



E-PARCC

COLLABORATIVE GOVERNANCE INITIATIVE

Syracuse University

Maxwell School of Citizenship and Public Affairs

Program for the Advancement of Research on Conflict and Collaboration

A Collaborative Strategy for Organizational Survival

Part B

Whether by instinct, strategic design, or a bit of both, from the outset Emerson and the USIECR leadership team adopted a collaborative management approach in their strategies and programming decisions.

Public sector collaboration

In the study of organizations, and the subset of public sector management in particular, the notion of collaboration involves degrees of individuals sharing power and resources (e.g., information, financial, clients, and authority) between organizations to achieve common ends.¹ Behaviors associated with such organizational intertwining generally include those that view relationships as long term and require trust building. Specific behaviors include identifying key partners, bargaining, negotiating and facilitating rules, procedures, and agreement, incentivising and brokering actions, and activating and mobilizing resource exchange.² These are held in contrast to behaviors prevalent in more bureaucratic, hierarchal situations where organizations seek to manage uncertainties by internalizing tasks and controlling resources and personnel by exerting power and authority.

¹ Bryson, J. M., Crosby, B. C., & Stone, M. M. 2006. The Design and Implementation of Cross-Sector Collaborations: Propositions from the Literature. *Public Administration Review*, 66(1): 44-55.

² McGuire, M. 2002. Managing networks: Propositions on what managers do and why they do it. *Public Administration Review*, 62 (5): 599

This case was an honorable mention winner in our 2007 “Collaborative Public Management, Collaborative Governance, and Collaborative Problem Solving” teaching case and simulation competition. It was double-blind peer reviewed by a committee of academics and practitioners. It was written by Rob Alexander of the Maxwell School of Syracuse University and edited by Laurel Saiz. It is based on research with the U.S. Institute for Environmental Conflict Resolution conducted between 1998 and 2007 with Rosemary O’Leary. This simulation is intended for classroom discussion and is not intended to suggest either effective or ineffective handling of the situation depicted. It is brought to you by E-PARCC, part of the Maxwell School of Syracuse University’s Collaborative Governance Initiative, a subset of the Program for the Advancement of Research on Conflict and Collaboration (PARCC). This material may be copied as many times as needed as long as the author is given full credit for his work.

Building relationships

The act of identifying and building relationships with key players began immediately. When Emerson formed her program review team, she provided its members with the opportunity to help design two entities – first the Udall Center at the University of Arizona and then the USIECR itself, both potentially valuable resources to them. As Emerson put it:

The vision was “let’s find out what the needs are” and that lead us to pulling this program review committee together. I did a lot of traveling once it became clear this was going to happen . . . with practitioners, going to professional association meetings, going to state programs and a lot of early spade work because clearly we needed the trust of the practitioner community if we were going to get off the ground. From the get-go we knew we could only be successful if we partnered.

Several members of this initial review team continued their involvement with the USIECR in subsequent activities. Chris Carlson, Executive Director of the Policy Consensus Initiative, an organization that assists states in building collaborative governance structures, served on the program review committee and then became involved with USIECR staff hiring, as did other practitioners. He remembered:

I don’t know that I had a formal role, but I was consulting with Kirk [quite often] and at one point . . . I was part of a team that interviewed a number of people for positions when she was first beginning to hire.

While Emerson networked with professionals like Carlson already in the field, Wheeler conducted outreach with federal officials trained to help new agencies. Bracy and his Board of Trustees continued to identify, build and maintain key political relationships.

Hiring a staff

The collaborative approach proved important as the Institute underwent two distinct staff hiring periods in the first two years. Initially, program staff members were hired with the intent that they would provide direct mediation and facilitation services. However, as internal structures rapidly evolved, it became quickly apparent that program staff needed to function more as project managers and that the actual job of mediating and facilitating was best contracted out. This yielded considerable initial staff turnover as the Institute tried different ways to meet its mandates. It was the second wave of program staff hiring that yielded a high quality staff that several external stakeholders heralded as a key reason they have continued their involvement with USIECR programs. Several staff members noted that this internal culture of collaboration would not likely be so easy if the Institute was not so small in size.

Geographically based ECR

Wheeler attributes the shift to project management to a key decision about program

services that wound up addressing the geographic proximity clause in the authorizing statute. During her early collaborative outreach, Emerson had contacted Debbie Dalton, a senior staff member at the Environmental Protection Agency (EPA). Dalton, who felt that a great role for the new Institute would be to develop a national roster of mediators or “neutrals,” came back to Emerson with an idea. Dalton was seeking an entity outside of the EPA to provide this service because the regulatory nature of the EPA complicated its ability to manage such a roster without being perceived as biased. At the same time, such a program would perfectly fulfill the requirement of the USIECR to base mediators proximate to conflicts. While the idea of a mediator roster was not a new one, having been used in the labor negotiation arena for years, there had never been an environmental mediator roster outside the EPA. The EPA paid USICECR to start this program and the USIECR’s Roster of Neutrals was born.

According to Joan Calcagno, roster coordinator at the Institute, initial development steps required a great deal of outreach to the private practitioner community:

They [Emerson and Dalton] did a lot of outreach...to a lot of people, made presentations to groups. . . to get all kinds of feedback about the roster and its development.

This outreach was performed by openly sharing the authority of program development with those who had more experience building rosters and encouraging those experts to present their ideas and concerns. USIECR staff anticipated correctly that those contacted would be the first professionals to apply for membership to the Roster and that they would then spread the word that it would likely be a quality program.

Clients as partners

Each contract or interagency agreement the USIECR established with a federal agency provided for flexibility, within which the Institute and the agency could develop new exchanges not previously considered. Elena Gonzales, a dispute resolution specialist at the Department of the Interior, explained:

This office works very closely [with USIECR] in a lot of respects. We share a lot of information and resources in terms of if we are working on something and developing it. With training or anything that we are doing, we keep them apprised of opportunities to coordinate, to share information, and to attend something that we are doing. They can come and speak, present a briefing, or what have you. We try to do the same, to keep up with the things that they are working on.

In addition, Emerson spearheaded the formation of ECR Roundtables with representatives from other federal agencies to exchange information across agencies about ECR practices.

Designing programs to be vehicles for collaboration

Like the Roster of Neutrals, program development within the Institute quickly became

exercises in collaboration. Significant examples include the National ECR Conference and the National Environmental Conflict Resolution Advisory Committee.

The USIECR produced several national ECR conferences for professionals in the field. While serving as the administrative arm of the conference, the USIECR deliberately shared planning and sponsorship with other organizations. This enabled the USIECR to get “on the map” with a wide variety of individuals and organizations at once, while creating a space for individuals and agencies engaged in ECR to meet, network and do business. Many new collaborative initiatives have originated from conversations held at the conference.

In 2002, Emerson and the USIECR leadership team initiated the National ECR Advisory Committee (NECRAC), which was established pursuant to the Federal Advisory Committee Act (FACA) to help the Institute understand how best it could further its fulfillment of NEPA 101. Emerson described it as:

The National ECR Advisory Committee was another very important outreach strategic choice on my part and I think people around here came to see the wisdom of that. It was a way in which we could outreach to a much more diverse group of people than were on our board. [NECRAC] allowed us to commit to environmental leaders; [Native American] tribal leaders; federal, state, and local governments; and a national group at a much higher level than before.

With a series of high profile news conferences announcing the report produced by this committee, collaborating with a broad array of stakeholders again served the institutionalization interests of the USIECR well.

In addition, in 2005, the Chairman of the CEQ and Director of the OMB approached the USIECR to facilitate a meeting of representatives from fourteen executive agencies to develop what became known as the “Memorandum on Environmental Conflict Resolution,” which presented principles for ECR in the federal government. This effort involved successfully facilitating a wide range of federal agencies, including CEQ, OMB, EPA, the Department of Justice, and the Department of Interior.

Chris Carlson neatly summarized the Institute’s overall strategy to new project development:

So I think the way it has worked is that Kirk has worked hard at building relationships with the people in the agencies and the people who are the providers, trying to find opportunities to collaborate.

Jeff Lape of the EPA said he sees implications of this reputation extending beyond the Institute into the field of ECR itself – an important piece of institutionalization for the organization:

Kirk has a very good relationship with the folks at the Council on Environmental Quality and

since CEQ is the Administration's environmental advocacy and policy center, and because of her relationship, I think our business of conflict resolution has achieved a higher level of perception and importance at CEQ.

Building a reputation for neutrality and quality

A key cultural development, evident at the outset within the USIECR that augmented future relationships with external partners, was the emergence of "neutrality" as a value and identity for the leadership team and USIECR staff. Part of this value stems from the professional experience of internal staff in the field of conflict resolution where mediators act as neutrals facilitating meetings between multiple parties in conflict, but organization leaders strategically cultivated this value. Dave Emerson at the Department of the Interior (no relation to Kirk), who contracts for USIECR services, explained:

Well I think it's crucial to their success because if they are not seen as a neutral then . . . they would be viewed as pro-federal agency . . . If you are viewed as pro-agency by the other interested parties in a conflict, then they are not going to want to use you [as a facilitator or mediator]. So, they can only accomplish their mission and survive if they are considered neutral.

To prevent any appearance of violating this neutrality, the leadership team instituted a buffer zone between USIECR staff and the political activities of the Udall Foundation Board of Trustees. This was evident at a 2006 reception where Congressional staff members were present. USIECR staff members were instructed to minimize interactions with these individuals and to not talk about Institute business with them. Several Institute staff members expressed ignorance of activities being taken on by the leadership team and the Board of Trustees in Congress other than to say that work was performed to facilitate positive support for USIECR annual appropriations and to prepare for upcoming reauthorization legislation.

All of the work put into maintaining neutrality paid off. Most clients contacted reported that regardless of criticisms and concerns, being a stickler for neutrality increased their trust of USIECR.

Collaborating while competing

Taking a collaborative approach has not been a completely smooth path for the Institute's leadership team. Despite the intent behind attempts at building trusting relationships, the reality stands that the USIECR operates under real conditions of limited pools of resources in both a political environment and a relatively new but growing profession. No matter how well the leadership team identified, negotiated with, opened input doors to, and provided resources for organizational partners and stakeholders, unavoidable organizational self-interests surrounding legitimacy sometimes disrupted perceptions of neutrality and

identification as a collaborating organization. This conflict in strategy was manifested in perceptions from a few stakeholders that the Institute was not giving full credit to partners when credit was due. Some field practitioners pointed out their own depth of experience in the field and expressed concern that their previous successes in ECR were not adequately appreciated and acknowledged by the “new kids on the block” – USIECR. Similarly, some public agency officials noted that environmental conflict resolution had been practiced in federal agencies for several decades and observed that USIECR staff members were promoting initiatives in areas of the practice where they did not have significant experience. However, these perceptions remained in the minority and did not prevent those who held them from engaging collaboratively with the Institute.

Reauthorization and beyond

As the fifth year of USIECR programming approached, staff and leadership team energy turned towards the authorization deadline of the program. Emerson and her staff bundled together programmatic successes from the first five years while Helms, Wheeler, Lemanski, and the Udall Foundation Board worked diligently, using these successes to cultivate and maintain the political support necessary for the USIECR reauthorization bill.

On December 6, 2003, President Bush signed P.L. 108-160, the Environmental Policy and Conflict Resolution Advancement Act, which reauthorized the USIECR within the Udall Foundation for another five years, increased the annual appropriation authority to \$3 million and established the \$1 million ECR Participation Fund to provide services to non-federal government and Native American entities. This was viewed as an important accomplishment under a White House administration considered cool to environmental concerns and processes. In the eyes of many, the USIECR had institutionalized.

Building legitimacy through collaborative activities

Individuals in public and private organizations engage in collaborative behavior every day, so the examples found in the story of the USIECR are likely not unique. However, the lessons learned from this story pertain to the selection of collaboration as a strategy of organizational survival and, in the case of public organizations, institutionalization. Building early legitimacy and support from day one in a collaborative manner contributed to subsequent success with organizational growth and recognition. The USIECR and its leadership team certainly benefited from its non-regulatory service mission and the collaborative culture of the profession in which it was embedded, but it took the actual management behavior of Emerson, her staff, and the rest of the leadership team to build the reputation and legitimacy of the USIECR as a viable, valuable collaborative partner within the federal government.

Questions for Discussion:

- 1) What role did the authorization statute play in limiting or enabling collaborative behaviors by members of the USIECR leadership team?
- 2) Which challenges faced by the USIECR leadership team did collaborative strategies most effectively address? Which challenges were not addressed as effectively?
- 3.) Who were the key stakeholders from whom the USIECR had to gain legitimacy? Which set of stakeholders seemed to be easiest to engage collaboratively? Which set of stakeholders seemed to be most difficult to engage collaboratively? Why?
- 4) Organizational self-interest and collaborative strategy often conflict, especially in the start up of new public organizations. How did the USIECR leadership team moderate this tension? How have you seen these tensions manifest in public organizations of your experience?
- 5) What do you think were the primary drivers of collaborative management strategies for the USIECR leadership team?
- 6) How might the experience of the USIECR apply to the establishment of a much larger public organization, such as the Department of Homeland Security? What might be some limitations?