

**Killing Bambi: Decision-Making when Values Clash**

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## ABSTRACT

The purpose of this paper is to determine if there is a role for substantive rationality in gaining stakeholder acceptance when values conflict in a local government decision-making process. First, the theoretical background of substantive and instrumental reasoning will be introduced. Second, traditional decision-making models will be assessed for their ability to address substantive reasoning. Third, the role of citizen engagement will be reviewed as it relates to decision-making. Last, the Sifton Bog case study, which involves the management of urban wildlife, will be used to demonstrate a decision-making process where there is a conflict of values. This allows for a comparison of theory and reality in the context of a controversial and ongoing issue. The case study demonstrates a paradox of theory—which suggests embracing substantive rationality; and reality—where citizen participation is used to educate the public in an effort to legitimize a pre-determined solution. In other words, the more values conflict, the harder it is to implement substantive reasoning in the decision-making process.

This paper is not intended to give a step-by-step guide on how to make decisions when values conflict nor evaluate whether the decision made to have a deer cull was appropriate. There is no clear model that addresses this conflict of values. Substantive rationality has taken a back seat to instrumental rationality and very little research has been done on substantive rationality since 1981 when Alberto Guerreiro Ramos wrote *The New Science of Organizations*. Ramos states that an “alternative mode of thought, not yet articulated in systematic terms, is needed today...”<sup>1</sup>

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<sup>1</sup> Alberto Guerreiro Ramos, *The New Science of Organization: A Reconceptualization of the Wealth of Nations* (Toronto, ON: University of Toronto Press, 1981), . p. x.

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## PART 1: INTRODUCTION

Bambi has left the forest and moved into the suburbs. Facing fewer predators and growing urban sprawl, reproduction-happy, white-tailed deer have crept into residential areas across the continent, including in London, creating a growing clash with humans.<sup>2</sup>

Monique Beech

Politics is about power, making decisions, and getting the desired results. Weber suggests there are three qualities that are of decisive importance for the politician: passion, a sense of responsibility, and judgement.<sup>3</sup> Politicians seem to know instinctively that controversial issues need to be treated differently by the way they approach decision-making.

An emerging issue for many municipal governments is dealing with the highly emotional and contentious issue of the management of an overabundance of urban wildlife. In the case of London, ON, an overabundance of white-tailed deer in an

environmentally sensitive area known as the Sifton Bog has resulted in a clash of values in the community. Neighbours don't see eye to eye on this issue. One member of the community commented that they bought their home backing onto the bog because when they came to look at the house they saw deer in their backyard.<sup>4</sup> In the winter, they even feed them. They see nothing wrong with leaving things just as they are and do not want a deer cull. Others believe that killing is wrong and write letters to the editor with titles such as "Don't Butcher Bambi!"<sup>5</sup> On the other hand, there are people in the same community that find that the deer are a nuisance because they eat all their ornamental plants and they feel that a deer cull is the only way to deal with the situation since fences do not seem to keep them out.

<sup>2</sup> Monique Beech, "Invading Deer Bother 'burbs," London Free Press 27 July 2003.  
<sup>3</sup> Max Weber and W. G. Runciman, Weber: Selections in Translation (Cambridge; New York: Cambridge University Press, 1978), p. 212.  
<sup>4</sup> In a casual conversation with the author in the spring of 2005.  
<sup>5</sup> K. Ainslie, "Don't Butcher Bambi," London Free Press 5 Oct 2004: A8.

This leads us to the broader societal issues of decision-making and citizen engagement. The purpose of this research paper is to assess whether there is a role for substantive rationality in gaining stakeholder acceptance when values conflict in decision-making at the local government level. To look at it another way, we could ask if substantive rationality is sometimes sacrificed to achieve efficient results. First the fundamentals of instrumental and substantive reasoning will be discussed to clarify operational definitions. An analysis of the theory of substantive rationality and the theory of instrumental rationality will be used as a framework to understand the decision-making process. Max Weber's discussion of rationality and social action will be the point of departure for this.

The next section looks at decision-making models in the context of local government. First the public sector environment will be depicted recognizing the importance of putting the public good ahead of narrow interests. Next, three traditional decision-making models: comprehensive rationality, bounded rationality, and incrementalism will be described and analysed for their ability to incorporate instrumental and substantive reasoning in the process and express how they handle the tensions and contradictions between clashing values. In addition, Habermas's theory of communicative rationality is introduced for its ability to produce an environment that is conducive to the public reaching a consensus when dealing with emotional or controversial issues and conflicting points of view. Cooper's model of ethical decision-making for public administrators is introduced as an alternative model that tries to apply both substantive and instrumental reasoning. Finally, a review of the models will try to ascertain how well they deal with instrumental and substantive reasoning.

The next section will review the role of citizen engagement and the importance of a shared base of knowledge as it applies to decision-making. Citizens need to be brought in early, right from the beginning, rather than mid-way through the process or at

the end. This way they can work together with the administrators to define and frame the issue and together develop methods of investigation and select appropriate solutions.

To illustrate the tension between substantive rationality and instrumental rationality in decision-making, a specific case study, the white-tailed deer in the Sifton Bog in London, Ontario will be used. The case illustrates a conflict of values among stakeholders where an overabundance of deer is causing damage to a fragile ecosystem in an environmentally sensitive area. The recommended solution is a deer cull. This case study demonstrates a high value conflict with a nominally open decision-making process.

In the conclusion, the role of instrumental and substantive reasoning as it relates to decision-making in local government will be reassessed. The theory suggests that the more values conflict, the more important it is to have citizen engagement using a substantive decision-making process. This can be a time consuming process that ends with unpredictable decisions, a process that most administrators and councillors find uncomfortable. The research to date has not yielded a clear model that addresses this conflict of values.

## PART 2: THEORETICAL BACKGROUND

**The idea of a fundamental conflict of values, which deepens under modern conditions, is central for an understanding of Weber's political thought. It is the fate of modern man to live with a "polytheism" of conflicting values.**

**Peter Lassman<sup>6</sup>**

The purpose of this section is to set the stage to determine if decision-making models are intrinsically designed to favour instrumental reasoning in a traditional organizational bureaucracy, in this case local government. Decision-making is the process of choosing one course of action over alternatives while ascertaining the political feasibility of that choice. Choosing not to do anything is also decision. Before proceeding there needs to be a clarification of conceptual definitions to make them operational.

### 2.1 The Fundamentals of Instrumental and Substantive Reasoning

The definitions for instrumental and substantive reasoning that follow are widely used in the relevant literature and will be used in this paper. Instrumental reasoning is determined by expectation of results or calculated ends and substantive reasoning is determined independent of its prospects for success.<sup>7</sup> These definitions need to be understood before we begin our analysis of decision-making.

We turn to Charles Taylor's *The Malaise of Modernity* for a contemporary and a more comprehensive understanding of the term **instrumental reasoning**.

By "instrumental reason" I mean the kind of rationality we draw on when we calculate the most economical application of means to a given end. Maximum efficiency, the best cost-output ratio, is its measure of success...

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<sup>6</sup> Peter Lassman, "The Rule of Man over Man: Politics, Power and Legitimation," The Cambridge Companion to Weber, ed. Stephen Turner (Cambridge, UK: Cambridge University Press, 2000) 83-98, p. 98.

<sup>7</sup> Ramos, p.7.

But there is also widespread unease that instrumental reason not only has enlarged its scope, but it threatens to take over our lives. The fear is that things that ought to be determined by other criteria will be decided in terms of efficiency or "cost-benefit" analysis, that the independent ends that ought to be guiding our lives will be eclipsed by the demand to maximize output.<sup>8</sup>

Alberto Guerreiro Ramos expressed a similar sentiment ten years earlier in his seminal work *The Science of New Organizations*. He wrote "My main contention is that established social science is also predicated upon instrumental rationality, which is peculiarly characteristic of the market system... substantive rationality, provides the ground for an alternative social science in general, and for a new science of organizations in particular."<sup>9</sup> Ramos explained that "substantive rationality... is based on values of solidarity, ethical judgement of acts, and the liberty of expression. This last rationality does not presuppose utilitarianism as a value; it maintains the idea of a quest for individual satisfaction within the context of the common good."<sup>10</sup> He felt that **substantive reasoning** should be the cardinal category for thinking about political and social matters.<sup>11</sup> He asserts that the legacy from classical thinkers is that "rational debate, in the substantive sense,... constitutes the essence of the political way of life and is an essential requisite for the sustenance of any well regulated human associated life at large" and laments the fact that the "concept of reason has been overtaken by functionalists of various persuasions [so] that we now need to qualify the concept as substantive."<sup>12</sup>

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<sup>8</sup> Charles Taylor, *The Malaise of Modernity* (Toronto, ON: House of Anansi Press, 1991), pp. 4-5.

<sup>9</sup> Ramos, p. 4.

<sup>10</sup> Mauricio Serva, *The Bases of Education and Training for the Development of Social Economy* (Napoli, Italy: CIRIEC - Centro italiano di ricerche e d'informazione sull'economia pubblica, sociale e cooperativa, 2002), <[http://www.ciriec.it/congresso/atti/inglese/SERVA\\_MAUROICIO\\_RELAZIONE.pdf](http://www.ciriec.it/congresso/atti/inglese/SERVA_MAUROICIO_RELAZIONE.pdf)>. p. 8.

<sup>11</sup> Ramos, p. 25.

<sup>12</sup> Ramos, p. 26.

Ramos further articulated the analytical distinction between formal rationality (his term for instrumental rationality) and substantive rationality in his theory of human associated life in Table 1.

**Table 1 - Theory of Human Associated Life<sup>13</sup>**

<b>Formal [Instrumental]</b>	<b>Substantive</b>
The theory of human associated life is formal when reason in the functional sense is its cardinal category of analysis.	The theory of human associated life is substantive when reason in the substantive sense is its cardinal category of analysis.
Formal theory is nominalist. <sup>14</sup>	Substantive theory is normative.
Concepts of formal theory are merely conventional language tools descriptive of operational procedures.	Concepts of substantive theory are insights into the process of reality.
Standards for ordering human associations are socially given.	Standards for ordering human associations are rational, i.e., self-evident to the individual common sense apart from any particular socialization process.
A fundamental condition of social order is that the economy becomes a self-regulated system.	A fundamental condition of social order is the political regulation of the economy.
Scientific study of human associations is value-free: there is a dichotomy between values and facts.	Scientific study of human associations is normative: The dichotomy between values and facts is a false one in practice and tends to produce distortive analysis in theory.
The meaning of history can be captured by knowledge which discloses itself through a series of determinate empirical-temporal stages.	History becomes meaningful to man through the paradigmatic mode of the polity's self-interpretation. Its meaning cannot be captured by serial categories of thinking.
Natural science provides the theoretical paradigm for correctly focusing upon all issues and questions posed by reality.	Proper scientific study of human associations is a type of inquiry in its own right, distinct from the science of natural phenomena

<sup>13</sup> Adapted from Ramos, pp. 25-27.

<sup>14</sup> Ramos, p. 26. Nominalism in philosophy is the doctrine holding that abstract concepts, general terms, or universals have no objective reference but exist only as names as defined in Nelson Canadian Dictionary of the English Language: An Encyclopedic Reference (Scarborough, Ont.; Albany N.Y.: ITP Nelson, 1997), p. 931.

## 2.2 Reasoning Today

Originally the word reason had a normative connotation and it was understood to be a "force active in the human psyche which enables the individual to distinguish between good and evil, and between false and genuine knowledge, and, accordingly, to order his personal and social life."<sup>15</sup> Today, the word reason has taken on several meanings including: the basis or motive for an action, decision or conviction; a declaration made to explain or justify an action, decision or conviction; and underlying fact or cause; good judgement or good sense; the capacity for logical, rational and analytical thought; and intelligence.<sup>16</sup> Reason is the antithesis of sensation, perception, feeling, and desire.

Reasoning today can be defined as the use of logical or analytical thinking in order to find results or draw conclusions. Reason as defined in philosophy as the ability to think logically and is regarded as a basis for knowledge. It is distinct from experience or emotions. The ability to reason is a distinctively human power of conscious self-formation.<sup>17</sup> In critiquing modern reason Ramos states "[r]eason is the root concept of any science of society and organizations. It prescribes a design according to which humans ought to order their personal and social life. Throughout the last three hundred years functional [or instrumental] rationality has bolstered the effort of centric Western populations to dominate nature and to enhance their productive capacity."<sup>18</sup>

Instrumental reasoning, based on scientific facts, has a great hold on our imagination and has grown in status over the years because it

offers an ideal picture of a human thinking that has disengaged from its messy embedding in our bodily constitution, our dialogical situation, our

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<sup>15</sup> Ramos, pp 4-5.

<sup>16</sup> Nelson Canadian Dictionary of the English Language: An Encyclopedic Reference. p. 1143.

<sup>17</sup> Encarta® World English Dictionary [North American Edition], 2005, Microsoft Corporation <[http://ca.encyarta.msn.com/dictionary\\_/reason.html](http://ca.encyarta.msn.com/dictionary_/reason.html)>.

<sup>18</sup> Ramos, p. 23.

emotions, and our traditional life forms in order to be pure, self-verifying rationality. This is one of the most prestigious forms of reason in our culture, exemplified by mathematical thinking, or other types of formal calculation. Arguments, considerations, counsels that can claim to be based on this type of calculation have great persuasive power in our society, even when this kind of reasoning is not really suited to the subject matter... Economists dazzle legislators and bureaucrats with their sophisticated mathematics, even when this is serving to package crude policy thinking with potentially dangerous results.<sup>19</sup>

Ramos holds forth that “[m]en and women no longer live in communities where a substantive common sense determines the course of their actions. They belong instead to societies in which they do little more than respond to organized inducements. The individual has become a behaving creature.”<sup>20</sup> When something becomes institutionalized, it becomes sacred, normal, and natural. Questions are not asked. A contributing factor to this is groupthink, the “phenomenon that occurs when group members become so enamoured with seeking agreement that the norm for consensus overrides the realistic appraisal of alternative courses of action and the full expression of deviant, minority or unpopular views.”<sup>21</sup> Groups composed of members from similar backgrounds are especially vulnerable to groupthink. It is better to have the group composed of diverse backgrounds resulting in greater breadth and depth of information used in the decision-making process.<sup>22</sup>

If a group is unable to resolve basic value conflicts, then looking at competing principles might help. In contemporary political philosophy, there is an on-going debate between rights-based and utilitarian theorists, especially on environmental issues. Do trees have intrinsic rights? Many rights-based environmentalists would “argue that all natural objects such as animals, plants, trees, and rivers should have intrinsic

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<sup>19</sup> Taylor, pp. 101-103.

<sup>20</sup> Ramos, p. 45.

<sup>21</sup> Stephen P. Robbins and Nancy Langton, Fundamentals of Organizational Behaviour, 2nd Canadian ed. (Toronto, ON: Pearson Education Canada, 2005), p. 295.

<sup>22</sup> Robbins and Langton, p. 295.

rights...irrespective of their utility and value to man. This non-anthropocentric view of nature poses difficult questions. How far should this broadened moral community extend (does it include insects and well as whales)? And...how do we resolve situations where their interests clash with humans?"<sup>23</sup> In this case, utilitarian theorists would argue that environmental policy should be oriented to people or the public interest.

How can individuals and organizations become more value-oriented when making decisions? In *The New Public Service* it is argued that "public servants have a central and important role in helping citizens to articulate the public interest, and, conversely, that shared values and collective citizen interests should guide behaviour and decision making of public administrators."<sup>24</sup> In theory, this can be achieved when public administrators ensure that citizens are given a voice in every stage of governance and that they engage with citizens and create opportunities for facilitating dialogue. In practice, this appears to be more difficult.<sup>25</sup>

### 2.3 Values versus Facts

It is essential to understand that both instrumental and substantive rationality deal with facts and values. Each of them offers a value framework to assess the facts that surround the issues confronted by public administrators. The discussion that follows will allow us to examine the compatibility of Weber's theory of rationality with decision-making models later in the paper. As applied in local government, decision-making is a collective process because there are many actors from both inside and outside. The actors include individuals or groups affected by the decision---the politicians, the

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<sup>23</sup> Craig E. Johnson, Meeting the Ethical Challenges of Leadership: Casting Light or Shadow (Thousand Oaks, Calif.: Sage, 2001), p.167.

<sup>24</sup> Janet Vinzant Denhardt and Robert B. Denhardt, The New Public Service: Serving, not Steering (Armonk, N.Y.: M.E. Sharpe, 2003), p. 78.

<sup>25</sup> The Sifton Bog Case Study presented later in this paper demonstrates difficulty in putting this into practice.

administration, the employees, pressure groups, and the citizens. It is relatively easy to justify a decision based on facts if they are obvious to and understood by the public, but it becomes more complicated when based on values. To do that effectively, local governments need to incorporate values into their deliberation and decision-making.

A chronic problem besetting public decision-making has been to deal with questions of value and questions of fact in an unambiguous way, so that decisions have some probability of accomplishing the purposes of government. Values, that is, preferences, are subjective and are described in words that make up a large portion of our political vocabulary. To have organized government, there must be a broad consensus on certain fundamental values...<sup>26</sup>

Do we make decisions based on what our heart says, our values and beliefs, or what our mind says, the verifiable knowledge that we have, or a combination of both? In reality facts and values are inextricably interwoven making it difficult to craft public policies that address specific issues to everyone's satisfaction, but making decisions that are politically acceptable to its citizens are what local governments are entrusted to do.

Decisions are based on two premises: facts that can be empirically verified to assess their validity, and values, which cannot be tested because they deal with normative consequences—what ought to be rather than what is.<sup>27</sup> "What science cannot do, Weber argued, is establish the truth or validity of values. Discussion of normative principles leads to a "bottomless morass."<sup>28</sup>

Facts are information that is presented as objectively real, but that does not mean that facts are always useful.<sup>29</sup> Values are a principle, standard or quality considered worthwhile or desirable and their embodiment of our views, convictions and

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<sup>26</sup> Robert J. Mowitz, The Design of Public Decision Systems (Baltimore: University Park Press, 1980), p. 23-24.

<sup>27</sup> V. Seymour Wilson, Canadian Public Policy and Administration: Theory and Environment (Toronto, Ont.: McGraw-Hill Ryerson, 1981), p. 139.

<sup>28</sup> Frank Fischer, Politics, Values, and Public Policy: The Problem of Methodology (Boulder, Colo.: Westview Press, 1980), p. 7.

<sup>29</sup> Nelson Canadian Dictionary of the English Language: An Encyclopedic Reference. p. 489.

opinions. Some examples of abstract values are peace, equality, and freedom. They can also be more concrete such as equal access to education or a decent standard of health care. They are subjective, culture bound, and expressed in words and not scientific notation or mathematical equations. Values embraced by a society indicate what issues are relevant during a particular period of history. Values of individuals are influenced by many factors including: religion, gender, education, cultural background, age, exposure to media, and rural versus urban life experience.

Values motivate people and lead to action. However, sometimes issues pit two core values against each other. You then need to determine if these core values are in conflict with each other. Let us look at an example of an environmentalist that believes that the vegetation in an environmentally significant area need to be protected at all costs yet at the same time they believe that the killing of deer is wrong. The problem is that the deer eat the vegetation in the bog changing the fragile ecosystem. How would this person be able to reconcile their values, both valid, so that both the deer and the bog are protected? Other examples include telling the truth versus loyalty to others; individual needs versus the needs of the community; short-term benefits versus long-term consequences; and justice and mercy. The last example can be illustrated in a conflict between being fair and evenhanded with our desire to show compassion.<sup>30</sup> “[V]alues are defended and/or promoted by actions which affect us materially and personally. They are the basis for policies pursued by an individual, household, a corporation, a political party and a government.”<sup>31</sup>

Major substantive categories of values, in a government setting,

represent the conditions necessary to sustain organized society and apply to any governmental system whose basic values consist of

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<sup>30</sup> Johnson, pp. 145-146.

<sup>31</sup> Hok Lin Leung, Towards a Subjective Approach to Policy Planning & Evaluation: Common-Sense Structured (Winnipeg: R.P. Frye, 1985), p. 24.

providing protection for persons and property [police and fire], maintaining an economic system, providing for public and personal health requirements, and maintaining some system of information exchange from generation to generation...and maintain[ing] a system of direction and support through which the major substantive goals can be achieved.<sup>32</sup>

It is important for decision-makers at the local government level to listen to and be aware of the environment, as it exists and changes. Diverse cultures challenge core values and as new social values evolve, new perspectives are considered necessary.

There have been suggestions that political science should be value-free or value-neutral, but this "ignores the findings of psychological research that show the influence of attitude on perception...facts are inherently dependent upon attitudes, values, and beliefs. Facts are not "out there" in the social world, nor are political and social problems independent of subjective attitudes."<sup>33</sup> Quantifiable facts affect decision-making because they can be used to influence and justify actions.

#### **2.4 Max Weber: Rationality in the Context of Social Action**

In order to distinguish between different types of rationality, both implicated in politics, we turn to Weber's *Economy and Society* as translated into English. Both the 1947 Parson version and the 1968 Roth version were reviewed because of differences in translation. In the first volume, Weber develops the concepts of two types of action-- social and economic. We are only concerned with social action in this paper. He then identifies the different types of rationality associated with each action. Action is not the same as behaviour. Behaviour is a mode of conduct and denotes patterns of interpersonal relationships that acknowledge conformity to socially given criteria.<sup>34</sup>

In contradistinction, action is proper to an agent who deliberates about things because he is conscious of their intrinsic ends. By acknowledging such ends,

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<sup>32</sup> Mowitz, pp. 25-27.

<sup>33</sup> Fischer, pp. 24-25.

<sup>34</sup> Ramos, p. 45.

action is an ethical mode of conduct. Social and organizational effectiveness is an incidental, not cardinal dimension of human action. Human beings are bound to act, to make decisions and choices, because final, not only efficient causes, have a bearing upon the world at large. Thus action is predicated upon utilitarian reckoning of consequences only by accident at best."<sup>35</sup>

Weber states, "[a]ction is rationally evident chiefly when we attain a completely clear intellectual grasp of the action-elements in their intended context of meaning."<sup>36</sup> That means that we need to understand the emotional context in which the action took place. He states that there is a need to construct a purely rational or ideal type of action for the study of sociology, "but only as a methodological device. It certainly does not involve a belief in the predominance of rational elements in human life."<sup>37</sup>

Sociology is the study of **social action** that takes into account the behaviour of others. It includes both failure to act and passive acquiescence. It may be oriented to the past, the present, or the future.<sup>38</sup> Weber introduced the idea of describing and explaining modern society's changes by means of the criterion of rationality.<sup>39</sup> According to Weber, social action can be categorized in one of four ideal types: instrumental rationality, value rationality, affective rationality, or traditional rationality.

**Instrumental rationality** (*zweckrationalität*) is ends-oriented and is "determined by expectations as to the behaviour of objects in the environment and of other human beings; these expectations are used as "conditions" or "means" for the attainment of the actor's own rationally pursued and calculated ends".<sup>40</sup> The assumption here is that the actor is rational. Another interpretation is that "it is oriented to a plurality of values in

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<sup>35</sup> Ramos, p. 45.

<sup>36</sup> Max Weber, Guenther Roth, and Claus Wittich, Economy and Society: An Outline of Interpretive Sociology (New York, NY: Bedminster Press, 1968), p. 5.

<sup>37</sup> Weber, Roth, and Wittich, p. 7.

<sup>38</sup> Ibid, p. 22.

<sup>39</sup> Andrea Leite Rodrigues and Mario Aquino Alves, Fairy Tale Organizations: Myth and Reality in Brazilian Third Sector Organizations (Capetown, South Africa: International Society for the Third Sector Research, 2002), <<http://www.istr.org/conferences/capetown/volume/rodrigues.pdf>>. p. 3.

<sup>40</sup> Weber, Roth, and Wittich, p. 24.

such a way that the devotion to any one is limited by the possibility of entailing excessive costs in the form of sacrifice of others."<sup>41</sup> "In this case, one deals with social action motivated by instrumental rationality."<sup>42</sup>

**Values-oriented rationality** (*wertrationalität*), later called **substantive rationality** by Ramos, is "determined by a conscious belief in the value for its own sake of some ethical, aesthetic, religious, or other form of behaviour, independently of its prospects for success".<sup>43</sup> A further explanation would be that "the choice of means is oriented to a single absolute value without reference to considerations of cost."<sup>44</sup> "In this case, one may speak of values-driven social action, motivated by values-driven rationality."<sup>45</sup>

**Affective rationality**, especially emotional is determined by the actor's specific affects and sentimental states of a given moment or their feelings. "In this case, there is affective social action motivated by affective rationality."<sup>46</sup> **Traditional rationality** is determined by deeply ingrained habits or customs. Thus, you have "traditional social action, motivated by traditional rationality."<sup>47</sup> Affective and traditional, although identified here to give a comprehensive view of Weber's social action, will not be used in the paper for the purpose of analysis.

Once again, these categories of rationality have been defined for conceptual purposes. There can be transitions between the types. "It is conceivable for agents endeavoring social action to consider values alone until their values are set and,

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<sup>41</sup> Max Weber and Talcott Parsons, The Theory of Social and Economic Organization, trans. Alexander Morell Henderson and Talcott Parsons, ed. Talcott Parsons (Toronto, ON: Collier-Macmillan Canada, 1947), p. 14.

<sup>42</sup> Rodriques and Alves, p. 4.

<sup>43</sup> Weber, Roth, and Wittich, pp. 24-25.

<sup>44</sup> Weber and Parsons, p. 14.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid.

subsequently, start using instrumental rationality criteria to establish a hierarchy for the goals of their social action.<sup>48</sup>

Rarely [is] social action...governed by a single type of motivation (ends-oriented rational, values-oriented rational, affective, or traditional). All such motivations, each connected to one type of rationality, are pure conceptual types, constructed for teaching purposes or to guide the method to be selected for each kind of social research (Weber, 1991). More often, one finds social action driven by hybrid rationality types.

Despite admitting almost all sorts of 'mix' in the motivation – and, therefore, the rationality type – that causes social action agents to operate, Weber was still surprised to realize that all social actions in capitalistic societies – in which the market was expected to establish equilibrium – are always motivated by instrumental rationality.<sup>49</sup>

## 2.5 Bureaucracy: Instrumental versus Substantive

We will now look at an example of an ideal type of instrumental rationality—traditional bureaucracy, to demonstrate how the theory works. German sociologist Max Weber (1864-1920) developed the traditional administrative model known as bureaucracy to describe an organization. “Weber explained all the features and principles of his ideal bureaucracy in terms of being the most rational means to the end purpose of the organization.”<sup>50</sup>

A properly constituted and professional organizational bureaucracy is based on eight principles as defined by Weber. It needs to be hierarchical in structure; there should be unity of command; labour is specialized; employment and promotion is based on merit, all positions are based on full-time employment so that the focus is on serving one organization; decisions are founded on impersonal rules; work is recorded and maintained in written files; and there must be a clear distinction between bureaucratic work responsibilities and the private interests of any particular employee. The principle

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<sup>48</sup> Rodriques and Alves, p. 4.

<sup>49</sup> Ibid, pp. 4-5.

<sup>50</sup> David Johnson, Thinking Government: Ideas, Policies, Institutions, and Public Sector Management in Canada (Peterborough, ON: Broadview Press, 2002), p. 241.

that relates most directly to this paper is that bureaucratic decisions are founded on impersonal rules instead of personal likes or dislikes, or the whims, biases, or self-interests of particular decision makers.<sup>51</sup> “Accordingly Weber describes bureaucracy as exerting rational function in the peculiar context of a capitalist market-centered society. Its rationality is functional, not substantive. Substantive qualities are an intrinsic component of the human actor.”<sup>52</sup>

Now compare the ideal type of instrumental rationality in an organization to an ideal substantive organization as described by Rodriques and Alves who cite the work of Andion, Chatterjee, and Serva who describe organizations governed by substantive rationality. Substantive organizations would have “work environments [that] would emphasize cooperation, participative management and a shared decision-making process. Organizational structure would foster knowledge and the individual’s harmony with the organization’s values over performance and the results achieved in connection with objectives. In this way, work would be carried out with pleasure and the acceptance of individuals will be due more to their values than their competence.”<sup>53</sup> They refer to this model as a fairy tale that “should rest in the imaginary of some academics.”<sup>54</sup>

How could this theory of substantive rationality be applied to a public administrator? Traditionally we view public administrators as professionals that have expertise and knowledge in their particular area. Administrators are often called upon to act as facilitators. “The concept of a “communitarian facilitator” has been suggested as appropriate for the new role of the public administrator...in this perspective, the public administrator, in which seems a paradox, gains power and prestige not through

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<sup>51</sup> Johnson, pp. 235-237.

<sup>52</sup> Ramos, p. 7.

<sup>53</sup> Rodriques and Alves, p. 1.

<sup>54</sup> Ibid.

acquiring expertise and knowledge but through giving it away."<sup>55</sup> Camilla Stivers uses the metaphor of the midwife to evoke an understanding of a substantive role.

The image of a midwife is of a skilled and caring person who facilitates the emergence of new possibilities by means of embodied and embodying action. The good midwife has deep knowledge and vast experience, which she brings to bear on each unique situation, using them to help her sense the nuances of a process that she can only facilitate rather than steer. The process is an embodied, life-or-death affair (no distance contemplation here!), one on which she brings to bear both her own body and mind, one that requires *both* connection and a certain level of detachment *in order to be of greatest service*.<sup>56</sup>

As a professional, the midwife is skilled at managing difficult transitional relationships within the framework of a family. In contrast, a physician is an example of the specialized technical-rational professional. In a highly specialized hospital environment, the possibility exists that a patient might see a different physician before birth, during birth, and after birth, leading to disjointed care.<sup>57</sup>

Most literature on public administration has concentrated on what Weber wrote about bureaucratic organization. "Weber, of course, was far less concerned with the process of rationalization as it affected the internal workings of organizations than he was with the *social* implications of the process of rationalization."<sup>58</sup> Weber states "[b]ureaucracy is the means of transforming social action into rationally organized action."<sup>59</sup> The means-end relationship of a bureaucracy can be compared to a machine structured to produce organizational results. "The actual ends of the "machine" however, and their moral worth, were subjects that Weber refrained from exploring, asserting that these were subjective matters more suited to political and philosophical

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<sup>55</sup> Guy B. Adams and L. Catron Bayard, "Communitarianism, Vickers, and Revisioning American Public Administration," *The American Behavioral Scientist* 38.1 (1994): 44, p. 59.

<sup>56</sup> Camilla Stivers (1993, p. 132) as quoted in Adams and Bayard, 44, p. 59.

<sup>57</sup> Adams and Bayard, 44, p. 59.

<sup>58</sup> Guy B. Adams and Danny L. Balfour, *Unmasking Administrative Evil* (Thousand Oaks, California: Sage Publications, 1998), p. 46.

<sup>59</sup> Weber, Roth, and Wittich, p. 987.

analysis than objective organizational assessment."<sup>60</sup> Keeping this in mind we now turn to decision-making models.

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<sup>60</sup> Johnson, . pp.241-242.

## **PART 3: DECISION-MAKING MODELS**

**As we practice resolving dilemmas we find ethics to be less a goal than a pathway, less a destination than a trip, less an inoculation than a process.**

**Ethicist Rushworth Kidder<sup>61</sup>**

The topic of decision-making was addressed briefly in the theoretical background. In this paper decision-making can be thought of as a series of decisions that are made during the policy process. Decision-making in this paper is not used to describe a distinct stage in the policy process. Instead, decision-making can be thought of as being synonymous with the process of making policy, since it is impossible to create policies without making decisions at every stage.

### **3.1 The Local Government Environment**

In local government, council, which is made up of elected officials, ultimately makes policy decisions and is therefore responsible for the decisions made. Administrators are generally full-time employees of the local government and are often referred to as bureaucrats. They, along with various other experts, provide advice and the background information needed to allow council to make informed decisions. Administrators may be directed by council or decide for themselves to consult with or include citizens in their deliberations of alternatives. This consultation with the public is not required and will be dealt with in more depth in the next section. The models that will be discussed in this section will show that there are varieties of ways to make decisions.

It is an important to comprehend that the public sector and public services do not fit the private corporate rational-choice efficiency models. Guy Adams notes that

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<sup>61</sup> Johnson, p. 143.

American cultural preoccupation with modernity has shaped the study of public administration into an ahistorical and atemporal field that stresses technical rationality and has limited capacity to address critical questions facing society. The approach to public administration puts its emphasis on professionalism and the “scientific” and “rigorous” study of the field.<sup>62</sup>

Guy continues his argument that governments should be trying to address the critical questions facing society as articulated by the constituents. If this is the case, then governmental organizations should be driven by social values and building their foundations on substantive rationality. Administrators that work in an environment of traditional bureaucracy, as discussed in the previous section, would base their decisions on impersonal rules, thus exerting instrumental rationality. Instead, governments should be concerned with the principles of fairness—a just society. Douglas Yates states his beliefs about serving the public in the following passage:

I believe the public official's fundamental moral obligation in a democracy is to pay increased attention to the definition and treatment of values the more these values are in conflict in a decision and the more difficulty there is in doing the accounting of who gets what. In the simple case where, for example, there is a clear and dominant equality principle at stake, and little problem in accounting, the public official may owe us citizens no more than a terse statement of justification for the public decision. But in more complex cases, where the value conflicts are great and the accounting problems are substantial, I believe that public officials should provide a more thorough value analysis as one of the central justifications of public decisions. Indeed, this is how I would define responsibility in bureaucratic decision-making. Without such an accounting, citizens can never know how and why their officials decided to act as they did.<sup>63</sup>

Elected officials have a representational role and should seek the input of the community on key issues when making decisions for the common good of the public.<sup>64</sup>

“One does not have to be a confirmed cynic to agree that electoral considerations may

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<sup>62</sup> Guy B. Adams, “Enthralled with Modernity: The Historical Context of Knowle,” Public Administration Review 52.4 (1992): 363, p. 363.

<sup>63</sup> Yates Jr., Douglas T., “Hard Choices: Justifying Bureaucratic Decisions,” Public Duties: The Moral Obligations of Government Officials, ed. Joel L. Fleishman, Lance Liebman, and Mark H. Moore (Cambridge, Mass.: Harvard University Press, 1981), p. 38.

<sup>64</sup> George B. Cuff, Making a Difference: Cuff's Guide for Municipal Leaders: A Survival Guide for Elected Officials (St. Thomas, ON: Municipal World, 2002), p. 44.

enter into policy-making” and that decisions are sometimes based on the desire to retain political power through re-election.<sup>65</sup> This is known as political rationality. An example would be a decision not to make a decision or to postpone a decision when the issue threatens to become the focus of the election campaign.

### 3.2 Types of Decision-Making Models

Herbert Simon has divided decisions into two categories.<sup>66</sup> **Programmed decisions** are those that are recurring and familiar with standard operating procedures in place. **Unprogrammed decisions** involve totally new problems or issues where the circumstances have changed dramatically. Often these decisions are value-laden because they involve controversial areas and can have a variety of political implications. It is this latter category of unprogrammed decisions that will be the focus of the discussion that follows.

When debating the merits of a controversial issue, thoughtful and informed people often reach opposite conclusions. It is not unusual that a decision will not please everyone. However, in a democracy, it is important that citizens feel that their voices have been heard, and that the decision makers can justify their decisions to the citizens. Four decision-making models have been chosen to demonstrate the degree of substantive rationality and instrumental rationality that they encompass. The fifth model is designed for public administrators interested in ethical decision-making.

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<sup>65</sup> Robert F. Adie and Paul G. Thomas, Canadian Public Administration: Problematical Perspectives, 2nd ed. (Scarborough, Ont.: Prentice-Hall Canada, 1987), p. 201.

<sup>66</sup> Ivan L. Richardson and Sidney Baldwin, "Decision Making," Public Administration in Canada: Selected Readings, ed. Kenneth Kernaghan, 5th ed. (Toronto: Methuen, 1985), pp. 40-41.

### 3.2.1 Comprehensive Rationality

Comprehensive rationality is the most widely accepted theory of decision-making in governments.<sup>67</sup> It also adheres to instrumental rationality as its foundation. There are essentially six steps to that need to be taken when faced with an unprogrammed decision. Anderson's list is typical of the process.<sup>68</sup>

1. The decision-maker is confronted with a given problem that can be separated from other problems or at least considered meaningfully in comparison with them.
2. The goals, values, or objectives that guide the decision-maker are clarified and ranked according to their importance.
3. All the various alternatives for dealing with the problem are examined.
4. All the consequences (costs and benefits, advantages and disadvantages) that would follow from the selection of each alternative are investigated.
5. Each alternative, and its attendant consequences, can be compared to the other alternatives.
6. The decision-maker will choose the alternative, and its consequences, that maximizes the attainment of his or her goals, values, or objectives.

This method is very similar to that used by systems analysts and computer analysts and has been preferred method since the 1970's . The techniques used to quantify facts include operations research, regression analysis, cost-benefit analysis, and cost-effectiveness analysis. The objective is to find a way to make a rational decision making the most efficient use of resources while fulfilling the desired ends. This model might work well for a simple issue, but when a more complex issue is involved, the requirement to find and compare all alternatives and their potential solutions and consequences becomes a overwhelming task. For this reason, comprehensive rationality has sometimes been referred to as "paralysis by analysis."<sup>69</sup>

For many decision-makers, this model represents an ideal strategy because of the belief that careful analysis will always result in the right decision. The difficulty with

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<sup>67</sup> Adie and Thomas, p.109.

<sup>68</sup> Kenneth Kernaghan and David Siegel, Public Administration in Canada: A Text, 4th ed. (Toronto: ITP Nelson, 1999), p. 116.

<sup>69</sup> Kernaghan and Siegel, p. 116.

this model is the prioritizing of goals, values, and objectives, especially when values are considered subjective and value-neutrality is revered. The rational choice model has the following ten characteristics:

1. the individual is antecedent to and independent of the group;
2. humans are only self-interested;
3. humans act only out of rationality;
4. value is subjective;
5. humans are utility-maximizing;
6. utility is subjective;
7. neo-classical view is value-neutral;
8. the individual is the appropriate unit of analysis;
9. organizations function rationally; and
10. organizations function efficiently.<sup>70</sup>

When combined, they result in a basic attempt to understand socio-political-economic relations and institutions as instruments created and used by rationally self-interested agents as they seek to maximize the degree to which they can successfully pursue their particular ends and satisfy their particular preferences...Rational choice models in their pure form hold that individuals have one stable ranking of preferences, full information about alternatives, behave independently of each other, and behave independently of other alternatives in maximizing outcomes. If these conditions are satisfied, their choices yield a *Pareto-like* optimality equilibrium whereby no one can do better without making someone else worse off.<sup>71</sup>

### 3.2.2 Bounded Rationality – Simon<sup>72,73</sup>

Bounded rationality resulted from a pragmatic reassessment of comprehensive rationality and its limits. The central theme of Herbert Simon's work has been to explain the nature of thought processes used in making decisions. "The term 'bounded rationality' is used to designate rational choice that takes into account the cognitive limitations of the decision maker—limitations of both knowledge and computational

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<sup>70</sup> Mary Zey, Decision Making: Alternatives to Rational Choice Models (Newbury Park, Calif.: Sage, 1992), p. 13.

<sup>71</sup> *Ibid.*, p. 10.

<sup>72</sup> Herbert Alexander Simon, Administrative Behavior: A Study of Decision-Making Processes in Administrative Organizations, 4th ed. (New York: Free Press, 1997).

<sup>73</sup> Herbert Alexander Simon, Models of Bounded Rationality (Cambridge, Mass.: MIT Press, 1982).

capacity.”<sup>74</sup> In reality, decision-makers do not have unlimited time to deal with sorting through all the alternatives and consequences related to complex problems. They rely on experts to do the groundwork. “A decision maker who chooses the best available alternative according to some criterion is said to optimize, one who chooses an alternative that meets or exceeds specified criteria, but that is not guaranteed to be either unique or in any sense the best, is said to satisfice. The term ‘satisfice’, which appears in the *Oxford English Dictionary* as a Northumbrian synonym for ‘satisfy’ was borrowed for this *new use* by H. A. Simon (1955) in ‘Rational Choice and the Structure of the Environment’.”<sup>75</sup> Using the needle in the haystack example, Simon equates finding the sharpest needle with optimizing and finding a needle that is sharp enough to sew as satisficing.

Bounded rationality is easier to achieve than the ideal of comprehensive rationality when making a group decision such as those made by councillors in a local government setting. It is the traditional model chosen by decision-makers because of its familiarity—we have always done it this way. Like comprehensive rationality, it is essentially an instrumental model concerned with goals and objectives more than with values.

### 3.2.3 Incrementalism – Lindblom<sup>76</sup>

Charles Lindblom introduced incrementalism, as a theory, in his article “The Science of ‘Muddling Through’”. He introduces the concept as successive limited comparison and compares it to a branch of a tree where the exclusions are deliberate. He suggests that comprehensive rationality is the equivalent of roots to a tree and is not

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<sup>74</sup> Simon, p. 291.

<sup>75</sup> *Ibid*, p. 295.

<sup>76</sup> Charles E. Lindblom, “The Science of “Muddling Through”,” *Public Administration Review* 19.2 (1959): 79-88.

a suitable method for complex issues, since ideally you cannot exclude alternatives or roots. He lists the characteristics of successive limited comparison, and claims that it is perhaps the most common method of decision-making.<sup>77</sup>

1. Selection of value goals and empirical analysis of the needed action are not distinct from one another but are closely intertwined.
2. Since means and ends are not distinct, means-end analysis is often inappropriate or limited.
3. The test of a "good" policy is typically that various analysts find themselves directly agreeing on a policy (without their agreeing that it is the most appropriate means to an agreed objective).
4. Analysis is drastically limited:
  - i. Important possible outcomes are neglected;
  - ii. Important alternative potential policies are neglected; and
  - iii. Important affected values are neglected.
5. A succession of comparisons greatly reduces or eliminates reliance on theory.<sup>78</sup>

Lindblom argued that this was an accurate descriptive model of decision-making; and also a normatively desirable one.<sup>79</sup> He felt that one of the benefits of this model was that it showed policy-making as an ongoing process. As a model, incrementalism has difficulty dealing with substantive "all or nothing" decisions or new problems.<sup>80</sup>

There are critics of this model. Etzioni has expressed fear that incrementalism entrenches the status quo and established order and "does not recognize the need to protect those who are unorganized."<sup>81</sup> Yehezkel Dror believes that incrementalism provides a rationale for inertia and lack of innovation because most organizations limit their search for alternatives.<sup>82</sup> Instrumental and substantive rationality have limited application here, since incrementalism as described by Lindblom is a model that deals with the failure of comprehensive rationality that is instrumental by its very nature.

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<sup>77</sup> Lindblom, p.88.

<sup>78</sup> *Ibid.*, p.81.

<sup>79</sup> Kernaghan and Siegel, p. 117.

<sup>80</sup> *Ibid.*, p. 118.

<sup>81</sup> *Ibid.*

<sup>82</sup> *Ibid.*

### 3.2.4 Communicative Rationality and the Ideal Speech Situation – Habermas

Communicative rationality or action refers to Habermas's idea that social and political change comes through open communication. It finds its context in the "ideal speech situation". It is primarily concerned with ends and not means. Scot Lash asserts "Habermas is indeed a theorist of substantive rationality."<sup>83</sup> In order to have an open discussion that will lead to a decision, Habermas developed an ideal speech situation to help set the framework. Habermas's ideal standard expressed in his discourse theory is not something that can be achieved easily and it requires:

1. an absence of power relations;
2. equal opportunity to speak;
3. openness to all relevant options;
4. consensus always has to be open to negotiation; and
5. truth.

For Habermas, a rational discourse...requires the emergence of an 'ideal speech situation'. This means that every committed participant has the ability to distinguish between a genuine and a manipulative agreement, where the genuine agreement is only based on the 'force of the better argument'. In such a transparent situation there is communicative equality in beginning and continuing a discussion, and equal opportunities to present arguments and choose between them. This means that all suggestions must be considered by the committed participants. The exclusion of any assertions is not permitted and all assertions must be able to be criticized. Every assertion must be treated equally and the must be a free expression of attitudes, feelings and intentions.

Thus, the social situation must be without repression or threats of repression, and without ideological or neurotic obstacles, which would disturb an emancipatory discussion.<sup>84</sup>

This is a very open-ended process where the final outcome should be unpredictable. "It ought to be unpredictable because we should not prejudge or

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<sup>83</sup> Scott Lash and Sam Whimster, Max Weber, Rationality and Modernity (London: Allen & Unwin, 1987), p.367.

<sup>84</sup> Erland Skollerhorn, "Habermas and Nature: The Theory of Communicative Action for Studying Environmental Policy," Journal of Environmental Planning and Management 41.5 (1998), pp. 559-560.

anticipate the claims, criticisms, and demands that citizens will make."<sup>85</sup> This model can be rather worrisome for experts and even politicians that would prefer to see a known alternative selected.

The conditions for ideal speech are fulfilled when the participants really want to start a discussion and try to reach an agreement. Habermas suggests that the need for a temporary end to an ongoing discourse

...does not mean that the majority decision is definitely correct. It can always be changed in the future, when other and better arguments arise...[T]he speaker claims truth for the statements...rightness for legitimately regulated actions and their normative context, and truthfulness or sincerity...It is the [speakers and hearers] themselves who seek consensus and measure it against truth, rightness, and sincerity, that is the "fit" or "misfit" between the speech act" and the background of culturally ingrained preunderstanding."<sup>86</sup>

Michael Ignatieff takes the argument in a slightly different direction when discussing rights. He states "having rights means respecting the rights of others...Respect actually means listening to something you'd rather not hear, and listening must include the possibility of recognizing that there may be right on the other side...Rights talk clarifies disagreements and creates the common language in which agreement can eventually be found."<sup>87</sup>

When using the ideal speech situation, the dialogue should not be directed or channelled. It allows for new voices to be heard. The discussion of values, from the various actors with conflicting values can be discussed in an open forum with no fear of reprisals. Reaching a consensus however could be time consuming and decisions need to be made when to close the discussion and make a decision.

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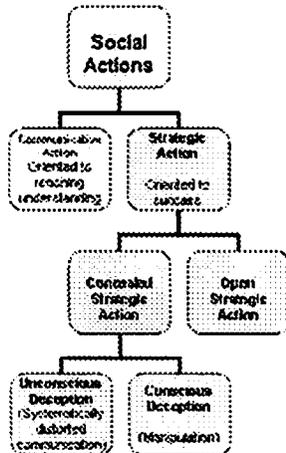
<sup>85</sup> Simone Chambers, "New Constitutionalism: Democracy, Habermas, and Canadian Exceptionalism," Canadian Political Philosophy: Contemporary Reflections, ed. Ronald Beiner and W. J. Norman (Don Mills, Ont.: Oxford University Press, 2001), p. 71.

<sup>86</sup> Jürgen Habermas, The Theory of Communicative Action: Reason and the Rationalization of Society (London, UK: Heinemann, 1984).

<sup>87</sup> Michael Ignatieff, The Rights Revolution (Toronto, ON: House of Anansi Press, 2000).

Would local governments be able to create such an ideal speech situation even if they wanted to? This would be a daunting task, even with an experienced facilitator, but

for governments moving in the direction of the new public service, it could become feasible. Denhart states that “public administrators not only must share power, work through people, and broker solutions but also must reconceptualize their role in the governance process as [a] responsible participant.”<sup>88</sup> Local governments have been reluctant to attempt to create an ideal speech situation because of unpredictable results and the length of time required to reach a decision.



**Figure 1**  
The place of systematically distorted communication within a theory of communicative action according to Habermas.

In his theory of social action, Habermas also describes strategic action, which is oriented to success, as an alternative to communicative action, which is oriented to reaching an

understanding. As illustrated in Figure 1, strategic action can be either open or concealed. If the action is concealed, but done unconsciously, it can result in systematically distorted dialogue. If the action is conscious deception, you have a case of manipulation. In either case, this can lead to a lack of trust on the part of the public taking part of the discussion, because they potentially see their participation as legitimizing a predetermined action.

### 3.2.5 Ethical Decision-Making: Cooper's Active Process Model<sup>89</sup>

Several different ethicists and theorists have worked on ethical approaches to decision-making models. The model chosen for inclusion in this report was developed

<sup>88</sup> Denhardt and Denhardt, . p. 152

<sup>89</sup> Johnson, . pp. 155-159.

for public administrators<sup>90</sup> by Terry Cooper, an ethics professor working in the area of public administration. This model has some elements that make it different from other ethical models. First, emotions do play an initial role and venting is allowed as long as the emotions do not dictate choices. Second, there is a link between action and character, which emerges from patterns of ethical behaviour over time. The third component is the notion of moral imagination or visualization. The final component is that decision-making is an imperfect process and one should strive to find a solution that balances our moral rules, can be adequately defended, reflects our ethical principles and is congruent with our self-image.

Cooper has identified four levels of response to ethical problems: expressive, moral rules, ethical analysis, and postethical. At the lowest level, expressive, our response is emotional. At the next level, moral rules, we begin to consider alternatives and consequences. At the level of, ethical analysis, we link our values with specific actions and determine our priorities. "The postethical level of decision making occurs in cases when we are faced with particularly thorny problems. We ask ourselves, "Why should I act morally?" "What's so important about integrity or truth or loyalty?" We may then turn to religion or philosophy for answers to these questions. This level comes to a close when we identify a motive for striving to be ethical."<sup>91</sup>

In this model, it is important to note that decision-makers routinely move between the levels. When the decision is being made by a group, the individual members may be functioning at different levels. For instance, one may still be venting while someone else has moved on to apply moral rules. "Emotions do play a role in ethical decision-making,

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<sup>90</sup> The detailed description of this model for public administrators is found in Terry L. Cooper, The Responsible Administrator: An Approach to Ethics for the Administrative Role, 3rd ed. (San Francisco: Jossey-Bass, 1990), . Examples of ethical political leaders can be found in Terry L. Cooper and N. Dale Wright, Exemplary Public Administrators: Character and Leadership in Government, 1st ed. (San Francisco: Jossey-Bass Publishers, 1992).

<sup>91</sup> Johnson, p.156.

but, leaders must have reasoned justification for their actions.”<sup>92</sup> To help leaders justify their actions, Cooper offers the following steps to move beyond the expressive level to careful analysis: examine the ethical issue; identify alternative courses of action; project the probable consequences; and find a fit. No alternative will be perfect. It has been pointed out by Clifford Christians that when making decisions we need to consider the duty to ourselves, such as our integrity and conscience; duty to those who pay the bills, the taxpayers and citizens; and duty to society.<sup>93</sup>

An analysis of this model suggests that the postethical level of asking why we ought to be moral should be the first level not the last. This model includes elements of both substantive rationality in dealing with the expressive level and instrumental rationality in that the final process includes assessment of alternatives and their consequences.

### 3.3 Models and Decision-Making?

Models by their very nature are rational and are used as a basis for understanding a process, in this case decision-making. Do decision-making models favour instrumental rationality or substantive rationality? The quest for facts based, quantifiable decisions in today's technical and economic environment biases instrumental reasoning, even in local government, especially because of its roots in bureaucracy. In a traditional bureaucratic environment as described by Weber, specialization is encouraged resulting in experts that have knowledge only in specific areas. Unfortunately, this specialization has also created silos that dominate organizations because of their expert technical and scientific knowledge, which is further aided by modeling on computers. There is a certain awe that some of the public and

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<sup>92</sup> Johnson, p. 156.

<sup>93</sup> Clifford G. Christians, Media Ethics: Cases and Moral Reasoning, 5th ed. (New York: Longman, 1998),

politicians have for experts that are knowledgeable in the areas of mathematics, science, engineering and economics. This might be because of their own fear of competency in these areas.

We have looked at five models ranging from comprehensive rationality to ethical decision-making. As a decision-making model, comprehensive rationality does not leave room for substantive rationality. It is an ideal type because decisions and actions are based on facts that are objective and value-neutral. Bounded rationality is based on comprehensive rationality. It is a more realistic model in that it takes into account the ability of actors to comprehend only so much detail. It is still an instrumental model. Incrementalism is an interesting model in that in many cases the decision seems to be made based on what seems right at the moment, with the ability to adapt or change the decision incrementally if required. It certainly eliminates many alternatives without consideration so it cannot be labelled instrumentally rational. Habermas's communicative action which is oriented to reaching understanding, and the ideal speech situation are a substantive model. This model is difficult to use because of the logistics of allowing every voice to be heard, but it can be very useful when there is a conflict of values and it is facilitated properly. When time is of essence, as in the case of a disaster, this model is not recommended. Cooper's active process model attempts to combine both instrumental reasoning through use of alternatives and substantive reasoning by allowing for emotions and values to dominate the initial phases of decision-making. Five models of decision making have been discussed. Of these models, most seem to favour instrumental rationality. It is possible to frame most decisions with one of these models, even though they might not describe all aspects of the process.

### 3.4 Is there a Place for Substantive Rationality?

Are extreme value positions marginalized by the decision-making models that we use? Conflicts occur when some of the actors take extreme value positions. Values do not have a high priority in the comprehensive rationality model or the bounded rationality model. In fact, there is a tendency to look at goals and objectives based on facts while discounting values because they are difficult to quantify. Models that have a substantive component do allow for extreme value positions, but depending on the way the facts are presented they could be neutralized.

Can facts be presented in a neutral way in a value-laden system? First, facts need to be presented in a way that decision-makers and citizens can understand. It is the role of experts to communicate the facts in an appropriate manner to the other actors. Comparing the five models, it should be possible to present facts in a neutral way in all cases, even in the ideal speech situation.

Do the ways facts are presented make a difference in decision-making? The answer would be yes, since as a society we acknowledge expertise and the authority, power, and legitimacy that are part of the bureaucracy. The language used to communicate alternatives before a decision is made can also be so technical that the decision-makers do not understand the alternatives and defer to the experts. Facts as they relate to alternatives can also be presented in a predetermined order to channel the decision towards a particular solution. If there are several alternatives, but the one that is considered the best by the experts is controversial you would present the least objectionable or most popular alternative along with its consequences first with the hope that it will be eliminated and you can move on to the next alternative. This incremental approach can steer the public to an outcome that they might never have intended, but the issue does get neutralized by focusing on facts. The way that facts are presented is

more flexible in the Habermas model of communicative action since everyone has the right to speak and everyone else must listen. The order that facts are presented is not predictable and neither is the outcome.

There is a place for substantive rationality in decision-making, especially when community values are involved. Traditional decision-making models do not address the issue of values in a way that is practical for the purposes of public administration. To understand community values you need to involve citizens in a meaningful way. The next section will discuss citizen engagement in the decision-making process.

## PART 4: CITIZEN ENGAGEMENT

**We seek to make government more representative, more participatory, and more responsive to all members of the community. We seek to find ways to accord citizens more information and more say, more often."**

**Amitai Etzioni<sup>94</sup>**

In this section we will try to determine whether by engaging citizens in decision-making there is more room for substantive rationality. Graham, Phillips, and Maslove define public participation as the occasions "between elections for the council and/or administration to reach out to learn from the public by its direct involvement in decision making. At the very minimum, public participation involves two-way communication, deliberation, and learning."<sup>95</sup> There has however been a tendency to view public participation as a "general nuisance to good governance. Rather than being regarded as the grassroots, citizen groups are often seen as noxious weeds."<sup>96</sup> The term public participation has fallen into disrepute because "it has moral connotations and is associated with cynicism and distrust" from years of public involvement being a token gesture.<sup>97</sup>

Phillips and Graham feel "that the term 'citizen engagement' helps us to reconceive the process as one that involves two-way obligations on the part of local governments and their citizens... [and] rids us of the many negatives associated with the

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<sup>94</sup> Amitai Etzioni, The Spirit of Community: Rights, Responsibilities, and the Communitarian Agenda (New York: Crown Publishers, 1993), p. 253.

<sup>95</sup> Katherine A. Graham, Allan M. Maslove, and Susan D. Phillips, "Interest Groups and Public Participation," Urban Governance in Canada: Representation, Resources, and Restructuring (Toronto, ON: Harcourt Brace Canada, 1998) 125-147,

<sup>96</sup> Graham, Maslove, and Phillips, 125-147.

<sup>97</sup> Katherine A. Graham and Susan D. Phillips, "Making Public Participation more Effective: Issues for Local Government," Citizen Engagement: Lessons in Participation from Local Government, ed. Katherine A. Graham and Susan D. Phillips (Toronto, ON: Institute for Public Administration of Canada, 1998) 1-24.

past and starts us thinking in terms of solid footings.”<sup>98</sup> Today participants are expected to have informed opinions and make tough choices, and the municipal government needs to be accountable to the public in how the participants input is used. Phillips and Graham suggest six principles for effective citizen engagement at the local level:

1. the process should be community based;
2. citizen engagement should be connected to the political process;
3. citizen engagement should also involve public education;
4. the process should be open regarding the options considered
5. the need for flexibility in methods of engagement and timing; and
6. the process should be transparent.

Following this rationale, the paper will refer to citizen engagement instead of public participation.

#### **4.1 When Should the Public be Engaged in Making Decisions?**

Let us start with Cuff’s discussion of the representational role of the elected official in his guidebook for municipal leaders.

Ironically, some politicians believe that the public should only be consulted before the election – during the door knocking campaign – and then again prior to the next election. Eventually, such an attitude catches up with these politicians, who value public input only insofar as it gets them elected. It has been my experience that the public does not feel the need to become involved in all of the issues, but does appreciate the courtesy of being asked on those matters of significance. An example of such matters might include: downtown redevelopment; amalgamation or annexation; building a new transportation corridor; allowing a hazardous waste complex in the city or on its borders; developing a new solid waste site; and so on. Such issues may come up once or twice in the course of a term of office. Council needs to be aware of what the community would view as a “gamebreaker” and act accordingly.<sup>99</sup>

Contrast this with Habermas’s empirical non-elitist approach, which suggests that the public decides for themselves when it is meaningful to participate in a public

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<sup>98</sup> Susan D. Phillips and Katherine A. Graham, “Conclusion: From Public Participation to Citizen Engagement,” Citizen Engagement: Lessons in Participation from Local Government, ed. Katherine A. Graham and Susan D. Phillips (Toronto, ON: Institute for Public Administration of Canada, 1998) 223-240.

<sup>99</sup> Cuff, p. 44

discussion in order to reach an agreement on an issue.<sup>100</sup> This can happen spontaneously by citizens contacting their councillors when a local issue requires resolution. Also, the Principle of Subsidiarity, originally an international environmental law principle, now incorporated into Canadian law, acknowledges that the people closest to a problem or issue should be making the decisions, policies and regulations. Denhart states in *The New Public Service*, that "public servants have a central and important role in helping citizens to articulate the public interest, and, conversely, that shared values and collective citizen interests should guide the behaviour and decision making of public administrators."<sup>101</sup> Stivers has called for a change in the traditional models of public administration and governance so that decisions have more legitimacy. She refers to these changed relationships as "active accountability":

Administrative legitimacy requires active accountability to citizens, from whom the ends of government derive. Accountability, in turn, requires a shared framework for the interpretation of basic values, one that must be developed jointly by bureaucrats and citizens in real-world situations, rather than assumed. The legitimate administrative state, in other words, is one inhabited by active citizens.<sup>102</sup>

#### **4.2 Citizen Advisory Committees and Steering Committees**

Citizen Advisory Committees and Steering Committees are a way to gain public input in the way of recommendations into specific policy or planning issues that involve decision-making. These committees can be created easily and have an indefinite life span. Before forming an advisory committee or steering committee, the question that council needs to ask is, will the committee recommendations be taken seriously and, if possible, be implemented. This allows potential participants to decide if and how committed they will be. Committees are very useful in developing common ground,

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<sup>100</sup> Skollerhorn, p. 555.

<sup>101</sup> Denhardt and Denhardt, p. 78.

<sup>102</sup> Camilla Stivers (1990,247) as quoted in Cheryl Simrell King, Kathryn M. Feltey, and Bridget O'Neill Susel, "The Question of Participation: Toward Authentic Public Participation in Public Administration," Public Administration Review 58.4 (1998): 317, p. 319.

especially if the members are provided with all of the information that they need to make a decision or recommendation, and are provided with the support of appropriate agency personnel and technical experts. This allows the members to build a shared knowledge base for understanding the issues, resulting in an ability to deal with complex and often emotionally charged issues in a rational manner.

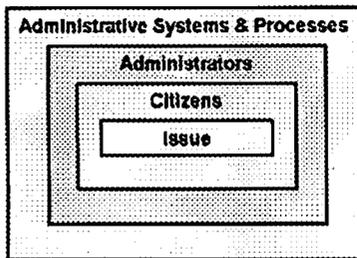
One of the main reasons for not encouraging public participation is the perception that public engagement prolongs the resolution of an issue. The questions that remain are how representative of the community are steering committees and how are members selected to sit on these committees? If individuals can just volunteer to sit on a committee and the committee might end up not being representative of their community and the decisions reached and recommendations made could be biased. It is essential when setting up a community committee that all voices are represented allowing for a genuine process of learning and dialogue to take place and for a consensus to be reached.

#### **4.3 Authentic Public Participation**

King addresses the question of how to encourage more effective and satisfying participation processes. "Authentic public participation, that is, participation that works for all parties and stimulates interest and investment in both administrators and citizens requires rethinking the underlying roles of, and relationships between, administrators and citizens."<sup>103</sup>

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<sup>103</sup> King, Feltey, and Susel, 317, . p. 317



**Figure 2**  
**Context of Authentic**  
**Participation according to**  
**King**

The key elements of King's authentic participation are defined as focus, commitment, trust, and open and honest discussion. Administrators need to focus on both process and outcome. Authentic public participation involves citizens making the decisions, not just judging and trying to block decisions that have already been made. In King's model of authentic public participation, as illustrated in Figure 2, puts issues at the core, with citizens framing the issue. The administrative systems and processes are furthest away with the administrators as the bridge between them.<sup>104</sup>

To overcome the barriers to authentic public participation King suggests the following steps be taken:

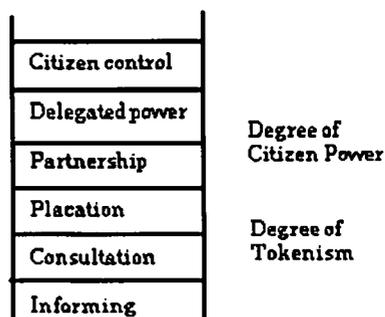
1. empower and educate community members,
2. re-educate administrators, and
3. enable administrative structures and processes to transform.

Administrators still need to act as facilitators for change. "If we assume that a more authentic context of public participation allows the administrator to act as facilitator, then it is the responsibility of the administrator to shape the participation process, starting as the initial change agent."<sup>105</sup>

<sup>104</sup> King, Feltey, and Susel, 317, p. 320.

<sup>105</sup> Ibid, p. 325.

#### 4.4 The Level of Citizen Engagement



**Figure 3**  
**Arnstein Ladder of Public Participation**

The question of the desirability and extent of citizen engagement in decision-making by local government, might to some degree, be determined by the nature of the decision or policy that needs to be made. There has been a great deal written about public participation and how much influence the public should have. The Ladder of Citizen Participation developed by Sherry Arnstein in 1969

is reputed to be the first 'ladder' of participation and is illustrated in Figure 3.

The IAP2 Public Spectrum<sup>106</sup> model most closely describes the varying degrees of public participation in today's environment. There are five levels of public impact: inform, consult, involve, collaborate, and empower. Municipalities in Ontario cannot delegate their decision-making power to a citizen advisory committee or a steering committee. In other words they cannot promise to the public that they will implement the decision made by the group. Therefore, on the IAP2 Public Participation Spectrum model, the highest level that can be legally achieved is to collaborate. At this level the public participation goal is "[t]o partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution" and the promise to the public is "[w]e will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible."<sup>107</sup>

<sup>106</sup> IAP2 Public Participation Spectrum, 2005, International Association for Public Participation <<http://www.iap2.org/associations/4748/files/spectrum.pdf>>.

<sup>107</sup> IAP2,

The IAP2 developed a set of Core Values for Public Participation that consist of the following seven statements:<sup>108</sup>

1. The public should have a say in decisions about actions that affect their lives.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. The public participation process communicates the interests and meets the process needs of participants.
4. The public participation process actively seeks out and facilitates the involvement of those potentially affected.
5. The public participation process involves participants in defining how they participate.
6. The public participation process provides participants with information they need to participate in a meaningful way.
7. The public participation process communicates to participants how their input affected the decision.

There is a similarity between the IAP2 core values for public participation, King's authentic public participation, and Habermas's theory of ideal speech because they all focus on the participants being able to define on what terms they will participate. The critical point to reflect on is that all participatory initiatives are attempts to enhance the accountability and transparency of government decision-making. "While there has been and likely always will be much political and administrative rhetoric in favour of enhanced public participation in government decision-making, the reality is that this participation will remain subject to the tight rules...and authority of responsible officials and those senior managers that report to them."<sup>109</sup>

Citizen engagement expands the room for substantive rationality to be included in decision-making and Laura Nash's twelve questions are an excellent source for discussion when making decisions, especially when values clash. Some questions are more useful in a group setting, but as an individual making a decision you should be able to answer the following questions:

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<sup>108</sup> Core Values, 2005, International Association for Public Participation  
<<http://www.iap2.org/displaycommon.cfm?an=4>>.

<sup>109</sup> Johnson, p. 608.

1. Have you defined the problem accurately?
2. How would you define the problem if you stood on the other side of the fence?
3. How did this situation occur in the first place?
4. To whom and to what do you give your loyalties as a person or group and as a member of an organization?
5. What is your intention in making this decision?
6. How does this intention compare with the likely results?
7. Whom could your decision or action injure?
8. Can you engage the affected parties in a discussion of the problems before you make your decision?
9. Are you confident that your position will be as valid for a long period as it seems now?
10. Could you disclose, without qualm your decision or action to your boss, your CEO, the board of directors, your family, or society as a whole?
11. What is the symbolic potential of your action if understood? Misunderstood?
12. Under what conditions would you allow exceptions to your stand? <sup>110</sup>

To this point, we have discussed the theories of reasoning, models of decision-making and the role of citizen engagement in a theoretical sense. We now continue to explore these same issues in the case study that follows.

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<sup>110</sup> Johnson, . pp. 149-152.

## **PART 5: WHITE-TAILED DEER IN THE SIFTON BOG CASE STUDY**

**The environment may very well not tolerate muddling along.  
Robert Mowitz<sup>111</sup>**

Now that some of the theories of decision-making and citizen engagement have been examined, the problem of white-tailed deer in Sifton Bog will be described. This is a fascinating case because it involves the City of London, a municipality; the Upper Thames River Conservation Authority (UTRCA), a special purpose body; and the Ontario Ministry of Natural Resources (MNR) in a decision-making process because of their respective responsibilities. In addition, the role of citizen engagement in the form of the Sifton Bog White-Tailed Deer Issue Steering Committee's (SDWDISC) in making a recommendation to the City of London will be described and analysed. The purpose of the case study is to see whether there is a role for substantive rationality in gaining stakeholder acceptance when values conflict in decision-making at the local government level.

### **5.1 The Sifton Bog in London, ON**

The Sifton Bog is the most southerly, large acidic bog in Canada and has been designated a Class 2 Provincially Significant Wetland. This means that it is protected under provincial planning policy. It is located just north of the Thames River in the west end of the city.<sup>112</sup> Thirteen-thousand years ago, a large block of glacier ice melted and formed the bog depression or kettle hole. Redmonds Pond is located in the centre of this 28-hectare site. A wooded slope with Carolinian affinities encircles a swamp, which

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<sup>111</sup> Mowitz, p. 141.

<sup>112</sup> See Appendix A for a map of the location of the Sifton Bog in the City of London.

surrounds the bog and pond.<sup>113</sup> The Sifton Bog is unique since it supports a very limited number of plants that can only grow in an acidic environment found much further north. In just a ten-minute walk, one can experience changes in vegetation that would normally take a journey of several hundred kilometres.

The Upper Thames River Conservation Authority (UTRCA), a special purpose body based on watershed boundaries, and the City of London both own adjacent sections of the Sifton Bog. The bog and five other areas in the city are considered Environmentally Significant Areas and are designated for protection by the municipality. In London, the UTRCA manages these areas on behalf of the City. A complicating factor is that in Ontario the Ministry of Natural Resources (MNR) has jurisdiction over deer. In order to be able make an informed decision that was acceptable to the community regarding the "deer issue",<sup>114</sup> there had to be agreement between the stakeholders, including the community surrounding the bog, the UTRCA, the MNR, and City Council.<sup>115</sup>

## **5.2 Why is Bambi a Problem?**

Bambi is a synonym for white-tailed deer. The word Bambi, which originates from the Walt Disney movie of the same name, resonates in our hearts. Since childhood, most of us have envisaged white-tailed fawns as being adorable and enchanting creatures that need to be protected. How can you not love a Bambi? They have huge brown eyes, out of scale ears, and big rubbery black noses all atop spindly legs. Why would anyone want to kill Bambi, even if there are too many?

White-tailed deer do not have any natural predators since wolves, cougars, and other large carnivores have not been sighted in the bog or city, and hunting in the city is

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<sup>113</sup> See Appendix A for maps of the Sifton Bog

<sup>114</sup> "Deer issue" is a term used by the City of London Council

<sup>115</sup> See Appendix A for maps

prohibited. Today the new predators are the motor vehicle, starvation, and disease. The habitat of the deer in the Sifton Bog is now completely surrounded by development restricting them to a smaller area. As their population increases, they don't migrate. Deer stay in the territory that they were born in and that is approximately one square kilometre. They will eat everything in browse range, destroying native plants, songbird and small mammal habitat, hardwood forest regeneration efforts, and ornamental plants, shrubs and trees in neighbouring gardens. If they eat all the available food in their territory, they do not leave; they just starve. The problem is finding a solution that will reduce the damage to the environment, especially the fragile eco-system of the Sifton Bog by reducing the number of deer.

In Ontario, deer, as wildlife, are seen as a natural resource and thus fall under the auspices of the Ministry of Natural Resources and the *Fish and Wildlife Conservation Act, 1997, SO 1997, c. 41*. To kill a deer you need a permit from the Ministry of Natural Resources. Because the deer are in the city, the use of firearms is prohibited. To further complicate matters in this case, one part of the Sifton Bog is owned by the City and the Upper Thames River Conservation Area (UTRCA) owns the rest. The UTRCA manages this site and all other city owned environmentally sensitive areas. In the case of the Sifton Bog, both the City of London Council and the UTRCA Board of Directors must approve all decisions.

### **5.3 Getting on the Agenda**

"Our notion of a "problem condition" implies that public action is and sometimes should be motivated by people's discontents, concerns, and frustrations about the state of affairs... Every citizen in a democracy faces a wide variety of problem conditions; but only a few of these enter into the stream of problems that might be placed on the public

agenda---that is, being recognized explicitly or tacitly as calling for public action."<sup>116</sup>

During the summer of 2000 both the City of London and the UTRCA started to receive complaints about deer becoming a nuisance from some of the property owners surrounding the Sifton Bog. Some of the residents even contacted the media about the problems they were encountering with deer. The residents in this relatively affluent neighbourhood followed the outside initiation model of agenda setting as defined by Cobbs, Ross, and Ross.<sup>117</sup> In this model a group or individuals outside the local government structure articulate a grievance, in this case the deer problem. Next they try to expand interest to the general population, in this case by the use of local media, to gain a place in the local public agenda. If this generates enough pressure on councillors the issue will be moved to the formal agenda for consideration and in this case it did get on the agenda.<sup>118</sup> "Richard Simeon has pointed out the environment determines what issues will move to the forefront of the agenda, what constraints decision-makers will face, and what resources will be available to them, but environment does not determine exactly what response they will make to an issue."<sup>119</sup>

Once the deer issue was on the agenda, the City asked the UTRCA as managers of the Sifton Bog to facilitate a community meeting to look into the problem. In the spring of 2001, 800 invitations were mailed for a community meeting to be held in June at a local high school. Newspaper articles in the London Free Press, community newsletters, a Sifton Bog Fact Sheet with a survey, and commentary on the radio and local television stations further informed the residents of the upcoming community meeting, and how residents could participate. This effort resulted in seventeen written

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<sup>116</sup> Duncan MacRae Jr. and Dale Whittington, Expert Advice for Policy Choice: Analysis and Discourse (Washington, DC: Georgetown University Press, 1997), p. 29.

<sup>117</sup> Michael Howlett, "Policy Development," The Handbook of Canadian Public Administration, ed. Christopher J. C. Dunn (Don Mills, ON: Oxford University Press, 2002), p. 178.

<sup>118</sup> Howlett, p. 179.

<sup>119</sup> Kernaghan and Siegel, p.126.

responses to the survey being submitted before the meeting and over sixty residents participating in the community meeting on June 13, 2001 to discuss concerns and issues, and to ask questions and contribute ideas. The meeting was facilitated by the UTRCA. The role of a steering committee was discussed and some of the comments and concerns expressed were:<sup>120</sup>

- The committee needs decision making power
- The committee's role is not to legitimize the UTRCA's ideas
- Someone needs to make a decision
- The steering committee should be comprised of all agencies and concerned residents
- We can lead the way! This is like a pilot project, an opportunity to develop policy
- There is a legal problem with stating that the committee needs power. MNR and UTRCA are legally bound to handle this issue
- Can agencies commit to implementing these recommendations

The community agreed that a steering committee should be formed to make recommendations to the community, the City of London, and the UTRCA.

#### **5.4 The Sifton Bog White-tailed Deer Issue Steering Committee**

At the community meeting, participants were asked to volunteer for the Sifton Bog White-tailed Deer Issue Steering Committee (SBWDISC). In this instance it meant self-selection from a group of people that were already interested in the issue and had been invited. The danger with this method is that the individuals that decided to be part of the steering committee might not be representative of the community, and as a result their recommendations might be biased. The purpose of the SBWDISC was to allow the citizens most affected by the problem to make a recommendation that would be socially and politically acceptable. It was hoped that the community, through consensus building

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<sup>120</sup> Community Meeting: White-tailed Deer in Sifton Bog: June 13, 2001, Oakridge Secondary School, 2001, UTRCA  
<[http://www.thamesriver.on.ca/Wetlands\\_&\\_Natural\\_Areas/Sifton\\_Deer\\_Committee\\_June13\\_01.pdf](http://www.thamesriver.on.ca/Wetlands_&_Natural_Areas/Sifton_Deer_Committee_June13_01.pdf)>.

strategy, would buy into the solution that the SBWDISC reached, rather than escalating the conflict of a sensitive and controversial issue of a narrow local problem.

The SBWDISC met for the first time on July 10, 2001. At this meeting, the role of the committee and individual members was discussed. "The members agreed that they would work to reach a consensus on issues and they were committed to a collaborative effort... [because] conclusions reached by this committee may influence how problems of similar nature would be handled."<sup>121</sup>

**Table 2 - Significant Dates**

Timeline	
Summer 2000	Complaints Start
Spring 2001	Deer Fact Sheet Flyer and Surveys Sent Out
June 13, 2001	Community Meeting
July 10, 2001	SBWDISC Meeting
August 2, 2001	Sifton Bog Deer Count
August 8, 2001	SBWDISC Meeting
September 6, 2001	SBWDISC Meeting
October 10, 2001	SBWDISC Meeting
Fall 2001	Update Newsletter
November 1, 2001	Mail survey to households 34% response rate with 225 respondents, confidence level 95% within a range of + or - 6%
January 1, 2002	Final report on results of community survey
January 21, 2002	SBWDISC Meeting
February 21, 2002	SBWDISC Meeting
December 4, 2002	SBWDISC Meeting
January 15, 2003	SBWDISC Meeting
February 1, 2003	Final Report
July 7, 2003	Council rejects deer cull 16-2 - Election in Fall
Nov/Dec 2003	Sifton Bog White-tailed Deer Count Report
September 20, 2004	Council approves leaving the decision up to UTRCA
Fall 2004	Deer Count
Fall 2005	Deer Cull Scheduled

Everyone agreed that communication was a priority and that members would work to communicate the work of the committee to their respective communities or agencies. The SBWDISC met eight times over a two-year period. Table allows you to see the timing of the meetings and summarizes the activity to date.

The key actors in this case were the Sifton Bog White-tailed Deer Issue Steering Committee (SBWDISC), the Upper Thames River Conservation Authority (UTRCA), wildlife experts from the Ontario Ministry of Natural Resources (MNR), the City of London's Environmentally Significant Areas (ESA) Committee, and the Planning Committee. The relationships and lines of communication

<sup>121</sup> Upper Thames River Conservation Authority, Sifton Bog White-tailed Deer: Final Report of the Community Steering Committee (London, Ontario: UTRCA, 2003) <[http://www.thamesriver.on.ca/Wetlands\\_&\\_Natural\\_Areas/Sifton\\_Bog\\_Deer\\_Report\\_web.pdf](http://www.thamesriver.on.ca/Wetlands_&_Natural_Areas/Sifton_Bog_Deer_Report_web.pdf)>.

between the various actors and the SBWDISC are illustrated in Figure 4.

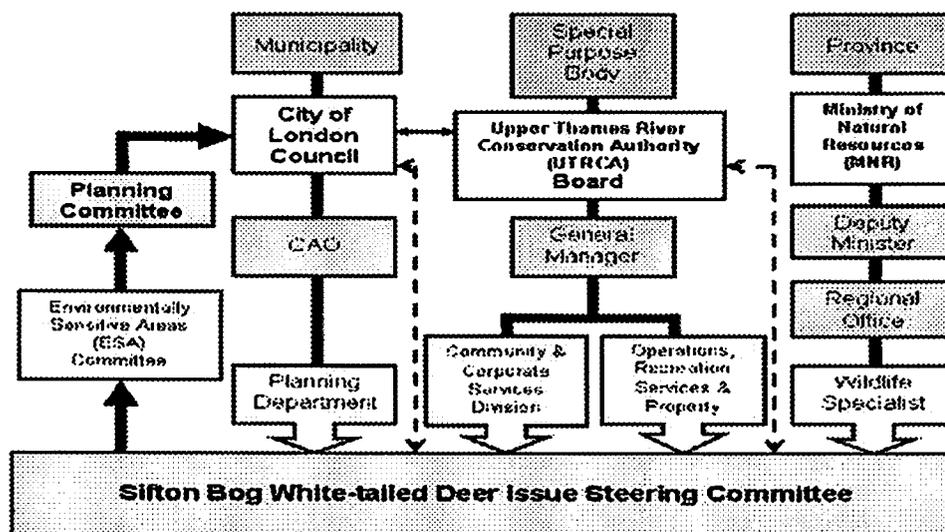
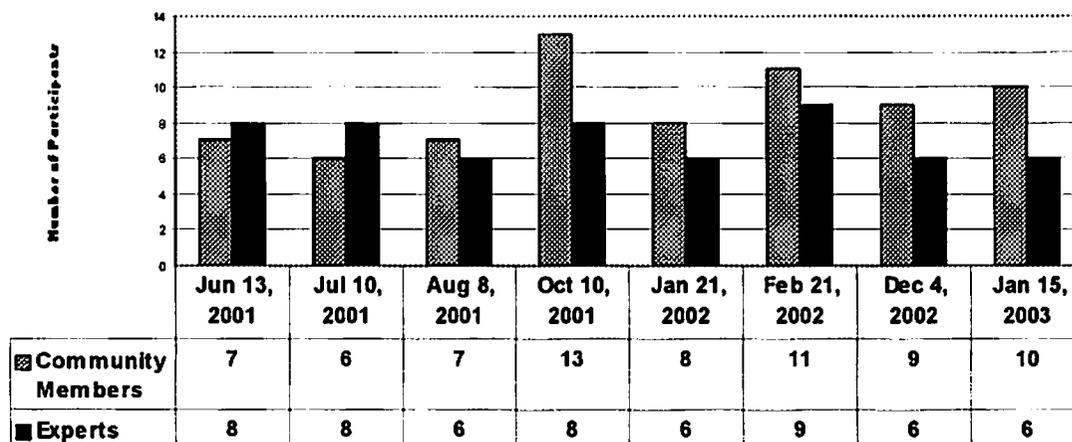


Figure 4 - Relationships

#### 5.4 Making a Decision

Reading through the minutes of the meetings, there is a sense of lively debate. When questions were raised, the group had the support of experts from the city Planning Department, the UTRCA, and the wildlife specialists from MNR. They sought additional advice from the city's Traffic Department about deer-vehicle collisions and from the Middlesex-London Public Health Unit about Lyme disease and ticks. When viewing Table 3 the chart of meeting participants, it is apparent that at times there were more experts than community participants at the meetings. With so many experts, the community participants might have felt out-numbered and that they were being steered through a process. However, before any real dialogue could begin the SBWDISC participants had to first learn about and understand deer behaviour, biology, and methods of control deer.

**Table3 - Sifton Bog White-Tailed Deer Issue Steering Committee Meeting Participants**

The facilitator from UTRCA decided which methods of deer management would be discussed at the meetings and their order. Various options were discussed starting with the most popular non-lethal method—live capture and relocate. After looking at all of the consequences of this option, including the cost of relocation; the fact that surrounding municipalities, counties, and even provincial parks did not want any more deer; and the fact that most deer die of starvation because they cannot re-orient to a new location, helped eliminate the first option and neutralized the opinions of the people that had thought this was the best solution.

The facilitator then moved to the next option, chemosterilization. The problem with this option was that the MNR does not approve of this method because it has not been tested sufficiently and it was not known if it would be a hazard to the human population. As each option was eliminated, the committee continued to incrementally work up the scale of lethality, until the solution originally suggested to the City by the MNR and the UTRCA was the only one left. Substantive rationality was only used in the sense that deer should not suffer. This concern for suffering was brought up over and over again. Value conflict was not directly addressed in this process by the facilitator.

The main focus was to keep the SBWDISC focused on consequences, which were presented in a scientific way, with no room for substantive debate about values. It could be said that the SBWDISC primarily served to instrumentalize a substantive conflict and in the end ended up legitimizing the solution that the MNR believed was the only choice—a deer cull by a controlled archery hunt.

To fully understand the process used we need to step through the options one at a time. They were discussed in the following order:

1. Non-lethal methods:
  - i. Live capture and relocation;
  - ii. Chemosterilization;
  - iii. Supplemental feeding;
  - iv. Aversive conditioning = noisemakers;
  - v. Fencing; and
  - vi. Do nothing = starvation.
2. Lethal methods:
  - i. Sharpshooters;
  - ii. Live capture and shoot;
  - iii. Introduction of natural predators, e.g. wolves; and
  - iv. Bow hunters.

Degree of lethality increases  


This paper is not about determining the right action to take when dealing with the issue of deer management so details about these alternatives and their consequences are not elaborated on here.<sup>122</sup> In their final report of February 2003 to the City of London and UTRCA, the SBWDISC concluded that the most humane and effective way to deal with the issue of too many deer would be through a controlled archery hunt with an understanding that eight deer were to be left in the bog and that there is a need for ongoing management of the deer population in the bog. This could result in an annual or bi-annual cull, since with more food available, the birth rate of deer will increase.

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<sup>122</sup> Upper Thames River Conservation Authority.

## 5.6 The Role of Council

What the SBWDISC had not anticipated was that timing was a critical factor. With municipal elections slated for the fall of the same year as their recommendation was made, City Council was reluctant to proceed because they did not want the deer cull to become an emotional election issue. One of the city councillors commented that

London's Planning Committee rejected the City Staff recommendation for a Fall 2003 deer hunt in the Bog...The Ministry of Natural Resources, who has sole jurisdiction over a deer hunt in the urban area, will only allow a bow hunt or a mussel [sic] loading musket to be used...Allowing the deer herd to continue growing unchecked while watching them destroy the unique fauna in the Sifton Bog, then starve to death when they run out of food is cruel and irresponsible.<sup>123</sup>

It was evident that Council wanted to delay the decision and they did this by asking for a new deer count and for city administrators to provide more information. Another deer count was completed by December 2003. A new report was not prepared by the SBWDISC. The original report with comments from administration was submitted to the City of London Planning Committee. They recommended the deer cull to City Council again in September 2004. City Council had grappled with this issue for over four years and this time approved a recommendation to leave the issue with the UTRCA experts to manage. This meant that the deer cull would take place in the fall of 2005, because there was not enough lead-time to organize a cull so quickly. The next day the local paper headline was "Blame the Deer! No Money to be Made in Deer, so Council Passes the Buck".<sup>124</sup>

Did council 'pass the buck' or was it responding to the SBWDISC? How much more extensive has the environmental damage been to the Sifton Bog by Council's

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<sup>123</sup> Ed Corrigan, Report from City Council (London, ON:, 2004).

<sup>124</sup> Joe Belanger, "Blame the Deer! No Money to be Made in Deer, so Council Passes the Buck," London Free Press 21 September 2004 2004.

delays in approving the cull? Was council just muddling through or was it trying to legitimize a decision that they knew had to be made?

Controversial and emotional issues may be areas where municipal governments try to find alternative ways of reaching decisions without having to take direct responsibility. In this case they used the UTRCA as an intermediary. Therefore, the motivation underlying the desire for public participation needs to be examined. At its worst, it is a cop-out on the part of council to make tough value-laden decisions. At its best it was an attempt at informing the public. It has to be remembered that both the City of London and the UTRCA Board had to approve the cull and that the City of London is represented on the UTRCA Board. Passing the management of the deer cull on to the UTRCA allowed councillors in a sense to bypass their constituents because it is much harder for a community member to contact a board member at the UTRCA than it is to pick up the phone and contact their local council member.

### **5.7 An Analysis of the Process of Decision-Making**

There are basically three groups of decision-makers involved in this case. First, the political representatives both at the City of London and the UTRCA. Next you had the administrators, experts and the facilitator making decisions. Finally you had the SBWDISC, which had to decide on a recommendation that would be politically acceptable by their neighbours, the community and the three governing bodies.

It is interesting to note the UTRCA Board of Directors, consisting of mostly of rural members, did not have a problem with a deer cull whereas the City of London Council perceived it to be a contentious issue. Therefore, it was felt by the City that it was essential that citizens in the immediate community should be engaged for the successful implementation of a difficult and emotional issue.

Habermas's theory was used to the extent possible in that the public was given space and time for social learning. This process was nominally open and took a long time, but there was much learning about deer biology and control methods that needed to be done, before an informed decision could be made. The meeting with the largest number of community participants was the meeting in October 2001 when there was a preliminary review of non-lethal deer management options.

King's model of having an effective facilitator that enabled the citizens closest to the deer problem to focus on the issues by providing all the information and experts that were needed, allowed the SBWDISC to make a tough decision—Killing Bambi. Through effective facilitation, the SBWDISC achieved the level of "collaboration" on the IAP2 Public Participation Spectrum ladder, the highest level that a committee can hope to achieve for public engagement. When Council felt that the time was right, the SBWDISC recommendation was adopted by both UTRCA and the City of London and a deer cull scheduled for fall 2005.

The role of the facilitator is not to be authoritative, but rather to encourage spirited citizen participation. Bounded rationality was the decision-making model chosen by the UTRCA facilitator to present the alternatives and allow the community members to assess and discuss each choice. The alternatives were dealt with one at a time to help focus the discussion. When the alternative under consideration was dismissed as not being feasible or appropriate, then the next alternative was introduced. The facilitator controlled the agenda, allowing for the coverage of selected alternatives in a rational sequence, but with limited ability to discuss values.

Did power distort the dialogue? Once again, I will refer to Table 3, where we see the ratio of community participants to experts or administrators on average was 8.875 to 7.125. That means that the relationship was one expert to 1.25 participants. This is a very high ratio. As a community participant, there would be a great temptation to yield to

the power of experts, especially when there are so many. It is difficult to know what idioms may have predominated at the meetings, but it needs to be made absolutely clear that when terms such as deer cull and deer management are used, they are euphemisms for killing. Finally, the issue of what voices were excluded in the SBWDISC meetings needs to be addressed. To hear the voices of individuals, especially those against a deer cull, you need to turn to the local newspaper and read the letters to the editor. It is there that you can relate to the substantive side of the issue.

## PART 6: CONCLUSION

**It is true: politics is made with the head, but certainly not *only* with the head. In that respect those who advocate the ethics of intention are absolutely right. No one can tell anyone else whether they *ought* to act according to the ethics of intention or the ethics of responsibility...But it is enormously impressive if a *more mature* man (whether old or young in years) who feels his responsibility for the consequences with all his heart and acts according to the ethics of responsibility, says at whatever point it may be: 'Here I stand: I can no other'. That is an expression of authentic humanity...the ethics of intention and the ethics of responsibility are not diametrically opposed, but complementary: together they make the true man, the man who can have the 'vocation of politics'.**

Max Weber<sup>125</sup>

Conflict and disagreement are basic features of politics. This is because people embrace different values, have different interests, and struggle for power or influence in the political arena.<sup>126</sup> Power is sought to affect the direction of policies in a given political arena and can be seen as a means to an end. However, it is not good enough to determine if a goal has been achieved; one has to determine whether the goal is worth pursuing.

Governments attempt to find compromises to try to keep different interest groups reasonably satisfied. "In the view of British political scientist Bernard Crick (1963), politics in democratic countries involves listening to discordant interests, conciliating them, and bringing them together so that each contributes positively to the process of governing. When decisions are made after considerable discussion, consultation with groups that have differing values, and efforts to find acceptable compromises, the intensity of political conflict can be reduced."<sup>127</sup> In the case of the Sifton Bog, the Council had to reconcile the revulsion factor of 'Killing Bambi' with the risk factor of

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<sup>125</sup> Weber and Runciman, pp. 223-224.

<sup>126</sup> Eric Mintz, Osvaldo Croci, and David Close, Politics, Power and the Common Good: An Introduction to Political Science (Toronto: Pearson Prentice Hall, 2005), p. 4.

<sup>127</sup> Mintz, Croci, and Close, p. 7.

continued damage to a very fragile eco-system and the starvation of deer because of lack of suitable vegetation.

Pitting two good core values against each other, results in a right-versus-right internal conflict. For example, an individual might believe in the intrinsic rights of a fragile ecosystem to protection and at the same time believe that it is wrong to kill animals since they also have intrinsic rights to life. This creates tension. How would you as an individual decide what the right course of action should be if you had been on the SBWDISC? How would you as a community solve this problem? This paper has not given you the answer, nor has it given you a step-by-step guide on how to make decisions when values conflict. Instead, the goal was to raise awareness of the relevance of substantive reasoning and the value side of decision-making, a topic that has not been very fashionable in the past few decades. The transition from a world dominated by religion to a world dominated by science and technology has privileged instrumental reasoning.

Very little research has been done on substantive rationality since 1981 when Alberto Guerreiro Ramos wrote *The New Science of Organizations*. Ramos states that an "alternative mode of thought, not yet articulated in systemic terms, is needed today..."<sup>128</sup> These words are still true today and that is why we have such difficulty with making decisions when values clash. We will have to wait and see if public administration becomes more public centered and councillors realize that they "are expected to be the eyes and ears of the public [and] not an appendage of the administration."<sup>129</sup> There are glimmers of hope that citizens and public officials will work together for the mutual benefit of the community. This depends on administrators adopting the philosophies of a "new public service" where the objective is to serve the

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<sup>128</sup> Ramos, p. x.

<sup>129</sup> Cuff, p. 54.

citizens. Unfortunately most citizens will still start from an inferior position because of their lack of knowledge and technical expertise.<sup>130</sup>

The theory suggests that the more values conflict, the more you need to engage citizens in decision-making and embrace substantive rationality to legitimize the process. However, in reality the more values conflict, the more unwilling local governments seem to be to allow citizen engagement in an ideal speech situation, allowing substantive rationality to run its course when the decision could yield an unpredictable outcome. In controversial situations, where the citizens are engaged there is a tendency on the part of the facilitator to steer citizens in a predetermined direction instead of serving the public in an unbiased manner. This results in a paradox of theory and reality.

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<sup>130</sup> Denhardt and Denhardt.

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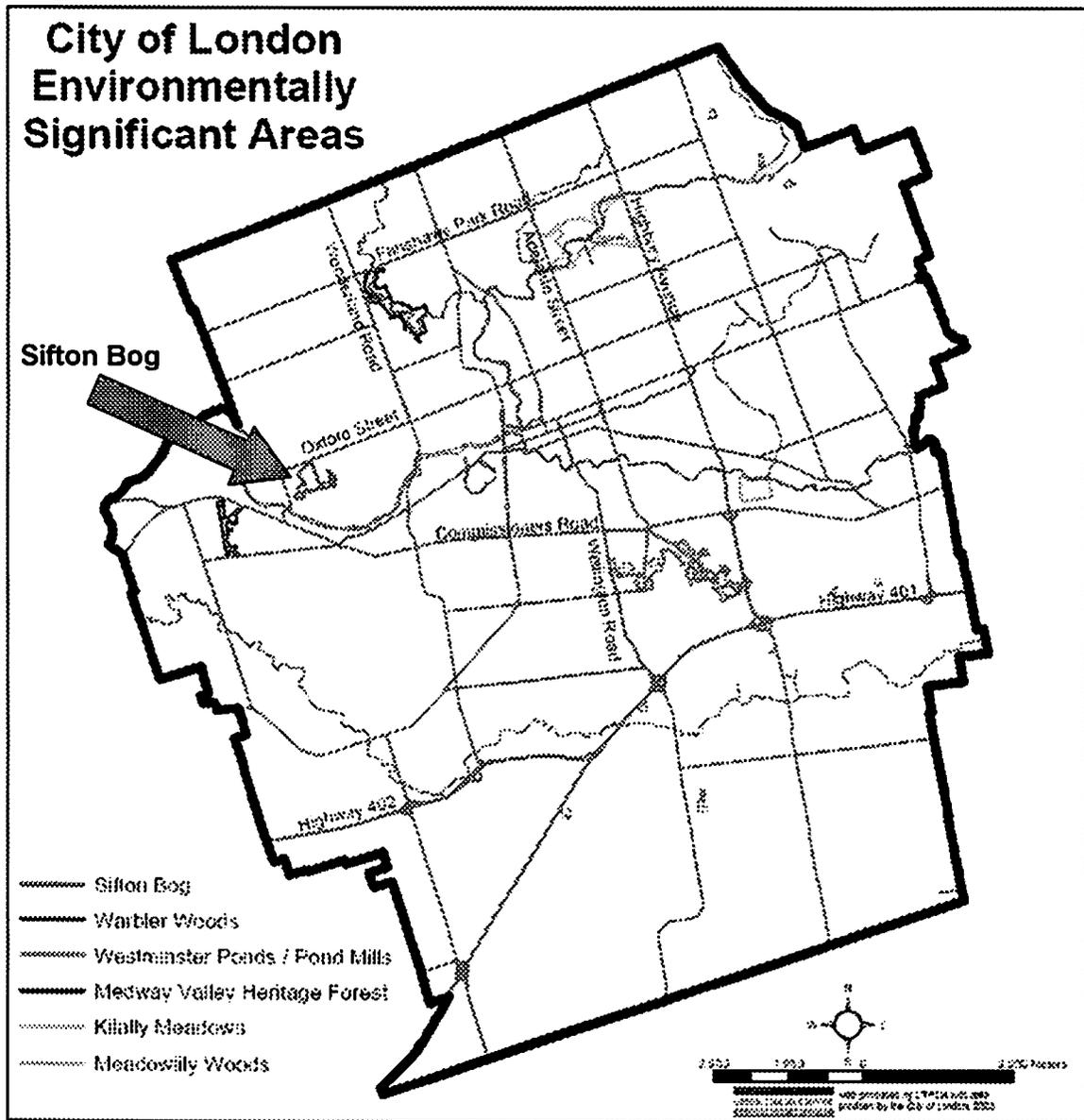
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**APPENDIX A - MAPS**

### Location of the Sifton Bog

Reproduced from the Upper Thames River Conservation Authority website.

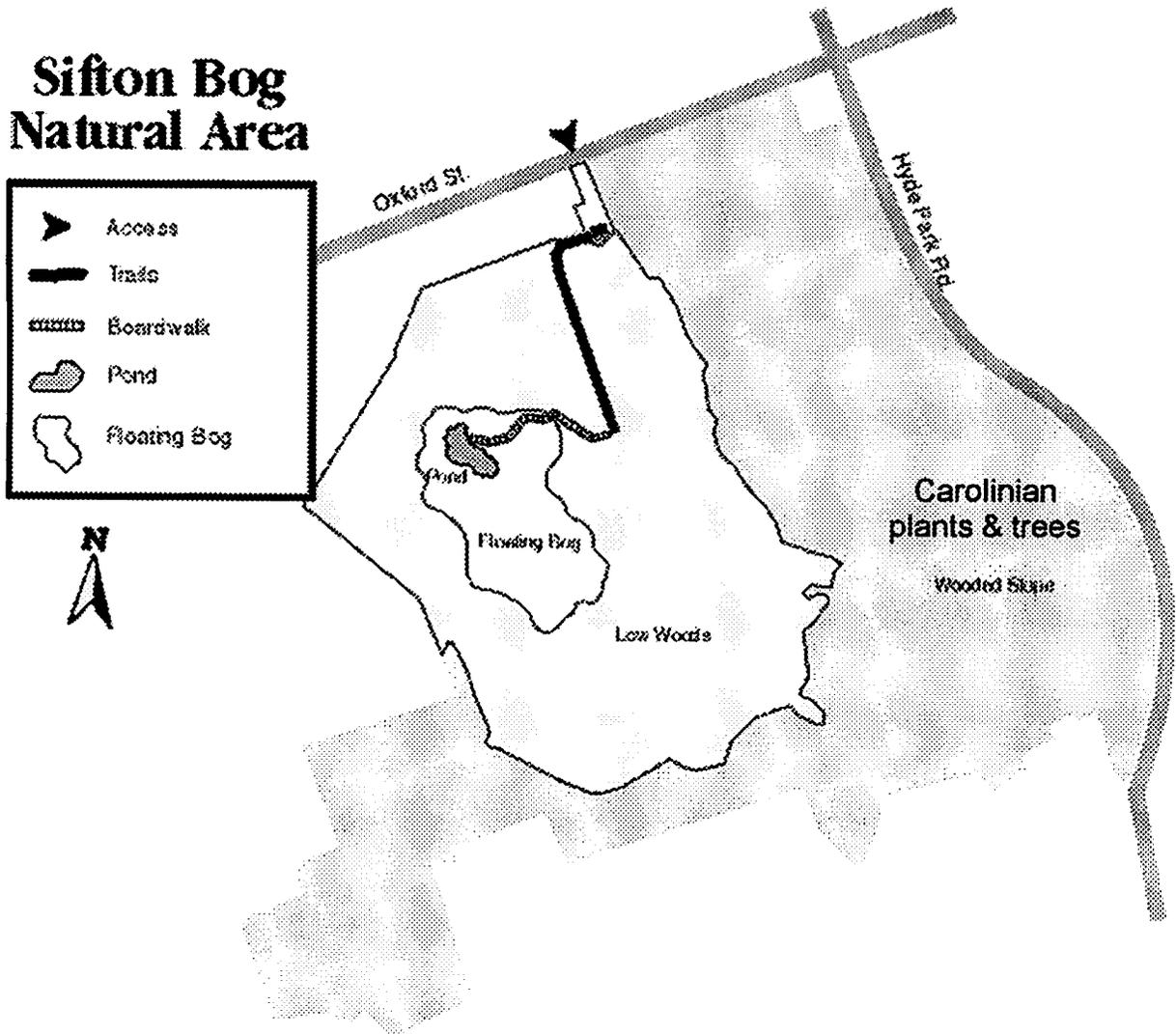
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## Sifton Bog Trail Map

Reproduced from the Upper Thames River Conservation Authority website.

[http://www.thamesriver.org/Wetlands\\_&\\_Natural\\_Areas/sifton\\_trails.htm](http://www.thamesriver.org/Wetlands_&_Natural_Areas/sifton_trails.htm)



## Aerial View of the Sifton Bog

Reproduced from the Upper Thames River Conservation Authority website.

[http://www.thamesriver.org/Wetlands\\_&\\_Natural\\_Areas/Sifton\\_Bog\\_Deer\\_Report\\_web.p](http://www.thamesriver.org/Wetlands_&_Natural_Areas/Sifton_Bog_Deer_Report_web.pdf)

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Looking northeast across Sifton Bog.