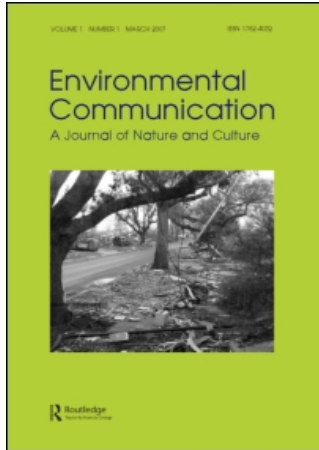


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Muting the Voice of the Local in the Age of the Global: How Communication Practices Compromised Public Participation in India's Allain Dunhangan Environmental Impact Assessment

Terri Martin

Public participation is widely lauded as a way to make environmental decisions more democratic, to improve their quality, and to enhance their legitimacy. Scholars and citizens around the world repeatedly complain, however, that public participation frequently serves primarily as a pro forma exercise to defend predetermined decisions rather than as a meaningful opportunity for the affected public to influence decision-making. These critiques persist despite considerable research suggesting ways to improve the quality of public participation. This essay explores this problem by analyzing citizen involvement in the environmental impact assessment (EIA) processes for the Allain Duhangan hydropower project in northern India. It describes how meaningful public involvement was compromised—despite repeated objections by citizens and independent consultants—by four communication practices: (1) failing to provide adequate access to information; (2) predetermining EIA outcomes by controlling the definition of issues (“definitional hegemony”); (3) privileging scientific/technical discourse; (4) utilizing “consultative” forms of communication that promote one-way flows of information rather than more interactive forms that encourage the joint construction of information and values. This study further argues that these practices persist because they serve as acts of power that privilege dominant actors and interests in the larger socio-political context. This analysis thus suggests that altering communication practices that compromise the quality of public participation may require attending to the interaction between communication practices, relations of power, and the larger socio-political context in which public participation takes place.

Terri Martin is a Masters student in the Department of Communication, University of Utah. Correspondence to: Terri Martin, 5604 Pioneer Fork Road, Salt Lake City, UT 84108, USA. Email: terrimartinofutah@yahoo.com

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“How we decide and *who* gets to decide often determines *what* we decide.”

This statement introduces a report on environmental governance recently released by the United Nations Development Programme, the United Nations Environment Programme, the World Bank, and the World Resources Institute (United Nations Development Programme [UNDP], 2003, p. 2). The report argues that our environmental future depends on “good governance,” and that good governance rests upon the meaningful involvement of people in environmental decision-making—including those people affected locally.

The statement succinctly sums up what meaningful public participation is all about: citizen involvement in *how* decisions are made, as well as *what* decisions are made. It also speaks to the heart of why citizen participation is so important—*who* decides usually determines *what* is decided. As Senecah (2004) argues, meaningful citizen involvement requires that citizens have a “trinity of voice.” Voice includes: *access* to the information, education, and technical assistance needed to actively participate in decision-making; *standing*, or civic legitimacy, so that one’s concerns are given authentic consideration; and *influence*, that is, the real potential to affect a decision, as well as how that decision is made.

Public participation processes have always played a crucial role in providing local people with “voice” in environmental decisions, but, as the UN-sponsored report acknowledges, the forces of globalization have made that role even more important. The embrace of neoliberalism and the explosive growth of international investment have accelerated development activity around the world. In addition, the trend towards privatization—compelled in many places by the structural adjustment policies of the International Monetary Fund and World Bank—has dramatically increased the power of the private sector to shape economic and environmental decisions.

In this political climate, it is essential to ask: What happens to the voice of the local in the age of global development? Do provisions for public participation adequately ensure the consideration of local concerns and the involvement of local people in development decisions?

A growing body of literature concludes that the answers to these questions are mixed, at best (see, for example: Depoe & Delicath, 2004; Fiorino, 1996; Hendry, 2004; Kinsella, 2004; Schwarze, 2004; Walker, 2004). In fact, critiques repeatedly indicate that despite the increasingly widespread adoption of provisions for public participation in environmental decisions, public involvement practices are often experienced by citizens around the globe as serving more to exclude them from decision-making than to include them (Katz & Miller, 1996; MacDonald, 2001;

Peterson & Franks, 2005; Shepherd & Bowler, 1997; UNDP et al., 2003). As disturbing is the fact that these critiques persist despite considerable research suggesting ways to improve the quality of public participation (for examples of such research, see Daniels & Walker, 2001; Depoe & Delicath, 2004; Fischer, 2003; Hamilton, 2004; Kinsella, 2004; Renn, Webler, & Wiedemann, 1995; Senecah, 2004; Tuler, 2000; Walker & Daniels, 2004).

This essay explores how and why this is so by taking a hard look at citizen involvement in the environmental impact assessment processes for the Allain Duhangan hydroelectric project in India's northern state of Himachal Pradesh. The Allain Duhangan offers a rich focus for analysis of public participation in the age of global development for several reasons. First, the project reflects the move underway in many developing countries—often made in response to larger international pressures—toward privatizing what have been government-run utility systems. Second, the Allain Duhangan involves international investors, including the International Finance Corporation (IFC), the private-sector arm of the World Bank. Finally, the project was subjected to environmental assessment twice—first to secure clearances from the government of India, and then to seek financing from the IFC.

This essay describes how meaningful public involvement in the Allain Duhangan EIA process was compromised—despite repeated demands by citizens and recommendations by consultants to make the process more inclusive—by four communication practices: (1) failing to provide adequate access to information; (2) predetermining EIA outcomes by controlling the definition of issues (definitional hegemony); (3) privileging scientific/technical discourse; (4) and utilizing consultative forms of communication that promote one-way flows of information rather than more interactive forms that encourage the joint construction of information and values. This essay further argues that these communication practices were acts of power—discursive moves that privileged the objectives and meaning-making narratives of entities that already held dominant decision-making power. This analysis suggests that the persistence of these and other communication practices that compromise the quality of public participation can be explained, at least in part, by how they serve the interests of dominant actors in the larger socio-political context in which they are embedded. Furthermore, it suggests that altering such practices requires attending to the interaction between the communication practices, power relations, and larger socio-political context in which public participation takes place.

Rationales for Public Participation

Why involve the public in decisions that affect the environment? The literature suggests three basic rationales (for a more extensive review, see Peterson & Franks, 2005). First, public participation is seen as an essential aspect of democratic governance (see, for example, Barber, 1984; Lafferty & Meadowcroft, 1996; Mouffe 1999, 2000; Thomson, 1970; Webler, 1995). Involving citizens in environmental decision-making is understood as implementing a fundamental tenet of democracy—

that people should have the opportunity to participate in decisions that affect them, and that decision-makers should be accountable to those affected by decisions (see, for example, Depoe & Delicath, 2004; UNDP et al., 2003). Furthermore, theorists argue that public participation vitalizes democracy by reinvigorating citizens, engendering civic competence, and building confidence in democratic institutions (see, for example, Beierle & Cayford, 2002; Fischer, 2003; Mouffe, 2000; Renn et al., 1995).

Second, public participation is lauded as a way to improve the quality of environmental decisions (see, for example, Beierle & Cayford, 2002; CEQ, 1997; Fiorino, 1990, 1996; Renn et al., 1995). The basic notion is that better decisions result when a diversity of viewpoints, values, and interests are taken into consideration. Diverse perspectives can help ensure that site-specific knowledge and local ways of knowing are not overlooked by privileging dominant systems of knowing, such as scientific expertise (see, for example, Fischer, 2003; Kinsella, 2004; Peterson, 1997). Diverse public input can help produce decisions that reflect balanced trade-offs between competing interests (see, for example, Susskind & Cruikshank, 1987; UNDP et al., 2003). Citizen involvement is also seen as essential to producing decisions that are sustainable, a much-touted goal around the world (see, for example, International Association for Public Participation, n.d.; Peterson, 1997; UNDP et al., 2003).

Third, public participation is believed to foster social legitimacy for environmental decisions by building public trust—or even a sense of ownership—in the decision-making process, and by reducing conflict among stakeholders (see, for example, Beierle, 1988; Beierle & Cayford, 2002; Daniels & Walker, 2001; Ingham, 1996; Senecah, 2004, World Bank, 1999).

Despite the widely acclaimed merits of citizen involvement, however, scholars and activists repeatedly complain that public participation efforts too often become “public relations” (Shepherd & Bowler, 1997, p. 727; Katz & Miller, 1996, p. 127). In other words, public participation frequently serves as a pro forma exercise to defend predetermined decisions rather than as a meaningful opportunity for public input in a decision-making process (see, for example, Hendry, 2004; Katz & Miller, 1996). Killingsworth and Palmer, for example, assert that environmental impact statements (EISs) in the United States often serve to justify “a narrow path of action that has been chosen or created in advance of the document’s production by hierarchically arranged powers” (1992, p. 166). The result, they argue, is that “those whose worlds are most deeply affected are systematically excluded” (*ibid.*, p. 170).

Other scholars note that public participation processes typically operate on “technocratic models of rationality” where decision-makers see their role as one of “educating and persuading the public about the legitimacy of their decisions” rather than one of involving the public in those decisions (Depoe & Delicath, 2004, p. 2; see also Fischer, 2003; Katz & Miller, 1996; Renn et al., 1995). Researchers describe how privileging scientific and technical expertise excludes input from citizens who lack technical literacy or have alternative knowledge systems, while also foreclosing consideration of important underlying value questions (see, for example, Fischer, 2003; Kinsella, 2004; Peterson, 1997). Other scholars contend that many public

participation procedures fail to ensure that citizen input will be given real weight in the decision-making process (Depoe & Delicath, 2004). Rather, these procedures tend to maintain decision-maker control, confining public influence to minor mitigation issues (Walker, 2004), and are too easily captured by interest groups with economic and political power (Katz & Miller, 1996). These problems have led some scholars to characterize many public participation processes as “command and control” exercises (Walker, 2004) that facilitate a “decide, announce, defend” approach to decision-making (Yosie & Herbst, 1998).

Several recent studies extend these conclusions beyond the United States. In a report examining dams and development, for example, the World Commission on Dams found that “the scope and influence of public consultation is severely restricted because the public consultation process often occurs late in the planning process, after major decisions have been made” (World Commission on Dams, 2000). Similarly, a study by the Access Initiative, a global coalition of 25 civil society groups, found that EIA procedures rarely ensure meaningful citizen involvement because the public is consulted too late in the process, the onus of initiating participation is on the public, and citizen input is often not incorporated into the EIA (UNDP et al., 2003).

By taking a hard look at the Allain Duhangan EIA process, this essay examines the role communication practices play in compromising meaningful public participation and explores why—despite widespread criticism—such practices persist. The analysis begins with a description of the Allain Duhangan project. It then describes the communication processes that served to curtail public involvement. Finally, it reflects on how these practices served as discursive moves to privilege the interests and ideologies of dominant actors.

The Allain Duhangan Hydroelectric Project and EIA Process¹

The Allain Duhangan project is located in the Indian state of Himachal Pradesh in the lower reaches of the Himalayan Mountains. It involves the diversion of two streams—the Allain and the Duhangan—through two several-mile-long tunnels to a single underground powerhouse for the production of 192 megawatts of “peaking power.” The project is called a “run-of-the-river” scheme because it includes only two small reservoirs (8–10 acres in size) rather than the kind of huge impoundment associated with traditional hydroelectric projects. Despite its smaller scale, the project still has significant impacts.

The project will directly affect the lives of about 3,000 villagers in five small settlements. The villagers make their living by practising subsistence agriculture and selling fruit and nuts harvested from irrigated orchards. Incomes are low, with half the population earning less than \$100 a month. Some villagers, especially in the 500-person village of Prini, support the project, primarily because they have been promised lucrative payments for their land, or because of promised benefits, including employment, street lighting, a school, a clinic, and funding for village projects. But many local people, especially women and residents of the 2,000-person village, Jagatsukh, oppose the project.

Opponents point to a host of social and environmental impacts they claim cannot—or will not—be mitigated. These include potential damage to their drinking water aquifer from blasting, blocked access to pasture lands, construction dust damage to orchards, and adverse impacts on women’s security, sanitation, and the surrounding forest from the influx of 1,500 workers and their families. Their most significant concern, however, is that diverting water from the Duhangan will diminish water needed for irrigation. The project sponsor promises to leave a flow of 150 litres per second or about 1–10% of the average flow of water (at high and low seasonal flows respectively) (Theophilus, 2006) flow. But many villagers say more water is needed to meet present and future needs. Furthermore, they do not trust the project sponsor to maintain even that minimum flow. Moreover, for many villagers, the Duhangan is a “Devta,” or god, that should not be disrespected.

The first EIA for the Allain Duhangan project, prepared in 1996 under India’s 1994 EIA regulations,² involved no public participation. The slim 100-page document was largely limited to technical assessment of geologic conditions and engineering components, and included only minimal discussion of impacts, with some flagrant errors. For example, the EIA concluded that the project would displace only two huts. In contrast, a later study (RSWML, 2004) estimated that 212 landowners would lose some or all of their agricultural land. Despite these flaws, the government of India relied on the 1996 EIA to issue environmental clearances for the project in 2000 and 2002.

A second EIA was initiated after the project sponsor approached the IFC for financing in 2002. In August 2003—after consultants had met with village leaders (and a few families) and held one public meeting to describe the project—a “draft final” EIA was posted on the World Bank website and a meeting scheduled for IFC to decide on financing. These events evoked citizen outcry. In October, 60 villagers wrote the IFC, complaining that local people had been shut out of the EIA process. “While some work on the project has already started,” the villagers wrote, “the detailed information about the social and environmental impacts of the project is not known in the project affected areas. Neither there has been consultation with the local people about the project, nor have we been involved in the decision making process of the project. We are only told about our land being taken away, where too there has been no proper process . . .”³ The villagers demanded that the EIA be made available locally in Hindi (the local language) and that a public hearing be held at least one month thereafter. In January 2004, when the project sponsor tried to hold a public hearing in Jagatsukh after providing Hindi translations of only the EIA executive summary and mitigation plan, the 350 villagers present refused to participate, reiterating their demand for a full translation prior to any hearing.

In April, 2004, after Hindi translations had finally arrived in the villages, a team of independent consultants hired by the project sponsor held “pre-hearing informational meetings” using maps, charts, and verbal descriptions to inform villagers about the project. Subsequently, in May, 2004, the same team held public hearings in Prini and Jagatsukh. At both locations, however, the team met with resistance. In Prini, disgruntled landowners demanded renegotiated compensation for their land because payments promised earlier had yet to be received. At Jagasukh, an angry crowd of 400

people used the meeting to demonstrate their opposition to the project. Subsequently, the team urged the IFC and project sponsor to initiate “joint investigations, involving the local people” to address what they considered to be legitimate local concerns about inadequate data and analyses on water, fish, wildlife and land impacts. Rather than implement these recommendations, the project sponsor hired another “independent observer” who met with villagers in July 2004. Describing villagers’ concerns as “both informed and technically challenging,” this observer also called for further investigation, especially of water impacts, noting that “neither the draft ESIA nor the verbal assurances extended by the project authorities are at present adequate to allay these genuine concerns” (Mander, 2004, p. 2).

In September, however, the IFC posted an Addendum to the 2003 EIA on the World Bank website that included little additional analyses. Villagers, several NGOs, and the team of independent consultants again wrote the IFC, urging the institution to postpone its funding decision until local concerns were more thoroughly addressed.⁴⁻⁷ In addition, local villagers filed a formal complaint with the IFC Compliance Advisor/Ombudsman (CAO), an office created in 1998 to compel greater accountability by the IFC. On October 10, 2004, the CAO determined that the villagers’ complaints warranted investigation. Two days later, however, the IFC approved a \$45 million loan for the Allain Duhangan project. Soon, national and international organizations were citing the Allain Duhangan as the latest example of an environmentally harmful project that was approved despite inadequate review and public consultation (Kothari, Agarwal & Singh, 2004; International Rivers Network, 2005).

Despite the IFC’s approval of funding, local citizens have continued to challenge the project, seeking redress for their environmental and social concerns through negotiation with the project sponsor, further exchanges with the CAO and litigation filed with the High Court of Himachal Pradesh. On September 11, 2007, that court ordered work on the project to be stopped pending response to the litigation by the developer and central government. (personal communication with Himanshu Thakkar, September 22, 2007)

How Communication Practices Compromised Citizen Involvement

Despite publication of two environmental impact assessments, and the holding of several public meetings on the Allain Duhangan project, local citizens were left feeling that they had little or no voice in the decision-making process. Why is this so? How did this happen? What went wrong? This section takes up those questions by examining how four communication practices served to exclude, rather than include, local villagers in the Allain Duhangan EIA processes.

Access to information

Access to information has been increasingly recognized as the cornerstone to meaningful public participation in environmental decision-making (Cox, 2006;

Kinsella, 2004; Senecah, 2004). As emphasized in the United Nations/World Bank/World Resources Institute report on environmental governance, “The first foundation of access is *information*: about the environment, about the decisions at hand and their environmental implications, and about the decision making process itself. Without these, meaningful public participation is impossible” (UNDP et al., 2003, p. 11).

In the last two decades, an increasing number of measures that seek to ensure citizen access to such information have emerged on the international scene. Particularly notable are Principle 10 of the 1992 Rio Declaration and the 1998 Aarhus Convention, which recognize access to information as a basic human right. Most relevant to the Allain Duhangan project, however, are the policies of the World Bank and the International Finance Corporation, which required project sponsors to consult with project-affected people so “that these groups are given sufficient opportunity to voice their opinions and concerns” (IFC, 1998a, para. 3).⁸ More specifically, the policies required project sponsors to consult “as early as possible,” that is, during “scoping” “before the terms of reference for the EIA are finalized” (IFC, 1998b, para.12) and to provide “relevant materials in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted” (IFC, 1998b, para. 14).

A careful review of the Allain Duhangan EIA processes clearly shows that citizens lacked—or were denied—adequate access to information, violating these IFC standards and compromising meaningful public participation. It is doubtful that the 1996 EIA was even available to local villagers, but even if it was, it was published in English, which most residents do not speak or read. Furthermore, as noted earlier, it failed to assess many impacts and inaccurately assessed others. Moreover, no public hearings were held to inform—much less involve—the public. As a result, the EIA failed to identify, analyze, or address significant local concerns.

It is true that the project sponsor sought—and obtained—Notices of Consent (NOCs) from the villages of Prini and Jagatsukh in 1997. But these NOCs could not have represented the villagers’ *informed* consent. As just noted, even the flawed 1996 EIA had not been accessible to local villagers. Furthermore, the then-village chief of Jagatsukh signed the NOC without consulting—as required—with the village council (Mander, 2004, p. 2). Moreover, the entire village assembly of Jagatsukh—after having learned more about the project through the 2003 EIA process—later passed a unanimous resolution rejecting issuance of a NOC.⁶

When a second EIA was initiated in 2003, the local people were again largely left out of the process until, after discovering that a decision was imminent, they demanded more meaningful consultation. More specifically, the IFC signified approval of the EIA by posting it on the World Bank website and scheduled a meeting to decide on financing *before* local villagers even had opportunity to *see* the EIA, much less to provide input on what issues it should address. It was *only after* villagers repeatedly demanded Hindi translations and public hearings that the EIA was made available in a language they could understand. Even so, it appears that the EIA was still largely inaccessible. When one consultant tried to find the EIA in Prini

and Jagatsukh, for example, he found the document was kept in buildings that were often locked up. The consultant reported:

The Panchayat House of Prini . . . was locked when I visited it . . . We could not find any one who could open the building or give us information. Similarly, the Panchayat House of Jagatsukh village was also locked. We were told that it only opened twice a month when quorum was taken. (Singh et al., p. 19)

In addition to these problems, the 2003 EIA lacked information about significant impacts, compromising citizens' ability to provide informed responses to the EIA. The number and location of families that would lose land was not fully identified. Neither was the final location of a 185 kilometer-long transmission line or project roads. Fish and wildlife surveys—essential to impact assessments—were limited to winter data. As one NGO wrote, “How can an EIA be complete when such crucial impacts are yet to be known?”⁹

It should be noted that a team of consultants (hired by the project sponsor) did seek to address the information gap by holding several “informational meetings” prior to the May 2004 hearings. In an effort to provide citizens with the information they needed to participate in the EIA process, the consultants used maps, charts and photographs to answer questions about the project. Although widely praised, this effort came *too late*—*after* the most crucial decisions about project design and location had been made, *after* the content of EIA studies had already been determined, and *after* the EIA had already been written. As a result, the meetings served primarily to inform villagers about decisions already made rather than to empower their participation in the EIA process.

Definitional Hegemony

A frequent complaint about EIS procedures is that before the public has a chance to voice their concerns, the party drafting the EIA has already defined the project need, issues, and alternatives in terms that make their preferred decision almost inevitable.

The practice of predetermining an outcome by controlling how a problem or issue is framed has been characterized as *definitional hegemony* (Dionisopoulos & Crable, 1988). Peterson and Franks (2005) describe how definitional hegemony serves as a rhetorical device to justify predetermined decisions. They write, “Parties in power establish the definition of issues, then obtain influence over the outcomes by the very fact that they establish the definitions in the first place” (p. 24).

The exercise of definitional hegemony fuels public cynicism, hostility and distrust. When citizens lack a meaningful role in defining the issues to be addressed in an EIA they are more likely to perceive public participation as futile (Senecah, 2004). Events such as hearings may be seen as mere “window dressing” or “public relations” designed primarily to placate the public or avoid lawsuits (Peterson & Franks, 2005).

Despite the democratic ideals inherent in theories of public participation, definitional hegemony is at work in most public participation programs. In EIA processes, definitional hegemony is often exercised by controlling how project need is

described, by selecting the alternatives that will be considered, and by defining the scope of issues to be addressed. Parties may also exercise definitional hegemony by establishing decision criteria, or by determining *how*, *when* and even *by whom* issues will be analyzed (see, for example, Hendry, 2004; Killingsworth & Palmer, 1992; Shepherd & Bowler, 1997).

In the Allain Duhangan EIA processes, the practice of definitional hegemony foreclosed meaningful public involvement, evoking distrust and hostility. The 1996 EIA, for example, assessed the project almost entirely against technical criteria, such as the geologic stability of the site. Criteria important to local people, such as the impact on water resources, were not even identified, much less utilized.

When the second EIA was prepared in 2003, the public was invited to provide input only *after* the EIA had been written, which means *after* the issues and alternatives to be considered had been determined. This was a violation of IFC policies, which explicitly required public consultation “at least twice: (a) shortly after environmental screening and *before the terms of reference for the EA are finalized*, and (b) once the draft EA report is prepared” (emphasis added) (IFC, 1998b, para. 12). But it allowed the project sponsor to frame EIA issues in a manner that favored their objective—obtaining IFC financing.

For example, the EIA failed to assess alternatives—a standard component of EIAs—increasing the likelihood that the project would be financed as proposed. As one NGO wrote:

Chapter 9 on ‘Analysis of Alternatives’ is a joke, to put it lightly. The chapter has nothing by way of analysis of options available for meeting the energy or peak load requirements of Himachal Pradesh or northern region . . . Table 9.5 titled ‘Alternatives considered for the Allain Duhangan Project’ is in fact a list of project features and not a single alternative is even suggested.⁹

Even more troublesome, the 2003 EIA was written to address a narrow focus—*how potential impacts from the Allain Duhangan could be mitigated*—rather than to assess the overall acceptability of the project. In other words, the EIA treated the project as a *fait accompli*, narrowing the focus of decision-making (and also public input) to mitigation issues.

It can be argued that this narrow focus made sense. The project had already been subjected to EIA analysis in 1996 and received clearances from the Indian government; the 2003 EIA was initiated to apply for IFC financing. IFC policies, however, specifically addressed how to proceed if an EIA had already been prepared *before* IFC involvement. They required IFC to review the existing EIA “to ensure its consistency” with IFC policy and “if appropriate, require additional EIA work, including public consultation and disclosure” (IFC, 1998b, para. 5).

The 1996 EIA was clearly inconsistent with IFC policy requirements. Its analysis was flimsy at best, and flawed in important aspects. Moreover, it was produced without fulfilling a critical IFC requirement—consultation with local people. Thus, there is a substantial argument that to “ensure its consistency” with IFC policies, the

2003 EIA should have provided a fresh critique of the Allain Duhangan project. As one NGO wrote:

The ESIA is clearly written with the assumption that the project is a *fait accompli*, and that its main task is to suggest mitigatory measures. This is one reason why, even when it finds irreversible impacts that may not be possible to mitigate, it simply suggests that mitigatory measures be taken, or that further studies be done . . . This is a serious flaw; any ESIA must be geared towards feeding into an overall assessment of the feasibility of the project itself. (Kalpavriksh, in Singh et al., 2004, p. 37)

Privileging Scientific/Technical Discourse

As noted earlier, environmental decision-making processes often privilege scientific/technical discourse, and thus unwittingly devalue, or even exclude, input from the “lay public” (see, for example, Fischer, 2003; Killingsworth & Palmer, 1992; Kinsella, 2004; Peterson, 1997). Peterson defines scientific/technical discourse as discourse whose “fundamental assumptions exclude evidence and arguments drawn from nonnumerically defined experience” (p. 101). When such discourse is privileged, public perceptions are often dismissed as irrational, subjective, and ignorant (Hays, 1987; Katz & Miller, 1996; Kinsella, 2004; Peterson, 1997).

As a result, decision-makers may fail to “tap appropriate, and readily available, sources”—such as local experts—when information is solicited (Peterson, 1997, p. 104). In fact, says Peterson, the privileging of scientific/technical discourse can serve to provide “its users with a rationale for excluding those whose competencies fall beyond the predetermined, technologically defined realm of expertise from the decision-making process” (*ibid.*, p. 101).

Scientific/technical discourse was privileged in the EIA processes for the Allain Duhangan project, compromising meaningful public involvement and limiting consideration of public concerns. The 1996 EIA, for example, evaluated the project primarily against technical criteria, neglecting to assess many important local issues of a less technical nature, such as the project’s impact on women’s security or access to pasture lands.

In the 2003 EIA process, the privileging of scientific/technical discourse was reflected in how the project sponsor responded to local concerns that diverting the Duhangan stream would diminish the availability of irrigation water. Rather than involve local villagers in a collaborative assessment of water flows and needs—as requested by the villagers and recommended by two different consultants—the project sponsor insisted upon utilizing its own technical assessment to assert conclusions about water impacts. The villagers’ concerns about future water shortages were dismissed as “apprehensions” that arose “primarily due to lack of information” (RSWML, 2003b, p. 203). However, a consultant (hired by the project sponsor) observed:

I found that the arguments raised by the villagers were both informed and technically challenging. I feel it is an injustice to them to suggest that their

opposition to the project is irrational and motivated by political factionalism. I feel further that neither the draft ESIA nor the verbal assurances extended by the project authorities are at present adequate to allay these genuine concerns. (Mander, 2004, p. 2)

The failure of the 2003 EIA to even identify—much less address—the religious association held by villagers for the Duhangan stream is another trenchant example of how the privileging of scientific/technical discourse foreclosed the consideration of local concerns. As one observer wrote:

People fear the wrath of the Gods, if the stream is disrespected. [That] this fear is very strong was clear from the number of stories recounted by the villagers (p. 32) . . . Sh. DS Sharma said that the water of the Duhangan had religious attachments and related an episode in which a bus fell down because of the curse of Hidimba Devi. He said that the villagers performed sacrifices in this water and misuse of the Duhangan would amount to playing pranks with the Devta (God). (Kalpavriksh, in Singh et al., 2004, p. 43)

The Duhangan's religious significance, however, is not even mentioned in the 2003 EIA. The Addendum, published in 2004, says that this is because "the first indication of the religious significance of the Duhangan came to light well after the detailed socio-economic surveys conducted by ERM, public hearings conducted by the Company and focus group meeting moderated by an independent observer" (RSWML, 2004, p. 48). Another explanation, however, is that the earlier discourse discouraged identification of this issue. As Kaminstein (1996) asserts, because the language of scientific discourse does not leave room for the language of emotions, members of the public are often unable to fully express themselves in public hearings.

That the privileging of scientific/technical discourse marginalized certain issues as well as local knowledge in the Allain Duhangan EIA processes was obscured by the discourse itself, which assumed the primacy of "experts." When citizens complained, for example, that the EIA process had failed to consider alternatives to the project, the official response was:

[T]he Project location was assigned by the Government of Himachal Pradesh and the government of India for the implementation of this specific run-of-the-river scheme. The Project has been scrutinized by the Central Electricity Authority, Government of India, from the techno-economic and environmental perspective and has been found suitable for commercial development. (RSWML, 2004, pp. 4–5)

The Use of Consultative Modes of Communication

Communication scholars frequently differentiate between public participation processes that emphasize one-way forms of communication which seek to transfer information from one party to another, and two-way forms of communication, where information is not only exchanged, but also jointly constructed. Walker (2004) uses the words "consultative" and "collaborative" to describe this difference. Katz and Miller (1996) talk in terms of the "engineering model"—which "conceives of the audience's role as 'receiving information'" (p. 129)—versus "two-way communication," such as

“face-to-face dialogue” (p. 128). Adopting Bakhtin’s vocabulary, Tuler (2000) contrasts “monologic” discourse, where speakers make “authoritative utterances” that encourage the listener to passively accept the expressed meaning, and “dialogic” discourse, where speakers offer “generative utterances” that invite the listener to actively engage the utterance and use it to create new meaning, in an ongoing intersubjective process. Finally, in presenting his four models of public participation, Waddell (1996) describes how communication travels only one-way in the *technocratic* and the *Jeffersonian* models, as experts inform or educate the public of their decisions. In contrast, says Waddell, the *interactive Jeffersonian* and the *social constructionist* models involve two-way flows of communication. In the first of these, experts transmit scientific knowledge to the public and the public shares opinions, values and emotions in response. In the latter, information is jointly constructed, as experts and the public both share facts and values in an interactive exchange.

Most scholars agree that public participation methods that employ collaborative communication practices where people work together to jointly define a problem and evaluate solutions (such as dialogue, deliberative discussions, or collaborative workshops) are more likely to build trust in and foster legitimacy for environmental decisions. In contrast, methods that rely on one-way modes of communication (such as written comment periods and public hearings) are more likely to foster public skepticism, or a sense that the process was mere tokenism (see, for example, Hamilton, 2004; Katz & Miller, 1996; Walker, 2004).

The EIA processes for the Allain Duhangan relied primarily on one-way “consultative” communication practices, rather than collaborative forms of discourse that involve the shared construction of information and values. In practical terms, this meant that public participation efforts focused largely on informing citizens about the project and gathering feedback, rather than involving all stakeholders in the joint definition and investigation of problems and alternatives.

The 1996 EIA involved little or no communication between decision-makers and the public, and the communication that occurred was generally one-way. For the most part, expert decision-makers simply informed the public of their decision.

The public participation process for the 2003 EIA was also characterized by one-way flows of information, at least until public outcry compelled the project sponsor to try more interactive approaches. For example, the primary purpose of the public meeting held in May 2003 was to inform villagers about how project impacts would be mitigated. Although the EIA was still being drafted, there was no provision for collaborative discussion about what issues the EIA should address or how the villagers and the sponsor might jointly investigate those issues in a way satisfactory to both. Rather, as a project spokesman said:

We are gathered here to discuss the kind of support we expect from local people . . . This meeting is not for conducting negotiations. Its aim is to remove any misgivings you may have over the availability of drinking water, land, or other concerns.¹⁰

Similarly, the project sponsor relied on one-way modes of communication when it responded to public concerns about water impacts by completing its own “expert” analysis and then simply informing local villagers of the results.

This use of one-way “consultative” communication practices in the 2003 EIA process not only foreclosed meaningful public involvement, but also fostered suspicion of EIA analyses, intensified distrust of the project sponsor, and fueled opposition to the project. The dispute over water impacts became increasingly contentious, for example, when the project sponsor ignored the request of villagers—and of two different independent consultants—for a joint investigation involving local people as well as experts. Efforts by the project sponsor to allay local concerns by patiently explaining and re-explaining their expert conclusions only aggravated the situation. As one observer wrote:

The company . . . repeatedly assured that water requirements of the villages would continue to be met. Villagers, however, remained unconvinced . . . [I]f one looked at it from the point of view of the villagers, it was yet another meeting attempting to provide information about a project, which they anyway did not want! (Kohli, Pathak & Kothari, 2004)

The consultants conducting public hearings in May, 2004 did try to initiate more interactive forms of communication and joint decision-making. This team tried to empower local people with a better understanding of the project so that the villagers could more effectively negotiate with the company about mitigation measures during the public hearings. By the time this effort was initiated, however, the villagers’ distrust of the company, and of the public participation process, was too acute for it to succeed. In addition, many villagers, especially in Jagatsukh, wanted to focus on more fundamental matters, such as how water impacts would be assessed, or whether the project should proceed.

Why Communication Practices That Compromise Public Involvement Persist

As this essay describes, citizens repeatedly and vociferously objected to the four communication practices just described. Furthermore, citizens, as well as consultants hired by the project proponent, made specific recommendations about how the public participation process could be improved to give local villagers a more meaningful voice. As this essay also describes, however, these demands and recommendations were largely rejected or ignored. This raises the question posed at the beginning of this essay: Why do communication practices that have been demonstrated to curtail meaningful public participation in environmental decision-making persist?

This analysis suggests that the answer to that question lies, at least in part, in how these practices cloak and constitute acts of power—discursive moves that privilege certain interests over others—in the larger socio-economic context in which they take place. More specifically, it suggests that these practices persist because they advance the objectives of certain actors, often entities or agencies who already hold dominant

decision-making power, while subordinating those of other actors, often local citizens. As Hendry writes regarding public participation processes for EISs in the United States:

[A]lthough . . . alternative approaches [to public participation] hold promise for improved implementation of public input into agency decision-making processes, they presuppose a willingness on the part of the government agency to go beyond the minimum requirements of NEPA—to establish trust with stakeholders and *relinquish power* to allow for joint decision making. It is unfortunate that in over 30 years of practice there is little evidence to suggest that federal agencies have been willing or able to successfully implement these kinds of collaborative processes (Hendry, 2004, p. 100, emphasis added)

Communication theory widely recognizes that communication practices are infused with power. Mumby, for example, has written extensively about how power relationships are “produced, maintained and reproduced” through communication practices (Mumby, 2001, p. 601). Along with other theorists, he frames power not simply as a struggle over resources, but also, and often more importantly, as a struggle over meaning (for a more extensive review, see Mumby, 2001). Power is exercised, say these scholars, through the ability of individuals and groups to “control and shape dominant interpretations of organizational events” (Mumby, 2001, p. 595). Thus, “the group that is best able to ‘fix’ meaning and articulate its own interests is the one that will be best able to maintain and reproduce relations of power” (Mumby, 2001, p. 601).

Communication scholars have described how the four communication practices discussed in this essay serve as discursive acts of power. More specifically, they describe how these practices facilitate the ability of some actors to assert their interests and articulate the meaning of events while subordinating others’ ability to do so.

Cox (2006) describes, for example, how citizen access to information is sometimes foreclosed in the United States by such discursive moves as closed-door meetings between government officials and industry representatives. Such moves privilege industry actors by providing them with greater opportunity to promote their interests and influence others’ interpretations of events.

Hendry (2004) illustrates how definitional hegemony is an act of power by describing how a federal agency in New Mexico framed the issues to be addressed in an environmental assessment for a proposed gravel mine. She details how agency officials favored the narrative and interests of industry actors over those of local citizens by describing the mine as needed for “the public good,” excluding areas of inquiry, and analyzing a more controversial action as the only alternative to the mine. Similarly, Toker (2004) describes how the Georgia Port Authority used definitional hegemony to privilege its own agenda of approving a harbor-deepening project. While purportedly embracing a consensus-based approach to decision-making, the Authority refused to allow certain issues to be addressed, despite repeated objections by other stakeholders. Moreover, the Authority sought to obscure its exercise of

definitional hegemony by controlling the meaning of key terms such as “consensus” and “stakeholder.”

Peterson (1997) provides a cogent example of how privileging scientific/technical discourse is an act of power in her study of public hearings purportedly designed to involve local citizens in deciding how best to manage a disease-infected population of bison in Canada. She describes how agency officials repeatedly favored the arguments of scientists, which they saw as rational, objective and informed, while dismissing the concerns of local aboriginal people, which they perceived as irrational, subjective and ignorant. As Mumby explains, power may be enacted by “reifying and naturalizing a particular way of knowing, and thus excluding as illegitimate other forms of representing knowledge claims” (2001, p. 601).

Finally, in their analysis of the site selection process for a low-level radioactive waste facility, Katz and Miller describe how the decision-making agency used one-way modes of communication to try to “correct” “the public’s ‘risk perceptions’ so they would better match the ‘risk analysis’ made by the experts” (1996, p. 116). “When understood under these assumptions,” they write, “‘public participation’ is reduced to passive reception on the part of the public and can easily become a public relations campaign on the part of the authorities” (*ibid.*, p. 127).

In the case of the Allain Duhangan, these four communication practices also served to privilege the interests and meaning-making narratives of certain actors. Most notable, of course, is the project proponent. But the interests and narratives of the two dominant decision-makers, the IFC and the government of India, were also served. The mission of the IFC is to promote the development of private-sector projects in developing countries, primarily by providing equity investments, loans and other forms of financial and policy assistance. Similarly, the government of India has become increasingly committed to encouraging private investment in its developing infrastructure, particularly its energy sector, largely to encourage economic growth and address growing energy needs, and, at least in part, in response to pressure from the World Bank and International Monetary Fund to liberalize its economy. As Depoe and Delicath have written: “Efforts by policy makers, environmental advocates, and others to achieve meaningful public participation may be constrained by more deep-seated commitments to institutional rationalities or economic imperatives that are articulated in dominant discourses of expertise, knowledge, risk and legitimacy” (2004, p. 9).

Deliberately or inadvertently, the four communication practices described in this essay advanced the interests of the project proponent, the government of India and the IFC in two ways. First, by foreclosing meaningful opportunity for citizens to identify and compel early analysis of issues that might challenge the wisdom of the project, communication practices facilitated construction of an EIA that concluded that the project would have acceptable environmental and social impacts and thus should be approved. Second, by foreclosing meaningful input by local citizens, these practices facilitated construction of an EIA that privileged the meaning-making narratives of the project proponent, the government of India and the IFC, while subordinating the narratives of the local villagers. For example, despite persistent

complaints by villagers that they had been repeatedly excluded from meaningful participation in the preparation of the EIA, the Addendum to the EIA claimed that “the company has followed a comprehensive public consultative and disclosure process” (RSWML, 2004, p. 25) which has been “ongoing since 1993 and has continued to date” (ibid., p. 5). Similarly, the Addendum included the 1997 Notices of Consent from the villages of Prini and Jagatsukh—*notices issued before the villagers had an accurate understanding of project impacts. The report fails to acknowledge, however, that in July, 2004—after the villagers had learned more about the project through the EIA process—the entire Jagatsukh village assembly unanimously passed a resolution opposing the project. As one NGO activist noted, “The problem with challenging the Allain Duhangan decision is that the public participation process looks really good on paper, even though the local citizens were largely shut out of the process on the ground.”*¹¹

This analysis argues that communication practices which have been demonstrated to curtail meaningful public participation persist because they serve the interests and hegemony of powerful actors in the larger socio-political context. How to change the relations of power in these larger socio-political contexts is beyond the scope of this essay. But this study does suggest that improving the quality of public participation will require attending to the interaction between communication practices, relations of power, and the socio-political context in which public participation takes place.

Conclusion

Decisions about development and the environment inevitably involve conflict between different, and often contradictory, material interests and social values. Even under the widely supported goal of sustainable development, there are different visions about what sustainability means and conflicting ideas about what development is needed, where it should take place and what it should look like (Peterson, 1997). As Hamilton writes, actors in environmental controversies are usually motivated by different and competing objectives or narrative “quests” (2005, p. 73) that, in this age of globalization, are often defined by a local vs. a global “circumference” (ibid., p. 79). Furthermore, there is the perennial issue of power. People enter a decision-making process with very different levels of power, and those whose lives will most immediately be affected—usually local citizens—often have the least ability to influence the outcome (Katz & Miller, 1996; Yosie & Herbst, 1998). In addition, as Hamilton (2005) also points out, when the negative impacts of a proposed action are largely local and the benefits are more global—a situation that is increasingly common as more and more projects involve international investors—the relationship between stakeholder narratives that have a “local circumference” and those with a more “global circumference” is likely to be especially contentious.

Public participation offers the opportunity to address these issues, at least in part. As discussed in this essay, public participation can make decision-making more democratic, and thus fairer. It can generate the kind of analyses and debate necessary

to understand and thoughtfully address trade-offs. It can build respect for the decision-making process and thus—even though there may be disagreement—foster a sense of social legitimacy for a decision. In addition, and particularly relevant to the decision-making process for the Allain Duhangan project, public participation can create a space where all narratives—including those with a global and those with a local circumference—can be acknowledged and fully considered. In this way, it may be possible to find “associations” or to “produce translations” among different agendas and thus to forge solutions that “strategically balance” global and local interests (Hamilton, 2005, pp. 74, 94). But these benefits cannot be achieved unless the process is administered and experienced as truly participatory.

An obvious first step towards public participation that is truly participatory is full compliance with the measures that have been adopted to require it. World Bank and IFC policies mandate public access to information in a form appropriate to the affected people coupled with early and continued public consultation. When compliance with these requirements is compromised—as it was in the Allain Duhangan EIA—so is authentic public participation.

Compliance with regulatory measures, however, is not enough. Public participation that is truly participatory also requires attention to communication practices and, as important, to the power relations inherent in those practices. As this essay demonstrates, local citizens were largely excluded from the Allain Duhangan EIA process by four communication practices that persisted, despite repeated objections by citizens and independent consultants, because they served the interests and hegemony of powerful actors in the larger socio-political context. The result was an EIA that privileged the storylines and objectives of the more globally influential actors while only partially and inadequately acknowledging and responding to narratives and concerns of local citizens. In this way, the voice of the local was muted.

Senecah (2004) presents an eloquent argument that the key to meaningful public participation involves ensuring that citizens have access, standing, and influence, and that providing these elements turns on implementing a larger “grammar” of communication practices. This grammar—which communication researchers have developed with increasing sophistication—includes practices highly relevant to the Allain Duhangan: providing citizens with access to information and education; involving citizens early in the definition of issues and alternatives; respecting and engaging local ways of knowing; adopting more collaborative approaches to communication where information is jointly constructed and decision space is more broadly defined (see Senecah, 2004, for a more extensive listing of other practices that compose a “grammar of voice”).

This analysis of the Allain Duhangan public participation process, however, suggests that identifying communication practices that provide citizens with access, standing, and influence is only the first step towards ensuring that citizens have voice in environmental decisions. We also need to better understand why practices that curtail public involvement seem to persist, and why practices that enhance public involvement are often resisted. This essay indicates that the answer lies, at least in

part, in the interaction between communication practices, power and the larger socio-political context in which public participation takes place. It also calls for further inquiry into that interaction. If the voice of the local is not to be muted—especially in this age of global development—it is an inquiry worth pursuing.

Notes

- [1] The following description of the Allain Duhangan hydroelectric project and EIA process relies on information provided in the various Rajasthan Spinning and Weaving Mills Limited environmental impact assessment documents (RSWML, 2004, 2003a, b, c, d), as well as in Singh, Kejriwal, Uppal, and Worah, 2004.
- [2] Although not the focus of this analysis, it is arguable that the 1996 EIA process violated India's EIA regulations. First adopted in 1994, those regulations provided for public participation at the discretion of the the EIA branch of the Ministry of Environment and Forest. Only EIA summaries were required to be made available to the public, and then only when access was considered "in the public interest." While the 1996 EIA was still under review, the regulations were amended to make public consultation and EIA disclosure mandatory. A public hearing was required with prior notice, as well as a right to participate by all persons "likely to be affected." Public access to the EIA report was required prior to the hearing; and recommendations regarding project clearance were to be based, in part, on "details of the public hearing." Under a 2001 decision by the High Court of Kerala, projects under EIA review when the EIA regulations were amended had to complete the required public hearing and obtain a new clearance. See: Ministry of Environment and Forests, Government of India, Notification S.O. 60(E), January 27, 1994 (original version of EIA regulations); Ministry of Environment and Forests, India, Notification I, S.O. 318(E), April 10, 1997 (amending the initial EIA regulations); Ravi.S.P. and Chalakudy Puzha Samrakshna Samithy vs. State of Kerala, and Kerala State Electricity Board, et al., O.P. No. 3581 of 2001, High Court of Kerala (October 17, 2001) (interpreting public hearing requirement).
- [3] Letter from S. Dayal, (President, Prini Jan Vikas Avan Adhikar Manch [Platform for Prini People's development and rights]) and others to J. Wolfensohn (President, World Bank), October 23, 2003.
- [4] Letter from A. (Kalpavriksh) Kothari to J. Wolfensohn (President, World Bank), August 26, 2004.
- [5] Letter from A. (Kalpavriksh) Kothari to Shalabh Tandon (International Finance Corporation), September 21, 2004.
- [6] Letters from M. Sharma (Chairperson, Village Panchayat Jagatsukh) to Executive Directors, International Finance Corporation Board, & President, World Bank Group, October 5, 2004.
- [7] Letter from Samya Singh (Centre for Equity Studies) to J. Wolfensohn (President, World Bank), October 5, 2004.
- [8] IFC published revised environmental and social standards in 2006. The terms of specific requirements have been revised. But the updated standards maintain, and even strengthen, the main objectives and requirements for consultation and disclosure prescribed in the 1988 policies: ensuring timely disclosure of relevant project information in a manner and form accessible and understandable to affected people; facilitating their informed participation through early and ongoing consultation, and incorporating into the decision-making process the views of affected people on matters that affect them. See in particular: IFC (2006), paras. 20 and 21; IFC (2007a), Guidance Note 1, paras. G7 and G45–58; IFC (2007b), section 3.5.1. For updated guidance on how IFC proceeds when it becomes involved with a project on which some assessment work has already been completed, see: IFC (2007a), Guidance Note 1, section G12; and IFC (2007b), sections 3.2.6 and 3.2.7, 3.2.12.

- [9] Letter from H. Thakkar (South Asia Network on Dams, Rivers and People) and V. Bhai, (MATU) to Dimitri Tsitisragos (Director, South Asia Department, International Finance Corporation), November 21, 2003.
- [10] Rajasthan Spinning and Weaving Mills Limited video of meeting in Prini, Himachal Pradesh, India, May 7, 2003. Obtained from Samya: Centre for Equity Studies, New Delhi, India.
- [11] H. Thakkar, personal communication, October 13, 2004.

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