

# **MAXIMUM FEASIBLE vs. SELF-HELP CITY:**

## Participatory Planning and Outcomes in Inclusive Public Transport

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### **SUMMARY**

Citizen participation in community decision-making can be traced as far back as Plato's Republic. Plato's concepts of freedom of speech, assembly, voting, and equal representation have evolved through the years to form basic pillars of representational democracy. In the world of transport planning, public participation and community engagement have become acts of faith. This is especially true in the context of public transportation services that are inclusive of people with disabilities and seniors. Buzzword-fueled "citizen consultation" initiatives can result in empty exercises, false promises and frustration instead of actual empowerment. What are the limits and possibilities of participation as a concept for people with disabilities in public transportation planning? How can the knowledge and experiences of the (Disabled) public be effectively harnessed when planning transportation services? To answer these questions, this paper will explore the literature and theories of public participation in planning. The author draws on personal observations from years of professional experience in the disability access field as well as interviews of individuals responsible for the creation and maintenance of a specific transportation advisory committee in San Francisco / Bay Area, California, USA. This paper will contribute to the important dialogue between disability access, public participation and transportation planning.

### **KEY WORDS**

Community Engagement, Participation, Transportation Planning, Disability Access

### **PURPOSE**

The purpose of this paper is to analyze the emergence of community engagement techniques in civic processes and their relevance to efforts to make public transportation systems more inclusive of seniors and people with disabilities in the United States. To understand the potential role for engagement of seniors and people with disabilities, I will first explore the history of urban planning policies and practices related to people with disabilities. Next, I will comment on the various community engagement techniques and the civic practices from which they have emerged. Finally, I will look at the application of participatory mechanisms to empower seniors and people with disabilities in the provision of public transport services. From this case study I will develop recommendations for future efforts of municipal agencies and advisory participants.

### **METHODS**

I will be grounding this work in a theoretical study of public participation in transportation and infrastructure planning. This paper will connect the development of the San Francisco Municipal Transportation Agency's (SFMTA) disability advisory committee with community engagement theories and practices. I worked with the SFMTA (also referred to as

“Muni”) from 2005 to 2010 as a transit planner and disability access coordinator. My responsibilities included directing the agency’s outreach to the disability community and facilitating the activities of and recruiting members for monthly meetings. Through my experiences, I could analyze the efforts of the agency and hear directly from disabled transit users about how the agency policies impacted their mobility. For this project I will reflect on my experiences and locate the various methods of community engagement employed, exploited and ignored.

## **RESULTS | (Being) Disabled in Public**

The demand for participation is shaped by popular culture, traditions and history. With this section, I will quickly review the story of disability in the United States. Planners in the US have sought to separate unsavory elements of society from public places. Thus, people with disabilities have traditionally been excluded from public life. Chicago’s “Ugly Law” ordinance of 1881 is the oft-cited, classic example of this practice:

Any person who is diseased, maimed, mutilated, or in any way deformed, so as to be an unsightly or disgusting *object*, or an *improper person* to be allowed in or on the streets, highways, thoroughfares, or public places in this city shall not therein or thereon expose himself to public view... (Chicago Municipal Code, sec. 36034 – Repealed in 1974!)

Cities across the country reacted with similar versions of the ordinance (Schweick 2009). By the early industrial era, the technique of institutionalization (relegating the disabled to state hospitals or asylums) was employed to address the issue of disability. Ugly / begging laws and institutionalization remained popular planning interventions for people with disabilities until the early 1930s, when the Federal government began to respond to social problems with progressive programs, including: pension plans, industrial worker’s compensation laws, and local vocational rehabilitation programs. With more and more disabled people wishing to live outside the walls of institutions and with the state funding and technology (modern wheelchairs and prosthetics) supporting their wishes, frictions rose as these new citizens emerged and demanded recognition by society.

Starting in the early 1960’s, the University of California, in Berkeley (A Bay Area community known as a hotbed of student and citizen activism) began to acquiesce to public demands and allow students with disabilities to attend classes and access student facilities. Soon both the University and city itself began to develop as sites of insurgence. Where previously people with disabilities were pushed from public space by ugly laws and institutionalization, the act of being disabled in public (or in school, or at work for that matter) began to be imbued with power. What followed was a series of coordinated protests of poorly designed facilities (such as public buildings, and public parks) and services (public transportation) that discriminated against those with different bodies. As the awareness of the needs of the disabled grew, city planners and civic institutions began to design environments that would reduce physical barriers to participation.

Via the turbulent social movements of the 1960s and 1970s, a national cross-disability advocacy movement emerged that was nourished by the ideals of the civil rights struggles of racial minorities and women. Visible and insurgent tactics (such as drawing attention to

inequalities by blocking inaccessible public transit vehicles, and impeding transit facilities) and the growing popular familiarity with disabled bodies created political conditions favorable to the passing and signing of Section 504 of the 1973 Rehabilitation Act. This act prohibited discrimination of “handicapped individuals” from programs and facilities receiving Federal funding. This legislation laid the groundwork for the 1990 Americans with Disabilities Act, which (in deriving most of its language from the 1964 Civil Rights Act) ensured that disabled citizens enjoy the same rights and opportunities as all Americans, including access to everyday activities such as commerce, recreation and travel. Many movement leaders considered transportation a key feature (Oka, Rickert 2010). How could you reach newly accessible public services and public spaces without it?

The experience of being disabled was initially considered like a sickness or ailment that required rehabilitation or medical intervention to make the “suffering” body comply with functional norms. Social constructivists flipped this argument to create a “social model” that identified systemic physical and attitudinal barriers to explain the economic, political and cultural exclusion experienced by people with disabilities (Oliver 1996). This social model recognized that all people’s lives can be improved through the development of enabling / accessible environments and cultures, or to be more accurate, a fully inclusive society. Because of their non-normative bodies, the disabled are unique in their vulnerability to be denied participation. Participation is therefore not just a beneficial feature to planning initiatives. Rather it is a core demand within disability movements. The mantra of the American disability movement: “Nothing about us without us” demonstrates the importance of participation for people with disabilities. Thus, in the context of disability and the Bay Area, it is important to tread carefully on the complicated terrain of participation.

### **Engaging the Community**

In the United States public participation has been a key component of planning discourse, legislation, and policy that has existed to serve a diverse set of ends. Due to academic, political, and advocacy efforts, participation has come to mean different things and take on different stakes over the years. In the next sections, I will discuss five key techniques for engaging the community (Community Organizing, Advocacy Planning, Participatory Design, Capacity and Knowledge Building, and Consensus Building) and how these forms and understandings of participation relate to people with disabilities.

It is impossible to think about public participation in the US without addressing the technique of Community Organizing. Saul Alinsky, a community organizer and activist who strove to organize and empower communities to address their own problems collectively instead of offering solutions from afar. His innovative tactics (humorous protests, distorting popular perceptions of a movement’s strength and membership, disrupting traditional relationships of power) and organizational strategies (cultivating leadership skills of organizers, empowering members to question leadership) inspired a sea change in American democracy and public participation. While he was labeled a pariah and a political liability, his community organizing accomplishments with industrial workers and communities of racial and cultural minorities in the 1940s and 1950s influenced countless activists and professionals. In the case demanding of racial equality, community organizing was especially necessary as the dominant,

white society did not believe that communities of color were either committed to or capable of sharing power (King 1980). The adversarial and disruptive tactics of disability rights social movements, as well as the organized cross-disability coalitions were deeply influenced by community organizing techniques.

While the profession of city planning emerged in the early 1900's, it wasn't until the 1960's that Advocacy Planners began to leverage their professional skills to enhance democratic action. Their practice represented a search by planners for a new clientele: the most disadvantaged groups who were at the "bottom of the system"(Peattie 1968). This became a distinct possibility for engagement because federal funds were made available specifically to encourage citizen participation and improve communications between citizen groups and officials. Thus, cities were able to hire planners to organize and advocate directly for the needs of the poor (Hester 1999). Advocacy planners roles are often more educational than adversarial (Davidoff 1965). They can engage with planning institutions as staff members within the system or as external agents of nonprofit organizations. Advocacy planners on the outside and inside of institutions (such as public transit agencies) were essential to translate the demands of local disabled social movements into inclusive policies and practices that were later codified nationally (Rickert 2010).

Following advocacy and community organizing efforts, the Economic Opportunity Act of 1964 established a program for creating and funding local agencies to develop social programs. This act required "Maximum feasible participation (MFP) of residents of the areas and members of the groups served." Despite attempts to create a concrete public understanding for MFP, this concept proved to be too vague to offer much guidance (Rubin 1969). How do you ensure that participation is meaningful, let alone maximized? This process was significantly improved with

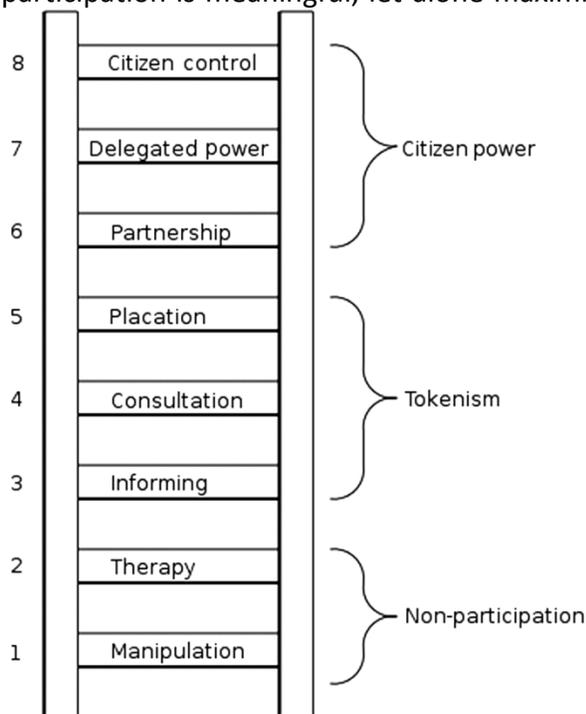


Figure 1: Arnstein's ladder of Citizen Participation (1969)

the US National Environmental Policy Act (NEPA). Enacted in 1969, NEPA gave citizens the power to stop planned developments. *Public involvement* and full disclosure of information were required in the planning and analysis stages of federal projects that could "Significantly impact the human environment." In this context of this new legal obligation, Sherry Arnstein (1969) critiqued efforts of the federal government and municipal bodies to meet participation requirements. Her "Ladder of Citizen Participation" became a powerful metaphor of the degrees of citizen power which rose up from "Citizen Manipulation" through "Citizen Control" of planning processes. For Arnstein, promoting citizen participation was like eating spinach: *Even when you don't like it, you just know it is good for you.*

While public involvement was now mandated by law, planners and social

movements struggled to fully take advantage of the participatory hooks in the processes in a manner that would actually yield beneficial outcomes. Participatory Design was championed as a set of collective and collaborative group decision-making processes that could potentially fill this gap. As a form of community engagement, participatory design encompasses a broad range of methodologies used to achieve a common goal of capitalizing on and internalizing the tacit knowledge (that which is neither expressed nor declared openly but rather implied or simply understood) of a community. This approach puts great faith in the power of the *process* of public participation, which for some practitioners is more transformative than the final outcome of design or policy. In the context of disability and transportation planning, participatory design is challenged by power differentials created by technocratic expertise and funding requirements for large-scale capital projects.

The Capacity and Knowledge Building community engagement approach encourages “expert” planners and “local” community partners to collaborate in order to yield a better and longer-lasting impact regarding planning issues. This approach focuses on exchanging of knowledge in a horizontal direction (as opposed to a vertical direction: top-down or bottom-up) in order to arrive at planning outcomes that serve the needs of groups (including residents, community organizations/ associations, businesses, local governments, universities, and other institutions) that might not otherwise work together. This approach legitimizes the lived experiences and expertise of marginalized groups (like seniors and people with disabilities), it also encourages self-efficacy (or pulling yourself by your own bootstraps). The approach strengthens the potential of building participants’ knowledge by addressing capacity, such as developing confidence, enthusiasm, or inherent talents (McDowell et al 2005). Building capacity is especially important for people with disabilities, whose skill levels and access to information may be hindered by structural inequalities created by society and the built environment.

Benefitting from advances in the other techniques, Consensus Building (CB) is an advanced method of group deliberation and problem solving. This technique is often used to address, complex, controversial private and public issues where multiple interests are at stake are addressed. Susskind, et al. (1999) define CB as: “A process through which stakeholders seek unanimity, but accept overwhelming agreement when all parties concur that a reasonable effort has been made to address the concerns that have been raised by participants... Consensus is reached when an overwhelming majority of participants concurs that the policy package on the table is ‘something they can live with.’” CB relies heavily on a skilled neutral facilitator who is trusted to ensure a fair process for all participants. In contentious public disputes, the empowered role of the facilitator also calls into question the value of the process – Is it the strength of CB process, or the skill of the facilitator that makes consensus possible? How permanent and long lasting is the consensus outside of such a controlled setting?

### **Just Process vs. Just Outcomes**

Ideally, all planners are tasked with promoting equity in their work, assuring fairness in their policies and distributing justice through their programs. While we have focused our discussion on the processes of community engagement, justice requires attention to outcome as well as process. Influenced by social-constructivist movements of the 1970’s, critical planners began to question conventional wisdom and argue that an emphasis on participation does not

guarantee outcomes that are *equitable* or *just*. Contrary to the previous discussion of processes, meaningful justice may only be obtainable through “Better representation,” not broader participation (Fainstein 2010). In practice, democratic processes may potentially be distorted by unequal power distribution between participants, and the rational participation recipes of Susskind and Arnstein don’t necessarily recognize conditions outside a stable framework of power. Therefore, techniques of engagement that are practical, committed, and ready for conflict are more effective than those that are discursive or rational (Flyvbjerg 1991).

Through this critical lens, participatory initiatives may transform planners into neutral negotiators, or community interest translators, and strip accountability and formal responsibilities from participants. Participation should not be an empty exercise. For marginalized populations, citizen activism and protest movements are crucial to develop policies that are sensitive to a greater number of potential outcomes. Pressure from below also forces both official participatory bodies and governments to be more aware of public interests. In theory, the concept of truth arises from a dialogue between rational participants who have access to complete information. However, these ideal conditions that produce truth and ensure fairness in public dialogue rarely exist (Fainstein 2000). A perceived disconnect between the theory and practice, sours many professionals from fully engaging in participation initiatives, beyond minimum legal requirements. I argue that planners must not shy away from the new and challenging roles of communicating with and fully understanding the needs of the public. An increased use of capacity building and consensus approaches is an important start in fostering the ideal conditions that may seem initially out of reach.

## **DISCUSSION | Practicing Participation**

Formed in 1981 in response to demands from the Bay Area’s vibrant community organizers and disability rights social movements, the Elderly and Handicapped Advisory Committee (EHAC) - later renamed the Muni Accessibility Advisory Committee (MAAC) - played a complicated role in the transit agency’s transition to becoming more inclusive of senior and disabled transit customers. Based on the efforts of disability rights advocates, in 1975 the San Francisco Board of Supervisors declared that the City’s transit system should be “Completely accessible to persons with disabilities.” The implications of such a broad declaration were initially uncertain, and the agency was “Largely negative” to disability access issues (Rickert 2010), but by 1976 Muni had begun to research disability access to transit vehicles. The agency explored incorporating low-floor buses into its fleet, studied creating platforms to allow level boarding for its streetcar lines, and began to build its internal advocacy planning capacity by hiring a local community organizer (who had been active in protests against the agency to manage their first disability department). Seven years later (1982) the agency installed their first, a custom designed platform that allowed a wheelchair user to roll on to a high floor streetcar (Rickert 2010).

Following these successes, disability access advocates demanded more inclusion into the transit planning process. The agency followed no specific set of participation rules, but set out to recruit activists by word of mouth to create an elderly and Handicapped Advisory Committee (Oka 2010). As the committee set about its work, there was much to demand action on. Federal laws had not yet been passed creating standards for transit vehicles and facilities.

Advisory committee members were very active and Muni gave the members power to influence the process. There was minimal agency capacity, resources or an operational mandate to provide bus and rail service for people with disabilities. As Muni built up its internal resources, it unofficially ceded power back from the advisory committee. Contrary to consensus building initiatives, the early members did not represent specific interest groups, nor did they have a firm understanding of transit operations. They were held accountable for little beyond participating in meetings. Also as access on trains and buses became more common and standardized, citizens had less impetus to engage with the system. Yet, despite these limitations, Muni trusted the committee to share their experiences, perspectives and bodily knowledge.

In all, it took 30 years (from 1975 to 2006) for Muni's buses and trains, all bus stops and 40 rail stations to be made compliant with the Board of Supervisors declaration (and modern accessibility standards). The Supervisors' mandate for change did not yield an immediate transition. Neither did the 1990 passing of the American's with Disabilities Act (ADA). When the process was initiated, certain access modifications were not considered technically feasible. Access for some vehicles was only possible when the fleet was replaced, and even when the technology was available and operational, transport policies created additional barriers. MAAC played a complicated role in the agency's transformation. Muni was being publically challenged by disability rights groups to modify services and adopt the new accessible technology more quickly, through disruptive tactics and protests. While the advisory committee took a more passive, patient role and worked with relatively little power from the inside, their presence guaranteed that the agency would proceed along a generally accessible path (Rickert 2010). Their presence was a constant reminder to planners and the public of the Muni's commitment to do the right thing.

The current advisory committee has twenty members, a clear set of bylaws and meets monthly in the transit agency's offices. It has increased the number of participants and formalized its activities, yet it is still very much outside the agency's decision-making structure. At the request of the advisory members, agency planners will meet with the committee to share information on upcoming projects, but all disability planning decisions are controlled by the disability department staff. MAAC members provide feedback on occasional programs, but very rarely will it use consensus techniques or reflect on its own knowledge or capacity. MAAC also functions as agency public relations ambassadors who share information in the community about programs for disabled transit customers. Muni goes to great lengths to include MAAC members at public functions such as station and rail line openings, or the public introductions to new services and vehicles. They serve a distinct public relations purpose in demonstrating to the public that the agency is inclusive of the needs of San Francisco's seniors and people with disabilities. Far from being considered tokens or props, members take great pride in their roles. Several have been on the committee for more than fifteen years.

At meetings they take great care to share with each other woeful stories of how many times they were passed up by buses, and how rude train operators were to them. Others provide self-help expertise in navigating the system or describe tactics to demand access from hesitant bus drivers. Some MAAC members participate only for the free monthly transit pass that they receive, while others for a break in the routine and the rupture in their everyday lives.

Others contribute more formally in a clandestine audit program where they are paid to ride buses and check on the job performance of Muni operators and vehicle accessibility features. Returning to the ladder framework, MAAC members may at times only occupy the step of “Informing”, where the extent of the citizen participation is limited to being heard (or seen). Under these conditions their advice is tokenistic as they lack the power to insure that their views will be heeded by the powerful. Informing unceremoniously occupies the position above the lower, nonparticipation rungs of “therapy” and “manipulation.” What is difficult to recognize is the ladder’s *temporality* and *fluidity*: Citizen participants move up and down depending on context and often simultaneously occupy several rungs.

MAAC provides a structure for people with disabilities to hold a perceived power. They sit at a large conference table in Muni headquarters. They know that their voices are heard because they see that the meetings are being recorded. Thus, their opinions and experiences hold a perceived value. Monthly meetings function as personal rituals that serve to connect disabled people to each other and a broader national disability community. Participating in advisory meetings and exercises is also a way of expressing optimism for a future where Muni will be more accessible - as participants feel that they are providing the agency with information needed to make changes. And, perhaps most importantly, their audits provide a platform for disabled people to exercise a morally and epistemologically authoritative stance in relation to society and municipal institutions. The language of access and accessibility, when invoked, affords disabled people an otherwise elusive authority.

While in this moment, the committee has been transformed from a once vibrant and powerful partner with the City to a monthly self-help and social club, I believe that it does provide value (beyond yielding the occasional rubber stamp). MAAC member’s stories provide planners with rich qualitative data on the performance of this transportation system that was not designed to meet the needs of people with disabilities. However, if MAAC members are not perceived as rational contributors, the City’s responsibilities towards building participants capacity and knowledge are murky. If members’ stories provide valuable data on the performance of the transportation system, how do planners *translate* members’ observations into meaningful policy modifications?

## **CONCLUSION | Engaging The Institution**

In this final section, I will reflect on the process of participation in an institutional setting. In general, there are significant challenges to effective community engagement in transportation planning. The general public, citizens who are impacted, and other concerned groups are usually not involved in project appraisal or selection. When planning agencies or developers provide information, they do so at a stage late in the process where key decisions and agreements have already been reached. When they are denied inclusion and access to project information, public interest groups may act destructively and try to shoot the project down (Flyvberg 2003). It is not surprising that citizens who bear the risk of public investments feel left out when decisions regarding major infrastructure are taken without public involvement. Because of these challenges, community engagement is difficult to institutionalize.

Through my work with Muni and MAAC, I have identified the following constraints of participatory processes:

- Power | Participation is directly linked with social change and equity. Changes in the status quo threaten the existing hold of elites upon power and influence.
- Institutional Hegemony | Planning, managerial and administration experts often perceive public involvement as a threat to their experiences and technical expertise.
- Evolving Professional Roles | Participatory design efforts require a modification of traditional planners' roles (and attitudes), which may require significant retraining.
- Who Participates? | Determining key stakeholders and identifying representatives for specific constituencies is challenging. Effective representatives may not be available or willing to participate, and the participants that are available may not wish to represent certain constituencies due to perceived conflicts or biases.
- Rational / Skilled Participants | Extensive time and effort is required to building of capacity and knowledge of participants.
- Resource Allocation | Clinical participation (such as "neutral" moderated consensus building initiatives) requires a specific process, including extensive investments of human resources, which makes rescaling or replication difficult.
- Shifting Participation Requirements | When community engagement programs are initiated by institutions, appropriate funding may not be allocated to fully address community needs or inclusive procedures.
- What Outcomes? | Effective participation and institutional development outcomes are extremely difficult to measure. If there is value to the participants in simply contributing, how is this affective value fully captured by the institution?

It is important to emphasize that **participatory planning initiatives cannot by themselves bring about change**. They must be supported by technical knowledge, data regarding the existing environment, finances, good management and leadership. Some of these resources may need to come from the outside if they are not generated locally. Local movements must find a way to communicate with institutions (and relevant outsiders) their needs and proposals. Similarly, formal planning institutions must become more inclusive to take full advantage of local knowledge and to build buy-in from all stakeholders prior to strengthen the implementation of plans.

Also, there may be situations where community engagement techniques are simply not appropriate. It is important to recognize that initial conflict or issue assessments may reveal conditions that prohibit effective participatory design or consensus building. For example, stakeholders may have profound value differences or no vested interest in negotiating. There are some public disputes that should not be mediated at all, especially those that concern rights, values, or identity. Fundamental, constitutional, or human rights that are determined on a broader societal scale should not be compromised via local negotiations. This concept is especially apt in the US, where the rights people with disabilities are protected by federal legislation.

Transportation planning for people with disabilities often requires a preoccupation with technical solutions. Decisions or negotiations become too often focused on technical aspects of

a problem, instead of balancing concerns between social equity, environmental, and economic outcomes. A shift towards equitable outcome-based planning practices is possible only with the participation of strong social movements and advocates. This applied citizen pressure is necessary to inform planning processes, and motivate agency decision makers. It is helpful for planners to encourage a *productive tension* that is inherent to democratic processes. Focusing exclusively on the narrative of power blinds us to other realities possible through negotiation and power sharing. Equal attention should be granted to cultivating a vocabulary of *trust*. No one framework (either suspecting or trusting) should be considered absolute.

Finally, all dynamic processes eventually stabilize and stagnate. It is important to recognize that the stagnation does not simply indicate justice being served. When a planner finds that advisory committee stuck in stagnant debates, it is their responsibility to create opportunities for capacity and knowledge building, as well as “stir up the pot” of social movements and build up pressure and reinvigorate committee members, or maintain their interest and skills. It should be noted that most public transit agencies and municipal planning bodies will not wish to upset the status quo. Thus, an independent-minded, critical planner must walk a narrow path between the interests of a hegemonic, institutional culture and an equitable planning intervention.

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