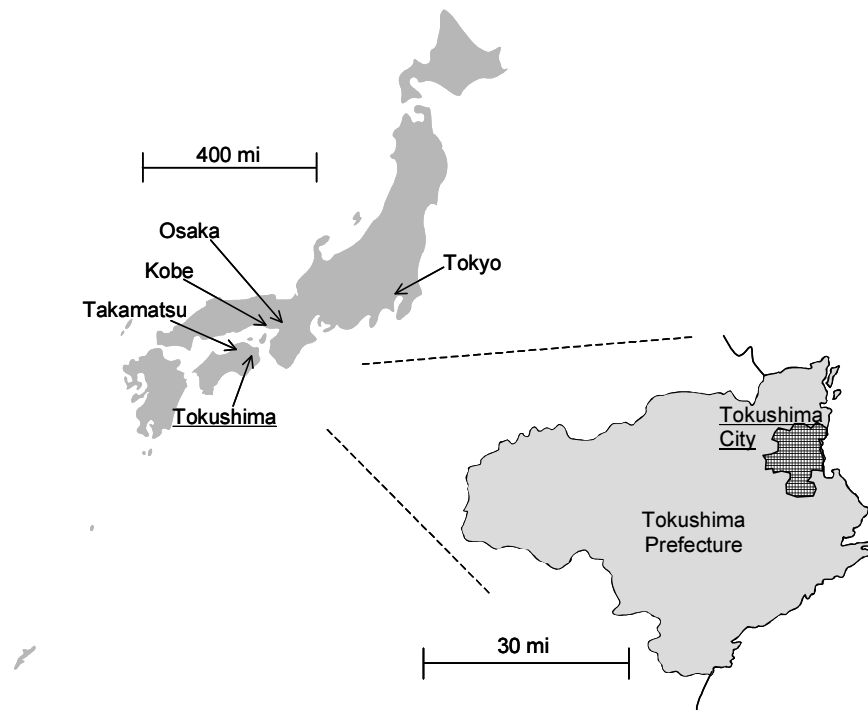
Figure 5-5: Location of Tokushima

Bridge (*Akashi kaikyō ōhashi:* the longest span bridge in the world) and Great

Naruto Bridge (*Ō-naruto bashi*) connect Tokushima City and Kobe City via Awaji

Island.   The prefecture's main industry is paper and pulp production and

chemical manufacturing[291].

   This area was originally called the country of *Awa*—meaning millet—since the

seventh century because millet production was abundant.   It was renamed

Tokushima Domain (*han*) at the beginning of the Edo period when the Hachisuka

family became the domain lords.   For the 250 years of the shogunate period, the

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[291] Tokushima Prefecture. (2000). *heisei 12-nen sangyō renkan hyō kara mita ken keizai.*
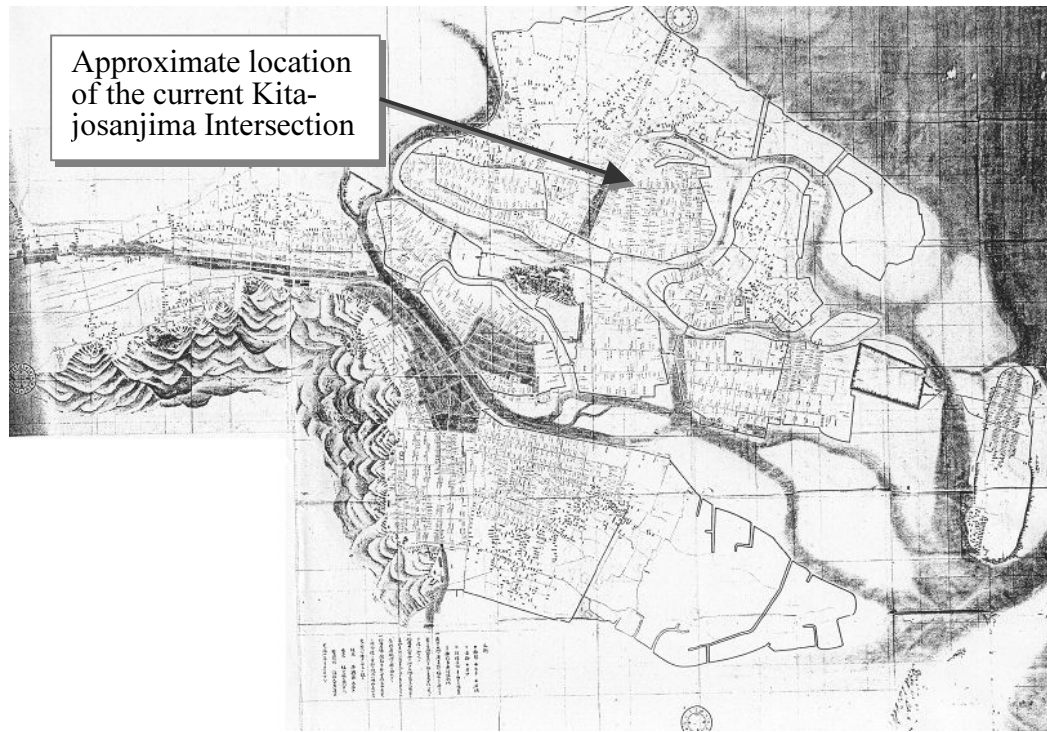
Figure 5-6: Tokushima in 1796
Source: Tokushima Castle Museum. (2000). *tokushima jōka e-zu.*

domain produced an abundance of indigo, salt, sugar, and cigarettes.

Tokushima City became the domain's capital in the 17th century at the
beginning of the Edo period when the lord settled in Tokushima Castle.   It
remains the prefecture's capital.   The city is famous for its summer dance
festival—*Awa odori*.   The festival lasts four days and attracts more than a
million tourists from all over Japan.

Tokushima City is located on the northeastern coast of Tokushima Prefecture
(see Figure 5-5).   It is two and half hours from Osaka on highways and bridges.
Intercity buses for Osaka and Kobe depart every half hour.   Japan Railway's

Kōtoku Line connects the city with Takamatsu City, another major city on Shikoku.   Express train Uzushio leaves for Takamatsu every hour.   Another regional line extends from Tokushima to the small village of Sukumo.   There is no direct train service to Osaka and Kobe.

Tokushima has a civilian airport, sharing runways and other facilities with the Marine Self-defense Force.   The airport is located in the Town of Matsushige, 8 miles north of downtown Tokushima.   Six daily flights to Tokyo and a few other regional flights are in service[292].   Ferry services to Wakayama, on the south of Osaka, are available from Tokushima Port.   The port is located in the southeastern part of the city.

The city's population is approximately 110 thousand.   Commercial and office developments are concentrated in the area between the train station and the Tokushima Prefecture Headquarters. (See Figure 5-7.)   Major roads in the city include NR 11, NR 192, and NR 55.   Most streets other than those main routes are very narrow, often with only one lane for each direction, or even less. Drivers have to navigate through those narrow streets without hitting parked cars, bicycles, and pedestrians.

In the northern area of the city runs Yoshino River.   It is the longest river in Shikoku with the total length of 120 miles.   Tokushima City was originally

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[292] As of July 2006.
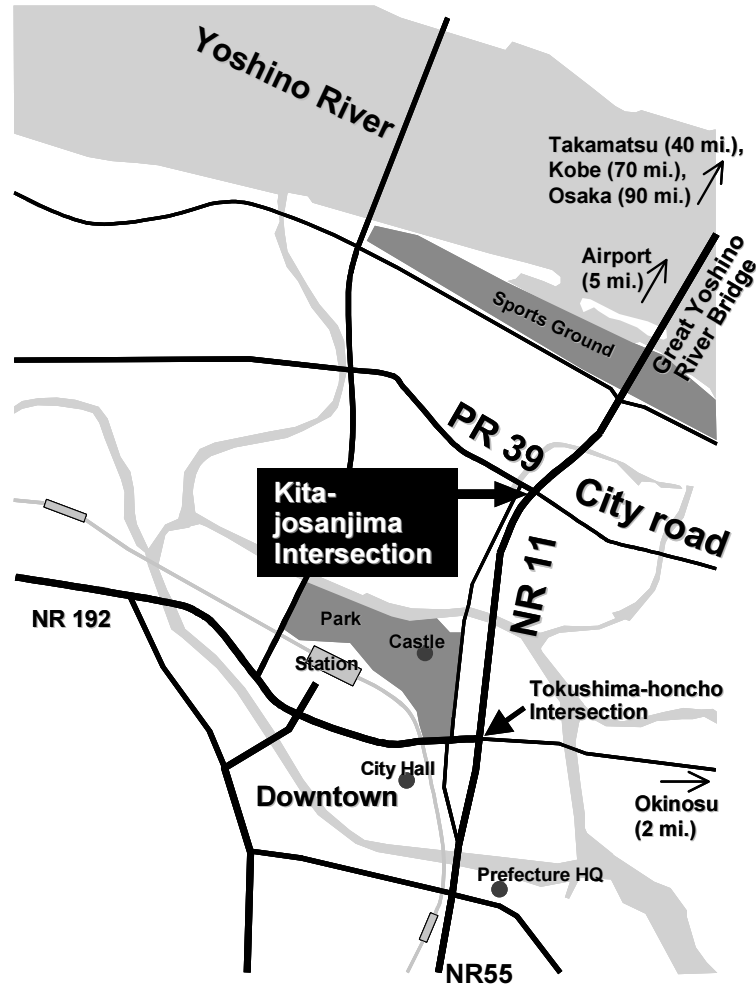
Figure 5-7: Location of the Kita-josanjima Intersection in Tokushima

developed on the Yoshino River Delta.   There are currently four bridges across

the river and two more are now being constructed.   Since the late 1990s, there

has been a prolonged dispute over the construction of a dam upstream on Yoshino

River, as discussed in Chapter 1.

National Route 11

NR 11 is the most important route for the city.   It runs from north to south on

the eastern part.　All automobiles entering from the north of the city, including those from major cities such as Osaka, Kobe, and Takamatsu, take this route to the city.　Once they cross Yoshino River over Great Yoshino River Bridge, the traffic diffuses to different directions: to the downtown, to the seaport on the southeastern end of the city, and to the villages on the west.　NR 11 has three lanes for each direction south of Great Yoshino River Bridge, and four lanes on the north.

There are two major intersections in the city: Kita-josanjima and Tokushima-honcho.　Tokushima-honcho is the crossing between NR 11 and NR 192 that leads to the western villages.　This intersection also serves as the entrance to the downtown district.　Those two intersections, as well as another at the southern end of Great Yoshino River Bridge, are designated as the most dangerous intersections on NR 11 by the MLIT.

Traffic congestion on NR 11 is a serious problem during rush hours.　The traffic volume on the route exceeds its capacity by the factor of 1.26 to 1.54 on the south of Yoshino River[293].　In rush hours the average travel speed is only four miles per hour (7km/h).　MLIT estimates that annual economic losses from the congestion are 500 million yen (4.2 million U.S. dollar).　The area is currently faced with rapid motorization. The number of automobile registered in Tokushima

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[293] MLIT. (undated). *dōro* IR *saito*. [WWW Document] URL http://www.toku-mlit.go.jp/douro/ir/
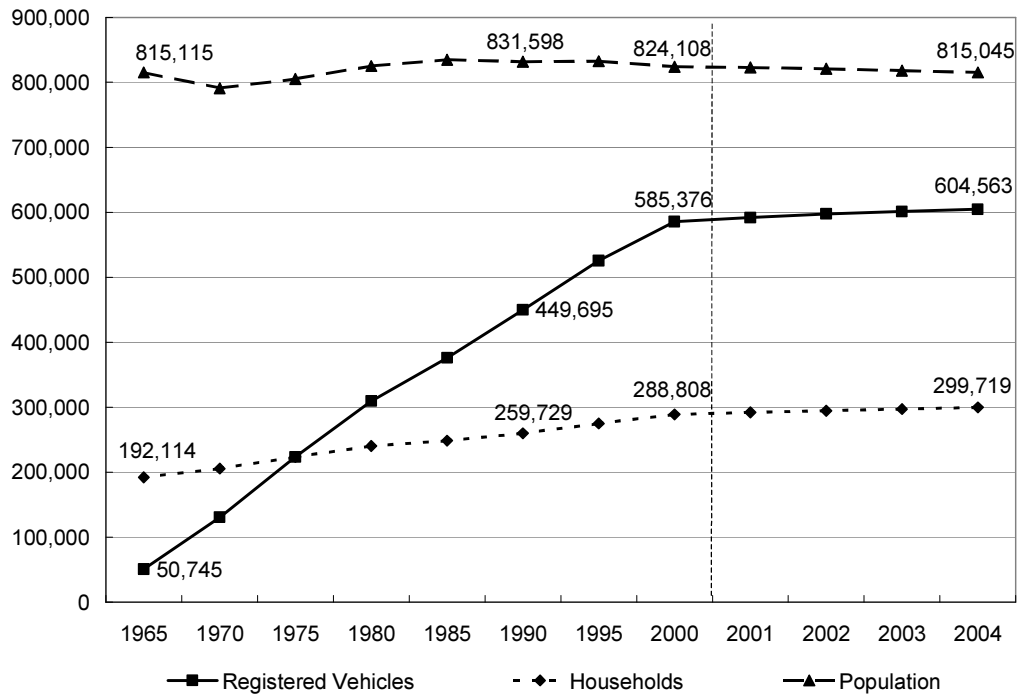
Figure 5-8: Number of Registered Vehicles in Tokushima Prefecture
Source: MLIT. (2005). *Shikoku un-yu kyoku gyōmu yōran*. (Shikoku Transportation Bureau Profile);
Statistics Bureau. (2005). *kokusei chōsa*. (National Census).

Prefecture has risen by 30 percent between 1990 and 2000 (see Figure 5-8)[294].

NR11 is also heavily used by trucks and intercity buses.   The ratio of oversized

vehicles (e.g., buses and trailers) in the traffic is 10.5 percent on the north of the

Kita-josanjima Intersection.

   NR 11 was constructed in the early 1970s.   In July 1972, the segment between

Kita-josanjima Intersection and Great Yoshino River Bridge opened to traffic.   In

November 1973, the construction of NR 11 between Kachidoki Bridge near the

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[294] MLIT. (2005). *Shikoku un-yu kyoku gyōmu yōran.*

Prefecture Headquarters and Kita-josanjima was completed[295]. NR 11 took a different path before the development of the current road. NR 11. The previous route went through Yoshino River Bridge, which is located approximately a mile upstream from Great Yoshino River Bridge, followed the current PR 39, and turned south on immediately west of the current Kita-josanjima Intersection. The construction of this previous route (then called NR 21) was completed in October 1944. These roads were transferred to the prefecture and the city when the current NR 11 opened.

A bypass for NR 11—Tokushima Circumferential Highway East (*higashi kanjō dōro*)—is currently under construction by the prefecture on the eastern edge of the city. The new two-lane (each direction) bypass will directly connect the northern and southern end of the city.

Kita-josanjima neighborhood

The intersection is located at the western edge of the Kita-josanjima Chō neighborhood[296]. On the eastern side of the intersection lies the Suketō Bashi neighborhood. Kōgenji River, a narrow stream, runs on the northern edge of Kita-josanjima and the eastern edge of Suketō Bashi.

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[295] Tokushima City Office of Historian. (1983). *tokushima shi-shi*. Vol. 3: *sangyō, keizai, kōtsū, tsūshin.*. p. 462

[296] Unlike in the US, neighborhoods are official subdivisions of each municipality whose boundaries are clearly demarcated by the municipality government. Neighborhoods are used to designate a mailing address for each lot. Each neighborhood has a "community group (*chō-nai kai*)" that organizes communal activities such as seasonal festivals. Their boundaries are often based on the historical concept of *mura* (communities).
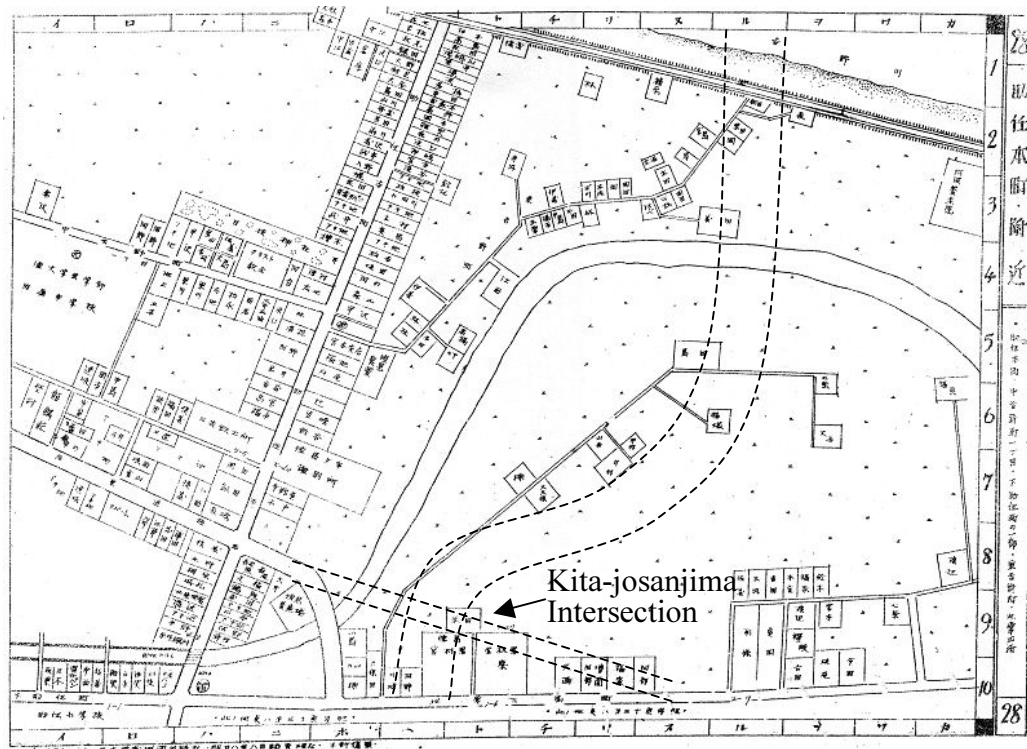
Figure 5-9: Kita-josanjima in 1953 and the approximate location of the current
Kita-josanjima Intersection
Source: Nihon Seimitsu Chizu Shuppansha (1953). The Detailed Map of Tokushima: Tokushima in 1953.
(*tokushima seimitsu shigai chizu: 1953 nen-no tokushima*)

Kita-josanjima is one of three Josanjima neighborhoods.   Kita means "north"

in Japanese.   Thus, Kita-josanjima can be translated as "Josanjima North" in

English.   There are two other neighborhoods in Josanjima: Naka-josanjima

(Josanjima Center) and Minami-josanjima (Josanjima South).   Josanjima was

named after Josan Takeichi, a samurai who settled in this area in 1585[297].

Josanjima means "Josan's Island."   Because Tokushima City was developed on

the Yoshino River Delta, Josan's residence could have looked like an island when

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[297] Ishiyo, A. and Takahashi, K. (1992). *furusato tokushima*.

he settled there.

In Meiji, the Josanjima neighborhoods were developed as a center for academic activities.   In 1899, Tokushima Normal School (*shihan gakkō*) was constructed in Minami-josanjima.   In 1923, the 15th Engineering High School (*dai jūgo kōgyō kōtō gakkō*) was established in the same neighborhood.   Currently, they together form the University of Tokushima's Josanjima Campus.

The Kita-josanjima intersection is surrounded by residential communities as well as some commercial outlets (see Figure 5-10).   On the northeastern corner, there is a clothing store called Aoyama (a national chain brand).   It has a parking lot with two entrances on NR 11 and a narrow street in the back.   Tokushima Citizen's Hospital, run by the city, stands behind Aoyama.   One of the city's largest general hospitals, it can accommodate 397 inpatients.   In order to alleviate the congestion of its parking lot, the hospital currently requires all patients to make an appointment before visiting the hospital.   Its building is currently under renovation and will include 155 parking spaces when it opens in 2008.   On the northwestern corner is a white, two-story building housing a traditional Japanese-style bar (*izakaya*) on the first floor and apartments on the second floor.   A brown, 15-story building stands in the back of the white building.   The building houses a condominium complex called Frontage Suketō Bashi.   On the north of the Kita-josanjima Intersection along NR 11 are a few apartment buildings, stores, houses, and two car dealers.

On the southeastern corner, there is a sushi restaurant called Ginpachi.   It has a small parking lot with the entrance facing the intersection.   The southwestern corner of the intersection is a vacant lot owned by a car dealer who has an office north of the intersection.   The dealer parks his pre-owned cars for sale on the lot. South of the intersection along NR 11 are a few mixed-use buildings, a convenience store, a diner, a pachinko parlor, two banks, and two gas stations. University of Tokushima's main campus is approximately a half mile to the south.

The neighborhoods surrounding NR 11 are predominantly residential.   Most of the houses are two-story traditional Japanese style buildings.   Because of its proximity to the University of Tokushima, the area holds apartment buildings and small restaurants that provide basic amenities for its students.   At a glance, Kita-josanjima is a typical, traditional Japanese urban community crammed with tiny houses along narrow streets.

1. Tokushima Citizen's Hospital
2. Honda (auto dealer)
3. Kahara (auto dealer)
4. Police box
5. Grand Stage Suketo-Bashi
   (condominium)
6. Benkei (Japanese style bar)
7. Aoyama (clothing store)
8. Ginpachi (sushi restaurant)
9. Docomo (office building)
10. Kahara's parking
11. Ningyo-no-ie (restaurant)
12. Gas station
13. Tokushima Bank
14. Sankus (convenience)
15. Gas station
16. Shikoku Bank
17. Pachinko parlour
18. University of Tokushima

Figure 5-10: Major buildings and facilities in the Kita-josanjima neighborhood

Chapter 6: The Experiment: Committee for the Improvement of Kita-josanjima Intersection

Introduction: site entry

The author has been involved in this experimental consensus-building effort in Japan from its inception as an observer as well as an assistant who provided information about consensus building as practiced in the US. The history of the project began in the summer of 2002 when I was first invited to give a lecture in the City of Takamatsu[298]. The session was organized primarily by Professor Hideo Yamanaka of the University of Tokushima. Affiliated with the Department of Civil and Environmental Engineering, he is a leading professor of transportation planning in the region. Since 2000, he has been managing an ad-hoc research group of faculty members from several universities in the Shikoku region. The group has been focusing on various issues on public participation and public disputes. It was supported by the Shikoku Branch of the Japan Society of Civil Engineers (JSCE) both financially and organizationally.

In July 2002, I gave a half-day lecture on consensus building processes and negotiation theories, as well as pedagogical tools for teaching those skills, such as negotiation simulations[299]. The group invited other experts in "public

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[298] See Chapter 5 for the information about the Shikoku region's geography.
[299] JSCE Shikoku (2003). *doboku gijutsu-sya no tameno gōi-keisei gijutsu no kyōiku hōhō ni-kansuru kenkyū-kai heisei 14 nendo seika hōkokusho*. Takamatsu, Japan.

involvement (*paburikku inborubumento*) techniques" and "participatory education (*sanka-gata kyōiku*)" in subsequent sessions.   Following the first encounter, I developed a working relationship further with Professor Yamanaka as well as other members of the group.   In the winter of 2003 I was invited to Takamatsu again to support Professor Yamanaka's lecture for public officials on public participation processes.   I discussed the five-step consensus building process, which is outlined in Chapter 2, in a two-hour session.

In 2004, I was given an opportunity to be a lecturer in a more intensive seminar on consensus building.   Professor Yamanaka's group had decided to organize a seminar as a part of their experiments with teaching consensus building skills for practitioners and graduate students in the field of civil engineering.   In reaction to the proposal I suggested a weeklong seminar that would cover a wide range of issues in the efforts of consensus building.   I also encouraged them to consider institutionalizing consensus building processes after the seminar by conducting a few experiments in carefully selected settings, instead of organizing the seminar just as a one-time effort.   After a few exchanges of e-mails between Professor Yamanaka, Yusho Ishikawa (the chief director of the PI-Forum, a not-for-profit organization that assisted the seminar management and marketing), and me, it was decided that the seminar would take place in the summer of 2004 for three days. The organizers considered that a weeklong seminar would be too long for practitioners to stay away from their office.

The seminar was held in Takamatsu from August 26 to 28, 2004[300].　　Twenty

practitioners and graduate students participated.　　Professor Yamanaka and some

of his colleagues at the University of Tokushima, who would eventually be

involved in the experimental consensus building effort, participated in the seminar

as well.　　In fact, Professor Yamanaka and Dr. Toshikaki Sawada, a practitioner of

participatory planning methods in Tokushima, were co-lecturers of the seminar.

For instance, Sawada organized several "icebreaking (*aisu burēku*)" sessions

during the seminar.　　A few middle-rank officers from the MLIT, including

Hajime Honda who would later take the convenor's role in the experimental effort,

participated in the seminar as students.

　　Later in the year, Professor Yamanaka asked my academic advisor and me

whether we were willing to assist in an experimental consensus building effort

that would address possible improvements to the Kita-josanjima Intersection in

Tokushima City.　　MLIT's Tokushima River and Road Office (*Tokushima kasen*

kokudō jimusho) was to be the convening agency.　　Hajime Honda, the director

(*kachō*) of its Road Safety Division, would be the project manager on the

Ministry's side.　　My academic advisor decided not to be involved in this

experimental project.　　I would serve as an advisor (*adobaizā*), providing

information to the project managers about consensus-building processes as

practiced in the US.　　To preserve my objectivity as an observer, I intentionally

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[300]　JSCE Shikoku (2005). *doboku gijutsu-sya no tameno gōi-keisei gijutsu no kyōiku hōhō ni-kansuru kenkyū-kai heisei 16 nendo seika hōkokusho*. Takamatsu, Japan.

avoided becoming a project manager myself[301].

Organizing the experiment

The first task in setting up the experiment was team building. In October 2004 Professor Yamanaka informally negotiated with a local not-for-profit organization called Commons (*komonzu*) for its assistance. Professor Yamanaka was one of its board directors.

Commons was incorporated in April 2004 as a not-for-profit organization. It is registered by Tokushima Prefecture as a legal entity under the NPO Law. The group was initially organized by Yukiyoshi Sato, a local architect with over a decade of experience in participatory planning in Tokushima. He worked with the City of Tokushima and the Tokushima Society of Architects in experimenting with participatory planning techniques—such as workshop techniques, pattern-language theory, and meeting facilitation—in designing street furniture and public parks[302]. The current chief director is Junzo Kita, an architect who returned to his hometown after 25 years of experience as an architect in Tokyo. Both have their own architectural design offices in Tokushima.

In recent years, the group has pioneered the introduction of "workshop (*wāku-shoppu*)" techniques to planning processes in Tokushima. In Japan,

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[301] My role in the project might have exceeded what a typical participant observer does; however, I tried not to trigger organizational change myself as a change agent.
[302] Sato, Y. (1988, November). *machizukuri no nettowāku wa hito-no nettowāku*. Kenchiku Chishiki, 91-93.; Sato,Y. (1997, July). *suehiro kōen kaishū wākushoppu*. Midori-no Dokuhon, 41, 61-69.

workshops have been widely adopted by planning practitioners, especially those who advocate for the recent *machizukuri* town-building movement[303].   The *machizukuri* movement attempts to revitalize neighborhoods and public facilities by mobilizing local residents, volunteers, and supporters into participatory planning and community improvement activities.

In 2004 Commons successfully organized seven workshop meetings in which local residents and environmentalists helped design the Tsukimigahama Seashore Public Park (*kaihin kōen*) near the airport[304].   Since 2004, Commons members have offered a few short-term skill-building sessions for those who want to practice workshop-style participatory planning.

Commons does not have a permanent staff, which is quite common among public interest entities in Japan[305].   Core members own architecture studios, operate small consulting firms, or are faculty members in Department of Civil and Environmental Engineering at the University of Tokushima.

Delegated by the Japan Society of Civil Engineers (JSCE), a group of faculty members, graduate students, and undergraduates from the University staffed the experiment.   The JSCE had a prior relationship with the MLIT, having organized

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[303]   Sorensen, A. (2002). The Making of Urban Japan. New York, NY: Routledge. pp. 308-325.
[304]   Kita, J. (2005). *Tsukimi-gaoka Kaihin Kōen ni okeru shimin sanka.* Presentation at Public Participation Techniques Exchange Forum in Tokushima on January 28, 2005.
[305]   Pekkanen, R. (2003). Molding Japanese civil society: State-structured incentives and the patterning of civil society. In Schwartz, F. and Pharr, S. (Eds.) The State of Civil Society in Japan. New York, NY: Cambridge. p. 128.

an intensive seminar on consensus building processes the previous summer[306].

In addition, national universities, including the University of Tokushima, used to

have strict rules discouraging faculty members from engaging in paid consulting

jobs.   The restriction has been loosened only recently after they were separated

from the national government system and incorporated as independent

corporations in 2004[307].   The university's lack of experience in working with

external funding sources could also have influenced the team members' choice to

work under the aegis of the JSCE.

   The alliance of the Commons and the JSCE comprised the "third-party

organization (*dai-sansya kikan*)[308]" that would provide neutral assistance to the

consensus-building effort.   The following individuals were involved in this first

experimental effort at consensus building in Japan:

- Japan Society of Civil Engineers (University of Tokushima, Department of
  Civil and Environmental Engineering)
    - Hideo Yamanaka (Professor),
    - Susumu Namerikawa (Lecturer),
    - Kana Murakami (Graduate Student),
    - Yuki Koori (Undergraduate Student), and
    - Several other undergraduate assistants who occasionally provided
      clerical assistance.

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[306] Personal communications with a staff member.
[307] Former national universities are now incorporated as national university corporations (*kokuritsu daigaku hōjin*).
[308] In Japanese, the term *dai-sansya kikan* is often used to refer to those organizations that do not have a stake in the subject matter.   Because the term does not necessarily guarantee the party's neutrality, it was stressed at the meetings that they would act as a "neutral."

- Commons[309]
    - Junzo Kita (Chief Director, Architect),
    - Yukiyoshi Sato (Director, Architect),
    - Toshiaki Sawada (Director, Civil engineer and Planner),
    - Yoshifumi Kasai (Director, Architect),
    - Yuji Kurahashi (Director, Industrial designer), and
    - Noriko Tanaka (Assistant to Sawada)
- Tokushima River and Road Office, MLIT
    - Hajime Honda (Director, Road Safety Division[310]).

Gaining legitimacy within the organization

This was the MLIT's first experience in requesting a nonpartisan neutral to conduct a conflict assessment. Because of its "newness," the staff had to acquire legitimacy within the Ministry to experiment with a new approach to consensus building. To legitimize the introduction of this organizational innovation, special arrangements had to be made.

MLIT's Shikoku Regional Bureau in Takamatsu created the Committee to Study Consensus-Building Techniques (*gōi-keisei shuhō kentō iinkai*), an informal study group to oversee the Kita-josanjima effort as well as a smaller consensus building experiment in Kochi[311]. Members of the study group included

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[309] In the summer of 2005, Yukiyoshi Sato joined the team and Yuuji Kasai gradually left.
[310] He was transferred to the Planning Division II in April 2005.
[311] The scale and the scope of the other experiment in Kochi, another prefectural capital in Shikoku, were much smaller than the Kita-Josanjima experiment: a stakeholder committee was organized to discuss the design of the Sakaimachi Pedestrian Overpass in the downtown Kochi. The ministry had already decided to build elevators for the pedestrian overpass and sought public inputs on their appearance (i.e., color and facade materials). Stakeholder analysis was prepared in January 2005 by a construction consulting firm, with help of a local not-for-profit organization, to identify appropriate participants for the dialogue. The stakeholder group was first convened February 2, 2005, with no third-party neutral involved. The group reached a consensus about the design in their third meeting

Professor Yamanaka (chairman), Professor Shintaro Terabe of Kochi Institute of Technology, four senior public officials from the MLIT, and myself.　Each meeting was organized and managed by the Ministry's staff.　Professor Yamanaka took the chairman's role.　The group was set up in the typical *shingikai* format[312].

Meetings were held in Takamatsu on January 24 and March 18, 2005.　In the first meeting, I made a presentation on consensus-building processes as practiced in the US.　MLIT's staff from Tokushima and Kochi reported the progress of their experimental efforts.　Other members of the study group asked for some clarifications, but no decisions were made during the discussion.　This type of purely consultative meeting is generally believed to lend credence to a plan, a relationship called *osumitsuki* in Japanese.

Conflict assessment

Preparation

The team and the Ministry first met informally on November 25, 2004 at the Commons' office to define the role of each individual.　JSCE members were designated to manage the consensus-building process and to act as a nonpartisan neutral.　For the fiscal year of 2004 (ending March 31, 2005) the JSCE was to produce a conflict assessment report and organize a convening meeting if possible.

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on April 19.　Construction was completed in March 2006.

[312] See Chapter 4 (p. 166) for more information about *shingikai* in Japan.

Commons members were to assist the JSCE.   My role was to inform the participants about US consensus-building processes.

Professor Yamanaka was to serve as a technical expert on transportation issues. To separate the technical advising function from the function of managing the deliberation process, he chose not to join the neutral managing group.   He was concerned that he would become an advocate, pushing innovative technologies for transportation safety because of his professional interest as a transportation engineer[313].

Hiroshi Tomiyasu of Oriental Consultants, one of the largest transportation consulting firm in Japan, participated in this meeting as well.   Oriental was to assist Professor Yamanaka in his technical analysis.   This group of personnel from the MLIT, the JSCE, the Oriental Consultants, and I comprised "the steering committee (*un-ei iinkai*)."

By the time this experiment began, Professor Yanakana and Dr. Sawada, who had prior experiences with the PCM (Project Cycle Management) technique, had introduced the new term *kankei-sha bunseki*.   It refers to conflict assessment which had previously been called *funsō asesumento* in Japanese.   *Kankei* means relationship and *sha* means person.   Therefore, *kankeisha* can be translated as "relevant persons."   *Bunseki* means "analysis".   Previously in Japan, PCM stakeholder analysis *not* including stakeholder interviews had been called

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[313] Personal communication with Prof. Yamanaka on February 2, 2006.

kankei-sha bunseki.   However, Yamanaka and Sawada adopted this term for the newer process which did include solicitation of stakeholder opinion through interviews.

The steering committee's first meeting on December 14, 2004 was a discussion of strategy for conflict assessment.   Issues included possible stakeholders, ways of contacting the first group of stakeholders, and the interview protocol.   The Ministry provided a list of 17 possible stakeholder interviewees. I prepared two draft documents for the meeting: an interview protocol and a cover letter.   The interview protocol was modeled on a document prepared in 2003 by the Consensus Building Institute for the assessment of dispute over the development of Assembly Square in Massachusetts[314].

The steering committee decided that the MLIT's Tokushima Office would send a letter to the initial round of interviewees before team members spoke to them. It was felt that an initial contact by the nonpartisan team would look suspicious. Team members needed the credibility lent by the MLIT; Commons was only a year old. In fact, the MLIT had already informally discussed the plan for the stakeholder analysis with other government agencies; some of them were reluctant to be interviewed by members of an unknown not-for-profit

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[314] Consensus Building Institute, (2003, August 25). Conflict assessment on the future of Assembly Square, Somerville, Massachusetts. Cambridge, MA.

organization[315].   Later in an interview, a staff member reflects on the experience:

> *Staff A:*   *The MLIT prepared the list for initial round of interviews.   Then its staff contacted them, including those public officials.   I guess they went to government agencies.   Then, they were told, "We'd rather not work with NPOs…"*
> *Interviewer:* *It means they didn't welcome?*
> *Staff A:*   *Like, "We'd prefer not to be interviewed by NPOs…"*
> *Interviewer:* *For what reasons did they (react that way)?*
> *Staff A:*   *I have some thoughts.   It's just my ideas.   In general, public agencies in Japan are always being looked at with skeptical eyes. So, for those agencies, the term "neutral third-party" implies that it is in fact a citizens' representative that won't be aligned with governmental authorities.[316]*

As suggested in the interview quote, NPOs are still not fully trusted in Japan.   To overcome this obstacle, it was imperative that the MLIT endorse Commons as its partner.

Announcements

The start of the conflict assessment was announced to the public on January 31, 2005.   MLIT's Tokushima River and Road Office issued a press release on the same day.   It was distributed to a local Prefecture Administration Reporter's Club (*kensei kisha kurabu*), an institution where local newspaper and TV reporters gather newsworthy information[317].   The press release explicitly referred to the JSCE and Commons as a third-party (*dai-sansya kikan*) commissioned by the MLIT (see Appendix 6-A).

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[315] Steering committee members' comments in the January 3, 2006 meeting.
[316] Personal communication with a staff member on February 3, 2006.
[317] For more information about reporter's clubs (*kisha kurabu*) in Japan, see: Farley, M. (1996). Japan's press and the politics of scandal. In. Pharr, S. and Krauss, E. (Eds.) Media and Politics in Japan. Honolulu, HI: University of Hawaii Press.   Freeman, L. (2000). Closing the shop: Information cartels and Japan's mass media. Princeton, NJ: Princeton University Press.

To the surprise to the team, the announcement was covered by a local segment of the NHK news as well as by the Tokushima *Shinbun* newspaper (see Figure 6-1).   Even though the effect of those press coverage cannot be measured quantitatively, team members reported in a February meeting that the media coverage seemed to allay the suspicions of interviewees.   One team member said, "An interviewee told me, 'Ah.   I saw this in the news program!'.[318]"

事故多発の北常三島町交差点（徳島市）

国土交通省徳島河川国道事務所は、事故が多発している国道11号北常三島町交差点＝写真＝の改善策について県民から意見を募っている。

安全対策 意見募る
徳島国道事務所

求めている意見は▽同交差点にどういう問題があるか▽問題解決のためどんな対処方法が望ましいか▽交通安全

全面で思うこと—の三点。都市計画や土木の専門家らで組織し、合意形成の支援を行っているNPO法人コモンズ（徳島市）などが調査を受託。意見がある場合はコモンズ〈電088（652）7666〉まで。

Figure 6-1: Newspaper coverage of the stakeholder analysis

Source: Tokushima Shinbun. (February 3, 2005). "Ideas wanted for safety improvement"

Interviews

Stakeholder interviews were conducted by eight team members organized as four groups of two individuals: one took the role of interviewer and the other took the role of recorder.   They together prepared a memo that captured their key

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[318] A comment by a staff member recorded in my field note.
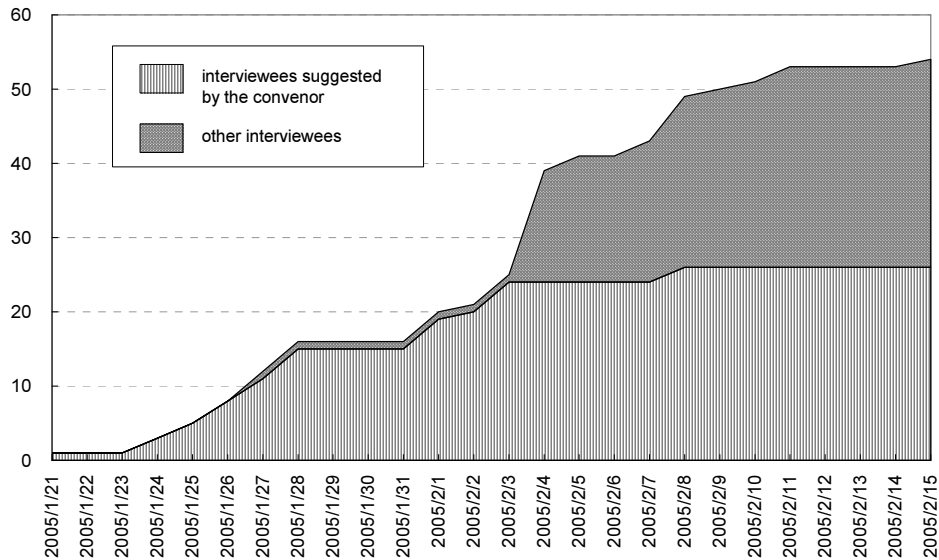
Figure 6-2: Chronological progress of stakeholder interviews

findings and shared them with other members by e-mail.

E-mail exchanges between the team members were conducted through a web-based system called Hi-mail[319] allowing only those with a valid ID and password to open encrypted messages. As this was most team members' first experience as neutrals in a consensus building effort, they were particularly concerned about the protection of confidential information[320].

The first interview was conducted on January 21, 2005, even before the project was announced to the public. In early February, the team started to interview

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[319] "Hi" means "secret" in Japanese.   [http://www.himail.jp/]
[320] In 2003, Law for the Protection of Personal Information was first enacted in Japan.   Readers should be aware that "privacy (*puraibashī*)" is of particular concern to the Japanese in the last few years.

additional interviewees suggested in the initial round[321].   The final interview

took place on February 15 (Figure 6-2).

The initial list, suggested by the MLIT, included 20 individuals[322] from various

government agencies, local residents, and road users.   The team interviewed all

of them, as well as 34 other individuals who were suggested by other interviewees

as well as those who seemed to have some stake in the eyes of the team members.

Preparing a draft report

The team of neutrals met on February 13 to prepare a complex matrix mapping

stakeholder interests and to discuss the structure of their draft report.   They

debated how to summarized stakeholder comments.   One option was to

categorize each by the location to which it referred, for example, "northeastern

corner" or "along NR11 on the north."   The second option was to categorize

them by issue, such as   "accidents involving bicycles" and "mobility for

handicapped people."   A lively discussion ended in consensus to summarize the

comments by issue.

Susumu Namerikawa, a lecturer at the University of Tokushima, reviewed all

the memos prepared by team members and teased out the following five

categories:

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[321] A team member interviewed a package delivery driver on January 27 as an exceptional case.
[322] MLIT's list included 17 individuals.   In an interview with an individual suggested by the MLIT, three other individuals from the same organization joined.

Stakeholder Category	Number of interviewees
Drivers	11
Local residents and schools	14
Local businesses	20
Government (Traffic, Road)	9
Total	54

Figure 6-3: Final number of interviewees by stakeholder categories

- Traffic on the north-south axis;
- Traffic on the east-west axis;
- Reduced visibility due to the pedestrian overpass;
- Bicycle crossing zones; and
- Others.

All team members agreed with this construction which was presented in a staff meeting on February 22. Another concern to be resolved was how to handle stakeholders' "requests (*yōbō*)" for specific improvements to the Intersection aside from the "interests (*rigai)*"that defined them as stakeholders. Several interviewees proposed specific improvements to the intersection, such as the reconfiguration of signaling patterns and the pedestrian overpass. Namerikawa prepared a list of such requests separate from the list of interests. The team decided to attach the list of requests as an appendix to the stakeholder assessment report.

Most parts of the draft report were prepared by Namerikawa. He modeled the report on a stakeholder analysis for the Northern Oxford County Coalition

(NOCC) prepared by the Consensus Building Institute in 1995[323].   In fact, CBI's
report for the NOCC had already been translated into Japanese; the translated
version was used in the 2004 seminar as an example of stakeholder analysis as
practiced in the US.

Feedback to the draft

The draft report was referred to as *yobi hōkokusho* (preparatory report) in
Japanese.   Copies of the draft conflict assessment report were distributed to all
interviewees on February 25, 2005.   The draft was accompanied by a letter that
asked for their feedback and inquired about their willingness to have their names
listed in the report.   The feedback form was to be returned before March 10 in a
prepaid envelope attached to the letter.

Eleven interviewees made suggestions about the draft.   One was particularly
concerned about the stakeholder analysis.   He made a phone call to the team
members who interviewed him, and asked the team to show a revised draft that
incorporated his feedback.   He wanted to add several comments that would
oppose the comments offered by other stakeholders.   The staff inferred that he
was simply anxious about what would happen to the Intersection.   He seemed to
have predicted a very large project involving land acquisitions.

In fact, almost all of the Intersection's abutters seemed to be worried about such

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[323] Personal communication with S. Namerikawa on February 3, 2006.

reconfiguration of the Intersection.   Staff members discussed the issue in the

March 1 meeting as follows:

> Staff A: (A stakeholder) suspects that this would be an incredibly big project.
> National government, the "Evaluation Team".   That's obviously
> unusual!   Those implied that a whole rebuilding would occur at the
> intersection.   And they know that they their properties would stand
> in the project.
> Staff B: When I went to (a neighboring business) first time, he told me,
> "There's no accident at this Intersection."   But there were.   I
> guess he knew.   He probably didn't want to admit that his
> customers were causing accidents.
> Staff C: That much newspaper coverage, and the "Evaluation Team" came
> to the households.   That meant too much of something.
> Staff A: No one has ever issued such a report.   I agree that anyone would
> feel that it would be a huge project. [324]

Because of the experimental arrangement, including media coverage and the

preparation of an elaborate stakeholder assessment report, a few local

stakeholders initially reacted as though the project itself was extraordinarily large.

Confidentiality issue

In the early phase of stakeholder analysis, there was a concern about how to

select representatives for the committee from the large group of unidentified

interviewees[325].   I turned to an expert in the US, Professor Lawrence Susskind,

for a clarification of this issue.   He pointed that a list of the interviewees in a US

stakeholder analysis is always included in its report.   The Japanese team, myself

included, was not aware that such list would typically be included simply because

in the translated version of the NOCC report (which was used as a template) the

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[324] Team members' comments in March 1, 2005 staff meeting.
[325] It was raised by a steering committee member in January 25, 2005 meeting.

list was simply omitted:[326].   It was a failure—or what a policy transfer theorist might call "uninformed transfer[327]"—in transferring necessary knowledge from the US to Japan.   I am fully responsible for the mistake.

Following e-mail conversations with Professor Susskind, I suggested to the team that a list of individuals be included in the stakeholder analysis report.   I argued that the listing would not violate their promise to respect each interviewee's confidentiality because no individual would be associated with any specific stakeholder interests outlined in the report.

However, staff members felt that having individual names listed in the report, whether or not they were associated with individual interests, constituted a breach of the confidentiality agreement.   In their view, the confidentiality agreement was a promise of complete anonymity in the report.   They worried that participation in the report could put some interviewees, particularly local community leaders, in an awkward position: they might be held responsible to their neighbors or organizations for any comments recorded in the report[328].   The team compromised the need to follow US consensus-building processes and Japanese confidentiality concerns by deciding to publish the names of only those interviewees who agreed to be listed.

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[326] I downloaded a copy of the NOCC stakeholder analysis report from the CBI web site in the summer of 2004.   The copy did not include the list of interviewees.
[327] Dolowitz, D. and Marsh, D. (2000). Learning from abroad: The role of policy transfer in contemporary policy-making. Governance 13(1), 5-24.
[328] Personal communication with a staff member.

	Agree	Didn't agree
Drivers	8	3
Local residents and schools	5	9
Local businesses	8	12
Government (traffic and road)	9	0

Figure 6-4: Number of interviewees who agreed to have their names listed.

In an attachment to the draft assessment report, the team asked each interviewee for permission to list his or her name. As shown in Figure 6-4, stakeholder attitudes toward having their names listed in the report varied. Most local residents and representatives from schools and local businesses declined. However, all interviewees from government agencies agreed to have their names listed. This interesting contrast will be further discussed in Chapter 8 as a sign of contextual difference between the US and Japan.

Publication of the final report

The final conflict assessment report was prepared mainly by Junzo Kita with my assistance. The bulk of work involved the preparation of recommendations for the stakeholder process.

Kita initially drafted the recommendation and asked for my inputs on February 26, 2005. His draft included a diagram showing the relationship between stakeholders and committee members. The diagram, in my opinion, seemed to trivialize the role of third party (see Figure 6-5). After reviewing the draft, I
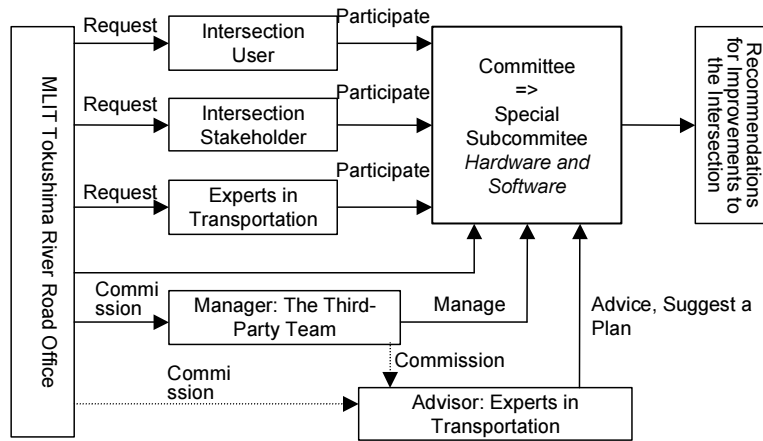
Figure 6-5: Diagram showing the relationship between stakeholders and other components of the committee (prepared by Kita)
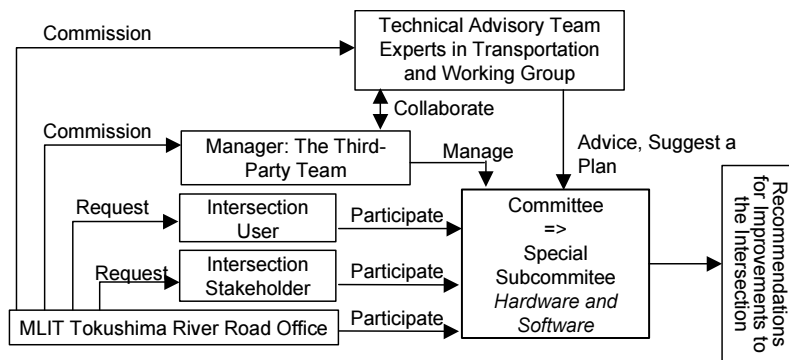
Figure 6-6: Diagram showing the relationship between stakeholders and other components of the committee (final)

suggested that he modify the diagram so that the role of the neutral team would appear more important (see Figure 6-6).

I prepared draft ground rules for the process based on those for the Delaware Coastal Zone Act Regulatory Advisory Committee, as included in the *Consensus*

Building Handbook[329].   In the March 1 staff meeting several team members

voiced concerns about these rules.   First, they thought that asking each

participant to sign the ground rules would scare some neighborhood participants.

They decided not to ask each member to sign the agreement.   Second, the draft

stated that each party would be "responsible for (*sekimu wo ou*)" specific

consensus-building tasks.   In the eyes of team members this wording might also

have been too demanding for the participants.   One team member said:

> *I have a comment on the phrase "Be responsible for" in the "Role of committee*
> *members" section.   Can this expression be replaced with a milder (*yawarakai*)*
> *one because the participants are local moms and pops*[330].

The group decided to replace "responsible for (*sekimu wo ou*)" with "will take the

role of (*yakuwari wo ninau*)."   In general, the draft was considered too formal.

In a March 7 meeting, the group decided to modify it further by adopting a

bulleted list format.

   The final report recommended that a committee for the improvements to the

Kita-josanjima Intersection be organized in the following manner:

> *Based on this stakeholder analysis, even though there are a few conflicting*
> *interests, we assess that an improvement plan, which might be small scale but*
> *everyone can live with, can be discovered by organizing a public participation*

[329] Susskind, L. and Thomas-Larmar, J. (1999). Conducting a conflict assessment. In Susskind, L.,
McKearnan, S., and Thomas-Larmer, J. (Eds.) The Consensus Building Handbook: a comprehensive
guide to reaching agreement (pp. 99-136). Thousand Oaks, CA: Sage. pp. 124-7.
[330] A team member's comment on March 1, 2005 staff meeting.

*committee.   We expect that the committee be an exemplary case for a
participatory committee that is based on a stakeholder analysis and managed by a
third-party.*[331]

The report suggested a seven-step process consisting of:

- Jointly understanding the role of the committee;
- Jointly understanding the various conditions and technical constraints for implementing a project;
- Creating a list of issues to be resolved;
- Experts suggesting improvement plans;
- Examining the suggested plans;
- Adjusting the suggested plans; and
- Making recommendation for the improvement.[332]

The final report was published on March 17 on the Commons' web site.   The

publication was also announced by a joint press release by the JSCE, Commons,

and the MLIT on the same day (see Appendix 6-B).   Actual handling of the press

release was managed by the MLIT staff which has access to the reporter's club.

Unfortunately, the release of the stakeholder analysis report was not covered by

the news media.

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[331] Stakeholder Assessment Team (JSCE Shikoku Branch and Commons). (2005). *Kita-jōsanjima-chō kōsaten kōtsu-anzen hōsaku-kentō-no-tameno kankeisya bunseki chōsa (saishū hōkoku-sho)*. p.17.
[332] Stakeholder Assessment Team (2005). p. 20.

Date	Event	Classification				
		Conflict Assessment	Stakeholder Meetings	Steering Committee	Announcements	Miscellaneous
2002/8/1	First lecture on consensus building in Shikoku					*
2004/8/26-28	Three-day seminar on consensus building processes					*
2004/10	Discussions for the experimentation begin					*
2004/10	Commons become involved					*
2004/12/14	Steering Committee's 1st meeting			*		
2005/1/24	Committee for Consensus Building Processes 1st Meeting (Takamatsu, Shikoku Regional Bureau)					*
2005/1/25	Stakeholder interviews start	*				
2005/1/31	MLIT issues a press release about the start of conflict assessment				*	
2005/2/1	Flyers are distributed to local residents	*				
2005/2/15	Last stakeholder interview	*				
2005/2/25	Draft report distributed for interviewees' feedbacks	*				
2005/3/10	Feedback period ends	*				
2005/3/17	Final conflict assessment report is published	*				
2005/3/17	JSCE/Commons/MLIT issues a joint press release on the conflict assessment report				*	
2005/3/18	Committee for Consensus Building Processes 2nd Meeting (Takamatsu, Shikoku Regional Bureau)					*

Figure 6-7: Major events before March 2005.

Stakeholder dialogue

Convening

Even though the final conflict assessment report proposed that the MLIT should begin convening the stakeholder group in April, the project was suspended for almost two months. Several factors contributed to the delay. First, Hajime Honda, the lead staff member on the MLIT's side, was reassigned from the Traffic Safety Division to the Planning Division II in the MLIT's Tokushima Office at the beginning of April. The rigors of adjustment to his new assignments, as well as other pressing demands in April prevented him from working on the convening process for the Kita-josanjima project[333].

Second, the budget for the Kita-josanjima project had to be reauthorized by the MLIT because a new fiscal year started in April. As mentioned in Chapter 4, almost all projects by the MLIT have to start and finish within a fiscal year. A time lag following the beginning of the fiscal year is quite common among participatory planning projects in Japan[334]. In fact, this experimental project was somewhat fortunate--similar projects were occasionally discontinued after the end of the fiscal year, as seen in Chapter 4.

The steering committee had its second meeting on May 31, 2005. Staff from the MLIT and Commons gathered at the University of Tokushima to discuss

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[333] Personal communications with H. Honda and other staff members.
[334] See Chapter 4 (p. 188)
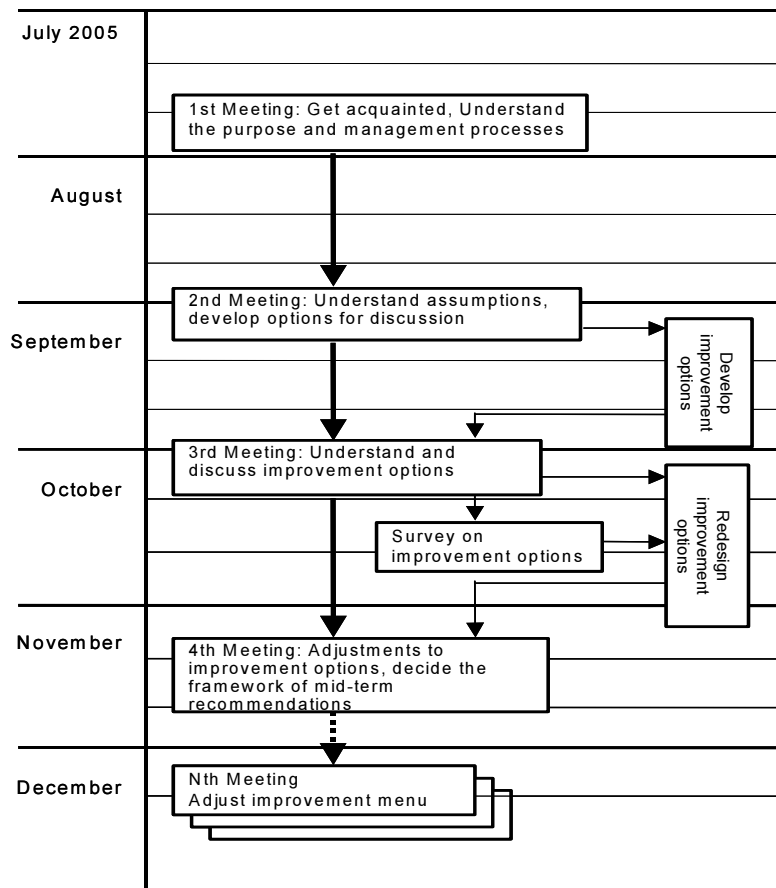
Figure 6-8: Initial work plan

strategies for organizing the stakeholder process.   Two key issues were the

membership and time frame for organizing the stakeholder committee. On the

first issue, based on its conflict assessment experience Commons suggested a list

of committee members to the MLIT.   The MLIT responded by suggesting that

the number of representatives from the Police Department be increased to two.

The time frame issue was more difficult.   In the conflict assessment, seven

committee meetings between May and November were proposed.   Because the

project had been delayed for two months, the number of meetings had to be reduced in order to conclude the process by the end of October. The MLIT needed to receive recommendations by this date in order to have them implemented in the next fiscal year.

An alternative meeting schedule was prepared by the members of Commons in the meeting on June 3 and presented to other members by e-mail on June 10. The new plan called for four meetings between July and November (see Figure 6-7). It also curtailed subcommittee meetings.

The steering committee met for the third time on June 14, 2005. All members agreed on the alternative work plan suggested by Commons. They decided to contact each candidate for the committee immediately to confirm willingness to participate as a representative. Six prospective members from government agencies would be initially contacted by the MLIT, considering the negative reactions that some had shown toward Commons during the stakeholder assessment. Other candidates would be contacted by Commons and JSCE members who had achieved a certain level of rapport with them during stakeholder interviews.

The team of neutrals met separately after the steering committee meeting to plan for convening the representatives. Sawada prepared a two-page memo—a short summary of the recommended work plan for the committee—to be handed out to prospective representatives. Each member was asked to meet a few

stakeholders and ask for their participation.

The fourth, and the final, steering committee meeting was held on July 6. The group decided to hold the first stakeholder meeting in the afternoon of July 22 to accommodate the largest possible number of committee members. Three candidates responded that they would not join the committee for various reasons. All of them were stakeholders who operated businesses in the neighborhood. The steering committee agreed that their absence would not be a serious threat to the implementation of the committee's recommendations. Several other representatives from local businesses could serve adequately as proxy for the interests of those who refrained from participating. There would be 21 members representing local neighborhoods, local businesses, stakeholding organizations, and government agencies (see Appendix 6-J). Steering committee members also discussed the agenda for the first committee meeting. Commons suggested a draft agenda and everyone in the meeting agreed with the proposal.

On the next day, a packet was mailed to all committee members. It announced that the first meeting would be held at Tokushima Educator's Building (*kyōiku kaikan*) on July 22 from 3PM to 5PM. The team also asked each committee representative to return an attached postcard indicating his or her intention to attend and his or her availability in the last week of August so that the neutral team could suggest a date for the second meeting.

First meeting: July 22, 2005

On July 19**,** the Kita-josanjima consensus-building effort was officially announced by the MLIT.   A press release was distributed by the MLIT to the Kensei Reporter's Club as well as published on its web site (Appendix 6-C). The statement included phone numbers for the JSCE and Commons as the organizations that had prepared the stakeholder analysis.   The press release explicitly stated that this committee would be organized to approximate consensus-building processes as practiced in the US.   It reads, "In seeking an agreement between committee members, we will experiment with the 'CB (Consensus Building) Processes,' which has been used mainly in the United States. This will be its first experiment in Tokushima.[335]."

The first meeting was held on July 22, from 2PM to 5PM, in a small conference room at the Tokushima Educators' Building in the Kita-tamiya neighborhood, about10 minutes from Kita-josanjima by car.   The first meeting was attended by 18 members (3 members were absent).   They were seated in a roundtable format. In the middle, a scale model of the Kita-josanjima Intersection was situated. Seats for observers were located in the back of the room (see Figure 6-8).

A TV crew from a local branch office of NHK, the national broadcasting company, came to record the scene[336].   A total of 11 observers, including the

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[335] MLIT Tokushima River Road Office. (2005, July 19). *daisansya-kikan ni-yoru jūmin-sanka-gata no iinkai-ni-oite kokudō kōsaten no kaizen-hōsaku wo kentō shimasu.* Press Release.
[336] NHK stands for *nihon hōsō kyōkai*.   It literally means "the Japan Broadcasting Association." For more information about NHK, see: Pharr, S. and Krauss, E. (Eds.) (1996). Media and Politics in

Roundtable format

TV crew behind observers

Kita explains the process

Sato (left) and Kita (right)

Figure 6-9: The first meeting

(Photo: Yuuji Kurahashi)

crew members, were present, all seated in the back of this small conference room.

At 2PM, Hajime Honda of the MLIT broke the silence.   After a very short self-introduction, he asked committee members if they would allow the media to record the meeting.   No one responded.   He seemed to have recognized the lack of reaction as the sign of agreement, and continued to explain the purpose of organizing this committee as a convenor.   After Honda's opening statement, Susumu Namerikawa, as a neutral facilitator of the JSCE, presided over the meeting.   He asked each member to examine the handouts and explained the day's agenda.

Japan. Honolulu, HI: University of Hawaii Press.

The next agenda item was self-introduction (see Appendix 6-E) by each member, including a reference to his or her relationship to the Kita-josanjima Intersection.   This round of self-introduction revealed a clear polarity between government officials and others.   All government officials, except for one, mentioned their intention to "listen to your ideas (goiken-wo oukagai-suru)." Representatives from local communities, however, "asked for" various improvements to the Intersection.   Representatives from government agencies and local communities seemed to assume different kinds of responsibilities in the committee.

The third agenda item addressed the structure and the goal of the committee. Honda explained current problems associated with the Intersection as well as how the MLIT, as a convenor, expected the committee to address those issues.

The fourth agenda item—reaching agreement on a method of managing the committee—was the most important one for the first meeting.   Namerikawa, as a facilitator from the JSCE, introduced Commons as a candidate for the neutral party to assist the committee.   Technically speaking, this meeting was a convening meeting organized by the MLIT with help of the JSCE: the outsourcing contract by the MLIT was made to the JSCE.   Even though there was virtually no other organization in Tokushima able to assist the committee, Commons still had to be appointed by committee consensus.

Namerikawa, as a representative of the JSCE, stated that he was recommending

Commons as the neutral party because it was the only not-for-profit organization in Tokushima Prefecture that explicitly advocated for "consensus building (*gōi keisei*)[337]" in its bylaws.   The NPO Law requires each organization to submit its bylaws to a prefecture government or the Cabinet Office; they are available on the web sites.

Sato and Kita, as the representatives of Commons, walked up to the front stage. Sato distributed one-page organizational brochures to the audience, and provided a short presentation about the organization.   Kita followed it by proposing a work plan, ground rules, organizational structure, and meeting agenda for the upcoming committee meetings.   He proposed a work plan involving four meetings between July and November (see Figure 6-7).   Regarding the organizational structure, he suggested the involvement of a "Technical Assistant Team (TAT)" comprised of Professor Yamanaka and the Oriental Consultants Co.

After those presentations, Namerikawa asked if anyone had questions or comments.   Honda asked how information would be shared on the Internet. Kita suggested that handouts distributed in each meeting as well as meeting minutes (without attribution of comments), could be published on the Internet. A local business owner asked for the number of accidents at the Intersection in the past and suggested that the number might be decreasing.   Kita referred to a

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[337] Note that Commons provides support for not only "consensus building processes" that we experimented but also other kinds of processes for public participation.

number included in one handout that indicated such a decrease. No one volunteered any other comment.

Namerikawa then asked for any objections to the proposed work plan, ground rules, and most importantly, the appointment of Commons as a third-party assistant to the committee.   There was a moment of silence.   After looking around, Namerikawa said, "Ok.   Does everyone agree with it?   ...   Good. Thank you."   Sato and Kita stood up and bowed to the members. Namerikawa's role as the meeting facilitator ended here, and Commons was asked to facilitate the meeting.

With apparent signs of relief, Sato gave a short speech on his enthusiasm for the committee.   Finally, he suggested that the next meeting be held on September 2 from 2PM to 5PM in a larger conference room in the same building.   Everyone agreed and the meeting was adjourned.

Later in the evening, the team members gathered in a conference room at the University of Tokushima to reflect on the first meeting.   There was a mild consensus among the team members that the meeting was structured too formally, discouraging lively discussion between stakeholder representatives.   In addition, some thought that the seating arrangement was problematic: representatives from government agencies and civil society organizations were seated on opposite sides of the roundtable, an arrangement with the potential to trigger a "petitioning" mode of discourse from the civil society representatives.

Tokushima *Shinbun*, a local newspaper, reported the first meeting of the Kita-josanjima Committee on the next day (see Figure 6-10).　The article states that the committee would produce recommendations for the improvement by November.　It also reports that Commons would manage the process as a third-party organization.

Second meeting: September 2, 2005

Because early to mid-August is the Japanese holiday season of *obon*, the preparation for the second meeting did not start until August 12.　At the end of the five-hour meeting, a few team members discussed the arrangement for the second meeting.　They decided to divide the negotiation group into two subgroups to make sure everyone had an opportunity to speak out in a relaxed atmosphere[338].　Because the team members had experiences in managing "workshop" style

北常三島町
交差点の安全

11月めどに提言

住民参加の検討委初会合
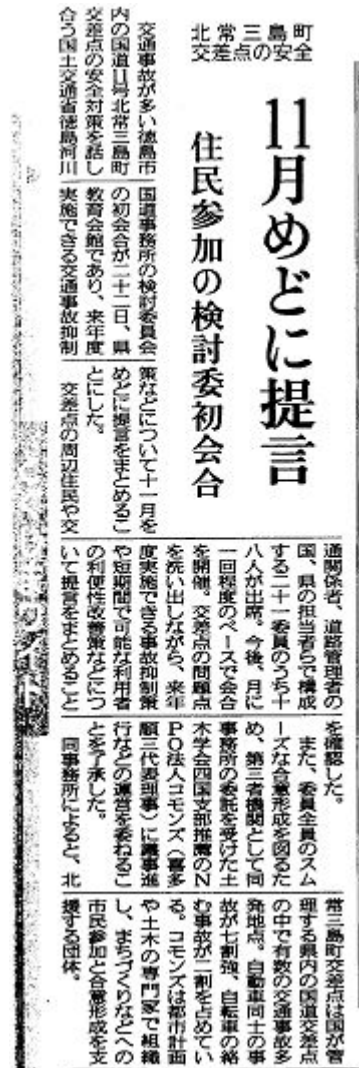
Figure 6-10: Newspaper coverage of the first meeting
Source: Tokushima Shinbun. (July 23, 2005). "Recommendations Expected in November"

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[338]　Team members' comments in the August 12, 2005 staff meeting.

meetings, they thought that a small group format using Post-it notes would provide a more appropriate environment for the purpose of the second meeting, which was to cultivate each member's understanding of the current conditions of the Kita-josanjima Intersection.

Team members decided to meet those who were absent from the first meeting. This was repeated after the following meetings as well. They brought handouts and made sure that the representatives were fully informed about the progress of each meeting.

The second meeting was held on September 22 in the Small Conference Hall (*shō-kaigi-shitsu*) at Tokushima Educator's Hall from 2PM to 5PM. This room was much bigger than the room for the first meeting. Two islands of tables, surrounded by approximately 10 seats, were set up in the middle of the room (see Figure 6-11). The team also brought its own exhibition panels and arranged them around those islands.

Sato moderated the meeting, beginning with reflections on the first meeting. During the introduction, he referred to the new seating arrangement:

> *Today, we will use a different seat arrangement. The room is slightly larger than the one we used last time. We have more space. The last meeting was structured somewhat formally, probably because it was the first one. Today, I want each of you to recognize others' faces, and start with an informal atmosphere.*

Two-island format

TAT's presentation on current issues at the Intersection

Each member writes his/her comment on Post-it notes

A member elaborates on his comment on the wall

Figure 6-11: The second meeting

(Photo: Yuuji Kurahashi)

Sato then asked each member to stand up and say his or her name so that others would recognize him or her.　Then he asked members to review the handouts and make sure no material was missing.　Finally, he asked for agreement on the proposed minutes for the first meeting.　No one responded.

　The second meeting was intended to identify the problems at the Intersection for the committee would address in its recommendations.　A representative of the technical assistant team (TAT), Akinobu Kanetsuki, an engineer of the Oriental Consultants, explained how major accidents had occurred at the Intersection in recent years.　In response to a request by Sato, Masaaki Ushiro,

an alternate representative from the Police Department, provided an analysis of car accidents between 1978 and 2004.   Because detailed data on traffic accidents are not publicly accessible in Japan, the presentation by the police department had to be arranged in advance.   Kanetsuki also suggested 10 standard measures to reduce car accidents.   After Kanetsuki's presentation, Kita explained his findings from the stakeholder analysis.   He identified eight safety issues and six usability issues at the Intersection:

- Safety
    - Safety for pedestrians
    - Safety for bicycle riders
    - Safety around the southern entrance to the Intersection
    - Safety around the northern entrance to the Intersection
    - Safety around the western entrance to the Intersection
    - Safety around the eastern entrance to the Intersection
    - Safety for right-turning vehicles (from NR north to PR west)[339]
    - Safety for right-turning vehicles (from NR south to City Road east)
- Usability
    - Shape of the Intersection, Signals
    - Pedestrian usage
    - Lighting
    - Entrance to/Exit from neighboring parking lots
    - Other issues with automobiles
    - Concerns about changing the status quo

Members listened patiently to Kanetsuki and Kita's presentations which together

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[339] Readers should be reminded that cars drive on the left side of the road in Japan; right turn intercepts the opposing traffic.

took approximately one hour.

Committee members were then asked to comment on these 14 categories problem areas. Kita and Sawada each joined one of the islands of tables where a couple of student assistants were also stationed to assist the members.   First, each member wrote down suggestions and comments on large Post-it notes[340]. Second, each member handed his or her notes to one of the assistants who then categorized the comments.   Third, the assistants attached the Post-its to one of 14 large sheets of paper, each devoted to a problem category, hung on the walls and panels (See Figure 6-11).

After a ten-minute break, Sato reviewed the14 collections of Post-it notes. During the review, he spontaneously mentioned that this way of managing the discussion is quite common in "workshop" meetings.   Beginning with the category that had drawn the least attention, Sato went around the room to cover all of 14 categories of issues.   For each category, he asked one or two committee members to elaborate on his or her comments.   When all categories were reviewed, each member was asked to speak out at least once.   Sato says,

I thought that the second committee meeting would be the first forum for deliberation and information exchange.   Therefore, I thought it would be crucial for us to offer each member an opportunity to express his or her ideas with his or her own voices (...) in order to understand the character and the ideas each

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[340] Commons and the University of Tokushima had a large stock of specially designed (3"x8.5") Post-it notes for their workshop meetings.

member had[341].

Even though this meeting was intended for the clarification of current issues and problems, not for the discussion of specific improvement measures, several members suggested specific improvements to the Intersection.

It was only a few minutes before 5PM when the committee finished reviewing those comments.   The committee moved to the final agenda item, which was to limit the categories of issues that the committee would address.   A straw poll was conducted by, again, using Post-it notes.   Sato reviewed the results, and quickly moved on, suggesting that the committee would address all issue categories and ask the TAT to formulate options for improvement.   No member disagreed.   Sato became noticeably worried about the time: it was a few minutes before 5PM and he repeatedly said, "I'm sorry for the delay."   He suggested that the next meeting would be held on October 6 at the same place.   No one disagreed, and the meeting was adjourned a few minutes after 5PM.

Third meeting: October 6, 2005.

The most important agenda for the third meeting—from the standpoint of the neutral team—was to suggest an additional fifth meeting. At the September 27 steering committee meeting, everyone, including the convenor, recognized that an additional meeting would be necessary for the committee to explore the areas of

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[341] Personal communication with Y. Sato (via E-mail) on April 2, 2006.

agreement so that the TAT would be able conduct adequate technical studies and the neutral team could prepare a single text.   The fifth meeting was to be held sometime before the mid-December in order to meet the expectations of the convenor (i.e., the MLIT).

For the third meeting, the TAT prepared a report explaining all possible options for the improvement of the Intersection.   The report included 47 options (see Appendix 6-K).   Among those, nine (from #39 to #47) were considered infeasible within the time frame set by the MLIT; the committee was supposed to propose measures that could be implemented within the next fiscal year.   The goal of the third meeting was to narrow the focus of technical study to no more than 38 options by removing those 9 options as well as some others.

The setting for the third meeting was again organized in the "workshop" format: three islands were set up in the meeting hall and committee members were divided into three groups.   An engineer from the TAT and a facilitator from Commons were stationed at each island.

The meeting started with the regular routine: Sato offered an opening statement and asked members to confirm the minutes and review other handouts quickly. One member asked for a minor correction to the minutes.

After a round of short self-introductions, Kita was brought to the front to propose an additional meeting.   He first explained a suggested procedure for

Three-island format

TAT's engineering consultant explains each option to the group

Post-it notes are used to suggest questions and comments on each option

Facilitator recaps the discussion in each group

Figure 6-12: The third meeting

(Photo: Yuuji Kurahashi)

choosing appropriate options at length.   Then he asked for the extension as follows:

Well, many issues have been raised.   The Technical Assistant Team examined those issues and identified as many as 47 possible options.   Team members will explain them later.   How should we manage this committee from now on?   Well, let me repeat my proposal.   We want you to fully understand those improvement options, check the compatibility between each option and the purpose of our deliberation, and evaluate the impact of each option.   In order to complete those tasks, I think, we need to spend some time for understanding those possible options.   We need to attend to all of your questions.   We plan to allocate most of our time for that discussion.   To do so, we need to modify the work plan for the rest of committee meetings a little bit.   Four meetings were planned for the

committee, but I would like to ask you to have an additional meeting, and to

produce our recommendations in total of five meetings.   That's what I propose.

Kita continued explaining his proposal for an additional meeting, and gave the microphone back to Sato.   Sato asked if there was any disagreement.   No one volunteered and the proposal was approved by the committee.

The team programmed the third meeting to familiarize each committee member with the 47 options suggested by the TAT.   Kanetsuki of the Oriental Consultants first explained how the TAT had conceived those 47 options.   He explained the relationship between those options and the 14 issues identified in the previous meeting.

After a short break, each group, led by a facilitator, started to discuss each option.   All groups followed the same basic procedure.   First, a representative from the TAT offered a technical explanation of one of 47 options.   Second, the facilitator asked committee members around the table if they had any questions regarding that option.   If someone offered a comment, an assistant recorded it on a Post-it note and pasted it on the wall.   As they did in the second meeting, the neutral team brought in sheets of oversized paper on which 47 options were drawn, and hung them around the room (see Figure 6-12).   The assistant pasted each Post-it to the appropriate section on the wall.   Each group repeated this procedure for 47 options.   Finally, the facilitator for each group asked its members if they would agree to limit their focus to the 38 options that seemed to

be feasible within the next fiscal year.

Several noncontroversial issues were identified during the group discussion. First, the goal of this committee—which was to discuss measures that could be implemented in the next fiscal year—was repeatedly criticized by at least one member. This member, in fact, argued consistently for measures that would allow elders and handicapped persons to cross the intersection. He said,

> *Member:* *Short-term programs? Well, do just cosmetic changes. Superficial changes are enough, but don't spend big money on them. We need complete reforms! Maybe, why not building underground paths for pedestrians? That's nice.*

Second, some others were frustrated by the agenda for the third meeting. In one of the three groups, the facilitator tried to suppress commentaries on benefits and impacts from each option because the purpose of the discussion was to "understand" each option. Only questions for the TAT were allowed. Later in the meeting a member of the group vented his frustration as follows:

> *Member:* *It's better to discuss substantial issues, such as whether each option has negative impacts or not. Each option has those, right?*
> *Facilitator:* *Yes. I think each has.*
> *Member:* *Those issues must be discussed, at least, before the next meeting. Like it was suggested... Four meetings were initially proposed, but extended to five meetings. In a nutshell, it will be extended forever! Today's meeting is the same. ... Like Mr. (name of a member) mentioned previously, we should consider the kinds of impact each option has. Those options won't offer an effective solution to the issues. Like this one, we need to consider the traffic in the Tokushima-honchō areas as a whole, like the control of traffic signals. If we don't consider those, we won't be able to produce our recommendation.*

Representatives from government agencies were particularly critical of the slow

progress and lack of detailed technical investigation. Several of them tried to make sure that none of the options would be implemented without further technical investigation.

After the group discussion, Sato asked each facilitator to summarize the discussion at each table. All groups agreed with the idea for limiting the discussion to 38 options. Sato proposed to limit the focus to 38 options for further investigation, while admitting that long-term plans would also be important. No one dissented, and the meeting was adjourned.

Option survey

After the third meeting, team members had a staff meeting at the University of Tokushima in order to reflect on it. The discussion was relatively intense compared to other staff meetings. According to the revised work plan proposed in the third meeting, 38 options would be discussed in the fourth meeting in order to formulate a rough draft of the final recommendation. Professor Yamanaka, a member of the TAT, stressed that the 38 options must be narrowed down as soon as possible in order to advance TAT's technical studies. He stressed the importance of preparing a "single text (*shinguru tekisuto)*" that would be acceptable to all committee members as their consensus recommendation. I agreed with him because this is how an agreement is crafted in the course of consensus-building processes in the US. I also pointed out, based on my observation of the meeting, that at least one member seemed to be frustrated by

the slow progress, as described above.

Everyone in the team quickly agreed with Yamanaka's proposal and started to discuss survey questions.   Because the committee would seek a consensus of all stakeholders, the team assumed that any option that would have serious negative impacts on any stakeholders would not be included in the final agreement. Therefore, the survey would ask each member what the negative impacts of each option would be.

The survey was dispatched by mail on October 20, 2005.   Between November 1 and 10, team members visited each member's office or household to collect his or her responses.   A couple of members expressed strong reservations about responding to the survey because they considered the technical analysis for every option to be inadequate.   These stakeholders were extremely concerned about the feasibility of the options.   It became evident that the details of each option needed much further technical analysis than had been anticipated.

Responses were summarized for each option.   Fifteen members expressed their concerns about the removal of the pedestrian overpass (option #1).   No one expressed a concern about marking the sidewalk at the entrance to the condominium (Option #34).

Fourth meeting: November 18, 2005.
When the team was organizing for the fourth meeting, members recognized the

difficulty of formulating a draft recommendation; their experience in the option survey had sensitized them to it.   In particular, the final proposal had to be endorsed by the Prefectural Police Department because it had the regulatory power to veto the MLIT's decision. (See the next section for details.)   I suggested that the team members could use "caucuses (*kōkasu*)" between the MLIT and the Police Department; this technique was used in the US to resolve differences between particular stakeholders.   The team members, as well as the MLIT, decided to pursue the caucus option.

For this reason, the fifth meeting had to be delayed for several months so that the MLIT and the Police Department could have enough time to negotiate on the final draft agreement separately from the whole group.   In a November 10 meeting, the MLIT, as a convenor, agreed to accept the committee's delayed recommendations even though they would be several months after the initial goal of the committee, which was November 2005.

The fourth meeting was held on November 18 in the Small Conference Hall at the Educator's Building as usual.   Sato, as the moderator, started the meeting at 2PM, and asked Kita to explain the proposal to revise the process.   Kita explained the need for negotiation between regulatory authorities on drafting the final agreement as follows:

> *Well, in this committee, we will share our concerns and discuss possible ways of*
> *resolving them.   Based on our discussions, the Technical Assistant Team will*

*prepare an implementable plan, not just options.   Based on a thorough analysis
of the current configuration of the Intersection, and its signaling patterns, they
will formulate an implementable plan, in terms of both hardware and software.
In this planning process, they have to consult with relevant organizations, on
regulatory issues and rules.   So, the TAT will negotiate with relevant
organizations and improve the plan into a more realistic one.   Then we will
promulgate it into a draft recommendation for road safety improvements.   With
that draft in hand, we plan to hold the fifth meeting in January next year, as we
will announce later.   We want you to discuss the draft, and revise it in various
ways if necessary, and achieve the final goal of this committee, which is to
produce recommendations for the road safety improvement.*

No one disagreed with Kita's proposal.   He went on to explain the results from
the opinion survey.   Then Kanetsuki outlined the TAT's findings from its detailed
analysis of the 38 options.   TAT concluded that most of the 38 options had some
negative impacts for traffic.   The team conducted a traffic projection analysis in
order to measure the impact of changing the signaling patterns.   It revealed that
traffic congestion around the Intersection would be made worse: the length of the
traffic jam would be longer by somewhere between 200 yards and a mile,
depending on the choice of option and the time of a day.   He also pointed out
several technical concerns to be considered—such as reduction in driver attention
to traffic as he or she is distracted by reading additional signboards—before
implementing other options.

After a short break, the session was divided into two groups.   One group was
to discuss options for reducing the following types of accidents: pedestrians and
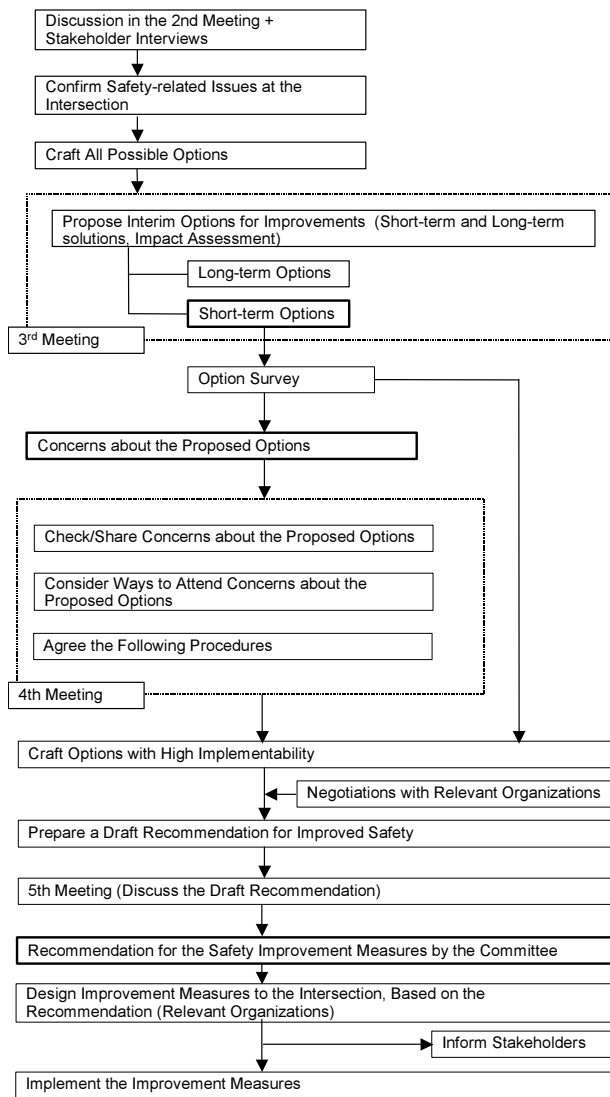
Figure 6-13: New work plan suggested in the fourth meeting

automobiles, bicycles and automobiles, and rear-end collisions.   The other group

was to discuss options for reducing accidents during right-turns and involving

motorcycles during left-turns.   The assignment to each group was involuntary:

each member was assigned a seat at the beginning and members were not offered

a chance to move to the other group.   Sato was concerned about the mix of

representatives from government agencies and others in each group[342].   After

discussing different options the groups reached the following conclusions:

Group A:

1. Options for reducing accidents between pedestrians and automobiles cannot
be implemented in a short term.

2. Reducing accidents between bicycles and automobiles might be possible if
authorities were to:

Option #2.   Move the bicycle crossing zones (BCZs) toward the center (if
technically feasible);
Option #3.   Paint the BCZs (if the color is the same with other intersections
in Tokushima);
Option #9.   Reduce the corner radius;
Option #12.   Install night lighting equipments (if technically feasible);
Option #26.   Install electronic signboards showing the time remaining for
green lights for bicycles; or
Option #34.   Draw lines between the road and the sidewalk at the condo
entrance.

3. Reducing rear-end collisions might be possible if authorities were to:

Option #5.   Draw road markings for speed reduction (for the downhill
segment nearby the Great Yoshino River Bridge); or
Option #19.   Add a "Time-lagged signal" signboard.

Group B:

4. Reducing accidents during right-turns might be possible if the authorities
were to:

Option #4.   Draw guidance lines for the right turn traffic (for traffic turning
right from NR11) with repainting the arrows on the road for the
east-west axis.

5. Options for reducing accidents involving motorcycles during left-turns
cannot be implemented in the short term.

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[342] Personal communication with Y. Sato (via E-mail) on April 2, 2006.

Two-island format

TAT's engineering consultant explains
the result of detailed analysis

Discussions in the Group B

Figure 6-14: The fourth meeting

(Photo: Yuuji Kurahashi)

The group discussion took more time than was originally planned.   When Group A completed its discussion, it was past the scheduled closing time of 5PM.   Sato first apologized to the members for the delay, and skipped presentations by the facilitator for each group.   Sato quickly reviewed the agreements in each group, and asked if the members would agree to let the TAT negotiate with relevant regulatory authorities and prepare a draft agreement.   No one dissented.   The meeting was adjourned at 5:15PM.

Caucus between the Ministry and the Police Department

It was evident to the team members that the final agreement had to be packaged

into a detailed plan that would be acceptable to both the MLIT and the Police Department[343].   Theoretically, such negotiations between those two agencies could have taken place during committee meetings.   However, decisions had to be made using a traditional arrangement.

The traditional system for reaching an interagency agreement between the MLIT and the Prefectural Police Department was institutionalized by the Road Law (*dōro hō*) and the Road Traffic Law (*dōro kōtsū hō*).   Article 95-2 of the Road Law requires the owner of the road (i.e., the MLIT) to solicit an opinion from the regulator of the road (i.e., the Police Department) when the former intends to draw lines on a road surface or construct a pedestrian overpass. However, Article 110-2 of the Road Traffic Law requires the regulator to solicit an opinion from the owner when it intends to issue new traffic regulations, including the reconfiguration of zebra crossings and bicycle crossing zones. Therefore, the Japanese legal system mutually binds the MLIT and the Police Department to reach an agreement before making improvements to the road.

In addition, the MLIT had no jurisdiction over the management of traffic signals.   In fact, changing the patterns of traffic signals in the third meeting would have required an invasion into the bureaucratic turf of the Police Department.   The neutral team, however, didn't recognize the need to give

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[343] Technically speaking, the Public Safety Commission (*kōan-iinkai*) has the authority of regulating the traffic.   In reality, the Police Department undertakes the actual work for the commission.

special attention to the Police Department when the committee was convened because the stakeholder assessment did not reveal the importance of reaching an interagency agreement between those agencies[344]. Several team members now think that they should have tried to work more closely with the Police Department using informal caucuses at the beginning of the process.

The negotiation, in the traditional format with a twist, took place after the fourth meeting. The TAT prepared a draft plan for the MLIT incorporating commentary from the fourth meeting. With the plan in hand, MLIT officially asked the Police Department for its opinions. The negotiation between those parties took place in the mid-January. The neutral team was in fact banned from the negotiation table. Unfortunately, details of the negotiation between those agencies cannot be analyzed because it was conducted in the traditional way without involving the neutral team. Unlike in the U.S., such internal meetings are not open to public scrutiny.

Preparing for the final agreement

On January 20, the neutral team received a finalized plan from the Technical Advisory Team. It was based on the outcome of the bilateral negotiation between the MLIT and the Police Department. The draft plan included the following eight schemes (see Appendix 6-L).

- Reducing the corner radius and moving the bicycle crossing zone to the

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[344] Personal communications with several team members.

center of the intersection;

- Installing night lighting equipment;
- Drawing the border between the road and the sidewalk (condo entrance);
- Adding a sign "Time-Lagged Signal (*jisa-shiki shingo*)" next to the signal (from the west);
- Installing a signboard to warn drivers of crossing bicycles;
- Drawing road markings to reduce the speed;
- Drawing guidance lines (for right turns) from the north; and
- Adding a digital signboard for bicycles showing the remaining time for the green signal.

In fact, almost all schemes suggested in the fourth meeting were included in the final plan.   The only exception was the option to paint the BCZs and the condo entrance.   Presumably, it was determined during the negotiation that the color for painting those areas could not be decided.   Kita incorporated the eight accepted schemes into the draft consensus agreement of the committee, which included the following chapters.

- Chapter 1: Introduction
- Chapter 2: Work of the Committee
- Chapter 3: Recommendations
- Chapter 4: Issues to be Resolved in the Future
- Chapter 5: Conclusion

The neutral team forwarded the draft to the MLIT for its approval. MLIT informally accepted it with a few minor changes to the draft, including the sequence of the eight schemes presented in the report.   The draft was distributed to all members on February 1, 2006 with a letter asking each representative to read through it and submit a comment to the team if he or she found something in

the draft that would have negative impacts on any of stakeholders.   The deadline for the comment was set for February 7.   No one responded to the request.   The final meeting was expected to be ceremonial, with no discussion of substantial issues.

Fifth meeting: February 10, 2006

The fifth and final meeting took place at Hotel Senshū Kaku located next to the Tokushima City Hall in the Saiwaichō neighborhood.   The team could not reserve a room at the Educators' Building because the meeting date was on such short notice.   The team scheduled the meeting between 2PM and 4:30PM, 30 minutes shorter than the regular meeting, in anticipation that the members would have few issues to discuss.   This assumption was based on the reactions team members received during their follow-up visits and phone calls with committee members who were absent from the fourth meeting.

The MLIT issued a press release for the final committee as usual (see Appendix 6-D).   In the press release, however, it was noted that this meeting would be the last if members reached an agreement.   In response to the press release, a reporter and camera crew from the local NHK branch and a reporter from a local newspaper came to observe the meeting.

For this meeting, the table arrangement was similar to that of used the first meeting (i.e., the U shape).   Team members and student assistants gathered at the meeting hall a few minutes after 1PM.   Sato put the name plates around the table.

Committee used an overhead projector
to discuss the amendments to the draft.

Kita (right) handed in the final agreement to
Honda (convenor: left)

Honda expressing his gratitude to
committee members

Kita wrapping up the discussion

Figure 6-15: The fifth meeting

(Photo: Yuuji Kurahashi)

As discussed in the previous team meeting, seats for the MLIT representatives

were reserved at a separate table where Namerikawa and Professor Yamanaka

could work on a computer and a printer.   The seating arrangement for the other

representatives was also quite similar to the first meeting; representatives from

government agencies were seated on one side and others across from them.

At 2PM, Sato opened the meeting by asking representatives whether they

agreed to have the TV crew record the meeting.   No one disagreed.   Then, the

camera crew set up a professional VCR on a tripod and started recording.   Sato

continued the meeting by reviewing the handouts distributed to each representative and the meeting minutes for the fourth meeting.

At that point, a representative from the Handicapped Persons' Association (HPA: *shōgaisha kyōkai*) raised his hand and suggested that the proposal was not acceptable.   Sato suggested that they would discuss any objections following presentation of the draft agreement.   The representative agreed.   Then, Kita was brought in to provide a review of the draft agreement.   Kita used PowerPoint slides to explain key issues in the draft, in particular the eight suggested improvements to the Kita-josanjima intersection.

Sato opened a discussion by bringing the draft to the floor.   He asked if anyone had objections to Chapters 1 and 2 of the draft.   Everyone agreed.   Then, he asked if anyone objected to Chapter 3, which described eight schemes to be implemented in the next fiscal year.   The representative from the HPA, raised his hand again.   He harshly and critically observed that the eight proposals did not include any scheme for handicapped persons, and demanded that elevators for the existing pedestrian overpass or an underground pedestrian path be built.   He also raised the issue of compliance with the Barrier-Free Transportation Act of 2000 (*kōtsū baria-furī hō*) that required all transit facilities and streets to be accessible to disabled and elderly people.

A representative from the MLIT responded by suggesting that the Law was only applicable to certain designated areas in downtown Tokushima and the

Intersection was outside this area.   He also suggested that the resources available for the Ministry might not allow such projects.   The representative from the HPA argued that the Law must be applied more flexibly and the fact that the Intersection was out of the designated area did not legitimize the lack of facilities for elderly and handicapped persons.   The tone of his speech was a little high-pitched and a little angry.

Following this interaction, a tense atmosphere filled the room. Then, another representative from the HPA, raised his hand.   In a subdued voice, he suggested that the paragraphs in Chapter 4, which included future actions, were not elaborate enough.   He explained that the committee had discussed those options including the construction of elevators and determined that those options would not be feasible in the short term.   He also stressed the importance of planning those facilities without making hasty decisions.

Sato then suggested that revisions could probably be made to the paragraphs in Chapter 4 of the recommendation.   Several others volunteered commented on the relative merits of elevators and underground paths.   Sato asked representatives of local residents for their thoughts.   Two of them suggested that the implementation of either of those options would take too long.

After those interactions, the representative who initially raised the issue seemed to agree grudgingly with the idea of editing Chapter 4 to incorporate his argument. He demanded a few specific sentences be inserted in Chapter 4 of the final

agreement.   Sato summarized his comment, and asked the representative of the MLIT if he had something to say.   MLIT's representative acknowledged the importance of improving accessibility while stressing the cost effectiveness with regard to other projects in Tokushima.   Other representatives offered no further comments.

Sato suggested that they take a 10-minute break.   Susumu Namerikawa and Professor Yamanaka scrambled to prepare revisions to the paragraphs in Chapter 4. They printed out the revised draft, discussed it with the representative from the MLIT, then returned to their laptop computer to work and on further revision.

After the break, the overhead projector was turned on again.   The revised paragraph in Chapter 4 was shown in red on the screen.   Sato read through the revised paragraph.   The last paragraph, in its original and revised forms, was as follows:

> *Before: We hope that there will be continued discussions about "the measures for developing the safe walking environment and crossing access for pedestrians."*
>
> *After: There is a need for continued discussions about "the measures for developing the safe walking environment to cross the road for pedestrians."   In particular, it is important that the design and the cost-effectiveness of the facilities for Barrier-Free crossing access (such as elevators, slopes, underground paths, and etc.) are studied in a timely manner.*

The HPA representative argued that the final paragraph should explicitly support

implementation and that inclusion of the word "cost-effectiveness" was not necessary. The representative from the MLIT questioned the latter proposal, saying that public spending could not be approved without considering cost-effectiveness. Finally, Sato suggested that "and implemented" would be inserted in the last sentence before "in a timely manner." Kita typed the phrase on a laptop, and the revised paragraphs were displayed immediately on the screen (see Figure 6-15). Sato asked if anyone had comments on the revision. There was a moment of silence for a few seconds. Sato reaffirmed that there was no predetermined scenario for the meeting and encouraged others to raise hands if anyone disagreed with the revised draft.

It was a moment of relief. Sato said, "Thank you." and invited Kita and Honda—who took the convenor's role—to the front stage. TV crew and newspaper reporters also approached the front. Kita said that he would hand in the recommendations as a representative of the stakeholder committee. Kita inserted the print-out of the revised paragraph in the original draft, and solemnly handed it to the MLIT representative. Everyone at the table spontaneously applauded.

Draft minutes for this meeting were prepared simultaneously during the meeting. Because printing out copies of the draft on the team's slow ink-jet printer would take several minutes, Sato took the opportunity to ask a few participants to reflect on the progress of the committee.

A copy of the draft minutes was distributed to each participant.   The contents were immediately accepted by all participants.   Sato thanked all for their participation in the committee.   He also stressed that each representative should take the agreement back to the organizations he or she had represented.   He concluded the meeting around 4:10PM by saying, "*arigatō gozaimasu* (thank you!)".

While everyone was leaving the room, a reporter from the local NHK-TV station asked several representatives as well as Kita for their commentaries. While staff members were cleaning up the room, I had a chance to talk with Hajime Honda, the representative from the MLIT.   He spontaneously said to me, "This was difficult.   In the U.S. everyone make changes to the draft during the meeting, right?   We did, but that was tough."   Everyone left the room around 5PM.

At 6:17PM, a news program covered the story of the Kita-josanjima Intersection for several minutes.   The reporter first outlined the current problems with the Kita-josanjima Intersection.   Then, he briefly discussed how the committee was organized and what recommendations it produced.   Kita's brief comment on the role of the third-party neutral was aired.   Unfortunately, the report did not mention that it was structured around "consensus-building" processes as practiced in the US.   Then, the report moved on to the details of the committee's recommendations.   In particular the reporter discussed the

effectiveness of reducing the corner radius and moving the bicycle crossing zone to the center of the intersection.   A reporter interviewed a middle-aged person who happened to ride a bicycle through the Intersection.   He said, "Well, it's good if the intersection becomes safer."

Distribution of the final agreement

Because the agreement was revised in the last meeting, the team had to distribute the final draft to all committee members including those who were absent.   Copies of the final agreement were mailed on February 16 by a student assistant.   The highlights of the document—the eight schemes for improving the safety and the usability of the Intersection that could be implemented in the short term—is included in this dissertation's Appendix 6-L.   For the purpose of this research, a survey form was enclosed in the packet.   The responses from the stakeholder representatives will be discussed in Chapter 7.

Date	Event	Stakeholder Meetings	Steering Committee	Announcements	Miscellaneous
2005/5/31	Steering Committee Meeting		*		
2005/6/14	Steering Committee Meeting		*		
2005/6/15	Neutral team begins to contact prospective stakeholder representatives				*
2005/7/6	Steering Committee Meeting		*		
2005/7/7	The first stakeholder meeting announced to members			*	
2005/7/19	MLIT issues press release on the first committee meeting			*	
2005/7/22	Kita-josanjima Intersection Committee 1st meeting	*			
2005/8/26	Steering Committee Meeting		*		
2005/9/3	Kita-josanjima Intersection Committee 2nd meeting	*			
2005/9/27	Steering Committee Meeting		*		
2005/10/6	Kita-josanjima Intersection Committee 3rd meeting	*			
2005/11/15	Steering Committee Meeting		*		
2005/11/20	Kita-josanjima Intersection Committee 4th meeting	*			
2006/2/7	Steering Committee Meeting		*		
2006/2/10	Kita-josanjima Intersection Committee 5th meeting	*			

Figure 6-16: Major events after April 2005

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Chapter 7: Stakeholder Reactions

Getting feedback from the committee members

Purpose

To measure the effectiveness of this experimental consensus-building I needed to gauge the reactions of the members of the Committee for the Improvements to the Kita-josanjima Intersection.   The main focus of this dissertation, however, is not the analysis of this particular consensus-building effort; it is an evaluation of adaptation and organizational change through the introduction of consensus building processes to Japan.   Reactions from the stakeholder representatives were sought to make sure that this experiment achieved certain outcomes—fair, efficient, wise, and stable solutions[345]—that are envisaged in the theory of consensus building in the US.   In other words, participant feedback is helpful in confirming that the process adaptation and organizational change required by the Japanese context did not cause the experiment to "fail".

Method

A paper survey was used to gather feedback from the 21 stakeholder representatives.   It was distributed by a student assistant at the University of Tokushima on February 16, 2006 (i.e., immediately after the final meeting) to all

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[345] Susskind, L. and Cruikshank, J., (1988). <u>Breaking the impasse: Consensual approaches to resolving public disputes</u>. New York, NY: Basic Books. pp. 21-33.

committee members as an insert in the final recommendation report.   They were asked to respond to the survey before February 24 by mailing completed forms in an attached pre-paid envelope.   The survey was conducted as a research project of the JSCE's Shikoku Branch.   Postcards were mailed to everyone on February 24 to encourage responses from those who had not responded yet.

The survey form included 27 multiple-choice questions (see Appendix 7-A). It was designed to capture participants' evaluation of the Kita-josanjima experimental process from a wide variety of perspectives.   To elicit their candid reactions, the survey did not ask their names and any other background information that would possibly suggest their identity.   The survey also promised that the data would be statistically processed in order to insure the confidentiality of individual responses.

The survey questions were based on various factors for evaluating consensus building processes outlined in the *Consensus Building Handbook*[346].   Those criteria are also summarized in the last section of Chapter 2.   The first part of the survey (Questions 1-10) asked each stakeholder to evaluate the procedural aspects of the experiment.   The latter part of the survey (Questions 11-26) was related to the final agreement and other outcomes.   Seventeen out of 21 committee members (81%) responded to the request.

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[346] Innes, J. (1999). Evaluating consensus building. In Susskind, L., McKearnan, S. and Thomas-Larmar, J. (Eds.). Consensus building handbook. (pp. 631-675). Thousand Oaks, CA: Sage.

Feedback

Procedural aspects

Satisfaction with the given goal (Q1)

The first survey asked each committee member how satisfied he or she was with the goal given to the committee, which was to formulate a short-term plan to improve the safety and usability of the Kita-josanjima Intersection.   The majority of the respondents answered that they were very satisfied (24%) or mostly satisfied (41%).   However, six members (35%) were mildly unsatisfied with the goal of the committee, even though it was articulated by a representative of the MLIT and unanimously endorsed by committee members at the first meeting.   Those unsatisfied representatives did not boycott the meetings; three of them participated in all five meetings and two others participated in four.

Are you satisfied with the goal given to the committee?
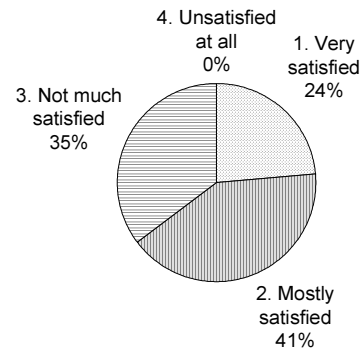
Figure 7-1: Satisfaction with the committee's goal

Incorporating stakeholder interests (Q2)

The second question was how satisfied the respondents were to how well stakeholder interests were reflected in the processes.   Responses to this question correlated closely with responses to the first question.   Respondents who were

satisfied with the committee's goal felt that "Almost everyone's opinions were reflected."   The five respondents who thought that "Only a portion of people's opinions were reflected" were asked which opinions were disregarded. Two of them pointed to

Do you think the opinions of everyone who has a stake in the Kita-josanjima Intersection were reflected in the process through the stakeholder analysis (interviews) and the committee?

Figure 7-2: Incorporating stakeholder interests

physically-challenged people (*kō-tsu jakusha*); two mentioned various types of automobile drivers; and one specified neighboring businesses.

Ownership of the processes (Q3)

Various theories of consensus building in the US suggest that stakeholders should experience "ownership" of the processes in which they participate[347].   In order to measure the sense of "ownership" among these participants, the survey asked each member if he or she had been given the opportunity to comment on how the committee would be managed.   Positive responses would indicate that participants' sense

Do you think that you were given opportunities to express your opinions about the processes and the management of the committee?
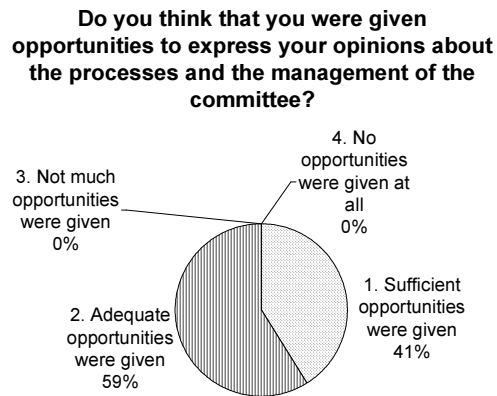
Figure 7-3: Process ownership

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[347] Innes, J. (1999). p. 648

of "owning" the process is likely to be high.   All respondents answered

positively to the question: 41% thought that sufficient opportunities had been

given, and the rest (59%) believed that they had been given at least some

opportunities to provide inputs on how the committee would be managed.

Contribution of the third-party neutral and the technical assistant team to the

process (Q4 and Q5)

Seventy percent of the respondents thought that the neutral assistance (i.e., Commons) was crucial (24%) or important (46%) in the management of the committee.   Only one respondent was critical of the contribution of the neutral team.   Compared to a similar survey conducted in the US, the evaluation of the neutral team for this
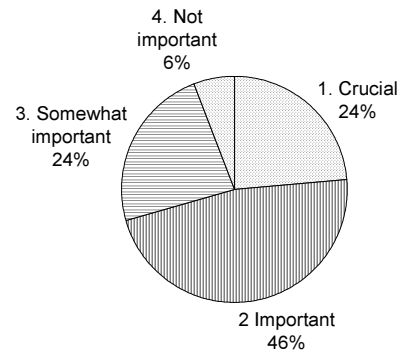
Figure 7-4: Contribution of the neutral

experiment was somewhat low; in a 100-case study conducted by the Consensus

Building Institute, 85% of the respondents thought the mediator was crucial

(60%) or important (25%) in achieving agreement[348].   The U.S. survey, however,

focused on complex public disputes, while the Kita-josanjima experiment did not

involve controversial issues.   The stakeholders' evaluation of the neutral

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[348] Susskind, L., Amundsen, O. and Matsuura, M. (1999). <u>Using assisted negotiation to settle land use disputes.</u> Cambridge, MA: Lincoln Inst. of Land Policy. p. 21.

facilitators in this effort was slightly worse probably because the lack of controversy made neutral assistance less crucial in achieving an agreement.

Respondents valued the technical assistant team (TAT) differently. Compared to the evaluation of the neutral team, more respondents evaluated the

How important was the technical assistant team?

Figure 7-5: Contribution of the TAT

TAT positively (i.e., crucial [6%] or important [76%]).   On the other hand, two respondents (12%), who considered the neutral was "somewhat important," answered that the TAT was not important.

Neutrality of the third-party team and the TAT (Q6 and Q7)

The survey asked how the representatives to evaluate the neutrality of the facilitator team and the TAT.   If most representatives thought that those teams favored particular interests, the teams didn't provide good facilitation services and technical advising.   The survey asked if the facilitators and TAT

Do you think the third-party team was assisting from an independent standpoint?
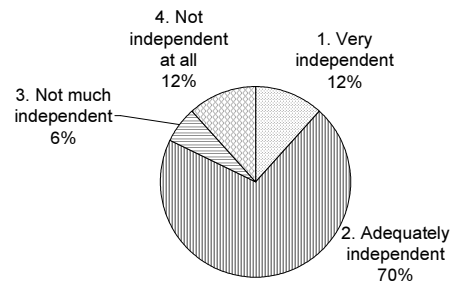
Figure 7-6: Neutrality of the neutral facilitation team (Commons)

appeared to be independent from the influence of the convenor (i.e., the MLIT). More than three quarters of the respondents said that the neutral team was very independent (12%) or adequately independent (70%). The two respondents who had criticized the agreement for failing to

Do you think the technical assistant team was assisting from an independent standpoint?

Figure 7-7 Neutrality of the TAT

incorporate the interests of physically-challenged people thought that the third-party team wasn't independent at all. The evaluation of the independence of the TAT was more favorable. Only two respondents (12%) were mildly concerned about the independence of the TAT.

Satisfaction with the process (Q8)

Seventy percent of the respondents evaluated the process favorably, and three (18%) unfavorably. The survey also asked committee members to provide written comments on the process. Out of the 17 respondents, 14 wrote evaluations. Eight of these pointed out a few elements that should be improved in future consensus-building efforts. Their

How do you evaluate the process?
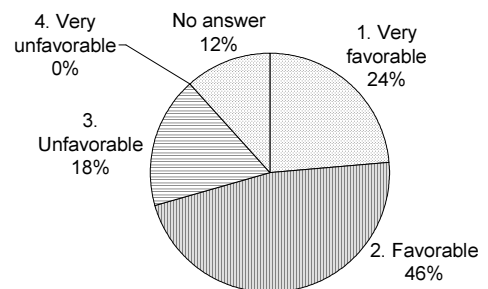
Figure 7-8 Satisfaction with the process

complaints addressed the role of government agencies in the process, inefficient management of the process, the lack of detailed analyses of accident records, and insufficient attention to particular stakeholders.

Recognition by the local communities (Q9 and Q10)

The majority of respondents thought that the process and the substance of the committee's discussions were not greatly recognized by the local community. The majority (58%) responded that few local residents were aware that the committee existed; 64% answered that many local residents didn't know what the committee had discussed in the committee.   Even though this survey did assess the actual awareness of local residents, the committee members' opinions suggest insufficient community outreach efforts in this experiment.

Do you think the users and the neighbors of the Kita-josanjima Intersection know the existence of the committee?

5. Don't know 12%
4. No one knows about it. 0%
3. Not many people know it. 58%
1. Almost everyone knows it. 6%
2. Some people know 24%

Figure 7-9: Recognition of the process

Do you think the users and the neighbors of the Kita-josanjima Intersection know what the committee has discussed?

5. Don't know 18%
4. No one knows about it. 0%
1. Almost everyone knows it. 6%
2. Some people know 12%
3. Not many people know it. 64%
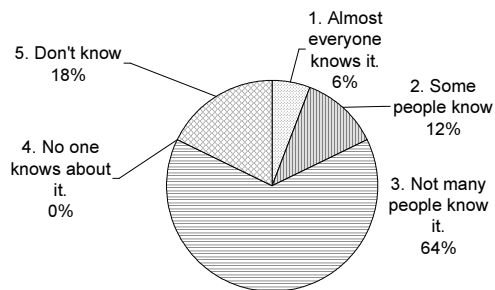
Figure 7-10: Recognition of the discussion

The neutral facilitator team tried to inform the community by inserting newsletters (*iinkai-dayori*) into the Tokushima

Shinbun newspaper.　The neutral team could have solicited the help of representatives from the local communities and improved the community's awareness by using different approaches to public involvement.　In addition, the team could have coached the community representatives, enabling them to publicize the committee's progress more effectively (e.g., by asking them to post newsletters on community bulletin boards).

Substantial issues

Comprehension of the issues discussed in the committee (Q11)

This question was designed to elicit participants' evaluation of the quality of communication between committee members during the meetings.　If they couldn't understand what the other members were talking about, the dialogue among them was not communicating any message.　On the

Could you fully understand what other members of the committee were saying (were intended)?

3. Couldn't understand much 0%

4. Not at all 0%

1. Fully understood 7%

2. Mostly understood. 93%

Figure 7-11: Quality of communication

contrary, almost everyone (93%) answered they understood most of what others were saying in the committee.　No one answered that they couldn't understand much.　Based on those responses, we can conclude that the quality of communication between committee members was adequately high.

Interest in the issues discussed in the committee (and how it changed)

(Q12 and Q13)

All respondents answered that the subjects discussed in the committee meetings were interesting. Twenty-nine percent answered that everything was interesting, and 71% answered that most of the subjects were. The survey also asked how each committee member's level of interest had changed. I assumed that some might have lost interest in the discussion after finding out that the final agreement was unlikely to have negative impacts on them. Approximately half of the respondents answered that their level

Were the subjects discussed in the committee interesting to you?

4. Not interesting at all
0%

3. Not much interesting
0%

1. Everything was interesting
29%

2. Mostly interesting
71%

Figure 7-12: Interest in the subject

Did the level of your interest in the subjects discussed in the committee change?

4. Not interested from the beginning to the end
0%

3. Grew interest during the committee
18%

1. Interested from the beginning to the end
53%

2. Lost interest during the committee
29%
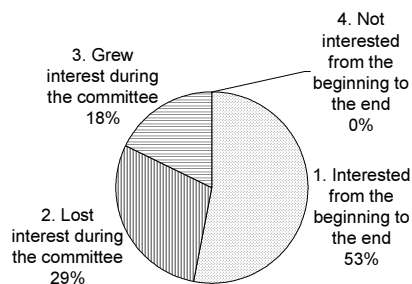
Figure 7-13: Change in the level of interest

of interest remained high throughout the process. Five respondents (29%) answered that they lost interest. Two out of those five respondents offered critical commentaries in their written responses to Question 8 about how the committee was managed.

Representation and the liaison with constituents (Q14)

Consensus building processes are based on dialogue among stakeholder representatives. Therefore, it was crucial for representatives to keep their constituents abreast of the committee's discussions if the final agreement is to be supported by all

Did you report back to your constituents about the progress of committee meetings?
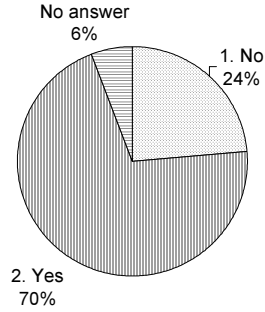
Figure 7-14A: Liaison with the constituents

stakeholders.   Twelve respondents (70%) answered that they kept their constituents informed about the progress of the committee.   The committee ground rules required them to do so. However, four (24%) answered that they had

ID	Before the 1st meeting	Between the 1st and the 2nd meetings	Between the 2nd and the 3rd meetings	Between the 3rd and the 4th meetings	Between the 4th and the 5th meetings	After the 5th meeting	total
1			X	X	X	X	4
2	X	X	X	X	X	X	6
3							0
4							0
5	X	X	X	X	X	X	6
6	X					X	2
7					X		1
8	X					X	2
9							0
10				X			1
11	X	X	X	X	X	X	6
12							0
13	X	X					2
14		X	X				2
15							0
16	X	X	X	X	X	X	6
17						X	1
total	7	6	6	6	6	8	

Figure 7-14B: Occasions of liaisons with constituents

not kept their constituents informed.   The survey also asked the 12 respondents who answered yes when correspondence with their constituents occurred. (See Figure 7-14B.)   In general, approximately half of them did so once or twice during the committee process.   Four of them answered that they reported back to their organizations before and after every committee meeting.

Representation of one's interest in the committee (Q15)

The overwhelming majority of the respondents (86%) answered that they could say what they wanted to in the committee meeting.   The respondent who answered "I couldn't say at all" participated in only one committee meeting.   It is likely that nonparticipation in the committee meetings led him or her to choose that option.   In general, respondents were adequately satisfied with the opportunities for them to speak out in the committee meetings.

Could you say what you had intended to say in the meeting?

4. I couldn't say at all 6%

3. I cound't say much 12%

1. I could say everything 6%

2. I could say most of them 76%
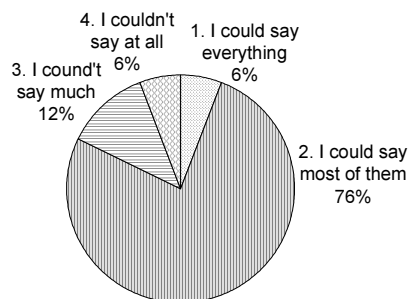
Figure 7-15: Representation in the committee

Knowledge creation by participating in the process (Q16)

The survey asked this question to evaluate the learning effect of participating in stakeholder dialogue.   Eighty-eight percent of the respondents answered that they learned at least a few things about the Intersection and the neighborhood by

Could you learn something new about the function of the Kita-josanjima Intersection and its neighborhood by participating in the committee?

- 4. Nothing new at all 0%
- 3. Almost nothing new 12%
- 1. Could learn many things 29%
- 2. Could learn a few things 59%
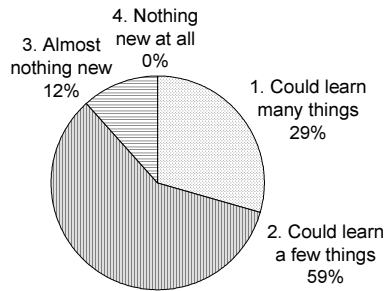
Figure 7-16: Learning by participation

Do you think the committee discussed innovative solutions and new ideas?

- 4. No innovative ideas at all 6%
- 1. Discsussed many innovative ideas 6%
- 3. Not many innovative ideas. 53%
- 2. Discussed a few innovative ideas 35%
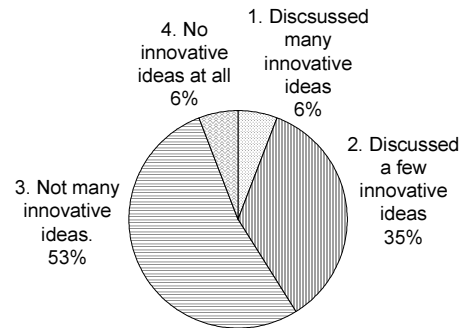
Figure 7-17: Innovations in the committee

participating in the committee.

Innovations in the recommendation (Q17)

The majority of respondents (53%) answered that the committee did not discuss many innovative ideas; not much knowledge was created. Several possible factors may have contributed to the lack of innovative schemes in the final agreement. First, the committee's goal, as laid down by the MLIT, was too narrowly defined to accommodate innovative schemes. To be included in the recommendations, any scheme had to be implemented in the short term. Ambitious schemes which could take several years to implement (e.g., construction of an underpass) were excluded in the middle of the process because they could never be built within the designated time frame.   Second, the technical assistant team might not have been able to suggest innovative schemes.   This hypothesis is further addressed by the next question.

Contribution of the technical assistant team to the substance (Q18)

The survey asked "what if" the TAT had not been available to assist the committee. The response is somewhat mixed. Slightly less than the majority of respondents (42%) answered that the final recommendations would have been worse if the TAT had not been

If the committee discussed the plan without help of the technical assistant team, how do you think the plan would be compared to the actual plan?
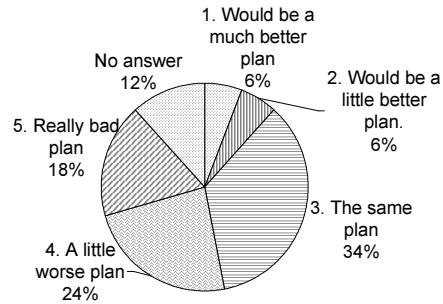
Figure 7-18A: Contribution of the TAT

involved.   However, 34% answered that the final recommendations would have been the same even if the TAT were not involved.   Two respondents (13%) even answered that the plan would be better if it were not for the TAT.

Why did 46% of the respondents think that the TAT's involvement made no contributions to the final agreement?   Was the TAT unable to suggest innovative ideas to the committee?   Or was it unable to provide a sufficient analysis of the past accidents and other issues around the Intersection?   A cross tabulation of the

		Q18	
		1~3	4, 5
Q17	1, 2	4 *(57%)*	3 *(43%)*
	3, 4	3 *(43%)*	4 *(57%)*
Total		7 *(100%)*	7 *(100%)*

		Q18	
		1~3	4, 5
Q19	1	2 *(29%)*	1 *(14%)*
	2	3 *(43%)*	6 *(86%)*
	3	2 *(29%)*	0 *(0%)*
Total		7 *(100%)*	7 *(100%)*

Figure 7-18B: Cross tabulation for Q17, 18, and 19.

answers to Questions 17, 18, and 19 indicates that the latter is the case. (See

Figure 7-18B.)   Those who did not value the TAT's contribution (i.e., those who

chose options 1~3 to Q18) were more critical of the committee's recognition of

the current issues than they were about the absence of innovative ideas.   The

respondent's frustration with the TAT is more related to the lack of the analysis of

present conditions than to the lack of innovative proposals.

Recognition of current issues (Q19)

If the recommendations were based on inaccurate recognition of the current issues surrounding the Kita-josanjima Intersection, they would be less effective in addressing its traffic safety issues. Seventy percent of the respondents, however, answered that the committee recognized those issues correctly.

Figure 7-19: Recognition of the issues

Compared to the evaluation of technical innovation in the committee's discussions,

this result is substantially favorable.   In the eyes of the committee members, the

group paid adequate attention to the current issues around the intersection, even if

its recommendations were not innovative enough.

Satisfaction with the final agreement (Q20)

This question was intended to capture participant's overall satisfaction with the final agreement.　No one answered that he or she was "fully satisfied" with the final agreement.　Almost three quarters of the respondents (71%) answered that they were mostly satisfied with the agreement.　Five (29%) were not much

How satisfied are you with the contents of the recommendations?
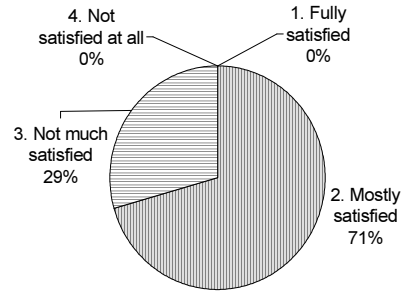
Figure 7-20A: Satisfaction with the final agreement
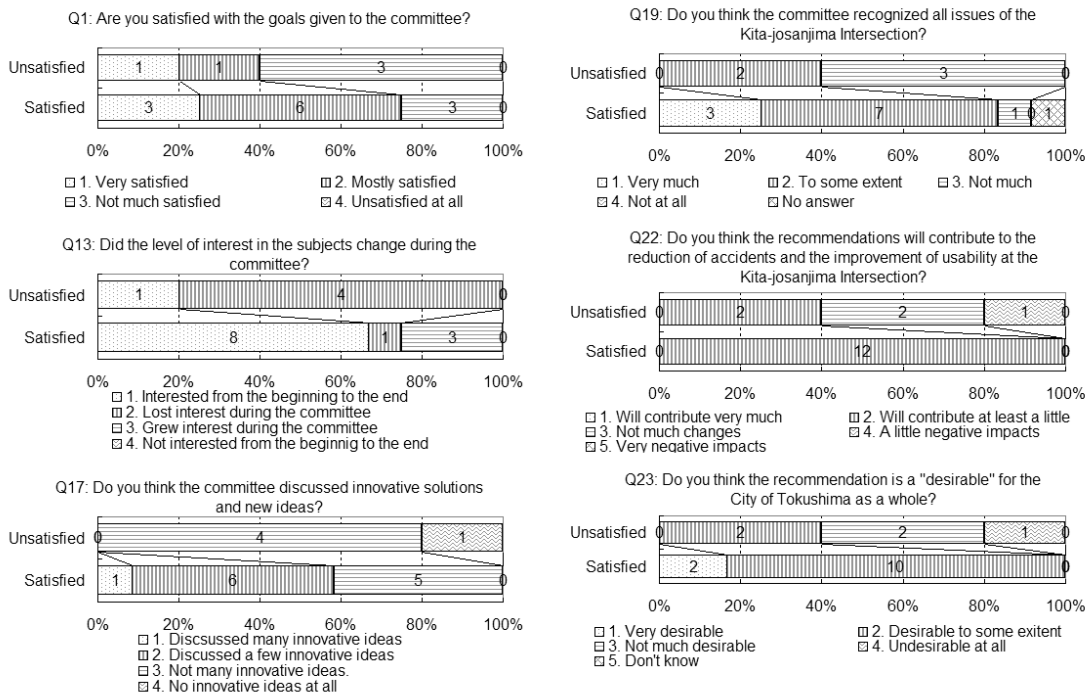
Figure 7-20B: Comparison between "satisfied" and "unsatisfied" members

satisfied with the agreement.

To understand why those five respondents were unsatisfied with the final recommendations, their responses to other questions were analyzed. Their responses to Questions 1, 13, 17, 19, 22, and 23 were strikingly different from those of the other respondents. (See Figure 7-20B.) Generally speaking, they thought that the committee neither recognized issues correctly (Q19) nor discussed innovative solutions (Q17). Furthermore, they lost interest in the discussion in the middle of the process (Q13). They were also unsatisfied with the objectives that the MLIT had articulated (Q1).

Based on these reactions, it appears that these members were unsatisfied with the final agreement because an issue important to them was neither fully recognized by the committee nor addressed by innovative solutions because of the limited range of objectives the committee was allowed to consider.

Implementability of the final

agreement (Q21)

The survey asked each member's assessment of the implementability of the recommendations. The overwhelming majority of the respondents answered that everything would be implemented (18%) or that

Do you think the recommendations will be really implemented?
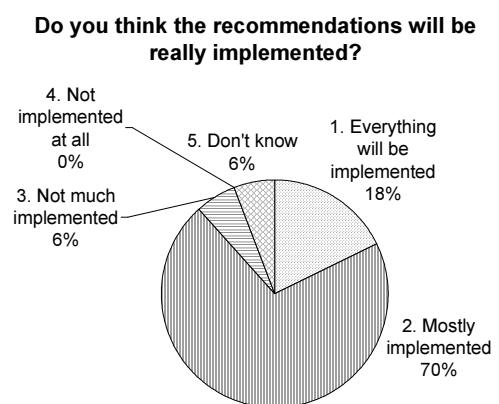
Figure 7-21: Implementability

most of them would be implemented (70%).   The result is among the most

favorable reactions to the survey of the committee members.   Only one

respondent answered that not many of the recommendations would be

implemented.   Interestingly enough, the five respondents who reported a low

level of satisfaction with the recommendations nevertheless believed that most of

them would be implemented.

Effectiveness of the final agreement (Q22)

The survey also asked committee
members to assess the effectiveness of
various proposals included in the final
agreement.   More than three quarters
of the respondents (82%) answered that
the recommendations would contribute
to the reduction of accidents and the
improvement of usability at the
Kita-josanjima Intersection.

Do you think the recommendations will contribute to the reduction of accidents and the improvement of usability at the Kita-josanjima Intersection?

5. Very negative impacts 0%

1. Will contribute very much 0%

4. A little negative impacts 6%

3. Not much changes 12%

2. Will contribute at least a little 82%
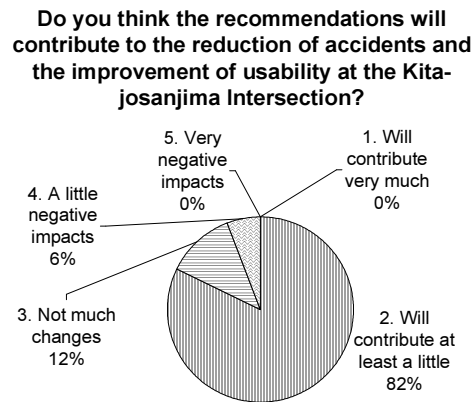
Figure 7-22: Effectiveness

Social desirability of the final agreement (Q23)

The question was designed to evaluate members' opinions of whether the

recommendations were appropriate for society as a whole. Because of the public

nature of the stakeholder dialogue, the final agreement should have been

acceptable to the public, including those who were not stakeholders in any issue

Do you think the recommendation is a "desirable" for the City of Tokushima as a whole?

Do you think there are users who will be negatively impacted by the recommendations if they are implemented?
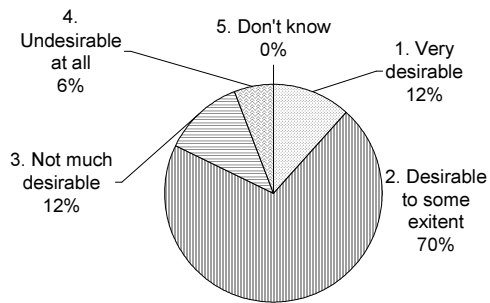
Figure 7-23: Social desirability
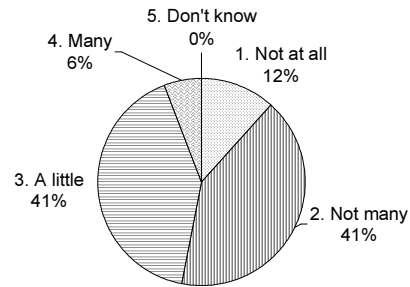
Figure 7-24: Negative effects

affecting the Kita-josanjima Intersection.   The overwhelming majority (82%) of the respondents was positive about the recommendation from this perspective as well.

Possible negative effect of the final agreement (Q24)

The majority of the respondents (53%) answered that the recommendations would not have significant negative impacts on those who use the Kita-josanjima Intersection.   However, 41% answered that a few people would be negatively affected.

The survey did not ask who would be negatively influenced by the recommendations.   However, based on the responses to Question 2 and my observations of discussions in the committee meetings, those people are likely to be the automobile drivers who drive through, or turn around at, the Intersection. Eight schemes included in the final agreement entail no negative impact on

pedestrians, bicycle riders, and neighbors, even though they might have no benefit to those who wanted improvements (i.e., physically challenged people).   Some of those schemes, however, were intended to reduce the speed of automobile traffic in the Intersection.   They would not worsen the already terrible traffic jams in the morning, but they were certainly intended to regulate the road traffic. Several safety improvements would inevitably cause such "negative" side-effects.

Social network creation by participating in the committee

(Q25 and Q26)

These questions were designed to capture the social network creation effect of consensus-building efforts; Innes stresses this important evaluation criterion[349]. Fifty-nine percent of the respondents answered that they had become acquainted

Do you think you could get acqainted wihth those who weren't before?

Were there any occaions other than the Kita-josanjima Committee where you worked or discussed with the members?

2. No
41%

1. Yes
59%

1. Yes
41%

2. No
59%
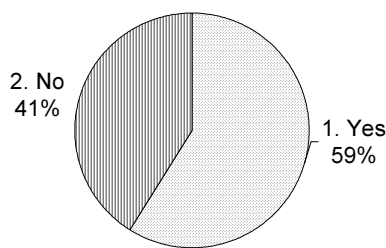
Figure 7-25: Acquaintance
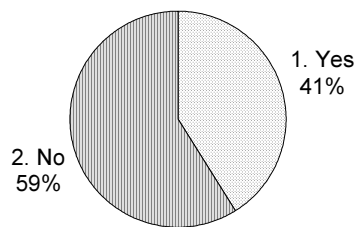
Figure 7-26: Working together in other occasions

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[349] Innes, J. (1999). pp. 652-3.

(*kao-mishiri*) with other participants.   Considering the number of meetings (five meetings spread across the year) and the settings (meetings of 21 representatives without involving after-hours party and other highly informal venues), the result seems to be fairly high.   Even though it is impossible to determine whether 59% meets the threshold of adequacy or not, the feeling of acquaintance could have encouraged committee participants to speak out in the meetings, as revealed in the responses to Q15[350].   Finally, 41% of the respondents reported the opportunity to work with other committee members on different occasions.

Analyzing the feedback

In this section, the Kita-josanjima experiment with consensus building will be evaluated by applying the "four good outcomes of negotiated settlements," suggested by Susskind and Cruikshank, as the key criteria for evaluation[351].   A major concern, however, is the tradeoffs among these criteria.   The process's fairness and wisdom may be slightly compromised in favor of better efficiency and stability.   These points are discussed further below.

Fairness

In general, the Kita-josanjima experimental consensus building process seems to have been seen as fair.   The whole two hours of the first meeting were dedicated to a discussion about how the committee would be managed.   When

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[350] The importance of *kao-mishiri* in resolving infrastructure disputes in Japan is discussed in Chapter 4 of this dissertation.
[351] Susskind, L. and Cruikshank, J. (1988). pp. 21-33.

the facilitation team determined that an additional meeting was necessary, the team asked all committee members whether they would agree to have an additional meeting or not.   As their responses to Question 3 reveal, members of the committee were given adequate opportunity to provide input.

There were concerns, however, about the range of stakeholders involved the committee's discussion.   In response to Question 2, which asked about representation of stakeholders on the committee, 29% of the respondents choose "Only a portion of people's opinions were reflected."   Responses to Questions 9 and 10 suggest that most of the local residents in the Kita-josanjima neighborhoods were probably not very aware of the committee's discussions.

These reactions suggest insufficient representation of particular interests, even though a full conflict assessment was conducted before convening the committee. Who are the underrepresented groups?   According to the written comments to Question 2, they are physically-challenged people, various types of automobile drivers, and neighborhood businesses.   Based on reactions to Question 24 and other responses to Question 8, drivers are likely to be the most underrepresented group.   There was no organized group that could represent the interests of drivers who simply move through the Intersection.   The lack of their direct involvement, however, does not necessarily mean their interests were completely ignored.   In fact, many members occasionally spoke about the interest of drivers. For example, options that would negatively influence traffic flow, such as the

reconfiguration of signaling patterns, were abandoned in the fourth meeting.　It was quite obvious to everyone in the meeting that government agencies, including the police department, would never support any scheme that would worsen the rush-hour traffic jams, already a serious problem around the Intersection. Therefore, the final agreement is unlikely to impose "unfair" impacts on those drivers.　Instead, the neutral team and the committee could have tried to involve those unorganized users of the Intersection directly by implementing more proactive outreach efforts, such as advertisements and site visits.　Such outreach efforts might have improved the perception of "fairness" by increasing the presence of unorganized interests on the committee (even though the final recommendations would probably be the same).　Because this experiment was focused on the use of consensus building as practiced in the US, the team and the convenor might have paid less attention to such public involvement activities than they could have.

There were two complaints about the representation of physically-challenged people in the answers to the Question 2.　The issue of disability access is, however, separate from the lack of representation because they were in fact represented by two committee members.　It is more related to the goal of the committee and the substance of the final recommendations.　Schemes for improving disability access would have significantly worsened the already serious traffic jam and would have required many years for land acquisition and budget

approval.   Because the committee was convened to produce consensus recommendations that the MLIT could implement in a few years, no strategies for improving disability access were included in the final agreement.   The lack of a plan for improving disability access may seem "unfair," considering that the city's main hospital is located next to the Intersection.   In order to make the final agreement "fair" from this perspective, the goal of the committee, which was given by the convenor, would have to have been reconfigured.   Doing so would have negatively influenced the other aspects—in particular the efficiency and the stability—of the process.   The work plan would have to have been reconfigured and the convenor would not have been able to guarantee implementation of the committee's recommendations.

Efficiency

Generally speaking, the committee was managed efficiently.   In the answers to Question 4, many respondents considered that the facilitation were crucial (24%) or important (46%).   Only one respondent was highly critical about the management by Commons.   In a written comment to the Question 8, he or she stated, "There were too many committee meetings.   It could have been prepared in a shorter period.   Correspondence was always late."

Good communication between committee members in the meeting is an important factor that influences the overall efficiency of committee management. As discussed in Chapter 4, similar kinds of public meetings in Japan are often

dominated by "vociferous" people and many other participants remain silent even if they do not agree with the outspoken individuals[352].   Their candid thoughts are usually sought through additional in-person conversations.   In the Kita-josanjima experiment, respondents were generally satisfied with the opportunities for communication in the meetings.   In response to Question 11, all respondents answered that they could fully understand what others were saying (7%) or most of it (93%).   An overwhelming majority of respondent (82%) answered to Question 15 that they could say what they had intended to say in the committee meetings.   In general, stakeholders' reactions indicate that the communications in the committee were efficient and open to every participant.

In addition to these evaluations, the survey asked whether the respondents had adequate chances to get acquainted with other members.   More than half (59%) answered that they could, notwithstanding the semi-formal environment at the meetings (i.e., in a conference room crowded with approximately 10 to 20 representatives as well as almost the same number of staff).   As discussed in Chapter 4, being acquainted (*kao-mishiri*) is an important precondition for successful communication in Japan.   Therefore, communications in the meetings were more likely to be effective than would have been without any special effort to get acquainted.   The neutral team, Commons, seems to have had a positive effect in this regard.   Its experience of managing "workshop" meetings—focused

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[352] See Chapter 4 (p. 174).

on the creation of an environment in which every participant could speak out—helped create an informal feeling among each members.   For example, the facilitator at the second meeting asked each committee member to stand up and say their name so that "others can call you by the name."

The committee's recommendations might be considered efficient because they contributed to the improvement of safety and usability at the Kita-josanjima Intersection.   Question 22 asked about the effectiveness of the recommendations, and 82% of the respondents answered that they would "contribute at least a little." The actual effectiveness of the recommendations, however, cannot be measured until several years after they are implemented.   This latency period is the main difficulty of measuring the real effectiveness of consensus building processes. Even though I plan to observe how the Kita-josanjima Intersection will be improved and how the number of accidents will be reduced (or increased), the evaluation result is unlikely to surface in less than five years.

Wisdom

This experimental process had positive learning effects on the participants.   In response to Question 16 many respondents answered that they could learn many things (59%) or at least a few things (12%) about the Intersection and the neighborhood by participating.

There seems to be, however, a few problems related to the lack of wisdom that could be embedded in the final agreement.   First, the responses to Question 17

indicate the lack of innovative ideas in the final agreement; 53% of the respondents answered that "not many innovative ideas" were discussed by the committee.   This is relevant to fairness; the goal substantially limited the scope of schemes that could be included in the final agreement.   Therefore, many schemes that might be considered "innovative" were excluded.   If the committee had discussed those schemes in detail, however, the efficiency would have been compromised because the discussion would have required additional meetings and analysis.   Recommendations would have been less stable (i.e., implementable) if the committee had not been able to produce them within the fiscal year of 2005.

Another problem, although less noticeable than that of the lack of innovative ideas, is the recognition of the issues surrounding the Kita-jonsajima Intersection. Seventy percent of the respondents answered that the committee correctly recognized these issues (Very much: 18%: To some extent: 52%).   On the other hand, 24% answered "Not much" to the same question, and a cross tabulation with their evaluations of the technical assistant team's contributions revealed that the TAT might have been less effective in integrating the analysis of past accidents and current conditions.   Several commentaries in the answers to Question 8 also suggest that the respondents wanted to learn more about how accidents had occurred at the Intersection.   There were, however, discussions in the committee meetings about past accidents and other conditions at the Intersection.   For

instance, the TAT presented their detailed analysis of past automobile accidents in the second meeting.   A TAT representative provided an eleven-page document loaded with many graphics, and spent twelve minutes explaining it.   It seems that the amount of information provided by the TAT to the committee was sufficient.   Instead, the real problem was the lack of participation in the formulation of those analyses.   Even though the facilitation team was aware of the importance of joint fact-finding, there weren't lively discussions on the kinds of data and analysis that would be gathered and conducted by the TAT.   They received the information, but they did not feel they "owned it" because they did not participate in the formulation of these analyses.

Stability

The Kita-josanjima experiment is most highly rated in this regard.   First of all, most of the respondents (88%) considered that all (18%) or most (70%) of the recommendations would be implemented.   Considering that no one was fully satisfied, and only 71% were mostly satisfied with the agreement, their estimate of implementability is quite high.   This contrast suggests that the Kita-jonsanjima experiment could produce an agreement that everyone was willing to "live with[353]" even though it might not be ideal for each stakeholder.

Implementation not only suggests a high level of stability, but also a high level

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[353]   Susskind, L. (1999). An alternative to Robert's rules of order for groups, organizations, and ad hoc assemblies that want to operate by consensus. In Susskind, L., McKearnan, S., and Thomas-Larmer, J. (Eds.) The consensus building handbook. (pp. 3-57). Thousand Oaks, CA: Sage. p. 6.

of efficiency of the planning processes as a whole.   On the other hand, if the recommendations are not implemented at all, the process is inefficient because the resources put in to produce the recommendations could not be turned into practical solutions in the field[354].   In any case, the Kita-jonsajima effort has been so far highly stable.   The final judgment, however, cannot be made until the end of fiscal year 2006 (i.e., March 2007) by which time the recommendations are supposed to be implemented by the MLIT

The stability of the agreement can also be measured by how benefitial it is for the society as a whole.   If those who did not participate in the process regard the final agreement as socially unacceptable, the agreement is unstable because it probably won't be implemented.   There are many venues, such as budget approvals, in which external parties can influence implementation.   In the survey, 82% of the respondents evaluated the recommendations as very desirable (12%) or somewhat desirable (70%) for the City of Tokushima.   This evaluation was supported by the news coverage by the NHK on the day the committee agreed to its recommendations: the reporter discussed the proposed schemes very favorably.

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[354] Many authors argue for various good side effects of stakeholder dialogues (e.g., improved relationships) even if their agreements were not implemented. For example, Susskind, L., van der Wansem, M., and Ciccarelli, A. (2000). Mediating land use disputes: Pros and cons. Cambridge, MA: Lincoln Institute of Land Policy. p. 17 and Bush, R. and Folger, J. (1994). The promise of mediation: Responding to conflict through empowerment and recognition. San Francisco: Jossey-Bass.

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Chapter 8: Evaluation of Adaptation and Organizational Change

Introduction

As discussed in Chapter 3, the focus of this dissertation is process adaptation and organizational change in response to the introduction of consensus building in Japan. This chapter first summarizes actual instances of adaptation and organizational change identified through close observation of the Kita-josanjima experimental effort, which has been described in detail from Chapter 5 to Chapter 7. The neutral team, the convenor, and stakeholder representatives adapted consensus building both consciously and unconsciously to fit the Japanese context. These adaptations were driven by their aspiration to make this experiment a success. Some were added at the beginning of the experiment, while others were introduced in response to unexpected situations emerged during the process.

In order to insure that the adaptations observed in the experiment were still acceptable to consensus building practitioners based in the US, feedback on the appropriateness of these adaptations were sought from four leading practitioners[355]. They were provided with a brief summary of process adaptations observed in the Kita-josanjima experiment (see Appendix 8-A).

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[355] Dale Keyes (Senior Program Manager, US Institute for Environmental Conflict Resolution), David Fairman (Managing Director, Consensus Building Institute), Scott McCreary (Principal-In-Charge, CONCUR, Inc.), and Jonathan Raab (President, Raab Associates).

Process Adaptations	Choosing the right participants based on the Japanese context	Involving academics
		Choosing the lead facilitator based on age
		Involving community leaders
		Keeping conflict assessment interviewees anonymous and the Japanese concept of *puraibashī*
	Adapting processes to accommodate the needs of government agencies	Using the *shingikai* system
		Incorporating traditional ways of interagency negotiation
		Developing the work plan to fit with the fiscal year
	Adapting the processes to maximize their effectiveness	Integrating workshop techniques
		Meeting each member in the *nemawashi* fashion
Organizational changes	Relationship between government agencies and consultants	
	Representation of stakeholding interests in public forums and *mochikaeri*	
	NPO as a process manager	

Figure 8-1: Process Adaptations and Organizational Changes observed in the Kita-josanjima experiment.

Their comments on each category of adaptation in Japan are quoted as footnotes in this chapter.

A wide range of parties involved in the experiment also noted certain kinds of organizational change during the Kita-josanjima process. Although the signs of such changes were less clear—compared to the instances of adaptation—organizational changes had greater impact in the agreement among stakeholder representatives. Without such transformations in the way stakeholders negotiated and developed recommendations, the experiment would have failed and the convenor would not have been willing to carry them out. In addition, organizational changes seemed to be a demanding experience for those individuals who went though such changes because they had to abandon their familiar routines and explore new ways of "doing businesses." The change was

particularly difficult since it needed to be implemented through collaboration

among different organizations[356].

In order to identify the need for adaptation and organizational change, this

chapter also discusses other instances in which new approaches to public

participation and consensus building in infrastructure planning were introduced in

Japan.   In those cases failures to adapt or change have led to different kinds of

failure.   By comparing them with the Kita-josanjima experiment, I argue that

adaptation and organizational change—in particular, organizational change—were

indeed required to introduce consensus building in Japan[357].

Process adaptations observed in the experiment

Choosing the right participants based on the Japanese context

Involving academics

The experiment was initially promoted by Professor Hideo Yamanaka of the

University of Tokushima.   Considering the prominence of academics in

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[356] For example, the formalized system for negotiations between the MLIT and the police department could not be changed because (i) the system was highly institutionalized by several legislations, (ii) the interagency negotiation involved a number of individuals in two different organizations, and (iii) the organizations were laden with the hierarchical organizational culture.
[357] J. Raab's comment: "My overall comment is that this is still a very evolving field of theory and practice, and there's clearly no perfect way to do these complex negotiations.   Moreover, we always preach doing assessments first to the extent practicable, and in any case customizing the process to the problem, place, people etc.   Overall, I see the adaptations that were made to fit the process as unique customizations for the Japanese audience.   It may be that some of the adaptations can be changed over time as people gain more experience and comfort with the process. …Ultimately what's critical is that you create an approach that works in Japan and people see as better than the status quo."

policy-making functions in Japan, his involvement was crucial to organizing the experiment. In fact, the level of his involvement was beyond the scope of traditional academic engagement in the field of policy-making in Japan (i.e., participation in the *shingikai* as a person of learning and experience). For instance, he was instrumental in organizing the team of neutral facilitators. Considering the hierarchical culture of government agencies and the significance of "status" in Japanese society, his involvement on the neutral side was crucial to managing the relationship between the convenor (i.e., the MLIT) and the neutral parties involved (i.e., Commons and Oriental Consultant)[358,359]. His status as a prominent academic in Shikoku, his ongoing experience with the MLIT, and his proactive involvement on the neutral's side allowed those neutral parties to function as real independent assistants to the committee, not as a typical consultant that would follow the contracting agency's directions under the pressure of the *kō-otsu* relationship[360].

Choosing the lead facilitator based on age

Most of the committee meetings were moderated by Yukiyoshi Sato, who had a decade of experience managing public participatory meetings using workshop techniques. As evaluated in Chapter 7, the communication between each

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[358] D. Keyes's Comment: "If the advice helped the neutrals persuade the MILT field office to use a collaborative approach to help solve the transportation problem, then I would conclude the advisor contributed to the success of the process."

[359] D. Fairman's Comment: "Good point. University professors also have status and standing in some communities in the US, but not always."

[360] See Chapter 7 (p. 282) for the stakeholders' evaluation of their neutrality.

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representative in the committee meetings, which was facilitated by Sato, was very efficient[361]. The communication would have been less effective if he hadn't facilitated the meetings effectively. The Commons' choice of him as the lead facilitator could have been based on his experience, but his age was another factor that contributed to their choice[362]. For instance, Susumu Namerikawa[363], who moderated an early part of the first meeting as a representative of the JSCE, once humbled himself by saying, "This kind of meeting is usually moderated not by such a *wakazō* (youngster), but by an authoritative professor in the field.[364]" Considering the findings from interview vignettes, as well as literatures on the Japanese ways of interaction (i.e., its vertical nature), age could certainly be one of the factors that determine one's capability as a meeting facilitator or moderator in Japan[365,366]. The choice of Sato as the lead facilitator was in fact a kind of adaptation to the Japanese context.

Involving community leaders

As is common with the other public participation efforts, community leaders of the Kita-josanjima neighborhoods were invited to the dialogue as the

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[361] See Chapter 7 (p. 285).
[362] Sato was born in 1952.
[363] Namerikawa was born in 1971.
[364] Namerikawa's comment in the first committee meeting, July 22, 2005.
[365] D. Fairman's comment: "Yes, age is probably more significant in Japan."
[366] J. Raab's comment: "Seniority seems important in every culture and is usually but no always heavily correlated with age. But I wonder whether the parties in the Japanese case then defer to the facilitator more for solution advice in Japan than in the US. If so, the facilitator would need to be extra careful about still being perceived as non-partisan (not favoring any one side over the other) as this can compromise their neutrality and the process."

representatives of local interests[367].   They nourished the discussion by tapping in their local knowledge regarding the Intersection.   One of these leaders, who had lived near the Intersection for many years, provided invaluable information about traffic patterns, regulations, and properties around the Intersection[368,369]. However, they could not represent all residents living in local neighborhoods.   In this consensus building effort, the team used the conflict assessment to identify additional stakeholders in the same neighborhood and invited them to the meeting (e.g., a representatives of the condominium).   The neutral facilitation team developed a hybrid model of representation—inviting community leaders as well as other members of the public who were not the leaders but had high stakes in the project—by adapting consensus building processes to the Japanese context.

Keeping conflict assessment interviewees anonymous and the Japanese concept of *puraibashī*

Listing the names of interviewees in the conflict assessment report turned out to be problematic.   Many team members thought that listing those names, even without attributing specific comments to each of them, would be a breach of the

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[367] D. Fairman's comment: "I don't think this is significantly different from US, except that not all US neighborhoods have such associations. Wherever one existed, it would be good practice to involve it on an issue like this."
[368] D. Keyes's comment: "Did they dominate the negotiations?   Did other stakeholders differ to them?   Did they try to represent everyone's interests?   If so, they could have been a negative influence by hindering a free and open exchange of ideas."
[369] J. Raab's comment: "Do the leaders get deferred to by other stakeholders, thus somehow making them superstakeholders?   This type of leadership could be good, but could also make other stakeholders not feel heard, and solutions not implemented."

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confidentiality agreement they had made with the interviewees[370].   As a

compromise, they decided to include the names of those interviewees who agreed

to have their names included[371].   All interviewees in the category of

"government agencies" agreed, while the majority of local businesses and

residents declined[372].   The total number of interviewees for each stakeholder

category was also included in the report in order to demonstrate the range of

interviewees[373].

This adaptation was made to accommodate the Japanese sense of privacy

(*puraibashī* in Japanese).   As discovered in Chapter 4, most Japanese individuals

are reluctant to express their concerns in public forums.   One might still assume

that their privacy would be protected by not identifying them with particular

comments—especially those interests secretly revealed in assessment

interviews—even if their names were published in a separate list; however, the

fact that they participated in stakeholder interviews was a matter of privacy that

had to be protected.   A staff member once mentioned in an interview that being

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[370] S. McCreary's comment: "This is a definite and noteworthy departure from accepted practice in a US context.   Also, it presents a kind of logical conundrum: if the working assumption is that assessment precedes negotiation, then it would be reasonable to deduce that the negotiation participants had been interviewed.   This might be an example of a norm or adaptation that would evolve over time."

[371] D. Keyes's comment: "We typically list those who have been interviewed in an assessment, but not if they object.   I don't see any problem with not listing specific people.   It's more important to establish that representatives of different groups or interests were interviewed."

[372] See Chapter 6 (p. 231).

[373] J. Raab's comment: "We generally will quote folks and list their broad stakeholder affiliation to protect anonymity or have them review the quote.   But it is rare that we wouldn't list everyone we talked to at the end of the report.   I guess another way to do it would be to just describe by categories."

listed would be "*koppazukasii* (extremely embarrassing)[374]" for him if he were an interviewee.   That is the Japanese conception of *puraibashī* regarding the listing of people interviewed in a conflict assessment.

Japanese have their own conception of privacy[375], albeit Ruth Benedict once mentioned in *the Chrysanthemum and the Sword*, "Because there is little privacy in a Japanese community, it is no fantasy that 'the world' knows practically everything he does…[376]."   The subtle difference in the conception of privacy between the US and Japan required an adaptation to the way the conflict assessment was presented.

Adapting processes to accommodate the needs of government agencies

Using the *shingikai* system

The MLIT organized an *iinkai*—a kind of *shingikai*—at the Shikoku Regional Bureau's headquarters for evaluating the uses of consensus building processes[377]. Even though the discussions in those *iinkai* meetings did not necessarily have specific implications for how the experiment in the Shikoku region would be

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[374] Personal communication: an interview with a staff member.
[375] Mizutani, M., Dorsey, J. and Moor, J. (2004). The internet and Japanese conception of privacy. Ethics and Information Technology, 6, 126-128.   There are many areas in which Japan and the US adopt different conceptions of privacy.   For example, the disclosure of lottery winners' name to the public is just inconceivable in Japan.   On the other hand, the Japanese tax authority used to release a list of top 100 taxpayers (those individuals who paid most personal income taxes) every year until 2005.
[376] Benedict, R. (1946). Chrysanthemum and the sword. Boston, MA: Houghton Mifflin. p. 288.
[377] See Chapter 4 (p. 166) for more information about *shingikai* in Japan.

managed[378], it was an important step, or ceremony, for the MLIT staff in introducing the new process to the organization.   By involving high rank officials and academics in the *iinkai*, lower-rank officials orchestrated the agreement, or the absence of disagreement, among top decision-makers regarding the experimental project.   Even though the *iinkai* had no formal authority, it in fact gave the green light for moving forward with the experiment[379].

As discussed in Chapter 4, highly skilled bureaucrats in Japan, like the one who served as the convenor, are adept at crafting a consensus within the agency by organizing a *shingikai* or an *iinkai*.   For example, public involvement efforts for the Gaikan highway project in Tokyo—one of the most controversial projects in Japan—involved many different *iinkai*s in order to apply public involvement techniques, which were imported from the West, to the Ministry's effort to resolve the controversy[380].   The Kita-josanjima experiment followed this customary routine as well.   The *iinkai* functioned as a buffer between high ranking officials and team members.   It was a kind of "catch basin" for possible interventions from the top.   Otherwise, the experiment could have been manipulated by uninformed interventions by senior officials like other public participation

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[378]   There was another mini-experiment of consensus building processes in Kochi. See Chapter 6 (p. 221).

[379]   S. McCreary's comment: "I would think it would be quite analogous to similar approaches used in the US setting.   In the early days of ADR practice here, especially, there were steps taken to win such approvals."

[380]   See Appendix 1-A.

projects in Japan sometimes are[381].   The presence of academics in the *iinkai*

meetings also helped to deflect uninformed interventions..

Incorporating traditional ways of interagency negotiation

As discussed in Chapter 4, government agencies are generally reluctant to

disclose information to the public.   In this experiment, the convening agency was

probably well prepared for information disclosure and open debates in the public

arena; however, other participating agencies were not necessarily on the same

page.   For instance, the work plan had to be adjusted in the middle of the process

in order to integrate the formalized interagency negotiation processes for the

MLIT and the police department.   They chose to negotiate behind closed doors

as they had in the past[382].   The introduction of the closed-door negotiation,

however, was not necessarily driven by a desire to hide information from public

eyes.   The neutral facilitator team explained in the fourth meeting that such

separate negotiation between relevant authorities was necessary because a high

level of technical expertise was required to finalize the plan.   If the team of

neutrals had been able to understand such requirements in the early stage of the

conflict assessment, it could have designed a process that would allow technical

discussions involving police representatives in a public forum.   The other

possible reason for introducing the private negotiation was the need to follow the

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[381]   See Chapter 4 (p. 140) for negative influences of interventions from the top.
[382]   D. Fairman's comment: "Not so different from US--side agreements/MOUs between agencies are common, and don't always get reviewed by other stakeholders.   It's common for agencies to inform other stakeholders of key points."

formal procedure outlined in the Road Law and Road Traffic Law[383]. In any

case, the consensus building process was adapted to reflect the Japanese context.

Developing the work plan to fit with the fiscal year

The experiment was designed in two distinct segments—the conflict

assessment and the actual stakeholder dialogue—because the experiment was

likely to extend over two fiscal years. The conflict assessment was completed in

fiscal year 2005 and the actual stakeholder dialogue was organized in fiscal year

2006. The end of each fiscal year is an important juncture for any participatory

planning effort in Japan, and the same was true for the Kita-josanjima

experiment[384].

The division of the process into two parts turned out to be quite effective in

dealing with the widespread problem created by the inflexible fiscal year system.

Citizen participation programs across the nation are occasionally suspended for

several months, or even terminated, each new fiscal year because of budget

constraints and staff reassignments. In this experiment, even though the first

convening meeting was slightly delayed, it did not frustrate the participating

stakeholders. The existence of the neutral facilitator team was effective in

encouraging the MLIT to start the convening process early in the new fiscal year.

Anyone who designs participatory planning processes in Japan must pay close

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[383] See Chapter 6. (p. 264)
[384] S. McCreary's comment: "Fiscal year considerations are very real in the US, too. This seems like a very practical adaptation."

attention to the end of each fiscal year as an crucial breakpoint.   In this experiment, the interval between the conflict assessment and the stakeholder process coincided with the end of the fiscal year.

Adapting the processes to maximize their effectiveness

Integrating workshop techniques

Members of Commons had experience managing "workshop" meetings.   In order to maximize the effectiveness of each committee meeting, they applied their skills to this consensus building experiment.   For instance, they divided the whole committee into several subgroups and urged each member to speak out in the subgroups.   They also used extra large Post-it notes specially designed for them in order to elicit ideas from those who were reluctant to raise their hands or speak out at meeting[385].   By infusing their workshop management skills into the management of the Committee for the Improvement to the Kita-josanjima Intersection, they succeeded in facilitating communication among the members. For instance, 82% of the respondents to the post-committee survey were satisfied that they could say what they had intended to say at the meetings[386]. Considering the Japanese norms of "not speaking out in the public places[387]," the survey result was remarkable.

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[385] S. McCreary's comment: "I have seen this post it note system used very effectively in a meeting on the future of the Sanbanze wetlands (in Chiba, Japan) where I was the lead off speaker.   I thought it was a clever adaptation."
[386] See Chapter 7 (p. 288)
[387] See Chapter 4 (p. 172).

Integration of workshop techniques into consensus building was not a reaction to incompatibility between the context and the imported process.   Even though workshop techniques are now gaining popularity in Japan, they do not necessarily define the context to which consensus building <u>must</u> adapt.   The context in which this particular experiment was embedded (i.e., an experiment involving practitioners skilled in workshop techniques) enabled the blending of workshop techniques, as practiced in Japan, the consensus building as practiced in the US. This led to the emergence of a new version of consensus building processes infused with the features of workshop management techniques.

Meeting each member in the *nemawashi* fashion

The neutral facilitator team always had five to ten staff members available to work on the experiment.   They divided various tasks among them.   One of the interesting features of their division of labor was the focus on each stakeholder representative: at the beginning of the stakeholder dialogue process, each senior staff member was assigned to a few representatives whom he had interviewed during the conflict assessment.   When there was a need for the team to communicate with a particular representative, the assigned staff member was asked to contact that person.   When a representative was absent from a meeting, the assigned staff member went to his or her office or home in order to update him or her on the progress in the meetings.   After distributing the survey on 47 options, staff members went to see each representative in order to collect

completed forms in person.   Team members consider this one-stop liaison

system effective in developing a trusting relationship between each representative

and the team[388].

The system, from my perspective, has a striking similarity to the practice of

nemawashi, which was discussed in Chapter 4 as a critical element in developing

a local consensus for a development project[389].   Those who work for consensus

building in Japan are supposed to make periodic visits to each stakeholder for

nemawashi in order to update them, rather than to wait for them to come and ask

for more information[390].   This one-stop system also addresses the importance of

kaomishiri (i.e., being acquainted) in effective communication between

Japanese[391].   In order for staff members to be adequately acquainted with

stakeholder representatives, it was important that each representative was

approached by a particular staff member so that the representative would

recognize at least one members' face (*kao*).

Staff members, however, now say that this liaison task was particularly

burdensome[392].   No matter how demanding this one-stop liaison system might

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[388] Personal communication with a staff member on February 7, 2006.
[389] See Chapter 4 (p. 176)
[390] D. Keyes's comment: "This sounds somewhat like what we would call "shuttle diplomacy" - where the mediator works separately with groups to see if he or she can narrow differences.   This provides an opportunity to have more candid discussions than is possible when everyone is present. Often these are confidential discussions and are helpful in getting resistant stakeholders to modify their position."
[391] See Chapter 4 (p. 169)
[392] Yamanaka, H. and Namerikawa, S. (2006). *Wagakuni-ni okeru konsensasu-birudingu shuhō-no*

have been for, however, it was indeed an appropriate adaptation of consensus building to the Japanese context.

Organizational changes observed in the experiment

Relationship between government agencies and consultants

My analysis of the Japanese context pointed out a common relationship between government agencies and consultants, which is often characterized as the *kō-otsu* relationship[393].   Under the influence of this relationship, consultants are supposed to follow the contracting agencies' directions obediently.   In return, government agencies take full responsibility for the analysis produced by the consultants.   This kind of vertical relationship between public agencies and consultants was unacceptable to the Kita-josanjima consensus building processes in which technical consultants are supposed to help stakeholders employ joint fact-finding.   The consultant had to be responsive to the whole committee, not just to the convenor or a particular stakeholder.

In this experiment, Oriental Consultants Co. and Professor Yamanaka were involved in the stakeholder dialogue as the technical assistant team (TAT).   Their job was to provide "information and its analysis from a third-party standpoint without supporting particular stakeholders.[394]"   In conventional planning efforts,

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tekiyō-jirei to hyōka. PRI Review, 20. 26-35.

[393] See Chapter 4 (p. 178).

[394] MLIT Kita-josanjima Intersection Road Safety Improvement Committee. (undated). *Kiyaku (Ground rules).* §4.

Oriental Consultants are influenced by the *kō-otsu* relationship.   In this experiment, however, the relationship between the MLIT and the consultant was reworked; the consultant, with help of Professor Yamanaka, acted as a neutral assistant to the whole committee and provided consulting services in a new manner.

For example, the TAT produced a list of 47 possible schemes for improving the safety and the usability of the Kita-josanjima Intersection (see Appendix 6-K). Producing this list was an additional task for the consultant, compared to traditional consulting services.

> Consultant: In typical safety improvement projects, we explore options by
>   focusing on particular aspects by narrowing the range of options.
>   Like, "This won't be possible at all."   In this case, we were asked
>   to list all conceivable options.   This step was additional (in this
>   case).   This was different from typical projects[395].

As a result, its analysis of each option was less detailed than usual because of the large number of listed options.   This could have led to a few stakeholders' criticism on the lack of sufficient analysis of the conditions surrounding the Intersection[396].   In addition, one of the consultants felt that the convenor gave much less instruction about their analysis as compared to what government agencies usually do[397].

The neutral facilitator team (i.e., Commons) managed the committee without

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[395] Personal communication with a consultant in February 2006.
[396] See Chapter 7 (pp. 290).
[397] Personal communication with a consultant in February 2006.

favoring the convenor's interests.   Commons, however, might not be influenced by the *kō-otsu* relationship anyway, as much as Oriental Consultants are in other projects.   It was incorporated as a not-for-profit organization only recently (in 2004) with the goal of providing "support for public participation and consensus building as a third-party organization.[398]"   The introduction of Commons, a not-for-profit organization, in this experiment will be discussed further in a latter section as a different kind of organizational change.

Based on my observations of the steering committee meetings and other staff meetings, the convenor tried to limit its intervention.   For example, the MLIT's staff occasionally suggested improvements to proposed agendas for upcoming meetings; however, they did not give directions to Commons about what it should do at the meetings.

Generally speaking, the *kō-otsu* relationship between government agencies and consultants was temporarily lifted during this experiment.   Unlike other projects, the MLIT did not give specific directions about committee management, and the neutral facilitator team and the TAT could function as a "partner" not as a "retainer."

Representation of stakeholding interests in public forums and "mochikaeri"

Representation is often problematic in forums for public participation in Japan.

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[398] Commons. Organization Charter. URL [http://www.pref.tokushima.jp/ generaladmin.nsf/ topics/ 4E94D23A7987208549256D57001A6B85? opendocument]

As revealed in the analysis of interview vignettes in Chapter 4, many such forums often do not proceed as they were planned because a sufficient range of stakeholders is not present[399]. In the Kita-josanjima process, however, everything proceeded as planned, except that the final meeting had to be delayed in order to accommodate formal negotiation between public agencies.

Representation by each stakeholder representative was sufficiently backed up by an adequate level of contact with his or her constituents. Almost three quarters of the survey respondents (70%) answered that they reported back to their constituents periodically in order to keep them abreast of the committee's progress[400]. In fact, I happened to observe one such instance on October 6, 2005, on the day of the third committee meeting.

> *Around 9:00AM, after a morning walk around the Kita-josanjima neighborhood in order to familiarize myself with the environment, I was having my bacon and egg breakfast at a diner called Gasuto nearby the Intersection. The diner was almost empty. There was another customer who was eating her breakfast, and a disinterested waitress who mechanically took my order, the practice of which is very common in Japan where tipping is virtually nonexistent. Then, a group of five persons came in. I didn't pay much attention to them, but suddenly I recognized a familiar voice of a committee representative. I ducked my head behind the booth. Fortunately, they were seated in an area where I can vaguely hear their conversations but could not be seen by them. They started to discuss local issues that were not relevant to the Intersection. When I almost started to lose my attention to their conversation, I heard the representative talking about*

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[399] See Chapter 4 (p. 159).
[400] See Chapter 7 (p. 287).

one of the schemes that would be proposed in the third meeting. I couldn't hear
their conversations well, but the representative was definitely explaining the
proposed schemes to his or her fellows using a handout that would be used in the
committee meeting later that day.

This is just an anecdote, but it was nonetheless a rare occasion to manifest such liaisons between stakeholder representatives and other stakeholders. Unlike other public involvement efforts in Japan that invite stakeholders without specific responsibilities, the Kita-josanjima effort functioned at the center of all stakeholders by inviting in stakeholder representatives with a mandate to be responsible for their constituent (which was stipulated in the committee's ground rules).

The issue of representation seemed to be problematic, however, for the representatives of the government agencies other than those of the MLIT. In the committee meetings, they had difficulties speaking for their organizations. They occasionally provided their thoughts based on their personal experiences with the Intersection by interjecting a phrase, "I personally think…" But none of them could elaborate on their organization's interest in the Intersection particularly in impromptu responses. The *mochikaeri* syndrome—the tendency to avoid commitments in a meeting and bring issues back to the office—prevailed. In the end, the process had to accommodate the formal negotiation system between the MLIT and the police department. Glitches associated with the *mochikaeri* syndrome, however, should never be ascribed to each representative from

different government agencies.   Under the current conditions, almost anyone

sent to a committee from a government agency won't be able make any

commitment during public meetings without consulting with their bosses and

colleagues.   Those who speak for the organization without consulting with their

colleagues are more troublesome because their promises in the meetings are likely

to be dismissed.

   The representative from the convening agency (i.e., the MLIT), however,

seemed to have been more prepared.   In the last meeting, representatives from a

handicapped people's association demanded revisions to the draft final agreement.

The representative requested that the agreement ask the MLIT to continue the

dialogue for improving access for the disabled at the Intersection.   The final

agreement, with the consent of the MLIT's representative, included a revised

phase that the dialogue would be continued in order to discuss the

cost-effectiveness of those schemes for an improved disability access as well[401].

One of the representatives from the handicapped people's association wanted to

have the word "cost-effectiveness" removed from the paragraph, while the

MLIT's representative insisted that it was indispensable.   The interaction was a

real negotiation of the final agreement, and it took place in the public arena.

This was a substantial deviation from the common practice of *mochikaeri* and

backdoor negotiations.   That was probably why the representative from the

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[401]   See Chapter 6 (p. 269).

Chapter 8

MLIT felt that the interaction was very difficult[402].   Although the organizational change in this aspect was quite limited (i.e., representatives from other government agencies were still bound by the conventional norms of *mochikaeri*), there was certainly a moment in which the traditional pattern was broken.

NPO as a process manager

The involvement of Commons, a not-for-profit organization (NPO), as a third-party neutral in a infrastructure planning effort was certainly an experiment. Even though a few NPOs, such as the Tokyo LA-NPO and the Nerima *Machizukuri* Association, have been working with government agencies as an agent for public participation, almost none of stories from my interviews with 40 Japanese practitioners involved NPOs taking such roles in the planning processes. Instead, NPOs are often characterized as one of the stakeholders who occasionally protest against proposed projects.

The introduction of Commons as a third-party process manager was in fact a kind of organizational change (i.e., deviation from the standard practice).   The choice of Commons as a neutral assistant to the consensus building processes was probably the "right" solution for three reasons.   First, Commons was not influenced by the *kō-otsu* relationship as a consulting firm.   Most of its members were independent architects and faculty members of the University of Tokushima who were not influenced by the *kō-otsu* relationship through other contracts with

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[402] See Chapter 6 (p. 273).

the MLIT and other government agencies.   Second, to hire the members of Commons, most of whom live in Tokushima and were skilled in meeting facilitation, was probably much more cost-effective than to retain a large consulting firm.   Third, the Kita-josanjima effort was highly experimental: it was the first of its kind in Japan.   Therefore, it required flexible adjustments to the process as it moved forward.   The members of Commons were effective in attending to such adjustments because they were based in Tokushima and highly motivated by their aspiration to improve urban planning processes.

   The Kita-josanjima experiment embodied a new form of organizing for effective infrastructure planning.   It introduced a NPO as a process manager, not as a stakeholder representative, into the framework, which was previously dominated by government agencies and consulting firms.   Such a change could not be implemented without overcoming institutional barriers.   First of all, Commons had to overcome the disadvantage of small firms discussed in Chapter 4[403].   In the experiment Commons could overcome the hurdle because it was only the organization that was explicitly advocating for the improvement of participatory planning processes and had successful records of managing workshop meetings.   Moreover, government agencies must be willing to collaborate with NPOs as professional partners.   Consider that a government agency was actually reluctant to be interviewed by Commons during the conflict

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[403] See Chapter 4 (p. 151).

assessment simply because it was a NPO[404].   As revealed in Chapter 4, NPOs in

the stories of infrastructure disputes are often an agent for various social

movements against government agencies.   Therefore, in order to involve NPOs

as process managers, the relationship between government agencies and those

NPOs that are willing to serve as neutral process manager has to change.

The Kita-josanjima experiment was a demonstration of a new form of

infrastructure planning: a government agency as the convenor of a process, a NPO

as an independent process manager, and a technical consultant as a neutral

assistant to the stakeholders.   Such an arrangement was possible because those

organizations had the necessary skills as well as the courage to experiment with

the new system.

Comparison with other Japanese cases

Introduction

Purpose

The yearlong observation of the Kita-josanjima experiment and the stories from

the fields of infrastructure planning in Japan provide concrete evidence that

process adaptation and organizational change are crucial to introducing consensus

building to Japan in a way that will produce agreements among stakeholders with

a good chance of implementation.   To substantiate this hypothesis it is necessary

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[404] See Chapter 6 (p. 224).

to demonstrate that imported approaches to public decision-making will not achieve their goals without adaptation or organizational change.   This section reviews various stories of "failures" of new approaches, such as "public involvement" and "workshop" techniques, introduced into Japanese infrastructure planning processes.   These failures were clearly triggered by a lack of adaptation or organizational change.

Data source

For this analysis I will revisit the interview vignettes used for the analysis in Chapter 4.   Some of the 79 projects explained by 40 interviewees included failures to successfully introduce a new approach to planning or to produce consequential outcomes.   The failures were of different types.

In addition to the interview vignettes, I conducted an on-line survey precisely for the purpose of collecting more stories of "failures" of this sort.   The survey was made available on the Internet between January 15 and February 4, 2006 at http://mmatsuura.acbj.org/jsurvey/.   The web site was accessible to anyone who was willing to participate in the survey.   It was initially advertised by e-mails to the 40 interviewees recruited for this dissertation research as well as other Japanese practitioners whom I had met before and who had experience in participatory planning.

I asked these groups to forward the advertisement to anyone who had experience in participatory planning.   To stimulate participation among a diverse

range of practitioners, anyone who responded to the study had a chance to win an MIT or Harvard T-shirt.   To encourage candid reactions, the survey did not ask for any background information (e.g., name, age, occupation).   Two separate databases were constructed: one for the responses and one for the respondents who entered the T-shirt lottery; they were not linked to each other.

The survey included two groups of questions (see Appendix 8-B).   The first group asked the respondent to describe an unsuccessful attempt (e.g., proposal was rejected by the government) to introduce a particular public participation or involvement technique.   The questions were:

- What did you propose?;
- What were the immediate reasons for the failure?; and
- What were the contextual reasons behind the immediate reason you mentioned above?

The second group of questions was related to respondents' experience of failures or disappointments after implementing a particular public participation or involvement technique (e.g., meeting was disrupted by a few participants).   The questions were:

- What did you introduce?;
- What were the failures?   What went wrong?   What disappointed you?; and
- Why didn't it go well?   What else could you have done to avoid them?

To insure respondent confidentiality, the survey promised that any proper nouns

(e.g., names of persons, places, projects, companies, and organizations) and any other information that would lead to the identification of a particular project would not be quoted elsewhere.

The 24 valid entries to the survey were combined with the interview database and analyzed together.   There were 19 entries for the T-shirts lottery.   Only six of these had been previously interviewed for this dissertation research. Approximately one-third of the entries came from individuals I have never met.

Analysis

Sixteen projects in the interview vignettes involved a failure or difficulty in reaching an agreement among stakeholders or in introducing a new approach to participatory infrastructure planning.   The 24 responses to the on-line survey add to the rich account of such failures.   In this section, these instances are analyzed in relation to particular contextual factors discussed in Chapter 4.   The objective is to identify the relationship between the context and the failure or difficulty.

Failures trigged by the Japanese context in the organizational realm

Government agencies

Hierarchy: Four interview vignettes and two survey entries implicated top management in a failure or difficulty in reaching a meaningful agreement.   The decision makers in these stories were, in fact, governors or mayors. (None were MLIT officials.).   In four stories, a governor or a mayor did not accept

recommendations from stakeholders or their own support staff for political reasons.   In two stories, negotiations with a municipal government were extremely difficult because the mayor was elected on the basis of his political position against the project.   However, in the four interview vignettes related to the MLIT, the hierarchical influence facilitated the introduction of new approaches; the office manager (*shōchō*) introduced them using his power as a sort of "commander in chief."   Therefore, hierarchy, as a property of government agencies, cuts both ways.   It can restrict the implementation of stakeholder recommendations but may be deliberately used to introduce new approaches.

   Aversion to information sharing and public involvement: Three interview vignettes and seven on-line survey responses recounted a government agency's propensity to limit information disclosure and public involvement.   In five of these cases, public officials appeared to be worried about losing control of planning processes.   For example, a committee of government officials and a few NGO representatives kept their negotiations behind closed doors; this strategy backfired when it released a draft plan:

> *Respondent #7: In preparing the draft master plan, the committee member did not disclose the information to the public.   They worried that stakeholders, in particular environmental organizations, would be mobilized against the project if the information were released. ... Local communities were fed up with such a unilateral approach, and produced a statement for the committee in order to make specific requests.*

The committee produced recommendations for a community, but its residents resented the committee's attitudes and unwanted intervention.

Motivation for changing practices: Although this context was not identified in the interview vignettes, seven on-line survey entries ascribed failures to the public officials' lack of motivation to adopt a new approach to policy making. Three of them mentioned that the introduction of public involvement was "*katachi-dake*" (just on the surface). A superficial adoption of public involvement processes triggered confusion among participating stakeholders and blocked any agreement. Public officials were fundamentally unable or reluctant to change their old ways of doing businesses. This description nicely fits with Meyer and Rowan's model of decoupling an organization and its environment[405].

Consultants

Kō-otsu relationship: Only one on-line survey entry identified the *kō-otsu* relationship between government agencies and consultants as one reason that an attempt to introduce a consultant to assist a citizens' committee failed. The respondent said,

> Respondent #18: I can't deny that some people thought that the role of a consultant should be limited to the support for those who paid for the service.

The absence of such accounts, however, does not necessarily mean that the *kō-otsu* relationship is a marginal issue in introducing new approaches to infrastructure planning. Considering its significance in the interview vignettes, it is more likely that adaptation or organizational change to allow for the *kō-otsu*

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[405] Meyer, J. and Rowan, B. (1977). Institutionalized Organization: Formal Structure as Myth and Ceremony. American Journal of Sociology, 83(2), 340-363.

relationship almost always occurred.   Because this transformation was so pervasive, very few failures are attributable to failure to adapt.   Furthermore, the *kō-otsu* relationship may have not been an issue in some cases;   for example, a new approach may not have required process managers to be independent from the influence of government agencies.

Context in the normative realm

Participation norms

Can't speak out in the public: Local residents who were not heard in public meetings did not appear in the "failure" stories, for the obvious reason that they were not present for any proceedings.   Their reluctance to speak out was more powerful than any motives they might have had to become involved.   However, their absence from various venues for public involvement was problematic. One vignette and five survey entries discussed such failures.   In those accounts only a particular segment of stakeholders was involved in the public discussion at the outset.   However, some of those who were reluctant to speak or even attend the meetings were dissatisfied with the result.   In some cases, those who had not been heard—even of their own volition—stormed into the meeting to protest elements of an agreement.   In other cases, practical recommendations could not be created because of the lack of coordination with these "silent stakeholders".

Free-wheelers: Sometimes the involvement of a few vociferous persons in the meeting without an intervention mechanism, such as meeting facilitation, led to

failures in managing meetings as efficiently.   Three interview vignettes and three on-line survey entries touched on such instances.   For example, an interviewee talked about an extraordinary experience in a rural village:

> *Interviewee: Well, I knew there were protesters.   But I didn't know he had that much (influence).   Later, I heard that once he starts to mumble* gocha gocha (*moans*)…   *Do you understand what I mean? (laugh). … If you dare challenge the guy after he starts to mumble moans, he will surely harass you.   Everyone tried to stay away from him. … Everyone knew that nothing could be done in the community if he said "No."   …   Well, it is a story from a rural village where such a person might be living.*

In this case, constructive dialogue was simply impossible and no agreement was reached.

Group dynamics

Nemawashi: Two interview vignettes were related to the failure to conduct *nemawashi* well to the local community leaders.   In the first case, a local business association was offended by the lack of *nemawashi* before starting a social experiment and would not support it.   The planning department learned a lesson and carried out the *nemawashi* in the next year.   Afterwards, local communities fully cooperated with the department in preparing a neighborhood revitalization plan.   In the second case, local business owners did not participate in a series of workshops for neighborhood street design because they had not been informed about the meetings through adequate *nemawashi*.   As a result, they stormed into the final workshop meeting and nullified the effort.

Context in the regulative realm

Personnel transfers

Two interview vignettes and two survey entries attributed failures of public involvement efforts to personnel transfers.   In one case, transfer of an office manager who introduced an innovative framework for stakeholder dialogue took its toll on a participatory process.   He promised stakeholders that an agency would follow their recommendations.   However, after he was transferred, the agency decided not to incorporate some of stakeholder recommendations.

Context in the settings (for public involvement)

Slow pace

Even though the analysis in Chapter 4 did not reveal its importance in the Japanese context, insufficient time to organize and complete public discussions was a factor contributing to some failures in public participation.   A re-reading of one interview vignette and three survey entries revealed that when the extended time necessary for thorough public discussion was not available, the implementation of public involvement strategies or stakeholder recommendations could fail.   For example, one interviewee said,

> *Interviewee: In fact, the government agency had been collaborating (with the citizens) very well until then.   There was a trust between them.   ... But the government agency lost its patience… In a nutshell, a provisional permit for the project was issued, and they needed to expedite the urban planning decision processes, as well as the EIA, as soon as possible.   So, they had to make the formal decision immediately, and they hurried too much..*

Contextual factors that led to failures in other cases			Adaptation/organizational change in the Kita-josanjima experiment that attended to each contextual factor
Organizational	Government	Hierarchy	Involving academics, using the *shingikai* system
		Aversion to info. sharing and pub. involvement	Incorporating traditional ways of interagency negotiation, Representation of stakeholding interests in public forums and "*mochikaeri*"
		Lack of motivations to change the practice	Using the *shingikai* system, Incorporating traditional ways of interagency negotiation
	Consultant	*Kō-otsu* relationship	Relationship between government agencies and consultants, NPO as a process manager
Normative	Participation norms	Can't speak out	Keeping conflict assessment interviewees anonymous, Meeting each member in the *nemawashi* fashion
		Free-wheelers	Choosing the lead facilitator based on the age, Integrating workshop techniques
	Group dynamics	*Nemawashi*	Involving community leaders, meeting each member in the *nemawashi* fashion
Regulative	Personnel transfers		Developing the work plan to fit with the fiscal year
Setting	Slow pace		Developing the work plan to fit with the fiscal year

Figure 8-2: Relationship between contextual factors and adaptation/organizational change in the Kita-josanjima experiment.

The agency prepared detailed plans for the project even though local stakeholders who had collaborated with the government through a participatory committee did not reach an agreement about its details.   The trust between the agency and the residents deteriorated quickly, and the latter organized a social movement against the proposed project.

Avoiding failures in the Kita-josanjima experiment

Did those contextual factors pose a threat to the effective management of the Kita-josanjima experiment?   They probably would have if the experiment had not involved any adaptation or organizational change.   In fact, the variety of adaptations and organizational changes that the convenor, the neutrals, and the stakeholders made to accommodate the experiment addresses all the Japanese

contextual factors identified in the previous section. (See Figure 8-2.)

Summary: Implications to future projects in Japan

The contrast between the Kita-josanjima experiment and other failed cases in Japan informs us about the importance of adaptation and organizational change in transferring consensus building processes from the US to other countries with substantially different backgrounds.   Before moving to the conclusion of this dissertation, I will summarize the findings regarding adaptation and organizational change from the Kita-josanjima experiment.

In Japan, efforts to introduce new approaches to public participation and consensus building in infrastructure planning occasionally failed when they did not fit the Japanese context properly.   In some cases, such attempts were rejected by sponsoring agencies before they were ever implemented in the field, and in other cases they were implemented but did not produce meaningful outcomes.

One way to avoid such failures in Japan is to adapt processes so that they will fit the Japanese context.   In the Kita-josanjima experiment, the following nine process adaptations were identified:

- An academic was involved in organizing the experiment.;
- The leading facilitator was chosen based on age.;
- Community leaders were invited to sit on the committee.;
- Conflict assessment interviewees were given an option to remain anonymous.;
- *Iinkai* was established to gain legitimacy within the ministry.;

- Conventional frameworks for interagency negotiation were integrated into the process.;
- Work plan was designed to reduce the impact of the fiscal year.;
- Workshop techniques were used to improve the communication between each committee member in the meeting.; and
- Third-party team tried to get acquainted with each member in the *nemawashi* fashion.

The other way to avoid failures is to change the environment.   In the Kita-josanjima experiment a few contextual factors in the organizational realm were transformed so they would mesh with consensus building as practiced in the US.   Although they were less visible than some of the process adaptations mentioned above, they were also important.

- The standard *kō-otsu* relationship between the government agency and the engineering consultant was relaxed during the experiment.;
- The representative of the convening agency tried to avoid *mochikaeri* and to be responsive at the meetings.   Many other committee members also tried to speak for the interests that they were representing; and
- A not-for-profit organization, Commons, took the role of process manager.   This circumvented the influence of the conventional *kō-otsu* relationship on committee management.

Not all of those process adaptations were mapped out from the beginning. Team members made some of these, such as the integration of conventional arrangements for interagency negotiations, as they encountered unintended situations throughout the process.

On the other hand, organizational changes were mostly planned at the beginning of the process.   For example, the convenor intentionally distanced itself from the consultant in order to let it function as an independent assistant to the committee without the influence of the *kō-otsu* relationship.   Commons got involved in the experiment as the process manager, not because its assistant turned out to be necessary in the middle of the process, but because this would be the most effective way of organizing the experiment.   In addition, these changes were demanding for those involved in the experiment because the new arrangements differed from their familiar routines.   Uncertainty, unfamiliarity, and instability associated with such changes might have added to both the psychological and physical burdens on organizations as well as individuals involved in the experiment.

In particular the convening agency experienced different kinds of organizational changes in the Kita-josanjima experiment.   The *shingikai* system was strategically used to legitimize certain changes.   The Kita-josanjima effort was labeled as an "experimental" project; the term implied that other ongoing projects would not be influenced.   Notwithstanding those provisions, the representative from the convening agency told me, "This was difficult" after the final meeting.   Various forms of organizational change for the Kita-josanjima experiment required more preparations to implement than some of the process adaptations.

Based on my field observations, interview vignettes, and on-line survey results, it is highly likely that the experiment would not have produced recommendations, which are highly likely to be implemented in the fiscal year of 2006, without the process adaptations and organizational changes that occurred.   Compared to adaptation, organizational change seemed to be more difficult to implement because it required involved parties to plan ahead, give up familiar routines temporarily, and adopt new ways of doing businesses.   In the next chapter, I will translate these findings into general guidance for those who want to transfer consensus building processes to other foreign locations.

Chapter 9: Conclusions

Implications of this dissertation

This dissertation employed a relatively unique research strategy, compared to more conventional cross-national comparative case studies, in that it tried to identify various conditions for "importing" a kind of social technology—consensus building—by focusing on only one country (i.e., Japan), using a single case study, based on participant observation. The research, however, succeeded in identifying the hidden context for infrastructure planning in Japan by drawing insiders' perspectives through 40 in-depth interviews with Japanese practitioners. It would be almost impossible to explore the Japanese context at the level of that detail if the research were focused on comparisons between several countries. The context was so deeply embedded in the everyday practice of infrastructure planning that it could not be identified by an outsider through structured interviews or surveys. It had to be "dug out" through dialogue between the researcher and a number of practitioners as well as participatory observation of a project. My key findings are twofold: the influence of the Japanese context in infrastructure planning (discovered through in-depth interviews; results are summarized in Chapter 4) and the importance of adaptation and organizational change (discovered through the Kita-josanjima experiment, which are described in detail in Chapters 5 to 7).

The Japanese context in infrastructure planning

I interviewed forty Japanese practitioners in the field of infrastructure planning and succeeded in eliciting 79 stories of projects in Japan. Their interview vignettes were qualitatively analyzed by attaching and classifying codes using a computer software package called NVivo. The analysis discovered the existence of various contextual factors for infrastructure planning in Japan. The Japanese context informs each practitioner and stakeholder regarding how one "should" deal with different kinds of situations. In other words, it defines the range of appropriate behaviors and interactions in various infrastructure planning situations in Japan. Those findings are discussed in detail in Chapter 4.

Influence of implicitly-shared context

The significance of this research is not limited to the discovery of each contextual factor. It also identified the existence of contextual factors implicitly shared among planning practitioners and their influence on everyday practice. They are not espoused in legislation, guidelines, or textbooks. They exist only in the practitioners' minds and inform them of the appropriate designs of, and behaviors in, various planning processes. Because of the high contextuality of Japanese communications[406], it is insufficient for researchers studying policy-making processes in Japan to focus only on "espoused theories.[407]" They

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[406] Hall, E. and Hall M. (1987). Hidden differences: Doing business with the Japanese. New York, NY: Anchor Books.
[407] Argyris, C. and Schön, D. (1974). Theory in practice: Increasing professional effectiveness. San Francisco, CA: Jossey-Bass

must pay close attention to theories-in-use as well in order to solve the puzzle as to why Japanese policy-makers take certain actions.

The Japanese context

This dissertation grouped interview vignettes into three main categories: organizational, normative, and regulative realms.   In the organizational realm, five types of organizations—government, consultants, community organizations, political organizations, and academics—are identified.   They all have distinct organizational management and decision-making styles.   Some of them maintained particular relationships, such as the *kō-otsu* relationship in which consultants function as a kind of retainer to government agencies.   In the normative realm, four types of norms—interpersonal norms, participation norms, group dynamics, and substantive norms—were identified.   They inform each stakeholder appropriate behaviors in various forums for deliberation and negotiation regarding infrastructure planning.   Finally, three key contextual factors—public laws, guidelines, and fiscal year requirements—and their implications to the practice of infrastructure planning were identified in the regulative realm.   In addition to the contextual factors in these three realms, information about the common settings for infrastructure planning as well as other basic information about Japan are summarized at the end of Chapter 4.

The importance of adaptation and organizational change

This dissertation's core argument is the importance of process adaptation and

organizational change in introducing consensus building processes (as practiced in the US) to resolving infrastructure disputes outside the US.   The idea was conceived by reviewing the relevant theoretical literature and confirmed by close observation of an experimental consensus building process in Tokushima, Japan.

Theoretical underpinnings

Based on the literature review in four fields of academic discipline (i.e., policy transfer, international transfer of organizational innovations, negotiation and dispute resolution, and relationship between institution and individual actions), I hypothesized the need for process adaptation and organizational change in transferring different kinds of social technology to a location with substantially different contextual backgrounds (see Figures 3-1[408] and 3-2[409]).   Even though the majority of literature was concerned with adaptations to such technologies for the local context, a few others were touched on the possibilities of transformations in the context after adopting a new social technology.   A few researches that focused on the international transfers of organizational innovations discussed both adaptation and organizational change.

The Kita-josanjima experiment

In order to explore the relationship between the context and the need for process adaptation and organizational change, this dissertation reviewed an actual

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[408] See Chapter 3 (p. 109).
[409] See Chapter 3 (p. 113).

instance of introducing consensus building—a kind of social technology—in

Japan.   An experimental consensus building effort focused on possible safety

improvements to the Kita-josanjima Intersection in Tokushima, Japan involved an

elaborate conflict assessment as well as five meetings of a stakeholder committee

that was designed and managed by a team of neutral facilitators.

Close observation of the experiment reveals a wide array of process adaptations

to the local context.   Certain individuals were involved in introducing consensus

building.   Processes were adjusted to meet the needs of government agencies.

Meetings were managed in a way that was responsive to the needs of the

participants.   In addition, three instances of organizational change were

identified.   They were:

- Temporary revocation of the *kō-otsu* relationship between government
  agencies and consultants;
- Organized representation of stakeholder interests by each representative and
  the reduction of the *mochikaeri* syndrome; and
- Involvement of a not-for-profit organization as a process manager.

These exemplify the importance of process adaptation and organizational change

in "importing" consensus building processes from the US.   Without these

transformations, the experiment would have failed.   In particular, organizational

change was crucial to the successful introduction of consensus building in Japan.

For example, if the MLIT (i.e., the convening agency) had exercised its power of

kō-otsu relationship in order to control the analysis by the technical assistant team

(i.e., a consulting firm that provided neutral assistance to the stakeholder committee on technical matters), its outputs would have been much less acceptable to other stakeholders.   On the other hand, organizational change could not take place in certain areas.   Above all, the negotiation between the MLIT and the local police department had to follow a formal procedure that was already regulated.   It was, instead, accommodated by an adaptation—interagency negotiation in a conventional format was conducted outside the public arena—and the results were reported back to the stakeholder committee.

Two views on the experiment: success or failure?

Stakeholders' evaluations were generally favorable; however, they reveal a difficult, but innate, tradeoff between efficiency and fairness in consensus building.   Eight recommendations were unanimously supported by the members of the stakeholder committee.   In addition, based on their evaluation, the final agreement was most likely to be implemented by the MLIT in the next fiscal year. The committee's goal was to prepare such an implementable plan, and the goal was achieved.   Therefore, the experiment was "successful."

On the other hand, some stakeholders—in particular physically challenged people—seemed to be less satisfied with the final agreement because it did not fully address their concerns.   The outcome seemed to be unavoidable.   The committee was convened to produce recommendations that could be implemented in the short term.   It turned out in a committee meeting that none of the options

for accessibility improvements could be implemented in the short term.   They would take at least several years to obtain the funds, purchase land, and build facilities.   That is why the agreement did not include any specific commitment to accessibility improvements.   From the perspective of physically-challenged people, the experiment might look like a "failure" because it did not offer an opportunity to address their real concerns.   Their evaluations are unlikely to change until the convenor starts a new forum that will allow a discussion of long-term improvements, as recommended in the final agreement.

In this dissertation, consensus building processes were investigated as a kind of social technology that would help people achieve certain goals that were given. My evaluation of the experimental process therefore focused on whether the stakeholder committee produced recommendations, or not, that would be implemented in the short term.   This goal was set forth by the MLIT at the beginning of the process.   If the experiment was evaluated from another perspective, however, such as the role of consensus building in achieving social justice, it may well be regarded as a failure because accessibility for physically-challenged people was not fully achieved by the final agreement. This dissertation does not emphasize that perspective because I focused on the instrumental effectiveness of consensus building (as practiced in the US) in assisting infrastructure planning in Japan, as well as its interaction with various contextual factors.   Therefore, the experiment was analyzed as a successful

instance of introducing consensus building processes in a Japanese setting. Readers, however, should be aware of the existence of other perspectives for evaluating consensus building outcomes.

Temporary change versus long-term implications

Finally, the organizational changes I observed are not necessarily permanent. Instances of organizational change observed in the Kita-josanjima experiment were, in fact, limited to the framework of the experiment.   None of the three types of organizational change identified was institutionalized by the Ministry or by the field office; they were a temporary arrangement for the duration of the experiment.   Such temporary changes were necessary to make the experiment successful.

Are such temporary changes sufficient for the introduction of consensus building to Japan?   Probably not.   The focus of this dissertation is limited to the short-term success of the experiment because it tested the usability of consensus building in Japan.   If I extend the scope to long-term institutionalization in Japan, temporary changes are an insufficient indicator of for institutionalization.   To institutionalize organizational changes, they need to be embedded in the culture permanently so that future uses of consensus building do not require ad hoc changes each time.

The experiment was not completely devoid of evidence regarding the long-term institutional shifts.   For instance, Commons is ready to take the role of neutral

facilitator in a much more controversial discussion over the Yoshino River master plan, which is discussed in Appendix 1-A[410].   The Kita-josanjima experiment certainly had an impact to the way Commons will manage the new Yoshino River project; the organization exchanged a formal agreement with the convenor about its independence.   Compared to its previous experience with the workshop techniques, the organization has become much more sensitive to the need for neutrality.   The Ministry also agreed with this unusual arrangement.   In fact, it seems that participants in the experiment have drawn lessons from their experience and are already applying them to emerging practice.   Organizational changes resulting from the experiment might be limited to the experiment, but their implication are already filtering into general public awareness.

"Failures" and the Japanese context

A number of new approaches to participatory planning have been tried in Japan over the last few years; as many as fourteen techniques were identified in the interview vignettes[411].   These also indicated various "failures" in introducing such new approaches to infrastructure planning or achieving the outcomes they had promised.   In Chapter 8, I analyzed relationships between those "failures" and various failures in adapting them for the Japanese context, by incorporating additional data from an Internet-based survey (n=24).   A brief analysis of those

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[410] Commons. (2006, May 30). "*Yoshino-gawa ryūiki jūmin-no iken-wo kiku-kai" fashiritētā haken-irai ni-tsuite.* Press release.
[411] See Chapter 4 (p. 191).

data reveal the influence of the Japanese context on such failures.   Failure to adapt newly-introduced processes to the Japanese context, or transform relevant organizations so that they permit the introduction of new processes, have led to disappointing results.   I think it is fair to conclude that the introduction of new approaches to infrastructure planning is likely to fail if they are not adapted to the context or organizations do not change to accommodate the use of the new approaches.

Implications of the findings for international transfer of consensus building processes

Need for adaptation

Willingness to adapt them

First of all, any practitioner of participatory planning and consensus building working internationally has to acknowledge the need for adaptation in the techniques he or she is trying to implement in foreign locations.   When a practitioner wants to introduce a process in another country, he or she may feel pressured to be consistent with the guidelines or manuals that have been produced in the "exporting" country.   Especially when local stakeholders are unsure about the effectiveness of these new approaches, he or she might be (to be honest, I was) tempted to present such written guidelines as a shortcut to success.   Such blind faith in the original program is likely to result in a failure of transfer.   Sponsoring agencies may reject the idea, or the first few trials may not produce any practical

outcome.   Process adaptation is necessary not only to meet the needs of the

relevant authorities, but also to fit with the cultural norms that regulate the

"appropriate" interactions among the participants.   Therefore, adaptation of the

processes to the local context is necessary even if the transfer is intended to

facilitate democratization, a kind of organizational change, by introducing what

one regards as a good democratic policy-making process.

Learning by doing

Based on my observations in the field, process adaptation seems to be relatively

easier than organizational change.   Adaptation does not have to be planned at the

outset; it can be made even after the stakeholder dialogue has begun.   In fact, it

would be extremely difficult to foresee all necessary adaptations at the outset.

For example, the Kita-josanjima experiment did not envisage the need to

incorporate the institutionalized system for interagency negotiation between the

MLIT and the police department.   The team of neutrals modified the work plan

in the middle of the process to accommodate these negotiations.   In other words,

the flexibility of the work plan, which allowed the team's "learning by doing[412],"

enabled flexible adaptation in the face of unexpected results.   If the team had not

changed the work plan, the final agreement would have been less likely to be

unanimously supported by the committee members.   The same is true with other

efforts to try consensus building in foreign locations.   Transfers abroad must be

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[412] Dewey, J. (1963). Experience and education. New York, NY: Collier Books.

designed as an occasion for experiential learning to allow flexible adaptation, even after the process has started.

Finding the right partner

The Kita-josanjima experiment may well have succeeded in producing a meaningful agreement partly because it was organized and implemented by local practitioners (i.e., Professor Yamanaka and the members of Commons). Even though this argument is no more than speculation, it is evident from my dissertation research that the knowledge of local context was indispensable. In particular, process managers must be familiar with the context. They do not have to be able to explain everything, but must have an ability to "sense" incompatibility between the new approach and what is expected. Otherwise, the they are likely to lose the support of local stakeholders.

US-based practitioners who want to work in a foreign setting must be careful to choose the right partners in the target location[413]. Local partners must be familiar with the context in all three areas—organizational, normative, and regulative realms. Otherwise they are unlikely to identify the need for adaptation, and initial trials will probably fail to help stakeholders reach agreement. It is probably more desirable to find an "ambidextrous" expert who is familiar with both American and local cultures. Such an expert can detect the

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[413] Consensus Building Institute (1997, Fall). Exporting Dispute Resolution: Are There Limits? CBI Reports.

need of adaptation and organizational change more effectively because he or she understands how local stakeholders will react to the American culture that influenced the development of consensus building as practiced in the US today.

Organizational change

The choice between adaptation and organizational change

Organizational change is more complicated than adaptation.   Such change is particularly difficult because it requires people and organizations to abandon routines with which they are familiar with and to learn new ways of doing things. On the other hand, adaptations to newly introduced processes let them maintain the status quo in terms of organizational practice.   The possibility of dealing with the incompatibility between the process and the context through adaptation presents an additional hurdle to organizational change.   For instance, conventional systems for interagency negotiation between the MLIT and the police department could have been modified and integrated into the Kita-josanjima stakeholder process; however, such organizational change would have been extremely difficult.   Procedures for the negotiation were prescribed by the Road Law and the Road Traffic Law, which functioned as the regulatory context.   Does this suggest that organizational change is not a prerequisite for transferring consensus building across borders because incompatibility with the local context can be addressed by technology adaptation instead of organizational change?   The answer is, "No."   If every incompatibility with the local context is

attended through adaptation, it is likely that consensus building will be modified
to such a great extent that may not be recognizable as "consensus building
processes" any more.   For example, if the conventional *kō-otsu* relationship in
Japan, in which government agencies have strong influence on the conduct of
consultants, had remained intact and the analysis by the "neutral" engineering
consultants in the Kita-josanjima experiment had favored the convening agency's
interests, the experiment could not be accepted as a "consensus building"
experiment.   If the consultant had functioned as a "retainer" for the MLIT, the
neutrality of the consultant would have been compromised and the conditions for
"neutral" management of stakeholder processes would have been violated.
There are several properties of consensus building that should not be altered even
when they are transferred to a foreign location[414].   The host of the imported
process must change itself to some extent in order to accommodate any
incompatibility with the context (or abandon the idea of importing such a
process).

Stimulating the government for change

It seems to me that convening agencies must be willing to accept organizational
changes through the introduction of consensus building because they are often the

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[414]   Innes, J. and Booher, D. (1999). Consensus building and complex adaptive systems: A framework
for evaluating collaborative planning. Journal of the American Planning Assoc., 65(4), 412-424.;
Susskind, L. (1999). An alternative to Robert's rules of order for groups, organizations, and ad hoc
assemblies that want to operate by consensus. In Susskind, L., McKearnan, S., and Thomas-Larmer, J.
(Eds.) The consensus building handbook. (pp. 3-57). Thousand Oaks, CA: Sage.

stakeholder most affected by the introduction of new approach to policy-making. In the Kita-josanjima experiment, the convening agency (i.e., the MLIT) was willing to accept such changes. The momentum for change was strengthened by *shingikai* meetings that gave the green light to the experiment. If the convening agency had resisted the organizational changes identified in the Kita-josanjima experiment, the trial would have failed.

As organizational theorists argue, institutional changes cannot be implemented either by imposing these from the top, or mobilizing a few low-ranking officers at the bottom[415]. In Japan, the pressure from the top seemed to be relatively effective because of the hierarchical nature of the organizational management in government agencies[416]. For example, if consensus building had been first experimented in the Tokyo Gaikan project, which had been protested by local residents for more than 40 years, the pressure for change would have been much more important than it was in the Kita-josanjima experiment. Changing the system would also have been much more difficult in such controversial cases because they involve a wide variety of bureaucrats with differing interests, complex regulations, and huge risks associated with the change. In such cases, practitioners who advocate for the introduction of new approaches cannot be too careful in developing a strategy for organizational change in convening agencies.

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[415] Beer, M., Eisenstat, R. & Spector, B. (1990). Why change programs don't produce change. Harvard Business Review, 68(6), 158-166.; Kohn, A. (1993). Why incentive plans cannot work. Harvard Business Review, 71(5), 54-63.
[416] See Chapter 4 (p. 140).

Implications for a future research agenda

This dissertation is highly exploratory and needs to be supplemented by additional research on the interactions between context and new social technologies.

Analyzing various attempts to transfer consensus building processes

The analytical framework developed in this dissertation—focusing on process adaptation and organizational change—needs to be applied to other transfer efforts.   Such research can either involve cross-national comparison (i.e., comparing past instances of such transfers in multiple countries) or one-nation focused (i.e., close observation of one or two carefully selected instances of transfer to a country).   Because of the difficulties involved in understanding the hidden context in each nation or region, the latter seems to be a more promising strategy.   In any case, scholars in the field of public dispute resolution should engage in more rigorous evaluations of various international efforts to transfer consensus building processes.

Application of the framework to different kinds of social technologies

This framework for analyzing the transfer of social technology can also be applied to different kinds of social technologies other than consensus building, such as other innovations in the field of public policy.   In Japan, there are still a number of examples of social technologies that are being imported from foreign countries.   Pressures from foreign governments, known as *gaiatsu*, spin the such

importation of institutional innovations from abroad.   For example, CSR, which stands for "corporate social responsibility," has been a managerial fad in the past few years.   For such social technologies to be effective in Japan they probably have to be adapted to the Japanese context, and the Japanese organizations will have to change.

Theorizing about the better use of consensus building processes abroad

This dissertation casts doubt on the usefulness of consensus building processes that are merely transplanted from the US to foreign locations.   On the other hand, it also advocates for a more widespread use of such processes in foreign locations after proper process adaptation and organizational change.   For instance, they could be used as a powerful tool to democratize environmental governance in rapidly developing countries (e.g., China) by encouraging new approaches to of environmental decision-making.   The question that the scholars have to address is, "What is the best strategy for cross-national transfers of such processes?"   In order to answer this question, more information about the practice of such transfers must be synthesized and analyzed comparatively.   Unfortunately, there is no repository of such information.   Research institutions and professional organizations should work together to create such a database so that practitioners can share best practices of international transfer of consensus building around the world.

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Appendices

Appendix 1-A: Illustrative cases from Japan

In this section, two cases of recent infrastructure disputes are presented to familiarize readers further with infrastructure disputes in Japan.   Those long-lasting public disputes demonstrate the difficulty of resolving public disputes by introducing a public referendum or relying on a conventional blue ribbon advisory committee.

Yoshino River Daiju River Barrage (*yoshino gawa kakō zeki*)

In Tokushima, where my experimental case study (see Chapter 5~7) took place, a dispute over the construction of a dam became a nationally debated issue in the late 1990s.   The existing Yoshino River Daijū Barrage, at 8.7 miles from the sea, was initially constructed in 1752 for the purpose of diverting the water into Old Yoshino River (*kyū yoshino gawa*).   It was constructed with natural pebble stones and sands, with intricate patterns of pebbles on the surface to guide the water smoothly. This fixed weir intercepts the water flow of the main Yoshino River and leads it into Old Yoshino River in the dry season.   In the wet season, the water flows over the fixed weir into Yoshino River as well.   Because of recurring torrents after typhoons, the dam has been damaged and repaired many times since its construction.   It Indeed, it has been repaired at least 11 times since the dam became a property of the national government in 1965[1].   In a 1982 master plan for the management of Yoshino River, the Ministry of Construction announced that the

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[1] MLIT (undated) *dai-jū zeki ni tsuite.* [WWW Document] URL http://www.toku-mlit.go.jp/river/jyuzeki/kaitiku/4p/4p1.htm (visited 2005, February 14).

current fixed weir should be replaced by a sluice-gate dam.

The actual planning effort started in 1991 when the project funding was approved by the national government. Local environmentalists, however, cast doubts on the likely effectiveness of a sluice-gate dam.

Meanwhile, the proposed construction of the Nagara River Barrage in Gifu Prefecture became a nationally debated issue. Environmentalists across the country were inspired by the movement against the Nagara River Barrage. Most of the dam construction projects became under attack by environmentalists as well as the media. Yoshino River project faced this trend against dam.

In Tokushima, local environmentalists, including Masayoshi Himeno who later became the leader of the movement for a public referendum, directed questions to the Ministry of Construction's local field office (note: this office later took the convenor's role in the consensus building experiment studied in this dissertation).

In response, the Ministry organized "Dam and Other Projects Deliberation Committees (*damu tō shingi iinkai*)" across the country in 1995. One committee was organized in Tokushima to discuss the Yoshino River Barrage. Its members were appointed by the prefectural governor of Tokushima, even though local environmentalists opposed their selection. The first few meetings were closed to the public. Both environmentalists and the local media criticized the Ministry's decision to close the doors. Later, observers were allowed after the third meeting.

Twelve meetings were held during a three-year period.   In 1998, the committee concluded that a sluice-gate dam should be constructed.

Local environmentalists were furious about the committee's recommendation. They pointed out that the deliberation was neither inclusive nor conclusive.   In opposition to the recommendation, environmentalists launched a movement for putting the debate on a public referendum.   Because there was no ordinance that stipulated procedures for public referendums in Tokushima City, activists formed a civil society group for the purpose of passing an ordinance for public referendums in the city council.   In Japan, anyone can request the enactment of an ordinance directly to the mayor once he or she collects petitions from 1/50 of eligible voters. The local group, in fact, collected signatures from 48.8% of voters in Tokushima. The mayor and local council, however, rejected the citizens' request.   In the next year, there was an election for the Tokushima City Council and a majority turned out to be pro-referendum.   The new council passed a new ordinance for the referendum in June 1999.

The actual referendum on the Daijū River Barrage project took place on January 23, 2000.   If the majority of eligible voters did not turn out, the referendum would be considered invalid and the votes would not even be counted.   Newspaper articles reported that the pro-sluice dam faction encouraged citizens to boycott the referendum so that the majority of registered voters in Tokushima would not turn

out[2].   In the end, 55% of registered voters showed up.   The result was that 91.6 %

of the ballots were against the project.

The project was put on hold.   There has been almost no discussion for the

project in the last few years, even though the project is still "on hold."   It is

reported that the local office of the MLIT will start comprehensive planning for the

Yoshino River watershed in the early 2006[3].   It will take at least a few years until

the watershed management plan, including a decision about what to do with the

Daijū Barrage, is produced.

Gaikan Highway (Neighboring Communities Committee)

The Tokyo External Circumferential Highway project (*tōkyō gaikaku kanjō dōro*),

often abbreviated as Gaikan, is a proposal for a ring bypass surrounding central

Tokyo, with a radius of approximately 15 km (about 10 miles).   It cuts through

three prefectures (Chiba, Saitama, and Kanagawa) and the Tokyo Metropolitan

District.   Even though the project would be implemented by the Ministry of

Construction, the project needed Urban Planning (*toshi keikaku*) decisions by each

prefecture and the metropolitan government.   The controversial Tokyo segment,

which I shall discuss in this dissertation, was attached to the Tokyo Metropolitan

District's Urban Plan in 1966.

In the 1960s, communities along the proposed highway in Tokyo experienced

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[2] Tokushima Shinbun. (2000, January 18). *tōhyō boikotto wo, kadō-zeki suishin-ha ga seimei.*
[3] Tokushima Shinbun. (2005, December 28). *hon-nendo chū ni kentō chakushu, yoshino-gawa seibi, kokkō-shō ga jōhō-kōkai wo shisa.*

rapid residential development.   Those communities were inhabited by people who evacuated downtown Tokyo for a better living environment.   The proposal for Gaikan was harshly opposed by those residents.   In 1970, the Minister of Construction, Ryutaro Nemoto, announced that "the project should not be advanced forcefully without setting up an environment where we can start discussion with local residents." in a meeting of Construction Committee in the national Diet[4]. His successor Shin Kanemaru said, "This is just an idea, but how about constructing the highway under the ground? … I never want to build highways by defying local resident's wishes.   I want to build highways after dialogues.[5]"   The Tokyo segment of the Gaikan project was put on hold for several decades after those statements were made.   However, the Urban Plan decision that stipulated the alignment of the highway has never been revoked.   It remained intact while the national government took no initiative to implement the plan.   No building permits have been issued for the properties within the project area for more than 30 years simply because of the earlier decision.

The arena for initiating a new round of debate was carefully set up, taking advantage of two popular political leaders.   The popular governor of Tokyo, Shintaro Ishihara, visited the area in October 1999, and announced that elevated highways couldn't be built in such a residential environment.   Later he announced in a metropolitan council meeting that he preferred an underground alternative.

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[4] National Diet Library. *kokkai kaigi-roku.* (*kensetsu iinkai.* 1970, October 9).
[5] National Diet Library. *kokkai kaigi-roku.* (*kensetsu iinkai.* 1973, April 12).

On January 16, 2001, the Minister for Construction, Chikage Ohgi, set up an informal rendezvous of the Minister and the Governor with local residents. At the meeting, she spontaneously mentioned that the highway needed to be built under the ground. This "public relation" type of event was the formal initiation of the public dialogue.

In April, the MLIT and the metropolitan government jointly issued an alternative "suggestion (*tataki-dai an*)" for an underground tunnel for the Gaikan highway. In May, the Minister Ohgi made a formal apology to the local residents that the Urban Plan has been left intact for 30 years, and stated her intention to start a dialogue with them.

In September 2001, the Road Bureau of the MLIT in the Kasumigaseki headquarters organized a research committee, a typical *shingikai*, in order to study the ways to build consensus on highway projects. It was evident from the outset that the recommendations from the committee would be applied to the Gaiikan highway, as an official document by the MLIT located this committee in a schematic timeline for the Gaikan project[6]. The committee finalized its recommendations after three meetings in two months. Following the committee's recommendations at the national level, a field office and the metropolitan government set up another blue-ribbon committee in December 2001 for overseeing the public involvement processes for the Gaikan highway. It produced

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[6] MLIT (2001, September 13). *dōro gōi keisei kenkyū-kai no setti oyobi kaisai ni tsuite*. Press Release.

an interim recommendation on April 5, 2002 suggesting the creation of a public participation committee[7].

Then, a forum for deliberation between the local residents and relevant authorities, called PI (public involvement) Gaikan Neighboring Communities Committee (*pee-ai gaikan ensen kyōgikai*), was convened on June 5.   The committee was composed of 18 representatives from local communities, heads of planning department from 8 neighboring municipalities, 2 officials from the MLIT, and 2 officials from the Tokyo Metropolitan government.

A manager from the MLIT's field office assumed the role of moderator for these meetings.   The MLIT and the metropolitan government took the role of secretariat, as is often seen in the case of *shingikai*.   In the first meeting, a participant suggested that the committee hire an independent neutral to assist the committee, although public officials turned down the idea in a vague tone[8].   The initial few meetings were spent on the discussion of ground rules as to how the meeting would proceed.   A few participants stressed that the need for building a highway had not yet been agreed upon by the committee.   After the fourth meeting, the committee slowly shifted its attention to substantial issues.

The first turbulence came after the experts' committee overseeing the PI Committee published its final report in November 2002.   The report indicated that

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[7] Experts Committee on Tokyo Gaikaku Kanjō Dōro. (2002, April 5). *dai ichi-ji teigen.*
[8] Transcript of the 1st Gaikan Neighboring Committee. p. 5.

Appendix

the neighbors' committee would discuss an underground tunnel option as a default option, and consider the need for a junction as an auxiliary option.   However, the committee was still discussing whether there was a legitimate need to build the highway itself, and some members felt that the recommendation was undercutting with their authority.   In the following meeting on December 3rd, several members criticized the legitimacy of the membership of the oversight committee and the recommendation.   Due to the limitation of the time, the meeting ended without reaching a conclusion.

Several committee members were further infuriated by an announcement by Ohgi and Ishihara on January 10, 2003 about their intention to build the highway quickly by using the deep-bore method.   In the next committee meeting on January 21, a few representatives from local communities issued a statement requesting that the minister and the governor respect the discussion of the committee while admitting its slow progress.   Officials from the MLIT and the metropolitan government who participated in the committee responded to the statement by saying that their leaders' statement had indeed been just one proposal, not a resolution.   While several members cast doubts on the authorities' true intentions, the committee at its next meeting resumed a dialogue over what happened in 1966.

The third blow, the hardest one, came in the summer of 2003.   On July 15, Minister Ohgi mentioned in a press conference that the environmental impact

assessment (EIA) process for the Gaikan project would start soon.   On July 18, the

Tokyo Metropolitan Government formally announced that it would start the EIA

process based on the old Urban Plan.   Under the current system, starting the

process does not necessarily mean that a project will be implemented, but some

local residents once had a bad experience with the old EIA process in which they

thought their views had been completely ignored.   In the next meeting on July

24th, a few members issued another statement, and left the table after reading it.

A scheduled meeting on August 21 was cancelled, and a committee meeting could

not be held until October.

On October 31st, major newspapers reported that the Gaikan project would be

built without any junctions between Nerima and Yōga junctions.   The newly

appointed Minister of Land, Infrastructure, and Transport Nobuteru Ishihara (the

governor's son) announced that he would not construct any junction.   He

announced such an intention in the flyer for his re-election campaign.   His

rationale for this alternative was to implement the link between the two end points

as quick as possible without much disruption.   He stressed in a press conference

that the speed of the planning process must be accelerated.   This was an

unexpected turn of events for a few municipalities that wanted a junction, as a

representative from the City of Komae said, "… we consider the minister's

comment was ignoring the will of our PI committee and the meetings of the

municipalities' heads[9]."   Because one of the sources of conflict was the proposed construction of a junction between the two endpoints, this statement by the Minister was supposed to reduce the level of conflict.   Indeed, most of the committee members did not respond to the minister's announcement as they had in response to the EIA announcement.

In October 2004, the committee was adjourned after its 41st meeting.   They could not reach agreement on anything but the meeting ground rules.   They reconvened in January 2005 with the same members.   Some members argued that they should start discussing environmental impacts by defining a few possible alternatives, while others stressed the importance of developing a shared understanding of what went wrong when the initial plan was announced in 1966.

The second committee was finally disbanded on August 23, 2005, three years after its creation, with no apparent agreement among its members.   On September 16, only three weeks after the final meeting, the Ministry and the metropolitan government announced a new alternative, involving an underground structure with a unidirectional entrance.   Such an alternative had never been discussed by the committee.   Following the announcement, the committee was reconvened to discuss the proposal.   Committee members criticized the substance of the new plan as well as the lack of reference to the input from the committee.

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[9] Transcript of the 28th Gaikan Neighboring Committee. p. 2.

Appendix 4-A: A sample solicitation letter

[Addressee]

I must first apologize for sending this unexpected letter.   My name is MATSUURA who conducts research on social decision making at Massachusetts Institute of Technology. Mr. A referred to you as a person who would be helpful for my research.

Currently, I am conducting interviews with those who have experiences in the field of infrastructure planning in order to understand the norms and implicit rules in the field of consensus building in Japan.   I feel indebted to ask for this considering your busy schedule, but I would appreciate very much if you could consider the participation in my research.

- Preferred Date: 2005 October 3 - 5, or 7.
- Length: Approximately one hour.
- Location: Your office, or any alternative locations you prefer.
- Researcher : Masahiro Matsuura, Ph.D. Candidate, Department of Urban Studies and Planning, Massachusetts Institute of Technology
- Confidentiality Your story may be published in a form that does not allow anyone to identify individuals (Of course names will be removed.   For other types of information, such as project name and locations, I will use pseudonyms).

If you are willing to participate, please reply to me at masam@mit.edu by indicating time ranges during which you will be available for the interview.
(I am sorry to tell this, but please indicate all of your availability so that I will be able to conduct as many interviews as possible during the period.   Thank you).

October 3 (Monday). [Before 3PM]:
October 4 (Tuesday):
October 5 (Wednesday) [Afternoon]:
October 7 (Friday):

That's it.   I feel indebted to ask for this considering your busy schedule, but I would appreciate very much if you could give it a thought.

Masahiro Matsuura, MCP
Ph.D. Candidate,
Department of Urban Studies and Planning
Massachusetts Institute of Technology
Email: masam@mit.edu

Appendix 4-B: Interview guideline

INTERVIEW GUIDELINE

Note: If the interviewee starts to discuss abstract concepts, ask, "Could you illustrate by referring to particular episodes or interactions?"

Q1. Among the cases you were involved in as a planner or a public official, please describe one example of a difficult public policy-making situation (e.g., urban planning, infrastructure planning, or public policy implementation) that involved substantial opposition or a dispute.
    1-1. What kind of project or policy was that?
    1-2. What was the goal of the project?

Q2. Please explain your role in the project.
(1) Encounter with the case
    2-1. How did you get involved in the case?
    2-2. On this project, with whom did you work with?

(2) Contact/Relationship with Stakeholders
    2-3. Who do you think was the key person or group in the dispute?
    2-4. Why do you think so?
    2-5. How did the interaction with that person/group proceed?
    2-6. Did the relationship change, or not?   What was the most memorable moment in the continued interactions?
(3) Relationship between Stakeholders
    2-5. What was the relationship like between organizations and citizens in the dispute? How were you involved in the dispute between those parties?   How did you intervene to improve their relationship?

Q3. Please explain your reflections on the project.
    3-1. What lessons did you take from the experience?   How did you apply these lessons in other situations?
    3-2. How did the experience influence your career?

Q. Please recommend prospective interviewees who have experiences of dealing with public disputes.

Appendix 4-C: Japanese contexts that readers should be aware of

In this section, other contextual factors that are not identified in the interview vignettes and could not be fit into one of the realms and settings. They are, however, crucial in understanding the Kita-josanjima experiment that this dissertation focuses on in the following chapters. Readers who are not familiar with the Japanese geography, history, and other background information are encouraged to read through this section in order to familiarize themselves with the Japanese settings in which the experiment took place.

Geography

Japan is situated on the far east of the Asia. The country's population is 128 million (approximately half of the US population) and the total land is 146 thousand square miles (equivalent to the size of California). While the country is composed of 6,852 islands, four major islands—Honshu, Hokkaido, Kyushu, and Shikoku—are considered the main land: others are often referred to as the "hermit islands (*ri-tō*)." Two-thirds of the nation's land is covered by forests (equivalent to the ratio of Brazil[10]). Nearly half (49 %) of Japanese lives in floodplains, which consist of only 10 percent of the nation's land[11]. In fact, Japan is one of the most densely inhabited countries around the world. The nation's capital is Tokyo

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[10] FAO. (2005) <u>State of world's forests.</u> Rome, Italy: Food and Agriculture Organization of the United Nations.
[11] MLIT. (undated) <u>*dam no hitsuyō-sei to kōka ni tsuite.*</u> [WWW Document] URL http://www.mlit.go.jp/river/jiten/nihon_kawa/

Appendix

whose population is 34 million[12].

History

The history of Japan dates back to more than 10 thousand years ago.   Numerous archaeological sites across the country indicate that primitive people survived by hunting and gathering.   Around the 10th century B.C. techniques for rice harvesting were brought into Japan.   After the introduction of this technology early forms of governance emerged because rice harvesting necessitated a coordinated labor.   Waterways, reservoirs, and other types of infrastructure for rice harvesting were gradually developed.   By the 5th century, the nation became mostly unified by the Yamato regime.   Early metropolis, such as Heijō-kyō in Nara and Heian-kyō in Kyoto, were developed in the 8th century.   The development of farmlands, including waterways to support those farms, was pursed by private manors (*shō-en*).

The development of public infrastructure, however, did not thrive until the beginning of the 17th century when Tokugawa Ieyasu won the battle of Sekigahara. Between 1603 and 1867 the Tokugawa family governed the country under the shogunate (*baku-han*) system.   During this Edo period infrastructures of Japan began to take shape.   Major roads (*kaidō*), drinking water supply (*jōsui*), levees, ports, and other kinds of infrastructure were developed across the nation to support

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[12] Population for the Tokyo region (*tōkyō-ken*) as an aggregate of those for the Tokyo Metropolitan Area (*tōkyō-to*), Kanagawa Prefecture, and Chiba Prefecture.   Source: Statistics Bureau. (2005) *heisei 17-nen kokusei chōsa.* (2005 Census). [WWW Document] URL http://www.stat.go.jp/data/ kokusei/2005/youkei/index.htm

both agricultural and commercial activities.   Famous examples include five major roads originating at Nihon Bashi in Tokyo, Tamagawa water supply in the Western Tokyo, and Shingen levees in Yamanashi.

The syogunate system was abandoned after Matthew Perry, a commodore from Newport, RI, came to Japan to demand the opening of the country.   Tokugawa government had an isolationist policy and allowed very limited amount of foreign trades with China and Holland.   U.S. and other modern Western countries wanted trades with Japan for strategic reasons.   Following a few civil wars, the Meiji government was established in 1868.   The new government did everything to catch up with the West, from the rigorous importation of industrial technologies to the massive exportation of Buddhism arts.   As discussed in Chapter 3, the nation's fundamental institutions were modeled after the lessons from the West[13].   In the early Meiji period, Western technologies for infrastructure development were imported as well.   Engineers and architects from the West, so called "hired foreigners (*oyatoi gaikoku-jin*)," such as Josiah Conder (British architect), Edmund Morel (British railway engineer), and Johannis de Rijke (Danish civil engineer), were invited to Japan for several years in order to train Japanese engineers.   The level of compensations to those hired foreigners suggest the significance of such investments by the Japanese government in learning from the West: their salary was somewhere between 2.4 and 4 million yen (20 to 33 thousand dollars) <u>per month</u> in

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[13] Westney, E. (1987). <u>Imitation and innovation.</u> Cambridge, MA: Harvard Univ.

today's currency[14].   Numerous public infrastructures were developed in the modern era, before the end of the World War II, by the national and prefectural governments.   The Japan Society of Civil Engineers has identified 2,800 important heritage infrastructures that were developed during the era before the WWII[15].

After the defeat of the Second World War in 1945 and a brief period of occupation by the Supreme Commander for the Allied Powers (SCAP), the new Japanese government as an independent state started in 1952.   The history of infrastructure developments after the liberation is portrayed in Chapter 1.

Governance

Japan adopts the constitutional monarchy system.   Emperor Akihito is currently the ceremonial head of the country.   The number of years after his accession is used to count the official year in Japan.   For example, the year of 2005 on the Gregorian calendar is Heisei 17 in the Japanese system.   This system is still used in most of the official documents in Japan.

The national legislature has two houses: higher and lower.   242 members of the higher house (*san-gi-in*) are elected every six years (half of them are reelected every three years).   480 members of the lower house (*syū-gi-in*) are elected every four years.   Currently the majority leader is the Liberal Democratic Party (LDP),

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[14] Kamibayashi, Y. (1999). *nihon-no kawa-wo yomigae-raseta gishi de reike*. Tokyo, Japan: Sōshi-sha. p. 58.
[15] JSCE Civil Engineering History Committee. (2005). *nihon-no kindai doboku isan*. Tokyo, Japan: JSCE.

which has been enjoying the majority status since 1955 except for a brief period after 1993[16].   The National Diet has the power of appointing the Prime Minister who is the actual head of the government.   In return, the PM has the power of dissolving the lower house.

Judicial system has a three-tiered hierarchical structure: the Supreme Court (*saikō-saibansho*), High Courts (*kōtō-saibansho*), and District/Family Courts (*chihō/katei-saibansho*).   Except that the Supreme Court judges are appointed by the Prime Minister, the judicial system is independent from the government.   To become a judge, or a lawyer, everyone has to pass rigorous national bar examinations whose success rate is less than 4 percent.   Generally speaking, all Japanese courts follow the decision by the Supreme Court.

Road traffic

Cars drive on the left side of the road.   Readers should bear in mind that right turns (*usetsu*), not left turns, intercept the traffic on the opposite side; otherwise the story of the Kita-josnajima experiment, which is elaborated in the next chapter, does not make sense.   Driver's license is issued to those who are 18 years old or over.   Therefore, most high school students are not allowed to drive.   Automobile ownership in Japan (0.44 per capita) is equivalent to the rate in the US (0.46 per capita)[17].   Bicycle is another major means of private transportation, especially for

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[16]   Curtis, G. (1988). The Japanese way of politics. New York: Columbia Univ. pp. 1-44; Curtis, G. (1999). The logic of Japanese politics. New York: Columbia Univ. pp. 65-97.
[17]   Automobile Inspection and Registration Association. (undated). *jidōsha hoyū daisū suii hyō*

high school students and housewives.   The ownership rate in Japan was 54% in 2003[18].

[WWW Document] URL http://www.aira.or.jp/data/data_r.html; Statistics Bureau. *suikei jinkō.*
Federal Highway Administration. (2003). <u>Highway Statistics 2003</u> [WWW Document] URL
http://www.fhwa.dot.gov/policy/ohim/hs03/index.htm)
[18] Japan Bicycle Promotion Institute. (2004). <u>*jitensha tōkei yōran*</u> (Vol. 38).

Appendix 6-A: Press Release by the MLIT on January 31, 2005

NPO will Lead the Investigation into the Improvement of a National Route Intersection
- Opinions are sought for the improvements to the Kita-josanjima
Intersection on National Route 11 -

NR11 Kita-josanjima Intersection (Kita-josanjima Cho, Tokushima) is one of the most dangerous intersections in Tokushima Prefecture.   We aim to reduce the fatal and injury accidents by 30 percent by improving it in some ways before FY 2007.

The MLIT is considering an establishment of a public participation committee that will deliberate on the ways of improving the Kita-josanjima Intersection where many accidents occur.

Before establishing the committee, we decided to investigate who has what kind of opinions on the improvements to the NR11 Kita-josanjima Intersection in order to identify those who should participate as representatives and the issues that should be discussed by the committee.

This survey will be conducted by an independent third-party team of "the Japan Society of Civil Engineers" to whom we commissioned this work and "NPO Commons" that assists consensus building efforts.

If you are one of the users of the Kita-josanjima Intersection and have ideas on improvements to this intersection, please review the attached document and send your ideas to NPO Commons.

For more information (Survey Organization):
NPO Commons.   TEL 088-652-7666.   Contact Kasai.

Heisei 17, January 31
The Ministry of Land, Infrastructure, and Transport. Shikoku Regional Bureau.
Tokushima River Road Office

For more information
The Ministry of Land, Infrastructure, and Transport. Shikoku Regional
Bureau. Tokushima River Road Office
Tel 088-6554-9623
Deputy Head (Road)   Shigehisa Goto
Director, Road Safety Division Hajime Honda

Appendix 6-B: Press Release by the MLIT on March 17, 2005

NPO Completed the Stakeholder Analysis for the Investigation into the Improvement of a National Route Intersection
- On the improvements to the Kita-josanjima Intersection on National Route 11 -

The MLIT River Road Office has conducted a study (stakeholder analysis) for the investigation into the safety improvement measures to the NR 11 Kita-josanjima Intersection.   The work was commissioned to the Japan Society of Civil Engineers, with help of NPO Commons.

The study team (JSCE and Commons) has completed the analysis of interviews with stakeholders (including other opinions collected from February 1) and prepared a recommendation for organizing a committee for road safety improvements to the intersection in FY 2005.   It is complied in a document titled as "Stakeholder Analysis for the Committee for the Road Safety Improvements to the Kita-josanjima Intersection (Final Report)" (Summary: Appendix 1; Whole Document: Appendix 2).   This is an announcement that the study team submitted the report to the Tokushima River Road Office today.

Heisei 17, March 17
The Japan Society of Civil Engineers, Shikoku Branch
NPO (registered not-for-profit organization) Commons
Ministry of Land, Infrastructure, and Transport, Tokushima River Road Office

For more information

JSCE Shikoku Branch (University of Tokushima Faculty of Engineering)
(Study Organization; Study Team)
Susumu Namerikawa   Tel (088) 656-9877

NPO (registered not-for-profit organization) Commons (Study Team)
Yoshifumi Kasai   Tel (088) 652-7666

The Ministry of Land, Infrastructure, and Transport. Shikoku Regional Bureau. Tokushima River Road Office
Deputy Head (Road)   Shigehisa Goto
Director, Road Safety Division Hajime Honda
Tel 088-6554-9623

Appendix 6-C: Press Release by the MLIT on July 19, 2005

Improvements of a National Route Intersection will be Discussed in a Citizen Participatory Committee Managed by a Third-Party.
- The First Meeting of the Committee for the Road Safety Improvements to the Kita-josanjima Intersection will be Held-

The MLIT River Road Office will establish the "Committee for the Road Safety Improvements to the Kita-josanjima Intersection" (See Attached) in order to improve the NR 11 Kita-josanjima Intersection, which is one of the most dangerous intersection, following the "Stakeholder Analysis for the Committee for the Road Safety Improvements to the Kita-josanjima Intersection (Final Report)" submitted by the Study Team for Stakeholder Analysis on March 17.

This Committee will discuss possible measures that can be implemented soon by listening to the local residents and businesses on the possible measures for road safety at the Intersection where a large number of traffic accidents occur.   We ask them to prepare "a better improvements to the Kita-josanjima Intersection" supported by each committee member hopefully by the end of November this year.

In seeking an agreement between committee members, we will experiment with the "CB (Consensus Building) Processes," which has been used mainly in the United States.   This will be its first experiment in Tokushima.

The first meeting will be held at the following location:

Date/Time: Heisei 17, July 22 (Friday). 15:00~17:00
Location: Tokushima Educator's Building 4F Training Room A (See Attachment-2)
* Reporters and observers are always welcome.

Web Site: http://www.toku-mlit.go.jp/road/01e_intro/kousaten2/index.html

Heisei 17, July 19
Ministry of Land, Infrastructure, and Transport, Tokushima River Road Office

For more information

The Ministry of Land, Infrastructure, and Transport. Shikoku Regional Bureau. Tokushima River Road Office
    Deputy Head (Road)
    Director, Planning Division II   Tel 088-654-9612
JSCE Shikoku Branch (University of Tokushima Faculty of Engineering)
    (Stakeholder Analysis Study Team) Tel (088) 656-9612
NPO (registered not-for-profit organization) Commons (Stakeholder Analysis Study Team)
    Tel (088) 652-7666

Appendix 6-D: Press Release by the MLIT on February 7, 2006

Improvements of a National Route Intersection will be Discussed in a Citizen Participatory Committee Managed by a Third-Party.
- The Fifth Meeting of the Committee for the Road Safety Improvements to the Kita-josanjima Intersection will be Held-

The MLIT Tokushima River Road Office has established the "Committee for the Road Safety Improvements to the Kita-josanjima Intersection" in order to improve the NR 11 Kita-josanjima Intersection, which is one of the most dangerous intersection (See Attached).

The fifth meeting will be held at the following location:
The committee held four meetings from July last year in order to discuss the issues surrounding the Intersection and possible improvements to them.   Based on those discussions, the committee will discuss the draft recommendation for the improvement of the Intersection.   If the committee members agree, this meeting will be the final one.

Date/Time: Heisei 18, February 10 (Friday). 14:00~16:30
Location: Hotel Senshū-kaku (Jichi-kaikan) (See Attachment)
Agenda (Proposed): The draft recommendation of the commitee
* Reporters and observers are always welcome.

Web Site: http://www.toku-mlit.go.jp/road/01e_intro/kousaten2/index.html
You can also find it in the Tokushima River Road Office web site by following the links:
   [Road Information] -> [Projects: collaborative planning] -> [Kita-josanjima Committee]

Heisei 18, February 7
Ministry of Land, Infrastructure, and Transport, Tokushima River Road Office
NPO Commons
Japan Society of Civil Engineering, Shikoku Branch

For more information

The Ministry of Land, Infrastructure, and Transport. Shikoku Regional Bureau. Tokushima River Road Office
   Deputy Head (Road)   (Extension 205)
   Director, Planning Division II   Tel 088-654-9612
NPO (registered not-for-profit organization) Commons (Stakeholder Analysis Study Team)
   Tel (088) 652-7666
JSCE Shikoku Branch (University of Tokushima Faculty of Engineering)
   (Stakeholder Analysis Study Team) Tel (088) 656-9612

Appendix 6-E: Meeting Agenda for July 22, 2005

<div align="center">Kita-josanjima Intersection Road Safety Improvement Committee</div>

The First Meeting

Time: Heisei 17, July 22 (Fri.) 15:00~17:00
Location: Tokushima Educator's Bldg. 4F
              Training Room A
              1-8-68 Kita-tamiya, Tokushima
              Tel: 088-633-1511

■ Agenda

1. Introduction	* Welcome by the convenor	
	* Project history	
	* Introduction to the manager	Ref. 1
2. Self-introduction		Ref. 2
3. The Committee	* About the Kita-josanjima Intersection Road Safety Improvement Committee	Ref. 3
4. Committee Management	1) Introduction of the manager candidate	
	2) About the management of the committee	
	* Procedure for the committee	
	* Structure of the committee	
	* Schedule and agenda for the committee	
	* Issues to be addressed by the committee	
	3) Approval for the management	
5. Others	* Reference: Current status of the Kita-josanjima Intersection	Appendix
	* Next meeting	

■ Handouts:

Ref. 1	List of committee members
Ref. 2	About the Kita-josanjima Intersection Road Safety Improvement Committee
Ref. 3	Summary of the final stakeholder assessment report
Appendix	Current status of the Kita-josanjima Intersection.

Appendix 6-F: Meeting Agenda for September 2, 2005

The Second Meeting

Time: Heisei 17, September 2 (Fri.)
         14:00~17:00

Location: Tokushima Educator's Bldg. 5F Small
         Conf. Hall
         1-8-68 Kita-tamiya, Tokushima Tel:
         088-633-1511

■ Agenda

1. Introduction	* Opening remarks	Ref. 1
	* Self-introduction	Ref. 2
	* On the first meeting	Ref. 3
2. Sharing Information	**2-1. Technical assumptions**	
	1) Reviewing documents	
	* Current status of the Intersection, projects surrounding the Intersection, traffic accidents, case studies	Ref. 4
	2) mini-Q&A	
	2-2. Issues revealed in the stakeholder analysis	
	1) Reviewing documents	Ref. 5
	* Summary of the stakeholder analysis	Ref. 6
	* List of issues based on the stakeholder analysis	
	2) mini-Q&A	
3. Discussion	**3-1. Procedure for the discussion**	
	3-2. [Group work] Discuss issues to be addressed	
	* [Yellow Post-it: Safety] Issues to be addressed	
	* [Blue Post-it: Usability] Issues to be addressed	
Break		
3. Discussion	**3-3. [Whole group] Discussion: issues to be addressed**	
	* On safety	
	* On usability	
	3-4. [Whole group] Identify issues to be addressed	
4. Epilogue	* Next meeting	Ref. 7
	* Closure	

■ Handouts:

Ref. No.	Title	Remarks
Ref. 1	Member list	
Ref. 2	Newsletter (Issue 1)	
Ref. 3	Minutes of the first meeting (draft)	
Ref. 4	Current state of the Intersection and case studies	
Ref. 5	Summary of the stakeholder analysis (safety)	
Ref. 6	Summary of the stakeholder analysis (usability)	
Ref. 7	On the third meeting	

Appendix 6-G: Meeting Agenda for October 6, 2005

The Third Meeting

Time:	Heisei 17, October 6 (Thu.) 14:00~17:00
Location:	Tokushima Educator's Bldg. 5F Small Conf. Hall
	1-8-68 Kita-tamiya, Tokushima Tel: 088-633-1511

■ Agenda

1. Introduction	* Opening remarks	
	* Self-introduction	Ref. 1
	* On the first meeting	
2. Reflecting on the Past Meetings	**2-1. Reviewing documents**	**[Whole Group]**
	* Reflecting on the second meeting	Ref. 2
	2-2. mini-Q&A	Ref. 3
3. [Issue-1] Procedure for Discussing the Improvement	**3-1. Reviewing documents**	**[Whole Group]**
	* Procedure for discussing the improvement (draft)	Ref. 4
4. [Issue-2] Options for the Improvement	**4-1. Reviewing documents**	**[Whole Group]**
	* Options for the improvement (draft)	Ref. 5
	Method, options for each issue, list of options	
	* mini-Q&A	
Break		
	4-2. Discussion	**[Group Work]**
	1) Understanding the options	
	2) Matching the options with the committee's goal	
	4-3. Presentations by each group	
5. Epilogue	* Next meeting	Ref. 6
	* Closure	

■ Handouts:

Ref. No.	Title
Ref. 1	Member list
Ref. 2	Newsletter (Issue 2)
Ref. 3	Minutes of the second meeting (draft)
Ref. 4	Procedure for discussing the improvement (draft)
Ref. 5	Options for the improvement (draft)
Ref. 6	On the fourth meeting

Appendix 6-H: Meeting Agenda for November 18, 2005

Kita-josanjima Intersection Road Safety Improvement Committee

The Fourth Meeting

Time: Heisei 17, November 18 (Fri.)
14:00~17:00
Location: Tokushima Educator's Bldg. 5F
1-8-68 Kita-tamiya, Tokushima Tel:
088-633-1511

■ Agenda

1. Introduction	* Opening remarks	Ref. 1
	* Reflecting on the third (previous) meeting	Ref. 2
	* Outline of the fourth (this) meeting	Ref. 3
2. Information Checking and Sharing	**2-1. Reviewing documents** **[Whole Group]**	
	* Progress so far and the procedure in the future (draft)	Ref. 4
	* Survey results	Ref. 5
	* Structure of the improvement options	Ref. 6
	* Relevance to the purposes and concerns	Ref. 7
	2-2. mini-Q&A	
3. Discussion: Concerns about Each (Suggested) Option	**3-1. Procedure** **[Whole Group]**	
	3-2. Group discussion **[Group Work]**	
	1) Concerns about each option [red card]	
	2) Ways of attending to those concerns [blue card]	Ref. 6
	3) Others [white card]	Ref. 7
4. Sharing the Discussion Results	**Presentation by each group** **[Whole Group]**	
	Discussion + check-in issues to be resolved in the future	
5. Epilogue	* Next meeting	Ref. 7
	* Closure	

■ Handouts:

Ref. No.	Title
Ref. 1	Member list
Ref. 2	Newsletter (Issue 3)
Ref. 3	Minutes of the third meeting (draft)
Ref. 4	Progress so far and the procedure in the future (draft)
Ref. 5	Results from the impact evaluation survey
Ref. 6	Structure diagram of the improvement options
Ref. 7	Relevance to the purposes and concerns
Ref. 8	On the next meeting

Appendix 6-I: Meeting Agenda for February 10, 2006

The Fifth Meeting

Time: Heisei 18, February 10 (Fri.)
              14:00~16:30
Location: Hotel Senshū-kaku (Jichi kaikan) 6F
              Saiwai-cho 3-55, Toushima Tel:
              088-621-3333

■ Agenda

1. Introduction	* Opening remarks	
	* Outline of the fifth meeting	Ref. 1
2. Reflection	**<> Reviewing documents**	Ref. 2
	* Reflecting on the fourth meeting	Ref. 3
3. Description of the Draft Recommendations	**<> Reviewing documents**	
	* On draft recommendations	Ref. 4
		Ref. 5
4. Confirmation of the Draft Recommendations	**<> On the committee and the draft recommendations**	
	* Discussion	Ref. 4
	* Confirmation	Ref. 5
5. Epilogue	* Closing remarks by the manager	
	* Closing remarks by the convenor	
	* Adjournment	

■ Handouts:

Ref. 1	Member list
Ref. 2	Newsletter (Issue 4)
Ref. 3	Minutes of the fourth meeting (draft)
Ref. 4	Draft recommendation for the safety improvement to the Kita-josanjima Intersection
Ref. 5	Schematic diagram of the safety improvements to the Intersection

Appendix 6-J: Committee member list

	Name	Affiliation
Local residents	Tadashi OISHI	Kita-jōsanjima 3
	Takeshi KUSAKA	Suketō-honchō 6
	Masaaki KUSUKAWA	Kita-jōsanjima 2
	Tsukumi NITA	Suketō-bashi 4
Local businesses	Yoshihito KAGATA	Sumibi Yakitori (Japanese Bar) Benkei
	Toshihiro TSURUSAWA	Honda Clio Tokushima (Car Dealer) Auto-terrace Div. Manager
	Yoshiya TAMIKI	Sushi Ginpachi
Stakeholding organizations	Yoshiro TAKASE	City of Tokushima, Hospital Division, Deputy Senior Manager and Subsection Chief
	Hiroaki AMO	Tokushima City Jōtō High School, Student Affairs Chief
	Kiyoko NAKAYAMA	Tokushima Junior High School, Vice Principal
	Akira IKEZOE	Tokushima Federation of Handicapped Person's Associations
	Toshio KODASHI	Tokushima Federation of Handicapped Person's Associations
	Kazuhiro KIMURA	Tokushima Safe Driving Management Association, Executive Director
	Toshinori KUROKAWA	Ministry of Land, Infrastructure and Transport, Tokushima Transport Bureau, General Affairs Division, Chief
	Hidenori NAKANO	City of Tokushima, Transit Authority, Sales Division, Chief
Government agencies (Road and traffic management)	Hajime HONDA	Ministry of Land, Infrastructure and Transport, Shikoku Regional Bureau, Tokushima River Road Office, Planning II Division, Chief
	Norimoto FUKUDA	Ministry of Land, Infrastructure and Transport, Shikoku Regional Bureau, Tokushima River Road Office, Road Safety Division, Subsection Chief
	Ken-ichirō MIYAGI	Tokushima Prefectural Police, Traffic Dept., Traffic Regulation Division (Regulation), Deputy Chief
	Masaaki SUGIMOTO	Tokushima Prefectural Police, Traffic Dept., Traffic Regulation Division (Traffic Control), Deputy Chief
	Eiichi TOMINAGA	Tokushima Prefecture, Land Development Dept., Road Management Div., Deputy Chief for Engineering
	Kazuyuki KINOSHITA	City of Tokushima, Dept. of Public Works, Road Construction Div., Subsection Chief

Appendix 6-K: List of 47 options

1	Remove the pedestrian overpass; install a zebra zone; and extend the green lights for pedestrians	25	Change the signaling pattern (extend yellow and red lights)
2.	Move the bicycle crossing zones (BCZs) toward the center	26	Install electronic signboards showing the time remaining for green lights for bicycles.
3	Paint the BCZs	27	Prohibit U-turns
4	Draw guidance lines for the right turn traffic	28	Extend solid yellow line (meaning no lane change in Japan) and draw with high reflection ribbed paints
5	Draw road markings for speed reduction	29	Install "no pedestrian crossing" signs
6	Install speed bumps	30	Relocate the condo entrance to its west side
7	Paint the road	31	Designate the condo access way as a one-way street
8	Install electric signs warning excessive speed	32	Remove the statute at the condo entrance
9	Reduce the corner radius	33	Install a mirror at the corner of the condo entrance
10	Extend the right-turn lane (from the south)	34	Draw lines between the road and the sidewalk at the condo entrance
11	Designate "right turn only" lanes	35	Install a "stop" sign and a zebra zone; draw "stop" on the road
12	Install night lighting equipments	36	Close the entrance to a store (on the north of the Intersection)
13	Install self-lightening road studs	37	Paint the road nearby the entrance to a store (on the north of the Intersection)
14	Install electric warning signs (for pedestrians and bicycles)	38	Reduce the shoulder width
15	Install warning signboards and draw warning messages on the road (for pedestrians and bicycles)	39	Build an overpass for through traffic
16	Install electric warning signs (for drivers)	40	Attach slopes to the pedestrian overpass; remove the BCZs
17	Install warning signboards and draw warning messages on the road (for drivers)	41	Build underground paths with sloped entrance; remove the pedestrian overpass and the BCZs
18	Reconfigure and replace road signs	42	Attach slopes to the pedestrian overpass
19	Add "Time-lagged signal" signboard	43	Build elevators for the pedestrian overpass
20	Change the signaling pattern (improve the linkage with adjacent signals)	44	Add a left-turn only lane
21	Change the signaling pattern (stop all automobile traffic for bicycles)	45	Add another right-turn only lane
22	Change the signaling pattern (remove the green light for all direction; separate the traffic for each direction)	46	Improve the Tokushima-honchō Intersection.
23	Change the signaling pattern (remove the red light between green and right-turn only)	47	Develop another route that would reduce the traffic through the Intersection
24	Change the signaling pattern (extend green lights for right turn and east-west traffic)		

Appendix 6-L: Schematic diagram showing final recommendations

Kita-josanjima Intersection Safety Improvements
Schematic Diagram

(1) Reducing the corner radius and moving the BCZs to the center of the intersection
(3) Drawing the border between the road and the sidewalk (condo entrance)
(7) Drawing guidance lines (for right turns) from the north

Close-up of the northwestern corner

Close-up of the northeastern corner

Demarcation of the sidewalk with the curbstone

curbstones

Legend
Removal
Installation

(5) Installing a signboard to warn drivers of crossing bicycles

(6) Drawing road markings to reduce the speed (on NR 11)
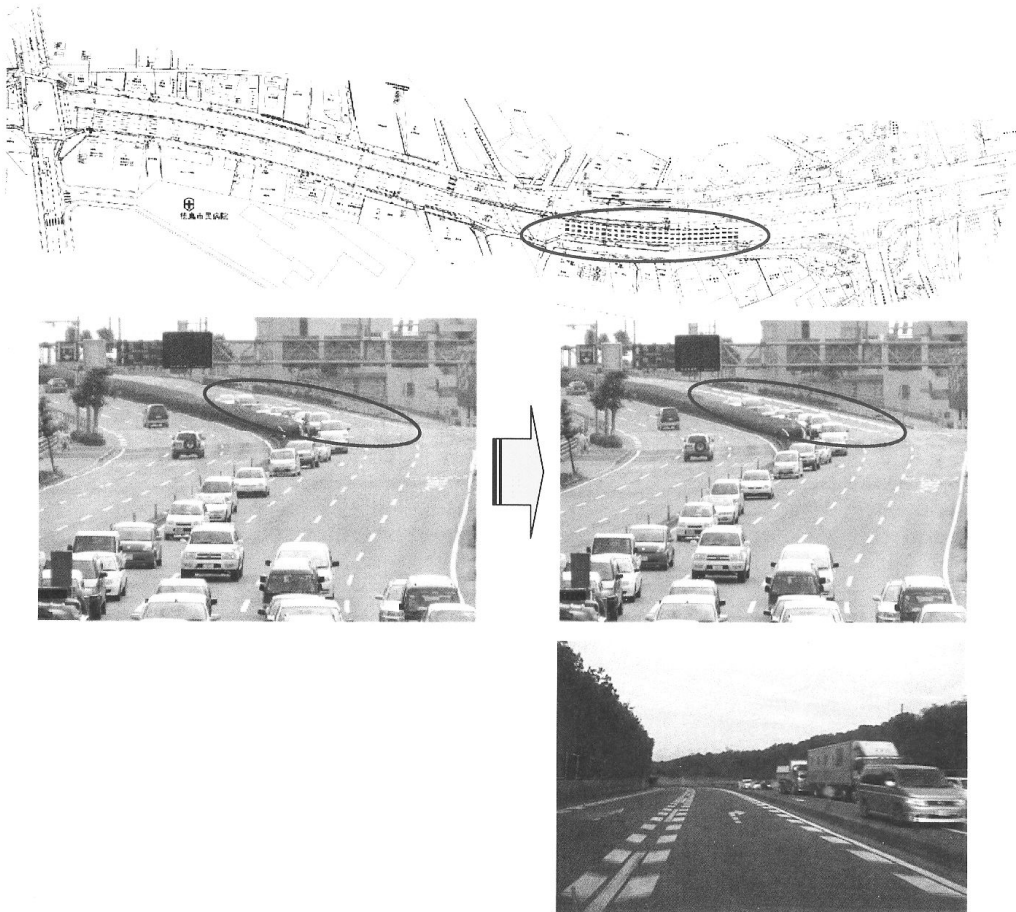
An example of road marking

In addition to those six five schemes, the final agreement included:
(2) Installing night lighting equipments;
(4) Adding a sign "Time-Lagged Signal (*jisa-shiki shingō*)" next to the signal (from the west); and
(8) Adding a digital signboard for bicycles showing the remaining time for the green signal.

Appendix

Appendix 7-A: Survey form

<div style="border:1px solid black;padding:1em;">

The Committee for the Road Safety Improvements to the Kita-josanjima Intersection
Follow-up Evaluation Survey

</div>

This survey was intended to gather invaluable feedbacks from you, those who have participated in the the Committee for the Road Safety Improvements to the Kita-josanjima Intersection as a committee member so that we can develop better approach to consensus building that involves third-party organizations.

Your answers will be used for our study after processing them statistically so that your identity is protected.

Please provide your answers on this survey form, and respond to us by mail

BEFORE FEBRUARY 24 (FRIDAY)

using the attached envelope.

Project sponsor :
Japan Society of Civil Engineering
Shikoku Chapter

For each of the following questions, please choose an option <u>that is most approximate to</u> your response and circle the number.

Q1:

Are you satisfied with <u>the goal given to the committee</u> (to explore improvement schemes that can be implemented in a short term)?

Options:

1. Very satisfied
2. Mostly satisfied
3. Not much satisfied
4. Unsatisfied at all.

Q2:

Do you think <u>the opinions of everyone who has a stake in the Kita-josanjima Intersection were reflected in the process</u> through the stakeholder analysis (interviews) and the committee?

Options:

1. Everyone's opinions were reflected.   -> to Question 3 (Next page)
2. Almost everyone's opinions were reflected.   -> to Question 3 (Next page)
3. Only a portion of people's opinions were reflected. -> to the question below:
4. No one's opinions were reflected   -> to the question below:

If you chose 3 or 4 in response to the Question 2, please answer the following question.

Whose opinions were not reflected?   Please specify them.

Q3:
Do you think that you were given opportunities to express your opinions <u>about the processes and the management of the committee?</u>
    Options:

1. Sufficient opportunities were given. 2. Adequate opportunities were given. 3. Not much opportunity was given. 4. No opportunity was given at all.

Q4:
How important was <u>the third-party management team (NPO Commons)</u> in the committee?
    Options:

1. Crucial 2 Important 3. Somewhat important 4. Not important

Q5:
How important was <u>the technical assistant team (Oriental Consultants and others)</u> in the committee?
    Options:

1. Crucial 2 Important 3. Somewhat important 4. Not important

Note) About the third-party management team and the technical assistant team

Third-party management team: Those who moderated the meetings, facilitated the discussion at the tables, proposed the work plan for the committee, managed schedules, and conducted interviews (NPO Commons) Technical assistant team: Those who proposed and explained options to improve the Intersection (Oriental consultants and others)

Q6:

The third-party management team was given the role of managing the committee independently of the Ministry of Land, Infrastructure, and Transport. Do you think the third-party management team was assisting from an independent standpoint?

Options:

1. Very independent
2. Adequately independent
3. Not much independent
4. Not independent at all
5. Don't know.

Q7:

The technical assistant team (Oriental Consultants and others) was given the role of managing the committee independently of the Ministry of Land, Infrastructure, and Transport. Do you think the technical assistant team was assisting from an independent standpoint?

Options:

1. Very independent
2. Adequately independent
3. Not much independent
4. Not independent at all
5. Don't know.

Question 8:

How do you evaluate the process <u>(stakeholder analysis by the interviews in January last year and the management of the committee by the third-party from July last year)</u>?

Options:

1. Very favorable
2. Favorable
3. Unfavorable
4. Very unfavorable

How did you feel about the process?   How did or didn't you like it?   Please describe.   We appreciate your inputs in order to improve our efforts in the future.

Q9:

Do you think the users and the neighbors of the Kita-josanjima Intersection know <u>the existence</u> of the committee?

Options:

1. Almost everyone knows it.
2. Some people know
3. Not many people know it.
4. No one knows about it.
5. I don't know

Q10:

Do you think the users and the neighbors of the Kita-josanjima Intersection know <u>what the committee has discussed</u>?

Options:

1. Almost everyone knows it.
2. Some people know
3. Not many people know it.
4. No one knows about it.
5. Don't know

Q11:

Could you fully understand <u>what other members of the committee were saying (were intended)</u>?

Options:

1. Fully understood
2. Mostly understood.
3. Couldn't understand much
4. Not at all

Q12:

Were the subjects discussed in the committee (to explore improvement schemes that can be implemented in a short term) <u>interesting to you</u>?

Options:

1. Everything was interesting
2. Mostly interesting
3. Not much interesting
4. Not interesting at all

Q13:

Did the level of your interest in the subjects discussed in the committee change?

Options:

> 1. Interested from the beginning to the end
> 2. Lost interest during the committee
> 3. Grew interest during the committee
> 4. Not interested from the beginning to the end

Q14:

Did you reported back to your constituents (e.g., members, partners, colleagues, bosses, and etc.) about the progress of committee meetings?

Options:

> 1. No   -> to the Question 15 (Next page)
> 2. Yes   -> to the question below
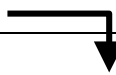
If you chose "2. Yes" in response to the Question 14, please answer the following question.

> When did you report back?   Please choose all that apply.
>
> Options:
>
> > 1. Before the 1st meeting (before July 22, Heisei 17)
> > 2. Between the 1st and the 2nd meetings (July 22 ~ September 2)
> > 3. Between the 2nd and the 3rd meetings (September 2~ October 6)
> > 4. Between the 3rd and the 4th meetings (October 6 ~ November 18)
> > 5. Between the 4th and the 5th meetings (November 18 ~ February 10)
> > 6. After the 5th meeting (including your plan to do so)
>
> How did you report back?   Please choose all that apply.
>
> Options:
>
> > 1. Distributing the documents
> > 2. Reported in regular meetings and gatherings
> > 3. Reported in a special meeting about the committee
> > 4. Surveys
> > 5. Others (please explain:_____
> >
> > ___)

Q15:

Could you <u>say what you had intended to say</u> in the meeting?

Options:

1. I could say everything
2. I could say most of them
3. I couldn't say much
4. I couldn't say at all

Q16:

<u>Could you learn something new</u> about the function of the Kita-josanjima Intersection and its neighborhood by participating in the committee?

Options:

1. Could learn many things
2. Could learn a few things
3. Almost nothing new
4. Nothing new at all

Q17:

Do you think the committee discussed <u>innovative solutions and new ideas</u> for the improvement?

Options:

1. Discussed many innovative ideas
2. Discussed a few innovative ideas
3. Not many innovative ideas.
4. No innovative ideas at all

Q18:

If the committee discussed the plan without help of the technical assistant team (Oriental Consultants and others), how do you think the plan would be <u>compared to the actual plan?</u>

Options:

1. Would be a much better plan
2. Would be a little better plan.
3. The same plan
4. A little worse plan
5. Really bad plan

Q19:

Do you think the committee explored options <u>after recognizing all issues of the Kita-josanjima Intersection correctly</u>?

Options:

1. Very much
2. To some extent
3. Not much
4. Not at all

Q20:

How satisfied are you with <u>the contents of the recommendations?</u>

Options:

1. Fully satisfied
2. Mostly satisfied
3. Not much satisfied
4. Not satisfied at all

Q21:

Do you think the recommendations will <u>be really implemented</u>?

    Options:

> 1. Everything will be implemented
>
> 2. Mostly implemented
>
> 3. Not much implemented
>
> 4. Not implemented at all
>
> 5. I don't know

Q22:

Do you think the recommendations will <u>contribute to the reduction of accidents and the improvement of usability at the Kita-josanjima Intersection</u>?

    Options:

> 1. Will contribute very much
>
> 2. Will contribute at least a little
>
> 3. Not much changes
>
> 4. A little negative impacts
>
> 5. Very negative impacts

Q23:

Do you think the recommendation is <u>"desirable" for the City of Tokushima as a whole</u>?

    Options:

> 1. Very desirable
>
> 2. Desirable to some extent
>
> 3. Not much desirable
>
> 4. Undesirable at all
>
> 5. Don't know

Q24:

Do you think there are <u>users who will be negatively impacted </u>by the recommendations if they are implemented?

Options:

1. Not at all
2. Not many
3. A little
4. Many
5. Don't know

Q25:

Do you think you could <u>get acquainted with those who weren't before</u> by participating in the committee?

Options:

1. Yes.
2. No.

Q26:

Were there any occasions <u>other than the Kita-josanjima Committee</u> where you worked or discussed together with any of the committee members?

Options:

1. Yes
2. No

Q27:

Finally, please tell us which committee meetings you attended (please circle one that applies to you).

First meeting (July 22, Heisei 17)

1. Attended	2. An alternate of mine attended	3. Absent

Second meeting (September 2, Heisei 17)

1. Attended	2. An alternate of mine attended	3. Absent

Third meeting (October 6, Heisei 17)

1. Attended	2. An alternate of mine attended	3. Absent

Fourth meeting (November 18, Heisei 17)

1. Attended	2. An alternate of mine attended	3. Absent

Fifth meeting (February 10, Heisei 18)

1. Attended	2. An alternate of mine attended	3. Absent

Thank you very much for your participation in the survey.
Please return the form in the attached envelope.

Appendix 7-B: Responses to the survey

Q1	1. Very satisfied	2. Mostly satisfied	3. Not much satisfied	4. Unsatisfied at all	No answer
Are you satisfied with the goal given to the committee?	4	7	6	0	0

Q2	1. Everyone's opinions were reflected.	2. Almost everyone's opinions were reflected.	3. Only a portion of people's opinions were reflected	4. No one's opinions were reflected	No answer
Do you think the opinions of everyone who has a stake in the Kita-josanjima Intersection were reflected in the process through the stakeholder analysis (interviews) and the committee?	0	11	5	0	1

Q3	1. Sufficient opportunities were given	2. Adequate opportunities were given	3. Not much opportunities were given	4. No opportunities were given at all	No answer
Do you think that you were given opportunities to express your opinions about the processes and the management of the committee?	7	10	0	0	0

Q4	1. Crucial	2 Important	3. Somewhat important	4. Not important	No answer
How important was the third-party management team (NPO Commons) in the committee?	4	8	4	1	0

Q5	1. Crucial	2 Important	3. Somewhat important	4. Not important	No answer
How important was the technical assistant team (Oriental Consultants and others) in the committee?	1	13	1	2	0

Q6	1. Very independent	2. Adequately independent	3. Not much independent	4. Not independent at all	No answer
The third-party management team was given the role of managing the committee independently of the Ministry of Land, Infrastructure, and Transport.　Do you think the third-party management team was assisting from an independent standpoint?	2	12	1	2	0

Q7	1. Very independent	2. Adequately independent	3. Not much independent	4. Not independent at all	No answer
The technical assistant team (Oriental Consultants and others) was given the role of managing the committee independently of the Ministry of Land, Infrastructure, and Transport.　Do you think the technical assistant team was assisting from an independent standpoint?	2	13	2	0	0

Q8	1. Very favorable	2. Favorable	3. Unfavorable	4. Very unfavorable	No answer
How do you evaluate the process?	4	8	3	0	2

Q9	1. Almost everyone knows it.	2. Some people know	3. Not many people know it.	4. No one knows about it.	5. Don't know	No answer
Do you think the users and the neighbors of the Kita-josanjima Intersection know the existence of the committee?	1	4	10	0	2	0

Q10	1. Almost everyone knows it.	2. Some people know	3. Not many people know it.	4. No one knows about it.	5. Don't know	No answer
Do you think the users and the neighbors of the Kita-josanjima Intersection know what the committee has discussed?	1	2	11	0	3	0

Q11	1. Fully understood	2. Mostly understood.	3. Couldn't understand much	4. Not at all	No answer
Could you fully understand what other members of the committee were saying (were intended)?	1	14	0	0	0

Q12	1. Everything was interesting	2. Mostly interesting	3. Not much interesting	4. Not interesting at all	No answer
Were the subjects discussed in the committee interesting to you?	5	12	0	0	0

Q13	1. Interested from the beginning to the end	2. Lost interest during the committee	3. Grew interest during the committee	4. Not interested from the beginning to the end	No answer
Did the level of your interest in the subjects discussed in the committee change?	9	5	3	0	0

Q14	1. No	2. Yes	No answer
Did you reported back to your constituents about the progress of committee meetings?	4	12	1

Q15	1. I could say everything	2. I could say most of them	3. I couldn't say much	4. I couldn't say at all	No answer
Could you say what you had intended to say in the meeting?	1	13	2	1	0

Q16	1. Could learn many things	2. Could learn a few things	3. Almost nothing new	4. Nothing new at all	No answer
Could you learn something new about the function of the Kita-josanjima Intersection and its neighborhood by participating in the committee?	5	10	2	0	0

Q17	1. Discussed many innovative ideas	2. Discussed a few innovative ideas	3. Not many innovative ideas.	4. No innovative ideas at all	No answer
Do you think the committee discussed innovative solutions and new ideas for the improvement?	1	6	9	1	0

Q18	1. Would be a much better plan	2. Would be a little better plan.	3. The same plan	4. A little worse plan	5. Really bad plan	No answer
If the committee discussed the plan without help of the technical assistant team (Oriental Consultants and others), how do you think the plan would be compared to the actual plan?	1	1	6	4	3	2

Q19	1. Very much	2. To some extent	3. Not much	4. Not at all	No answer
Do you think the committee explored options after recognizing all issues of the Kita-josanjima Intersection correctly?	3	9	4	0	1

Q20	1. Fully satisfied	2. Mostly satisfied	3. Not much satisfied	4. Not satisfied at all	No answer
How satisfied are you with the contents of the recommendations?	0	12	5	0	0

Q21	1. Everything will be implemented	2. Mostly implemented	3. Not much implemented	4. Not implemented at all	5. Don't know	No answer
Do you think the recommendations will be really implemented?	3	12	1	0	1	0

Q22	1. Will contribute very much	2. Will contribute at least a little	3. Not much changes	4. A little negative impacts	5. Very negative impacts	No answer
Do you think the recommendations will contribute to the reduction of accidents and the improvement of usability at the Kita-josanjima Intersection?	0	14	2	1	0	0

Q23	1. Very desirable	2. Desirable to some existent	3. Not much desirable	4. Undesirable at all	5. Don't know	No answer
Do you think the recommendation is "desirable" for the City of Tokushima as a whole?	2	12	2	1	0	0

Q24	1. Not at all	2. Not many	3. A little	4. Many	5. Don't know	No answer
Do you think there are users who will be negatively impacted by the recommendations if they are implemented?	2	7	7	1	0	0

Q25	1. Yes	2. No	No answer
Do you think you could get acquainted with those who weren't before by participating in the committee?	10	7	0

Q26	1. Yes	2. No	No answer
Were there any occasions other than the Kita-josanjima Committee where you worked or discussed together with any of the committee members?	7	10	0

Appendix 8-A: Summary of process adaptations

Kita-josanjima experimental process in Japan: process adaptation and organizational change.

1. Backgrounds

My dissertation focuses on the transfer of consensus building techniques from the United States to Japan.   In particular, it analyzed (i) how consensus building processes are adapted to the Japanese context and (ii) how the Japanese users of consensus building go through organizational change (i.e., give up their routines and adopt new ways of doing business). I assumed that consensus building efforts in Japan would not help stakeholders reach a practical agreement without such transformations.   In order to test this theory, I observed an experimental use of consensus building in Japan.
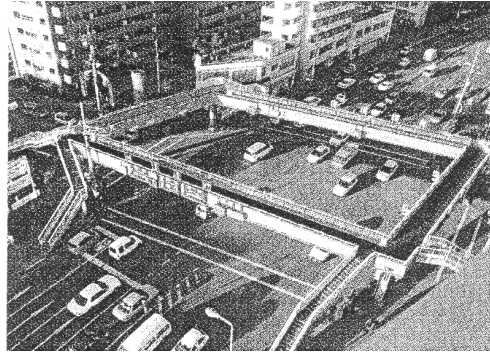
The Kita-josanjima Intersection: pedestrians must use the overpass structure to cross the busy streets

2. Experimental process

Consensus building was applied to an effort to prescribe a short-term improvement plan for the Kita-josanjima Intersection in the City of Tokushima.   At the intersection, there had been many traffic accidents involving motor vehicles, bicycles, and pedestrians.

The convenor was a field office of the Ministry of Land, Infrastructure, and Transport (MLIT).   A local not-for-profit organization called *Commons* assumed the neutral's role. Several faculty members and students from the University of Tokushima provided support as well.   Transportation engineering consultants

The committee meeting: negotiating group was occasionally divided into multiple subgroups to encourage active participation of each member in the discussion.

were also involved as a technical assistant team that would provide technical analysis to the whole stakeholder group.

Stakeholder assessment took place between January and March 2005.   The team of neutrals interviewed 54 stakeholders and produced a conflict assessment report.   The team and the convenor exchanged a nondisclosure agreement that would allow the team to keep each interview confidential.   The actual stakeholder process was convened on July 22, 2005 with 21 stakeholder representatives.   Its membership consists of local residents, local

business owners, handicapped person's association, and relevant government agencies. They were selected by *Commons* and the convenor based on findings from the stakeholder analysis.   Five meetings were held. In the first meeting, committee members unanimously agreed with suggested ground rules and work plan, as well as to hire *Commons* as the neutral facilitator.   Each meeting was facilitated by *Commons*.   They were trained as meeting facilitators: they had successfully facilitated various "workshop" style meetings in the past.   The ground rules assured that the committee members could dismiss *Commons* if its services were unsatisfactory.   The convenor paid all costs; however, participants were not compensated for their time and travel.

A map indicating specific recommendations to the Intersection

President of *Commons* hands in the final agreement to the convenor

There were several conflicts.   First, local residents and businesses were concerned about negative impacts from reconfiguring the intersection (e.g., restricted entry to their parking lots).   Second, the convenor and the police department would have to reach an interagency agreement.   Until the negotiation occurred no one could tell if their interests were aligned.   Third, physically challenged people were very unsatisfied with the current configuration (i.e., they can't cross the street at this intersection) even though the resource available for this particular short-term project would not allow building a new accessible facility.

Notwithstanding these conflicts, the stakeholder group unanimously reached a final agreement, including eight recommendations, in the fifth meeting on February 10, 2006. It also suggested that the group continue to discuss long-term solutions such as the construction of accessible facilities for physically challenged people.   The convenor accepted the recommendations and expressed its intent to implement them in 2006.

3. Process adaptation
The following process adaptations were observed in the experiment.

[1. Choosing right persons based on the Japanese context]
   1-1. Involving academics
      In Japan, university professors have a substantial influence in infrastructure planning as policy advisor.   In the experiment, a university professor was involved from the outset to help the neutrals.   His involvement provided a leverage to the neutrals in

negotiating with the convenor.

1-2. Choosing the lead facilitator based on the age

Age is an important factor in determining one's status (i.e., trustworthiness) in Japan. In the experiment, the most elderly team member took the lead facilitator's role.

1-3. Involving community leaders

Each neighborhood in Japan has a residents' association.   Its leader usually represent the neighborhood in negotiating with government agencies.   In the Kita-josanjima experiment, local associations' leaders were invited to the stakeholder dialogue in addition to other stakeholding parties in the neighborhood.

1-4. Anonymizing conflict assessment interviewees

To list interviewees' names in the conflict assessment report was considered as the breach of confidentiality agreement even if they were not attributed to each commentary because the act of speaking out one's concerns--no matter what the concerns are--is the subject of privacy protection in Japan.   As a compromise, the team asked each interviewee if they agreed to have their name listed in the final report. The majority of interviewees from local residents and businesses declined to have their names listed.   On the other hand, all public official interviewees agreed.

[2. Adapting processes to accommodate the needs of government agencies]

2-1. Using the shingikai system

In Japan, government agencies often create an advisory committee (known as *shingikai* in Japanese) in order to obtain an endorsement by key decision makers to experiment with new public policy tools.   In the experiment, the convenor established such a committee, involving high rank officials and academics, aside from the stakeholder committee.

2-2. Incorporating traditional ways of interagency negotiation

Regulations require the MLIT (Japanese equivalent of DoT) and local police departments to negotiate and reach an agreement before reconfiguring streets. Traditionally, the negotiation has been conducted privately (There is no "sunshine law" requirement in Japan).   In the experiment, those agencies held a private caucus aside from the whole stakeholder committee in order to meet the interagency negotiation requirement.

2-3. Developing a work plan to fit with the fiscal year system

In Japan, every government-funded project must start and complete within a single fiscal year between April and March next year.   In the experiment, consensus building processes were divided into two segments.   Conflict assessment was conducted in the first fiscal year, and the stakeholder process was convened in the second fiscal year.

[3. Adapting processes to maximize their effectiveness]

3-1. Integrating workshop techniques

The team of neutrals had previously learned various skills for "workshop" style meeting management.   In the experiment they utilized such skills in managing the

stakeholder committee.   For example, they used specially designed Post-it notes to encourage candid reactions from committee members who were reluctant to speak out in a public forum.   This technique had been frequently used in "workshop" meetings in Japan.

3-2. Meeting each member in the nemawashi fashion.

In Japan, project proponents usually meet privately with a few key individuals to negotiate on construction proposals before making official announcements in public meetings.   This practice of sounding out everyone's interests is called *nemawashi* in Japanese.   In the consensus building experiment, the team of neutrals occasionally went to the representatives' office and home (especially if they were absent from meetings) in order to give updates and obtain their candid reactions through private meetings.

PLEASE TELL ME HOW YOU THINK ABOUT THESE PROCESS ADAPTATIONS.

While the process adaptation seems to be an essential element in using consensus building in a foreign country, there is a concern about <u>too much adaptation</u>: consensus building might be modified to the extent that the core concepts of consensus building are lost in translation.

Do you think these process adaptations that I observed in the Japanese experiment removed core concepts of consensus building in the US?   In other words, do you think the experimental effort in Japan can still be considered as a "consensus building" effort even after these adaptations?

I would appreciate it very much if you could send your comments
    to   Masa Matsuura (**masam @ mit.edu**)
    by   **May 30**.

If you have any question, please contact me by email.   Your comments may be quoted in my dissertation, which I plan to defend in June.

Thank you very much for reviewing this document.   I am looking forward to hearing from you soon!

Masahiro --Masa-- Matsuura
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Department of Urban Studies and Planning
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Appendix 8-B: On-line survey questions

Coversheet
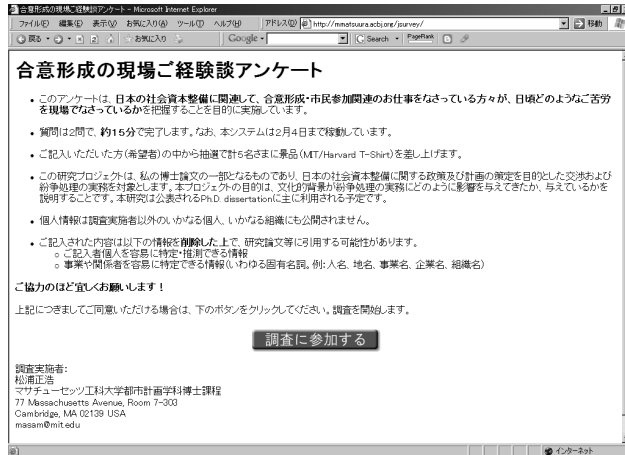
Survey on the stories from the field of consensus building (*gōi keisei)*

- ・ This survey is intended to grasp **what kind of difficulties were the practitioners of consensus building and public participation in infrastructure planning efforts in Japan.**
- ・ There are two questions, and they can be answered in **15 minutes.** This system is operating until February 4.
- ・ There is a chance to win a gift (MIT/Harvard T-Shirts) for 5 persons if you enter.
- ・ This research project, which will be a part of my doctoral dissertation, deals with the practice of negotiation and dispute resolution in making policies and plans for infrastructure development in Japan. The purpose of this project is to explain how cultural contexts have influenced/are influence the practice of dispute resolution. This research is will be primarily for a graduate thesis for Ph.D. degree, which will be published.
- ・ Information about your identity will not be disclosed to anyone and organization other than the investigator.
- ・ Your answers might be quoted in research papers **after removing** the following information.
    - ✧ Information that would easily lead to your identity.
    - ✧ Information that would identify projects and stakeholders (proper nouns. e.g., names of persons, locations, projects, corporations, and organizations).

Please take a moment to participate in the survey.

If you agree with the conditions mentioned above, please click the button below. The survey will start.

[I will participate in the survey.]

First question

質問1：

合意形成を目的としたイベントや市民参加の企画・立案に関するご経験談をお伺いします。

あなたのご経験の中で、「何かやってみよう提案・検討したけれども、実際には実現しなかった」という状況を一つ思い出してください。例えば以下のような状況が考えられます。

- 説明会にファシリテーターを入れようとしたが、発注者に断られた。
- 広報誌を発行しようと考えてみたが、予算がなかった。
- 市民参加型の会議をしようと考えてみたが、会社として採算がとれなさそうなのでやめた。

このようなご経験談を、できる限り具体的に、詳しく、以下の形式でお教えください。そのようなご経験がない場合は「なし」と全ての欄にご記入ください。

事業名(任意記入・通称でも可・事業名は分析上の参考情報にとどめ一般に公表することはありません)：(全角100字以内)

提案・検討した内容
(例：この事業では…なので、ファシリテーターを入れようとした)：
(全角1000字以内)

できなかった直接的な理由
(例：年度明けで予算がなく…担当者が異動したため)：
(全角1000字以内)

Question 1:

I would like to hear your experience **of planning and strategy building** for the events for consensus building and public participation.

In your experience, please think about a situation where **"You tried to implement something or proposed something, but it could not be implemented."** For instance;:

- You proposed to introduce a facilitator to a consultative meeting, but the convenor rejected it.
- You planned to publish a newsletter, but there was no budget available for it.
- You planned to propose a participatory committee, but pulled the idea because it was unlikely to be profitable to your firm.

Please tell me such experiences in **as much concrete and detailed format as possible.** If you don't have such an experience, please type "No experience" in all boxes.

Project Name (Voluntary. Informal name is OK. Project name will not be disclosed to the public. It will be considered only in the analysis). (No more than 100 Japanese characters)
[   ]
What did you propose? (e.g., In this project, I tried to introduce a facilitator because …) (No more than 1,000 Japanese characters)
[   ]
What were the immediate reasons for the failure? (e.g., The staff member has been transferred… and budget was not available because it was the beginning of the fiscal year) (No more than 1,000 Japanese characters)
[   ]
What were the contextual reasons behind the immediate reason you mentioned above? Your guesses are welcome. (e.g., In Japan projects were terminated in March and the next…) (No more than 1,000 Japanese characters)
[   ]

Second question

Question 2:

I would like to hear your experience **of organizing** events for consensus building and public participation.

In your experience, please think about a situation where **"You did something, but· it failed, it went wrong, or it disappointed you."**   For instance;:

- · You organized consultative meetings in many locations but not many people came.
- · A citizen's committee prepared recommendations but none of them were implemented.
- · A citizen's committee was organized but it couldn't prepare recommendations by the target date.

Please tell me such experiences in **as much concrete and detailed format as possible.**   If you don't have such an experience, please type "No experience" in all boxes.

Project Name (Voluntary. Informal name is OK. Project name will not be disclosed to the public.   It will be considered only in the analysis). (No more than 100 Japanese characters)
[   ]
What did you introduce? (e.g., A citizen's committee was organized… by inviting regular citizens…) (No more than 1,000 Japanese characters)

[   ]
What were the failures?   What went wrong?   What disappointed you? (e.g., Its discussion could not focus on anything… and it could not produce recommendations by the target date.) (No more than 1,000 Japanese characters)
[   ]
Why didn't it go well?   What else could you do to avoid them? (e.g., We could have set the deadline… could have introduced a facilitator…) (No more than 1,000 Japanese characters)
[   ]

Glossary of Japanese terms

Administrative guidance .... *tsu-tatsu*
Advisor.. *adovaizā*
Advisory committee .... *iinkai*
Agenda .... *giji shidai*
Akashi Strait Bridge... *Akashi kaikyō ōhashi*
Assessor .... *hyōka-sha*
Barrier-Free Transportation Act .... *kōtsu baria-furī hō*
Behind .... *ura*
Bicycle crossing zone (BCZ) .... *jitensha-ōdanta*
Brainstorming.. *burein-sutohmingu*
Business cards .... *meishi*
Committee.. *iinkai*
Common sense .... *jōshiki*
Conflict assessment..*funsō asesumento*
Construction .... *kensetsu*
Consultative meetings.. *setsumeikai*
Convenor... *shōshū-sha*
Dam Project Deliberation Committee .... *dam tō jigyō singi iinkai*
Dangerous point .... *jiko kiken-kasho*
Decent from the heaven .... *amakudari*
Deliberative committee .... *shingikai*
Delphi method.. *derufai hō*
Deputy mayor .... *joyaku*
Develop a formal acquaintance ....*jingi-wo kiru*
Discussion .... *giron*
District/family courts .... *chihō/katei-saibansho*
Division chief... *buchō*
Domain... *han*
Draft agreement.. *gōi soan*
Drinking water supply.. *jōsui*
Educator's Building .... *kyōiku kaikan*
Environmental groups .... *kankyō dantai*
Environmental impact assessment .... *kankyō eikyō hyōka*
Environmental impact statement....................................... *kankyō eikyō hyōka shō*
Facilitation ....*fashiritēshon*
Facilitator ....*fashiritētā*
Field offices...*jimusho*
Formal consultative committees .... *shingikai*
Foundations ....*zaidan houjin*
Freedom of information act .... *jōhō kōkai hō*
Front.. *omote*
Gelatin... *kanten*
General manager .... *shochō*
General strategies... *sō-rons*
Global environment.. *chikyū kankyō*
Global warming.. *chikyuū ondanka*
Government-designated city .... *seirei-shitei toshi*
Great Naruto Bridge.. *Ō-naruto bashi*
Great Yoshino River Bridge .... *Yoshino-gawa ō-hashi*

Group head.. *kaichō*
Harmony .... *wa*
Headquarters (of ministries) .... *hon-shō*
Hermit islands... *ri-tō*
High courts... *kōtō-saibansho*
Higher house .... *san-gi-in*
Hired foreigners .... *oyatoi gaikoku-jin*
Honshu-Shikoku Connection Bridges................................ *Honshū-shikoku renraku kyō*
Infrastructure.. *shakai-shihon*
Interests.. *rigai*
International forum .... *kokusai fōramu*
Intersection .... *kōsaten*
Invisibility-working fairly cloak .... *kakuremino*
Japan Socialist Party .... *Nihon shakai tō*
Japanese Communist Party .... *Nihon kyōsan tō*
Japanese-style bar .... *izakaya*
Joint fact-finding... *kyōdō jijitsu kakunin*
Kept body .... *goyō kikan*
Last-minute .... *kakekomi*
Law on Suits Against the Government .... *gyōsei sosyō hō*
Leading elderly person .... *chō-rō*
Local councils .... *gikai*
Local governments .... *chihō jichi-tai*
Lower house .... *syū-gi-in*
Major trails.. *kaidō*
Master plans for river environment management .... *kasen seibi keikaku*
Mediator.. *mediētā*
Metropolitan Highway System .... *shuto-kōsoku (shuto-kō)*
Ministerial order .... *sho-rei*
Minute (summary of a meeting) .... *giji-yōshi*
Municipal .... *si-chō-son*
Municipalities .... *si-chō-son*
National administrative organization act .... *kokka gyōsei soshiki hō*
National infrastructure development budget .... *kōkyo-jigyō kankei hi*
National route .... *kokudō*
Neighborhood group .... *chōnai-kai*
Neighborhood head .... *kuchō*
Newsletter... *nyūsu retā*
Non-patriot.. *hi-kokumin*
Normal school... *shihan gakkō*
Observer.. *bōchō-sha*
Old road .... *kyū-dō*
Open house .... *ōpun hausu*
Pattern language... *patān rangēji*
Persons of learning and experience .... *gakushiki keiken-sha*
Photochemical smog.. *kōkagaku sumoggu*
Police department .... *kei-satsu*
Positions.. *tachiba*
Prefectural .... *to-dō-fu-ken*
Prefectural route.. *kendō*
Prefectures .... *to-dō-fu-ken*

Private manors... *shō-en*
Processes .... *purosesu*
Project evaluation...*jigyō hyōka*
Public comments ....*paburikku komento*
Public corporation ....*kōdan*
Public hearings... *kōchō-kai*
Public involvement ....*paburikku inborubumento*
Public Nuisance Dispute Resolution Law.........................*kōgai funsō shori hō*
Public nuisances...*kōgai*
Public servants ....*kōmu-in*
Rapid railways... *shinkansen*
Recorder.. *kiroku-sha*
Regional development bureaus ....*chihō-seibi-kyoku*
Repayment facilities... *kangen shisetsu*
Reporter's club... *kisha kurabu*
Request.. *yōbō*
Right turns... *usetsu*
River Act .... *kasen hō*
River and Road Office .... *kasen kokudō jimusho*
Road Law... *dōro hō*
Road Traffic Law .... *dōro kōtsu hō*
Seasonal festivals .... *matsuri*
Section chief... *kachō*
Self-governance group ....*jichi-kai*
Shogunate... *baku-han*
Single text approach... *tan-itsu bunsho tetsuzuki*
Site visits .... *genchi kengaku*
Small conference hall.. *shō-kaigi-shitsu*
Social experiment... *shakai jikken*
Special wards .... *tokubetsu-ku*
Stakeholder analysis... *sutekuhorudā bunseki*
Steering committee... *un-ei iinkai*
Stories of the world .... *seken-banashi*
Study circles .... *benkyo-kai*
Study groups .... *benkyo-kai*
Subcommittees .... *bukai*
Subsection chief .... *kakarichō*
Supreme court .... *saikō-saibansho*
Survey .... *ankēto*
Techniques .... *shuhō*
Third-party organization .... *dai-sansya kikan*
Tokyo and its suburbs... *kantō*
Tokyo metropolitan area .... *tōkyō-to*
Tokyo region .... *tōkyō-ken*
Toolbox for participatory design.......................................*sanka no dezain dōgu-bako*
Town... *chō*
Unit of neighborhood .... *chō*
Urban plan.. *toshi-keikaku*
Urban planning .... *toshi keikaku*
Urban Planning Act.. *toshi keikaku hō*
Urban Renewal Act .... toshi sai-kaihatsu hō

Urban renewal.. toshi sai-kaihatsu
Village... *mura*
Vociferous .... *koe-no ookii*
War on Trash... *gomi sensō*
War recovery projects .... *sengo fukkō jigyō*
Water Resources Development Public Corporation........... *mizu shigen kōdan*
Waterfront .... *wōtā-furonto*
Women's group.. *fujin-kai*
Workshop.. *wāku-shoppu*

Glossary of abbreviations

Alewife Task Force.. ATF
Alternative dispute resolution... ADR
Bicycle crossing zone .... BCZ
Committee for the Improvement of Kita-josanjima
    Intersection .... CIKI
Conflict management systems design............................. CMSD
Consensus Building Institute .... CBI
Environmental Protection Agency .... EPA
Freedom of Information Act .... FOIA
Genetically modified organisms .... GMOs
International non-governmental organizations .... INGOs
Japan Society of Civil Engineers...................................... JSCE
Just-in-time .... JIT
Liberal Democratic Party.. LDP
Ministry of Agriculture, Forestry and Fishery .... MAFF
Ministry of Construction .... MoC
Ministry of Land, Infrastructure, and Transport .... MLIT
Mitsubishi Research Institute .... MRI
Multinational corporations .... MNCs
National Institute for Dispute Resolution......................... NIDR
Northern Oxford County Coalition.................................... NOCC
Not in my backyard .... NIMBY
Not-for-profit organization .... NPO
Project Cycle Management.. PCM
Quality control circle... QCC
Technical Assistance Team .... TAT
Time-based competition .... TBC
Total quality management.. TQM
U.S. Institute for Environmental Conflict Resolution ...... USIECR

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