

striking a tree spike embedded in a redwood log, has been shown to have resulted from the continued use of a saw that was overdue for replacement and, more to the point, that the chief suspect for having implanted the spike was a disgruntled neighbour of the milling company.

4. For more extensive discussions of the nature of terrorism see, for example, Young [1977] and Coady [1985].
5. See, for example, the views of the so-called 'Circle A' anarchists who broke away from the Earth First! movement in the United States, as reported in Scarce [1990: 88ff].
6. For perceptive discussion about the relation of violence to civil disobedience, see Cohen [1971: 22-30].
7. This idea is taken up by several contributors, including Foreman himself, in Foreman [1985] and in various articles in publications like *Earth First!: The Radical Environmental Journal*.
8. For a valuable discussion of the ideal of democracy see Dahl [1982].
9. See, for example, Norman [1987, especially Ch.8].

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The Greening of Participatory Democracy: A Reconsideration of Theory

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Concern about the slow progress of liberal representative democracies on questions of sustainable development has encouraged research into alternative forms of democracy which might better inform environmental decision-making. Forms of deliberative, strong or 'participatory' democracy which emphasise greater public involvement in decision-making have particular appeal for many environmentalists. However, there has been surprisingly little critical evaluation of these theories in an environmental context. This contribution evaluates theories of participatory democracy in the context of environmental management in New Zealand where major restructuring has created new opportunities for experimentation. This opportunity to 'green' theories of democracy should force theorists to consider ecological rationality, community diversity, the needs of future generations, claims of intrinsic value, and the political sovereignty of indigenous peoples.

Environmental problems present a challenge for contemporary democracies. Democracies are forced to make difficult choices about how limited resources will be used. These choices are complicated by the often vastly differing attitudes people have about the environment, its problems and what actions (if any) should be taken to address these. Nevertheless, no matter how difficult, conscious choices eventually have to be made. Environmental degradation is unrelenting. Indicators suggest that, rather than go away, many environmental problems will only get worse. The scale and nature of environmental problems demands a collective response.¹

But can our democracies respond adequately to environmental problems? Many environmental policy analysts are doubtful. Some have

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expressed particular concern about the limited progress liberal democracies have made on environmental problems [Fischer, 1993; Eckersley, 1992; Dryzek, 1992]. While recognising some significant achievements, critics argue that the majority of liberal democratic initiatives fail to respond adequately to complex environmental problems. They complain that liberal democracies are committed to competitive elections, individual liberty and private property [Milbrath, 1984: 27–28; Porritt, 1984: 122–5]. This commitment encourages short-sighted environmental policies, and generally favours the interests of developers and capital accumulation at the expense of environmental protection [Dryzek, 1987: 67–87]. Moreover, critics argue, liberal democracies use methods for making policy choices that are ecologically irrational [Bartlett, 1986; Dryzek, 1987]. Drawing on the heritage of the Enlightenment, liberal democracies tend to adopt instrumental analytic reasoning to inform policy development, disaggregating problems and applying mechanisms of a free market and polyarchy to environmental management.² These practices are argued to displace rather than to resolve environmental problems [Dryzek, 1987: 10–11].

Frustrated with the environmental performance of liberal democracies, some environmentalists and policy analysts have looked for alternative ways of making environmental decisions. For example, some argue that we should reform existing liberal democratic institutions by requiring more rigorous environmental impact assessment procedures or mandatory environmental accounting (see Paehlke and Torgerson [1990]). Others have advocated a more ecofascist approach: critical environmental choices cannot be left to ill-informed citizens or their elected representatives; difficult decisions should be made by experts trained in ecological sciences or those who are able to exercise strict political control [Heilbroner, 1974; Ophuls, 1977]. Others still have argued that citizens should have more input into decision-making, advocating a more 'participatory' democracy as the means of tackling environmental problems [Dryzek, 1990; 1992a; DeLeon, 1992; Hillier, 1993; Robynson, 1993]. It is this last argument that is the focus of this contribution.

I shall discuss the various forms of participatory democracy and the contested nature of environmental policy before considering the case of New Zealand, where attempts to involve citizens directly in environmental management have raised wider questions for theorists of participatory democracy. When considering these questions I wish to compare the work of two theorists in particular: John Dryzek [1987; 1990; 1993] and Iris Young [1994; 1995]. Discussion will assess the extent to which Dryzek and Young's theories of participatory democracy help us to address questions which have emerged from environmental practice.

Participatory Democracy: Strong, Deliberative or Communicative?

I use 'participatory democracy' to refer here to democratic theories that advocate active citizen participation in the process of governance, for example through face to face discussion in multi-stakeholder forums, public meetings, referenda or interactive polling [Pateman, 1970; Macpherson, 1977; Barber, 1984; Dryzek, 1990; Fishkin, 1991; Young, 1994]. I am not focusing here on anarchist or Marxist forms of democracy which suggest institutions of government or class should give way to self regulation or the collective governing of public affairs.³ While these ideas have had an important influence on many environmental movements, the forms of democracy of interest to me are those often also called 'strong' democracy [Barber, 1984; Fishkin, 1991]. In participatory or strong democracies, active citizen participation is essential. Freedom to participate in common life is valued as an end in itself, as part of the 'good life'. Participation in collective affairs is also valued because through such activity, people define themselves as citizens, and become educated about collective problems and democratic principles (see Nelson [1980]). Through the experience of self determination it is hoped that people will be transformed to become 'other regarding citizens' with a strengthened commitment to applying the principles of democracy in public life [Warren, 1992].

Advocates of participatory democracy differ over the extent to which everyone is required to participate all the time, in all social institutions. Most envisage a direct form of participatory democracy with opportunities for citizen participation through decentralised forums which include local/regional government, political parties, workplace organisations, neighbourhood assemblies or voluntary organisations.⁴ These forums are often small in scale. Other writers relax the requirement for direct participation by all; they have advocated greater citizen participation in the context of representative government, for example by establishing multi-stakeholder citizen forums on a regional or international scale [Fishkin, 1991; Young, 1990].

Two significant variations of participatory democracy are 'discursive' democracy and 'communicative' democracy. John Dryzek [1987; 1990; 1993] is a notable advocate of discursive democracy and Iris Young [1990; 1994; 1995] coined the latter term. Both Dryzek and Young emphasise active citizen participation, and greater opportunities for public deliberation. Dryzek's theory of democracy focuses on the process of critical argument along the lines of an ideal speech situation in which people come together to talk under conditions of free and open discourse and where decisions are reached through the force of the better argument [Dryzek, 1990: 36–7]. In contrast, Young proposes a model of democracy which

attends to social difference and the way power enters speech itself [Young, 1995]. Young argues that ideal speech situations cannot achieve free debate because even if such situations eliminate the influence of economic power, social inequalities would still arise because ideal speech situations privilege some styles of speaking over others.

Young uses the term 'communicative democracy' to describe a situation in which a variety of methods of communication (beyond critical argument) are used to both promote democratic deliberation and acknowledge community heterogeneity. Young's aim is to privilege equally '... any forms of communicative interaction where people aim to reach understanding across their differences' [Young, 1995]. In this way, Young hopes to eliminate the cultural bias inherent in critical argument and enable a wider variety of viewpoints or 'situated life experiences' to inform community deliberation [Young, 1995]. Young and Dryzek's theories, together with the ideas of strong democracy, will be collectively referred to in this contribution as theories of 'participatory democracy' to highlight the way these approaches share a common aim – to facilitate greater citizen participation in collective decision-making.

The Contested Nature of Environmental Problems

The highly contested, intersubjective nature of environmental problems presents a challenge for democracies. Contemporary environmental problems are best described as 'wicked' policy problems, problems which, as Frank Fischer argues, 'lend themselves to no unambiguous or conclusive formulations and thus have no clear cut criteria to judge their resolution' [Fischer, 1993: 173]. The contested character of environmental problems stems in part from the complexity of the interrelationships between the biotic and physical components of ecosystems [Begon *et al.*, 1986]. These relationships are open to alternative interpretations. But the contested nature of environmental problems also stems from the myriad socio-economic values that people attribute to ecosystems. These values include resource, amenity, aesthetic, historical, sense-of-place, spiritual, and intrinsic values. Socio-economic values give an environment an important meaning which is beyond the sum of its biotic and physical components. For example, resource values are the 'use values' people attribute to components of ecosystems, reflecting the way minerals, soils, water, or forests and so on are valued for production purposes. Amenity values are those physical qualities or characteristics of an area which contribute to human appreciation of its recreational potential. In practice, amenity values are closely related to aesthetic values – people's appreciation of beauty or coherence [Handbook of Environmental Law, 1992]. When we respond to a

place or an area, it may also be on the basis of stories, myths, events or experiences we associate with that area. Those associations can be referred to as 'sense of place' values.

In addition to the values identified above, the environment also has other significant values for many people. For example, for New Zealand's indigenous Maori community the spiritual value of the environment is crucial. For Maori, the ecosystem with its mountains, rivers and landforms is part of a complex spiritual sphere – from which Maori draw strength and in which Wairua or spirit can be invoked. Intrinsic values have also been attributed to the environment by Maori. Claims of intrinsic value refer to the way ecosystems possess value independent of their use for human purposes.' Maori speak of the Mauri or life force which is possessed by all the elements (human and non-human) of ecosystems. Mauri is a vital, intrinsic, spiritual quality which exists independently of humans and cannot be invoked. Others who speak of intrinsic environmental values refer to the 'non-relative' or inherent properties possessed by ecosystems such as their genetic or biophysical diversity, or to their 'objective' value [O'Neil, 1993]. Objective value is value independent of the attitudes or preferences of valuers, where this includes characteristics which determine the integrity, form, function or resilience of ecosystems [Handbook of Environmental Law, 1992].

The variety of socio-economic values identified above which are attributed to the environment illustrates why it is difficult to make collective choices about environmental problems. There are so many variables and values to be addressed. Given the crucial but contested nature of environmental problems, what is required is a political arrangement which can help us address environmental issues as normative policy questions. But what form should that political arrangement take? Many have argued that a participatory democracy is appropriate for reasons I shall briefly review.

Participatory Democracy: Its Appeal for Environmentalists

Given the complexity of environmental problems, it may seem surprising that some would want to complicate decision-making further by involving more participants. The ideas of participatory democracy have been heavily criticised on a number of grounds – the most common being the argument that in today's large communities, methods of decision-making based on citizen deliberation are too cumbersome or time consuming. Critics argue that active citizen involvement in decision-making simply will not work – it slows decision-making and is too demanding – people are just not that interested in politics, casting a vote is quite enough involvement for many, anything requiring more active participation is simply too much. There are

other serious concerns that have been raised. Firstly, there is the difficulty of coordinating local action to combat transboundary environmental problems; secondly, there can be inadequate consideration of the context in which decentralisation might occur (for example, are natural resources distributed evenly amongst communities?); and lastly, the mechanistic assumption that an understanding of complex global environmental problems will build from direct experience in decision-making at a local level is open to criticism.

Moreover, critics point out that while Athens of the fifth century BC is frequently cited as the quintessential example of a participatory democracy, Athenian citizens were carefully vetted – slaves, immigrants, men under twenty and women were not accorded the privileges of citizenship [Beetham, 1993]. Disquiet about the ideals of this form of democracy have even arisen from within the participatory camp itself. Pateman [1988; 1989] has revisited the writings of Rousseau, often described as the 'exemplar' of participatory democracy. Pateman now argues that Rousseau's democracy was a masculine preserve in which the political right of self-government was exercised only by men – women, according to Rousseau, lacked the natural restraint, order and reason necessary for citizenship [Pateman, 1989].

Given such significant criticisms, why have the ideas of participatory democracy continued to have an appeal for many environmentalists? First, it is interesting to note that the appeal of participatory democracy cuts across ideological boundaries within the environmental movement. Support for active citizen participation in decision-making has been expressed both by environmentalists who adopt an anthropocentric perspective and by some who adopt an ecocentric perspective.⁶ For most environmentalists much of the appeal of citizen participation is instrumental. Participatory democracy appears to provide a way of better informing environmental decisions. Environmentalists have frequently complained that liberal democracies tend to deny local communities the opportunity to take an active part in decision-making [Bühns and Bartlett, 1993]. They argue that environmental decisions are made too often by experts or elected elites. They would prefer a wider variety of voices contributed to decision-making and that decisions were arrived at through a process of collective reasoning rather than a 'competitive struggle for self-interested votes'.⁷ Many environmentalists also argue that small, decentralised decision-making forums will enhance decision-making by enabling a more rapid response to the signals of degradation coming from the immediate environment [Dryzek, 1987: 217].

Participatory democracy also appeals to environmentalists for differing instrumental reasons. For example, Eckersley has argued that environ-

mental activists who adopt an anthropocentric perspective tend to favour participation as a means to achieve distributive justice [Eckersley, 1992: 9]. She argues that anthropocentric environmentalists aim to facilitate the inclusion of groups formerly marginalised in decision-making about resource use. From this perspective, small-scale participatory forums such as neighbourhood councils are pursued primarily as a means of achieving self-determination in an environmental context.

The importance of self-determination for many environmentalists was highlighted at the Earth Summit. Green critics of the Summit complained angrily that '... issues central to the work of grassroots groups – in particular the right of local communities to determine their own future (had been) excluded from the agenda (of the Earth Summit) ...' [The Ecologist, 1993: vii].

For environmentalists who adopt an ecocentric perspective, Eckersley suggests that participation appeals because of its transformative potential [Eckersley, 1992: 10]. Through the experience of active participation, it is hoped, citizens will become better educated about environmental problems and 'transformed' from 'self regarding' individuals to 'other regarding' citizens with an appreciation of their common (environmental) interests and compassion for non-human nature [Dryzek, 1987; Eckersley, 1992; Hillier, 1993].

Participatory democracy is also favoured by many environmentalists (particularly those of an anthropocentric persuasion) for intrinsic reasons – active citizen participation is valued as part of the 'good life'. For example, New Zealand's contemporary environmental movement grew out of the 1960s campaign to save a lake threatened by hydrodevelopment (Lake Manapouri) and a campaign against large-scale aluminium smelting at a site called Aramoana. These proposals became the subject of national controversy. The groups that were formed to oppose these schemes renewed enthusiasm for the human emancipatory potential of participatory democracy, in a manner similar to the North American and European New Left movements of the 1960s [Wilson, 1982]. This enthusiasm for participatory democracy was reflected in the subsequent structure of New Zealand's green political parties, including both the Values Party of the 1970s and today's Green Party.⁸

Citizen Participation in New Zealand's Environmental Management

Given environmental interest in forms of participatory democracy, it is surprising how little evaluation there has been of the theoretical questions that arise from the practice of participatory decision-making [Deleon, 1994; Fischer, 1993; Laird, 1993]. New Zealand provides one opportunity to explore such questions because New Zealand's environmental administra-

tion has been dramatically restructured, in part, to provide more opportunities for public participation in environmental management.

Between 1984 and 1991, all existing governmental institutions in New Zealand with responsibility for environmental issues were dismantled and replaced, and all environmental legislation was reviewed. This restructuring involved widespread public consultation. A national 'Environmental Forum' was held in 1984 at which a large variety of community groups and organisations were canvassed about environmental issues [Bührs and Bartlett, 1993: 122]. A working party was then appointed by government to tour the country, holding numerous public meetings about options for future environmental administration [*ibid.*]. Following this process, two notable agencies were created, one for conservation management (the Department of Conservation), and one to provide policy advice (the Ministry for the Environment). This restructuring of environmental administration was complemented by the complete restructuring of local government. To facilitate more effective control over environmental management, new tiers of 'regional' government were created and charged with the task of managing resources. The boundaries of these regional governments were established on an ecological basis – following watersheds as well as human communities of interest [Memon, 1993].

Once these new structures were mapped out, the government set about reviewing all environmental legislation. The review replaced over 50 environmental statutes and regulations with a single piece of legislation – the Resource Management Act (1991). The central principle of the Act was 'sustainable environmental management' and its aim was to integrate all aspects of resource use in a comprehensive management statute. This mammoth legislative project itself involved wide spread consultation through public meetings, several rounds of public submissions, toll free phone-ins, and public information campaigns [Bührs and Bartlett, 1993: 123]. Once passed, the Resource Management Act was heralded for introducing greater opportunity for citizen participation by providing the following: rigorous pre-hearing meetings – to be called by developers or local government early in the development process; a requirement for all levels of government to consult extensively with Maori as the indigenous community (*Tangata Whenua* – people of the land); requirements to consult affected publics more rigorously when preparing or modifying plans and policy documents; and new opportunities for environmental mediation in local government decision-making.⁹

Obviously this restructuring of the New Zealand government's environmental administration does not amount to the creation of a participatory democracy. Despite the rhetoric of government, most of the changes were modest, simply providing more opportunity for public

consultation. However, although modest, these reforms are significant for theorists of participatory democracy for two reasons. First, the process of restructuring New Zealand's environmental administration has put questions of citizen participation back on the institutional agenda as a topic for debate. This is important because there has been very little opportunity for citizen input on policy issues in New Zealand over the last decade. Since 1984, successive governments of both the Left and Right have introduced far-reaching market-orientated reforms which have deregulated, corporatised (and subsequently privatised) a dazzling array of state-owned assets and services from post offices to coal mines, airlines to telecommunication and health services, with breath-taking speed – displaying a contempt for the process of public consultation, which earned it the description of an 'elected dictatorship' [Mulgan, 1990]. In fact, New Zealand's executive has had so few constitutional restraints on its decision-making power that a New Zealand political scientist and constitutional lawyer turned prime minister, Geoffrey Palmer, once described New Zealand as 'the fastest law in the West' [Palmer, 1987].

New Zealand's attempts to provide more opportunity for public consultation on environmental issues are also worth considering because, although these reforms were not intended to achieve the ideals of a participatory democracy, democratic theorists can learn from these experiences. New Zealand's experiments with public consultation raise wider questions for those interested in developing and/or applying theories of participatory democracy. In this study I wish to consider some of the questions that have emerged in practice. In discussion I will compare the ways that theories of democracy, as espoused by John Dryzek [1987; 1990; 1993] and Iris Young [1990, 1994; 1995] in particular, might help us address these questions.

Participatory Democracy – Some Questions from Environmental Practice

On the basis of New Zealand's experience, it can be argued that before any form of democracy can persuasively claim to deal with environmental problems, it must address some questions which have emerged in practice. These questions are as follows: is it ecologically rational; does it deal with the diversity of community attitudes and values about the environment; is it self limiting, in the light of claims to political sovereignty made by indigenous people; does it facilitate consideration of claims of future generations or intrinsic value; and finally, is it resilient enough to meet the challenges of contemporary economic practice? These questions are raised here in the environmental context of New Zealand, but they are not unique

to this policy area or that country. They echo problems raised by democratic theorists grappling with assessments of democracy in other social and economic contexts [Held, 1987; 1993]. I shall now examine these questions in turn.

Is Participatory Democracy Ecologically Rational?

In New Zealand the *Resource Management Act* 1991 requires governments to manage, develop and protect ecosystems in a sustainable way (Resource Management Act, 1991: Section 5). However, given the complexity of ecosystems, many environmentalists argue that sustainable decision-making will need a whole new method of reasoning. Environmental problems require a method of reasoning that is 'ecologically rational'. Ecological rationality reflects '... the rationality of biogeochemical systems, their integrity, maintenance, reproduction and evolution' [Bartlett, 1986: 234]. A democracy can be described as exhibiting *functional* ecological rationality if it is structured to produce, increase or preserve the life-supporting capability of ecosystems consistently [Bartlett, 1986: 234].

John Dryzek has addressed the question of ecological rationality, and argues that discursive democracies are likely to exhibit functional ecological rationality. Dryzek readily acknowledges the possibility that citizens of a discursive democracy may choose outcomes which degrade the environment [Dryzek, 1987: 204]. However, he suggests that this would be unlikely to happen often. He argues that a discursive democracy is more likely to exhibit functional ecological rationality because it is structured according to theories of practical reason – in particular, the ideal speech situation as developed by Habermas. Choices are made on the basis of reasoned collective deliberation. Discussion is free and open, all participants have the ability to inform the discussion and the only authority is that of the better argument [Dryzek, 1987: 201]. Under an ideal speech situation, a course of action may be chosen because it has appeal when held up to shared values or norms during deliberation [Dryzek, 1987: 201]. Dryzek argues that options that preserve ecological integrity are placed in a strong position in this situation because the fact that human life depends on environmental integrity means that environmental integrity is an 'obvious generalizable interest' [Dryzek, 1987: 204].

The limitations of Dryzek's argument will be discussed shortly, but before that it should be noted that Dryzek goes on to suggest that if any form of democracy is to be judged ecologically rational it must be able to provide negative feedback (that is, to react against human-induced shortfalls in life support capability) and to coordinate responses and actions across different circumstances. It must also be robust (that is, be able to perform in different

conditions), flexible (capable of adjusting to new situations) and resilient (able to correct severe disequilibrium) [Dryzek, 1987: 11]. Dryzek argues that discursive democracies encourage *co-operation* because people have freely consented to norms or principles for action [Dryzek, 1987: 207]. He also suggests that when public discussion takes place in small-scale, self-sufficient forums, ecological rationality is enhanced because the community is able to *respond quickly* and *flexibly* to local environmental indicators [Dryzek, 1987: 20]. Furthermore, Dryzek suggests that discursive democracy is *resilient* because policies are developed using critical argument – not simply on the basis of myth or tradition [Dryzek, 1987]. Dryzek also points out that actions can be *coordinated* across local government boundaries using techniques of 'limited bargaining' and practical reason across 'functional' areas – as demonstrated by the Berger Inquiry which travelled the Canadian North to debate the effects of an oil and gas pipeline [Dryzek, 1987: 233; 1990: 127–9].

Iris Young's model of communicative democracy does not help us address the question of ecological rationality directly. However some of Young's ideas raise questions about the extent to which a discursive democracy can achieve functional ecological rationality. At present discursive democracy faces a major limitation – the ideal speech situation is most likely to promote ecological rationality if each person has a chance to inform the community's understanding of environmental problems, but in practice the use of critical argument can silence some voices in environmental decision making. In New Zealand, for example, Maori communities use oratory (*whaikorero* or rhetorical speech making), singing (*waiata*) and public prayer (*karakia*) and ritualised greeting ceremonies (*powhiri*) as other important methods of establishing understanding during public deliberation. Research by Kathy Irwin indicates that when public discussion takes place using the method of critical argument alone, the voices of both Pakeha (European) men and Maori men are privileged at the expense of Maori women who traditionally participate in public deliberation through informal conversation, *waiata* and *karakia* [Irwin, 1992].

Young's model of communicative democracy helps us broaden our social understanding of environmental problems because it provides opportunities for citizens to communicate in a variety of ways. Young argues that we need to find ways of speaking across the differences of culture, social position and need [Young, 1995]. She suggests this could be achieved by attending to the conditions under which discussion takes place. As noted earlier, Young rejects the exclusive use of critical argument in ideal speech situations. Instead she argues attention should be paid to a variety of ways of communicating – including the use of greeting, rhetoric

and story-telling [Young, 1995]. This approach could create space for Maori communities to use other methods of communication (for example, *waiata* and *karakia*) in public deliberation. In turn, the introduction of a variety of methods of communication may advance ecological rationality by producing a more *flexible* and *robust* process of deliberation – one that is sensitive to the decision-making context of bicultural and multicultural communities and which enables a variety of ‘ways of knowing and speaking’ to inform outcomes [Young, 1995].

Young’s theory also helps to orientate our research toward understanding real speech contexts. This is useful because it reminds us to address practical obstacles to open deliberation and ecological rationality. These practical obstacles include social pressure and lack of information. For example when public discussion occurs in small scale forums (such as New Zealand’s local or regional government), participants sometimes complain that a tyranny of consensus emerges – under which people are reluctant to voice unpopular or potentially divisive viewpoints for fear of disrupting social relations [Jaggar, 1983: 230]. New Zealand research by Paul Harris [1993] suggests that conditions of intimacy such as trust, and friendship, which are important in overcoming this tyranny and maintaining open debate, are not commonly experienced, even in that small country. Furthermore, it is difficult to achieve informed deliberation when small communities lack either the skills to interpret negative environmental feedback signals, or the resources to respond to those signals.

Young’s model of communicative democracy cannot address all such barriers to open, informed, ecologically rational public deliberation. But her model has reminded us of some of the practical obstacles inherent in speech situations which may inhibit citizen participation. Dryzek also recognises the importance of inclusive discussion – he notes that participants might need to be educated so that they are capable of making and challenging arguments effectively [Dryzek, 1987: 209]. But Young goes further and suggests that exclusive use of critical argument may itself restrict deliberation by privileging the voices of a few citizens – particularly those who are skilled in debate or whose life experiences are conveyed most effectively through the Western adversarial model of critical argument [Young, 1995: 137]. If ecological rationality requires a holistic approach, one that is informed by many different perspectives, then models of discursive democracy may need to be modified to include a wider range of communication methods. Modification would allow more voices to be heard in public deliberation and could enhance our social understanding of environmental problems.

Can Participatory Democracy Address Diverse Community Values?

Building on the need for more inclusive political participation, I argue that to be persuasive in an environmental context, theories of participatory democracy also need to demonstrate that they can integrate diverse community values. In New Zealand the Resource Management Act requires local and regional government to consult widely when preparing policy statements or plans, or when considering development proposals. However, arriving at a decision through a process of public consultation can be difficult. People frequently disagree, sometimes passionately, about the resource, amenity, aesthetic, historical, sense of place and/or spiritual values they attribute to an environment. They also disagree over the extent to which they are prepared to tolerate environmental degradation and natural hazards.

In developing his theory of discursive democracy, John Dryzek has acknowledged that policy discussions are ‘pervaded by conflicting values’ [Dryzek, 1990: 53]. Dryzek aims to establish understanding across different frames of reference but he recognises that over-arching consensus may be unattainable [Dryzek, 1990: 54]. However if agreement is not reached, Dryzek argues that ‘a generalizable interest’ still exists ‘beneath the surface misconceptions of actors’ [Dryzek, 1990: 54]. As noted above, Dryzek argues that environmental integrity is one such generalisable interest because large numbers of people have a stake in the environment and because we depend on the limited capacity of the environment to support human life [Dryzek, 1987].

Young has criticised theorists of deliberative democracy who begin with assumptions of generalisable interest on two grounds. First, she argues, it obviates the need for self transformation (an outcome valued by deliberative democrats and ecocentrics alike). Second, she argues, assumptions of unity can undermine the democratic potential of a deliberative democracy when the ‘common good’ is defined by dominant groups [Young, 1995].

There is a danger in regarding environmental integrity as a generalisable interest, as Dryzek does, in that this assumption could be used to silence dissenting voices. In New Zealand, for example, the environmental movement is largely directed towards preservation of wilderness; at times peak environmental interest groups have been very intolerant of Maori claims of ownership or use of natural resources – environmentalists complain that management ‘mistakes’ by Maori could jeopardise the ‘common goal’ of saving wilderness.

Young is concerned that less privileged groups may be required to put aside their claims of entitlement or interest for the sake of a common good [Young, 1995]. She has criticised deliberative models of democracy, arguing

that the assumption of common community interests neglects or minimises the problems of community diversity [Young, 1995: 140]. Young argues that we should 'understand differences of culture, social perspective, or particularist commitment as resources to draw on rather than as divisions which must be overcome' [Young, 1995].

In a specific reference to environmental issues, Young reminds us that it is important that theorists acknowledge 'unshared meanings' in public deliberation [Young, 1995: 148]. She gives the example of the way the Black Hills of South Dakota have a particular meaning for the local Lakota Indian community. This meaning stems from the history and spiritual beliefs of that tribe. Similarly, the New Zealand environment often holds meanings for the Maori community which are not shared by the Pakeha (European) community. Iris Young does not rule out the possibility of establishing 'shared understandings' during public deliberation however. Young's emphasis on finding ways to understand difference in the absence of an a priori generalisable interest leaves open the possibility that citizens could be 'transformed' through discussion, gaining social wisdom, or an appreciation of a wider social picture beyond their own (partial) life experiences [Young, 1995: 142].

Dryzek's optimism about the possibility of uncovering common interest and Young's celebration of diversity have both contributed, albeit in different ways, to our understanding of why people value the chance to participate in deliberation on environmental issues. However neither theory fully resolves the problem of how community choices should be made in a direct democracy when deep divisions or animosities exist. In such situations, it may not be appropriate to apply models of participatory democracy. Bhikhu Parekh [1993] cautions us about universalising any form of democracy, suggesting that deep-seated tensions can be inflamed by the inappropriate application of a model of democracy.¹⁰ Communities may prefer to use models of participatory democracy to inform some broad policy directions while leaving other issues to be settled by elected representatives or relevant bureaucracies.

The problem of accommodating diverse community values is related to the question of whether constitutional mechanisms should be used to protect the rights of citizens and minority groups. The question of whether constitutional limits are necessary has become particularly urgent in an environmental context in New Zealand.

Should There be Limits to Participation?

In New Zealand, attempts to introduce more public participation in environmental management have raised the wider question of whether there

should be limits to participation by the public. New Zealand's indigenous Maori community claims sovereignty over natural resources – in particular they claim rights to full and undisturbed possession of traditional fisheries, forests and lands under the Treaty of Waitangi. This treaty was signed between the British Crown and chiefs of Maori tribes in 1840. In practice, the Treaty of Waitangi has assumed a constitutional role in New Zealand political life, protecting the rights of the Maori who were devastated by British colonisation at turn of the century. For example the Resource Management Act requires that all environmental decision-making takes account of the principles of the Treaty of Waitangi (Resource Management Act 1991: Part 8). In this context, New Zealand theorists are forced to consider the limits of participation – would a more participatory democracy result in a majority culture determining the affairs of a minority community?

David Held has argued that theorists of democracy must consider the question of constitutional limits [Held, 1987: 281]. Held is concerned that this fundamental question has been left unresolved. In the 'rush' to provide for more public participation, how are the conditions of democracy to be secured [Held, 1987: 281]? Held is cautious about any suggestion that through participation *per se*, people will become dedicated to principles of common good (which may not be identified), or will respect the rights of others. He argues that enhanced participation must take place 'within a legal framework that protects and nurtures the enactment of the principle of autonomy' [*ibid.*].

Although he is concerned with the conditions of free speech, John Dryzek does not deal with questions of constitutional protection directly in his development of discursive democracy. However, Iris Young has argued that we need constitutional measures to protect the rights of groups entering into collective deliberation [Young, 1990; 1994; 1995]. Constitutional protection is imperative for indigenous peoples in New Zealand. The Maori community has fought for a century for recognition of the Treaty of Waitangi and their right to make claims over traditional environmental resources. If Maori were required to constantly reassert these arguments every time an environmental issue came up for public discussion, their already unequal position could be further undermined.

In practice New Zealand has evolved its own particular approach to the problem of how group rights might be protected during public deliberation about environmental issues. Maori can ask that their claims or grievances be heard in a separate public forum established to deal with claims made under the Treaty of Waitangi. This forum (known as the Waitangi Tribunal) is a semi-judicial body which tours the country to hear disputes. It aims to facilitate discussion in a forum sensitive to cultural difference. A variety of

methods of communication are used and hearings are less formal than a court of law. The Tribunal's powers are limited – it can only recommend action to government, but the Waitangi Tribunal has been an effective forum for public deliberation while protecting the rights of Maori.

New Zealand's Waitangi Tribunal illustrates one pragmatic approach to protecting the rights of groups, but the wider question of whether there should be limits to participation remains. This debate often arises in an environmental context because decisions about resource use can have serious implications at both the local level and at a wider regional, national, or international level. For example, debate about the limits of participation have erupted repeatedly along the West Coast of the South Island of New Zealand, where a World Heritage Order, national parks and mediated agreements have all been used to protect native forests from logging. Local West Coast communities have complained that environmentalists are 'poking their noses into local affairs' – logging has been an important source of local employment in an economically depressed area. Similar problems arise in all countries, and the question of 'who should have a say about what' remains a challenging issue for theorists of participatory democracy [Mulgan, 1984].

Representing Future Generations and Intrinsic Values

The practice of environmental policy development in New Zealand has raised questions about the need for limits to participation and constitutional protection of minority rights. It has also raised questions about the constitutional recognition of ecological concerns such as the needs of future generations and intrinsic values. The purpose of the Resource Management Act is to promote 'sustainable environmental management' – which is defined as:

managing the use, development and protection of natural and physical resources, in a way or at a rate which enables people and communities to provide for their social, physical, economic, and cultural wellbeing, and for their health and safety while sustaining the potential of natural and physical resources ... to meet the reasonably foreseeable needs of future generations' (Resource Management Act 1991: Section 5).

The Act also requires that decision-making take into account the 'intrinsic values of ecosystems' where intrinsic values are defined as: '... those aspects of ecosystems and their constituent parts which have value in their own right, including their biological and genetic diversity and the essential characteristics that determine an ecosystem's integrity, form, functioning,

and resilience' (Resource Management Act 1991: Section 1.8). This legislative reform has assumed that these ecological interests ought to be protected. This raises fascinating normative questions but it also poses an immediate, practical representational problem for participatory democrats. From an ecocentric perspective it could be argued that neither Dryzek's nor Young's theories adequately provides for representation of intrinsic values, because these theories focus on the conditions of human communities, and because Dryzek's theory in particular uses techniques involving face to face communication between humans. Robyn Eckersley, for example, criticises Dryzek's concern to preserve the human life-supporting capability of ecosystems as 'anthropocentric' [Eckersley, 1992: 110]. However, John Dryzek has gone to pains to point out that he is not suggesting that other reasons for valuing environment, over and above its capacity for human life support, are unimportant [Dryzek, 1987: 35]. When addressing the problem of representing intrinsic values, he also notes that while non-human elements of ecosystems can not speak for themselves, ecosystems can send signals to human communities through the process of environmental degradation [Dryzek, 1987: 218-219].¹¹

Nevertheless, until greater attention is paid to the question of whether there are ecological limits to participation, representation of both intrinsic value and the needs of future generations must rely on the goodwill of participatory communities and the ability of these communities to interpret environmental signals and anticipate at least some of the needs of future generations. For example, to help ensure that ecological values are represented, New Zealand has established a Commissioner for the Environment and a Department of Conservation [Memon, 1993]. These agencies have a responsibility to advocate for the environment. This role is particularly important in instances where economic practice tends to 'discount' the needs of future generations or to externalise the costs of production through exploitation of common natural resources. However, New Zealand is still a long way from securing effective representation of the needs of future generations or intrinsic values. Many local councils have difficulty in both identifying and operationalising these concepts. One planner put it this way: 'Councils often only pay lip service to the [Resource Management] Act's requirement that we consider intrinsic value and for that matter future generations – once we get everyone in the community talking about their own immediate problems, those questions usually get left to the end, if they are covered at all.'¹² If participatory democrats are to make a useful contribution to environmental problems, more detailed consideration needs to be given to the practical ways that the needs of future generations and claims of intrinsic value could be consistently represented

in public deliberation, and the normative justification for this representation.

The Prospects for Participatory Democracy in a Market-Led Economy

If participatory democracy is to be persuasive in an environmental context, the preceding questions all require more research. However, no matter how carefully theorists address these questions, New Zealand's experience suggests that it will be almost impossible for a more participatory democracy to flourish in a market-orientated economic environment. As Dryzek has pointed out, free markets constrain democracies [Dryzek, 1987: 67–87]. New Zealand's present political economy is characterised by extensive deregulation and the use of market mechanisms for making many collective choices. For example, the Resource Management Act itself reflects the theories of economic liberalism. In a political economy dominated by libertarian ideology, emphasis is given to the resource values of the environment – typified in the title of New Zealand's comprehensive environmental statute – the Resource Management Act. Moreover, despite wide-spread public consultation during drafting, it would appear that the influence of environmentalists was more apparent than real in that the Resource Management Act was able to proceed only because the broad intentions of that Act fitted with dominant economic philosophies [Memon, 1993].

The Resource Management Act was acclaimed in New Zealand for providing new opportunities for public participation and incorporating principles of sustainable management into legislation. But given New Zealand's present economic climate, the participatory implications of the Act are ambiguous. This Act imposes few constraints on resource use. The Act 'manages environmental impacts' rather than 'regulates activities' [Memon, 1993]. This has been interpreted by some local councils (and the New Zealand Treasury) as providing 'very wide boundaries' within which individual property owners can 'do what they like' [Memon, 1993: 96]. Environmental planning in New Zealand is now essentially 'market led' and collective decisions will only be taken to cope with the effects of private decisions [Memon, 1993: 105].

Planning analyst Ali Memon sums up New Zealand's present environmental dilemma this way:

Even though ... sustainable resource management is the central purpose of the (Resource Management) Act, its structure reflects a determination on the part of government for a more open and

competitive economy, a move away from state participation in promoting economic growth towards a decentralised administration of regulatory systems and the use of economic instruments to achieve good environmental outcomes [Memon, 1993, 76].

If Memon's analysis is correct, and current trends seems to support his assertions, the prospects for more active citizen participation on environmental issues seems bleak. In the past, citizens who stood to make a tangible financial gain from a decision were advantaged in deliberation because they had a strong motivation to participate. In contrast citizens concerned about less tangible issues (such as scenic beauty) often found it difficult to sustain active involvement in the sometimes costly and time consuming process of public deliberation [Hayward, 1991]. It appears that current trends in the political economy will reinforce these inequalities. Those who stand to benefit most from the new opportunities for public consultation in New Zealand are property-owning citizens who are freer than ever before to make individual decisions about natural resource use within very wide boundaries.

Conclusion

The environment poses a challenge for democracies. If governments wish to achieve sustainable development, they will have to make difficult choices about complex problems. Both Dryzek's and Young's theories of participatory democracy have served to remind us that attention to the process of public deliberation is important because it enhances our ability to reason collectively about environmental problems. However, New Zealand's experience with citizen participation in an environmental context has raised a number of questions which challenge theories of participatory democracy – in particular, theorists must address questions of ecological rationality, community diversity, sovereignty, the needs of future generations, claims of intrinsic value and the impacts of economic liberalism.

Young's model of communicative democracy seems well placed to address at least the first three of these questions and her ideas may assist in overcoming some of the practical limitations of discursive democracy. Communicative democracy could promote a more inclusive form of political participation – one appropriate to public discussion about environmental issues in a bicultural or multicultural community. However, no matter how inclusive it is, no form of participatory democracy seems likely to flourish in New Zealand's present political economy. Capitalist practice in New Zealand encourages minimal restraints in environmental

management and advantages property-owning citizens. Even if theorists are able to resolve the questions that have emerged from environmental practice, it is unlikely that a participatory democracy could survive in New Zealand's present political economy.

NOTES

1. To add to this challenge, the nature of environmental goods is such that many are 'public' – that is, goods which, if supplied, must be supplied jointly to large numbers of people who cannot easily be excluded from accruing the benefits of supply if they have not paid for these [Dryzek, 1987: 32–33].
2. John Dryzek describes the market as a means of social organisation defined by free and open material exchange among its participants [Dryzek, 1987: 69]. Polyarchy is defined as a social choice mechanism which produces collective choice as the outcome of interactions between relatively large numbers of actors, where there is constitutional protection against authority [Dryzek, 1987: 110–11].
3. For a discussion of anarchism and Marxist theory as direct democracy, see Held [1987]; for a discussion of the impact these ideas have had on environmentalism, see Eckersley [1992].
4. Some of the variation between participatory authors can be quite significant. Iris Young, for example, does not emphasise face to face participation in public deliberation – indeed, Young has expressed concern that privileging face to face discussion can ignore the way power inequalities enter these speaking situations [Young, 1990].
5. For a discussion of different definitions of intrinsic value, see O'Neil [1993].
6. Robyn Eckersley notes the enthusiasm many environmental writers have for direct citizen participation in decision making. She makes the distinction between the anthropocentric ecological perspective which 'is characterised by its concern to articulate an ecopolitical theory that offers new opportunities for human emancipation and fulfilment in an ecologically sustainable society ...' and an ecocentric approach which ... 'pursues these same goals in the context of a broader notion of emancipation that also recognises the moral standing of the non-human world and seeks to ensure that it, too, may unfold in its many diverse ways' [Eckersley, 1992: 26].
7. This expression is Young's [1994]; for discussion in an environmental context, see Paehlke and Torgerson [1990] and DeLeon [1992].
8. New Left ideals of active political participation have also re-emerged on the agenda of other international environmental organisations – although these ideals have often been reworked by ecocentric greens to try to reconcile citizen autonomy with claims of moral standing for the non-human world [Eckersley, 1992: 18].
9. For example, Sections 88 and 99 of the *Resource Management Act, 1991* enable local and regional councils to initiate mediation or face to face discussion to develop local or regional plans and policy statements.
10. Parekh [1993] describes the situation in which a society, deeply divided on religious or ethnic lines, may erupt in intra-community violence if inflamed by the campaigns associated with liberal democracies, but his caution about universalising any form of democracy is timely.
11. Dryzek has elaborated on this idea in his contribution to this collection (editor's note).
12. K.M. Johnson 1994, personal communication (Palmerston North City Council, New Zealand).

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