

1-1-2008

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Sutcliffe, John B.. (2008). Public Participation in Local Politics: The Impact of Community Activism on the Windsor-Detroit Border Decision Making Process. *Canadian Journal of Urban Research*, 17, 57-83.
<https://scholar.uwindsor.ca/poliscipub/7>

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**Public Participation in Local Politics: The Impact of Community Activism on
the Windsor-Detroit Border Decision Making Process**

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Abstract

The study of community and citizen engagement in municipal decision-making is important within the field of municipal politics. Fundamental disagreements exist concerning whether community activism is capable of influencing municipal decision-making and secondly, whether any such influence is desirable. Some scholars argue that wealthy groups, which are not representative of the wider community, are more likely to secure influence. This article examines these issues by analyzing Windsor City Council's response to a community group's opposition to one proposal to construct a new Windsor-Detroit border crossing. The article concludes that the group did influence the municipal government's response to this proposal. It also concludes that although the group did have significant financial and other political resources not available to all community groups, it is not necessarily the case that the end result was disadvantageous to the entire municipality. Instead, the group's help in sidelining the proposal may have left political space for the development of better reform proposals.

Keywords: municipal government, popular participation, community activism, NIMBY

Canadian Journal of Urban Research, Volume 17, Issue 2, pages 57-83.
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ISSN: 1188-3774

Résumé

Le domaine de la politique municipale attache une grande importance à l'étude de la participation des communautés et des citoyens et citoyennes aux processus de prise de décisions municipales. Il existe, d'ailleurs, des désaccords fondamentaux sur l'efficacité de l'activisme communautaire. On questionne d'une part la capacité de cet activisme d'exercer une influence réelle sur les décisions prises par les conseils municipaux et on s'interroge d'autre part sur la nature désirable ou non d'une telle influence. Plusieurs chercheurs avancent que les groupes aisés, qui ne sont pas forcément représentatifs des communautés en tant que telles, parviendraient plus facilement que d'autres à exercer une telle influence. Cet article se propose d'examiner cette problématique en analysant la réaction du conseil municipal de Windsor aux pressions d'un groupe communautaire contre une proposition pour la construction d'un nouveau passage frontalier entre Windsor et la ville américaine de Détroit. L'analyse montrera que le groupe a, en effet, réussi à influencer la position adoptée par le conseil municipal. Elle montrera, en outre, que cette influence n'était sans doute pas désavantageuse pour la municipalité, en dépit du fait que le groupe avait accès à des ressources financières et politiques qui sont hors de la portée de la plupart des groupes communautaires. Au contraire, le rejet de la proposition par le conseil municipal dû en partie aux pressions exercées par le groupe aurait contribué à une certaine volonté politique de solliciter des propositions plus convenables.

Mots clés: gouvernement municipal, participation populaire, activisme communautaire, syndrome NIMBY

Introduction

The study of public participation in municipal government policy-making has a long history both within Canada and local government in other settings. Two main questions are discernible within the literature. The first concerns whether public participation, in whatever form, is capable of influencing policy decisions taken by municipal councils. The second concerns whether any influence that is exerted is representative of the local community as a whole. Proponents of popular participation in municipal government decision-making argue that it allows for a wide variety of voices to be heard by municipal decision-makers. They further argue that public participation allows for better municipal decision-making based on local knowledge, that the local community will recognize final decisions as legitimate, and that they will have a greater sense of ownership over these final decisions. This in turn will increase the democratic legitimacy of the local government. Critics, on the other hand, question whether local participation is capable of influencing final decision-making. Instead, it is argued that while a municipi-

pal government may be prepared to hold public meetings, organize ‘town-hall’ forums, or conduct focus group studies, there is no guarantee that they will listen to the results. In addition, even if decision-making is influenced by public participation, it may well be that this participation is not representative of the wider local community but instead is dominated by elites, such as business organisations. As a result, marginalized groups or areas will be excluded.

This article examines these two questions through an examination of Windsor City Council’s decision-making with respect to the Windsor-Detroit border crossing in the period between 2002 and 2005. The Windsor-Detroit border is the busiest crossing in North America and is central to the economies of both the United States and Canada (see Austin, Dzinski, and Affolter-Caine 2008; Brunet-Jailly 2000). Over the past decade, governments at all levels, as well as many different public and private actors, have debated reforming this border crossing by adding capacity through the construction of a new crossing and improving the access routes to the border crossings. A number of different proposals have been examined and continue to be debated. This article examines one of the early proposals to reform the Windsor-Detroit border crossing: the proposal by the Detroit River Tunnel Partnership (DRTP) to convert the existing rail tunnel and rail tracks into an international truck route alongside a newly constructed rail tunnel. In particular, the article focuses on the activity of one community-based organisation, the South-West Windsor Ratepayers Corporation formed in opposition to the DRTP proposal and its influence on Windsor City Council’s decisions with respect to the border crossing. The article examines whether this local community activism shaped the city council’s position on the border crossing. The article then examines whether this local participation was representative of the broader local community. To this extent, the article questions whether this local participation was a positive element in the decision-making process or whether it served only to further the interests of one section of the local community at the expense of others.

Community Participation in Municipal Decision-Making

There is a long history of studying the role that public participation, alongside or instead of voting, plays in municipal decision-making (Dahl 1961; Stone 1993; Stone 2005). Interest in this aspect of municipal politics increased, however, from the 1980s onwards both within the world of municipal government and within the academic community (Graham and Philips 1998a; Stewart 2000). There are arguably three interrelated reasons for this developing interest (Stewart 2000; Pratchett 1999; Berry, Portney, and Johnston 1993). The first gained prominence during the administration of the Mulroney Conservative government (and similarly with the Thatcher governments in the United Kingdom and the Reagan administrations in the United States) and has been labelled a “consumer-oriented”

or “citizen-consumer” approach (Pratchett 1999; Tindal and Tindal 2004). This approach to municipal politics emphasizes the role of local citizens as consumers of the services provided by municipal governments. According to this perspective, public participation in the decision-making process provides a means for improving the quality of services and for making “out-of-touch” and “self-interested” local politicians more sensitive to the interests of their citizens (see Wilson 1999, 247). Consultation mechanisms included introducing complaints schemes, conducting market research, and customer surveys.

A second force leading to increased interest in popular participation in decision-making related to a declining faith in the ability of professional policy-makers to know what is best for local communities (Hamel 2002). There was, in other words, a desire to move from a top-down to a bottom-up approach to policy development (Young 2000, 183; Stewart 2000). According to this perspective, local politicians and officials were not necessarily in a position to develop the most effective policies. Instead, it was necessary for them to listen to those in the local community, and thus empower local citizens, in order to develop policies that are more effective and which garner more support within the local community (Graham and Philips 1998b; Young 2000; Burby 2003).

A third factor is related to this faith in the value of citizen participation. In this view there is declining confidence in the value of the traditional instruments of representative democracy, as evidenced by the low, and declining, voter turnout rates in local elections. According to this perspective, the way to restore popular faith in democratic institutions is to seek increased voter turnout, and also facilitate greater public involvement in decision-making through consultative and participative mechanisms (Pratchett 1999). This is related to the work of Robert Putnam who points to the importance of social capital (stemming in part from the strength of neighbourhood and community organizations) in the health and effectiveness of democratic governance (Putnam 1995a; 1995b). In the case of the United Kingdom, for example, the Labour Government placed considerable emphasis on public engagement in local politics and demanded that local governments introduce multiple mechanisms for engaging citizens in local policy-making (see Bonney 2004; Needham 2002; Pratchett 1999; Rao 2000). In the words of Stoker: “The broad philosophy behind New Labour’s strategy stressed the need to seek active citizen endorsement rather than acquiescence” (Stoker 2004, 108). In the Canadian context, some provinces, including Ontario, have allowed municipalities to consult citizens through the use of a local referendum (Tindal and Tindal 2004, 331-6).

These trends within national and local politics have, therefore, combined to generate interest in the role of popular participation in municipal decision-making in a range of different national settings. They have not, however, coalesced around any one form of popular participation. In the Canadian context and else-

where, municipal authorities have experimented with different types of consultation mechanisms (Graham and Phillips 1998b; Tindal and Tindal 2004). These include what may be termed traditional mechanisms, such as ward or town hall meetings. Young referred to these as 'top-down' forms of consultation whereby the council sets the agenda for the consultation exercise and its main objective is often simply to inform the public of its plans (2000, 184-5). These contrast with newer forms of citizen participation that include the use of focus groups, citizens' juries, community planning exercises and citizen referenda (Pratchett 1999; Tindal and Tindal 2004). Proponents of these forms of participation suggest that they are more likely to promote a 'bottom-up' approach whereby consultation is a genuine two-way dialogue and thus allows for genuine public involvement in decision-making (Young 2000). One element of this relates to the timing of participation. It is argued that citizen participation that occurs earlier in the decision-making process is more likely to be effective than consultation occurring after the main parameters of the decision have been established (see Brody, Godschalk, and Burby 2003; Young 2000, 185).

There are, then, multiple reasons why citizen engagement in municipal policy-making is advocated and multiple mechanisms have been introduced to allow for such engagement. There is not, however, universal agreement about the merits of citizen participation. Advocates stress three main advantages of citizen participation in policy-making. First, they suggest that it potentially introduces valuable knowledge and innovative ideas into final decisions (Burby 2003; King, Feltey, and O'Neill 1998, 324). According to this view, local citizens are often best placed to know what will work and what decisions are best suited for their neighbourhood or area (Lindblom and Cohen 1979). Within the United States, for example, a number of states now require municipalities to engage in mandatory citizen consultation as part of their planning processes (Brody, Godschalk, and Burby 2003).

A second advantage of citizen participation relates to the implementation of policy decisions. It is argued that citizen involvement from an early stage of the decision-making process increases the legitimacy of the final decision and encourages acceptance of this decision. In the words of Burby: "Groups who lobby elected officials to adopt plans that embody proposals they favour will then continue to work to see that the proposals are carried out" (Burby 2003, 34). Similarly, Brody, Godschalk, and Burby argue that citizen engagement that is "early, often and on-going" can create a sense of ownership over a plan's content and can reduce potential conflict over the long term because those involved feel responsible for its policies" (2003, 246). Although participation takes time and may be costly, it can prove valuable in terms of implementation (Brody, Godschalk, and Burby 2003, 246).

A third argument in favour of citizen involvement is that it helps to counteract public apathy and can help to educate citizens with respect to the political system (Pratchett 1999; Putnam 1995a). Robert Dahl, for example, has argued that in the context of developing institutions beyond the borders of the state and international pressures on state-level democratic institutions, “democratic life in smaller communities below the level of the state” should be enhanced (Dahl 1994, 33). He notes:

The larger scale of decisions need not lead inevitably to a widening sense of powerlessness, provided citizens can exercise significant control over decisions on the smaller scale of matters important to their daily lives: education, public health, town and city planning, the supply and quality of the public sector from streets and lighting to parks and playgrounds... (1994, 33).

One criticism of this argument is that emphasizing participatory democracy weakens representative democracy by allowing elected politicians an opportunity to avoid taking responsibility for decisions (Cochrane 1996; Needham 2002). Proponents, however, argue that this need not happen. Instead, elected representatives continue to be an integral part of the decision-making process even with the addition of a greater role for the public, and participatory democracy may in fact sustain representative democracy (Stewart 2000, 260).

Other criticisms of increased citizen participation in local policy-making revolve around two main issues. The first questions whether participation yields practical benefits. According to proponents of this view, citizen participation frequently has no impact on decision-making and thus does not produce the concrete results suggested by proponents (see King, Feltey, and O’Neill 1998; Lowry, Adler, and Milner 1997; Sancton 1998). One main reason given for this is that policy-makers, whether politicians or officials, may allow citizens to express their views but are frequently unlikely to respond to these views when actually making decisions (Wilson 1999). A study of citizen participation in the United States found that local government efforts to involve citizens in decision-making are often purely symbolic (Berry, Portney, and Johnston 1993). A similar study of local participation in England found that only one third of local authorities felt that citizen participation had a significant impact on the final decision (Lowndes, Pratchett, and Stoker 2001a, 452). The same study also found, “a near-universal feeling within the focus groups that their local council thought it ‘knew best’ and was ultimately unresponsive to public concerns (whatever its stated intentions)” (Lowndes, Pratchett, and Stoker 2001a, 452).

There is, therefore, an extensive body of scholarship that suggests that while the public may be allowed to participate in local government decision-making,

and while they may be consulted, this does not necessarily translate into policy influence. There are several reasons given for this. First, it is suggested that local government policy-makers want to maintain control of decision-making (see Brody, Godschalk, and Burby 2003, 250). Second, it is argued that local politicians and officials sometimes see citizen participation as problematic insofar as it creates costs, may slow the speed of decision-making, and may result in demands that conflict with other aspects of a municipality's agenda (Lowndes, Pratchett, and Stoker 2001b). In addition, citizen consultation is sometimes perceived to be a mechanism that creates division within the municipality (see analysis in Burby 2003, 36). In sum, then, it has been argued that attempts to consult citizens have often been used more as a mechanism for giving the appearance of democratic participation rather than as a practical means of influencing policy decisions (see Pratchett 1999, 632). Whatever the root cause, the practical failure to influence policy results can lead to increased public apathy and disillusionment with the institutions and processes of municipal government (Needham 2002, 706; see also Lowndes, Pratchett, and Stoker 2001b).

A second critique of citizen participation, as currently constituted, focuses on the representativeness of participation. A number of scholars of Canadian municipalities and elsewhere highlight the role of elites, particularly business elites, as a dominant influence on municipal councils. Hamel (2002), for example, argues that consultation exercises are limited by the fact that they may be dominated by local elites who do not necessarily represent the interests of the local population as a whole. Caroline Andrew (2001, 109) also examined the strength of the link between local government and local business. She argues that there needs to be stronger local public involvement in municipal decision-making. Similarly, some studies of municipal government in the United States and Europe point to the overwhelming importance of business interests in municipal decision-making (see Hill 1996; Harding, Wilks-Heeg, and Hutchins 2000; Hoggett 1997; Layzer 2002; Needham 2002). In the view of these scholars, citizen participation may be largely limited to those already privileged in the political process and not representative of the local community as a whole. This view is expressed by Ville-neuve and Séguin, who argue that, "it is well known that property owners (who generally belong to middle and high-income groups) are more likely than tenants (who tend to be poorer) to organize politically, vote at municipal elections, and, consequently, influence local governments" (2000, 548). The English local government study referred to above indicated that one belief prominent among local citizens was that participation was for "other people" rather than for ordinary citizens (Lowndes, Pratchett, and Stoker 2001a).

According to some scholars then, citizen or community engagement in municipal decision-making can be problematic because, by definition, it is parochial and not representative of the local community as a whole (see Chaskin and Abu-

nimah 1999, 72). This argument is particularly found in criticisms of NIMBY (not-in-my-backyard) politics. In this view, citizen engagement in municipal politics frequently takes the form of attempting to prevent decisions from being made (often involving the location of unwanted infrastructure or facilities) that are perceived to be contrary to the interests of a particular community (see King, Feltey, and O'Neill 1998). It is, moreover, often the case that wealthy groups or communities find it easier to mobilize to engage in municipal decision-making and have the resources to devote to these efforts (see Polsby 1980). Consequently, they are better placed to engage in NIMBY-type participation than are poorer communities with the result that unpopular projects are less likely to be located in wealthier areas and more likely to be located in poorer communities. Critics of this type of participatory engagement in municipal decision-making argue that it should be the role of the elected city councillors to reflect the interests of their residents and, through negotiation, arrive at policy positions that are in the best interests of the entire local community.

There are, then, contrasting views on the effectiveness and representativeness of local participation within municipal policy-making. In order to examine and test these perspectives it is necessary to subject them to detailed empirical analysis. The remainder of this article provides such an empirical analysis through the use of a single detailed case study. The article examines one community group and assesses the extent of its impact on decision-making in one Canadian municipality. In undertaking this empirical analysis, three interrelated questions are examined. First, the article examines whether the community group did in fact influence the council with respect to its decision-making on this issue. Second, the article examines the factors that help explain the group's relative influence on the municipal council. Here particular attention is paid to the resources that the group were able to mobilize and bring to their activism in pressing their case. As the study of resource mobilization indicates (within social movement theory or urban regime analysis for example) there are a number of potential resources that affect a group's capacity to affect policy development. These resources include membership size, available money, the possession of formal and informal links to the municipal council, social status and expert knowledge (see, for example, Stone 2005; Lowndes, Pratchett, and Stoker 2006). In addition, the article examines the type of participative mechanisms employed by the council and whether these mechanisms help to explain relative community influence in this instance. Finally, the article examines whether this community participation was a positive element in the decision-making process or whether it served only to further the interests of one section of the local community at the expense of others.

The Windsor-Detroit Border Crossing

The border crossing between Windsor, Ontario, Canada and Detroit, Michigan, United States is the busiest and most economically significant in North America. This border currently consists of four crossings: a truck ferry, a car tunnel, a train tunnel, and a bridge. Collectively, these crossings are of vital importance to the North American economy as a whole (see Austin, Dzenski, and Affolter-Caine 2008). In 2003 approximately \$140 billion worth of goods crossed the Windsor-Detroit Border. This accounts for over 30 per cent of Canada-U.S. trade. In terms of truck traffic, the most important element of the Windsor-Detroit Gateway is the Ambassador Bridge, which was constructed in 1929, and which links Canada's Highway 401 and US Interstate 75 and Interstate 96. According to Transport Canada, between eight and nine thousand trucks cross the Ambassador Bridge each day (Transport Canada 2008).

Several voices now argue that improvement of this border infrastructure is central to the long-term economic health of the region and indeed North America as a whole. These arguments centre on the necessity of constructing a new border crossing to supplement the aging Ambassador Bridge as well as improving access to the border (DRIC 2005; Austin, Dzenski, and Affolter-Caine 2008). Representatives of major businesses emphasize the importance of the border crossings for their industries and the need for immediate improvements to the crossing. In August 2007 the Ontario Chamber of Commerce issued a report stressing the economic importance of the Windsor-Detroit crossing and the need for a speedy decision to improve border infrastructure (see Pearson 2007). Government reports also suggest that congestion and delay at the Windsor-Detroit border have the potential to cost approximately \$21 billion a year by 2030 (DRIC 2005; see also Canadian Parliament 2005, 2). Government and business concerns about the border have also been influenced by security issues in the post-September 11th 2001 period. It has been argued that adding border capacity, and doing so quickly, is a necessary response to the threat of terrorist activity against the existing crossings, and the Ambassador Bridge in particular. This was one of the central findings of a Canadian Standing Senate Committee on National Security and Defence report into border security (Canadian Parliament 2005).

The reform of the Windsor-Detroit border crossing is not a decision that rests with Windsor City Council. The decision is multinational in character and one that will ultimately require the agreement of the governments of Canada, the United States, Michigan and Ontario. These four governments formed a Transportation Partnership in December 2000, now known as the Detroit River International Crossing team (DRIC), comprised of civil servants from the four levels of government. It is tasked with preparing a proposed river location, plaza location and environmental assessment for a new border crossing as well as a proposal

for access routes to this new crossing. After a number of delays, the DRIC team released its preferred option for a new bridge and plaza location in June 2008 with final proposals for the border announced at the end of 2008 (see Battagello 2008a).¹

At the same time as the DRIC team has been preparing its proposals, other interested parties have been working independently to develop reform proposals. One of these is the Ambassador Bridge Company, owned by billionaire Manuel 'Matty' Moroun (Battagello 2007a). The most significant U.S.-Canadian border crossing is therefore owned by a private individual and it has a virtual monopoly on cross-border truck traffic in this trade corridor (see Jang 2007; Fitch and Muller 2004). By some estimates, the bridge collects US\$60 million per year in tolls (see Kidd 2005).

The Ambassador Bridge Company argues that the costs associated with delays at the existing crossings can be averted by introducing increased customs processing capacity through the construction of a new plaza in Detroit and by improving the existing access roads to the bridge (see Chen 2005; Kidd 2005; Wolfson 2008). In the longer term, the bridge company proposes twinning the existing Ambassador Bridge as the mechanism for adding additional border-crossing capacity (Battagello 2005a). To this end, it has begun to secure planning permission and the necessary environmental assessments for a second bridge, immediately to the west of the existing structure (Battagello 2005b; 2007b). It has also purchased substantial amounts of the property necessary for this project (see Battagello 2006a; Jang 2007). The Ambassador Bridge Company thus argues that it can reform the border crossing and can do so at a substantially lower cost to taxpayers than the proposal developed by the Detroit River International Crossing team (Battagello 2006b).

Other reforms of the border crossing have been proposed and examined during this time period. One of these is the proposal from the Detroit River Tunnel Partnership (DRTP) that is examined below. In sum, then, the reform of the Windsor-Detroit border crossing is an intensely complicated policy process involving a number of affected parties on both sides of the border. The final decision on reform does not lie with Windsor City Council, but it is nevertheless actively involved in the decision-making process at a number of different levels. First, the municipality is one of the areas most directly affected by the existing border crossing, and thus by the decision on a future crossing. Windsor is the only major Canada-U.S. border crossing without a direct highway connection. The approaches to the two main existing crossings, the Ambassador Bridge and the Detroit-Windsor car tunnel, are city streets used extensively by city residents as well as international traffic.² This is particularly problematic for the city given that this is the busiest international trade crossing in North America. Various studies, moreover, argue that the Canadian access to the Ambassador Bridge via Huron Church Road is

already approaching capacity at several key intersections (Canada-U.S.-Ontario-Michigan Transportation Partnership 2002, 38).

The border crossing issue, therefore, affects the City of Windsor and its residents. The municipal government is also directly engaged in the decision-making process. First, the DRIC team is committed to undertaking its work in close consultation with local stakeholders, including municipal governments. This has manifested itself in a series of meetings with these stakeholders. Second, the city council has sought to influence the long-term solution that will be adopted and has taken steps to introduce its own long-term border solution. In 2004 the city hired a traffic consultant, Sam Schwartz, to produce a report on the border issue. This report was made public in January 2005 and the city subsequently pressed for support for its recommendations, including the construction of a new bridge and related infrastructure development. In October 2007 the city released a second major attempt to influence the border reform policy-making process, also based on Schwartz's work. This effort, which the city calls 'GreenLink', focuses on improving the access route to a new border crossing through increased use of tunnelling (see Battagello 2007c; 2008b).³

Thus, although Windsor City Council cannot make the final decision on the border crossing, it is one participant in the policy debates. It is, therefore, important to analyze the extent to which public participation has influenced the council's positions on this issue. This case study is significant in part because of the economic importance of the issue to both the local and Canadian economy. As noted above, the construction of a new border crossing and access route is a development issue that is considered to be of primary importance to major employers in the municipality. The case study, therefore, offers the opportunity to analyze the relative importance of a community group's participation in municipal policy-making relative to that of major business interests (Andrew 2001; Hamel 2002). This article does not examine the entirety of the municipal council's decision-making relating to the border crossing or community engagement in this decision-making. Instead, it focuses on one border crossing proposal (that of the Detroit River Tunnel Partnership) and one community group's response to this proposal. The article examines the activities of the South-West Windsor Ratepayers Corporation (SWWRC), which formed in December 2002 with the specific goal of opposing the Detroit River Tunnel Partnership (DRTP). The article then analyzes the extent to which this community organization mobilized resources and was able influence Windsor City Council's reaction to the DRTP proposal.

The Detroit River Tunnel Partnership

The DRTP was created by Canadian Pacific Rail and Borealis Transportation Infrastructure Trust (which itself is owned by the Ontario Municipal Employees

Retirement System). The DRTP's original proposal was to convert the existing rail tunnel into a two-lane truck tunnel, and construct a new rail tunnel alongside the existing tunnel. The project sought to create a direct, truck-only link from Highway 401 to the proposed tunnel using existing Canadian Pacific rail corridors through the city. Access to the tunnel was also to be available via the city's EC Row Expressway. In addition, the DRTP proposal called for the construction of a customs and security clearance centre on existing rail yards.

Supporters of the DRTP project highlighted the fact that the project would almost completely separate international truck traffic from local city traffic, that it provided an alternative border route in the event of security problems at one of the existing crossings (which stands in contrast to the proposal to twin the Ambassador Bridge), and that it would be largely self-financing. The main advantage stressed by supporters of the DRTP is that it was a project that could add to border crossing capacity quickly (see Watson 2004). Major business interests, including the trucking industry and the Big 3 automakers, and union groups, expressed initial support for the DRTP on this basis. Michael Sheahan, former general manager of the DRTP, commented on this support when he stated that:

the auto industry has called for alternative approaches to be constructed as soon as possible. In its recent report, the Canadian Automotive Partnership Council (CAPC) Trade Infrastructure Committee stated: Our industry is highly integrated with the US and its economic success is dependent upon a just-in-time delivery system which requires an efficient and effective border, particularly at Windsor-Detroit (Sheahan 2003).

In December 2002, the *Windsor Star* (the major local newspaper) argued "that the DRTP proposal represented the best way to deal with the problems of congestion and tie-ups *in a reasonable time-frame*. It would increase competition, increase capacity and, with the new train tunnel, it would make rail more competitive" (*Windsor Star* 2002. Emphasis added).

Opposition to the DRTP proposal came from a number of sources, but was primarily led by one community group: the South-West Windsor Ratepayers Corporation (SWWRC), which was formed by home owners in the communities most directly affected by the proposed DRTP route. The SWWRC based its opposition on various grounds. It argued that the DRTP would add insufficient crossing capacity and that it raised safety concerns. The SWWRC's main argument against the DRTP, however, related to the potential routing of international trucks through residential communities and the impact this would have on property prices, on noise and on pollution (see Arditti n.d.). One South Windsor resident expressed this clearly when stating that: "Running a superhighway right through the city of Windsor is a mistake. You've got residents with children that

have to live with something like this. It has to be rerouted outside the city of Windsor” (quoted in Battagello 2002a; see also Arditti n.d.).

In addition to opposing the DRTP, the SWWRC also opposed the initial decisions taken by the Government of Canada and the Province of Ontario for short to medium term infrastructure projects to improve the Windsor-Detroit crossing. Specifically, the SWWRC opposed the decision, announced in a November 2002 Action Plan and reiterated in the May 2003 Windsor Gateway Nine Point Action Plan, to spend border improvement money on upgrading the EC Row Expressway and linking it to Highway 401 (see Hall 2003a). Although the governments denied that their proposals would help to determine the final choice of long-term border crossing, the SWWRC opposed the Nine Point Action Plan on the grounds that it (and particularly the proposed use of the EC Row Expressway for international trucks) would be detrimental to Windsor and would make the ultimate selection of the DRTP proposal more likely (see Hall 2003a; 2003b). The then chairman of the South-West Windsor Ratepayers Corporation, Dave Brister, stated that: “It doesn’t serve the residents to have our only east-west expressway clogged up with international trucks.” He continued by arguing that the Nine Point Plan would prevent the SWWRC’s preferred long-term border solution of a bypass route outside of Windsor from being implemented (quoted in Cross 2003; see also Battagello 2002b).

City residents formed the South-West Windsor Ratepayers Corporation in order to influence the different facets of the border decision. Their political engagement, consequently, was not aimed exclusively at Windsor City Council and their activities included lobbying federal and provincial politicians and candidates, attending public meetings arranged by the different border crossing proposals, and participating in consultation exercises arranged by the governments and the Detroit River International Crossing team. Nevertheless, a key target of the citizens’ group was the municipal council as it sought to influence the city’s responses to both the long-term border solution and the short and medium term expenditure decisions.

The SWWRC’s activity in this respect took many forms including holding press conferences, organizing legal campaigns, writing to the media, and engaging in direct protest activities (see Thompson 2003a; Strang 2003). The group also used institutional resources through the development of both formal and informal links to the municipal council. One element of this strategy was to make use of the more traditional forms of participation referred to above (see Wilson 1999; Pratchett 1999). SWWRC members attended and spoke at council meetings through 2003 and 2004. In addition, several hundred members of SWWRC attended a special consultative meeting organized by city council in January 2003 (Battagello 2003a), and hundreds attended ward meetings organized by the city council to gather citizen input into the Nine Point Action Plan (Hall 2003c).

Over 1300 South Windsor residents signed a letter to the city council calling for it to reject the DRTP proposal (Larkin 2005). A large amount of the group's participation was linked directly to the mechanisms of representative democracy insofar as the group used the November 2003 municipal elections to advance their case. Their activism played a significant part in making the border issue one of the main topics at candidates' meetings in the city wards (see, for example, Thompson 2003b). The institutional link between the community group and the municipal election was most clearly visible in the candidacy and eventual election of Dave Brister, the SWWRC's chairman. Brister's election campaign was not confined to the border issue, but opposition to the DRTP was certainly part of his platform and was a major element of the campaign. As he himself stated: "If it wasn't for opposing the DRTP proposal, I never would have run for council" (quoted in Hall 2003d).

The SWWRC, therefore, organized to influence Windsor City Council as part of a wider campaign to influence policy-making regarding the Windsor-Detroit border crossing. Elements of this campaign occurred through consultative mechanisms organized by the city council. A key question is whether the citizen group was able to exert influence over the city council.

Community Influence?

Assessing the relative importance of any single element to a political decision is exceptionally difficult. This is also the case with respect to this case study. It is impossible to state definitively that the South-West Windsor Ratepayers Corporation was able to affect the city council's decisions on this border crossing plan. There are, nevertheless, grounds for concluding that the resources employed by the SWWRC in their campaign were at least one persuasive element in the decisions adopted by the municipal council. First, the council ultimately passed resolutions opposing the DRTP proposal and therefore supportive of the SWWRC (Battagello 2003a). This included passing a motion in May 2004 to petition the government of Ontario to investigate the investment practices of OMERS (one of the partners in the DRTP). The city also passed a by-law giving it the right to approve the non-rail use of railway lands, which many saw as being designed as an obstacle to the implementation of the DRTP proposal (see Cross 2005a; Hall 2004). The municipal government also advanced its own long-term approach to reforming the border in the shape of the January 2005 Schwartz Report. This plan rejected the DRTP proposal and was supported by the SWWRC.⁴ These developments followed the November 2003 municipal elections when two of the three mayoral candidates, including the two main contenders and the eventual winner, Eddie Francis, spoke against the DRTP proposal.⁵

Council resolutions were also passed that backed the SWWRC's opposition to the federal and provincial governments' Action Plan and the subsequent Nine Point Gateway Plan. In March 2003 the Council voted to oppose using the EC Row Expressway as an international truck link (CR117/2003). This was reaffirmed in August 2003, when the council passed Resolution CR534/2003 rejecting the Windsor Gateway Nine Point Action Plan and retaining outside legal counsel to oppose the plan. This decision followed the ward consultation meetings organized by the council. On 11 March 2004 the Governments of Canada, Ontario and the City of Windsor signed a Memorandum of Understanding (the *Let's Get Windsor-Essex Moving Strategy*) whereby the governments committed to the first phase of spending projects of the \$300 million committed by the federal government and Ontario. These projects did not include the changes to the EC Row Expressway originally included in the Action and Nine Point Plans, and opposed by the SWWRC.

The fact that the council adopted the SWWRC's positions does not by itself indicate that the group was influential. Other factors help to support such a conclusion. First, there are reasons to suggest that the municipal council was not fixed in its opposition to the DRTP proposal, nor to the use of the EC Row Expressway as an international truck route, prior to the formation of the SWWRC. The fact that in January 2004, Michael Hurst, who had been mayor until November 2003, accepted the position of chief executive officer for the DRTP suggests that the DRTP proposal had significant support within the city council during the period under examination here. With respect to the proposal to upgrade the EC Row Expressway, a council resolution of 7 October 2002 (prior to the formation of the SWWRC) called for the expenditure of a portion of the border funds announced by the provincial and federal governments on upgrading the expressway and linking it to Highway 401 (Hall 2003e). After the release of the Action Plan, the council, in a 7-3 vote, voted in favour of a resolution to upgrade the expressway and open the door for a revised version of the DRTP proposal. This was strongly criticized by the SWWRC who claimed that it was an "absolute betrayal of the residents of the City of Windsor." The then chairman, Dave Brister, suggested that: "Mayor (Mike) Hurst and the councillors who have chosen to turn their backs on the residents of Windsor by now favouring the DRTP proposal have proven that they do not deserve the positions of trust which they hold" (quoted in Battagello 2003b). The council, however, reversed this position in its August 2003 resolution. This reversal came in spite of a recommendation from council officials that the councillors accept the recommendation to use the expressway as part of an international truck route (see Hall 2003f).

It is not the case, therefore, that the SWWRC was pushing at an open door and that the municipal government was already predisposed to adopt the positions supported by the group and would likely have done so in the absence of

Table 1: Border Crossing Timeline

Dec. 2000	Formation of Bi-National Partnership (Detroit River International Crossing Team)
2001	Detroit River Tunnel Partnership (DRTP) proposal launched
Sept. 2002	DRTP file notice of intent for approval to construct the Canadian portion of their truck route
Oct. 2002	Windsor City Council resolution calling for link between Highway 401 and EC Row Expressway
Nov. 2002	Joint Management Committee Action Plan (Governments of Ontario and Canada)
Dec. 2002	Windsor Star Editorial supportive of DRTP
Dec. 2002	Formation of South West Windsor Ratepayers Corporation (SWWRC)
May. 2003	Windsor Gateway Nine Point Action Plan (Governments of Ontario and Canada) – includes 401-EC Row link. Opposed by SWWRC
July. 2003	Council officials recommend support for Nine Point Action Plan
Aug. 2003	Windsor City Council resolution rejecting Nine Point Action Plan
Nov. 2003	Council elections – SWWRC chairman elected. New mayor opposes DRTP
Jan. 2004	DRTP appoints former Mayor Michael Hurst chief executive officer
Mar. 2004	Memorandum of Understanding signed by governments of Canada, Ontario and Windsor. Does not include Highway 401-EC Row link.
Sept. 2004	Windsor City Council passes by-law to prevent the non-rail use of railway land
Jan. 2005	Windsor City Council releases Schwartz Report – rejects DRTP
Nov. 2005	DRIC remove DRTP proposal from its list of border crossing options
Aug. 2007	DRIC release border access road proposal (Parkway)
Oct. 2007	Windsor City Council releases GreenLink proposal
June. 2008	DRIC recommend location for a new bridge and plaza

this group's activities. The council's voting record suggests rather that its positions were somewhat fluid, thus increasing the significance of the consultation exercises and the SWWRC's lobbying efforts. This is particularly the case given that powerful groups within Windsor and beyond supported both the DRTP proposal and the Gateway Plan. Representatives of major businesses spoke (and continue to speak) about the importance of the border crossings for their industry and the need for immediate improvements to the crossing. These business interests include the heads of the Canadian branches of the Big Three Automotive makers, which are also vital to Windsor's local economy (see Watson 2004). Similarly, Gerry Fedchun, president of the Automotive Parts Manufacturers' Association, expressed his worry about the border crossing: "We're losing contracts and people are being laid off because we can't get the parts across the border in time." He continued by arguing in favour of the DRTP proposal as one desirable medium-term solution to border crossing delays (quoted in Pearson 2005). Representatives of the trucking industry initially echoed these sentiments and spoke in favour of the DRTP proposal moving ahead alongside other potential border improvements (see Bradley 2003).

In addition to industry support, representatives of trade union groups declared support for the DRTP proposal (see Borlik 2003). In August 2003 the Teamsters president, James P. Hoffa, declared that: "People who go back and forth from Windsor to Detroit know we have a tremendous problem here and we [have] got to unblock this. This tunnel is the first concrete step and the Teamsters are behind it" (quoted in Canadian Press NewsWire 2003). Local union representatives also spoke in favour of the DRTP proposal. In August 2004 the Windsor Police Association and Windsor Professional Fire Fighters Association endorsed the DRTP (Anon. 2004).

It is therefore the case that the SWWRC was not the only actor seeking to influence the council with respect to the DRTP and that there were powerful voices speaking in favour of this proposal. This is also the case with respect to the decision on the Action Plan and the Windsor Gateway Nine Point Action Plan. Various industry representatives indicated their support for the plans that were opposed by the SWWRC and later rejected by the city council. In May 2003, Mark Nantais, president of the Canadian Vehicle Manufacturers' Association indicated that his membership "strongly supports the infrastructure plan" (see Vander Doelen 2003; also Hall 2003g). Similarly, in November 2003, the then president of DaimlerChrysler Canada, Ed Brust, argued that the Windsor Gateway Nine Point Action Plan "provides the framework for improvements to the existing crossings" and that it should be adopted (quoted in Battagello 2003c). In the same month, the Windsor and District Chamber of Commerce also expressed support for the plan.⁶ It is not the case, then, that the Council adopted its positions opposing the DRTP and the Action and Nine Point plans because there

was overwhelming support for these positions from powerful interests within the community. It is true that there were other interests that supported these positions, or some of them. The Ambassador Bridge Company, for example, was a consistent critic of the DRTP proposal and particularly questioned the traffic data used by the DRTP to support their proposal (see Chen 2005). Nevertheless, very powerful interests within the local community opposed the positions advocated by the SWWRC and ultimately adopted by the city council.

It is still not possible to conclude definitively that the SWWRC's engagement in municipal consultation exercises, combined with its own lobbying efforts, was the vital factor in shaping the council's positions. It is, for example, possible that the city councillors' positions were shaped by their own personal views on this issue. It is also the case that councillors may have been affected by electoral calculations regarding the consequences of adopting a particular position on the border crossing. This may have been prominent in the minds of many councillors given that municipal elections occurred in November 2003 in the midst of discussions concerning the Gateway Plan. Again, however, as noted above, the SWWRC worked extensively to influence candidates' positions during the election campaign and secured the election of their chairman, Dave Brister. As Stone (2005, 326) identifies, these types of institutional resources are frequently significant in determining the influence that a group can exert in the policy process.

In sum, then, there are a number of reasons to suggest that the SWWRC was able to influence the city council's positions on the border crossing issue. The DRTP proposal was not rejected by council until after the formation of the SWWRC and indeed enjoyed considerable support prior to the SWWRC's lobbying efforts.⁷ Consequently, this case study does not completely correspond with assertions that while municipal governments may be prepared to consult citizens, they are not prepared to listen to the results of that consultation (Berry, Portney, and Johnston 1993; Wilson 1999). The council did seem prepared to amend its positions based upon the results of consultation. This case study also does not completely correspond with Young's assertion that traditional forms of popular consultation (such as town hall and ward meetings) are likely to be dominated by the municipal council and to be used by the council to create legitimacy for its proposals (Young 2000). Again, because the council shifted its position, in part as a result of citizen participation, it would appear that the council was not using the consultation mechanisms to generate support for a position that it had already developed. Instead, the SWWRC had real input into the council positions.

Value of Community Engagement?

While this case study does not support assertions that community engagement is often ignored by municipal councils in the development of policy, another criti-

cism of public participation in municipal decision-making has greater validity. Specifically, it is questionable whether the citizen participation examined here is representative of the wider Windsor community. As noted earlier, critics of participation indicate that it tends, especially in its traditional forms, to be dominated by those already in an advantageous position, particularly the wealthy (Villeneuve and Séguin 2000; Hamel 2002). There is, therefore, considerable emphasis within the literature on the need for municipal councils to encourage participation from all sections of the local community (Burby 2003; King, Feltey, and O'Neill 1998). There is limited evidence here of Windsor City Council acting, through the holding of focus groups or citizens' juries for example, to encourage participation from all sections of Windsor's community. Instead, the participative mechanisms used were open to those who desired to attend or who could encourage their supporters to attend. Research has indicated that these mechanisms are most likely to be attended by "the usual suspects"—political activists or elites (see Lowndes, Pratchett, and Stoker 2001a).

In this case, the SWWRC represented some of Windsor's wealthiest communities and was able to mobilize considerable financial resources for its campaign. Other citizens' groups focusing on the border issue emerged in Windsor and the surrounding community in this period. These groups either directly opposed the SWWRC's position or had different interests. The Windsor West Community Truck Watch, for example, represents residents in the Sandwich area of Windsor and has opposed plans to develop a new truck route to the Ambassador Bridge that would go through this community (see Battagello 2003d). A second group, calling itself Citizens in Support of DRTP, actively supported the DRTP proposal and drew its membership from citizens living close to Huron Church Road (see Battagello 2004). Residents in this part of Windsor argue, in line with the DRTP, that there is a cost to the status quo and that it is their area that disproportionately pays these costs. As one resident argued: "Anything to take traffic off Huron Church, without causing a lot of problems, is good and sharing the load" (quoted in Cross 2003). For these reasons, this group supported linking EC Row Expressway to Highway 401 and using it as an international truck route, as proposed in the Windsor Gateway Nine Point Action Plan and opposed by the SWWRC. Yet another group was established (Citizens Protecting Ojibway Wilderness) opposed to the construction of a highway link to a new bridge that would either cross or tunnel under the Ojibway nature reserve in the west of the city as proposed in the city's Schwartz plan that was supported by SWWRC (Cross 2005b).

According to its own literature, the SWWRC was the largest of these groups in terms of membership. A survey of local newspaper coverage also indicates that this group received more attention than the other citizens' groups. The fact that it was largely the positions of this group that the council adopted in this phase of its border decision-making, rather than those of the others mentioned, at least raises

the possibility that the group with the most resources swayed the council. This is certainly the view expressed by one community newspaper, which argued that, “the ‘Stop DRTP’ [SWWRC] camp has been winning the local PR campaign, if media coverage is the barometer...Could it be a coincidence the ‘Stop DRTP’ camp—opposed to the Tradeway route because it passes near their spanking new homes built along the railroad tracks—has more money, more influence and bigger homes than the folks in Sandwich?” (Edwards n.d.).

The success of the SWWRC in influencing the city council and ultimately in sidelining the DRTP, then, can be seen as an example of ‘not-in-my-back-yard’ politics, with a wealthy community organization being able to block an infrastructure project perceived to be detrimental to its area. Unlike disadvantaged groups that have limited resources and which are “weakly positioned to become part of the fabric of governing” (Stone 2005, 327), the SWWRC enjoyed considerable financial, social and institutional resources that allowed it to participate in the decision-making process and ultimately help to affect the council’s decision-making. It is not, however, inevitably the case that this result has been damaging to other neighbourhoods or to the municipality as a whole. It is at least possible that the reform proposals developed following the sidelining of the DRTP proposal are technically superior to the DRTP proposal and therefore better for the community as a whole. As the final decisions on a new border crossing and access roads to the crossings have yet to be taken, it is too early to state definitively that the local community as a whole will benefit from the rejection of the DRTP proposal. Nevertheless, as noted above, the Detroit River International Crossing team has proposed the construction of a new bridge in the west end of the city.⁸ This DRIC proposal has been welcomed by those who were opposed to the DRTP, including Dave Brister (the former chairman of the SWWRC). This proposal has also been supported by the city council and by community groups such as the Windsor West Community Truck Watch (see Battagello 2008a). Mayor Eddie Francis, for example, indicated that the DRIC proposal “is exactly the location for both plaza and bridge the city proposed nearly four years ago. ...It’s a location that the community has supported. We are very pleased with the announcement today” (quoted in Battagello 2008a).

While it is beyond the scope of this article to provide a technical analysis of the different border access route proposals being examined (as of 2008), both the city’s GreenLink proposal and the DRIC team’s Parkway proposal contain substantially more tunnelling of the access road to the border than in the original DRTP proposal. It is certainly the view of a number of commentators that the current proposals are superior to the DRTP (see Arditti 2008; Henderson 2007). The city council has certainly made the claim that its GreenLink proposal has substantial support from across the community. The mayor, for example, argues that there is wide support for the GreenLink plan: “It’s no longer just the city

saying we want this. Now we have the numbers behind us" (quoted in Puzic 2007a). As of October 2007 the city claimed that over 30,000 people had viewed its GreenLink website and approximately 2,500 citizens had contacted the city, either through comment cards or by telephone, with over 90 per cent supportive of the plan (Puzic 2007b).

Had the DRTP been actively supported by city council, it may have been adopted by the governments as the final border reform proposal and thus prevented the current proposals from being developed. While it is undoubtedly the case that the SWWRC mobilized with the specific aim of protecting their area, this case study nevertheless provides some support to those commentators who see NIMBY groups as capable of performing a valuable service by protecting the entire local community (see Goldsmith 2006; Diers 2004).

Conclusion

The Detroit River Tunnel Partnership proposal to reform the Detroit River border crossing secured early support from key business interests and also within the municipal council. In spite of this support, the original DRTP proposal was ultimately rejected by the municipal council (and by decision-makers at senior government levels). The South-West Windsor Ratepayers Corporation's mobilization to participate in municipal council decision-making both through council-organized consultation mechanisms and through independent lobbying efforts was at least one element in this rejection. In the decision-making examined here, the municipal council's positions on the Windsor-Detroit border crossing changed following public consultation and the SWWRC's engagement in the policy area.

Although it is impossible to prove conclusively, analysis suggests that the SWWRC was important in the policy-making process with respect to this issue and played a part in shaping the municipal council's decision-making. An explanation of the group's role and influence requires attention to the resources the group was able to mobilize. The SWWRC represented a wealthy residential area of Windsor and consequently enjoyed considerable financial, personnel and social resources. In addition, the group developed significant institutional resources through its engagement in the council's consultation mechanisms and the construction of direct policy ties to the municipal council. This ultimately took the shape of securing the election of their chairman to the municipal council. Collectively, the mobilization of these resources allowed the group to enter the policy debate and ultimately help shape the municipal decision-making process.

A final question concerns whether the influence exerted by the SWWRC represents a positive development for the wider local community. It is the case that the SWWRC represented a wealthy community and that other, in some cases less advantaged, community groups existed that pressed for different policy outcomes.

It is, therefore, unclear whether the SWWRC's influence was representative of the Windsor community as a whole. Nevertheless, it is at least possible that the SWWRC's efforts to prevent the DRTP option from being adopted helped create the space for different reform proposals that have a wider degree of acceptance throughout the local community. A more definitive answer will need to wait for the final border reform decision.

Acknowledgments

I would like to thank Bill Anderson and Martha Lee for their comments on earlier versions of this paper, as well as Tanja Collet-Najem for her help. Thanks also to the two anonymous reviewers for their helpful comments and suggestions.

Notes

¹ For more details, see the DRIC web-site. <http://www.rtnershipborderstudy.com> (accessed September 15, 2008). Even after DRIC's final recommendation, the four governments have to accept this recommendation and agree on how to pay for the project.

² The final approach to the Ambassador Bridge on the Canadian side is Huron Church Road. This street is a main city artery as well as the primary transportation link for international truck traffic, with over 8,000 trucks using the road each day. This combination of international transportation link and city street is made evident by the fact that there are more traffic lights on this stretch of road than on all of the remaining Toronto-Windsor-Detroit-Florida route (Canada-Ontario Joint Management Committee 2002, 6).

³ The Schwartz Report, available at <http://www.citywindsor.ca/001429.asp> (accessed September 28, 2005). The 'GreenLink' plan is available at <http://www.greenlinkwindsor.com> (accessed August 20, 2008).

⁴ South-West Windsor Ratepayers Corporation. 2005. South/West Windsor Ratepayers Corporation offer their full support for the Schwartz Report. *Press Release*, 1 February www.stopdrtp.com/PDF/PressRelease-Feb01a.pdf. (accessed August 20, 2006).

⁵ In preparing its proposals for reform of the border, the Detroit River International Crossing team also rejected the DRTP plan. DRIC excluded the DRTP plan from further consideration in November 2005 and, as noted above, DRIC's final recommendation, released in June 2008, is for a new bridge to the west of the city.

⁶ See www.windsorchamber.org/E-Updates/E-Update%20for%20November%20028,%202003.htm (accessed 20 October 2006).

⁷ The argument that the SWWRC helped to block the DRTP proposal is consistent

with the Granger causality principle in econometrics. This principle argues that the timing of events strengthens the argument for a causal relationship. In this case, the DRTP proposal enjoyed council and community support prior to the formation of the SWWRC.

⁸ For more details, see the DRIC web-site: <http://www.partnershipborderstudy.com> (last accessed 15th September 2008).

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