



# EVALUATING PROCEDURAL JUSTICE IN ALBERTA REGIONAL PLAN:

STUDY AREA: LOWER ATHABASCA REGIONAL PLAN AND SOUTH  
SASKATCHEWAN REGIONAL PLAN

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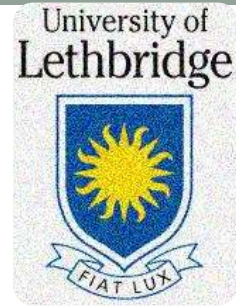
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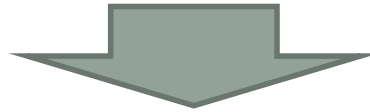


# Introduction

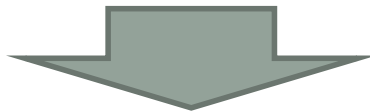


## Water planning and management challenges:

- ❑ Climate change = sporadic access to water
- ❑ Increasing demands = competition for allocating water
- ❑ Various users (urban, agriculture, industrial) = fair share of water



Governments and the society have become **more sensitive** in terms of managing and planning



Rising concerns about **efficiency** and **effectiveness** of water plans



Economic and market mechanism

Themes in planning arrangement

“fair” and “just” share of water



# Introduction

- Fairness is a multifaceted concept.
- **Procedural justice** = one of the main pillars of having a fair and just plan
- **Fair process** in water planning will lead to
  - ✓ fair allocation of resources,
  - ✓ increases opportunity to contribute,
  - ✓ adds transparency to the process,
  - ✓ improves public acceptance and legitimacy of water plans



This research focuses on understanding  
**procedural justices in Alberta water planning**



The latest plan that addresses water, is **Alberta Regional Plans**

# Background

- In Canada the **provincial government** is responsible for **water allocation**
- *The **Northwest Irrigation Act** (1894)* changed foundation of water management

Introducing the allocation system = **First-in- Time-First-in-Right (FITFIR)**.

**seniority of water licenses** determined by the date the license was granted

- The ***Water Resources Act***, 1931 was passed to replace the Irrigation Act

Water Resources Act **was not equipped** to face the water challenge

By **increasing water supplies**, the Water Resources Act **met the increasing water demand**

# Background

- The **Water Act** (1996) was based on a foundation of public meetings, consultations and other activities.

Emphasized the **domain of the provincial government** in water allocation

Introduced **water markets** as the means to facilitate voluntary transfer

- **Water Act** sets up the basis for integrated water management methods that manifested itself in the **Alberta Land Stewardship Act (ALSA)** (2009).

The purpose of ALSA is **providing means for Governments of Alberta**

A key component of the proposed **regulatory framework** is **regional planning**

# Background

- Regional planning are described by Alberta's ***Land-Use Framework*** (2008)

LUF contains “**Vision**” for future development

Introduces **goals and new policy instruments**

- LUF uses regional plans as to develop **seven regional plans**
- will be designed to manage the **combined impacts** of existing and future activities on the landscapes, watersheds and air shed

Concerns

- As Lavelle (2012) and de Loe (2009) emphasize,
- **Ambiguity and unclearness** among relationships and responsibilities in regional planning process

Challenge

- create challenges for achieving sustainable natural resource planning management in Alberta.

# Literature Review

- The tensions and challenges that face water management and allocation

Change

- The way water is viewed and manages
- Allan(2003) believes, water management paradigms have 5 various stages
- The 1980s **green movement** has a noticeable effect in water management

- ✓ The fifth water management paradigm known as **Political and institutional**,  
✓ seeks a **balance** between concept of **sustainability and water sectors**.

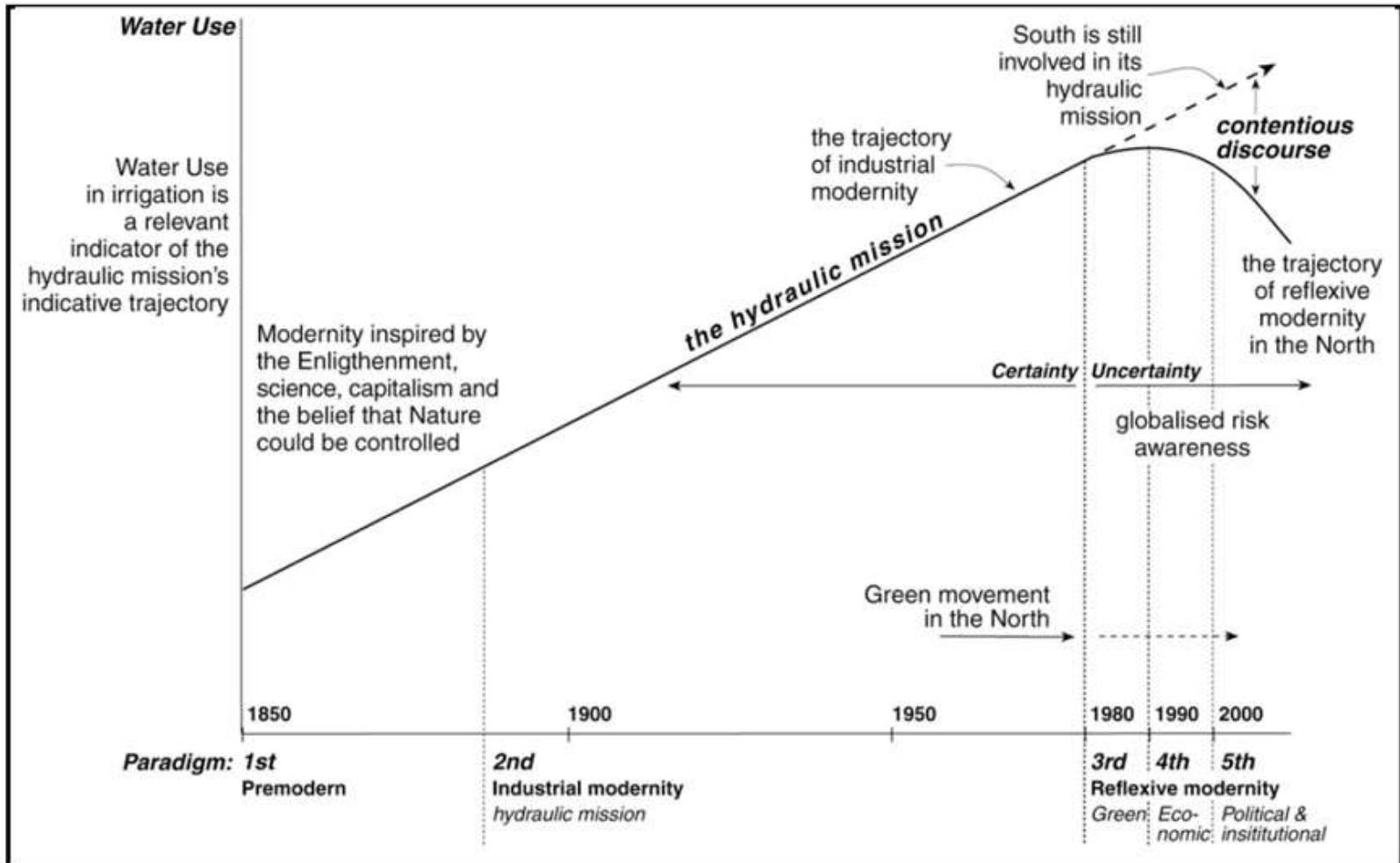
- Allan (2003) asserts that the fifth paradigm is borne out of the **integrated water resource management (IWRM)**.

Challenge

The complex issue of decision making and integrating various sectors will rise probability **conflict and injustices** in water allocation



# Literature Review



# Literature Review

- IWRM is a process, which promotes:
  - ✓ The coordinated development and management of water, land
  - ✓ To maximize the resultant economic and social welfare
  - ✓ In an equitable manner without compromising sustainability of vital ecosystem (GWT-TAC4, 2000).
- To foster equity, IWRM emphasizes on
  - multiple actors/agents integrate diverse rules and resources in a strategic context to manage water resources in decision-making
- Reference policy-decision making approaches providing joint consideration of the physical water system and the social function and demand for water

Challenge

- The complex issue of decision making and integrating various sectors will rise probability **conflict and injustices** in water allocation

# Literature Review

- **Justice**

- Harvey (1973) claims: the justice is essentially to be thought of as a principle (or set of principles) for **resolving conflicting claims**

- Patrick (2012) addresses justice is a concept that people commonly associate with the **legal system** which will be served when a wrong is righted.

- **Issues of justice arise:**

- when benefits provided by the environment are **not equally distributed** between nations or between groups, or when **resources are (or are perceived to be) in-short supply** (Clayton, 1994, 2000).

- Existing justice theories in various aspects

# Literature Review

## Economic

- **Libertarian theory:** Issue of justice through free market
- **Efficiency theory:** advocates a free market where there is a minimal State that protects private property
- **Cost-benefit-analysis:** the option with the greatest benefits

## Social

- **Human Rights:** provides a means of settling disputes by appealing to fundamental human rights
- **Utilitarian theory:** provides a rationale for making decisions
- **Rawl's theory (justice ):** alternatives offer the most help for the worst off

## Environmental

- **Bio-centric Individualism:** value in every living thing
- **Eco-centric Holism:** is a view that people should limit their activities for health of ecosystems.
- **Precautionary Principle:** when development has the potential to impact negatively on the environment

# Literature Review

- **Social Justice:**
  - could be interpreting as creating a **fair and equal** society in which each individual matters, their **rights are recognized** and **protected** and decisions are made
- Prilleltensky and Nelson (1997) define the
  - value of social justice as the “fair and equitable allocation of bargaining powers, resources, and burdens in society.”
  - **The notion of social justice** in social psychological literature is summarized in three main concepts:
    - **equity, procedural justice, and distributive justice**

# Literature Review

## Equity

Proportionality  
egalitarianism

## Procedural Justice

concentrates on the characteristics of **decision making process** which make it seem just

belief in the fairness of procedures mitigates loss of support due to poor outcomes and maintains supportive behavior

## Distributive justice

the evaluation of whether an outcome was just in terms of the distribution of resources between stakeholders

Harvey (1973) addresses eight criteria for just distribution

# Literature Review

Theories	Main Themes
<b>Theory of procedure</b> <b>(Thibaut and Walker)</b>	<p>“Legal process has to resolve conflicts in such a way as to bind up the social fabric and encourage the continuation of productive exchange between individuals”</p> <p>(Greenberg and Colquitt, 2005, p.22).</p>
<b>Justice judgment theory</b> <b>(Leventhal)</b>	<p>Procedural justice should be relevant in allocation contexts.</p> <p>“<b>Procedural rule</b> is defined as an <b>individual’s belief</b> that allocative procedure which satisfy certain criteria are fair and appropriate” (Leventhal, 1980, p.30). Procedural justice components</p>
<b>Group value model</b> <b>(Lind and Tyler)</b>	<p>Identification of distributive justice and procedural justices.</p> <p>Procedural justice focuses on <b>how decision are made</b></p> <p>Instrumental and Non-instrumental <b>procedural justice criteria</b> (Drew, et al;, 2000, Greenberg and Colquitt, 2005)</p>

Lind and Tyler, 1988; Tyler, 1984, 1986, 1994; Tyler and Lind, 1992; Tyler et al., 1985; Tyler, Rasinski, and Spodick, 1985, Drew, et al;, 2002

# Literature Review

Procedural justice rules	Description
The consistency	For a procedure to be fair it must be applied consistently across people and across time
The bias-suppression	Assuring that the decision makers are unbiased
The Accuracy	Procedural fairness will be enhanced if the procedures ensure that decisions will be based on accurate information.
The correctability	Fairness of procedures will be judged against the extent to which it contains provisions for correcting bad decisions (appeals, etc.)
The representativeness	The extent to which the procedures “represents” the interests of all relevant subgroups that may be influenced by the decision.
The ethicality	The extent to which the procedure is seen to conform to a standard of moral and ethical behavior.

(Syme and Nancarrow, 2001, 1999, Greenberg and Colquitt, 2005, and Lind and Tyler 1988, Leventhal (1980),



# Objectives

- The challenges in Alberta's water management leading the research toward reviewing regional plan processes critically.
- The objectives are addressed in question forms:
  - 1) To what extent Alberta's regional planning process is just?
  - 2) What are the main characteristics of procedural justice in Alberta's regional planning process?
  - 3) How does regional planning process enhance public acceptance and legitimacy

## Answers:

objective 1 and 2: will clarify **the mechanism of planning** process and **distribution of values and responsibilities** between various decision makers.

objective 3 :level of **public acceptance** in Alberta's planning processes

# Research Design

- The research has two main and distinct parts :
  - .Evaluating the procedural justice and monitoring its effect on public
- Procedural justice is **an interpretive** subject besides it is a **subjective** concept.

Characteristic

- **Qualitative research method.**
- **Qualitative research methods** used for providing in-depth description

Theory

- **Grounded theory** offers rich possibilities for the advance social justices research

As Charmaz<sup>(2000)</sup> indicates:

“using constrictive grounded theory approach allows researcher to focus on underlying social process which may not be immediately apparent”

# Research Design

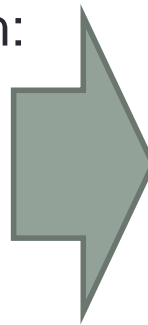
## Data collection

The data is collected in context of Alberta Regional Plans with focus on the planning process

- For purposes of comprehensive understanding of fairness in various level and streams of planning process

- **Mix methods** of data collection:

- *Reviewing policy documents,*
- *in- depth interview,*
- *and survey*




are designed for gathering data  
from :  
**plan components and policies**

The research methods to conceive and implemented in the study to explicit the assumption, enhance overall logic and develop the knowledge.

# Research Design

- Reviewing policy documents
  - to elicit meaning, enhance understanding, built and develop empirical knowledge (Corbin and Strauss,2008 as cited in Bowne, 2009).
  - **Purpose**
    1. determining the linkage among various legislations
    2. r reviewing policy document is creating comprehensive understanding about particular stages in planning and executing
  - **Themes**
    1. Document /policy generated during different phases of the planning process
    2. Laws , regulations, and amendments

## Advantage and disadvantage this method



efficiency, availability,  
cost effectiveness, lack of  
obtrusiveness and  
reactivity, stability,  
coverage and exactness



insufficient detail and low  
retievability

# Research Design

- **In-depth Interviews:**

- carried out and recorded with planners and decision makers
- about their personal perception of fairness in the planning process, their interpretation of laws and regulation



- There are many facts that show planning or decision making have been linked to a decision maker's beliefs or a group of decision maker's beliefs



- To clarify and comprehend the progression of fair planning process, in more detailed and more practical perspective



- individual experience, beliefs, behaviors, and meanings in order to discover and explore

# Research Design

- The in-depth interview relies heavily on individuals who are able to provide rich and sufficient accounts of their experience and information

## Interviewees will be chosen:

- 1- known as a planners or decision makers who are introduced by LUF or other legal documents
- 2- Individuals with more substantial roles and responsibilities are prioritized
- 3- Theoretical sampling beside snowball methods

## The exact number of participant .

- a) research design phase= 8-15 individual for conducting one on one
- b) the phase of field execution=grounded theory relies on data saturation

## Length of Interview

- in social sciences is usually 30 min - 90 minutes in length

# Research Design

- **Conducting in-depth interview** has **7 stage** Kvale (1996):  
thematizing, designing, interviewing, transcribing, analyzing, verifying,  
and reporting
- strategies help research to **ensure the rigour**, in grounded theory  
**triangulation, peer review**, and **negative case analysis** are the most  
common strategies
- **Public Opinion Survey**
- The survey ideally will focus on two main groups
  - who participate in planning process
  - who did not participant, to collect the required data

The survey purposes are

- ❖ Information about “Voice”
- ❖ Feedback on participation process and design
- ❖ Barriers and obstructions on providing equal opportunities for public to participate

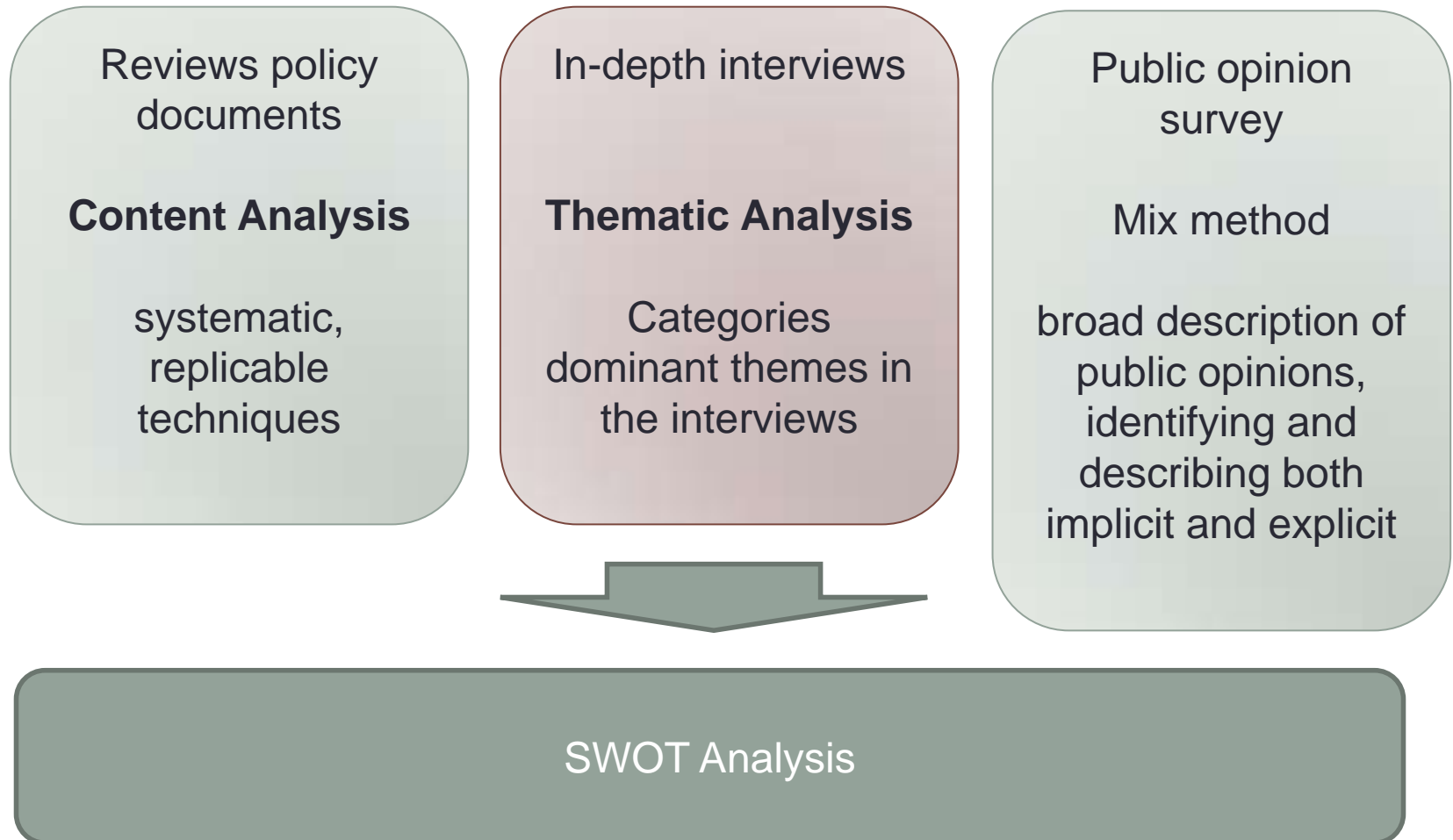
# Research Design

- The **survey will be distributed** in each region, rural, urban and first nation communities.
- The exact **sample size** will be computed based **on the result of previous section** which will address the number of participant in actual planning process
- The **survey's design** is structured.
- **Question types** are a combination of
  - scales question
  - and open ended
- The **set of question** will be combination of
  - demographic questions, preliminary questions, directional question, and objective questions



# Research Design

- Data Analysis Methods
  - based on data characteristics.



# Description of Study Area

- Under the LUF(2008) regional boundaries are regulated
  - watershed and existing municipalities.
    1. Lower Athabasca Region (approved);
    2. Lower Peace Region;
    3. North Saskatchewan Region;
    4. South Saskatchewan Region (planning and consulting under way);
    5. Upper Athabasca Region ;
    6. Red Deer Region; and
    7. Upper Peace River

The research is focused on **two regions** :

Lower Athabasca and South Saskatchewan

- **Different characteristics and challenges**
  - ❖ Intense population growth
  - ❖ Oil sand industry development

# Alberta Land-use Framework Regions



Alberta Government

- Land-use Framework Regional Boundary
- Métis Settlement
- Green Area
- Lands Under Federal Jurisdiction**
  - First Nations Reserve
  - National Park
  - Department of Defence



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# Conclusion

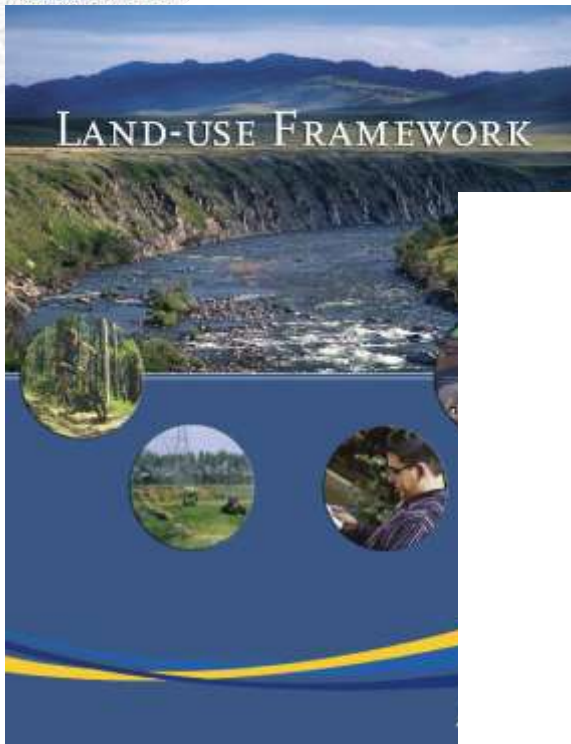
- A successful **integrated natural resource management** is fundamental for having a sustainable society, economy, and environment in Province of Alberta.
- Government policy plays a role in shaping that sustainability.
- this study **elicits information** that will help to guide the creation of an effective, efficient, and adaptive water policy that can sustain and improve **environmental progress**, while maintaining the **integrity of Alberta** social and economic structures.



- **Not only Alberta regional plan** which is designed to translate Albertan future vision into reality, but also other **regional plans** which aims to maximize the resultant economic and social welfare in an equitable manner without compromising sustainability of vital environmental aspects.



# Thank you



Province of Alberta

## WATER ACT

Revised Statutes of Alberta 2000  
Chapter W-3

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