



UNIVERSITY OF
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**A comparative analysis of effective public participation in
Environmental and Social Impact Assessment (ESIA)
in decision-making processes between
Rural and urban areas in Malawi**

**Thesis submitted in accordance with the requirements of
the University of Liverpool for the Degree
of Doctor in Philosophy**

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List of Abbreviations

CBO	Community-Based Organisation
CSO	Civil Society Organisations
CSR	Corporate Social Responsibility
DPP	Democratic Progress Party
EAD	Environmental Impact Assessment
EDOs	Environmental District Officers
EIA	Environmental Impact Assessment
EMA	Environment Management Act
EA	Environmental Assessment
EMP	Environmental Management Plan
ESIA	Environmental and Social Impact Assessment
EMP	Environmental Management Plan
FGDs	Focus Group Discussions
GIS	Geographical Information System
GoM	Government of Malawi
GVH	Group Village Headmen
ICT	Information Communication Technology
JCE	Junior Certificate Examination
LGA	Local Government Act
MEPA	Malawi Environmental Protection Authority
MGDS	Malawi Growth and Development Strategy
MSCE	Malawi School Certificate of Education
NCE	National Council on the Environment
NSO	National Statics Office
NGO	Nongovernmental Organisation
NEP	National Environmental Policy
NPDP	National Physical Development Plan
NSO	National Statistics Office
OPC	Office of the President and Cabinet
PhD	Doctor of Philosophy
PP	Public Participation
PSLCE	Primary School Leaving Certificate
IEEMA	Institute of Environmental Management and Assessment
TA	Traditional Authorities
TCE	Technical Committee on the Environment
ToRs	Terms of Reference
UNEP	United Nations Environmental Programme
UNDP	United Nations Programme
VH	Village Headmen

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Dedication:

I dedicate this thesis to two men of my life:

1. Tennywell Sanjwike Lwesya (MHSRIP): My dear dad, you had always wished that I would pursue my PhD studies. But alas, the time was ripe when you were gone! Nevertheless, your legacy will live forever!
2. Bright Sibale: you are such an exceptional husband! A patrilineal husband, encouraging a patrilineal wife to pursue PhD, is incredible! You have transformed your “cultural property” into a valuable asset in the Environmental Sector. Thank You for everything!

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Conference Presentation

The results of this study were presented in Malawi at a validation workshop which was held on 18th June 2021. Participants comprised the following groups:

1. Government Officials from the Department of Environmental Affairs, Malawi;
2. Technical Committee on Environment members;
3. Members of the Advisory Committee on Environmental and Social Impact Assessment;
4. National Council on Environment members (Virtual); and
5. Participants who took part in the study (Virtual).

Outcome of the meeting

Members of the Advisory Committee on Environmental and Social Impact Assessment and Government Officials advised that I produce policy briefs papers on the outcome of the research study. These will be produced upon completion of the PhD study.

Publications

One manuscript entitled: “ESIA public participation exclusion and inclusion: learning from urban and rural projects in Malawi.”

Sent to IAPA by Sibale, J. and Fischer, T.B.

Abstract

This PhD research is a comparative evaluation of the effectiveness of Public Participation (PP) in the Environmental and Social Impact Assessment (ESIA) in urban and rural areas of Malawi. The study was conceived as a result of the limited understanding of PP in the Environmental and Social Impact Assessment agenda in Malawi due to the non-existence of studies of PP in the country, despite global concern about the ineffectiveness of PP in the ESIA decision-making processes. Despite its distinct social and demographic differences between rural and urban areas, which are believed to affect the effectiveness of PP, globally, no known study has assessed the differential impact between rural and urban areas. This study assessed PP in 12 ESIA projects in three districts of Malawi, one in the North (Mzimba), another in the Centre (Lilongwe) and the final one in the Southern Region (Chikwawa). Of the 12 projects, six were from rural areas, and six were from the urban areas. A concurrent mixed method involving both quantitative and qualitative data collection methods was used for the study. The study revealed mixed levels of PP effectiveness in urban and rural areas. With respect to procedural PP effectiveness, a major flaw emanated from selection criteria that disproportionately favoured some segments of the population in the participation space. Although there were differences between urban and rural areas in the notification methods and the stage at which PP was conducted, these factors contributed positively to the effectiveness of PP. Regarding the attainment of substantive PP effectiveness, irrespective of the place of residence, this was minimal. Overall, the gap between intention and performance was more conspicuous in rural areas than in urban areas. With respect to transactive PP effectiveness, the evidence further suggests that, although a considerable amount of resources was devoted to PP, little was achieved. This is a result of the minimal effectiveness of the other criteria both procedural and substantive, as well as inhibiting contextual factors. Taken together, all these factors did not interact positively in a way that would have led to the attainment of the potential learning outcomes. For public participation to be effective, there is a need for positive interaction of all the effective criteria to enable the public to make a fair contribution to a decision-making space.

Chapter 1 : Introduction

1.1 Introduction to the Chapter

This research study compares the effectiveness of Public Participation (PP) in EIA projects to aid the decision-making process in urban and rural areas of Malawi. The introductory Chapter starts by outlining the importance of public participation in Environmental Impact Assessment (EIA). Next, a discussion of the theoretical and practical aspects and knowledge gaps is provided. Criteria for effective PP in EIA are then introduced. Furthermore, an overview of EIA legislation in Malawi is provided, followed by a statement of the problem that prompted this research. Finally, the research objectives for the study are introduced.

1.2 Background to the research

1.2.1 Significance of Public Participation in EIA

Public participation is an integral part of the Environmental Impact Assessment (EIA) process (Morgan, 2012; Fischer, 2014; Glasson, Therivel and Chadwick, 2019). Wood (2003) highlighted the significance of PP by remarking that it would not be EIA without public consultation and participation. Similarly, authors such as Hunter (2016) and Ojogbo (2018) reinforce this view by remarking that the principal reason for conducting EIA is to notify the public about development projects and to engage them in the establishment of the possible positive and negative environmental and social costs of a proposed activity. Additionally, PP provides a broader variety of information and knowledge, such as traditional knowledge, which is exchanged in the space provided to the public, which eventually leads to better-informed decisions (Reed *et al.*, 2018).

Glasson *et al.* (2019) and Palerm (2000) affirm that since EIA is a process whose principal aim is to provide essential information on environmental and social impacts, enabling the competent authority to make informed decisions, public participation must be a critical element for the EIA process. Equally, communities can express their concerns about the project, influencing the decision-making process during the early stages of a project (Nadeem and Fischer, 2011). Furthermore, PP promotes development ownership by the community through improved transparency and

accountability in development decisions (Atieno, Mutui and Wabwire, 2019). In addition, PP guarantees the quality of the environmental decisions and outcomes by decision-makers who utilise expertise as well as stakeholders' knowledge (Rodenhoff, 2002). In terms of risk mitigation, PP reduces the potential threat of communities rejecting the project (Suwanteep, Murayama and Nishikizawa, 2017). When the communities are appropriately represented, the possibility of learning amongst participants is significantly increased (Devente *et al.*, 2016). PP also validates secondary sources of information (Wassen *et al.*, 2011; Webler *et al.*, 1995),

Even with such fundamental recognition of PP in the EIA discourse, the benefits mentioned above can be accrued only if PP is effective. Therefore, this study assesses the extent to which PP in Malawi is effective. The next section introduces the effectiveness criteria framework, which has been applied in this study to evaluate PP in Malawi.

1.2.2 The Framework of Public Participation Effectiveness Criteria

Effectiveness is “the extent to which an activity fulfils its intended function” (Harvey, 2004-2009). In order to assess the effectiveness of environmental assessments, several models have been designed and this study has applied the criteria introduced by Sadler (1996). Sadler's criteria constitute procedural, substantive and transactive dimensions. Following the development of this model, different researchers have applied it to the evaluation of various levels of environmental assessments ranging from Strategic Environmental Assessment to its use as a single component of Environmental Impact Assessment (Todd, 2001; Baker and Mclelland, 2003; Fischer *et al.*, 2009; Fischer, 2010; Chanchitpricha and Bond, 2013; Pope *et al.*, 2018). The criteria were further developed by adding a normative dimension introduced by Baker and Mclelland (2003). Later on, knowledge and learning criteria were added by Bond *et al.* (2013).

In the context of Malawi, effectiveness criteria will be extended to include socio-contextual factors such as literacy levels, gender and culture. The evaluation criteria to be applied in the study will thus comprise of five dimensions consisting of procedural, substantive, transactive, learning and contextual. The section below explains the relevance of adding context to this criteria.

1.2.3 Relevance of adding context to the criteria

Public participation is not a technical process that can be simulated independent of context (Delong and Fox, 2015). Numerous studies have highlighted the effect of context on the outcomes of Environmental Assessments (Koontz, 2005; Blicharska *et al.*, 2011; Marara, et al., 2011; Devente *et al.*, 2016). Subsequently, to evaluate its effectiveness, it is necessary to understand the specific context in which it operates (Marara, et al., 2011). Contextual factors such as cultural norms and socio-economic circumstances have significantly impacted public engagement (Delong and Fox, 2015; Devente *et al.*, 2016).

In Africa, particularly in the Sub-Saharan Africa region, where Malawi belongs, the contextual factors are similar throughout the region owing to similar socio-economic conditions. For example, in Kenya, Atieno *et al.* (2019) identified illiteracy and cultural barriers as some of the contextual obstacles that impede the public from participating in the EIA process. Similarly, a study conducted by Kinyondo and Pelizzo (2019) in Tanzania devoted their research to the effect of factors such as gender and education levels in rural areas on the assessment of public participation. Correspondingly, these contextual elements had shown similar trends to those in earlier studies (Khan Osmani, 2007) and Fung and Wright (2003) on gender, age, and education. Therefore, in Malawi, literacy, culture, and gender will equally be taken into consideration when evaluating participating programmes.

1.2.4 Evaluation Framework to be used in this study

The criteria used in this study will, therefore, comprise of five dimensions consisting of procedural, substantive, transactive, learning and contextual dimensions. The first criterion is procedural effectiveness and consists of four elements: “who participates”, “methods of PP”, “venue”, and the “stage” at which PP is undertaken. The second criterion is substantive effectiveness, comprising provision of information to the communities by proponents, provision of an opportunity to stakeholders to raise issues, and integrating issues in decision-making. Thirdly comes transactive effectiveness, comprising of resources such as the time and money spent on PP. Contextual factors in respect to culture, education and gender are examined, and finally the learning

outcomes are considered. The development of this framework has been described in detail in Chapters 3 and 4.

1.2.5 Regulatory framework for EIA in Malawi

In Malawi, EIA was first enacted through the Environment Management Act (EMA) in 1996 (GoM, 1996), following the participation of the country in the Rio Earth Summit in 1992. After that, Malawi developed a roadmap for integrating the environment into developmental issues, resulting in the birth of EMA in 1996 and the subsequent development of EIA guidelines in 1997.

Following the emergence of institutional reforms and the occurrence of emerging social issues, the Government of Malawi (GoM) amended the legislation in 2017, which entered into force in 2021 (GoM, 2017). However, at the time of collecting data in 2019, the 2017 EMA was not yet in force; the study, therefore, based its regulatory framework on the original Environment Management Act (EMA, 1996). However, the country is still utilising the EIA guidelines (1997), as the revision process of the guidelines is still under way. Detailed information regarding Malawi's regulatory framework is provided in Chapter 5.

Regarding EIA, one of the notable changes in the EMA (2017) was the renaming of Environmental Impact Assessment (EIA) as Environmental and Social Impact Assessment (ESIA), to ensure social issues are adequately addressed. The changes arose because it is evident in many parts of the country, environmental assessments tend to consider biophysical aspects to a larger extent at the expense of social issues (Fischer et al; 2018; Sandham, Retief and Alberts 2022). Consequently, this led to giving prominence to social impacts even in the title of environmental assessments. Therefore, in order to be in harmony with Malawi national EIA legislation, from Chapter 5, where the background of EIA in Malawi is discussed, and throughout the rest of the thesis from that point, EIA will be referred to as ESIA.

Additionally, the institutional framework regulating the EIA changed from a Government Department (Environmental Affairs Department) to an autonomous body, the Malawi Environmental Protection Authority (MEPA). Since the agency is autonomous, it is believed that it will exercise more control and independence in

regulating environmental issues. A detailed account of its institutional and regulatory framework is provided in Chapter 5.

As regards to Environmental Impact Assessment (EIA) provisions, the policy and regulatory framework of EIA stipulated in EMA (1996), EIA Guidelines (1997) and EMA (2017) includes the requirements and procedures for preparation of EIA. Furthermore, with respect to public participation, the legislation provides for the public's participation in the EIA process. These policy and legislation frameworks stipulate detailed PP requirements for EIA such as procedural requirements, the objectives of Public Participation and review criteria of EIA reports with respect to public participation. Detailed PP policy and regulatory practice in EIA in Malawi are presented in Chapter 5.

1.3 Rationale for the study

1.3.1 Problem Statement

The evaluation of the effectiveness of Public Participation (PP) is a growing subject of concern for policy makers, scholars and practitioners (Morrison-Saunders *et al.*, 2014; Pope *et al.*, 2018). Authors have designed different approaches to assess its effectiveness and have applied them to both developed and developing countries including the UK, Canada, Australia, Italy, China, Malaysia, Thailand, Kenya, South Africa and Tanzania (Baker and Mclelland, 2003; Yang, 2008; O'Faircheallaigh, 2010; Nadeem and Fischer, 2011; Mwenda *et al.*, 2012; Aiyeola, Shamsudeen and Ibrahim, 2015; Brombal, Moriggi and Marcomini, 2017; Phromlah, 2018; Reed *et al.*, 2018; Kinyondo and Pelizzo, 2019; Yao, He and Bao, 2020). Barriers to effective PP are reported to include institutional and social cultural elements (Baker and Mclelland, 2003; Nadeem and Fischer, 2011).

Despite such evaluation studies in many parts of the world, to date, there has been no systematic evaluation of PP in Malawi, despite the favourable legal and institutional framework for EIA provided in the country for over 25 years.

Additionally, in Malawi, as in many other countries across the globe, the country is characterised by a population living in rural and urban areas. The public from these differing areas is not a homogenous group (Mitra S and Pehl M, 2010): there are many subcategories with different demographic, social and economic characteristics

(Glasson, Therivel and Chadwick, 2019). Rural Malawians constitute the majority, 84%, of the population (NSO, 2019), with the majority being culturally nurtured, poor and illiterate while the more educated people are found in urban areas (Zhang, 2015; Lessmann and Seidel, 2017; Gottlieb, Grossman and Robinson, 2018).

Similarly, it is evident that constraints on public participation are closely related to socio-cultural and demographic factors such as illiteracy, poverty and cultural characteristics (Fitzpatrick and Sinclair, 2003; Gottlieb and Robinson, 2016) which differ widely between urban and rural areas (Lessmann and Seidel, 2017). Given the variation of characteristics between the residents of urban and rural locations, it is however not known if there are any differences on how PP is conducted in these varying places of residences to contribute to effective decision making.

Although globally there have been many studies on public participation, no known study has examined differences between rural and urban areas. It is, therefore, not known if the difference between them has any impact on the effectiveness of PP in the decision-making process in Malawi: this study will, therefore, fill this gap. The research will represent the first effort to compare the effectiveness of public participation in rural and urban areas in environmental impact assessment. Malawi has been identified as an ideal country for this study because of the distinct differences with respect to social demographic characteristics, such as education and cultures, between its urban and rural areas. A detailed account of these factors in Malawi has been presented in Chapter 5 (Section 5.4.2.3).

A handful of authors have, however, published on public participation in Malawi (Mhango, 2005; Chingaibe, 2012; Kosamu, Mkandawire and Utembe, 2013; Banda, 2019). Whilst Mhango (2005) assessed PP by reviewing the existing literature, Kosamu *et al.* (2013) limited their research to interviewing interested parties such as EIA reviewers and EIA consultants, leaving out affected communities. Furthermore, Chingaibe (2012) restricted his evaluation by reviewing only one irrigation programme, which again deprived an opportunity of studying PP in a context that would take into full account Malawi's cultural and geopolitical diversity. Banda (2019) reflected on the legality of PP in the country. The limited scope of existing research suggests that there is a substantial knowledge gap on the level of effectiveness of practice in public participation in Malawi.

1.3.2 Justification of the study

Malawi has a comprehensive policy and legal framework outlining procedural factors to assist practitioners implementing public participation in an effective way. The regulatory frameworks provide guidance on the type of members of the public to be consulted, methods of consultation, and the stage of EIA where PP is conducted as well as notification methods. Despite such provisions, the extent to which practitioners are complying with established PP guidelines is currently not known: this is partly attributed to the fact that Malawi does not have an agreed comprehensive framework for implementing and evaluating PP in EIA, a gap that this research aims to fill. With regard to members of the public, the only information included in the EIA reports is the list of names presumed to have been consulted. However, the lists do not usually show gender and power hierarchy levels. It is, therefore, not known whose voice is reported in these EIA reports. This study will, therefore, generate information on the level of inclusiveness and the related power balance.

Furthermore, the methods used in EIA studies will be unveiled along with their implications for cultural sensitivity and the degree of involvement of the communities as well as the type of information raised. Since the accessibility and convenience of venues are universally known to be a key ingredient to patronage of PP participants (Devente *et al.*, 2016), the results of the findings will also uncover the bearing of venues of the meeting on the participation and, consequently, the quality of PP.

With regard to the second evaluation criteria on the substantive effectiveness of PP, the EIA policy in Malawi has set out the objectives of PP, which include information sharing between the consultants and the communities. The study will examine the information raised by the communities and the quality of information passed on to the communities. This will determine the quality of information included in the decision-making process.

Transactive effectiveness is about efficiency and effectiveness in meeting the intended goals (Pope *et al.*, 2018). Time and finances are key to any PP process and these factors may also be significant inhibitors towards effective PP. The study will thus assess the utilisation of these resources in the PP programme of the 12 EIA projects under review to help to explain the dynamics of the economics of PP for improvement of EIA.

Additionally, the outcome of Public Participation is usually reported as if the public is a homogenous group (Petts and Leach, 2000); yet PP is conducted within specific contexts. Malawi has a range of distinctive cultural contexts, and this variety has a considerable bearing on PP. The study will, therefore, uncover the impact of culture on the PP process, since it has a substantial impact on the power imbalance for the communities attending the PP. In addition, the PP participants possess varying levels of education and the study will also establish its impact on PP, particularly in relation to the identity of the participants and the level of their contribution. Finally, PP is expected to induce learning; the research will reveal any learning outcomes emanating from the PP practice in Malawi that can contribute to the sustainability of PP programmes.

1.4 . Research aim and objectives

1.4.1 Aim

The aim of this study is to assess the effectiveness of public participation in Environmental and Social Impact Assessment (EIA) in rural and urban areas of Malawi. The aim is supposed to be met through the following objectives:

1.4.2 Objectives

- a) To assess the procedural effectiveness of Public Participation in rural and urban areas;
- b) To assess the extent to which Public Participation achieves substantive effectiveness of EIA in rural and urban areas;
- c) To assess the extent to which transactive effectiveness of PP is attained in Public Participation in rural and urban areas;
- d) To assess the importance of contextual issues regarding Public Participation in Malawi in rural and urban areas;
- e) To assess the extent to which learning emanates from PP participation in urban and rural areas; and
- f) To assess the level of participation based on the outcome of effectiveness criteria attained.

In order to conduct the study, the following research questions were formulated to meet the objectives:

Table 1-1 : Objectives and Corresponding research questions

Objectives	Research Questions
To assess the procedural effectiveness of Public Participation in rural and urban areas;	Who takes part in PP and why?
	What was the venue of the meeting?
	What methods were used during notification and consultation?
	At what stage of the EIA did PP take place?
To assess the extent to which Public Participation achieves substantive effectiveness of EIA in rural and urban areas;	What information is provided by the consultant to the communities?
	What types of issues are raised by the communities during PP meeting?
	Are issues raised by the communities integrated into the decision making process?
To assess the extent to which transactive effectiveness of PP is attained in Public Participation in rural and urban areas;	How much time is spent on PP and how efficiently is it used?
	How much money is spent on PP and how efficiently is it used?
To assess the importance of contextual issues regarding public Participation in Malawi in rural and urban areas; and	To what extent does culture affect PP?
	To what extent does the literacy level of participants impact on PP?
To assess the extent to which learning emanates from PP participation in urban and rural areas.	To what extent does learning emanate from PP in Malawi?
	What factors promote/hinder learning?

1.5 Summary of Research Design

The research was conducted in two stages: the first stage was the development of the evaluation framework and the second was the application of the evaluation framework to a sample of 12 EIA projects. The development of effectiveness criteria was conducted through a literature review, while the evaluation of PP was conducted

through a mixed method approach of quantitative and qualitative methods, as well as document reviews.

The evaluation was conducted in Mzimba, Lilongwe and Chikwawa districts (Figure 5-1 and 6-1) in the Northern, Central and Southern Regions of the country respectively. This research was carried out in all the three regions of the country to ensure that all traditional and cultural contexts and their effects on public participation in the EIA process were analysed and understood. In each district, two urban projects and two rural projects were selected. There was a total of six urban case studies and six rural case studies.

1.6 Organisation of the Thesis

The thesis is organised into 12 Chapters as follows:

Chapter 1 introduces the thesis by presenting the background and significance of Public Participation. In addition, the evaluation criteria to be applied in the study are introduced, followed by the research problem and the justification. Finally, the study's research objectives are presented.

Chapter 2 explores the theory of public participation in EIA. This includes outlining the principles and objectives of PP. After that, the theoretical grounding of PP is explored to outline the theoretical origins of PP and the theory relevant to the study is discussed. Consequently, the typologies of public participation are described: these have informed the desired level of attainment in Malawi presented in Chapter 11.

Chapter 3 covers the analytical framework for assessing the effectiveness of PP in the study. First, existing frameworks for evaluating PP are reviewed and then the preferred evaluation framework is presented, consisting of Procedural, Substantive, Transactive, Contextual Factors and Learning outcome.

Chapter 4 presents the practice of the various elements within the evaluation criteria to be applied in the research study. Each individual part within this framework is examined, including discussion of factors that promote and hinder each element's implementation.

Chapter 5 outlines current decision making, EIA and public involvement in Malawi. The chapter starts by presenting the country's socio-economic and geopolitical background. After that, the historical perspective of PP is presented. PP's policy and legal framework follow, and finally, EIA process and practice in Malawi is discussed.

Chapter 6 discusses the differences between urban and rural areas in Malawi. The Chapter starts by providing the context of urban and rural areas worldwide. Then it considers different definitions provided by various institutions in Malawi and presents the definition applied in this study.

Chapter 7 introduces the methodology of the research study. First, it describes the philosophical paradigm that has guided the study. Then, it describes how the evaluation framework was developed and how it was applied, followed by the types of research methods that were used during the study. Sampling strategies are subsequently described. After that, the types of data collection tools and analysis which were applied are presented.

Chapter 8 reports on the findings and discussion about procedural effectiveness. This covers procedural factors, findings of who is consulted in Malawi, the popular venues where the meetings take place, the methods which are primarily used and the stages of EIA where the PP is conducted are presented.

Chapter 9 presents substantive effectiveness. The chapter will include findings and subsequent discussions on the type of information provided to the communities by the consultants, information provided by the communities, and how the information has been included in the EIA decision process.

Chapter 10 presents findings and discussion on Transactive, Contextual Factors and Learning Outcomes of the PP. First, the Chapter discusses the cost and time spent on the 12 case studies, with regard to their transactive effectiveness. In addition, contextual factors such as literacy levels, gender and cultural perspective of participants are discussed and, finally, learning outcomes emerging from PP are discussed.

Chapter 11 synthesises the various levels of participation. This is visualised in terms of success in climbing the participation ladder, whose participation levels represent the attainment of five dimensions of the effectiveness criteria.

Chapter 12 provides the conclusions and recommendations of the study. Conclusions are based on the findings in line with research objectives. Recommendations for improving public participation practice in Malawi are based on the gaps identified.

Chapter 2 : Theoretical framework of Public Participation

2.1 Introduction

This Chapter presents and discusses the theories of public participation (PP). To begin with, definitions and principles of PP are defined: these are the basis for the empirical research of this study. This is followed by theoretical foundations of public participation that have informed the scope of this evaluative study of public participation. Finally, the discussion of the different levels of public participation is presented.

2.2 Theoretical definitions and principles of public participation

2.2.1 Definition of the Public in the context of Public Participation

The professional literature presents various definitions of the public. In the context of EIA discourse, the term “public” has been used interchangeably with other terms such as stakeholders and citizens. Although some authors, such as Petts and Leach (2000), differentiate between stakeholders and the public, in this thesis, these terminologies will be used interchangeably.

The term “public” comprises many groups with diverse value structures and inclinations (Hughes and Dunn, 1998; Scott *et al.*, 2003; Bisset, 2013; Glasson, Therivel and Chadwick, 2019; Sinclair, Doelle and Gibson, 2021). In the context of public participation, several authors have defined the term differently: Dietz and Stern (2008) define the public as encompassing people, groups, or organisations that may benefit or be affected by harmful effects from an environmental decision. Webler *et al.* (1995) define stakeholders as any person or group who considers themselves to be possibly affected by the consequences of the discourse. Glasson *et al.* (2019; 2005) also define the public as a group that could be affected by a proposed activity because of their physical, health and social-economic characteristics; according to their definition the public could be a person, industry or business, statutory groups, or non-governmental environmental groups at either international, national or local levels. The general public, including those who are interested parties in the proposal, are also categorized as the public (Canter, 1996; Palerm, 2000; Petts, 2000, 2007; Sinclair, Doelle and Gibson, 2021); so are informed participants as well as non-government

organizations and independent experts in the government bodies and other relevant authorities (Sinclair, Doelle and Gibson, 2021).

Despite such differences in the definitions, it is clear that most of the authors are aligning their definitions with the “affected group”. In addition, it is known that the public is not a homogenous group (Mitra S and Pehl M, 2010). There are many subcategories of the public with different demographic, social and economic characteristics (Glasson, Therivel and Chadwick, 2019). Consequently, participation means different things to different people (Midgley and Hall 2004) resulting in different definitions for public participation. The following paragraph defines “public participation” as presented by different authors.

2.2.2 Public Participation

The professional literature presents different definitions of public participation due to different perspectives, knowledge and motives arising from different actors. Reed (2008) and Reed *et al.* (2018) define Public Participation (PP) as a process whereby individuals’ and groups’ organizations contribute to the decisions that affect them. Palerm (1998) define “public” as people with a legitimate interest, but it is usually limited to the affected public. The participation could be either passive, where the public is only consulted, or could be active, involving mutual consent. On the other hand, Benard (2016) defines PP as a process by which all the interested parties contribute to the control of development initiatives, decisions and the resources that impact these initiatives. Yet others, like Brombal *et al.* (2017), define public participation as a process that enables the public to influence decisions that affect their lives, through their contribution to decision making. Boon, Bawole and Ahenkan (2012) further define PP as a human right, which would enrich self-confidence and self-esteem, and argue that the process will ultimately impart knowledge and skills which could assist the public to be successful within the broader society. O’Faircheallaigh (2010) avoids a restrictive definition of PP in the wake of contesting definitions and broadly defines PP as any form of interaction between government, corporate actors and the public that occurs as part of EIA processes.

All definitions point to the relevance of engagement of the public in order that communities should contribute to decision making. However, the ultimate level of contribution will vary from passive to active depending on who participates and the

purposes for which PP has been conducted. My study will therefore interrogate who participated in the PP process of the 12 EIA projects under review and if objectives of PP are met. The section below outlines the different objectives of public participation that are presented in the professional literature.

2.2.3 Objectives of Public Participation

The Public Participation literature outlines broad objectives for conducting EIA, some of which are complementary, and they include the following:

- a) To promote justice, equity and cooperation for both the affected and interested public in the decision-making process (André *et al.*, 2006);
- b) To empower marginalised groups who are mostly sidelined in the PP process (Glucker *et al.*, 2013);
- c) To legitimise the process of decision making (Petts and Leach, 2000), enhancing democratic capacity and social learning and empowering marginalized individuals (Glucker *et al.*, 2013);
- d) To provide information to the affected community on the effects of the proposed projects on their biophysical, cultural, social, economic and political environment (Palerm, 2000; Wood, 2003; André *et al.*, 2006; Sainath and Rajan, 2015). Other scholars assert that the objective of EIA is primarily to provide information on environmental and social impacts (Ojogbo', 2018) while Nadeem and Fischer (2011) remark that the role of public participation is principally attainment of the goals mentioned above;
- e) To provide a platform which enables communities to raise issues arising from the project regarding environmental and socio-economic impacts (Morrison-Saunders and Early, 2008; O'Faircheallaigh, 2010);
- f) To ensure that adverse potential impacts are not overlooked and that positive impacts of the project are also maximised (Charnley and Engelbert, 2005; Sainath and Rajan, 2015) ;
- g) PP enables the environmental authority to make informed decisions as there will be a collective arrangement for the proposal of mitigation measures for the identified impacts (Nadeem and Fischer, 2011; Sainath and Rajan, 2015);

- h) PP should bring transparency and accountability into the decision-making, and the confidence of the public can thus be boosted (UNEP, 2002; Charnley and Engelbert, 2005);
- i) In addition, PP enhances the credibility and acceptability of governments’ risk management decisions (Folk, 1991; Rowe and Frewer, 2000; Mohammad *et al.*, 2016);
- j) PP contributes to the mutual learning of stakeholders, thereby leading to the improvement of future PP programmes in Environmental Assessment practice (Jha-Thakur *et al.*, 2009); and
- k) Participation can also enhance public confidence. The designs of projects are thus influenced in a positive way (UNEP, 2002).

My study connects strongly with most of these above objectives of participation. For example, objectives a, b and c as indicated above relate to “who participates” to assess whether equity is being attained by including both the marginalised, affected and interested, which is related to one of the research questions regarding the procedural effectiveness. In addition, objectives d, e and f are addressing information exchange, which addresses the study objective of substantive effectiveness. With respect to c and j, learning potential from PP studies is being addressed. Consequently, the fulfilment of the above objectives will then lead to the subsequent attainment of objectives g, h and j, ensuring transparency and credibility that will in turn lead to the desired level of participation that is described in Table 2-2 and Table 2-3.

2.2.4 Principles of Public Participation

In order to attain meaningful Public Participation in the EIA system, there are principles of PP that should be complied with. Table 2-1 below outlines the principles of PP and their application to my study.

Table 2-1: Principles of Public Participation

Principles of Public Participation	How they have been applied in the study
<p>The public should influence and contribute to decisions on issues that could affect them (IAP2, 2006). This could be achieved by incorporating the results of the public participation process into a proposal, ensuring reporting and feedback to stakeholders about the results of the public participation process, including them in the design of a project (André <i>et al.</i>, 2006; O’Faircheallaigh, 2010b).</p>	<p><i>Whether issues raised by the communities were integrated into the decision making Process</i> (substantive effectiveness)</p>
<p>The PP should also be informative and proactive (Dietz and Stern, 2006). The affected and interested public should be provided with adequate and timely information before major decisions are made on proposals which may have an impact on them (Dietz and Stern, 2006; IAP2 2006; O’Faircheallaigh, 2010).</p>	<p><i>What information is provided by the consultant to the communities?</i> (substantive effectiveness)</p>
<p>An effective public input scenario must be conducted throughout the process (Glasson <i>et al.</i> 2019; Sinclair <i>et al.</i>, 2021) and should be commenced from the scoping stage of EIA.</p>	<p><i>At what stage of the EIA did PP take place?</i> (procedural effectiveness)</p>
<p>Determine whether information is given in a timely manner before major decisions have been made. Furthermore, there should be optimization of resources, including human, financial and time, taking into consideration that public participation is resource consuming (André <i>et al.</i>, , 2006; Cornwall, 2008).</p>	<p><i>How much time is spent on PP and how efficiently is it used?</i> (transactive effectiveness)</p>
<p>There should also be a balanced inclusion of both interested and affected groups, including the non-represented or underrepresented, whatever their ethnic origin, gender and income status; these should include</p>	<p><i>Who took part in PP and why?</i> (procedural effectiveness)</p>

<p>indigenous peoples, women, children, elderly and poor people (André et al., 2006; Dietz and Stern, 2006).</p>	
<p>Public participation should contribute to the enhanced understanding of all stakeholders with respect to their values, interests, rights and obligations (André et al., 2006). Eventually the cooperation of stakeholders will lead to individual, organisational and social learning and also the sharing of information (O’Faircheallaigh, 2010b).</p>	<p><i>Does any learning arise from PP in Malawi?</i> (learning effectiveness)</p>
<p>EIA procedures for development projects should be adapted to their context (Nadeem and Fischer, 2011; André et al., 2006). Public participation should take into consideration the social, cultural, and environmental values, as well as the political institutions, of the communities in the project area. This is because different countries have different processes for accessing public resources, conflict resolution, and governance (André et al., 2006).</p>	<p><i>Do culture and literacy levels play any role in PP?</i> (learning effectiveness)</p>
<p>There is wide variation amongst the public in demographics, knowledge, power, values and interests (André et al., 2006). The public participation process should therefore be adaptive, in order to respond to the public heterogeneity.</p>	<p><i>Literacy levels and cultural values of participants in PP</i> (contextual factors)</p>

2.3 Background of theoretical grounding of Public Participation

In the Environmental Assessment (EA), there is no single theory that fully explains the influence and effectiveness of impact assessment (Bond *et al.*; 2013). Moreover, the evolution of EA thinking has been driven by practice rather than theory (Retief, 2010). However, there is some consensus that environmental assessment and its related element of public participation have their theoretical roots in planning theories (Lawrence, 2000). Such theories include modernism/rationalism; post-modernism/communications and collaboration; fairness and competence (Webler, Kastenholz and Renn, 1995; Lawrence, 2000; Fischer and González, 2021). The following sections discuss the three theories most closely connected with the argument of this dissertation.

2.3.1 Rationalism

The modernist theory is at the heart of a rational decision-making process that includes the following steps (Brooks, 2003, in Fischer, 2021, p. 36):

- identifying a problem that requires a decision;
- gathering information and materials that will help solve that problem;
- generating potential solutions to the problem; and
- making a rational choice, selecting the best solution, and then implementing it.

Rationalist theory was developed by the German Sociologist Weber (1864–1920) (Oakes, 2003). Rationalism comes in many forms and Oakes (2003) presented two dichotomous rational typologies of value and instrumental rationality. Instrumental rationality is searching for good means to ends by comparing means as well as the consequences of the action performed by the means selected. The effects or ends are both direct (primary) and indirect “secondary” results (Oakes, 2003; Blau, 2020). On the other hand, value as related to a rational action is the “conviction of actors that a binding value can be ascribed to the act: a conscious belief in the unconditional intrinsic value”(Oakes, 2003, p. 39).

Instrumental rationality was a good starting point to guide the predefined steps and agendas in the EIA process. The predefined agenda of PP is to provide information for the decision making process (Palerm, 1998). When information is acquired, the best options are selected after assessing both positive and negative effects of the project (Elling, 2008: 224–229).

Although it is a good starting point for the PP, the rational planning theory does not reflect “real” decision making, for the following reasons:

- a) The model is unable to consider sufficiently the fundamental role of dialogue and is also unable to consider inequalities existing amongst the audience (Cornwall, 2008; Edwards & Klees, 2015); yet, on the ground, the public has different socio-demographic characteristics leading to evident inequalities which have a significant bearing on who participates and whose voice is heard during public participation.
- b) The model also emphasizes economic cost-benefit, which cannot value social interaction like those involved in PP processes (Elling, 2009). A person, however, will “always make a rational decision based on the ability to evaluate all the alternatives and effectively calculate the potential success of each alternative” (Brooks, 2003, p. 36 in Fischer, 2021). While the absolute cost of PP can be computed, it is not possible to compute the benefits emanating from the PP process because some are intangible goods and services such as learning potential, which is also investigated in my research study.
- c) Finally, instrumental rationalism does not consider contextual characteristics (Lawrence, 2000), and yet Environmental Impact Assessment systems, just like any other public policy, operate within a specific context (Cherp, 2001). In Malawi, contextual issues such as literacy and culture have substantial impact on the level of PP.

Even though the above-mentioned shortfalls are commonly known, in many parts of the globe, the application of public participation has, in practice, conformed to the theories of instrumental rationality, which refers to the pursuit of having PP conducted as the end goal to be achieved by any means necessary. Most PPs are conducted in the most economical way, even if it compromises their intended output. My research study, therefore, has not grounded its PP evaluation on this theory as a result of the gaps illustrated above.

On the other hand, owing to the aforementioned gaps, other theories such as communications and collaboration (CC) emerged, and will be discussed in the proceeding section.

2.3.2 Communications and collaboration theory

As a result of the above-mentioned weaknesses of the rationalism model, Fischer & González (2021) report a post-modernist model of communicative action planning called an “ideal speech situation” by Habermas (1984). This communications and collaboration (CC) model has attributes of public participation, particularly persistence on the need for fair dialogue and effective communications that is a prominent principle in the EIA literature. The postmodernist CC theory embraces elements of communication and consensus building as well as collaborative perspectives (Helling, 1998). With regard to the communications component, the theory focuses on the ideal speech act, which applies communicative rationality principles such as the communicative competence of actors (Parlem, 2000). Furthermore, the collaborative element focuses on consensus building (Healey, 1993).

This theory has attributes significant to my research study, because its elements of inclusion and consensus building are among the principles of PP. Regarding my research study, especially the procedural objective concerned with establishing who participates and the substantive objective, communities are expected to raise potential issues of concern, based on consensus principles, that might arise from the projects.

Despite such strides, the theory has also displayed some challenges with regard to public participation. One such shortfall is inability to tackle the inequalities of those contributing to the process, and yet these are unavoidable in the current PP practices worldwide. As Fischer and González (2021 p.429) acknowledge “communicative spaces that are free of power are rare”.

For that reason, the communications and collaboration theory is still not fully anchored within the evaluation framework designed for my research study. This is primarily because it fails to recognize the power inequalities within the participation space, which determines whose voice is taken on board for decision-making. Taking cognizance of that reality, my research has therefore examined the extent of the effect of contextual issues on the participation space. In addition, the study also assessed whether there were any hierarchy levels which affected the power base of the communities.

In view of the CC gaps, another theorist, Webler, in 1995 modified Habermas’s ideal speech situation, as discussed in the next section.

2.3.3 Webler's theory of fairness, competence and social learning

In 1995, Webler modified Habermas's ideal speech situation after noting that it does not adequately capture the metacriteria of fairness, competence and social learning. In his theory, he elaborated fair and competent participation by defining "good" or "right" public participation.

Consequently, of the three theories considered, Webler's theory is better suited to most principles of PP than its modernist and post-modernist predecessors are. Consequently, my research study has mostly been informed by this theory while also incorporating elements from the CC model. Some early researchers, such as Palerm (2000), have also grounded their evaluation studies on this theory.

Webler's theory has three elements: fairness, competence and social learning.

Fairness is defined as how the public is permitted to engage in a participatory process and includes the following conditions:

- a) To be present and attend the meeting (Webler, 2002): Webler stipulates that attendance is crucial as it establishes who is entitled to be present at a meeting. *In my study, the elements of evaluation criteria have informed procedural criteria such as "who participates" in the meeting.*
- b) The theory's insistence on fairness also requires PP programmes to ensure that the venue and time minimize hindrances to participation (Webler, 2002). *Consequently, the venue element applied in my study was assessed and included as a procedural element. Additionally, time was also assessed in the transactive effectiveness criteria.*
- c) Furthermore, fairness also demands that a discourse should be initiated and that everyone has an equal chance to have their voice heard and also shape the final decision. In line with my research study, the theory has informed the substantive objective of *"assessing if communities were able to contribute during the meetings and if their views were taken into consideration during the decision-making process."*

Similarly, with regard to competence, the model is defined as the ability to achieve the best possible understanding, conceptualized to gain the best possible access to information and its interpretations and also to make use of the best available

procedures for knowledge selection (Webler, 2002). This includes the use of ideal methods for gathering information and developing knowledge. In the context of this study, the theory has informed *“the type of information accessed from the developers as well as information raised from the communities”*. In addition, the theory has informed the study by facilitating assessment of the “methods” used for consultation in the procedural effectiveness criteria that were adapted for evaluation.

Competence also requires the ability to analyse scientific knowledge according to the relevant criteria, and to consider whether the benefits outweigh the costs when making a decision (Webler, 2002). *This concept informed the evaluation criteria, which considered how consultants (with scientific knowledge) were disseminating information to the affected communities and whether the information was simplified enough for the community to understand. This was included in the substantive effectiveness criteria where information provision from the consultants was assessed.*

Furthermore, within the “fairness” component of the theory, there are also elements such as “contributing to decision making such as participating in the discussion for instance: asking for clarification and challenging the discussion” (Webler, 2002). In the academic literature, these are some of the objectives of public participation as presented by André *et al.* (2006). In line with my study, *these translate into substantive objectives of public participation whereby the objectives, including sharing of the information by the consultant and developer, are examined.*

Finally, where social learning is concerned, Webler *et al.* (1995) have argued that the process by which members of the public become aware of change in general, as well as in their private concerns, is linked with a shared interest in the affairs of their fellow citizens (Webler *et al.* 1995). While learning assists in the improvements of future projects, it is also an outcome of effective PP (Palerm, 1998). Palerm (1998) therefore perceives social learning as a means to an end as well as an end itself.

Webler *et al.* (1995) differentiate between two types of learning: cognitive enhancement and moral development. The former is the acquisition of knowledge, while the latter is the ability to differentiate between right and wrong (Palerm, 1998) in what Sánchez and Mitchell (2017) categorized it as single and double-loop learning. Webler *et al.* 1995 outlines the elements of cognitive learning, such as understanding the state of the problem which is being deliberated and also learning about the possible

solutions and the accompanying consequences of the issue being deliberated. On the other hand, moral developmental elements included are attaining skills for moral reasoning and problem solving that enable one to solve conflicts as they arise. In addition, moral development enables the integration of new cognitive knowledge into one's own preferences.

In my research study, social learning has been considered an important potential outcome of PP and, consequently, *learning criteria have been included in the evaluation framework*. Since there was no single recipe for achieving PP effectiveness, the interaction of various elements such as venue, the identity of the participants and the methods employed has determined the learning outcomes from the study.

Further, Webler (2002), basing his recommendations on research conducted in New York and Northern New England, stipulating that a theory of public participation in environmental decision making should account for “preconditions” and other moderating variables affecting the process. Regarding the Malawian context, some of the “preconditions” include the participants’ literacy levels and cultural backgrounds. This further informed my study to include culture and literacy levels as contextual issues in my research study.

Furthermore, Webler includes “physical resources” as moderating variables in his theory when conducting PP (Webler, 2002). This condition has further informed my study, by including *physical resources such as time and money in assessing the transactive effectiveness* of PP. If all the conditions stipulated by Webler are met, the PP should be effective.

Theorists of PP have also devised the typologies of public participation in an incremental manner, from the worst form of PP attainment to the best outcome of the evaluation of PP. The next section describes some of the typologies of PP as presented in academic literature.

2.4 Typologies of participation

The professional literature presents several typologies of participation such as Arnstein, (1969), Pretty (1995), White (1996) and Fischer (2007). The mother of these participation typologies and the most commonly applied is Arnstein's (1969) ladder of participation and many works on typology are principally variations based on the same model (Midgley and Hall 2004). Table 2-2 presents different typologies developed by other authors.

Table 2-2: Typologies developed by different authors

	Arnstein (1969)	Pretty (1995)	Fischer 2007	Aschemann, (2004)	White (1996)
Citizen power	Citizen Control		Participating	Active participation	Transformative
	Delegated Power	Self-mobilization			
	Partnership	Interactive participation	Consulting	Consultation	Representative
Tokenism	Placation	Functional participation	Communicating	Informing	Instrumental
	Consultation	Participation for material incentives			
Non-Participation	Informing	Participation by consultation			
	Therapy	Passive participation			
	Manipulation	Manipulative participation			

Table 2-2 shows different typologies and the consequent number of steps between the authors. The variation of steps amongst the authors occurs because of the “intentionality, and associated approach, of those who initiated participation” (Cornwall, 2008).

“Arnstein’s ladder” has 8 steps, with manipulation as the lowest rank and citizen control as the highest one. She categorizes the last rungs of “manipulation, therapy and informing” as *non-participation*, while the middle ones of “consultation and placation” are *tokenism*. Cornwall (2008) argues that although “consultation” is in the tokenism category, it is the mostly widely used level of participation worldwide and is also mostly used as a means of formalizing decisions which have already been taken, “*providing a thin veneer of participation to lend the process moral authority*”(Cornwall, 2008, p. 270). The highest level, according to Arnstein, is “citizen power”, which is the top rung and is attained when power is delegated to citizens in the planning process (Puskás, Abunnasr and Naalbandian, 2021). However, no known literature with respect to projects undergoing EIA has recorded this highest attainment of public participation. A major setback would particularly occur on private projects if an investor delegated all that power to citizens who did not possess any shares in the project.

As regards Pretty’s typology, its lowest run is similar to Arnstein’s, with manipulative participation as the lowest level, but it has Self-mobilization as the highest (Pretty, 1995). Although the typology somewhat resembles Arnstein’s, it has a different end point, since “Self-mobilization” is lower than “Citizen Control” (Pretty, 1995; Webler, 2002).

A departure from the above two typologies arises from Fischer (2007) and Aschemann (2007), who have “participation” at the top of their ladders. There is, however, no direct correlation with Arnstein’s and Pretty’s ladders: the highest rungs of Fischer (2007) and Aschemann (2004) might fall into “tokenism” as “participation” does not require the citizen power and control proposed by Arnstein. However, a major deviation in the presentation of these typologies for the above table occurs in the work of Sarah White (1996). Unlike the rest of the models, which mostly indicate levels of attainment of participation, Sara’s chiefly shows how people utilize participation. The

model can be a useful tool to detect contradictory ideas about why participation is being used at any particular stage in a process (Cornwall, 2008).

My research has adopted an intermediate position, at the level that is applicable to the context in Malawi. In this study, “Participation” has been adopted as the highest desirable rung of the ladder that will be used as a benchmark during the evaluation of PP. This is because, in Malawi, democracy is still in its infancy, as it was adopted in 1994 with the coming of multiparty system of government. In addition, considering the literacy levels, as well as cultural values, which hinder participation, by using “citizen power” as a standard, the researcher would be assessing the PP in the country against unrealistic participation expectations. Hence selecting the “participation ladder” has been an ideal benchmark towards attaining the preferred participation level.

In view of the above, the typology adopted for application to this study has been a blend of the Arnstein (1969) and Fischer (2007) models with the author’s construct. From Arnstein’s model, levels of “manipulation, informing and consultation” have been adopted, while Fischer’s has contributed “communication and participation”. The author has also introduced “Zero participation” to the ladder. Zero participation in this context implies that participants never attended any PP meetings but their names appear in the EIA reports as PP attendants. The outcome of this scenario for this study is presented in Chapter 8.

The ultimate ladder to be utilised in this study thus consists of zero participation, manipulation, informing/communication, consultation and participation. Table 2-3 explains these levels and their subsequent alignment with my study.

Table 2-3: The ladder that will be applied in the study

Ladder name	Author	Definition/Concepts	Application to the study
Rung 5: Participation	Fischer (2007)	Engagement process, in which external persons (for example, the public) are called to contribute to the decision-making	i. Both the affected public and experts attended the PP meetings. ii. There was adequate information

		<p>process by exchanging information, predictions, opinions, interests and values (Fischer, 2007).</p>	<p>provision to the communities, both positive and negative.</p> <p>iii. Communities were able to contribute something during deliberation.</p> <p>iv. Communities' views were addressed in the EIA report.</p>
<p>Rung 4: Consultation</p>	<p>Arnstein (1969) (IAP2)</p>	<p>Consultation is a two-way flow of information through meetings, hearings, and surveys. However, the public input gathered throughout this process is rarely taken into account during decision making; what citizens achieve is that they have engaged in "participation." What the power holders achieve is the evidence that they have gone through the required motions of involving those affected.</p>	<p>i. Both the affected public and experts attended the PP meetings</p> <p>ii. There was information provision to the communities, both positive and negative.</p> <p>iii. Communities were able to contribute something during deliberation.</p>

Rung 3: Informing	Arnstein (1969) (IAP2)	Information flows from public officials to citizens with “no channel provided for feedback and no power for negotiation.”	<ul style="list-style-type: none"> i. Communities were briefed regarding the projects’ scope and their impacts (both positive and negative) but were not given any opportunity to provide views. ii. Both the people affected and experts attended the PP meetings.
Rung 2: Manipulation	Arnstein (1969)	People are placed on rubberstamp advisory committees or advisory boards for the express purpose of “educating” them or engineering their support	<ul style="list-style-type: none"> i. When communities attended but impacts mentioned were predominantly or entirely positive. ii. If PP is not representative.
Rung 1: Zero participation	Author’s construct	Members did not attend or participate but are referred to in the report as if they had participated.	<ul style="list-style-type: none"> i. People’s names are mentioned in the EIA report as if they had participated but they were not part of the PP meetings.

As presented in Table 2-3, the participation levels which will be applied in this study range from “*Zero participation*” to “*participation*”. The various attainment of effectiveness according to the criteria would thus lead to varying levels of PP. The various levels of attainment of PP levels in relation to the effectiveness criteria have been discussed throughout the discussion chapters and synthesised in Chapter 11.

2.5 Summary

A range of perspectives on the definition of the “public” has been derived from different authors, and it is apparent that the “affected group” is prominent, so should be prioritised in the space of PP. With respect to the theories debated in this chapter, Webler’s views on fairness, competence and social learning have informed my research study, for the development of the five evaluation criteria in the following Chapter 3. Additionally, the levels of participation have been defined, and a benchmark established for the level of attainment of PP practice relevant to the 12 projects under review.

Chapter 3 : Theory of Evaluation Criteria

3.1 Introduction

This chapter is building on Chapter 2 by presenting the theory of evaluation criteria, which has been applied in my PhD thesis. The chapter starts with the definition of effectiveness in the context of Public Participation. A review of evaluation frameworks of public participation (PP) in the Environmental Assessments (EA) is then presented and followed by a discussion of the effectiveness criteria chosen in this PhD research.

3.2 Background of Evaluation Frameworks

What makes for effective public participation (PP) has been increasingly discussed in scholarly research (Morrison-Saunders *et al.*, 2014; Pope *et al.*, 2018) and has been under increasing scrutiny (Nadeem and Fischer, 2011; Morgan, 2012; Loomis and Dziedzic, 2018). Effectiveness of PP has been described from different perspectives and expectations depending on authors' specific interests (Annandale, 2001; Theophilou, Bond and Cashmore, 2010; Zvijáková, Zeleňáková and Purcz 2014; Gwimbi and Nhamo, 2016); their professional background has also been influential (Morgan *et al.*, 2012; Van Doren, 2013). Others have also suggested that it is based on what a researcher wants PP to achieve (Elling, 2009). In the subsequent section, terminology used to define effectiveness is introduced in order to contextualise the application of this evaluation in my research study.

3.3 Definition of Effectiveness

Effectiveness is conceptualised in various ways, depending on the objectives as well as the users, and it can be applied in different disciplines when assessing an output. Elling (2009) defined effectiveness as an output which has been economical, without using more resources than necessary to fulfil the given goal. Sadler (1996, p.37), however, defined effectiveness as "how well something works or whether it works as intended and meets the purposes for which it is designed". Arts *et al.* (2012) define EIA effectiveness as the achievement of its objectives, which would include incorporation of environmental considerations in the decision-making process and the enhancement of environmental awareness among proponent authorities.

Chanchitpricha and Bond (2013) considered effectiveness based on process, required resources, purposes, values/interests of decision-makers, the involved stakeholders, the anticipations of stakeholders, the contribution to policy improvement and the learning which is attained from the process. This broad definition is the starting point for this study, focusing on procedural aspects such as “involved stakeholders”, substantive components such as “contribution to policy improvement”, and transactive aspects such as “required resources” and the learning dimension.

In the light of such diversity in the definition of effectiveness, authors have designed different approaches with different models to suit their various purposes. In designing evaluation models for effectiveness, questions about “effectiveness” have been raised with a variety of perspectives on what “matters” (Rowe and Frewer, 2004; Cashmore *et al.*, 2010). For example, from a democratic perspective, a public participation process can be called effective if the process is inclusive and fair. On the other hand, a decision-making perspective might define effectiveness as the inclusion of people's choices, values and ideas, while, from an economic perspective, cost-effectiveness might be considered essential to an effective public participation (Rowe and Frewer, 2004). From a political perspective, Cashmore *et al.* (2010) and Theophilou, Bond and Cashmore (2010) stated that “politics and power” should be the primary focus when assessing effectiveness. Subsequently, various approaches of evaluating PP as perceived by different authors are discussed in the following sections.

3.4 Existing EIA system evaluation models

3.4.1 Reviewing EIA reports

Reviewing EIA reports is one approach to determining effectiveness. Kamijo and Huang (2016) suggest that assessing the quality of EIA reports is significant for the effectiveness of the EIA system because one would be assured of the degree of good decisions based on the reports. The EIA review is intended to ensure that the information contained in the EIA report is adequate before it is used as a basis for decision-making (Fuller, 1999).

Researchers who have evaluated PP through reviews of EIA reports include Kamijo & Huang (2016), Sandham and Pretorius, (2008) and Mwenda *et al.* (2012). However, there are yet others who utilised a mixed method approach by reviewing EIA reports as well as assessment PP through fieldwork: these include Zuhair and Kurian (2016)

and Nadeem and Fischer (2011). The Lee and Colley (1987) package has been one of the most widely used criteria in evaluating the adequacy of environmental assessment reports including reviewing public participation.

Although reviewing coverage of PP in EIA reports is a useful tool in revealing the extent of PP in EIA, the method does not produce a realistic evaluation of the quality of public participation on the ground. This is because in some instances EIA generates “superfluous knowledge” since the report does not always address the perceptions of all stakeholders involved in decision making (Hommes *et al.*, 2009). The information contained in the EIA report could, therefore, represent an under or overrepresentation. This situation may arise because consultancy firms tend to protect the interests of the developers at the expense of clearly establishing significant impacts raised by communities (Phromlah, 2018).

3.4.2 Consultation and Public Participation Index (CPPI)

CPPI is an approach which combines different components for assessing public participation in the EIA system. Different components constituting CPPI have been reported from different authors. Mwenda *et al.* (2012), while evaluating PP in Kenya, compiled her CPPI to include 1) notification, 2) participation methods, 3) venue, 4) language used and 5) type of participants. These five elements were categorised as an integrated approach, and yet, according to the evaluation criteria used in my study, they are procedural in nature. Brombal, Moriggi and Marcomini (2017), while evaluating PP in China, constituted their PPI effectiveness criteria from substantive elements such as information provision and inclusion of public concerns in documents, in addition to a few procedural aspects and normative effectiveness.

Although the above authors labelled their respective CPPI as an integrated approach in its own right, each model is short of important elements. For example, the CPPI for Mwenda *et al.* (2012) concentrated only on procedure-related components but fell short on other matters, such as subsistence, transactive criteria and contextual effectiveness. Likewise, although the PPI of Brombal, Moriggi and Marcomini (2017) included other dimensions, such as the substantive, transactive and normative, the breadth was very narrow. The model was also lacking in contextual effectiveness, which made it inapplicable to many areas, such as Malawi, where contextual issues such as culture play an important role in PP.

Other scholars have also developed integrated models to assess the effectiveness of PP in various places. For example, Nadeem and Fischer (2011) developed a model to evaluate PP that comprised six evaluative criteria, including 1) legal requirements, 2) information, 3) timing and venue of consultation, 4) composition of the public, 5) methods of consultation and 6) consideration of public concerns in the EIA report. In China, Yang (2008) also developed a model that included 1) time, 2) type of participants, 3) information disclosure, 3) scope of participation, 4) techniques of participation and 5) consideration of the results of public participation in decision-making. Likewise, Del Furia and Jones (2000), when evaluating practices in Italy, limited their evaluation to the nature of public involvement, the amount of power attributed to the public, and the timing of public involvement.

Just like the CPPI branded model, similarly, the aforementioned models also lacked the depth and breadth in evaluating the effectiveness of PP. They either focused on one-evaluation criteria like Mwenda *et al.* (2011) or added only a few, such as Yang (2008) and Del Furia and Jones (2000), which had limited scope.

3.4.3 Multidimensional model for evaluation

Multidimensional evaluation criteria of EA were first published in the International Study of the Effectiveness of Environmental Assessment in 1996 (Sadler, 1996). The first effectiveness criteria were three-dimensional, comprising procedural, substantive and transactive dimensions. Since then, a number of additional models have been developed, and Table 3-1 presents authors who have used the criteria and their application.

Table 3-1 Types of effective criteria and their application

Application	Author	Type of assessment	Criteria
Establishing concepts	Sadler 1996	EIA	Procedural, Substantive and Transactive
	Sadler 2004		
	Baker and McLelland, 2003	EIA	Added Normative to the three Effectiveness criteria
	Kauppinen et; 2006	Health Impact Assessment	Added Learning
	Bond and Morrison-Saunders (2013)	Environmental Assessment	Added Learning, Knowledge and Pluralism
Empirical analysis	Bond <i>et al.</i> , 2012	Sustainability assessment	Procedural, Substantive, Transactive, Pluralism and Normative Knowledge and Learning
	Bond <i>et al.</i> , 2013	Sustainability assessment	
	Pope <i>et al.</i> , 2018	SEA	Procedural, Substantive, Transactive, Pluralism and Normative Knowledge and Learning
	Jha-Thakur and Fischer, 2016	EIA	Procedural, Substantive
	Fischer, 2005	SEA	
	Hapuarachchi <i>et al.</i> , 2016	EIA	

	Khosravi <i>et al.</i> , 2018	EIA	
	Theophilou <i>et al.</i> , 2010	SEA	Substantive and Transactive
	Chanchitpricha, Angus Morrison- Saunders & Alan Bond, 2019	SEA	Procedural, Substantive Transactive and Legitimacy
	Baker and McLelland, 2003	Public participation	Procedural, Substantive and Transactive
	Getty and Morrison-Saunders, 2020	EIA	Procedural, Substantive, Transactive and legitimacy
	Gallardo and Bond, 2011	EA	Procedural, Substantive, Transactive and Normative
	Loomis Dzedzic, 2018	EIA	
	Therivel, 2013	SEA	Procedural, Substantive, Transactive, Pluralism, Learning and Normative
	Morrison-Saunders and Pope, 2013	Sustainability assessment	
	Retief, 2013	Sustainability assessment	

	Alberts <i>et al</i> ; 2020	EIA	Theory of Change through Procedural, Substantive and Transactive
Articles Review	Riki Therivel and Ainhoa Gonzále 2019	SEA	Contextual, pluralist, substantive, normative, knowledge and learning, and transactive

Source: (Bond and Morrison-Saunders, 2013; Chanchitpricha and Bond, 2013; Khosravi *et al.*, 2019 and self-construct).

As introduced in Chapter 1, Sadler’s model has been applied by many researchers in evaluating Environmental Assessments, such as Pope *et al.* (2018); Loomisa & Dzedzic (2018), Chanchitpricha and Bond (2013); Morrison-Saunders, Chanchitpricha and Bond (2013); Bond *et al.* (2012); Baker and McLelland (2003); Fischer (2005).

Additionally, as observed in Table 3-1, Baker & McLelland (2003) were the first authors to improve Sadler’s model by adding normative criteria. Later on, Kauppinen et al (2006) added Learning. Bond and Morrison-Saunders (2013) added Pluralism as well as Knowledge & Learning.

Nevertheless, where the specific application of Sadler’s model to the evaluation of public participation is concerned, Baker and McLelland were the first authors to utilise it, when they evaluated PP in British Columbia in 2003. Yet, despite evaluating the three procedural, substantive and transactive dimensions, these authors did not apply the normative criterion which they developed. The literature has not explained why this criterion was not applied to PP. In my study, I have also not applied the normative criterion because it is not compatible with Webler’s theory of fairness, competence and social learning, which has informed my evaluation criteria but I have also applied the three dimensions used in Baker and McLelland (2003).

Literature has reported that whenever an existing evaluation framework is attempted to be utilised, shortcomings are usually identified in that framework (Bond et al; 2022): therefore, in the context of my research study, additional dimensions of learning and

contextual factors were applied as described in Section 3.4.4. Nonetheless, following Baker and McLelland (2003), a number of authors have also evaluated public participation but have applied the effectiveness criteria both directly and indirectly. In addition, other evaluation models have also been applied to assess PP and are presented in Table 3-2.

Table 3-2: Evaluation models of PP

Author	Procedural	Substantive	Transactive	Contextual	Learning	Specify Others	Country
(Yao, He and Bao, 2020)	✓					Participation extent dimension; Conflict level dimension	China
(Yang, 2008)	✓		✓				China
(Del Furia and Wallace-Jones, 2000)	✓						Italy
(Brombal, Moriggi and Marcomini, 2017)		✓			✓	CPPI	China
(Baker and McLelland, 2003)	✓	✓	✓				British Columbia
(Mwenda <i>et al.</i> , 2012)	✓					CPPI	Kenya

(Hartley and Wood, 2005)						Aarhus evaluation criteria	UK
(Nadeem and Fischer, 2011)	✓	✓		✓ (legal requirements & composition of the public		✓	Pakistan
(Aiyeola, Shamsudeen and Ibrahim, 2015)						✓	Malaysia
(Suwanteep, Murayama and Nishikizawa, 2017)						Principal Component Analysis(PCA)	Thailand
(Sainath and Rajan, 2015)						Others	India
(Deventeet <i>al.</i> , 2016)				✓ (Policy, legal, power imbalance etc.)		Others	
(Bawole, 2013)	✓	✓					Ghana

Source: (Baker and McLelland, 2003; Del Furia and Wallace-Jones, 2000 ; Hartley and Wood, 2005; Nadeem and Fischer, 2011; Yang, 2008; Mwenda *et al.*, 2012; Bawole, 2013; Aiyeola, Shamsudeen and Ibrahim, 2015; Devente *et al.*, 2016;

Suwanteep, Murayama and Nishikizawa, 2017; Brombal, Moriggi and Marcomini, 2017; Yao, He and Bao, 2020).

Drawing on Chapter 2 (Section 2.3.3), Webler's theory of fairness, competence and social learning has informed the composition of the effective criteria to be applied in my study. As discussed in Section 2.3.3, the theory is aligned with the 5 effectiveness criteria: procedural, substantive, transactive, contextual and learning. However, Table 3-2 shows that none of the authors has assessed public participation by using all the 5 criteria included in Webler's theory. In addition, although some of the authors utilised one or more of the evaluation criteria, their treatment was neither deep nor extensive. For example, while the CPPI framework for Mwenda *et al.* (2012) was comprehensive in terms of its procedural dimension, the framework did not tackle the 'stage at which PP was conducted'. Yet this stage is critical in determining whether PP is conducted in a sufficiently timely manner to influence any decision. Additionally, Devente *et al.* (2016) and Nadeem and Fischer (2011) have all included contextual dimension in their evaluation, but the range of their arguments were very different: The former included policy, law and power imbalance as contextual factors while the latter included legal requirements and the composition of the public as contextual factors. On the other hand, contextual factors that have been assessed in my research, and which are affecting PP in the context of Malawi, as introduced in Section 1.2.3 are education, culture and gender.

Since the choice of evaluation criteria depends on the authors' purpose (Momtaz and Kabir, 2013) and secondly, my PhD study being informed by Webler's theory; the effectiveness criteria to be applied in my study will therefore comprise learning and contextual dimensions in addition to procedural, substantive and transactive effectiveness. The learning dimension has been added as an outcome to assess if there was any learning potential, such as acquisition of knowledge about the sustainability of PP programmes, while the contextual factors of literacy, culture and gender have been added, owing to the circumstances to which Malawi is subjected to.

The sections below describe the effectiveness framework that will be applied in my research study.

3.4.4 Theoretical perspective on chosen effectiveness framework

The framework adopted to evaluate the effectiveness of public participation in Malawi comprises five dimensions, namely: procedural, substantive, transactive, learning and contextual dimensions. Each dimension is further assessed based on elements which are constituting it. The section below describes the five dimensions that will be assessed alongside corresponding elements of each dimension.

3.4.4.1 Procedural effectiveness

Procedural effectiveness is one of the most popular and frequently used dimension in the evaluation of the EIA system. It is defined as compliance with the prevailing policy principles, guidelines and regulatory frameworks (Sadler 1996; Baker and McLelland, 2003). Assessing procedural effectiveness is vital because it gives the necessary approval to the PP procedure according to the national context (Ebisemiju, 1993). This entails the understanding that although most national EIA policies were derived from international environmental policies as well as international best practices, the application of these policies to specific local circumstances differs: consequently, procedural components which the authors would apply when assessing PP would eventually vary. It is the dimension most frequently employed in evaluating PP and authors have used it either in isolation or in combination with other dimension, as shown on Table 3-2.

Although Wood (2003) commended the utilisation of procedural effectiveness for assisting in determining the general effectiveness of public participation, its application as a single component in evaluating the effectiveness of PP is problematic (Machaka, 2017). Moreover, many perceive procedural requirements just as “cosmetic fulfilment” with the purpose of merely meeting legal requirements (Almer and Koontz, 2004; Zubair, Bowen and Elwin, 2011) rather than achieving purposeful engagement (Bawole, 2013); consequently they would just focus on compliance with the legal processes and not the intended outcome (Zubair, Bowen and Elwin, 2011). This view implies that if the model suggests that the PP has performed the prescribed steps, then the effectiveness of the EIA would have been achieved (Machaka, 2017). Such types of evaluation models, aimed only at assessing the fulfilment of the requirements for the PP system’s implementation, are labelled by Machaka (2017) as “first generation” evaluation frameworks. He further argues that restricting the

evaluation to such basic components made sense only during the period when many countries had not yet developed comprehensive EIA systems, as the EIA was in its infancy.

Regarding compliance with policy and law, countries have their own provisions for public participation in their respective legal frameworks. Nevertheless, most of these legal frameworks have adopted their provisions from the international principles of best practice as described in Chapter 2 (2.2.4).

In the Malawian context, a considerable number of elements from the international principles of best practice for PP are prevalent in the PP legal framework, either directly or indirectly. The procedural elements applied to my study were adopted from the EIA guidelines of 1997: these elements include “who participates”, “methods of PP”, “venue”, and “stage which PP is undertaken”. The application of these elements to public participation is presented in the following Chapter 4.

3.4.4.2 Substantive effectiveness

Substantive effectiveness is the second dimension and it is an accomplishment of the set purposes and objectives (Sadler, 1996): When these purposes and objectives are associated with the established objectives of PP policy, the substantive efficacy of PP will have been attained (Baker and Mclelland, 2003). With regard to public participation, substantive effectiveness is the extent to which it is able to realise its overall objectives (Fischer & Yu, 2018; Arts *et al.*, 2012; Cashmore *et al.*, 2004; Cashmore, *et al.* 2003). Therefore, the substantive lens is focussed on the accomplishment of specified objectives within a decision-making framework (B.D. Clarke and Vu, 2021).

The professional literature on PP has stipulated several objectives against which substantive effectiveness can be assessed. These include obtaining public input into the decision making process through provision of information to the affected and the interested public about both biophysical and socio-economic environments (Palerm, 2000; Wood, 2003; André *et al.*, 2006; Sainath and Rajan, 2015); distribution of authority and structures of decision-making processes involving marginalised groups, and also sharing decision-making through enhancing democratic principles (Palerm 1998; Charnley, 2000; Nadeem and Fischer, 2011; Glucker *et al.* 2013; Sainath & Rajan, 2015).

Despite such stipulated significance, both previous and current studies affirm that only limited studies have been conducted to evaluate substantive effectiveness (see Theophilou *et al.* (2010); Arts *et al.*, (2012); Zvijakova *et al.* (2014); Machaka (2017); Loomisa and Dziedzic, (2018); Yao, He and Bao, (2020). Amongst other reasons for these limitations, the investigation of substantive effectiveness is complicated by the plurality of views regarding what it constitutes (Bond and Morrison-Saunders, 2012; Loomisa and Dziedzic, 2018).

A few authors who have conducted research on the substantive effectiveness of PP have either evaluated it through reviews of EIA reports such as Nadeen and Fischer (2011) and Yao, He and Bao (2020), in Pakistan and China respectively; or have evaluated it in the field in case studies such as Brombal, Moriggi and Macromini's investigation of China's New Beijing Airport (2017), or Baker and McLelland's work on mining development in British Columbia (2003).

In my research study, elements of substantive objectives were extracted from the objectives of PP as stipulated in EIA guidelines of 1997 which are also aligned with PP international best practice. The objectives stipulated to be applied in my research include provision of information to the communities by proponents, provision of an opportunity to stakeholders to raise issues, and integrating issues in decision-making. Detailed information regarding the practice is presented in Chapter 4.

3.4.4.3 Transactive Effectiveness

Transactive effectiveness is defined as whether the environmental assessment process was conducted effectively and efficiently within the least cost in a minimum time frame (Bina *et al.* 2011; Bond, Morrison-Saunders, and Howitt 2012; Chanchitpricha and Bond 2013; Yu & Fischer 2018). Baker and McLelland (2003) extend the definition to an examination of proficiency, which involves finding out how resources were utilised in achieving objectives. In addition to time and cost, Clarke and Vu (2021) added the capacity of practitioners to the transactive effectiveness. However, in my research, transactive effectiveness will be assessed through the lens of time taken and the amount of money spent on PP engagements with the projects under review.

Bina *et al.* (2011) and Pope *et al.* (2018) have reported that only a few authors have considered transactive effectiveness because the majority have ranked the criteria as secondary in their evaluation of effectiveness. This is also evidenced in the Table 3-2

above, as only 2 authors included transactive effectiveness in their evaluation. (Runhaar *et al.*, 2013) observed that even a few who included the transactive component discussed the components only in passing, while others, such as Baker and McLelland (2003) and Pope *et al.* (2018) applied only a qualitative methodology in analysing the transactive effectiveness of their respective research studies.

The resultant effect of such minimal application or entire exclusion in the PP evaluation processes results in inadequate information in the literature regarding the subject (Glasson *et al.*, 2013; Loomis and Dziedzic, 2018). This situation could ultimately lead to the derailment of transactive policy improvement and implementation.

Although research on transactive effectiveness is minimal, it has been argued that in a period of financial rationalism and cost-cutting, like in recent times, the inability to assess transactiveness puts the prospects of environmental assessments at risk (Bond *et al.*, 2014, Morrison-Saunders *et al.*, 2014). Already there are competing perceptions of the management of time and money devoted to EIA which require attention. For example, Charnley and Engelbert (2005) observed that some project proponents are reluctant to engage in public participation, because of the significant amount of time and money required, when undertaking development decisions; yet in practice, it has been observed that failure to provide time and money during PP, to enable the public to participate, results in project delay because of the interruptions that could arise as a result of failing to engage with communities (Sadler, 1996; Baker and McLelland, 2003; Yang, 2008). The elements of time and money are consequently crucial in the evaluation of PP and should, therefore, not be overlooked. These two elements are subsequently included in my study. More information on this practice is discussed in the following chapter.

3.4.4.4 Contextual factors

Numerous authors have stressed the importance of evaluating effectiveness within its specific context (Cherp, 2001; Fischer and Gazzola, 2006; Simpson and Basta, 2018). This is because Environmental Assessment systems, just like other public policy, operate within a specific context (Cherp, 2001). Generally, there is no universal remedy that works well in all contexts since Public Participation solutions need to be designed to fit individual contexts (Ingram, 2013). The importation of specific legal

texts and guidelines from developed countries to developing countries is one of the reasons why EIAs fail in regions such as Africa where decision-making cultures are different (B.D. Clarke and Vu, 2021). Similarly, Fischer and Gazzola (2006) take a cautious approach to the effectiveness of framework literature, which largely reflects experiences of specific Environmental Assessment systems, based on a few countries, which may not be relevant to other countries. Pope et al (2022) summarises numerous contextual factors presented by different authors that could be considered when conducting environmental assessments including availability of data, learning, values, ethics, individual actor capacity, legitimacy, governance, socio-economic situation, political and economic situation.

With respect to Malawi, culture, education and gender are contextual factors with a significant bearing on public participation: they will therefore be evaluated in order to assess the degree of PP effectiveness in this study. Learning which has been identified as a contextual by Pope et al (2022) has been considered as a separate dimension as presented below.

3.4.4.5 Learning Effectiveness

Evaluating learning effectiveness is a dimension of evaluating PP in EIA that was adopted from Kauppinen et. (2006) and also from Bond and Morrison-Saunders (2012) when they added it to their effectiveness framework. Learning is generally described as a process of acquisition of knowledge or skill (Jha-Thakur *et al.*, 2009; Merriam-Webster, 2015). Others have gone further by relating it to a social process where diverse stakeholders can share a common setting, appreciate each other's values, reflect upon their own and create a shared vision and objectives (Sánchez & Mitchell, 2017). Learning in the context of PP can, therefore, be attained through various channels, such as the acquisition of knowledge within a framework of information provided, as well as through deliberation (Jha-Thakur *et al.*, 2009; Pope *et al.*, 2018).

Even though, in a formal learning situation, it is believed that participants are the ones who are expected to learn from facilitators, in the public participation discourse, all actors are expected to learn because it is a multi-faceted process, involving both holders and recipients of knowledge throughout an EIA process (Sinclair, Diduck and Fitzpatrick, 2008; Sánchez and Mitchell, 2017). The actors in the learning discourse include all participants in the impact assessment process, such as individuals, groups

or organizations. These include project developers, consultants, government regulators, stakeholders (directly and indirectly affected), other individuals and groups such as scientists and media (Sánchez and Mitchell, 2017). Sánchez & Mitchell, (2017.p 196) state that “although individual knowledge learning underpins IA by way of specialized knowledge sharing, collective levels of learning such as group, organizational and social learning are fundamental to its practice and dissemination.”

Social learning (SL) is defined as both cognitive enhancement and moral development emanating from sharing perspectives with other authorities, stakeholders and the wider community. Within social learning, participants can experience transformative experiences associated with participating in the IA process (Webler, Kastenholz and Remm, 1995). Organizational learning (OL) is about the extent to which learning by individuals within organizations are transmitted and become rooted in the memory of an organization and structure (Sánchez and Mitchell, 2017). In both cases learning can occur at various levels such as single-loop,¹ and double-loop² (Bull, Petts and Evans, 2008; Sinclair, Diduck and Fitzpatrick, 2008; Jha-Thakur *et al.*, 2009; Fischer *et al.*, 2009; Sánchez and Mitchell, 2017). Triple-loop learning was eventually added by Kransdorff (2017) to the hierarchy of learning. Learning is described in detail in the next chapter.

As presented above, there are five dimensions and their corresponding elements in the effectiveness framework which will be applied in the study and their schematic framework is presented in Figure 3-1 below.

¹ Single-loop learning is the level of learning where an individual, society or organisation acquires new knowledge and skills (Sánchez and Mitchell, 2017).

² Double-loop is the learning process that goes beyond acquiring knowledge and skill. It is a type of learning process that is long-term, reflected in the change of norms, values, actions, and *attitudes* (Argyris, 1978).

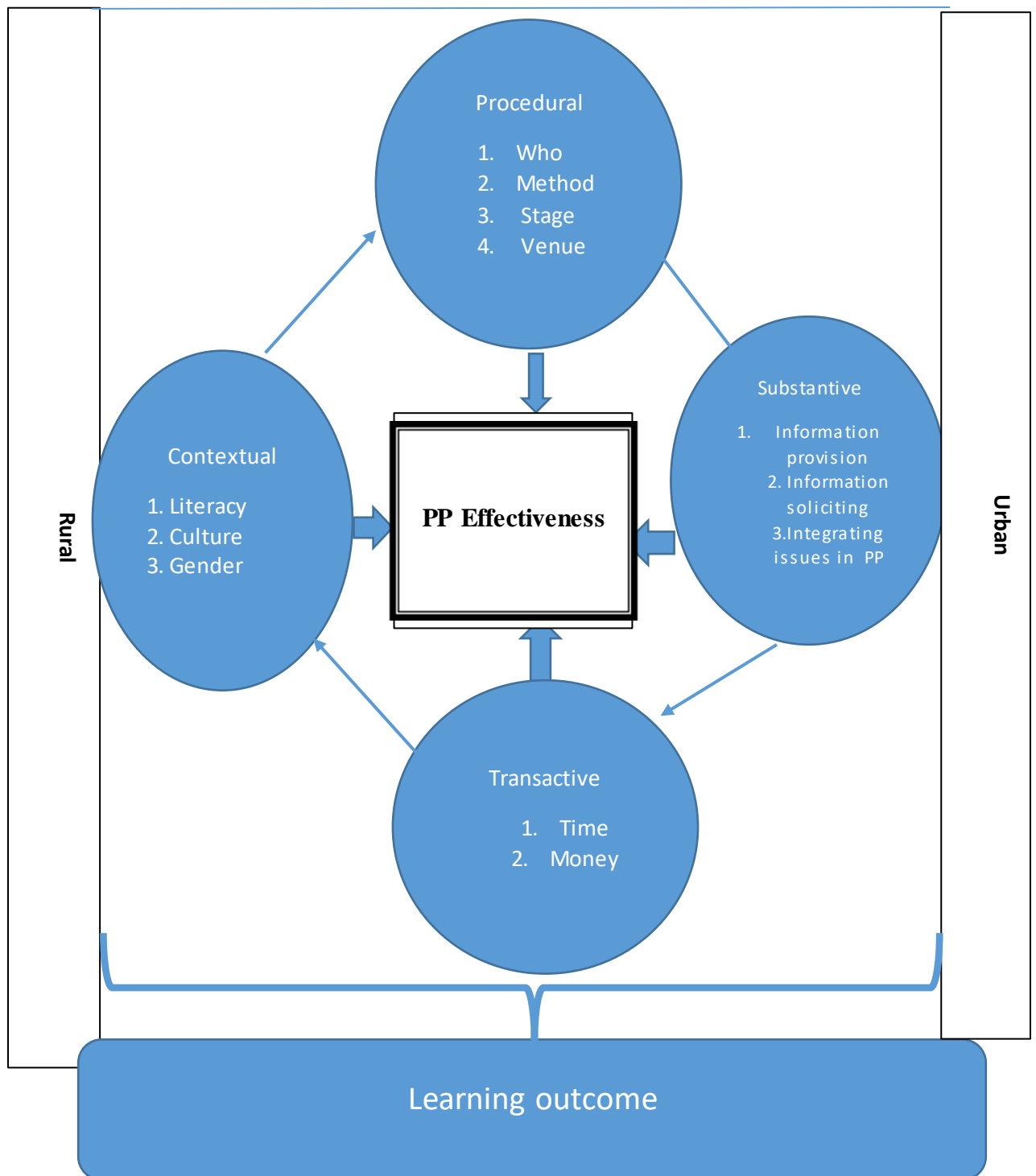


Figure 3-1 Schematic Framework of the effectiveness framework

The effectiveness framework presented above will be applied in a comparative study of 12 EIA projects between urban and rural areas of Malawi. The framework, as shown in Figure 3.1, consist of five components: the first four are input criteria leading to effective PP while the last one is an output criterion, which is a result of effective PP.

The first input dimension is procedural effectiveness, consisting of four elements of “who participates”, “methods of PP”, “venue”, and the “stage” at which PP is undertaken. The second dimension is substantive effectiveness and comprises of provision of information to the communities by proponents, provision of an opportunity to stakeholders to raise issues and integrating issues in decision-making. Then comes transactive effectiveness, which consists of resources such as time and money spent on PP. Contextual factors related to culture, education and gender are examined and, finally, the output dimension constitute learning outcomes. The only output dimension, however, is learning effectiveness which is expected to occur as a result of the effectiveness of the four input dimension as described in the schematic diagram in Figure 3-1.

3.5 Summary

This chapter has designed the evaluation framework that have been applied in my PhD research. The framework consist of procedural, substantive, transactive, contextual and learning effectiveness. The succeeding Chapter 4 presents these components in more detail and discusses how they have been applied in practice within the region of Africa and globally to provide the context of discussion.

Chapter 4 : Evaluation Framework Practice

4.1 Introduction

While Chapter 3 discussed the theory of the evaluation framework, this chapter presents the practice with respect to the components which constitute the evaluation framework which will be utilised in this study. The framework consist of procedural, substantive, transactive, contextual and learning effectiveness. Literature used to describe the evaluation framework is drawn from various parts of the globe including Africa, which is most appropriate to Malawi, to provide the basis for discussion in Chapters 8 to 10.

4.2 Procedural effectiveness

As stated in the preceding Chapter (Section 3.4.4.1), the procedural elements of this study have been adapted from the Malawian policy and legal framework and specifically the EIA guidelines. The elements which will be evaluated in my study include "who participates", "methods of consultation and notification for PP," "venue where PP meetings take place ", and "the stage of EIA when PP is undertaken". The following sections present the literature on the practice of these elements starting with "who participates" in the PP of the EIA process.

4.2.1 Who is consulted

4.2.1.1 Requirements of who should be consulted

The question as to who should be consulted is very critical because it determines who has contributed to the final decision in the decision-making process. Academic literature has defined actors involved in the PP process as developers, regulators, facilitators and the Public (Yang, 2008; Glucker *et al.*, 2013). PP scholars and practitioners recommend that these different actors should participate since they possess varying levels of interests and power in terms of their ability to influence assessment processes and decision outcomes (Cashmore *et al.*, 2008). In addition, environmental impacts concern everyone's life situation (Elling, 2009), but there is a differentiated impact on different actors arising from projects (O'Faircheallaigh, 2007, Tang *et al.*, 2008). The affected public, predominantly those from vulnerable and marginalised groups, should not be side-lined (Simpson and Basta, 2018). But to

ensure that they are provided with space for effective participation, it is essential that these vulnerable participants should be supplied with support (ibid).

Since there are different players in the PP process, there is, therefore, a need for a clear understanding of the respective roles and interests of all these different stakeholders (Petts, 2003). This is because these key stakeholders have varying interests, importance and influence on the public participation (Huang, Fischer and Xu, 2017).

Some stakeholders, such as government officials, should be consulted in the PP process as a result of their techno-scientific expertise as well as policy and legislative viewpoint (Cotton and Mahroos-alsaiari, 2015). Experts are also crucial as PP participants because of their special knowledge of the subject matter and government background (Yao *et al.*, 2020). Such elements of technical expertise can be very useful in the decision-making process (ibid). The general public should also participate because they are most impacted (Glucker *et al.*, 2013).

This variation in the interests and expertise of different stakeholders consequently results in a plurality of views during consultations (Cape *et al.* 2018), which enrich the PP process.

A good balance of views comprising both local knowledge and technical expertise is, therefore, important for informing decision-making (Bawole, 2013; Glucker *et al.*, 2013); this would require a mix of local populations, community-based organisations (CBOs), Government officials, company representatives and NGOs (Hasan *et al.*, 2018).

Nevertheless, literature has reported inadequate representation of categories stipulated above in both Africa and other parts of the globe: for example, in Ghana, in an evaluation of PP for an oil project, it was noted that consultation was limited to government officials (Bawole, 2013). This implies that input was only obtained from technocrats and consequently excluded information from affected communities. This arrangement could subsequently jeopardise the implementation and sustainability of the project since the communities might feel that their needs have not been incorporated (Bawole, 2013). Likewise, in Uganda, during the PP conducted for an EIA of a manufacturing industry, the entire population in the community area was represented only by members of village Local Councils (LCs) (George *et al.*, 2020).

Similar inadequate representation has also been reported in other parts of the globe with different geographic and socio-economic conditions, such as the Maldives. According to reviews of 12 EIA reports, meetings involved only elected councillors and a few selected parties invited by the council; the affected public, however, did not take part (Zuhair and Kurian, 2016). Likewise, in China, although a wide range of stakeholders was consulted concerning an airport project, this consultation did not include interested stakeholders such as external NGOs and other civil society organisations (Brombal *et al.*, 2017). These examples illustrate the inadequate consultation of all key stakeholders, which is generally attributed to the challenges in projects, such as securing buy-in of the initiatives (Retief, 2007).

Nevertheless, despite such inadequate representation of all key stakeholders in the PP meetings, Petts (2003) indicates that different public members have various interests. Dietz and Stern (2008) therefore warn against such selective participation because the public is not a homogenous entity. Such variations in the nature of the public result in different expectations from project proposals; consequently, O’Faircheallaigh (2007) recommends that both interested and affected actors should be considered during public hearings. With respect to the affected group, Burton (2004) emphasises that everyone affected by a decision should be given a chance to participate in public policymaking because they are directly impacted by the project. In addition, decisions need to be explained to those affected so that the affected are aware of the reasoning behind every decision affecting them (Retief *et al.*; 2020). Glucker *et al.*(2013) further observes that environmental decisions affect almost everybody's quality of life, since the world's ecosystems are interlinked, and therefore the impacts of a project have far-reaching repercussions which justify the inclusion of all actors (Glucker *et al.*, 2013; Runhaar *et al.*, 2013). O’Faircheallaigh (2007) also maintains the same position by arguing that an inclusive approach to participation in EIA should be promoted because it would promote a democratic point of view which would consequently result in better quality decisions (Beierle & Cayford, 2002).

Since the developer decides who should participate in the PP process (Retief *et al.*; 2015), this study assessed who has been consulted and whether the requirements stipulated above were taken into consideration when the developers and consultants selected the participants. Given this context, which has provided information that there has been unbalanced representation of PP participants to the disadvantage of the

affected group, this study will establish whether this practice was also prevalent in Malawi during consultations on the 12 EIA projects. Results of my research regarding “who participated” have been presented in Chapter 8 (Section 8.2.1).

4.2.2 Stage of EIA where PP was conducted

The stage of EIA is the second element in the procedural effectiveness to be assessed in this research study. Public participation is crucial in enabling the views of the stakeholders to be utilised meaningfully. There are, however, different perceptions regarding the specific stage of EIA at which PP should be conducted. ELAW (2015) indicates that PP can take place at any stage of the EIA cycle, depending on its purpose; similarly, scholars such as Bond, Palerm, *et al.*(2004), Palerm and Aceves (2004), and André, Enserink, *et al.* (2006) agree that PP can be beneficial if it can be conducted at all stages of the EIA cycle starting from the scoping phase, throughout the processes of baseline data collection, comparison and selection of alternatives, impact prediction and evaluation, and the proposal of mitigation measures, and concluding with EIA report preparation.

However, noting the impossibility of conducting PP at every stage, other scholars have recommended specific steps at which PP should be performed. The scoping phase is one of the stages at which PP can be conducted because that is where major environmental issues and concerns ought to be addressed in an EIA discussion (Morgan, 2012; Hasan, Nahiduzzaman and Aldosary, 2018; Phromlah, 2018). Moreover, consulting at scoping encourages the implementing authority to explore project options (UNEP, 2015).

On the other hand, Phromlah (2018) observes that the preparation stage of the EIA report is ideal because communities can be informed about the actions of the proposed project in time to mitigate the potential negative impacts. Still others recommend that PP should be implemented from the very onset of a project (FAO, 2015) to secure local adaptation and achieve desired benefits (Aaen, 2011). For example, in South Africa, PP is mandatory even at the application stage before the scoping phase of the EIA (Sandham, Chabalala and Spaling, 2019). Earlier studies equally reported interesting findings when PP was conducted even after the reports were submitted to the regulator for the decision-making process, and communities had not even been able to feed their problems into the report: an example occurs in Nepal where the PP

was conducted after the EIA report had already been completed, solely in order to seek letters of support from village officials (Anneveldt *et al.*, 2001).

Despite the various times of the stages discussed above, the proponents should ensure that PP is conducted when no irreversible decision has yet been taken (Heiland, 2005). But in practice, PP is often undertaken too late in the EIA process only to fulfil the legal requirement (Sinclair, 2002; Sinclair and Doelle, 2003; Palerm and Aceves, 2004; Doelle and Sinclair, 2006; Anuar, Nasir and Saruwono, 2018). This prevents the involvement of the participants from being valuable in the decision-making process (Anuar, Nasir and Saruwono, 2018). The stage at which PP is conducted is critically important in Malawi, as it can define whether PP outcomes are included in the policy and decision-making processes of Government and development players. For this reason, this study has assessed the stages of EIA at which PP is conducted in Malawi. The outcome has been presented in Chapter 8 (Section 8.2.4).

4.2.3 Methods of public consultation

Notification and consultation methods are the second element of procedural effectiveness to be analysed in my research. The sections below present them in practice. The literature reports different notification and consultation methods used during public participation processes. The information regarding notification and consultation methods presented in this section has provided the foundation for the argument in my results section. The sections below present the literature on notification and consultation methods which have been used in EIA to provide a background survey of their strength and weakness and show how they were applied in different areas.

4.2.3.1 Notification methods

Notification of PP participants is crucial in the PP process to enable the public to attend the PP meetings, and to make meaningful contributions to the decision-making process. Notification is one of the procedural elements to be assessed in my study.

Several methods of notification are used as a communication channel to the communities. These include posters, letters, emails, flyers, personal invitations, radio announcements and newspaper adverts, community letter drop (World Bank, 1991b;

Yang 2008; Mwenda *et al.*, 2012; Sandham, Chabalala and Spaling, 2019). Yang (2008) recommends newspapers and notices as the most popular notification methods.

Although the literature has noted the utility of notification methods as presented above, some have reported that information regarding notification was not perceived as important. For instance, some EIA practitioners in Kenya ignored the requirement for notification (Mwenda *et al.*, 2012). In this study in Kenya, it was recorded that during the evaluation of EIA reports, there was no information on notification methods, implying that notification was not rated as an essential requirement in the EIA reporting system. Similarly, some authors have argued that when notification is not considered, citizens are denied the chance to participate in environmental decision-making because they would be unaware of the upcoming planned PP engagements (Hartley and Wood, 2005). Consequently, this could demonstrate poor planning of the PP process, which would eventually lead to a poor outcome (Palerm, 2000).

Notification time should also be considered when communicating with the public: at present there is no reported standard for notification periods anywhere, including Malawi, nevertheless, the notification period should not be too long or too short. However, unrealistic notification periods are reported in areas such as British Columbia, where the set notification period was 45 days. This was too much time which was allocated to the communities (Baker and Mclelland, 2003). With such long periods, communities could eventually forget the PP meeting days owing to numerous conflicting commitments and high illiteracy levels of the majority (see Chapter 5, Section 5.4.2.3).

Therefore, this literature has provided a base with which the notification findings in my study will be compared. The results are presented in Section 8.2.2 of Chapter 8.

4.2.3.2 Consultation methods

Several methods of public consultation utilised in the EIA process are presented in the literature. These methods include questionnaires and surveys, advertisements, leafleting, electronic and print media, displays, exhibitions, telephone hotlines, open houses, personal contact, community liaison staff, community advisory committees, group presentations, workshops, public meetings, public enquires, advisory panels, focus groups, workshops, mediation, mediated modelling, consensus conferences,

citizen juries, public meetings, the Geographical Information System (GIS), Delphi methodology and other ICT tools (Pett, 1999; Rauschmayer et al., 2005; Aschemann, 2007). Recent studies have also reported on the use of Participatory Rural Appraisal (PRA) as a valuable tool to engage the marginalised communities to ensure that the quantity and quality of information gathered during the public participation process is obtained in a meaningful way (Sandham, Chabalala and Spaling, 2019).

Although different authors have cited various advantages and disadvantages for different types of methods, which will be described in the following sections, it has been observed that the most effective way to conduct PP does not necessarily exist because various methods are suitable for different purposes (Vantanen & Marttunen, 2005) and for different audiences. Consequently Aschemann (2007) argues that there is, therefore, no "cooking recipe" for selecting the appropriate method to ensure that any given public participation activity delivers desirable results, because there are several factors which should be considered. These factors will be presented in the next section.

a) Factors to consider when selecting a PP method

Appropriate methods are dependent on many factors, including the type of public being engaged, the nature of the action, the objective of the consultation, the level and degree of involvement desired (Petts and Leach, 2000; Glasson, Therivel and Chadwick, 2019). In addition, Rowe & Frewer (2005) recommend consideration of some more factors, including situations and participants' requirements, to maximise the effectiveness of public participation. Furthermore, the stage of the EIA, resource availability, the number of participants involved, the complexity of the issues involved, the likelihood of controversy and the level of interest in issues under discussion should also be considered (Tromans & Fuller, 2007).

Furthermore, there is a need for consideration of cultural norms that may influence the content of discussion relating to gender and religion (Mostert, 2003; Reed, 2008; Luyet *et al.*, 2012; Maddy, 2017). Finally, there is thus a need to tailor targeted participatory techniques for different target groups, such as people with lower education levels and marginalised groups (Reed, 2008; Nadeem and Fischer, 2011; Wiklund, 2011; Simpson and Basta, 2018). Marginal groups require methods such as focus groups (Phromlah, 2018; Sandham, Chabalala and Spaling, 2019) , while the better educated

require methods such as Web-based methods, social media, teleconferencing and online decision support, amongst others (Väntänen and Marttunen, 2005). To support the applicability of Web-based methods, Phromlah (2018) provides an example from the USA, where computer and Web-based tools are employed when conducting PP. Although these technologies are effective in terms of cost and time, they cannot be effective in developing countries such as Malawi due to inadequate technological capacities within the citizenry.

In countries with high illiteracy rates, traditional methods such as surveys and public hearings are the most common and regularly utilised in the EIA projects (Mwenda, Bregt, *et al.*, 2012; Alemagi *et al.*; 2013; Bawole, 2013; Leonard, 2017). These methods have been particularly reported in most literature in Africa, including Kenya, Ghana, Cameroon and South Africa. There is, however, another concern: although such methods are common, they are no longer appropriate, especially for the marginalised communities, and the more educated and sophisticated public (IAEA, 2017). Regarding the marginalised group, since PP meetings are attended by different types of people, the vocal minority usually dominates the public meetings at the expense of the silent majority (Petts and Leach, 2000).

However, these traditional methods are sometimes applied simply to accomplish a requirement to involve the public somehow, assuming that involvement is an end in itself, rather than a means to an end (Wiedemann and Femers 1993; O'Faircheallaigh, 2010). Consequently, recommendations arising from such meetings are not even implemented (Rowe and Frewer, 2000).

My study has benefitted from this background literature by assessing methods that were used during PP meetings in the 12 EIA reports under review and the reasons for the selection of such methods. The findings are presented and discussed in Section 8.2.2 of Chapter 8.

Given the shortfalls of each single method, as provided above, a blend of methods is therefore recommended to complement each one's shortfalls (Väntänen and Marttunen, 2005; IAEA, 2007).

Earlier studies on developed countries have also confirmed the use of mixed methods. In Finland, multiple methods, consisting of surveys, dialogue, interviews, public

meetings and workshops, were used on Lake Kemijaärvi (Väntänen and Marttunen, 2005), yielding a positive impact on the effectiveness of PP. In the United Kingdom, 20 years ago, a mixture of participatory methods during EIAs was reported, including public exhibitions, newsletters and notices in local newspapers, informal discussions, public meetings, community advisory committees and public enquiries (Petts, 2003). Given this utilisation of mixed methods which yielded positive effects, my study has considered whether multiple methods were used in the PP engagements of the 12 projects under review: reasons for the selection of such methods and appropriate recommendations have been presented to ensure that mixed methods are adopted by stakeholders.

Despite such recommendations, it is common knowledge that the choice of participation method is left to the discretion of the proponents (Wood, 2003). The methods, selected to suit the developer's needs, sometimes become unrepresentative and thereby exclusionary (Mansbridge 1980; Young 2000). This eventually fails to capture the values of those who are marginalised by policy decisions (Cotton and Mahroos-Alsaiari, 2015).

4.2.4 Venue

Accessibility of the venue of public participation is considered another critical procedural element for ensuring ease of access by participants, and consequently adequate involvement (Bisset, 2013). Venues are required to be convenient and accessible (Petts, 1995; Palerm, 1999; Yang, 2008; Nadeem and Fischer, 2011; Mwenda *et al.*, 2012; Aucamp, I., Retief, F.P. and Sandham, L.A, 2023). Venues should also be selected so that maximum attendance and the free exchange of views are encouraged (UNEP, 1996).

However, in a study conducted in Pakistan, the study observed that some venues were not conducive to ideal participation for all stakeholders (Nadeem and Fischer, 2011). For example, in one project, it was observed that academics and NGO environmentalists' involvement was very minimal because the venue for PP meetings was located far away from these technically sophisticated participants but was closer to the affected community (*ibid*). Similarly, a location planned for another project (a Motorway project) was not ideal for the affected community as they found the venue to be very far and expensive to reach (Nadeem and Fischer, 2011).

In Canada, a developed country, things were different. During consultation meetings on the Sable Gas project, the logistical challenges of the venue were professionally managed (Fitzpatrick and Sinclair, 2003). In addition, although the participants were drawn from various cultural backgrounds and locations, the public hearing meetings were split into two locations to enable the participants from each affected area by the project proposal to participate (Fitzpatrick and Sinclair, 2003).

In the same way, PP respondents from Spain and Portugal reported that meetings which were held in the village were better attended by local people, and the sessions were also more effective (Devente *et al.*, 2016); therefore, this confirms the view that an appropriate venue promotes attendance, hence contributing to effective PP, while an inappropriate venue prevents the participation of all the invited members of the public and thus negatively affects the effectiveness of public involvement (Yang, 2008).

In view of the information provided above, indicating that different types of venues resulted in varying outcomes of PP attendance, my research study will assess the possibility that the venue had a bearing on the outcome of PP.

4.3 Substantive effectiveness

As presented in the previous chapter (Section 3.4.4.2), the substantive effectiveness discussed in my study has been extracted from the Malawian PP policy and regulatory frameworks which are aligned with the principles of best practice published by André (2006). The objectives of PP outlined in the EIA guidelines include the provision of information to the communities by proponents, the opportunity for stakeholders to raise issues regarding the proposed projects, and the integration of issues raised by the public into the decision-making process.

The following sections present how these objectives have performed in other countries to form a basis on the discussion of the of my PhD research outcome.

4.3.1 Information provision to the communities by consultants

One of the critical objectives of PP recorded in the scholarly literature is to provide information regarding the project to the Public (Kemp, 1990; O'Faircheallaigh, 2010; Runhaar *et al.*, 2019; Clarke and Vu, 2021). When communities are provided with the

information, they better understand the proposed projects and facilitate their capability to make an informed opinion (Weston, 1997; Kapoor, 2001).

EIA Literature recommends the scope of information that should be provided to the communities regarding the project: It is recommended that developers should give the participants sufficient independent background information regarding both positive and negative components of the project (Devente *et al.*, 2016). This should include all preliminary information regarding causes and effects regarding the proposed activities on health and the environment (Phromlah, 2018).

However, it has been reported in the academic literature that the information provided is sometimes in the developer's interest as developers hire consultants, and they would protect the interest of the developer (Morgan *et al.*, 2012). Yet the appointment of these experts is meant to provide credibility to the Environmental Assessment process since they are also registered to their respective professional bodies (Retief *et al.*; 2015) and there is also a general expectation that consultants would meet specific communication requirements through stakeholder engagement (Alberts *et al.*; 2022). Nevertheless, since developers would wish their projects to be approved, the consultants downplay adverse effects in most instances but amplify the possible positive impacts of the project, such as economic benefits (Doelle and Sinclair, 2006). The information provided is thus usually that which promotes the project's acceptability. With respect to my study, the nature of information provided to the communities is one topic in the analysis of substantive effectiveness. I have therefore considered whether it confirms or contradicts the existing literature on information provision.

A relevant example is an EIA, related to a rural project in China, that did not provide enough information about negative social and economic impacts relating to the relocation of local farmers arising from the project when it was being disclosed to the communities; however, information regarding environmental impacts of the project was provided in detail (Brombal *et al.*; 2017). Thus, in this project, communities were denied access to the information that could have enabled them to make an informed decision regarding their displacement.

Another example is the case of the Map Ta Phut Industrial Estate project in Thailand, where communities were not provided with any information relating to adverse health

impacts associated with the project (Phromlah, 2018). A public hearing was thus merely used to communicate basic information about the project, provided by its proponent.

A related incident transpired at a power plant project in Prachuab in Thailand as well, where there were significant environmental problems; however, neither stakeholders nor the impacted communities were informed by the project developers themselves about the impacts of the project; instead, these communities received information from neighbours who knew more about the project (Phromlah, 2018). It is, therefore, a general trend for project proponents to amplify economic gains, such as employment, that will arise from the projects, at the expense of negative impacts (Sainath and Rajan, 2015).

Consequently, my study has evaluated the degree to which consultants presented both positive and negative impacts to the communities, to enable them to have a proper understanding of the project and contribute from an informed position.

4.3.2 To provide an opportunity to the public to raise issues that would influence decision making.

One of the fundamental requirements of meaningful public participation is that the communities are mandated to raise their concerns regarding the proposed project. Therefore, proponents are required to obtain information regarding all issues arising from the project regarding environmental and socio-economic impacts (Morrison-Saunders and Early, 2008; O’Faircheallaigh, 2010; Morgan *et al.*, 2012; ELAW, 2015; Brombal, Moriggi and Marcomini, 2017). This is because communities, alongside experts, are co-generators of knowledge and information in the Impact Assessment reports (Simpson and Basta, 2018). Environmental statements are critical documents on which decision making is based (O’Faircheallaigh, 2010b).

Communities should consequently provide adequate information and raise their concerns, which would aid in the decision-making process: they have a significant stake in providing information because they have knowledge and experience regarding relevant environmental and social impacts that could affect them (Morrison-Saunders and Early, 2008). For example, the Chinese authorities utilised public participation to obtain accurate demographic data on a population affected by an industrial

development (Tang *et al.*, 2008). With respect to my research study, the degree to which communities have contributed to decision making has been also assessed, according to the information they were providing to the developer during public participation. The following section presents the communities' practice in providing information.

Despite the profound importance of this requirement, the contribution of communities towards providing information to PP programmes depends on numerous factors, such as the capacity of the affected communities, the tools used by the developer to collect data, and the proponent's ability to provide an enabling environment for the communities to participate.

The capacity of the public to influence the decisions is vital (Hartley and Wood, 2005; Yang, 2008). Unfortunately, however, many communities lack the capacity required to raise pertinent issues regarding the project because of the technical complexity of the environmental problems. For example, in China, the communities' inadequate capacity prevented them from envisaging the projects' ecological consequences; instead, the communities just expressed approval of the projects' proposed economic benefits (Gumus, 2017; Olsen & Hansen, 2014; Chi, Xu, & Xue, 2013). These observations are similar to those of Brombal, Moriggi and Marcomini who state that most communities raise economic issues, primarily land-related concerns, rather than prominent environmental issues (Brombal, Moriggi and Marcomini, 2017). In addition, Sainath and Rajan (2015) underline communities' prioritising of economic gains, such as employment opportunities, over ecological concerns, because of the prevalence of poverty and high illiteracy levels (Sainath and Rajan, 2015). Despite the capacity constraints in Malawi, as described in Chapter 5 (Section 5.4.2.3), my research has unearthed the concerns raised by the communities which have been provided in Chapter 9 (Section 9.2.1).

In addition to capacity constraints, the tools used for public consultation are also an inhibiting factor that prevents communities raising their voice. As presented in Section 4.2.3, most consultants use traditional tools such as questionnaires (Mwenda *et al.*, 2012; Bawole, 2013; Alemagi *et al.* 2013; Leonard, 2016; Abelson *et al.*, 2003) which are only a one-way means of communication, sending technical information from the developer to the public instead of utilising methods such as focus groups (Phromlah,

2018) which promote dialogue (Sandham, Chabalala and Spaling, 2019). Eventually, these more accessible methods would enhance information exchange and promote learning (Wiklund, 2011).

Moreover, the combination of participants with different social status inhibits the participation of members of marginalised communities, making them feel unable to raise their concerns regarding the projects. For instance, in Canada, during public hearings of the Sable Gas project, the meeting included Aborigines, NGOs, Government representatives and industries (Fitzpatrick and Sinclair, 2003). Such undesirable incidences are familiar, yet they prevent the proponents from accessing local knowledge, concerns and preferences, which would improve the quality of the EIA report for informed decision making (Glasson *et al.*, 2005; Bisset, 2000). Given this context of challenges to the ability process communities to raise their concerns, my research has also investigated the enablers and prohibitors of PP during their respective PP meetings.

4.3.3 Communities' information as part of the decision-making process

The last substantive objective of my study is the assessment of the extent to which communities' views were part of the decision-making process. However, while some researchers have reported on public inputs and concerns being addressed in some environmental assessments (Retief, 2007), others have reported that information raised by the communities is unable to find its way into the Environmental Assessment reports (Fischer, 2010; Brombal, Moriggi and Marcomini, 2017). This is because the decision to adopt public opinion rests with the consultants and developers (Kitagawa, 2017). Notwithstanding the role of consultants, Devente *et al.* (2016) observe that sometimes communities' information is part of the decision-making if issues had previously received media attention.

The public's information is integrated into decision making in several ways: in some instances, consultants do so by addressing community's issues in the EIA report or sometimes by introducing the resolutions of the communities as conditions for approval of the EIA Certificate (Baker and McLelland, 2003). The literature has recorded contrasting consequences of acting on communities' concerns, or failing to do so. On one hand, those who have integrated communities' concerns into their proposals have experienced an increase in trust and acceptance of the projects and

possible implementation of solutions (Devente *et al.*, 2016); while on the other, those who have side-lined the communities have had experienced incidents where projects have been rejected (Baker and McLelland, 2003). One such incident is reported in British Columbia, where the communities petitioned the court to revoke the certificate for one mine project for not taking on board compassion issues raised by the affected community (Baker and McLelland, 2003). Learning from this practice in other countries, my PhD research has uncovered the extent to which communities' information was part of the decision-making discussed in Chapter 9 (Section 9.2.4).

4.4 Transactive Effectiveness

Transactive effectiveness is my third research objective and this section provides the application of this criterion. Managing time and financial resources to attain transactive effectiveness is crucial to successful public participation. In the previous chapter (Section 3.4.4.3), the importance of time and money has been recognised, and the practical implications of their use is presented here.

Time is one of the significant barriers to public participation in EIA (Simpson and Basta, 2018). This is because it is believed that EIAs take a lot of time to reach their approval stage in the decision making process (Retief et al, 2013).

Nevertheless, a generous length of time should be allowed for PP engagements, since the public needs to become familiar with the proposals and the elements to be assessed in the EIA studies are mostly technical (Nadeem and Fischer, 2011).

Similarly, adequate financial resources should be included in the PP for its benefits to be realised. Although effective PP that promote two-way communication is known to be time-consuming and expensive (Riki, and González, 2019), however its benefits out way the costs. These benefits include saving long-term project costs that might arise due to minimising conflicts. One such case of cost reduction as a result of PP is reported by Phromlah (2018): he cites the example of the Malampaya natural gas project in the Philippines, where there was a saving of approximately US\$6 million out of an estimated initial US\$4.5 billion in total project costs as a result of involving the communities adequately. On the contrary, in Peru, the proponent of a gold mine project did not invest enough in community involvement, and the exclusion resulted

in the community opposing the project: the project costs increased by an estimated US\$1.69 billion as a result of project delays (Phromlah, 2018).

Therefore, it is necessary for the public participation exercise to be allocated adequate resources that should be used efficiently, in order to ensure that the community members participate effectively. Accordingly, inadequate resources provision for EIA projects will have direct negative economic and social impacts on their developers (Wood, 1995). Nevertheless, there is limited literature on the estimated cost of PP which could provide direction on the correlation with the effectiveness of EIA. One of the causes for such limited empirical research on the cost of EIA, is the methodological challenges associated with such type of research (Alberts et al; 2021). However, since this author recognised that resources are a critical factor for a successful PP, this study has estimated the cost of PP and assessed whether the resources were used efficiently for the effectiveness of PP. The findings are presented and discussed in Chapter 10 (Section 10.2).

4.5 Contextual factors

As discussed in the preceding chapter, contextual factors affecting PP in Malawi that have been examined in my research study include culture, education and gender. The following section shows how they have affected PP in various projects, which have undergone EIAs in various parts of the globe.

4.5.1 Culture and Public Participation

Culture is a collective programming of the mind which differentiates one group from another (Hofstede, Geert, 1984). These individuals share the same beliefs, values, behaviours, social organisation and rituals (Martinez, 2015).

Culture is a fundamental element of any nation as it defines the lifestyle of people. It is one of the critical factors that contribute to the pace of development and the direction that the development process takes (Simpson and Basta, 2018b; Drori *et al.*, 2020). Culture is at the origin of national development and any sustainable development in the country (Power, 2010). Culture dictates expectations about who can exert power and when (Robinson and Gottlieb, 2018).

Culture influences behaviour, particularly social interaction and institutions (Martinez, 2015). There is, therefore, a need for cultural sensitivity when planning for Public Participation in the EIA process, since the prevalent cultural background of an area plays a significant role in influencing citizens' behaviours and willingness to participate (Plummer, 2000; HasanSwapan, 2016). In addition, culture influences behaviour primarily through leadership and gendered impacts on participation (Robinson and Gottlieb 2018). One example of the influence of cultural leadership is in China, where it has been identified as a critical barrier to participation (Tang *et al.*, 2008). Another cultural example is the gendered impact in the family descent system of female participants (Mtika & Doctor, 2002). For instance, in some patriarchal cultures, women are denied an opportunity to deliberate freely in the presence of men during public consultations (Simpson and Basta, 2018).

It is thus of paramount importance to consider culture critically when planning and interpreting the outcome of PP because of the impact that culture can produce (Enserink *et al.*, 2007). Cashmore et al. (2007) finally underscore the role of culture in PP by stating that contextual factors have even been identified as substantially more effective in influencing stakeholder involvement than the legal frameworks. Acknowledging and learning from this section, my PhD research has examined the impacts of culture on the identification of the participants in PP and on its effectiveness: the discussion is presented in Chapter 10 (Section 10.3.2).

4.5.2 Education and Public Participation

Literacy is one of the critical factors that have a significant bearing on the ability of participants to contribute during PP engagements (Fitzpatrick and Sinclair, 2003; Simpson and Basta, 2018). Yang (2008) states that the capacity of the public is very critical in influencing decisions. Low education levels, which are prevalent in most developing countries, are a significant obstacle that limits the capacity of the communities to participate in decision-making processes (Tang *et al.*, 2008; Sandham,Retief and Alberts 2022). The literacy levels of Malawi are provided in Chapter 5 (Section 5.4.2.3).

Education is a precondition for effective public participation since it provides members of the public with a foundation for basic understanding of consultation initiatives (Fitzpatrick and Sinclair, 2003). The capacities of the communities also determine

their ability to discuss issues, communicate and resolve them for mutual benefit (Palerm, 2000). In addition, the level of capacities also determines the community's willingness to engage in PP activities (Palerm, 2000). Furthermore the methods used mostly require some basic level of literacy (Sandham, Chabalala and Spaling, 2019).

A public with high literacy rates is expected to have a basic understanding of the complex issues related to a specific EIA project under review (Fitzpatrick and Sinclair, 2003). However, EIA impacts are usually scientific, technical and legal matters that would not be understood by an illiterate public (Anuar, Nasir and Saruwono, 2018). Moreover, English, an official language in many countries, is the dominant language of published materials, including Environmental Assessment reports (Zuhair and Kurian, 2016). There is, therefore, clear evidence that inadequate capacity has adverse consequences for the outcome of PP in the EIA process (Zuhair and Kurian, 2016).

Even though, theoretically, literacy is known to be highly correlated with participation, surprisingly, the results of a Swedish incineration plant project proved the contrary. There was a negative correlation between education and participation. Educated participants during PP engagement participated less than non-educated participants in the public participation program (Wiklund, 2011). My research has therefore assessed any possible relationship between literacy and ability to participate in the context of Malawi and results have been presented in Chapter 10 (Section 10.3.1).

4.5.3 Gender and Public Participation

Gender is vitally important to the planning and executing PP programmes because of the differentiated roles of boys, girls, women, and men in developmental programmes. Regarding PP, women are primarily prominent because of their cultural role as family caretakers. However, their participation space in the decision-making process of EIA is significantly less than their male counterparts (Pattajoshi, 2020; Aucamp, I., Retief, F.P. and Sandham, L.A, 2023).

In Africa, women usually experience developmental inequalities because of intersecting constraints emanating from gender inequalities, education, religion, lack of economic independence and ethnicity (Graef *et al.*, 2018; Simpson and Basta, 2018 and Pattajoshi, 2020). This implies that women, especially in Africa, are usually disadvantaged because of these negative attributes. Culture is therefore a critical

element for explaining gendered outcomes in a civic participation programme (Robinson and Gottlieb, 2021).

For instance, due to different ethnicities, Robinson and Gottlieb (2018) illustrated that beliefs in the patriarchal systems prescribe which types of individuals in the communities can participate in the public sphere. Unfortunately, women, especially in Africa, where the majority come from patrilineal societies, are considered to be unwelcome participants (Robinson and Gottlieb, 2021). In this respect they are unlike their male counterparts, whose dominance has been reported. In such circumstances, women have been expected to be passive (Fish 2002; Hudson, Bowen and Nielsen 2015); the outcome is that women consequently consider themselves inferior to men (Graef *et al.*, 2018). An example of male dominance is provided in the patrilineal society in the Dodoma region in Tanzania, where the position of women in participation and decision making was said to be minimal when there were mixed-gender focus group discussions (Aziz *et al.*, 2011; Mnimbo *et al.*, 2017). Such male dominance over their female counterparts results in unsustainable and unjust outcomes (Kurian, 2000). Therefore, my PhD research will establish whether women's space during PP meetings of the EIA is bigger in matrilineal society, given that 75% of the population in Malawi is matrilineal (Robinson and Gottlieb, 2021). Results have been provided in Chapter 10 (Section 10.3.1).

4.6 Learning as an outcome of Public Participation

Social learning is one of the expected outcomes of effective public participation and involves a flow of information that is not unidirectional (O'Faircheallaigh, 2010). The following paragraph describes different levels of learning anticipated and factors that deter and promote social learning.

4.6.1 Levels of Learning

4.6.1.1 Single-loop

Single-loop learning is the level of learning where individuals, society or organisations acquire new knowledge and skills (Sánchez and Mitchell, 2017). Single-loop learning involves improving efficacy or getting better at fulfilling existing purposes in the context of a given set of fundamental governing variables (Sinclair *et al.*, 2008). An example of single-loop learning is where consultants can prepare better EIA

documentation such as ToRs, EIA reports, environmental and social management plans (Sinclair, Diduck and Fitzpatrick, 2008). In other publications, single-loop is also referred to as instrumental learning (Sinclair, Diduck and Fitzpatrick, 2008). My research has synthesised the type of learning reported and the single-loop category has been assigned where it has been attained. Results are provided in Chapter 10 (Section 10.4.1).

4.6.1.2 Double-loop

Double-loop is the learning process that goes beyond acquiring knowledge and skill (Sánchez and Mitchell, 2017). It is a type of learning process that is long-term, reflected in the change of norms, values, actions, and attitudes (Argyris, 1978). This type of learning is what Sánchez & Mitchell (2017) call generative learning necessary for the organisation to thrive, while Argyris and Schön (1996, p. 21) dub it as "a change in the values of theory-in-use, as well as change in strategies and assumptions". Similarly, this change in actions and strategies is what other authors call transformative learning (Fischer *et al.*, 2009; Sinclair *et al.*, 2008), which enables people to change their routines.

There is also a difference between a single loop and a double loop regarding timespan effects. Unlike single-loop, whose results might show up in the short term, double-loop learning may take time to show up in practice (Jha-Thakur *et al.*, 2009) and should therefore not be expected soon after PP has been conducted.

4.6.1.3 Triple-loop learning

Most of the literature on learning levels is limited to single and double-loop learning, but Kransdorff (2006) introduced triple-loop learning. There is, however, an intersection of elements of triple learning and double learning. For many authors, what was initially included in double-loop learning, such as a change in norms and values as documented in Argyris (1978) and Jha-Thakur *et al.* (2009), has been categorised by authors such as Sánchez and Mitchell (2017) and Cruz, Veronez and Montaña (2018) as triple-loop learning. However, the originator of the typology differentiates triple-loop learning from double-loop learning by combining both normative and transformative learning attained by "helping individuals create a shift in personal perceptions through questioning inconsistencies and incongruences in organisations"

(Kransdorff, 2017). Therefore, because of the disparities in defining double and triple-loop learning, my research study will limit the scope of the analysis to single and double-loop learning.

4.6.2 Factors affecting learning

Although learning is an anticipated outcome from effective PP, social learning is not an automatic outcome of a participatory process (Tippett *et al.*, 2005). As with any other outcome, numerous ingredients foster learning effects. One of the primary catalysts is that the PP should be conducted in a meaningful manner to produce those expected benefits. Sinclair, Diduck and Fitzpatrick (2008) outline several factors which qualify the PP as significant, such as conducting the PP at an early stage of EIA, including all the actors involved in PP, conducting PP in a deliberative manner, providing information pertaining to the project transparently and empowering the public by the involvement process. In addition, accurate information must have been shared to stimulate critical thinking; it should also induce consensus, which could be achieved through a rational and collaborative debate (Fitzpatrick, 2006; Sinclair *et al.*, 2008; Jha-Thakur *et al.*, 2009; Fischer, 2010; Verduzco Chávez and Sánchez Bernal, 2012). Funding is another crucial element in stimulating the PP process: for instance, in the Wuskwatim energy project in Canada, when funding was provided to assist participants in conducting public hearings, social learning was observed. This was evidenced by participants developing social networks from PP interactions, which helped to establish partnerships of organisations interested in energy projects that would work together to sustain future projects (Fitzpatrick, 2006).

In addition, learning is induced in some individuals if they have prior knowledge of the subject matter and social experience of the surrounding environment (Jha-Thakur *et al.*, 2009). Interestingly, however, some have argued to the contrary, stating that prior knowledge has also been reported as a deterrent to learning. Bull *et al.* (2008) presents a case in Hampshire where participants were reported to have learned nothing because they had previously learnt about the same topic. Consequently, the deliberations regarding the activity did not bring any new insights regarding the subject.

Furthermore, the type of methods of participation applied have also been reported to affect the quality of learning accrued from the PP process (Sánchez and Mitchell,

2017). Sánchez & Mitchell (2017), therefore, propose a blend of methods if deliberations are to be performed. Wiklund (2011), however, cautions that it is not the mere mixing of methods that guarantees deliberations, unless the methods chosen can engage the stakeholders. He cites an example in Canada where a different mix of methods was used that did not yield any learning results because they were all passive. Wiklund (2011) further observes that traditional tools, especially those used in developing countries, such as questionnaires and public hearings, are one-way communication and primarily fulfil the role of provision of information from the developer to the public. These methods do not promote dialogue and collaboration (Sánchez and Mitchell, 2017) and therefore have limited potential for promoting learning. Therefore, he proposes new techniques to encourage interaction and dialogue amongst participants, such as webinars, virtual conferencing, video- and photo-sharing, blogging, wikis, chat rooms, virtual worlds and instant messaging. These, however, as discussed in Section 4.2.3 of this chapter, are not appropriate for a rural setting such as Malawi. This research has therefore established factors which promote learning in the context of Malawi.

4.6.3 Evidence of learning

Even though the conditions presented in the preceding sections may seem too restrictive for any possible learning to occur, a couple of studies have documented success stories about learning that has arisen as a result of PP. Authors who have provided such evidence include Fischer, Kidd, Jha-Thakur, *et al.* (2009) in a study conducted in Germany. Success was recorded in single-loop learning, which eventually led to various planned land allocations and boundary changes. Similar observations were noted in a parallel study conducted in Italy and the UK (Jha-Thakur *et al.*, 2009). Both studies, however, reported scanty double-loop learning indicators such as synthesis and evaluation (Fischer *et al.*, 2009; Jha-Thakur *et al.*, 2009). As to the type of learning that occurred, Fischer, Kidd, Jha-Thakur, *et al.* (2009) observed that learning happened at the individual level and rarely at the organisational level. Some of the reported barriers that prohibited attaining the full potential of learning included a mismatch of the time required for someone to learn with the time allocated for the environmental assessment.

Nevertheless, some other studies had revealed both levels of single-loop learning and double-loop learning. For example, PP conducted on a hydroelectric project in Manitoba yielded instrumental, communicative and transformative learning. According to the levels of learning to be applied in this study, they would be equated to single-loop and double-loop learning, respectively. In that PP process, participants testified learning from three non-government organisations who were initially concerned only with the economic aspects of sustainability. Still, as a result of PP that induced learning, they recognised the importance of environmental resource management to their understanding of sustainability discourse (Sinclair, Diduck and Fitzpatrick, 2008).

In Brazil, there was also evidence of both single and double-loop learning, as illustrated by Cruz *et al.* (2018): they report that there was single-loop learning through the acquisition of knowledge and double-loop learning found at the organisational level at the State Institute of Environment and Water Resources (IEMA). This was evidenced by the modifications of the Environmental Assessment legislation on the procedures to be followed during EIA. Finally, Bull *et al.* (2008), in their study of a waste management project in Hampshire, provide clear evidence that PP went beyond shifting people's knowledge and understanding as one lecturer who had chaired the Hampshire project reflected on how he had learned about waste management. He reported that his recycling actions had now become "ingrained behavior". It is further noted that his changing actions have also affected the way in which he now undertakes his role as a consultant.

This case is fascinating in that, being a lecturer, it is apparent that he already had more technical expertise than any other participant but even so, he found himself in a learning situation. This reaffirms that in PP, all actors have the opportunity to learn, given the set conditions (Sinclair, Diduck and Fitzpatrick, 2008).

4.6.4 Barriers to learning

Much as learning is an expected outcome arising from PP, there are, however, several barriers that impede the full potential for learning from PP engagements. For example, ample time is one of the prerequisites for learning during the PP process. However, this requirement might conflict with the timeframes allocated by the developer to the EIA process (Fischer *et al.*, 2009). This is because time has a negative bearing on the

cost of the PP. The longer the time, the more costly a PP activity would be. The relationship between time, cost and learning in Malawi has been discussed in Chapter 10 of my study.

Other impediments include capacity differences among various actors in PP activities projects. Sinclair, Diduck and Fitzpatrick (2008) observe that, in some instances, people with more capacity cannot learn from those of little ability in some instances. This, however, contradicts the findings of Jha-Thakur *et al.* (2009) that external collaborators, who have different capacities from participating candidates, are catalysts to learning because they provide diverse inputs and experiences. Any deliberative participatory process that sets out simply to educate the uneducated will fail to meet the core ideals of communicative learning (Bull, Petts and Evans, 2008). Therefore, stakeholder engagement should be seen as an opportunity for learning among all stakeholders, not only for the 'public' to learn (Sánchez and Mitchell, 2017).

Other factors include the unwillingness of some institutional actors to change established routine practices (Fischer *et al.*, 2009). Finally, in most instances, learning fails to take place because learners are unable to learn from past mistakes, which Sánchez and Mitchell(2017) dub 'failing to learn from failure.' Poor facilitators with a poor understanding of environmental issues and poor facilitation skills also inhibit full learning potential (Fischer *et al.*, 2009). It is also documented that the qualities of a facilitator also enhance learning (Petts, 2007). Learning being an outcome of PP, this PhD research has assessed some learning potential arising from the PP and has also uncovered inhibiting factors that prevented the communities from attaining their full learning potential from PP meetings for projects under review.

4.7 Chapter Summary

This chapter has illustrated the practice regarding the dimensions of the evaluation framework that will be used in my study. Examples have been drawn globally to establish the level of practice from both developed and developing countries as a basis for application in the discussion chapters. In addition, the relevance of the dimensions to my research study has been demonstrated.

The following Chapter 5 provides the setting for Malawi in terms of its geographical situation and characteristics, as well as its legal and policy framework and public participation practice.

Chapter 5 : Decision Making and Public Involvement in the EIA Process in Malawi

5.1 Introduction

This chapter presents and describes the setting of public participation in Malawi. It does so by first providing an overview of the country's geo-social and economic characteristics, followed by its history with respect to governance and public participation. It proceeds by presenting an analysis of policy and legal instruments as they relate to public participation. Finally, the practice of public participation in Malawi with respect to the dimensions of evaluation framework is presented.

5.2 Geopolitical and socioeconomic characteristics

5.2.1 Geography of Malawi

Malawi, commonly referred to as 'The warm heart of Africa', is a sub-Saharan landlocked country located south of the equator. The area of Malawi is 118,480 square kilometres, of which 94,276 square kilometres are land. The remaining area is composed of Lake Malawi, which is 475 kilometres long (NSO, 2018).

As shown in Figure 5-1, the country borders the United Republic of Tanzania to the north and northeast; the People's Republic of Mozambique to the east, south and southwest; and the Republic of Zambia to the west and northwest (NSO, 2015). Administratively, the country is divided into three regions: North, Centre and South. Since Malawi's three regions are geographically, ethnically and demographically different, this PhD research has been carried out in all three regions of the country to ensure that results are representative of all regions and their traditional contexts.

There are 28 districts in the country, of which six are in the Northern Region, nine in the Central Region, and 13 in the Southern Region (NSO, 2020); Lilongwe is the country's capital city. The districts are further divided into Traditional Authorities (TA). Each TA is comprised of several villages, which are in turn grouped together to form group villages, headed by Group Village Headmen (GVH), to whom village headmen (VH) and their subjects report (Muriaas *et al.*, 2020). In relation to this study, projects that were assessed were implemented in 12 separate villages from 12 Traditional Authorities in 3 districts from all the 3 regions of the country: Northern, Central and Southern regions.



Figure 5-1 : Map of Malawi

5.2.2 Demography

According to NSO (2019), Malawi has a total population of 17,563,749 people (NSO, 2019) which is growing at an annual growth rate of 2.9 %. With this growth rate, the population is expected to double by 2042 (NSO, 2019). With such an increasing population and a static land size, landholding sizes per household are declining, creating pressure on the agricultural sector and people's livelihoods. This will generate an increased need for public participation in projects, especially those that use a large area of land, such as irrigation and mining projects.

84% of the population is living in rural areas and consists mainly of small scale farmers; only 16 % of the population live in urban areas (NSO, 2019). The number of males per 100 females is 94.2 (NSO, 2019). Since this study is a comparative study of rural and urban areas, the outcome will reveal who is impacted more by the projects which undergo EIA: the rural majority or urban minority. The findings will thus assist in devising the policies that address the most vulnerable in the PP process.

5.2.3 Ethnicity

Across the three regions of the country, there are over sixteen ethnic groups (Kayira, Banda and Robinson, 2019). The 2018 Population and Housing Census found that of the 17 million people, 34.4% were Chewa, 18.9% Lomwe, 13.3% Yao, 10.4% Ngoni and 9.2% Tumbuka (NSO, 2019). Although all ethnic groups can be found in almost all regions, there is a tendency for each ethnic group to be associated with a particular region of the country. For example, the Chewa, who are the largest ethnic group, are predominantly found in the Central Region, while the majority of the Ngoni and Tumbuka are found in the Northern Region. The Lomwe, Yao and Sena are mainly found in the Southern Region.

These ethnic groups have different family descent systems that are either patrilineal or matrilineal and have differentiated impact on public participation, as discussed on section 5.4.2.3. The study design has purposively selected projects implemented in sites with different ethnicities, so that the findings can be representative of the key ethnic groups and therefore take into consideration any influence that cultural difference may have on PP.

5.2.4 Economic and social context

Malawi's economy is heavily dependent on agriculture. It employs nearly 80% of the population and accounts for 39% of Growth Domestic Product (GDP), 85% of the labour force and 83% of foreign exchange earnings (Mucavele, 2010). Malawi is one of the world's poorest countries. Out of 189 countries on the United Nations Development Programme (UNDP) Human Development Index (HDI) in 2019, the country was ranked 172 with an HDI value of 0.485 (UNDP, 2019). The country has few natural resources such as oil and minerals and is also dependent upon foreign aid, which contributes up to 37% of its national budget (Refstie and Millstein, 2019).

Poverty in Malawi, especially in rural areas, is driven mainly by food insecurity, which in turn is largely caused by erratic or poor rainfall and high farm input prices (Rasmussen, 2018). Projects such as irrigation and mining contribute significantly to the national policy goal of economic development. In this research, two EIA irrigation and three mining projects are amongst the projects to be reviewed.

5.2.5 History of governance in Malawi

Given that participation is rooted in governance, it is important to review how governance has evolved in Malawi over the past five decades. Therefore, the following section presents a historical overview of governance, as a pillar of public participation in Malawi. This will be presented through an analysis of historical events in the country in the pre-colonial, colonial and post-colonial eras.

5.2.5.1 Pre-colonial period (pre-1891)

The first people to inhabit the country were the Akafula, also known as Batwa. However, by the mid-19th century, they were extinct as a cultural group, although their genetic trace still existing within the Chewa tribe due to intermarriages between the Chewa and the Akafula (Malewezi, 2015). From then until the late 19th century, the Nguni from South Africa, the Yao from Southeast Africa and the Lomwe who came from Mozambique also occupied the area (Bauer and Taylor, 2005). Decision making during most of the pre-colonial Malawian period was consultative and highly participatory (Bauer and Taylor, 2005).

5.2.5.2 The colonial period (1891-1964)

Malawi was later occupied by European missionaries who came to introduce Christianity and education into the country in the late 19th century. Thereafter, the British colonised the country, establishing the British Protectorate in 1889, and the country was named British Central Africa (Eggen, 2011). According to Kadzamira (1971), the protectorate was formed to protect the interests of the British missionaries, planters and traders against encroachment from other European powers, including the Portuguese and the Germans. Participation by local Malawians was never on the colonialist government's policy agenda.

In 1907 the nation was changed from British Central Africa to Nyasaland. In 1921 it was divided into the Northern, Central and Southern Regions, each one with a dominant tribe (Kadzamira, 1971). The same regions are maintained to this day and have still clear political and cultural differences, which have a huge impact on public participation, as described in 5.2.1. In 1953, the British government formed the Federation of Northern Rhodesia, Southern Rhodesia and Nyasaland, also known as the Central African Federation (now Zambia, Zimbabwe, and Malawi respectively).

5.2.5.3 Post-colonial period: first republic (1961-1994)

In 1961, the first general elections were held for the Legislative Council in Nyasaland and paved the way for self-government. The country got full independence from Britain on 6 July 1964 and on 6 July 1966 the country became a republic under a new Constitution which was the basic framework for governance in Malawi after independence (Ng'ong'ola, 2001).

Debatably, the 1966 Constitution declared Malawi a one-party state, which restricted freedom of participation and political choices. Chingaipe (2012) observed that while there was dawn for formal independence, the departure of colonialists in July 1964 did not seem to indicate that Malawians were experiencing any governance shifts following the colonial period. Analysts have observed that during this period citizen participation in policy making processes "was an empty ritual", as policies were initiated, formulated and implemented centrally by the executive (Banda, 2019). Consequently, independence never transformed into tangible benefits for the citizenry (Phiri & Ross, 1998).

5.2.5.4 Post-Colonial: The Second Republic (1994 to date)

In the early 1990s, there was a lot of mounting political pressure on the regime of the late Dr Banda for democratisation in the country. In 1993, there was a referendum and a multi-party system of government in the country won (Kanyongolo, 2008). Thereafter, the Malawi Constitution was revised in 1994. The Constitution has provisions for human rights, good governance and citizen participation embodied in various policies and legislation. The section below provides the policy, legislative framework and institutional framework for public participation in Malawi, starting with the constitution.

5.3 Policy, legislative framework and institutional framework for public participation

5.3.1 Constitution of Malawi

The Constitution of the Republic of Malawi (1994) is a principle law governing the country; it confers power on the public with the aim of protecting and promoting the interests of the citizenry (Nkhata, 2014). The Constitution contains a “Bill of Rights” in Chapter IV, in Section 35 and 37, which provides for citizens’ rights and freedoms. The bill of rights was not present prior to 1994. The Constitution of Malawi is the supreme law of the land and all laws that contradict it are invalid. Section 30 of the Constitution states that all persons have a right to development and, therefore, they have the right to the enjoyment of economic, social, cultural and political development. Consequently, the Constitution provides a platform for consultation of the poor in many areas of governance, including the EIA projects.

In addition, Section 13d lays a foundation for environmental governance, stipulating that the environment should be managed in a responsible manner in order to prevent its degradation: this is for the benefit of the present inhabitants of Malawi and future generations (GoM, 2010). Therefore, with such provisions of environmental governance in the principal law, public participation in the preparation of EIA projects, which is the focus of this study, is obligatory to enable the communities have their opinion heard and their views accordingly brought on board for decision making.

5.3.2 Malawi Vision 2063

The MW2063, launched in 2021, is the current overarching long-term vision guiding development policy framework for Malawi, succeeding the Malawi Vision 2020. The Malawi 2063 (MW2063) aims to transform Malawi into a wealthy and self-reliant industrialized ‘upper-middle-income country’s by the year 2063. The MW2063 is anchored on three pillars of Agricultural Productivity and Commercialization; Industrialization; and Urbanization (NPC, 2020).

In order to achieve these pillars, the MW2063 has seven enablers, which include effective governance systems and an environmentally sustainable economy (NPC, 2020). The MW2063 is implemented through a series of 10-year implementation plans, the first one being the current Malawi Implementation Plan (MIP-1), which runs up to 2030. MIP-1 has replaced Malawi Growth and Development Strategy (MGDS) as a medium term development policy framework for the country.

With regard to this study, one of the enablers of the Vision 2063, is effective governance systems which is achieved by ensuring that citizen engagement and participation is attained (NPC, 2020). My study is therefore aligned to this vision by assessing the effectiveness of the civic engagement in the EIA process of developmental projects. These projects are planned or currently being implemented to attain the pillars of Agricultural Productivity and Commercialization; and also Industrialization to ensure that they are implemented in an environmentally sustainable way. Secondly, since one of the pillars of Malawi Vision 63 is attaining urbanization through sustainable economic activities in agriculture, tourism, mining and industry; my research study having compared the effectiveness between urban and rural projects, will consequently unearth any potential hindrances and offer lessons for the future urban EIA projects to ensure that environmentally sustainable economy is attained.

5.3.3 National Environmental Policy (2004) (NEP)

The National Environment Policy (2004) provides a broad framework for environmental planning in development programmes, including undertaking environmental and social impact assessments for prescribed projects (GoM, 2004). With reference to public participation, the policy promotes participation of communities, NGOs, private sector and CBOs in the protection, conservation,

management and sustainable utilization of resources (GoM, 2004). The Policy further stresses the importance of public participation in environmental decision making. Specifically, it emphasizes the role of public participation as a tool for consensus building and for strengthening public support for environmental decisions (Banda, 2019).

5.3.4 Environment Management Act (1996); Revised Environment Management Act (EMA) 2017

The Government of Malawi enacted the Environment Management Act (EMA) in May 2017 as a principle legal framework for environmental planning including administering of Environmental Impact Assessment (EIA). The Act replaced the Environment Management Act (EMA) of 1996. Although the Act entered into force in 2021, this PhD research applied the EMA (1996) and not EMA (2017), mainly because the EMA (2017) only entered into force in 2021 after data collection for the study was already complete. Data collection for this research study was conducted in 2019. Additionally, this being an evaluation study, the regulatory framework which was in place when the EIA process was conducted was the EMA (1996). However, the 2017 Act is also presented in Section 5.3.4.2 to highlight any issues which are different from the EMA 1996 Act. EMA (1996) provides for public participation in the EIA process in section 3(2d). The legislation obliges persons to take measures aimed at promoting public participation in the implementation of environmental policies. Additionally, Section 25.3 stipulates that the community shall have access to EIA documents prior to approval. Further, Section 26.1 requires the Director to call for written or oral comments from the public upon receiving the EIA report. Furthermore, the legislation gives discretion to the Director of Environmental Affairs, to call for public hearing (EAD, 1996).

However, in practice the Director mainly calls for public hearings (sometimes on advice from the Technical Committee on the Environment) only on projects that are very sensitive in nature. In this context, these are projects that will either be implemented on a big parcel of land or have severe effects on the environment. Generally, very few public hearings are conducted and sanctioned by the Director, and according to the minutes of EIA reviews, there are not more than 3 public hearings sanctioned in a year, though an average of 70 EIA reports are reviewed annually.

5.3.4.1 EIA Guidelines

In addition, the EIA guidelines established in 1997 provides for detailed PP procedures of the EIA process. Firstly, the guidelines stipulate procedural elements including the persons to be consulted, methods of consultation and stage of conducting public participation. These elements of public participation will be examined in this study as introduced in Chapter 1(Section 1.2.2) and discussed in Chapter 3 (Section 3.4.4) and Chapter 4 (Section 4.2).

With regard to the first procedural element, the choice of persons to be consulted, the guidelines have recommended all the affected and interested groups, including grassroots communities, public, government authorities, developers, elected officials, investors and NGOs relevant to the process (GoM, 1997). Concerning the grassroots, the guidelines highlight the inclusion of women and children, since they are the major resource users and managers (GoM, 1997).

With reference to methods of public participation that are appropriate to the Malawi context, the guidelines outline press conferences, information notices, brochures/fliers, interviews, questionnaires and polls, open houses, community meetings, advisory committees and public hearings. As for the stage at which PP should be conducted, the EIA guidelines outline that PP should be undertaken when the developer is drafting EIA terms of reference and also when carrying out an EIA. Furthermore, the guidelines recommend the involvement of the public when the government is reviewing the EIA report and also when preparing conditions of approval (GoM, 1997). These procedural elements have been evaluated in my research study. The findings in Chapter 8 have also been compared with global practice, as outlined in Chapter 4 (Section 4.2).

Additionally, the guidelines also provide the substantive objectives of conducting PP in Malawi. The objectives include informing the communities about the project to obtain the information from the communities and also to fulfil their democratic rights (GoM, 1997).

Furthermore, the guidelines have also specified that the structure of the EIA report should include a discussion on procedural and substantive issues as provided above. In addition, the guidelines ask reviewers to assess if PP meetings “were genuine and adequate to obtain communities’ views on key issues to be investigated and managed”. The reviewers are also called on to ensure “that the objectives, scope and results of the

public consultation programme are clearly documented in the report” (GoM, 1997 p.63).

Therefore, with such stipulations of PP requirements in the EIA guidelines, the study will assess if the procedural and substantive provisions are complied with when the PP process is put into practice.

5.3.4.2 Environment Management Act (EMA) 2017

As introduced in Chapter 1, the EMA (2017) replaced EMA (1996) to integrate the emerging issues in the environmental sector such as social issues. One notable change with respect to EIA was consequently the renaming of Environmental Impact Assessment (EIA) to Environmental and Social Impact Assessment (ESIA), to ensure social issues were prominent and adequately addressed.

Therefore, in order to be in harmony with Malawi national EIA legislation, from this paragraph to the rest of the thesis, Environmental Impact Assessment (EIA) will be referred as Environmental and Social Impact Assessment (ESIA).

As regards to public participation, Public Participation is provided for in Section 5 of the Act. The Act provides for access of environmental information regarding ESIA to be provided to the communities in a timely manner. Additionally, the legislation provides rights for the public to participate directly or through representative bodies, but the arrangement of such participation is to be devised by lead agency. Further, the Act provides for administrative or judicial remedy for any harmful or adverse effects resulting from acts or omissions affecting the environment.

The exhaustive list of PP provisions for ESIA has been provided in the ESIA regulations, which are currently being developed, and the researcher has contributed necessary input to the draft regulations.

These provisions have implications for the ESIA being currently conducted. For example, regarding direct participation, the TORs for ESIA require the consultants to consult the public, including the affected, hence providing the public’s right to direct participation. Consequently, if any omission of such provision of representation to the affected leads to harmful or adverse effects, the public has the right to seek administrative or judicial remedy.

5.3.4.3 The ESIA process in Malawi

The ESIA process in Malawi is provided for in Chapter 2 in the EIA Guidelines (1997), as outlined in Figure 5-2 and the processes are described below:

a) Screening

The process starts with screening. During this stage, a project is assessed to decide whether it falls within list A or B. List A is a prescribed list for mandatory ESIA's, while list B requires only discretionary screening. If an ESIA is required, then a project brief is prepared. The purpose of calling for a project brief is to determine the level of environmental assessment that would be undertaken and the resultant type of assessment, which could be either Environmental and Social Impact Assessment (ESIA), Environmental Audit, Environmental & Strategic Assessment, Environmental & Social Framework (ESMF) or Environmental Management Plans. Although, in Malawi, all these assessments are conducted, this study will limit its evaluation to the ESIA projects. The Figure 5- 2 below shows the ESIA process in Malawi.

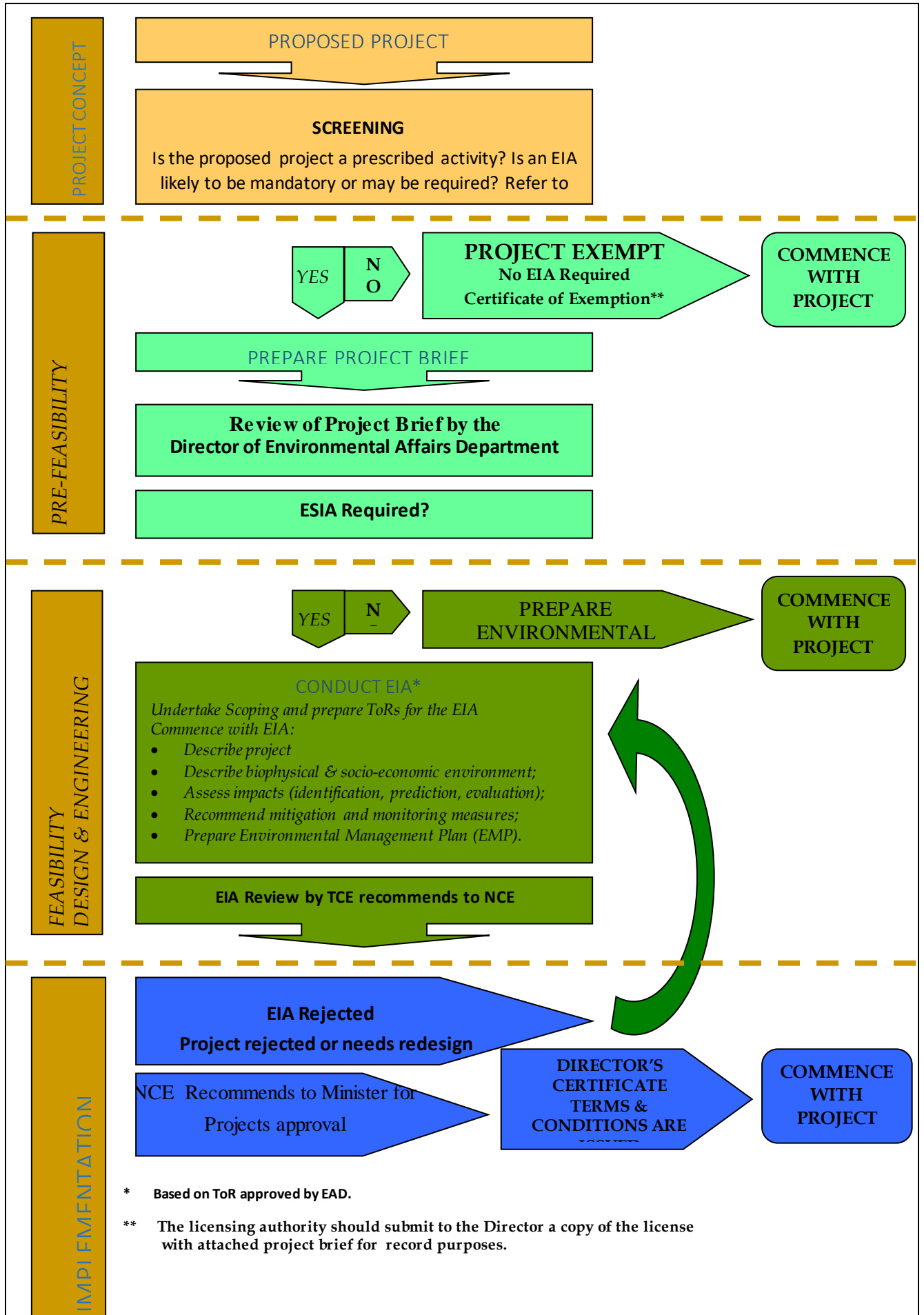


Figure 5-2: ESIA process in Malawi

b) Scoping

Upon determination of the level of assessment required, as presented on the preceding paragraph, scoping is undertaken by the consultant to determine the main issues to be addressed in an ESIA. Scoping, also plans for public participation in the ESIA process, and are undertaken by the ESIA preparation team.

c) Conducting PP

As regards PP, the TORs provide guidance on the procedural elements and substantive objective. For example, with respect to “who” should be consulted, is stipulated and the TORs and specify that “key interested and affected stakeholders” should be consulted in the ESIA process. The TORs further specify an indicative list of key institutions from which the technical experts could be drawn for consultation. However, the other elements of the procedural dimension, such as methods, venue and stage of ESIA, although stipulated in Malawi’s legal and policy framework, are usually not specified in the TORs provided to the developers. Nevertheless, there is a clause in the TORs that “consultants should as much as possible adhere to the requirements of ESIA guidelines”. This clause should, therefore, compel consultants to adhere to all the requirements in the ESIA guidelines irrespective of any specifications in the TORs. In addition, as stated above, the TORs also stipulate some substantive dimension of information provision by indicating that the views raised by the communities should be incorporated and addressed in the ESIA report. Therefore, given that ESIA consultants are provided with TORs and that ESIA guidelines stipulate explicitly the PP procedures and their objectives, my study will assess the compliance of the ESIA process with the required PP procedures and also with the substantive objectives stipulated in the ESIA guidelines.

d) ESIA study

ESIA is then conducted according to the TORs (Terms of Reference) developed by the regulator based on the level of Environmental Assessment recommended. TORs for an ESIA are an important guide when conducting the study and include the requirements for the public participation. The study and the subsequent ESIA report include an assessment of impacts which includes impacts arising from PP meetings. Mitigation and monitoring measures are consequently proposed, recommended and

included in the Environmental Management Plan (EMP). This PhD research has investigated issues arising from PP in 12 ESIA projects, to see if they were integrated into EMP as part of the decision-making process. This has been presented in Chapter 9 (Table 9-2).

e) ESIA review and approval process

When the ESIA has been conducted, ESIA reports are submitted to EAD (currently the MEPA board in line with EMA (2017), as presented earlier in Chapter 1 (Section 1.2.5) for review. The then Technical Committee on Environment (TCE) (as it was called before the enactment of new legislation in 2021), currently called the Advisory Committee on Environmental and Social Assessment (ACESA), reviews the reports based on the evaluation framework found in the ESIA guidelines. The outcome of the review regarding PP usually includes advising the developer to re-conduct consultations with the affected community but occasionally, depending on the sensitivity of the project, can advise the Director General to call for a public hearing on the project.

When the reports are deemed satisfactory, they are submitted to the National Council on the Environment (NCE) for approval. Under the current legislation, the NCE is now the Malawi Environmental Protection Board.

5.4 Public Participation in Malawi

This section presents and discusses public participation practices in Malawi. Firstly, the section describes the ESIA process followed by the current practice of public participation in Malawi. The status of PP in this section is presented in alignment with the evaluation framework introduced in Chapter 3 and discussed in Chapter 4. The evaluation framework used here has five dimensions, consisting of procedural factors, substantive objectives, and learning, transactive and contextual factors; in this section, however, only procedural factors, substantive objectives and contextual factors will be presented. Learning and transactive effectiveness are not discussed here because no known study has been conducted in Malawi regarding these two framework. There is consequently no literature on them in Malawi's context.

5.4.1 The practice of Public participation

Despite the fact that public participation is required by the legal and policy frameworks in Malawi, only a handful of authors have published on the practice of public

participation in Malawi (Mhango, 2005; Chingaibe, 2012; Kosamu, Mkandawire and Utembe, 2013; Banda, 2019).

Kosamu *et al.* (2013) observed in their study that in Malawi, public participation is conducted in a “successful” way. This is because, according to him, key stakeholders are usually consulted in the preparation of ESIA studies and they take part in the implementation of mitigation measures recommended as a result of public participation. The outcome of Kosamu *et al.* (2013) is, however, not surprising because the research was conducted on subjects who were all interested in the assessment of PP outcomes. Respondents comprised the then TCE, NCE and ESIA consultants. TCE and NCE were reviewers of ESIA reports while ESIA consultants are producers of the ESIA report. The affected communities and neutral parties such as NGOs and the academia, who could have provided a broad and unbiased perspective on the status of PP in Malawi, were not consulted.

This implies that the research participants are vital to any research outcome. Therefore, in order to minimize the bias observed as a result of skewed selection of respondents, my study has consulted a broad spectrum of participants including those affected and interested, such as government officials, NGOs, and TCE members as well as NCE members. The full list of participants is provided in the Chapter 7, on methodology.

Nevertheless, the majority of researchers who have conducted PP studies in Malawi have remarked that the level of public participation on ESIA projects in Malawi is generally inadequate (Mhango, 2005; Chingaibe, 2012; Banda, 2019). Banda (2019) attributes the low level of PP observed by some scholars to the reluctance of developers in both private and public sector to embrace fully the notion of public participation. The consequences are that, in some instances, development projects are not supported by the communities, which eventually leads to rejection. Chingaibe (2012) provides the example of an ESIA Green Belt Initiative project (a Government project) in Salima, which was rejected as a result of lack of community participation because communities were afraid of losing their customary land. Similarly, Kosamu (2013) presented another example: the Kayelekera uranium mining project in the rural areas of northern Malawi which was not supported by the communities because they were not being fully involved. He further cites another private project, the Kapani meat processing facility, in the urban area of Blantyre city, which lacked a social licence

because of inadequate consultation with the communities. There were disagreements with communities over these projects until the Government intervened to pacify the situation.

The low level of public participation observed in Malawi is also consistent with what Mhango (2005) observed in his research. In his analysis of 32 ESIA reports, he found that the involvement of the public was minimal. Mhango observed that 12 of the ESIA reports, which represented 37.5 % of the total, had no single element of community involvement. A further 20 ESIA reports (62.5%) paid so little attention to PP that vital information such as who was consulted, and when and how the communities participated, was not included. One ESIA example which was highlighted as having big flaws in public participation was the Mpasanjoka irrigation project. It was proposed to be implemented on 6000 hectares of land but no consultation took place with the communities. The communities therefore rejected the project because they were not consulted.

Interestingly, all the 32 ESIA reports, which were reviewed, were taken from a list of reports approved by the regulator. This implies that these reports went through the approval process conducted by a technical body (TCE), which ensures that all requirements, including those of PP, are met before they were recommended to the National Council on Environment (NCE). NCE was a policy body that was approving the reports. These two bodies (TCE) and (NCE) described PP as being well conducted in Malawi (Kosamu *et al.*, 2013). The fact that project reports that took no account of issues arising from public participation were still approved could imply that PP is not taken seriously at the technical (TCE) and policy (NCE) levels when reports are being considered for final decisions. Similar observations were noted in South Africa, consequently Alberts *et al* (2020) suggested that in developing countries EIA reports are more focused on being completed rather than assessing the quality of the report.

The aforementioned studies, therefore, reveal that the level of public participation in Malawi is inadequate, and possibly this might have been because of the lack of a coherent framework for evaluating and guiding public participation, of the type which my research has now designed.

5.4.2 Evaluation framework and Public Participation in Malawi

As presented in Chapters 3 and 4, the evaluation framework used in this study comprises five dimensions: procedural, substantive, transactive, contextual and learning outcomes. The section below presents ways in which the framework have been used locally in Malawi. Due to limited data and studies that have used these framework in Malawi, only the application of some elements of procedural, substantive and contextual dimensions of the framework have been assessed. There is currently no literature on the transactive and learning potential of PP in Malawi. Even for the three outcomes that were assessed, it should be noted that the authors were not applying the effectiveness framework as rigorously as one might expect, but in their assessment, some of the elements they utilized included the evaluation framework which will be applied in my study. Furthermore, literature specifically devoted to urban and rural formats has not been presented, because no such study has been conducted. But the places of residence where studies were conducted have been acknowledged.

5.4.2.1 Procedural effectiveness

As established in Chapter 3, procedural effectiveness is associated with the prevailing policy principles, guidelines and regulatory frameworks. In this study, the procedural elements for the effectiveness framework were extracted from the Malawi policy and regulatory framework and these instruments have outlined the procedural elements such as “who should be consulted”. They also specify the categories of persons to be consulted, such as affected and interested persons. Secondly, the legal instruments propose methods of consultation to be utilized and finally recommend the stage of the ESIA process at which PP should be conducted. The sections below explain the status of PP in Malawi regarding some procedural elements of the framework to be studied.

i) Who participates?

In the ESIA process, it is crucially important to understand who is consulted or who participates in the process because it helps to identify the contributors to the decision making process. Chingaipe (2013) observed that only chiefs were consulted by the developer of the Green Belt programme, a rural project implemented in the two districts of Salima and Nkhotakota. Interestingly, Chingaipe found that the chiefs’ representation in these districts had different outcomes. In Salima, the communities

were not happy that only chiefs were consulted and this resulted in the communities protesting against the project. In contrast, communities in another district (Mangochi) with similar social economic characteristics were contented with the arrangement that only chiefs should be consulted and consequently the project proceeded without any resistance (Chingaipe, 2013). The author did not, however, mention how the project proceeded in Salima in the face of the community's hostility.

Although Chingaipe attributes the receptiveness to the project in Mangochi to the way the chiefs handled the PP there, the different political affiliation of these two districts could have significantly contributed to the outcome. It should be noted that Mangochi, being in the southern region, largely supports the Democratic Progress Party (DPP), the then ruling party which initiated the Green Belt Initiative. Salima, on the other hand, is in the Central Region and a stronghold of the Malawi Congress Party (MCP), which was then in opposition (but now is the ruling party). In Malawi, political affiliations have a major bearing on the outcome of PP projects. While the a ruling party usually supports projects irrespective of any personal benefits, opposition supporters would mostly support projects if there a direct benefit were to arise from them. Therefore, to avoid misrepresentation of interpretation on the PP process, during this PhD research, no projects with political affiliation was considered: this is discussed further in the Chapter 7 of the methodology.

While chiefs were the main subjects, as observed in the green projects, Mhango (2005) observed that government authorities and other interested parties were the only subjects consulted during the ESIA report preparation. He equally noted that the affected parties were also not consulted. In responses to these revelations, Banda (2019) therefore suggested that in Malawi, the receiving communities were generally not consulted during PP activities. Consequently, with such a selection of subjects, it is doubtful whether the objectives of PP are adequately addressed in the ESIA process in Malawi. Therefore, in order to assess the effectiveness of PP in Malawi, this research set out to establish who participated in the PP process in Malawi and also to confirm the role of chiefs in that process. The role of the chiefs in Malawi is presented in Section 5.4.2.3.

ii) Participation methods

There are many methods that have been used to implement PP. The preceding Chapter (section 4.2.3) outlined various methods that are used worldwide when consulting the public. However, in Malawi the main methods used for PP are community meetings (Chingaipe, 2013); Kosamu *et al.*, 2013) public hearings, media (Mhango, 2005; Kosamu, Mkandawire and Utembe, 2013) and questionnaires (Mhango,2005). Authors, however, have not considered why these methods were selected and what benefits they were offering to the PP process.

With respect to notification, there are no documented methods known to the researcher used for PP in Malawi. Nevertheless, many major projects have utilised televisions and radios especially in the urban areas. Moreover, there are numerous channels in Malawi (over 50 radio stations and 23 television stations), and the main radio stations covering both urban and rural areas across the country are MBC 1 and 2 and Zodiac (Macra, 2020). However, owing to the high costs associated with media advertisement, it is not expected that majority of the projects can be notified through these platforms.

iii) Stages of participation

Researchers have reported different findings about the time when public participation is conducted in Malawi in the ESIA process. Kosamu *et al.* (2013) reports that public participation in Malawi is conducted during all ESIA stages, such as project screening, scoping, consideration of alternatives, identification of the main impacts, post-decision monitoring and follow-up, prediction of impacts, mitigation measures, impact analysis, ESIA/EA report presentation and even decision making. In contrast, Mhango (2005) in his review of 32 ESIA's observed that the public was consulted primarily during a pre-ESIA stage, especially during land acquisition for the project, and to a limited extent during scoping. Therefore, in line with the aims of my study, this procedural element has been assessed to determine whether PP is conducted before major decisions are made, so that it can form part of the decision-making process.

There is no published information available on venues where PP meetings take place in Malawi; this will be examined in this PhD research, which will reveal the venues used for PP in Malawi and their impact on effectiveness.

5.4.2.2 Substantive effectiveness

Under substantive dimension, the objective is to assess whether the objectives of PP are fulfilled; and the objectives which are assessed in this study were extracted from Malawi's legal framework. The objectives stipulated include the provision of information to the communities so that they make an informed decision regarding the project, soliciting the views of the communities, and also ensuring that these views are integrated in the decision-making process.

In Malawi, Chingaipe (2013) reported that in some projects, the communities are not provided with adequate information pertaining to the project during the PP meetings. This is partly because people who did not have adequate information regarding the project were delivered project information to the communities. For example, in Salima, the communities were briefed on the Green Belt project by the chiefs instead of the project proponent (Chingaipe, 2013). These chiefs were, however, unaware of any technicalities, including the projects detailed objectives. Banda (2019), therefore, observes that sometimes it is not clear who defines the objectives and sets up the parameters of public participation.

This study, therefore, assesses the level of information communicated to the communities and similarly the level of information that is provided by the communities.

5.4.2.3 Contextual Factors

Contextual factors of public participation are those which are unique to an area and have to be considered when conducting PP. Contextual factors are paramount to the PP process, especially in Malawi, because culture, gender and literacy play a significant role in PP. For instance, in Malawi 75% of societies are matrilineal compared to 16% of all societies in Africa (Murdock, 1967, cited in Robinson and Gottlieb, 2021). These contextual factors will be brought to bear when addressing my fourth objective: establishing of how these three contextual elements affect PP in Malawi. The section below provides the context of these elements in the setting of Malawi.

i) Education levels and Literacy rates

Education levels in Malawi are very low but it is a critical requirement for effective PP (Fitzpatrick and Sinclair, 2003; Zuhair and Kurian, 2016), because it supports understanding of technical ESIA information. In addition, it also empowers the poor, the weak and the voiceless by providing them with better opportunities to participate in national development (NSO, 2020). In Malawi, the lowest education level is defined by the Primary School Leaving Certificate (PSLCE); in secondary school there are two levels: the Junior Certificate (JCE) and the higher Malawi School Certificate of Education (MSCE). Finally, the tertiary level ranges from Diploma, Degree, and Master's Degree to the PhD.

Even though there is such a systematic educational hierarchy, only a few people are educated; furthermore, only a few are also able to understand and write in English, which is the language for ESIA reports. Table 5-1 provides a summary of levels of education attained by the population in Malawi.

Table 5-1: Highest education certificates attained by population in Malawi aged 5 years and above.

Background Characteristics	None	PSLC	JCE	MSCE	Tertiary	Total
Malawi	80.7	8.8	4.8	4.5	1.2	100.0
Place of residence						
Rural	85.2	7.8	3.8	2.7	0.5	100.0
Urban	56.7	13.8	10.4	13.7	5.4	100.0
Region						
Northern	70.7	14.2	7.1	6.3	1.7	100.0
Central	82.0	7.9	4.7	4.2	1.2	100.0
Southern	82.5	8.0	4.2	4.1	1.1	100.0
Sex						
Female	83.2	8.6	4.2	3.1	0.8	100.0
Male	78.0	8.9	5.4	5.9	1.7	100.0

Source: National Statistical Office, IHS5 2019-2020

As shown on the above table, more people are educated in the northern than the other regions, followed by the central region and last the southern region. The trends on literacy rates, as described in the preceding paragraph, are similar. However, even though a high proportion, 80.7%, have no educational certificate, as shown on the table above, the majority of these people still meet the national standard for literacy. In Malawi, literacy is defined as the ability to read and write in any language (NSO,

2020), which thus includes vernacular languages. Literacy rates in Malawi vary by district, region and also place of residence (NSO, 2017). Historically, higher literacy rates in the Northern region are anticipated because of the influence of the early missionaries who settled in the North and introduced education (Kalinga, 1998).

The problem of reading in English was compounded by the fact that soon after the multi-party elections in 1994, it became government policy that pupils from classes 1–4 should be taught in their mothers' language. Because of this development, proficiency in reading and writing proficiency in English drastically declined in the country. For example, Milner *et al.* (2001) assessed the level of reading achievement for grade 6 and found that 99.4% of students did not reach the desired reading level in English. Other similar studies have also echoed that learners' achievement in literacy was very low, particularly in English (Chimombo, *et al.*, 2006). This, therefore, demonstrates that in Malawi, the levels of literacy reported in the literature, which are as high as 73%, do not indicate proficiency in reading English, which is the medium for official documents including ESIA reports. Therefore a much lower proportion of the population are able to understand English.

In Malawi, as in many other countries, ESIA reports are technical in nature and are prepared in English, which affects communities' ability to participate because their education levels are low, especially in rural areas. As observed earlier, Chimombo *et al.* (2006) reported on the achievement for grade 6 in English proficiency, which revealed that 99.4% of students did not reach the desirable reading level in English. Consequently, with such low levels of English and attainment of education levels, it is obvious that many communities do not have the capacity to comprehend the ESIA reports, which are technical in nature. In my study, the educational qualifications of PP participants will be assessed and compared with their level of contribution, to establish any relationship between the two variables. The results are presented in Chapter 10.

ii) Culture in Malawi

While the preceding section has highlighted the effect of education on public participation, this section elaborates on the significance of culture in the Malawian context.

Culture is a key element of any nation, as it defines the lifestyle of people. In Malawi, culture is one of the major factors influencing the pace of development and the direction that the process of development takes (Duflo, 2012). Additionally, in Malawi, culture affects gendered outcomes in civic participation processes (Robinson and Gottlieb, 2021). In this study, the crucial effect of culture on public participation is viewed from two angles: the first is the gendered perspective that arises as a result of culture; the second is the power hierarchy, viewed through the role of chiefs that is enshrined in cultural norms.

Gender dimension of culture

As stated in the preceding paragraph that the first element discussed under culture is gender impact; the gender dimension of culture arises from the prevalent marriage systems, which are patrilineal and matrilineal. Matrilineal systems in Malawi come in two forms. The first is when a couple lives in the home of the wife alongside her relations such as her mother, siblings and their children (*chikamwini*), which is known as uxorilocal settlement (Davison 1997; Schneider and Gough 1961). On the other hand, when a couple stays in the husband's home (*chitengwa*), the system is known as virilocal (or patrilocal) settlement (Djurfeldt *et al.*, 2018). In Malawi, the matrilineal Chewa mostly practise virilocal system after marriage (Berge *et al.*, 2014).

Irrespective of the type of matrilineality, the marriage system increases the women's welfare and relative control by increasing their access to resources such as land ownership (Alesina, Giuliano and Nunn, 2013; Gottlieb and Robinson, 2016; Robinson and Gottlieb, 2021). However, comparing the two matrilineal systems, women have more rights and control in uxorilocal systems in terms of decision making, especially on land issues (Djurfeldt *et al.*, 2018). However, on the other hand, Phiri (1983) observes that the uxorilocal system discourages husbands from investing in improving the land allocated to their family. This consequently becomes a barrier to men's developmental progression.

The second marriage system is the Patrilineal marriage system where communities trace lineage through the male line (Lowes, 2020). During marriage, a wife lives with the husband's parents and there is also payment of a bride price which is called a dowry (Jayachandran, 2015), and inheritance is passed on to the offspring of male members of the family (Lowes, 2020).

In a patrilineal marriage system, husbands exert more influence and are decision-makers (Mtika and Doctor, 2002). This corresponds with Mbweza (2007), who conducted a study in both patrilineal and matrilineal areas and observed that the husband had authority in most leadership roles, especially where money was concerned. She further observed that a man's attainment of higher education such as secondary school education and also possession of some economic empowerment contributed significantly to his influence on decision-making processes, irrespective of his descent type (ibid). Similarly, other studies have also suggested that female participation is hindered by lack of education and money (Van Staveren and Odebode, 2007).

Unlike most of the regions in Africa, which are patrilineal, in Malawi, 75% of the rural population comes from a matrilineal group while only 25% is patrilineal (Gottlieb; Robinson 2016). Of the seven major ethnic groups in Malawi, Chewa, Yao, Lomwe and Mang'anja are matrilineal while Ngoni, Sena, Tonga and Tumbuka are patrilineal (Mtika and Doctor, 2002; Berge *et al.*, 2014; Zeze, 2015).

The ethnic groupings in Malawi also fall into the 3 administrative regions of the country, North, Centre and South, as described previously in section 5.2.2. The Northern region is represented primarily by a patrilineal system, while the Centre and South are mostly matrilineal, with very few patrilineal ethnic groups, such as Nsanje and some parts of Chikwawa (Zeze, 2015).

As my study is implemented in both patrilineal and matrilineal areas, it will reveal whether there is any differentiated effectiveness between men and women as a result of differing marriage systems prevalent in their areas.

The next section will discuss the second cultural effect which is reflected in the power hierarchy, viewed through the role of chiefs that is enshrined in cultural norms.

The Role of Chiefs in Public Participation

In Malawi, a chief is a traditional leader who heads either a Traditional Area (Traditional Authority) or a group village or a single village. Using this operational definition, a chief can imply a paramount chief, traditional authority, group village headman or village headman: In this study, a chief is therefore any of the above level irrespective of the seniority.

With regard to the legislation, chiefs are primarily governed by the Chiefs Act (1967). The Act empowers the chiefs to carry out the traditional functions of their office under customary law as long as such functions are not contrary to the constitution or any written law and are not repugnant to natural justice or morality (GoM, 1967). Under customary law, which is the main source of the chiefs' authority, traditional leaders have many customary roles such as being gatekeepers and community mobilisers (Cammack, Kanyongolo and Neil, 2009).

In Malawi, chiefs are prominent leaders because they maintain the country's cultural norms and values. Their roles are wide and include land allocation, conflict resolution, appointing other chiefs, mobilizing communities, and representing communities. It is widely known that traditional leaders are primary actors in customary decision making institutions (Chinsinga, 2006). In addition to their cultural role, chiefs are also key in development projects because of their accessibility (Muriaas *et al.*, 2020). While elected members are seen as disappearing to the capital as soon as they get elected, traditional leaders stay put in their communities (Muriaas *et al.*, 2020). Hence development partners have no choice but to liaise with the figure that is available.

Irrespective of the level of chieftaincy, there is a critical debate as to whether traditional leaders are facilitators or inhibitors of community participation in the socio-economic development initiatives in the current dispensations of democratisation. On one hand, it is argued that because of current decentralization, chiefs have more democratic values, consequently advocating for governance elements such as community participation (Chinsinga, 2006; Eggen, 2011; Cammack, Kanyongolo and Neil, 2009; Jeka, 2020; Muriaas *et al.*, 2020). This is because of the prevailing written law and the customary law that governs the chiefs. The Constitution categorizes customary law as part of the law of Malawi and it varies within areas depending on the dominant ethnic group. Norms and rules, however, are not codified (Kinshindo, 2005; Cammack, Kanyongolo and Neil, 2009).

Although chiefs have a lot of authority in rural areas their degree of authority is lower in urban areas (Cammack, Kanyongolo and Neil, 2009). Eggen (2011) argues that their reduced authority is a result of the strong institutional structure of local government prevalent in the urban areas. In addition, the Chiefs Act does not give powers to chiefs to exercise their authority in urban areas unless with permission from Local Government.

Given this background information on the role and authority of chiefs in the rural areas, my study has assessed whether chiefs promote or hinder PP effectiveness and results are presented in Chapter 8.

5.5 Chapter Summary

This chapter has described the setting of the Malawi context. It has provided insights on the geography and history of the three regions, which have a distinct impact on contextual factors of the study. Furthermore, information has been provided on the policy and legal framework, which has been the basis of the study's procedural and substantive dimensions. Finally, the chapter presents the baseline regarding procedural, substantive and contextual factors. Information regarding transactive and learning dimensions has not been provided as there is no known literature on this topic in the literature of Malawi.

Chapter 6 : Comparing Urban and Rural Areas

6.1 Introduction

This chapter presents the context for the study of differences between urban and rural areas. As elaborated on in Chapter 1 (Introduction), this study compares the effectiveness of public participation in rural and urban projects which have undergone ESIA in Malawi. The chapter starts with identifying the general characteristics of urban and rural areas; thereafter the context of “urban” and “rural” areas in the setting of Malawi is provided.

6.2 General Characteristics of urban and rural areas

Empirical research does not take place in a vacuum, but in a context of a place of residence (Cherp, 2001). As regards this place of residence, many studies in areas such as health, natural resources and politics focus on rural-urban differentiation (Huddart-Kennedy and Beckley, 2009; McFarlane *et al.*, 2011). However, there is currently a knowledge gap with respect to the differences between rural and urban public participation in the ESIA process.

Irrespective of the field of study, general disparities are observed between differing places of residence. Urban areas have different socio-demographic and social structures from rural areas with respect to social capital and religious beliefs (Carlson and James G Gimpel, 2019). There are also differences in their ecological, social and environmental features, with rural areas mostly being dominated by natural environments such as farming areas, forests, and natural green areas with low population densities (Sarvilinna, Lehtoranta and Hjerppe, 2018; Gebre and Gebremedhin, 2019). On the other hand, urban areas are characterized by predominantly built-up areas with artificial surfaces that have a high population density (Sarvilinna, Lehtoranta and Hjerppe, 2018; Gebre and Gebremedhin, 2019). Furthermore, the increased migration of people into urban areas has increased population density and diversity, while many rural areas are lagging behind in development (Cramer, 2016; Monnat & Brown, 2017). A presumed divergence in political attitudes between urban and rural inhabitants is also prevalent (Huddart-kennedy and Beckley, 2009).

These general differences between urban and rural areas have a bearing on the type of projects implemented in these areas. Since urban areas are built up areas, most projects are infrastructural and industrial in nature, so both the nature of impacts as well as the type of impacted communities differ from those in rural areas, where the projects mostly involve farming and mining. The ESIA projects reviewed in this research study implemented in urban and rural areas are presented in Section 6.7 of this chapter.

In terms of general characteristics, rural areas are traditionally considered to be inhabited by homogeneous independent communities while urban areas inhabited by heterogeneous populations with complex technologies. Further, rural societies are characterized as small, isolated, illiterate and homogeneous, with a strong sense of group solidarity (Foster, 2009).

6.3 Definitions of Urban and Rural

The evolution of urban areas is mostly a result of historical, political and economic influences (Rodríguez-Pose, 2018). Consequently, urban-rural differences have become a great divider (Rachman, 2018). This enables urban areas to experience increasing economic development (Rodríguez-Pose, 2018; Carlson and James G. Gimpel, 2019). The communities are not randomly distributed in these areas (Rodríguez-Pose, 2018) but they sort themselves into groups according to their socioeconomic base and lifestyle inclinations (Scala, Johnson and Rogers, 2015; Carlson and James G. Gimpel, 2019; Maxwell, 2019). Furthermore, policy makers and planners worldwide categorize settlement patterns as rural and urban, for the purposes of policy planning and implementation (Bhagat, 2005).

However, even though a designated classification is vital, there is no internationally consistent definition of urban and rural areas (Bhagat, 2005; Christenson, Elliott, Banerjee, Hamrick and Bartram, 2014). The criteria for classification vary between countries and include population size, social economic activity, and political as well as administrative functions (Bhagat, 2005; Utzinger and Keiser, 2006; Dorélien, Balk and Todd, 2013).

There are, however, differences within these criteria. For instance, in countries that base their characterization on population size or densities, specific population thresholds vary from country to country (Vlahov and Galea, 2002): for example,

countries such as the United Kingdom, Italy and Benin have designated as ‘urban’ areas with a minimum population of at least 10,000; whereas in Belgium and Ghana the minimum threshold is 5,000; for Argentina, Bolivia and many African countries the threshold is 2,000 (Utzinger and Keiser, 2006; UN, 2018). This lack of common thresholds consequently makes comparisons across countries challenging and results in a lack of information on simple urban–rural variables (Dorélien, Balk and Todd, 2013).

6.4 Differences in Public participation between Rural and Urban areas

With respect to public participation, there are distinct differences regarding rural and urban areas between developed and developing countries. In developed countries, there is no significant difference between rural and urban areas because of relevant socio-economic factors including literacy, capacity, and language (Hostovsky, Maclaren and McGrath, 2010).

Remarkably, there are some rural areas where socio-economic conditions are more favorable than in urban areas, hence enabling better participation (Wu *et al.*, 2017). For example, in Alabama (US), the difference in levels of participation on environmental initiatives between rural and urban participants was not significant; when the respondents’ education was brought into the assessment, it was observed that participants from rural areas had higher levels of education than urban participants (Wu *et al.*, 2017). Additionally, with regard to one project in Canada, differentiating between urban and rural environmental support, rural residents recorded higher scores on prioritising the environment with regard to issues such as recycling and stewardship behaviours than their urban counterparts (Huddart-Kennedy, Beckley, McFarlane and Nadeau, 2009). This outcome might be attributed to the migration of urban residents to rural places (McFarlane and Nadeau, 2009). This is different from many developing countries, where a clear divide between urban and rural areas is observed (Huddart-Kennedy, Beckley, McFarlane and Nadeau, 2009) with few exceptions, for example Cuba (UN, 2018).

However, differences in participation between urban and rural areas are debatable. Some argue that people in rural areas are more likely to participate in a variety of social civic activities because of the traditional forms of their social networks, which enables them to be easily mobilised than in urban areas (Oliver, 2000). Others, however, have

argued that in urban areas, a lower rate of people participating in meetings may be compensated for contributions of the highly educated citizens residing in urban centres (Hooghe and Botterman, 2011).

This study has, therefore, unearthed the dynamics of rural and urban public participation presented in Chapters 8 to 10.

Meanwhile, regarding public participation in ESIA, there is no known documented literature focusing on differences between urban and rural areas. However, it has been possible to present socio-economic factors relating to urban and rural education and culture in the following sections, because of the availability of literature on the differences between urban and rural areas. These factors also affect PP in Malawi and are the contextual elements that have been assessed in my study.

6.4.1 Education

Irrespective of place of residence, effective public participation requires intellectual capacity for participating in the ESIA process (Nadeem and Fischer, 2011). Therefore, the analysis and comparison of rural and urban literacy levels is a significant factor in the study of participation in less developed countries (Zhang, 2015). This is because highly educated and affluent professionals are found in urban areas, whereas communities with less education are prevalent in rural areas.

There are many causes that contribute to that situation, including the availability of highly skilled jobs in urban areas which naturally attract educated individuals; in rural areas, on the other hand, where manual occupations predominate (Rodríguez-Pose, 2018). In addition, more educated people are found in urban areas because educated people migrate from rural to urban areas in search for employment (Smith and Krannich, 2000; Agrawal, 2014). Furthermore, in rural areas, especially in Sub-Saharan Africa, illiteracy rates are high because the education system is not developed and consequently render rural communities vulnerable to educational disadvantage (Zhang, 2015). These challenges include the long distances travelled by school children, inferior learning conditions, and less home support for academic work, as well as fewer and lower-quality resources (Agrawal, 2014; Zhang, 2017). Likewise, in South Asian countries like India, Pakistan and Bangladesh, there is also a marked disparity in educational attainment between rural and urban populations. This is

because educational infrastructure is distributed unequally between rural and urban areas (Agrawal, 2014).

Similarly, there is a correlation between literacy and environmental awareness. In urban areas, there are higher levels of environmental information than in rural areas (McFarlane *et al.*, 2011; Rodríguez-Pose, 2018) and this situation has a differentiated impact on the contribution to PP in urban and rural communities. For instance, in China, where education levels are equally low in rural areas, one study revealed lack of willingness to participate in ESIA decision-making on projects as a consequence (Fang *et al.*, 2021; Dai *et al.*, 2022).

Given this context of poor education quality in rural areas as compared to urban areas, my study has assessed whether this attribute has any differentiated impact on the effectiveness of PP in ESIA and associated decision making.

6.4.2 Culture

There is a distinct cultural difference between urban and rural areas, especially in developing countries, which can affect PP activities. Urban dwellers tend to be more cosmopolitan, while their rural counterparts advocate for national historical culture (Rodríguez-Pose, 2018). This plays an important role in influencing citizens' behaviour and propensity to participate (Nuttavuthisit, Jindahra and Prasarnphanich, 2015). For example, in rural areas, culture demands that local protocols are followed when accessing community members such as consulting traditional leaders prior to consulting the general community (Aucamp, I., Retief, F.P. and L.A, 2023). Culture also dictates the method used during PP (*ibid*). Traditional communities usually prefer public meetings due to transparency unlike interviews meetings which are conducted individually are perceived negatively as an attempt to divide and conquer.

This is unlike in urban areas where the public prefer rapid consultation methods (Aucamp, I., Retief, F.P. and Sandham, L.A, 2023).

Many cultural values and norms tend to hinder people's engagement (Nuttavuthisit, Jindahra and Prasarnphanich, 2015; Swapan, 2016). Therefore, for ESIA's to be effective in the developing world, there is a need for cultural sensitivity when involving the public (Plummer, 2003).

6.5 Development projects requiring ESIA in Urban and Rural areas

Development projects are implemented with equal frequency in rural and urban areas. However, the types of projects vary according to the sector. For example, agriculture, mining and forestry projects are predominantly rural. These projects are implemented in areas with vulnerable or weak socio-economic conditions (Rodríguez-Pose, 2018). Hotels and industrial projects are primarily found in urban areas because of limited returns in rural areas, due to the limited movement of people. The description of projects under review is provided in Section 6.7.

Given these general characteristics of urban and rural areas, the section below provides the definitions in respect to Malawi and explains the factors on which they are based.

6.6 The Definition and Categorisation of ‘Urban’ and ‘Rural’ in Malawi

Just as the literature reports on variations of definitions of urban and rural areas across the nations, as described above, there are also disparities in the definitions between institutions in Malawi. These variations arise as a result of different mandates and legislation from institutions which have defined urban and rural areas in the country. The key institutions with mandates over rural and urban areas are the Ministry of Local Government, the Ministry of Lands and Housing and the National Statistics Office (NSO). The following sections presents definitions from each institution.

6.6.1 Ministry of Local Government

The Ministry of Local Government, regulated by the Local Government Act (2000), has defined the governing bodies of urban areas as city, municipal and town councils while those for rural areas have been defined as district councils. The heads of urban local authorities are called Chief Executive Officers, while those of rural authorities are called District Commissioners.

With regard to urban areas, the Act gazetted seven urban authorities, of which four are the cities of Mzuzu, Lilongwe, Blantyre and Zomba; two are the municipalities of Kasungu and Luchenza; the only gazetted town council is Mangochi. In rural areas, there are 28 district councils.

Although the Local Government Act (LGA) distinguishes the naming of authorities as urban and rural, in terms of functions, the regulatory framework does not differentiate between them. They are mandated to perform functions which are similar in nature.

These services include, but are not limited to, provision of social and economic services (World Bank, 2016).

6.6.2 Ministry of Lands, Housing and Physical Planning

The second institution that defines urban and rural areas is the Ministry of Lands. Its classification is guided by the National Physical Development Plan (NPDP) (1987), while the execution of urban activities is guided by the National Urban Policy (GoM, 2019). Although the NPDP is an outdated policy document, it is still being used as the guiding tool for spatial development. The National Urban Policy has acknowledged the lack of clarity in designating rural and urban areas in the NPDP and has recommended a revision (GoM, 2019).

The NPDP designates six categories of urban area. The categories are ranked hierarchically according to the level of service provision such as administration, commerce and business, health, education and infrastructure (OPC, 1987). The following are the categories and their respective urban areas:

1. National Centres (3 urban areas): Blantyre, Zomba and Lilongwe are designated as national centres due to their political, administrative, commercial and industrial importance.
2. Regional Centre (1 urban area): Mzuzu is mandated to provide necessary functions to cover all 6 districts of the Northern Region.
3. Sub-Regional Centres (7 urban area): these towns provide urban services to some districts; they comprise Karonga, Kasungu, Salima, Mangochi, Liwonde, Dedza and Bangula.
4. District and/or main market centres (28 urban areas): these execute tasks pertaining to the district level and they include all the districts in the country. There were once 22 districts, but currently, there are 28. Therefore urban areas include all 28 district centres plus the five main market centres of Ntaja, Mponela, Chintheche, Phalombe and Euthini, as well as Monkey Bay.
5. Rural market centres (80 urban areas); these are the economic nodes of rural areas, including retail shops, health centres, post offices and offices

of the Agricultural Development and Marketing Corporation (ADMARC): examples of such places are Ngabu, Luchenza, Ekwendeni and Malomo.

6. Village centres (not known): The numbers are not provided in the NDPD but they are meant to provide very basic services such as elementary education, health facilities and posting facilities (OPC, 1987).

According to the above classification of urban areas, the NDPD designates a total of 122 centres as urban centres in Malawi. However, it is silent on the number of rural areas present in the country. Commentators have, however, argued that the classification of urban and rural areas in the NDPD is confusing as evidenced by different interpretations. For example, the World Bank (2016, p3) maintains that the NDPD has a three-tier hierarchy of urban areas, consisting of National, Regional and Sub-regional centres, while according to Manda (2013), the same NDPD document has a six-tier urban system, as provided above.

The reason why the NDPD designated so many areas as urban was the need to distribute economic opportunities across all areas of the country (OPC, 1987:1). However, the policy of gazetting so many potential urban centres has not produced the expected results, because most places do not have the basic facilities to support such designated areas (Manda, 2013). Manda argues that the main reason why many areas have failed to reach their designated level is because resources were not provided to facilitate the expected development. Consequently, most areas in the lower levels of the hierarchy fall too short of the expected standards to be anywhere near to being called urban areas (Manda, 2013).

The above shortfalls potentially explain why the World Bank (2016) restricted categorisation as urban areas to the first three hierarchies of National Centres, Regional Centre and Sub-Regional Centres.

6.6.3 National Statistics Office

The third institution with a different mandate is the National Statistics Office (NSO). The mandate of the NSO is to collect and compile official national statistics. NSO (2019) defines as urban areas the four major cities of Blantyre, Lilongwe, Mzuzu and Zomba, some other towns and Bomas (District Administrative areas) and gazetted town planning areas. However, two components of its definition are not clear. These are “other towns” and “gazetted town planning areas”, as they have not been defined;

hence, it is apparently not known what these “other towns” and “gazetted town planning areas” represent. Consultations with NSO officials failed to provide any clarity on this matter.

Nevertheless, the NSO has established standards according to which a place can qualify as ‘urban’, based on population, agricultural activity and administration. As regards population, the NSO has designated a minimum threshold of 5,000 (2010 vol. 9: p46). With respect to its administrative basis, an area becomes urban through administrative, political or legal decisions by the government (Manda, 2013). Where agricultural activity is concerned, the NSO has designated an area as urban if it is non-agricultural and if activities prevalent in that area include trading, manufacturing, transportation, social services, construction, financial services, mining and quarrying (NSO, 2012:65).

According to the NSO data from the 2018 census, urban areas in Malawi include the 4 cities of Mzuzu, Lilongwe, Zomba and Blantyre, 28 Bomas (the headquarters of the districts, and also the areas of Mponela, Chipoka, Monkey Bay, Liwonde and Luchenza. Therefore, although “other town or “gazetted planning areas” are not defined, a process of exclusion could imply that Mponela, Chipoka, Monkey Bay, Liwonde and Luchenza were referred to as “other towns” or “gazetted planning areas”, according to the definition in the 2018 census report.

It can thus be concluded that although the three institutions define urbanism differently, there are some urban areas which are common in them. These are the four cities of Mzuzu, Lilongwe, Blantyre and Mzuzu and also the districts and towns of Kasungu, Mangochi and Luchenza.

6.6.4 Implications of this research

The preceding sections show that varying definitions of urban and rural areas of Malawi are offered by three different institutions. The Ministry of Local Government has seven urban areas, and the NSO has 32 urban areas, while the Ministry of Lands has 122 urban areas. Notwithstanding, there are commonalities in some designated areas across the three institutions such as the four cities of Blantyre, Lilongwe, Blantyre and Mzuzu that are defined by all of them as urban areas. Nevertheless, it is very clear that there is inadequate coordination in the planning and subsequent

gazettement of urban areas in Malawi which is obviously causing confusion in research, planning and execution of developmental programmes in the country.

In view of aforementioned inconsistencies in definitions of urban and rural, my PhD study will apply the NSO definition. This is because the National Statistics Office is the official government agency for data and statistics, with the mandate to collect, analyse, publish and disseminate official statistics for evidence-based policy formulation, decision making, monitoring and evaluation of development programmes (NSO, 2012). This is also the reason why most of the statistical data used in this thesis has been obtained from NSO reports. However, the NSO should, in its forthcoming documents, clarify the mystery of those “other towns” or “gazetted planning areas” in their publications to enhance the clarity and appropriate use of the data provided.

6.6.5 Urbanisation in Malawi

Malawi just like many countries in the Sub Sahara are experiencing urbanisation. The latest population census reports that 16% of the population are residing in urban areas of which 12 percent are living in the four major cities and only 4 percent living in the other towns and Bomas (NSO, 2018).

The urbanisation rate in Malawi is rising but at a moderate rate (World Bank, 2017). In 2018, it was at 3.9 % in 2018, rose to 4.19 in 2020 and in 2025 it is projected to rise steadily to rise to 4.41% (UN, 2018). Although it is such moderate rate, the rate in Malawi is higher than that of Sub Sahara which is at 3.98% and also a global rate which is as low as at 1.73% (UN, 2018). The higher urbanisation rate in Malawi will induce both positive and negative implications in the context of public participation.

Urbanisation induces economic growth therefore increased infrastructure and industry are developed to meet the growing demand (Browne, 2014; World Bank, 2017). These projects will require EIA to be conducted and ultimately public participation would be administered. Inadequate compliance of PP would consequently put at risk many urban dwellers. Therefore, there is need for proper management of urbanization in order to boost resilience, minimise poverty in order to achieve sustainable and inclusive growth (World Bank, 2017).

On the other hand, urbanisation is also coming with positive projection such as technologically advancement in communication and the globalisation of information (Browne, 2014; Spray, H.J., 2018). With the global outbreak of Covid-19 which

introduced virtual meetings in urban areas, it is therefore anticipated that more people will be consulted in urban areas which will lead to improved decision making. Thirdly, with increased urbanisation, the boundaries between rural and urban might be blurred, consequently, the traditional distinctions between urban and rural cultures, lifestyles and enterprises will be eroded (Gardoni, 2019). It can therefore be suggested that the gender participation associated with cultural impact might therefore be minimised, therefore more women in the patrilineal system are anticipated to participate. Therefore urbanization in Malawi could bring changes that lead to transformations in cultural identification (Spray, 2018).

6.7 Urban and Rural Districts under review

There are three districts where ESIA reports were selected, as presented in the following Chapter 7 on the methodology. These three districts have however, varying levels of urban status, as follows:

- a) City Urbanity: these are urban areas within the cities. In Malawi, there are four cities, as described in section 6.6. However, following the urban projects described in the methodology Chapter 7, four ESIA reports were selected from the city urban areas of Lilongwe and Mzuzu.
- b) District Urban: these are the urban areas located within Bomas. Bomas were defined during colonial rule and stood for British Overseas Management Administration. These were administrative areas at the district level during the colonial era. Since then, the naming of Bomas has been kept up to date.

Therefore, in the 28 districts of Malawi, there are four urban cities and 25 urban Bomas. Mzimba district has two urban areas: Mzuzu City (urban city) and Mzimba Boma (urban district).

In line with the NSO definitions, as stipulated in Section 6.6.3, the six rural and six urban projects to be reviewed are located in three districts of Mzimba, Lilongwe and Chikwawa as shown in the Figure 6-1. The methodology for selecting these 12 projects is provided in the following chapter on Methodology. Meanwhile, the next section provides summaries of the 12 ESIA projects under review.

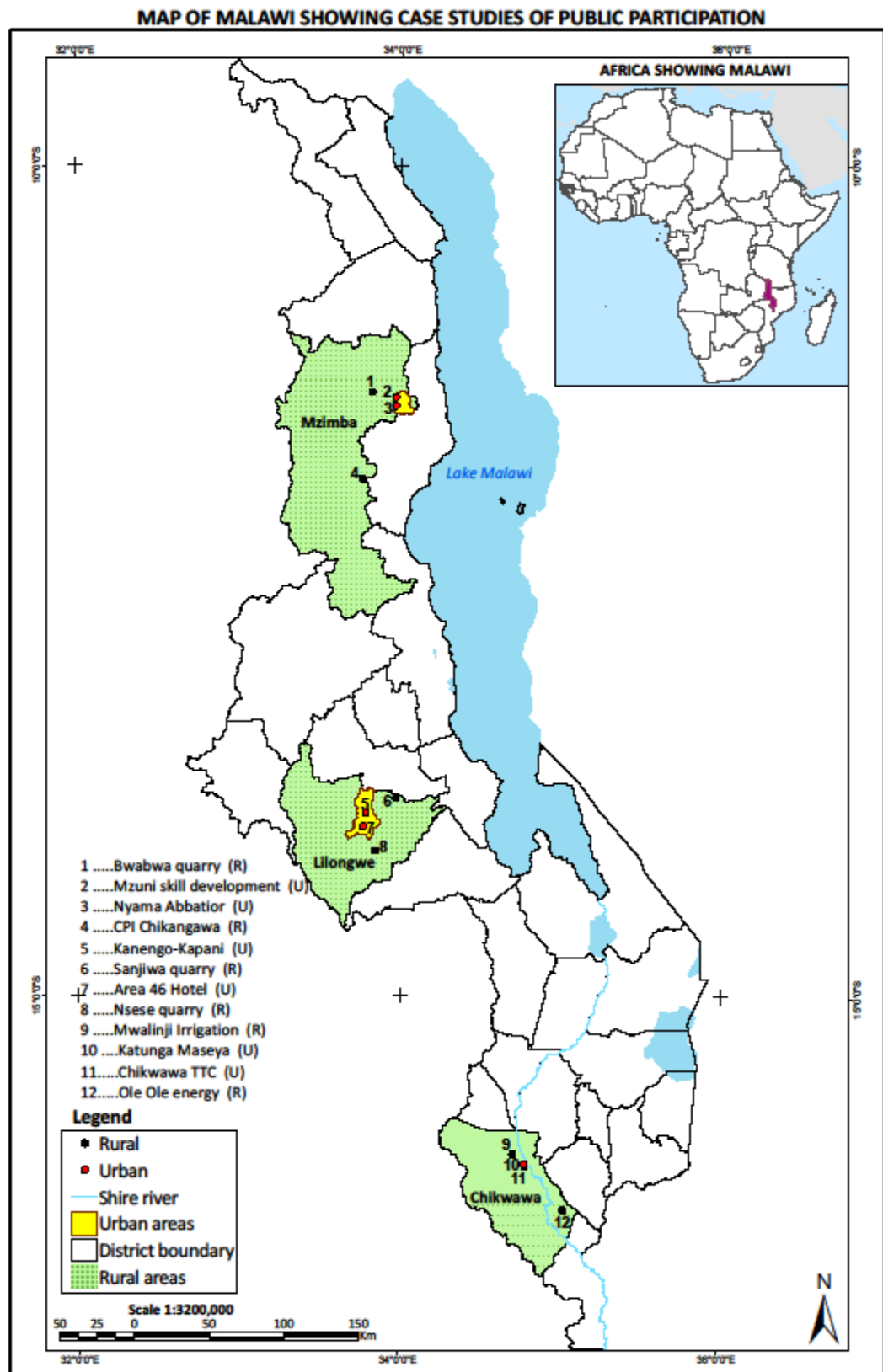


Figure 6-1: Map of Malawi showing 12 projects which are under review

Summary of Projects which have been assessed

6.7.1 Project name: Chikwawa Teachers Training College

Type of project: Infrastructural project

Sector: Education

District: Chikwawa (urban but in a district setting)

Donor: Arab Bank for Economic Development in Africa and Saudi Fund (Donor funded)

Implementer: Government of Malawi

The Government of Malawi, through the Ministry of Education, prepared the Environmental and Social Impact Assessment (ESIA) report on the development of a Teachers Training College (TTC) at Namalindi village within the area of Traditional Authority (TA) Katunga in Chikwawa District. The aim of the project is to help in the improvement of the access to and quality of primary teacher education in Malawi. The project covers 29 hectares of land. The project has not specified the number of families affected.

The land was previously customary land and was used as agricultural gardens and woodland. Local communities were utilizing the woodland by grazing their animals, producing charcoal, collecting fuelwood for domestic uses and poles for housing. In the gardens, the area is also used for the cultivation of maize, rice, sorghum, legumes, millet and cotton.

The ESIA report has outlined positive impacts arising from the project including contribution to government efforts on improving access to quality basic education, employment creation during the construction and operational phase, especially for the local skilled community members, contribution to the promotion of business; agriculture development by providing a ready market for local farmers' produce, and improved access for local communities to services such as water, a clinic and power. The potential negative impacts reported to have been induced by the project include depletion of vegetation, pollution of surface waters, drying up of streams, soil erosion, loss of biodiversity, and air pollution, land conflicts, transmission of diseases, traffic accidents and loss of livelihoods.

In line with PP requirements, as stipulated in the international best practice and in the Malawi policy and legislative framework presented in Chapters 4 and 5 respectively, the impacts presented in this ESIA report and all the succeeding summaries of the 11 projects are required to be presented to the communities. This addresses the second objective on substantive effectiveness and Chapter 9 of this thesis presents the outcome of the extent of the information presented to the communities.

The report further proposes mitigation of these potential negative impacts through sound environmental management and monitoring plans.

A total of 31 participants were registered to have been consulted during the meetings. In line with the first objective, one of the research questions is: Who are these participants? Chapter 8 presents the outcome of disintegration of the participants of this project and the remaining 11 projects described in the coming sections. At the time of data collection, in June 2019, the project was at the construction stage.

The estimated project cost was USD11,239,782. Project cost addresses the third objective, which is assessing transactive effectiveness. The outcome and its implications for the project are presented in Chapter 10.

6.7.2 Project name: Katunga Maseya project

District: Chikwawa (urban but in a district setting)

Type of Project: Irrigation

Sector: Agriculture

Developer: European Union (Donor funded)

Implementer: Katunga cooperative

This is an irrigation project located in TA Katunga and Maseya. However, the Traditional Authority Katunga is located in the urban area of Chikwawa district. The project is located a 1600 hectare site which was previously customary land and runs along the Chikwawa-Nchalo road. The project has been planted with sugarcane as a cash crop. The land was previously used as agricultural gardens and crops grown were cotton, sorghum, and cassava. Cotton was a cash crop while cassava and millet

were for food production. The report does not specify the villages affected by TA Katunga.

The main activities included land clearing, construction of irrigation canals and construction of access roads.

The ESIA report has recorded positive impacts including the following: the supply of Ethanol in the country, the promotion of sugarcane production in the country, enhanced fuel supply for automobile products, employment opportunities in Malawi. The report recorded potential negative impacts including loss of vegetation within the area, an increased rate of soil erosion, loss of land for food production, the increase of HIV/AIDs and other communicable diseases in the area, pollution of water resources from petroleum production, the risk of spread of alien diseases, water logging and salinization of the soil around the scheme and the risk of human exposure to agricultural chemicals.

150 people are listed as having been consulted and the estimated budget is USD 6,738,544. During the data collection, the project was already operational.

6.7.3 Project name: Mwalija Irrigation Scheme

District: Chikwawa (rural area)

Type of Project: Irrigation

Sector: Agriculture

Donor: European Union

Implementer: Coordination Union for the Rehabilitation of Environment (CURE) (NGO)

Welt Hunger Hilfe (WHH) and the Coordination Union for the Rehabilitation of Environment (CURE) secured funding from the European Union to develop Mwalija Irrigation Schemes in Mwalija Village TA, Kasisi, Chikwawa District. The irrigation scheme covered 98 hectares on customary land. The report has not recorded the number of affected families.

The land where the Mwalija Irrigation Scheme is sited was previously customary land, used primarily for farming. Community members around Mwalija grew a number of crops on the land, including maize, sorghum, cotton, beans, tomatoes, leafy vegetables, cowpeas and rice. Additionally, land was utilized for livestock grazing in the same area during the dry season.

The ESIA report recorded potential positive impacts including increased crop production, employment opportunities, revenue generation for the government through taxes, a flood control bund to reduce flood damage to people in the area, business promotion during construction, improved accessibility to the site through road construction and the provision of a water supply in surrounding areas.

The ESIA report recorded negative impacts including increased flooding of the area, loss of livelihoods from loss of gardens, increased incidences of HIV/AIDS and STIs as a result of increased migrant workers, Occupational Health and Safety impacts on workers during the operational phase, traffic accidents during construction, increased noise pollution, water pollution and lowering of the water table, waste generation, loss of biodiversity, soil erosion and depletion of natural vegetation.

The report proposed mitigation for these potential negative impacts through sound environmental management and monitoring plans.

A total of 202 participants were registered to have attended the consultation meetings.

The proposed cost is USD2, 535, 709.00. At the time of data collection, the project had not yet begun.

6.7.4 Project name: Ole Ole Solar Energy project

District: Chikwawa (rural)

Type of Project: Energy

Sector: Energy

Donor: European Union

Developer: Practical Action (NGO)

Practical Action with funding from the European Union implemented a Sustainable Energy for Rural Communities (SE4RC) project in TA Makhuwira in Chikwawa. The project established a community solar power station and mini-grid systems to power schools, clinics, local small scale businesses and irrigation schemes.

The project in Ole Ole site is producing 15Kw on a 1.01 hectare area to pump water.

There are several proposed activities that will be implemented, including construction of power stations, solar farms, powerhouses for the installation of batteries, inverters, charge controllers and other related power station hardware.

The positive impacts which are recorded in the ESIA report include access to clean energy, creation of business opportunities, market supply of construction materials, improved education and health services as a result of availability of energy, employment opportunities and improved quality of life.

The negative impacts included dust generation, loss of land, soil erosion, land degradation, water pollution, loss of flora and fauna, occupational health hazards, increases in sexual relationships and the spread of HIV and Aids because of the influx of people.

14 people were recorded to have been consulted about this Ole ole project

The project cost is estimated at US\$800,000.00. During the data collection, the project was already operational.

6.7.5 Project name: Mzumi Skills Development project

District: Mzimba (Urban)

Type of Project: Infrastructure

Sector: Education

Developer: Government with a loan from World Bank

Mzuzu University is constructing a Tourism and Hospitality Skills Development Centre to expand university facilities within the city of Mzuzu with the aim of providing knowledge of hospitality and tourism. The project is implemented on 3.3 hectares along the Mzuzu Ekwendeni road in the Dunduzu area. The project was initially used for human settlement for 3 households as well as cultivation of crops. Crops previously grown on the area included maize, fruits and blue gum trees.

The project has positive impacts including creation of employment opportunities for local people, business opportunities for local goods and services, business opportunities for hardware, and provision of high quality tourist accommodation as well as conference facilities and generation of revenue.

Negative impacts include loss of land and houses, loss of fruit trees and timber trees, increase in soil erosion from the project, increase in respirable dust emission, increase in the spread of HIV/Aids, increased brick making to supply the project, increase in generation of solid waste, and the generation of noise. The ESIA report recorded that 24 people were consulted.

The project cost was \$2,425,876; at the time of data collection, the project was at the construction phase.

6.7.6 Project name: Nyama Abattoir Mzuzu

District: Mzimba (Mzuzu City Urban)

Type of Project: Infrastructure

Sector: Agriculture (Animal husbandly)

Developer: Private Sector

Afrisphere World Wide Ltd is implementing a Livestock feedlot and meat-processing abattoir project located in Sonda Industrial area in Mzuzu city, Mzimba district. The project was established for processing of sheep, cattle and goats. The land is private leased land.

|Activities for the project include: a) weekly movement of about 350 cattle, 700 sheep and 200 goats to the project site; b) processing animal feed to be used for fattening of

animals before slaughtering; c) reconditioning animals before slaughtering by resting them for two to three days: the animals are given appropriate feeds for quick fattening before there are slaughtered; d) slaughtering animals and cleaning up of the offal and cattle hides. The project will induce negative impacts, including the generation of a foul smell, increased risk of genetic erosion in the locally adapted cattle breeds, increased generation of methane, generation of large quantities of liquid and solid waste, population influx surrounding the project area and increased spread of HIV/AIDs and STIs.

The potential positive impacts of the project include the availability of high quality beef products in the country, increased income generation among small livestock farmers, increased job opportunities, stimulation of the growth of small and medium scale enterprise, contributions towards increased foreign exchange earnings, and an increased tax base for the Government.

17 People were recorded to have been consulted during the PP and the project cost is USD90, 000. At the time of data collection, the project was in its construction phase.

6.7.7 Project name: Consolidated Processing Industry

District: Mzimba (rural)

Type of Project: Timber Processing

Sector: Forestry

Donor: Private

Developer: Private Company

Consolidated Processing Industry (CPI) is manufacturing timber products in TA Kampinga Sibande. The factory is planted on a 2.5 hectare area but the project covers an area of 8400 hectares of land. The site is located on Chikangawa plantations owned by Government of Malawi. The project is using eucalyptus and pine trees according to an agreement with Government of Malawi.

Previously the land was also used as timber processing plant but the company has since changed hands. The company is producing products such as transmission poles, railway sleepers, construction lumber, doors, white woods, timber decking, timber fencing and timber frames.

The project is anticipated to have the positive impacts including increase in the supply of timber and timber products, increase in business opportunities and income, reduction in time spent accessing timber and timber products markets, reduced pressure on forest resources for wood production, employment opportunities, the generation of Forex.

The negative impacts recorded in the ESIA reports include water contamination and pollution of rivers by fuels, oils and waste chemicals, soil contamination by the discharge of hydrocarbons and other chemical products, occupational health and safety risks and associated accidents from handling equipment, risk of fires and associated accidents, air pollution due to dust particles, fume production from vehicles, increased soil erosion due to construction works which will result in vegetation clearance and hence exposure of the soil to water and wind, increased pressure on ecological resources due to the fetching of firewood for heating and cooking by factory workers, the spread of HIV/AIDS and STDs due to an increase in sexual activities in the areas as a result of an influx of both skilled, unskilled and professional workers, amongst others.

The project recorded that 37 participants were consulted.

The project cost is USD\$5.5 million. During the data collection, the project was already operational.

6.7.8 Project name: Bwabwa Quarry Mining

District: Mzimba (rural)

Type of Project: Quarry mining

Sector: Mining

Developer: Private sector

SOS Construction Company proposed to establish and operate a rock aggregate quarry at Bwabwa in TA Mtwalo in Mzimba District. The proposed site was previously customary land and covers about 50 hectares. The proposed project will involve producing sized rock aggregate on site. The proposed project is located 7 kilometres from Ekwendeni in Mzimba.

Potential negative impacts included in the ESIA report are loss of customary land, loss of vegetation and soil cover due to land clearing, dust and noise generation, fire hazards, occupation health and safety risk, increased incidences of HIV/AIDs, solid and liquid waste generation, generation of quarry dust, generation of scrap metal and pollution of ground water.

Potential positive impacts include employment opportunities and provision of infrastructural support.

The project cost is USD 269,541. The project is reported to have consulted 36 participants. During the data collection, the project was already operational.

6.7.9 Project name: Kapani Abattoir

District: Lilongwe (Urban)

Type of Project: Infrastructure

Sector: Agriculture (Animal husbandry)

Developer: Private Sector

Kapani Food Industries proposes to build chicken abattoir in Area 28 within Kanengo Industrial Area in the city of Lilongwe. The project site is about 1.5 hectares and is situated on private land.

The main development proposed is an abattoir, including a slaughterhouse and an incinerator for the disposal of condemned chicken. The remaining area is utilized as a vegetable garden, using wastewater from the abattoir. The project will have positive impacts including the following:

Provision of new and spacious abattoir facilities for poultry, creation of employment opportunities, generation of government revenue, promotion of sustainable small-

holder poultry production value, business opportunities for hardware and other construction-related goods.

Potential negative impacts include the risk of dust during construction, the generation of offensive chicken droppings and offal by the abattoir, the generation of liquid waste, the risk of the spread of HIV/Aids, an increase in the generation of human solid waste and the risk of noise pollution to the public.

The report records that 14 people were consulted and the project cost is \$544,959.00. At the time of data collection, the project was at its operational phase.

6.7.10 Project name: Area 46 hotel

District: Lilongwe (Urban)

Type of Project: Infrastructure

Sector: Tourism

Developer: Private Sector

Malawi Sun Hotels Limited are constructing a 110 room hotel on 3.3 hectares of a private piece of land in Area 46 hotel. The project will have the following positive impacts:

provision of accommodation to both tourists and local guests, provision of conference facilities, provision of recreation facilities to the people of Lilongwe and surrounding areas, creation of employment opportunities during the construction and operation phases, improved revenue to the Government through taxes, improved aesthetic value, skill transfer to the local communities and the civil engineering sector during the construction phase, saving on foreign exchange for the Government. The negative impacts arising from the project include the risk of increased child labour, the influx of people to surrounding areas, increased potential for pollution of water, soil and land resources, dust emission, occupational safety and health risks, increased incidences of HIV/AIDs and STI, traffic disruption during the construction phase, and visual intrusion and noise level impacts on surrounding areas.

The project's activities will involve construction works, which will include access roads, storm water drains, restaurants, recreational facilities, and accommodation.

13 people were recorded as having been consulted and the total project cost was USD299, 7275.00. At the time of data collection, the project had not yet begun.

6.7.11 Project name: Nsense Quarry

District: Lilongwe (Rural)

Type of Project: Quarry Mining

Sector: Mining

Developer: Private Sector

O.G. Quarry Limited established a quarry at Nsense hill in Lilongwe district. It plans to produce 16,000 metric tonnes per month. The estimated cost of the project was \$1.1million

The site is located on 6.8 hectares of customary land. The land was previously used as gardens. The project generated positive impacts including availability of sized rock aggregate for construction of infrastructural development projects, employment opportunities for the surrounding communities, provision of access roads in the proposed area, revenue to Government in the form of royalties and the growth of an informal business sector adjacent to the project. The project will induce the following negative impacts: loss of customary land, dust and noise generation, risks to occupational health and safety during construction and the operational phase, increased incidences of HIV/AIDs due to the influx of migrant workers and informal business operators, visual intrusions because of the large quarry pit and ground shock waves during drilling and blasting activities.

A total of 40 were reported to have been consulted in the ESIA report. At the time of data collection, the project was in the operational phase.

6.7.12 Project name: Sajiwa Quarry

District: Lilongwe (Rural)

Type of Project: Quarry Mining

Sector: Mining

Developer: Private Sector

Shabri Building Solutions is operating a quarry mine project in Traditional Area Kabudula in Lilongwe district.

Positive impacts of the project include increase in the availability and supply of rock aggregate for the Construction Industry, revenue generation, access to electricity, business promotion and water supply.

Negative impacts included pollution of underground and surface water quality, occupational health, environment and safety effects on workers, traffic accidents, increase in noise pollution, loss of farming units within and surrounding the area and air pollution, waste/effluent generation, depletion of natural vegetation/deforestation, loss of biodiversity and HIV/AIDS and STIs.

The project will incur costs of about USD340, 599.00

At the time of data collection, the project was not yet constructed.

6.8 Chapter summary

The chapter has provided an overview of the differences between urban and rural areas in the context of geographical and contextual perspectives. Furthermore, the chapter has disclosed conflicting definitions of urban and rural areas in Malawi and has selected the working definition for the research study. Finally, the project's summary of the ESIA reports under review has been provided.

Chapter 7 : Methodology

7.1 Introduction

This chapter presents the research methodology. Firstly, philosophical perspectives guiding the study design and its implementation are introduced. This is followed by the research design. Thereafter, the research strategy is outlined, which includes sampling techniques deployed when selecting participants and also the ethical processes for compliance with academic integrity.

7.2 Research paradigms

A Research paradigm is comprised of four interlinked parts which are ontology, epistemology, methodology and methods. The relationship between ontology and epistemology is so fundamental that Grix (2004:p58) states that “ontology and epistemology can be considered as the foundations upon which a research is built.” This implies that it is the researcher’s ontological and epistemological assumptions that inform the choice of methodology and methods of research.

7.2.1 Ontology

Ontology is “concerned with the nature of existence”, which Grix (2004) and Crotty (1998) consider as the departure point of all research. Conceptually, ontology is the nature of being or what the real world is (Grbich, 2007). According to Marsh and Furlong (2019) the key ontological question that guides social research, and that must be answered, is what is form and nature, and consequently, what is there that can be known about it? Ontology, therefore, defines what is available in nature that can be studied. Ontology is concerned with the nature of social entities. The central point of orientation is the question of whether social entities should be considered as objective entities that have a reality external to social actors or whether they should be considered as social constructions built up from the perceptions, interactions and actions of social actors (Bryman, 2016). These two opposing ontological positions are referred to as objectivism and constructionism; the former (objectivism) is an ontological position that social phenomena and their meanings have an existence that is independent of social actors, implying that social phenomena and the that are used in everyday social discourse have an existence that is independent or separate from the

actors (Bryman, 2016). While objectivists tend to think in a more static mode, independent of what goes on within social actors, constructionism is an ontological position (also called constructivism) that asserts that social phenomena and their meanings are continually being accomplished by social actors, implying that social phenomena are not only produced through social interaction but are in a constant state of revision (Bryman, 2016). Constructivism challenges objectivist approaches that categorize organizations and cultures as pre-given and, therefore, confront social actors as external actors that have no role in influencing any outcome.

7.2.2 Ontological position

This study has five dimensions which are procedural, substantive, transactional, contextual and learning related. Given that the nature of these dimensions is dynamic and is affected by many factors that are intrinsic and extrinsic to the process, including but not limited to political, social-cultural, environmental and technological influences, the study adopted a constructionist ontological position. A further argument would be that these are dynamic concepts and cannot be purely understood using deductive and positivist theories, which motivated this researcher to take a constructivist and interpretivist ontological and epistemological position respectively, while being mindful of the warning provided earlier that research does not need to focus purely on one epistemological theory (Bryman, 2016).

7.2.3 Epistemology

Epistemology is the study of what it means to know, the philosophical background to understanding what knowledge is legitimate and adequate (Patton, 2014; John Creswell and David Creswell, 2018; Marsh and Furlong, 2019). An epistemological issue concerns the question of what is or what should be regarded as acceptable knowledge in a discipline (Bryman, 2016). It also extends to how that knowledge is generated and extracted from the real world. Epistemology “deals with the nature of knowledge” (Crotty, 1998: 8). It deals with the nature of the relationship between the knower and the known. There are two epistemological positions in social research, the first position aligns with the natural sciences and is known as positivism: it is mainly associated with a deductive or quantitative approach (Bryman, 2016). The second position, known as interpretivism, is the epistemological position that advocates that people and their respective institutions are not similar to the subjects of the natural

sciences (Bryman, 2016). Positivists think that they can apply methods of the natural sciences to the practices of social sciences. Positivist social scientists try to replicate procedures followed by natural scientists to control and understand the natural world. They are committed to valuing neutrality, statistical measurement, quantifiable elements, and observable events to establish causal laws (Seale, 1999).

Positivism and interpretivism are two mutually exclusive paradigms on the two ends of a continuum of the nature and sources of knowledge but at the same time, there is an occasional need for seasoned researchers to “modify their philosophical assumptions over time and move to a new position on the continuum” (Creswell, 2018). The modified philosophical assumptions are adapted by pragmatic researchers. Pragmatism looks to many approaches for collecting and analysing data rather than subscribing to a single approach (Creswell, 2018); this has consequently guided the researcher to select mixed research methods, involving quantitative and qualitative approaches as well as document review.

7.2.4 Epistemological position

This study investigates themes that require both a quantitative as well as a qualitative approach. For example, evaluating contextual factors such as culture requires understanding of traditional norms and cultures that influence participation, while assessing the cost efficiency of participation requires quantitative data on the amount of resources required for participation. Based on the outlined epistemological differences, my PhD research has adopted a pragmatist epistemology, which takes an intermediate position between positivism and interpretivism. Pragmatist research philosophy accepts concepts as relevant only if they support action. In this study, the research recognises that there are many different ways of interpreting the world and undertaking research, that no single point of view can ever give the entire picture and that there may be multiple “realities. According to pragmatism research philosophy, the research question is the most important determinant of the research philosophy; hence pragmatist researchers, including this researcher, are guided to combine both positivist and interpretivism positions within the scope of a single research project, according to the nature of the research question.

7.3 Research Design

Drawing from the aim of this study which was to develop an evaluation criterion and utilise it to assess the effectiveness of public participation in Environmental Impact Assessment (ESIA) in rural and urban areas of Malawi, this research was conducted in two stages: the first stage was the development of evaluation framework and the second one was the application of the evaluation framework through 12 ESIA projects. The section below presents how the evaluation framework was developed.

7.3.1 Development of Effectiveness framework

The development of Effectiveness framework was conducted through a literature review. Chapter 3 has described several evaluation framework that have been applied to assess the effectiveness of public participation. The frameworks presented in Chapter 3 (table 3-2) include those authored by Palerm (1998); Baker and McLelland (2003); Del Furia and Wallace-Jones (2005); Hartley and Wood (2005); Nadeem and Fischer (2011); Yang (2008); Mwenda *et al.* (2012); Bawole (2013); Aiyeola, Shamsudeen and Ibrahim (2015); Devente *et al.* (2016); Suwanteep, Murayama and Nishikizawa (2017); Brombal, Moriggi and Marcomini (2017); Yao, He and Bao (2020).

As explained in Chapter 3, following the reviewing of the above authored frameworks, the Baker and McLelland (2003) framework was selected (Section 3.4.3) as a model framework which came closest to addressing Webler's theory of fairness, competence and social learning that has informed the composition of the effective framework to be applied in my study. Nevertheless, the Baker and McLelland (2003) framework was still inadequate for the evaluation of evaluate PP in the context of Malawi. The framework was therefore modified, and thus added learning and contextual dimensions to the "Baker and McLelland" framework in order to be appropriate to Malawi.

Consequently, the effectiveness framework adopted thus comprised five dimensions: procedural, substantive, transactive, learning and contextual factors. The section below describes the methodology for applying the framework to 12 projects to assess the effectiveness of PP in Malawi.

7.3.2 Application of the evaluation framework to 12 ESIA projects

This PhD research is based on a comparative research design in order to unveil the different dynamics of Public Participation in urban and rural projects. This design enabled the researcher to explore the differences between these contexts (Coccia and Benati, 2018).

The comparative study was applied to 12 ESIA projects from urban and rural areas. Six ESIA projects were selected from rural areas and another six from urban areas. This approach is in line with Ritchie, *et al.* (2014), who recommend that data collection approaches in comparative studies should be structured so that similar issues are explored in similar ways across samples.

7.4 Research Strategy

According to the research paradigm described in section 7.2, the pragmatic element required my study to apply a mixed research method. Given my research questions, one method of enquiry would not be adequate. Research questions which necessitated a contrasting approach included “who participated in the PP projects?” This question required a “yes or no” response and there was no different perspective about it. Consequently, data was collected and analysed quantitatively. On the other hand, another research question such as “how did learning occur” had multiple responses depending on the participant’s perspective of the PP in their project and different intersecting factors which also required the researcher’s observation. Consequently, two different approaches were employed to answer the study’s research questions. This aligns with Bryman (2016), who indicates that there is no single best methodology which is ideal for application in all research programmes. In addition, the suitability of research methods depends on many factors, such as the type of research questions and the type of data collected (Palerm, 2000; Bryman, 2016).

The application of mixed methods also enhanced triangulation which is in accordance with the literature on mixed methods (Rodney Benson, 2005; John Creswell and David Creswell, 2018). The triangulation was achieved by collecting information from a questionnaire administered to the communities as well as a checklist that was administered to the focus groups and also to the key informants. Kumar (2019) supports the use of mixed methods because it facilitates the derivation of additional research evidence from the findings obtained by different research methods.

7.4.1 Data obtained from Quantitative Research Method

A total of 124 participants from 12 projects were interviewed using a questionnaire which was administered through face to face meetings. These participants were identified through the list of participants found in the 12 ESIA reports. As per ESIA law in Malawi, all ESIA reports are public documents and include lists of people who were consulted during the relevant PP meetings.

With regard to the selection of participants, at the design stage, it was planned that 10 respondents from each ESIA project would be interviewed, comprising an equal number of males and females. However, the number of participants actually interviewed varied from project to project, because of factors such as unavailability of participants during the study period including deaths. The minimum number of participants from a single project interviewed was therefore 9, while the maximum was 14. The total aggregate numbers of participants per project are attached in Appendix 1 (Figure 13-2).

Category 1 participants: Face to Face Questionnaire

The study collected quantitative data through a questionnaire which was administered face to face. The face to face method was chosen because of several factors, including prevalence of high illiteracy levels in rural areas and also low response rates associated with posted questionnaires. Posted questionnaires have a low response rate even in developed countries with favourable conditions, such as high literacy rates. For example, in Sweden a questionnaire on an incineration plant had a response rate of 42% despite prevailing social economic conditions (Wiklund, 2011). This therefore explains why a posted questionnaire is not effective in countries such as Malawi.

The total number of people interviewed with a questionnaire was 124. These research subjects were located through the list of participants appearing in the ESIA project reports under review. These participants came from the communities consulted during the PP meetings arising from the relevant ESIA projects under review. In order to ascertain whether the participants who appeared in the report really participated in the ESIA process, participants were asked whether they had participated in the ESIA consultation meetings or not. The responses are presented in Table 7-1.

Table 7-1: Participants of the study in Category 1

Type of Location	Yes		No	
	Male	Female	Male	Female
Urban	30 (24.2%)	3 (2.4)	18 (15.6)	11 (8.9)
Rural	45 (36%)	7 (5.7)	10 (8.1)	
Subtotal	85 (68.5)		39 (31.5)	
Total	124			

As shown in Table 7-1, about two-thirds (68.5%) responded that they took part in the consultation process while about a third (31.5) responded “no”. This “no” response therefore illustrates that although their names had been written into the ESIA reports, they never took part in the consultation process. In order to validate their claims, traditional leaders were advised to authenticate their claims since they were responsible for selecting participants for the PP activities. As for the 39 who did not participate, 29 were from urban projects while 10 were from rural projects. The detailed outcomes are presented in Chapter 8.

In light of the false allocation of 39 participants to the 12 ESIA projects, the analysis of the questionnaire was based on 85 respondents and not 124 respondents. Data for only 85 participating participants will therefore be considered in this study because the research study was purposively targeting the communities who had participated in the public participation engagements during their respective ESIA project preparation, in order to assess the effectiveness of their ESIA participation.

In order to anonymise these participants in line with ethical requirements, participants’ numbers were used. The list of anonymised participants is presented in Appendix 13-2.

Questionnaire design

The questions formulated were all related to the study’s objectives. They followed a rational progression based on the objectives of the study (Kumar, 2019). They were neither biased nor double-barrelled. Furthermore, they were clear and unoffending, as recommended by O’Leary (2014) & Kumar (2019). Interviews lasted between 40 minutes and 1 hour. The framework of questions is presented in the table below while the complete questionnaire is provided in Appendix 13.6.1.

Table 7-2: Study design

Objectives	Type of data
Section 1 Identification Panel	Project name, location, sector of the project, district, identification code, marital system, date of interview
Section 2 Demographic and Social Characteristics	Gender, age, religion, ability to read and write, whether the participant held any position
Section 3 Awareness on Environmental Impact Assessment	<ul style="list-style-type: none"> • Whether they had ever heard about environmental impact assessment, when and how they had heard about it • Stages of ESIA • Awareness of the project under review • When and how they had heard about it
Section 4: Objective 1 Current Practices Regarding Procedural Factors of PP	<ul style="list-style-type: none"> • Who participated • At what stage did PP take place • Notification of PP meetings • Language used for notification and PP meeting • Methods used during the PP exercise • Venues of PP meetings
Section 5: Objective 2 To assess the extent PP achieve the Substantive Objectives of the ESIA Policy?	<ul style="list-style-type: none"> • Types of information provided by the developer • Major concerns raised by communities • Ability to contribute during meetings • Factors that enhanced and prohibited their participation • Communities as part of the decision-making process • Documentation provided prior to meeting • Feedback after meetings

	<ul style="list-style-type: none"> • Prevalence of power hierarchy
<p>Section 6: Objective 3</p> <p>What Transactive Attainment in Terms of Costs and Time has been Realised as a Result of PP</p>	<ul style="list-style-type: none"> • Period of PP • Whether it was worth spending the time for PP • Value for money of PP
<p>Section 7: Objective 4</p> <p>Contextual Factors Affecting PP</p>	<ul style="list-style-type: none"> • Prevalence of cultures inimical to public participation • Prevalence of people who are excluded from PP
<p>Section 8: Objective 5</p> <p>What Learning has Occurred at Individual Level as a Result of PP</p>	<ul style="list-style-type: none"> • What lessons were learned during PP • How learning occurred • Why learning did not occur
<p>Concluding Questions</p>	<ul style="list-style-type: none"> • Major challenges of communities regarding PP process • How challenges can be mitigated

As shown in the table above, all the framework questions were broad questions corresponding to the objectives and research questions and the questionnaire was more detailed and semi-structured as presented in Appendix 13.6.1.

While the above section has shown the quantitative data collection strategy, the section below shows the methodological approach to collecting qualitative data.

7.4.2 Data collected through Qualitative research

A qualitative research method was applied to develop an understanding of perceptions, feelings and experience arising from the research subjects and relevant to differences in the effectiveness of PP between urban and rural projects.

The study had a lot of “why” and “how” questions and these could be addressed only through qualitative research (John Creswell and David Creswell, 2018). Denzin and Lincoln (2005) similarly noted that qualitative studies are meant to enable understanding of social behaviours that might not be covered by quantitative studies.

Obtaining additional information from qualitative research was important to support and triangulate the quantitative methods. Bryman (2016) defines triangulation as crosschecking the results of an investigation by utilizing a method which is related to one research strategy against the findings of a technique linked with another research strategy. Bryman (2016) further adds that triangulation is a useful process for validating data collected by different techniques. Hence quantitative data was validated by qualitative data.

Qualitative Analysis was conducted through three strategies: the first employed interviews with key informants; the second employed focus groups with key informants and the final one involved the application of document analysis to the 12 ESIA reports.

Category 2 of participants (Qualitative participants)

A total of 56 persons participated in the qualitative inquiry of this study from two groups, who took part interviews and focus group discussions, as described above. A description of the interviewees is given below and a list of participants is provided in Tables 7-3 and 7-4 below.

Qualitative participants: key informants

Key informant interviews were undertaken with 28 participants. The key informants included Chiefs in areas where projects were undertaken, Civil Society Organizations which have an interest in ESIA issues, Developers, ESIA consultants, the Regulator (Environmental Affairs Department), and Academics. Each category had a maximum of 2 participants, except Consultants who prepared the ESIA reports, which had 6. The description of the participants is provided in Table 7-3.

Table 7-3: List of sectors of key informants

Key Informants	Total	Male	Female
Technical Committee on Environment (TCE)	3	3	0
National Council on Environment (NCE)	2	2	0
Government (Environmental District Officers)	2	2	0
Government (Environmental Affairs Department)	2	1	1
Government (Line Ministries)	3	3	1
Academia	1	1	0
Civil Society Organization (CSO)	2	2	0
Chiefs	2	2	0
Developers	2	2	0
Consultants	6	6	0
Developers	2	2	0
Total	28	26	2

As shown on the table above, consultants were in the majority because they were the people who prepared some of the ESIA reports under review. Consequently, they had significant understanding of ESIA practitioners' perspective of the PP process.

The other participants, selected for the qualitative interviews, were chosen for their knowledge of ESIA practice in Malawi. This purposeful sampling of key informants was critical because it maximized the quality of PP information in the research. The description of these key informants presented on the table above is described as follows:

- a) The Technical Committee on Environment (TCE): this is a body which was providing technical advice to the Environmental Affairs Department (EAD), including reviewing ESIA reports. Three members of this body were participants of this study. These members were selected because their expertise was aligned to the ESIA projects under review from the 20 member

committee (this committee was dissolved in 2021 when the revised EMA [2017] came into force);

- b) The National Council for the Environment (NCE): this body consists of policy makers and its role is to provide policy guidance on environmental issues, including approving ESIA reports. 2 of the longest serving members of the NCE were selected for interview (this committee was dissolved in 2021 when the revised EMA [2017] came into force).
- c) Government line ministries: these ministries include the Department of Mines, Ministry of Water Development, and Ministry of Lands. One senior officer from each of these Ministries was selected. Sectors were chosen because there were line sectors for the projects which were under review;
- d) Environmental District Officers (EDOs) in the district under review were also consulted. EDOs are government coordinators of environmental issues at the district level. 3 EDOs from each study district were consulted;
- e) Academia: a lecturer from a public university who teaches ESIA was interviewed to provide a theoretical perspective of PP in Malawi;
- f) 2 Civil Society Organizations (CSO) who advocate for environmental Governance were also selected;
- g) Chiefs are custodians of the rural population. They were consulted to provide an insight into how PP was conducted in villages;
- h) 6 Consultants who prepared 6 of the 12 ESIA reports under investigation were also interviewed; and
- i) 2 Developers of the 2 projects under review.

In order to anonymise these qualitative participants' numbers were used in line with ethical requirements. The list of anonymised participants is presented in Appendix 13-2.

Qualitative Focus group discussions

Four focus group discussions (FGDs) in the two districts (out of a total of three study districts) were conducted, of which two were male and two female. The participants in the focus groups were separate from the questionnaire participants. The two male FGDs were from Lilongwe district while the two female FGD were from Chikwawa district. There was no focus group from the Mzimba district. The minimum number of participants per focus group was five while the maximum was nine people. This is in

alignment with Eliot and Associates (2005) who recommend FGDs should comprise between six and ten people. In Mzimba district, no FGD meeting was conducted because the researcher could not secure any additional participants after administering a questionnaire on the quantitative list of participants.

The number of FGDs conducted was far fewer than the planned 12 focus groups from 6 projects and 4 FDGs per district. In Lilongwe and Chikwawa districts, only half of the FGDs were conducted because of inadequate availability of participants. This is because some people had relocated, while others were just not available in their respective villages during the study period.

Just as in the questionnaire survey, the FGDs were those who had participated in the PP of their respective ESIA process. In addition, these participants' names were also included in the ESIA reports of the projects under review. But the questionnaire participants were different from FGDs participants. Different participants were chosen in order to triangulate the information. The Disintegrated groups for FGDs' participants are presented in the table 7-4 below:

Table 7-4: Disintegrated groups for FGDs

Focus Group			
Type of Location	Type of Focus Group	No of people	Total
Urban	1 Women's Focus Group (Chikwawa urban)	6	15
Rural	1 Women's Focus Group (Chikwawa rural)	9	
Rural	1 Men's Focus Group (Lilongwe rural)	9	17
Rural	1 Men's Focus Group (Chiefs) Lilongwe rural)	8	

The FGDs were administered through an unstructured checklist. FGDs were important to provide diverse and in-depth information regarding PP (Kumar 2019). The information sought from participants was based on interview schedules in the Appendix 13.6.2 and 13.6.3. In order to anonymise these participants from these

FGDs, participants' numbers were used. The list of anonymised participants is presented in Appendix 13-2.

Document analysis

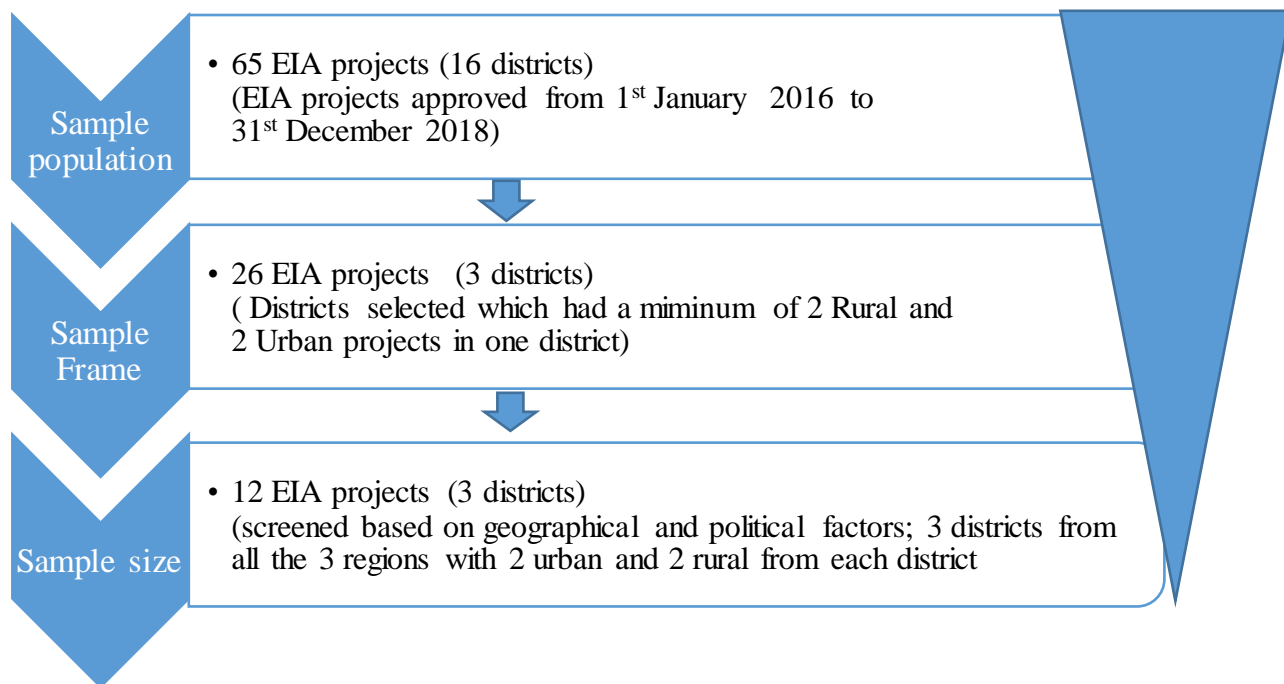
Document analysis of the 12 ESIA reports under investigation was performed for this study. Data reviewed from the reports included the number of people who attended PP meetings, the types of issues that were raised by individual communities, and whether the issues raised by the communities were addressed in the ESIA reports. The information obtained in these reports was triangulated with information generated from the communities during the research study. There are also similar studies which have evaluated PP by reviewing ESIA reports, such as Ortolano *et al.* (1987), Sadler (1996), Momtaz & Kabir (2013), and Kamijoa & Huang (2016). Document review therefore served as an important guide regarding PP practice in Malawi.

7.5 Sampling strategies

The sampling framework for this study commenced from the study population. It was later streamlined to the sampling frame and finally the desirable sample size was attained. Figure

7-1 presents the schematic flow of the sampling strategy.

Figure 7-1: Schematic flow of the sampling strategy



7.5.1 Sample population

As shown by Figure 7-1 above, there were 65 ESIA reports in the sample population. The population from which the sample was drawn consisted of the ESIA reports submitted and approved by the Environmental Affairs Department (EAD) between 1 January 2016 and 31 December 2018. This period was chosen to ensure that only recent reports were considered for the study. This was an important consideration, as it maximised the likelihood that respondents would remember proceedings, or their feelings during the public participation meetings. Recalling events that occurred a long time previously would result in a reduced degree of accuracy (Blaxter, *et al.*, 2010).

7.5.2 The sampling frame

In order to produce a sample frame, the study purposively selected districts which had both rural and urban approved ESIA projects. This inclusiveness is one of the factors which should be considered when conducting comparative studies (O’Leary, 2014). Targeted districts in the sample frame were those which had a minimum of two rural projects and a minimum of two urban projects to ensure that the minimum sample was attained. After screening, a total of 26 ESIA projects from 3 districts qualified to be in a sample frame, as presented in Table 7-5

Table 7-5: Sample frame of districts with a minimum of 2 ESIA projects from rural and urban projects

District	Region	Urban projects	Rural projects
Mzimba	North	3	2
Lilongwe	Central	6	8
Chikwawa	South	4	3
Total		13	13

As shown on the table above, in all three regions of Malawi, there was a district which was included in the sample frame by virtue of having a minimum of two projects in both rural and urban areas. The availability of a district from each region of the country assisted in differentiating social, economic, geographic and political variations amongst the three regions whose contextual issues are to be analysed and assessed in

this study. This inclusion of the country's three regions fulfilled one of the prerequisites of sampling representativeness of all areas (Ritchie, 2014; Lewis, Nicholls and Ormston, 2014; Bryman, 2016).

7.5.3 ESIA Projects' Sample Sizes

A total number of 12 ESIA projects were eventually selected from the 3 districts. In each district, two urban and two rural projects were selected from the list as presented in Table 7-5. In total there were six urban and six rural projects. The same number of projects were selected in all the districts to attain a good basis for comparison between urban and rural projects. In comparative design, equal numbers of groups should be tested (Kumar, 2019).

The selection criteria for the chosen ESIA projects to be reviewed were different from each district. This was because of their differing sociological, geographic and political status. Nicholls and Ormston (2014) caution that factors considered during selection should not undermine the need for robustness in the findings. In this study, therefore, having different factors for the selection of ESIA projects from district to district did not undermine the robustness because the same number of ESIA projects were chosen from each district and from both rural and urban areas. The selection factors differed in different districts as follows:

Mzimba (Northern Region)

Mzimba district had three urban ESIA projects and two rural ESIA projects in the sample frame. In order to select two projects from the three in the urban sampling frame, the researcher was influenced by political factors. One project from urban areas was eventually dropped because there were some prevailing conflicts between the public and the government as the project was perceived to be an "unfulfilled campaign promise". Therefore, in order to avoid bias that might have arisen from the communities, the project was excluded from other participant projects. Following the exclusion of one project, the following projects were selected to participate in the study:

Mzimba Rural Areas: i) CPI Factory for Processing Timber factory

ii) Bwabwa Quarry

Mzimba Urban areas: i) Mzuzu abattoir at Sonda

ii) Hospitality Skills Development Centre in Mzuzu.

(ii) Lilongwe (Central Region)

In Lilongwe district, there were six urban ESIA projects and eight rural ESIA projects in the sample frame. The criteria for selecting targeted ESIA projects from the district were equally based on political factors.

During the year of data collection (2019), there was political unrest in the country due to the disputed election results and the case was brought before the law courts. Lilongwe, being the country's capital city, was consequently the centre of the protests. In view of the protests, there were some parts of the district that were unsafe for the entire period of data collection. These insecure parts were avoided and the ESIA projects for the study were consequently selected from parts of the district that were not affected by any political riots.

However, Bryman (2016) observed that one of the disadvantages of such purposeful sampling is that sometimes results cannot allow the generalization of a population. However, in the context of my study, such effects do not arise. This is because of the sociocultural uniformity of rural Lilongwe: over 90% of the inhabitants are members of the Chewa tribe. Therefore, purposefully selecting projects from areas which were not experiencing political unrest did not have any impact which would prevent the results from generalizing for rural Lilongwe areas. Consequently, upon screening, the following ESIA's were selected:

Rural: i) Sajiwa Quarry;

ii) Nsense Aggregate Quarry;

Urban: i) New Chicken Abattor in Area 28 Lilongwe;

ii) Area 46 Hotel

(iii) Chikwawa (Southern Region)

In Chikwawa district, there were four ESIA projects in urban areas and three ESIA projects in rural areas. The selection of projects in Chikwawa district was based on the geographical context of the projects. Two of the three rural based ESIA projects were located in the same Traditional Authority (TA). Although selecting these two projects would have reduced the logistical costs, the researcher opted to have two projects from different areas to have diversity in the perceptions regarding the PP. The researcher therefore randomly selected one project from the area which had two and ended up with two projects from different TAs.

In the urban areas, out of the four ESIA projects located in urban areas, two projects were left out: one ESIA project was purposefully left out because it was an irrigation project spanning three districts of which two were not under review, whilst the other was an extension of an existing project which had given rise to a lot of environmental objections that had already been lodged by the communities. It was, therefore, feared that the proximity of time between the projects could have confused the research participants during the interview. Ultimately, the projects selected were:

Rural: i) Mwalija Irrigation;

ii) Ole Ole Sustainable Energy for Rural

Urban i) Chikwawa Teachers' Training College

ii) Katunga Maseya Smallholder Irrigated Sugarcane Scheme

7.6 Validity

Measures to ensure that the study met validity requirements were conducted in two ways. With regard to internal validity, three methods were used to collect data from participating subjects: the questionnaire, FGDs and document analysis. In addition, validity was obtained by representation since in many ESIA projects, over 50 % of the people who were registered in the ESIA reports were research subjects for this study.

With respect to ensuring external validity, an adequate number of the projects reviewed were represented in all three geographic regions. In addition, in each of the three participating districts, there was a total of four projects. Two ESIA projects represented rural ESIA projects and two ESIA projects represented urban projects. Therefore, with a total of six projects in rural areas and six projects in urban areas, the sample is considered to be big enough to ensure external validity. Furthermore, since each region

was also represented by a participating district, the study's results can, therefore, be generalized to Malawi as a whole.

7.7 Ethical considerations

My PhD research followed the ethical protocols as stipulated in the research guidelines as follows:

7.7.1 Ethics approval

Prior to data collection, ethical approval for the study was sought from both the University of Liverpool and the local research ethics committee of National Science and Technology in Malawi. Ethical approval from the University of Liverpool was granted on 13 March 2019, while the local approval in Malawi was granted on 8 June 2019. Ethical approval certificates are provided in Appendix 13-5.

7.7.2 Consent Forms

Prior to any interview, consent was first sought from participants. The consent forms included the main features for a generic consent procedure (Kumar 2019). This included adequate information regarding the reasons for conducting the study and also the reasons for selecting the participants in the study. Additionally, information on the confidentiality and anonymity on their responses was included. The coding for participants is provided in Appendix 13-2. Furthermore, consent forms contained information regarding accessing the participants and also strategies for overcoming any language barriers.

There were different approaches for literate and illiterate participants. Literate participants were provided with a participant's information sheet as well as consent forms in the language they were comfortable with while illiterate participants had consent forms read out to them. Both parties signed the consent forms and the illiterate members signed using a thumb print. One signed copy was left with the participant while the other was kept by the researcher. The researcher's copy of the consent forms was securely stored under lock and key for security purposes. A sample consent form is attached in Appendix 13-3.

The interviews were audio recorded to ensure that all information was captured. The recordings were transferred onto password protected computers. After data collection

was finished, the recordings were transcribed to a word document and stored in a computer which has a protected password. During transcription, all data was anonymised with all information that could lead to personal identification being removed.

7.8 Pretesting

Prior to data collection, the questionnaires and the checklist were pretested on projects that were not part of the projects under review. The data collection instruments were consequently modified in the light of the responses that were received.

The pretesting was conducted to assess the practicality of implementing the instrument and to identify potential problems with the research instruments (Kumar, 2014; Ritchie, *et al.*, 2014). In addition, pretesting was conducted to ensure the rationality of the questions in order to assess whether they would be understood by respondents as intended by the researcher (Kumar 2019).

7.9 Data collection

Data were collected over a period of four months from 10 June to 20 October 2019. Two research assistants (Blessings Chirwa and Vanessa Malamulo) were employed to assist the researcher with data collection and transcription. In addition, these researcher assistants assisted in non-technical assignments such as accompanying the researcher into the field to minimise exposure to physical risks that are higher when one person is collecting data alone. They were both graduates with environmental management degrees and had prior experience on data collection. They were all trained on this study and were also part of the pretesting team.

7.9.1 Data collection protocol

Data collection started in Lilongwe, the area where the researcher lives. The collection of data followed different protocols for rural and urban areas. In the rural areas, the first activity was for the research team to introduce themselves and brief the Traditional Authority (TA) about the study. Thereafter, the research team proceeded to the Group village man (lower hierarchy leadership than TA) where the project was located to introduce themselves and to request the chief to mobilise the participants. The participants were extracted from the respective PP lists contained in the ESIA reports. The chief also advised on the venue, date, and time for the interviews.

However, in the event that technical experts were on the list of participants, the researcher booked an appointment directly with them and these participants advised on the venue, date, and time.

There were two categories of urban settings. The first was urban projects, which are located at Boma (the urban setting in the District Administration, see Chapter 6). This setting was only applicable in Mzimba and Chikwawa districts. These two districts were the urban Boma areas. In this setting, even though they were urban projects, the protocol for approaching the beneficiaries was similar to that in the rural areas as described above. This was unlike the urban setting, whose projects were located in the cities. In these circumstances, the researcher obtained contacts from the institutions where research subjects were working and subsequently booked an appointment. These participants were, therefore, at liberty to choose a day and time which was convenient to them. Meetings were usually held in their respective offices.

7.10 Languages

All data collection instruments were formulated in English and then translated into two local languages: Chichewa, which is a national language spoken in the Central and Southern Region, and Tumbuka, a language spoken in the Northern region. In order to maximise information obtained from individual respondents, the researcher used a language that was convenient for the given respondent (Ritchie, *et al.*, 2014). The researcher is fluent (oral and written) in all 3 languages that were used for administering the questionnaire.

7.11 Data management and analysis

Data management and analysis is described below

7.11.1 Quantitative data management

After data were collected, raw data were entered into a Stata database. Data were subsequently cleaned to detect any possible errors (Bryman, 2016). Data from the structured questionnaire came in three forms: numerical data, categorical data and descriptive responses. Numerical and categorical data were pre-coded prior to data collection. The responses which were provided through the “others dimensions” in the interview were assigned a code for each theme and then quantitatively categorized, and coded thereafter. The data were consequently analysed using Stata 16 software.

In quantitative analysis, there were two types of questions. While some were single response, others were multiple questions. In multiple response questions, respondents provided all answers that were true for them. For example, in Figure 8-2 they were asked about types of position. Some had both village position, a church position and a political position. In line with the principles of analysing multiple response questions, these responses were analysed individually as separate variables.

7.11.1.1 Use of descriptive statistics

Univariate analysis of the data was the first analysis for single variables (Bryman, 2016). The distribution of categorical data was quantified in terms of the frequency of each category. This was then summarised as proportions and percentages. The outputs were frequency tables and diagrams including bar charts.

The distribution of continuous data such as time and amount of money spent on PP was described in terms of measures of tendency and dispersion. Measures of tendency included mean and medium while the measure of dispersion was standard deviation.

7.11.1.2 Bivariate and multivariate analysis

In order to assess the relationship between two or more variables, a number of statistical tests were used. This was done in order to establish whether there was a relationship between the variables (O'Leary, 2014). To compare variables between urban and rural projects, cross tabulation was employed: when examining the relationships between urban and rural outcomes, a chi square test was used with significance levels set at of 0.05 ($P < .05 >$). The statistical procedures were applied to reinforce the validity of the arguments from the findings and to indicate the strength of any associations between urban and rural projects so that readers might have confidence in the findings (Kumar, 2019).

Most of the quantitative results were displayed in graphic presentations in order to make the analysed data easier to understand and effectively communicate the comparisons between urban and rural (Kumar, 2019).

7.11.2 Qualitative Analysis

After collecting qualitative data, they were analysed using NVivo 12. After recorded information was transcribed, data files were uploaded into NVivo software. Data were

then coded, using the themes developed from the interview guide which was based on the evaluation framework developed for PP. However, following Ritchie and Spencer (1994), the researcher kept an open mind when analysing as there were some other themes which emerged but were not part of the evaluation framework.

After all the data were coded and organized, content analysis was applied so that the main themes (in line with the study's objectives) could be identified. The presentation of results was integrated into the quantitative analysis. Verbatim responses were also examined and integrated into the quantitative results to either support or contradict arguments (Kumar, 2019). Perceptions and experiences were then interpreted according to their urban and rural contexts, so that a deeper understanding could be obtained of the underlying differences in effectiveness of PP in urban and rural settings.

7.12 Chapter Summary

This chapter has presented the methodological process of the PhD research. The research paradigm of the study, which has guided the methodology and methods of applying the study, has been established. Because of the ontological and epistemological position of the researcher, the pragmatic approach was found to be the most closely aligned with the research. This has subsequently induced the researcher to apply mixed methods of research.

Based on the methodology outlined in this chapter, the following Chapter 8 presents the results and discussion of the first objective regarding procedural effectiveness of PP in the ESIA process in Malawi.

Chapter 8 : Assessment of Procedural Effectiveness in the Public Participation Process

8.1 Introduction

In this Chapter 8, results and a comparative discussion of the procedural effectiveness of Public Participation (PP) in rural and urban contexts is presented. As explained in Chapter 3 (Section 3.4.4.1), the procedural dimension for evaluation comprises four elements. These include 1) who participated in the PP of the 12 ESIA reports; 2) the methods used (consultation and notification methods); 3) the venue where meetings took place and 4) the stage of ESIA where PP took place. The following sections present the outcome of these four elements.

8.2 Results of Procedural Effectiveness Assessment

8.2.1 The Participants in the Public Participation

The question of who took part in the public participation of the ESIA was the principal element in the evaluation of the procedural effectiveness. This was assessed from the 124 participants who participated in the questionnaire survey. These participants were also registered in the 12 ESIA reports as PP participants. This category was targeted because their names were recorded in the ESIA under review as PP participants. This is unlike the category of key informants, who comprised of a mixture of both participants and non-participants, as described in Chapter 7, on the methodology.

In order to ascertain whether the 124 participants really participated in the ESIA process, they were asked to confirm this. As shown in Chapter 7 (Table 7-1), about two-thirds (68.5%) were found to have taken part in the ESIA consultation process while about a third (31.5%) did not, so their names were falsely listed in the ESIA report. Of the 39 people who did not participate, 29 (74.4%) were from urban projects while 10 (25.6%) were from the rural projects. Appendix 13-1 shows the distribution of false participation of subjects in each project. Analysis and presentation of results has therefore been based on the 85 respondents who participated and not the entire sample of 124 research subjects.

8.2.1.1 Who participated in the ESIA

The enquiry about who participated in the PP meetings of respective ESIA projects is broad because it has pluralistic perspectives including characteristics such as age, gender and education qualifications as well social status. However, in this context, the results of “who participated” are limited to the participants’ status. In order to obtain this information, respondents were asked about their position in society. Figure 8-1 presents the results.

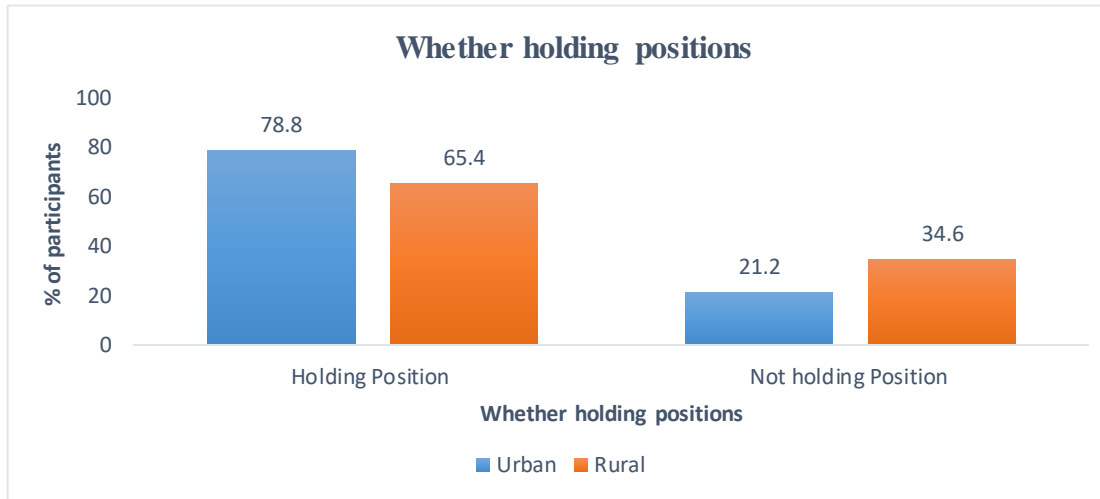


Figure 8-1: Whether holding positions (n=85: urban 39; rural 52)

The majority of respondents were holding some position in their society irrespective of place of residence. 78.8% of participants from urban areas and 65.4% of rural participants had some position. The positions held were mainly village positions (traditional leadership), workplace positions (through employment), or positions derived from community-based organizations, churches, clubs and political groups. The workplace positions in this context implied that participants were formally employed in organisations both private and public.

As regards village positions, they were mostly traditional leaders, from the highest traditional rank in the local leadership, which is the Traditional Authority, to the lowest: the village headman.

Figure 8-2 shows the distribution of these positions by location.

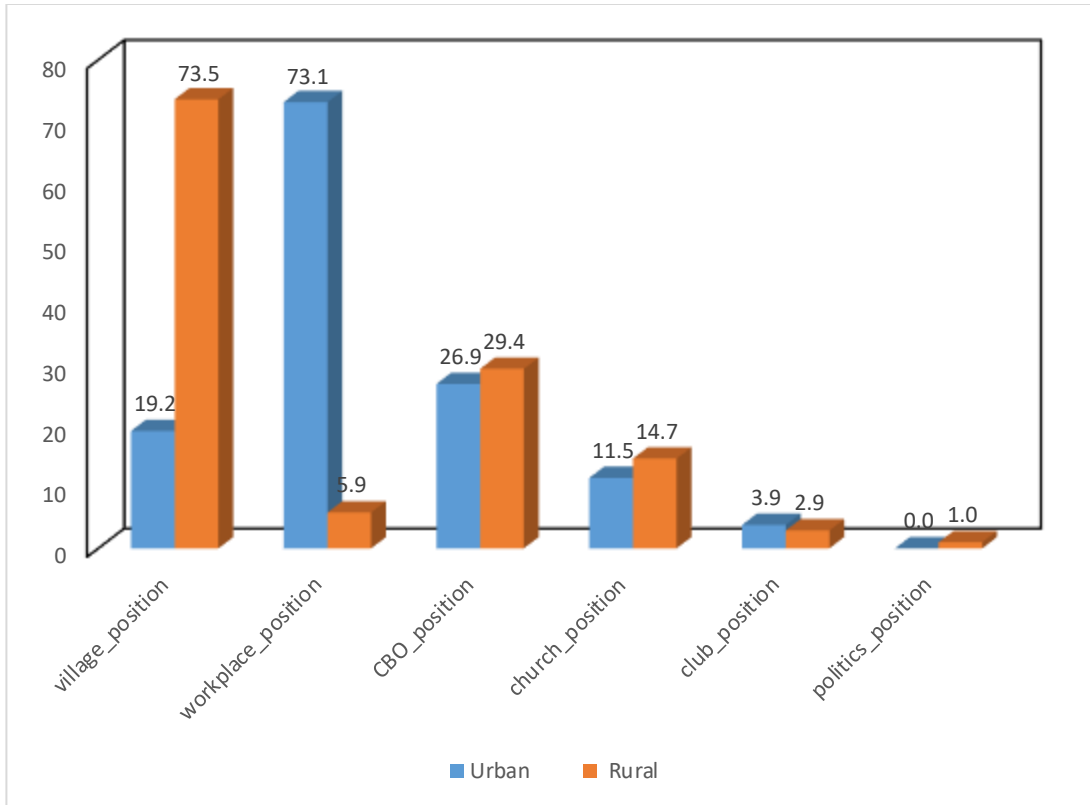


Figure 8-2: Types of position held

There are some significant differences between rural and urban areas in types of positions held. In rural areas, the majority of participants (73.5 %) were occupying “village positions”, while in urban areas, the same positions were held by only 19.2%. These urban village positions were held by inhabitants from district urban areas, but nobody with a village position appeared in the urban city projects. The difference between the two types of city and district urban areas has been described in Chapter 6.

With regard to work positions, 73.1% were held by urban participants, unlike in rural areas, where they amounted to only about 5.9% of the participants. Surprisingly, the politician category was the least represented, with only one ward councillor being included. There was no politician from the urban areas. The village positions represented here range from Traditional Authorities to Village Headman. There was, however, no Paramount Chief consulted since there was none within the project impact areas.

8.2.1.2 Traditional Leadership Positions

As shown in Figure 8-2, traditional (village) positions outnumbered any other positions. When enquired as to why the chiefs were more thoroughly represented than

any other category in the rural areas, one key informant (the developer) during the interview reported that:

The chief becomes the entry point; you go to the chief, you make introductions about everything you want about the whole project. So, you want to ensure that the chief buys into the idea before you meet the rest of the community, therefore the more chiefs the more likely the project will pass (Dev- 01).

Additionally, it was reported during one focus group discussion in Lilongwe that in some developers, after they had met chiefs, did not proceed to meet the rest of the communities, because they were of the opinion that the chief's views represented people's views. This implies, therefore, that it was not merely an established sequence to start with leaders and proceeded to meet the rest of the communities, but that meeting the chiefs was the result of a calculated decision by the consultants to avoid the communities.

8.2.1.3 Work positions

On the other hand, participants in the work positions were technical experts and constituted 73.1% of urban representation compared to 5.9% for rural areas. Technical experts were professionals with adequate knowledge (subject matter specialists) regarding different sectors of the ESIA. In rural projects such work positions were held by experts, mostly from the District Commissioner's Office, known as members of the District Executive Committee (DEC). The DEC members are technical experts at district level while, in urban projects, the majority of experts work with Government Ministries, Departments and Agencies (MDAs).

8.2.1.4 Categories of invited participants

In order to determine the type of people who were consulted in the 12 ESIA reports, communities were asked about their perception as to why they were invited to the PP meetings that took place during the consultations about of their ESIA project. Figure 8-3 illustrates the outcome.

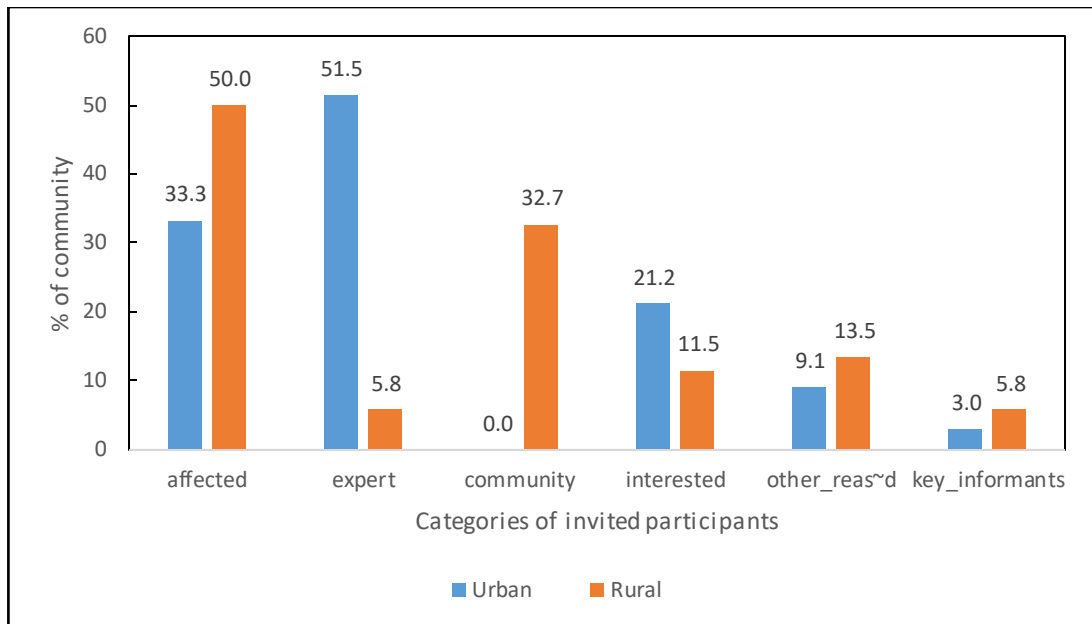


Figure 8-3: Categories of invited participants

The study shows that in the rural areas, participants who perceived that they were invited because they were part of the “affected community” constituted half of the participants (50%), unlike in the urban areas, where the “affected” accounted for about one third (33.3%) of the population. On the other hand, in the urban projects, the category perceived to have been invited because they were experts outnumbered the total of all the other categories. Surprisingly, though, none of the participants claimed to have been consulted because they belonged to any Civil Society Organization (CSO).

As for the “affected group,” after they were asked why they felt they were “affected”, it emerged that these communities were directly impacted by the project. Most households had lost their land, since it was within the command area of respective projects. Additional problems were caused by two mine projects where some research subjects claimed to be “affected”, because their houses were in close proximity to the project sites. Other participants were affected by various environmental impacts emanating from the ESIA projects.

Enquiries about the methods consultants used to identify affected communities, so that they could participate in PP meetings, elicited different responses from urban and rural areas. In rural areas the traditional leaders were responsible for identifying the affected groups. One member from the men’s focus group said,

The chief knowing us so well knew exactly which piece of land belong to which individual. He therefore relayed the message to all the people whose land was affected by the quarry area that we should meet with the developers (FGD-2M).

In the urban areas, however, the “affected”, a diverse category comprising both industries and communities which were near the proposed projects, were informed in different ways. The affected communities from the areas located in districts were informed by the traditional leaders, while those from the cities were identified by the consultants.

The “experts” were professionals with adequate knowledge subject matter regarding various ESIA projects. One key informant, while acknowledging the role of experts in the ESIA projects, was, however, concerned with the level of expertise found at the district level. He stated that in the urban setting there was a diversity of experts who were more conversant with technical issues than the district officers, who mostly served as experts for rural projects but whose expertise was generally limited. One CSO key informant who was interviewed gave the following response:

Let’s say if you look at Lilongwe City Council and Chikwawa District Council you will see that the capacity of personnel in these offices differs. So, the knowledge is better in town settings than in rural settings because, for example, if we talk of a land officer here you will be surprised. You will say, “Is this the land officer?, Is this the person who can challenge an investor?” But if you go to Lilongwe City Council, a physical planning officer has got a Master’s degree! So, whatever he will be saying to an investor, it’s something from an informed position (CSO-01).

8.2.1.5 Marginalised communities

The study also established, using information from the study participants, whether there were any groups of people in the study areas who by nature of their status were excluded from participating in public consultation activities for the ESIA processes. The outcome on the prevalence of marginal groups was as presented on the graph below:

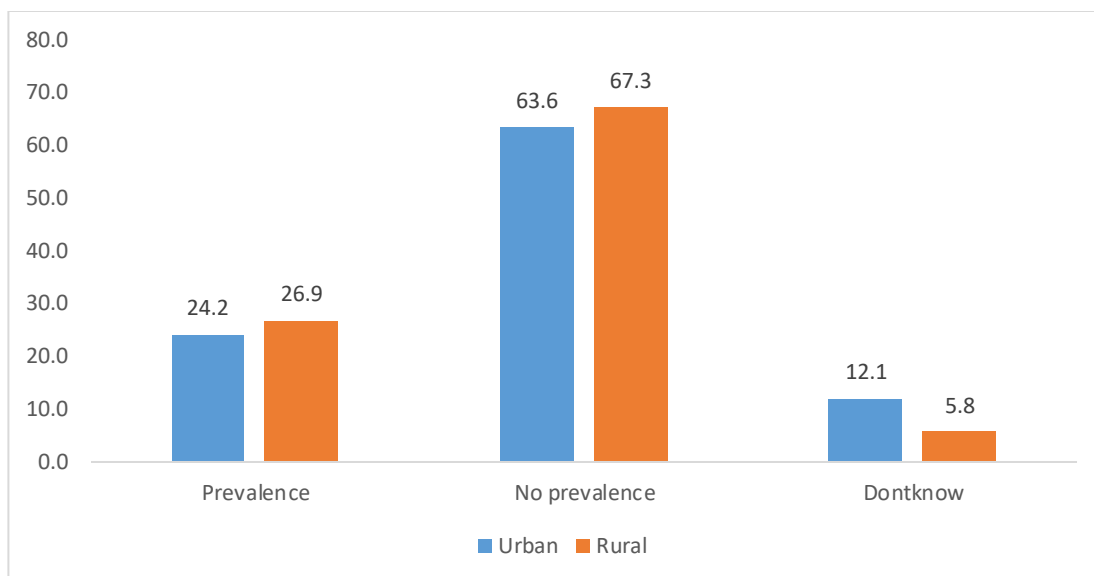


Figure 8-4: Prevalence of marginalized groups

Both, urban and rural projects reported prevalence marginalised groups in their areas. About a quarter of people reported of the availability of marginalized people in both urban and rural areas while in about two thirds of projects there was an absence of such

The composition of marginalized groups varied between urban and rural. In rural areas the majority of marginalized groups were mostly the elderly, the disabled, youth, women, outspoken people and also Civil Society Organizations (CSOs). In urban areas, these included women and CSOs. In order to explain how the vocal people were excluded, one interviewed consultant said that,

When we first went to the project site, some people were very vocal. They were against the idea to have land developed for the project. So, when the traditional leaders were calling for the PP meeting they tried their best to exclude those vocal people, fearing that they might disrupt the proceedings of the meeting (Cons-04).

In Chikwawa district, there is a high prevalence of trachoma, which causes night blindness; it was therefore reported that blind people were also excluded from most meetings. With regard to CSOs, it was reported that these groups are usually deliberately excluded because they are known to defend the cause of the masses and, consequently, would not be in favour of the developer. One consultant confessed, “We don’t involve CSO because they just block everything” (Cons 02). After enquiring as

to whether these marginalized people participated in PP meetings about local projects, it was observed that they participated on very minimal scale of only 11.1% and 7.7% in urban and rural meetings, respectively.

The following section will present methods used for notifying as well as consulting the public as a second element in the assessment of procedural effectiveness.

8.2.2 Methods used in Public Participation

Public participation methods presented in this study are methods used either to notify communities or to consult them. The following section presents findings on the notification methods which were utilized in both urban and rural areas.

8.2.2.1 Notification methods

Prior to attending the PP meetings, the communities were asked what methods were used to notify them about their respective meetings: Figure 8-5 illustrates different ways in which they were notified.

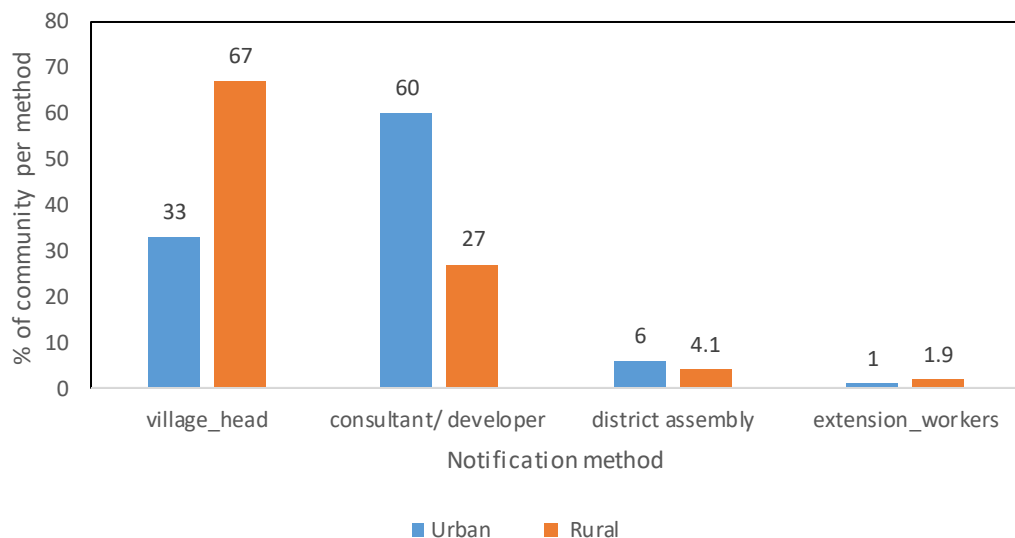


Figure 8-5: Notification methods

In the rural areas, almost double of the participants were notified by the village head when compared with their urban counterparts. On the other hand, in the urban areas, consultants notified almost double the participants. As for the few urban participants (33%) who were also notified by the chief, these lived in district urban areas, a setting very similar to rural areas.

As for the rural areas, it was reported that the notification hierarchy started with the Traditional Authority (TA). All development activities in the area were first introduced to the TA. The TA then informed the Group Village headmen who also notified the Village headmen (VH). The VH subsequently informed their subjects. When consultants were asked how they notified the participants in the urban areas, one consultant asserted that:

We first check which Departments we want to go to and we find contact numbers of people who we want to meet. After we obtained their contact details, we call them to book an appointment, then we meet (Cons-02).

When urban participants were asked how they were notified, the majority indicated that they got a call from the consultants who booked them for a meeting.

8.2.2.2 Consultation methods of PP

Various methods were used to consult the communities, and there were differences between urban and rural projects in this respect.

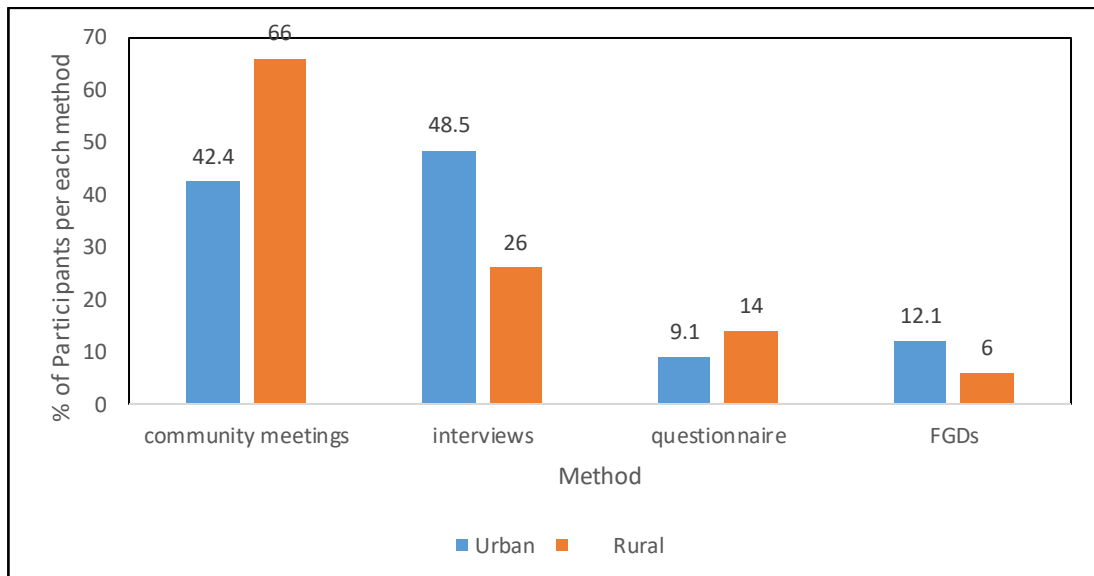


Figure 8-6: Consultation methods of PP

Results displayed in Figure 8-6 show that community meetings and interviews were the methods most frequently used during the public consultation exercise. Their utilization, however, differed according to the type of location. Community meetings were employed more often in rural areas while interviews were more often utilized in the urban projects, with 66% and 48.5% utilization respectively. Community meetings

were also fairly often used in the urban projects, where they accounted for 42.4% of the consultations. No community meeting was held for the technical experts.

In urban areas, interviews were the most commonly used method. They were mainly conducted by technical experts who were interviewed in their places of choice, mostly in their respective offices. One Government official who was interviewed as a technical expert in one of the ESIA exercises under review commented:

People prefer the one to one method because of convenience. If these consultants didn't come to my office I would obviously not have attended their meeting. They are the ones who needed me, they should be the ones to follow me (Gov-01).

And another consultant, who prepared one of the reports under review, was equally supportive of this method for the urban setting and remarked that:

Urban is diverse, it is very difficult to organize the urban into one group like how we do in the village setting. In the village setting, we just tell a chief and he mobilises the group for us. In urban, we just have to go one to one, then we are done (Cons-02).

Additionally, it was also observed that interviews which were administered in the rural areas were generally administered to the senior traditional leaders and also the technical experts, who were mostly from the District Commissioner's office. Some methods were, however, also utilized in these projects but were unpopular, for example the questionnaire and focus group discussions. The questionnaire was administered to just a few people in both urban and rural areas, while the focus group discussion was the least utilized method of all. It was utilized only for three rural projects and one urban project in the district. No FGD was utilized in any urban city consultation.

Communities were asked if they liked the methods administered to them. For those who had participated in the "community meetings", results show that 71.4% of respondents from urban projects and 78.8% from the rural projects reported that they liked the method. This is primarily as a result of the effect of transparency that came out because of the method itself. This was unlike the minority who disliked the "community meeting method". They observed that not everyone who was in attendance was able to speak during the meeting. One community member who was interviewed complained:

We were called to attend the meeting but we were not supposed to have a say and like we were there only to listen” (Com-2101). Another community member also complained that *“the meeting was too quick and we were not even given time to provide our views (Com -1401).*

This outcome of the methods indicates that the most popular method applied to the communities had the advantage of transparency, but did not allow most of the community members to participate. These meetings were held in various types of venue, depending on different factors. The next section presents the venues where the meetings investigated in this study were held.

8.2.3 Venues of the Public Participation meetings

The venues of the PP meetings have been divided into two categories. In the first, the meetings were held within the project site; meetings in the second category were held outside the project location. Venues within the project site were defined as any site within the Group Village where the project was located, while the venue outside the project location was defined as any place outside the Group Village where the project was located. When communities were asked about the venue where the meetings took place, their responses were divided into two groups. The results are presented in table below:

Table 8-1: Venues of the Public Participation Meetings

Location	Urban	Rural	Total
Within the project site	11 (33.3)	43 (82.7)	54 (63.5)
Outside the project site	22 (66.7)	9 (17.3)	31 (36.5)
Total	33 (100)	52 (100)	85 (100)

Pearson $\chi^2(1) = 21.2282$ Pr = 0.000

There was a significant difference between the venues of the meeting and type of location with p value =0.000. While 82.7% of the meetings for public participation in rural projects were held within the location of the project site, only a handful were held outside it. At venues within the site, most of the participants were either the affected

people, leaders or interested parties. There were very few experts: in fact, the only experts at the meetings within the site were extension workers living within the catchment area of the project site.

In the rural setting, when meetings were held on site, the site chosen was a communal place where meetings were usually held by the village or group concerned. These communal places differed from project to project. In some villages, the communal place was under a big tree while in others it was at a school or a church. Out of 6 rural projects under review, there was only one project where the meeting was held on the actual project site: the rest were held in places nearby.

On the other hand, in the urban areas, about two thirds of the meetings were held outside the project site. Irrespective of the location, meetings held outside the site were mainly for those who were consulted as experts.

8.2.4 Stages of Public Participation

Public participation was conducted at different stages of the ESIA process. The following stages were reported (Figure 8.7):

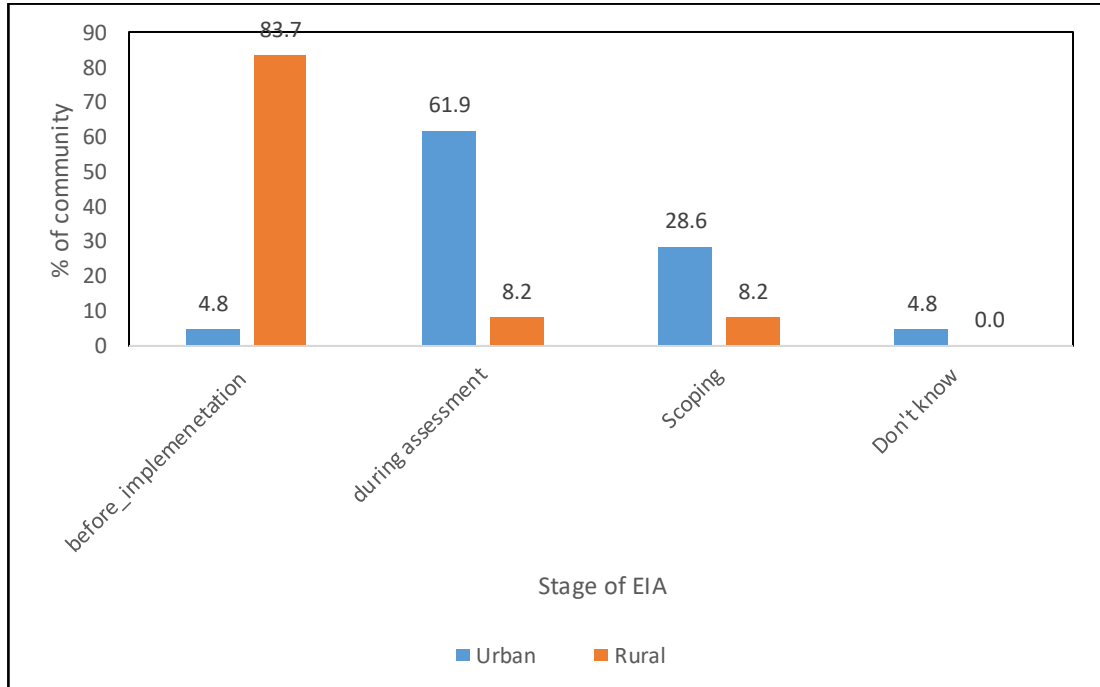


Figure 8-7: Stages of public participation

Findings show that there was a striking difference between urban and rural respondents in regarding the stage of the ESIA at which public participation was conducted. Most

rural participants (83.7%) responded that they were not aware of the stages of public participation at which PP was conducted but they were at least certain that it was conducted before the project was implemented. This response was mostly from people who were illiterate and had never heard of the term “Environmental Assessment”, and consequently were not even aware of the stages involved in the ESIA process. In the urban areas, however, most respondents indicated that PP was conducted during the preparation of an assessment.

Although both “during assessment” and “scoping” stages come before the “implementation stage”, the responses differ significantly in the context of these results. The difference is that in the “before implementation” stage, the participants responded that they were not aware of the stages of the ESIA but just knew that it was conducted before the project was implemented. On the other hand, those who responded with “scoping” and “during assessment” knew about the actual stages of ESIA and responded accordingly.

During interviews with key informants, such as the Technical Committee on Environment members (TCE-02, 03, 05), it emerged that some PP activities were conducted after the initial decision-making stage of the ESIA. These members implied that these PP activities were conducted after the ESIA reports had been “returned” by a review committee (which is the initial decision-making stage of the ESIA) because of gaps in relation to public participation. Nevertheless, TCE members remarked that in general there was an improvement in the quality of ESIA reports, with some consultants including considerable information on public participation: hence there were only a few incidences of “post initial decision making” PP.

8.3 Discussion

This section provides a discussion of the procedural elements: who participated, the methods of participation, and the venue and stage of ESIA at which PP was conducted.

8.3.1 Who participated in the 12 ESIA projects

The results in Figure 8-1 show that the majority of participants in the PP meetings, irrespective of place of residence, were those holding some position in society. In rural areas they were mostly the members of the chieftaincy while in urban areas they were

mostly the experts. The affected group was in the minority. The following paragraphs discuss these participants.

8.3.1.1 The Chiefs' rural public participation space

In rural areas (Figure 8-2), chiefs occupied almost three quarters of the PP space at 73.5%, giving them a dominant position over other members defying a PP principle of a balanced inclusion of both interested and affected groups (André et al., 2006; Dietz and Stern, 2006). There are several reasons to which the prominence of chiefs in rural PP engagements could be attributed.

Firstly, traditional leaders have customary roles, such as gatekeepers and community mobilisers (Cammack, Kanyongolo and Neil, 2009; Aucamp, Retief, and Sandham, 2023). While the consultants may just consult leaders on the assumption that leaders would represent the needs and interests of affected communities, in reality, during FGDs (FGD-1F and FGD-2F), the affected ordinary person and the leaders had different needs; therefore, the voices of people's representatives in a representative democracy were not always reflecting the will of the people, as appeared from the concerns arising from FGDs alluded to above.

This can suggest that traditional leaders could not represent the communities' needs because the leaders are not bound by law to voice the way how communities want. That is why the democratic values of PP advocate the rights of everyone to be consulted (Enríquez-de-Salamanca, 2018). Additionally, ESIA law provides for direct participation (GoM, 1996; GoM, 1997). An effective PP requires direct participation in which all individuals should be consulted and their views expressed (Alonso et al, 2011). In other instances, consultants deliberately limited consultations to chiefs because they feared opposition from the affected members and other interested members such as CSO. This is discussed in the following paragraphs.

Secondly, chiefs were consulted because of their superior accessibility, compared to other leaders in the rural areas. The Constitution of Malawi promotes both representative and direct democracy. It promotes direct democracy by providing that every person has freedom of opinion, association and expression; on the other hand, it also provides for people to be represented by their Member of Parliament (MP) and Ward Councillors under representative democracy. However, these representatives are

not easily available, so chiefs are mostly consulted because they are easily accessible in their locality, unlike their elected political counterparts. While most elected members are seen as migrating to the urban areas as soon as they get elected, and no longer residing within their communities, traditional leaders stay put (Muriaas *et al.*, 2020). Consequently, the chiefs' accessibility is one of the major reasons they are key players in development projects (Muriaas *et al.*, 2020).

Constraints of representative participation by chiefs in PP

Even though in the ESIA projects located in the rural areas had high chieftaincy leadership representation, according to this study, their representative participation was not effective because the public is not a homogenous group but diverse in character, interests and needs (Glasson, et al 2019; Kamruzzaman, 2020). In the context of this study, even though some leaders were also part of the affected group (Figure 8- 3), ordinary communities during interviews and focus group discussions complained that, although some chiefs were also affected, the system worked only in their favour.

Since the primary concern that communities raised was loss of land to development projects, consequently, it worked in their favour because one of the customary role of chiefs is controlling access to and use of customary land (Chinsinga, 2006; Silungwe, 2015). Obviously such roles enabled them to mitigate the impacts of land loss with ease, since they were already in influential positions.

A major cultural issue associated with chiefs in Malawi, which also affects PP in development as well as in ESIA, is that chiefs are not elected: instead, their leadership is inherited from parental lineages and they can stay in office as long as they live (Chiweza, 2007; USAID, 2018). This suggests that once a community has a chief who compromises people's participation in development projects, the community will have the problem as long the chief lives (Chiweza, 2021).

Over-representation of chiefs in the PP meetings violates their role as described in the Chiefs Act (1967). The Act empowers the chiefs to carry out the traditional functions of their office under customary law as long as such functions are not in defiance of the constitution or any written law and are not repugnant to natural justice or morality (GoM, 1967). It can therefore be argued that chiefs do not behave in accordance with

Malawian human rights as provided in the constitution, irrespective of what drives them to participate in the PP meetings. This is in breach of both their mother country's legislation, the ESIA law and the communities' constitutional right. In this context, chiefs are therefore instruments for reinforcing a traditional hierarchy's domination of public life, and are not using their power for the benefit of the common man (Gaventa, 2004).

It is also possible that policy makers in Malawi have recognized that chiefs are disempowering local people; hence, the current decentralisation laws and policies have reduced the powers of chiefs as actors of governance (GoM, 1998). Theoretically, this is done by transferring more power to the community, which represents a paradigm shift from representative democracy to direct democracy (GoM, 1998; Eggen, 2011). Therefore, on paper, the roles and influence of local chiefs have been reduced in favour of councillors, who are locally elected local leaders (Chiweza, 2007). This change in the status of councillors has, therefore, tended to downgrade the chiefs' position as representatives and gatekeepers of the local population (Cammack et al, 2009). One such indicator is that the Local Government Act has not given the chiefs voting powers in the Local Councils, to which they are invited as *ex officio* members (Local Government Amendment Act, 2010).

Even though the legal framework has not supported the role of chiefs as actors of governance, the reality on the ground is that chiefs still retain a lot of influence on developmental issues. Even though some authors argue that councillors are overlooked because of their relatively low educational qualifications, some being merely primary school certificate holders (Cammack, Kanyongolo and Neil, 2009), it is also true that most chiefs have not attained higher qualifications than the primary school certificate. Chiweza (2018) reported that only 4% of chiefs in Malawi had attained post-secondary education, which means that most chiefs are not highly educated, though they wield a lot of traditional power.

In Malawi, however, traditional leaders have no term limit, as explained above, which could also work in their favour with regard to power retention in the developmental projects, since they are always available. This is consistent with the current literature's findings that Malawians are more likely to approve of the performance of traditional leaders than of elected leaders (Muriaas *et al.*, 2020). The approval may also be

hegemonic, in that community members know that if they do not approve of their chiefs, they can also be denied other opportunities on development projects that target individuals or households in their community.

The dominance of chiefs in comparison with other leaders possibly explains why only 1% of the people consulted in the 12 ESIA reports were Ward Councillors, while over two thirds of the participants were chiefs, in both urban and rural areas. Nevertheless, it should be noted that the over-representation of elected politicians is equally undesirable: political influence might affect PP negatively, since politicians usually have short-term motives.

Notwithstanding the above, chiefs' involvement in the rural areas is very important because their decisions affect the majority of the people, especially rural Malawians, who constitute about 84% of the population. The case is different in urban areas, where the role of chiefs is very limited, so that it has a minor effect on public participation in the ESIA process. The Chiefs Act does not grant power to chiefs to exercise their authority in urban areas except with permission from Local Government. This automatically weakens their authority in urban areas. This is evidenced by only 19% of the people involved in PP on urban projects were chiefs, while on the contrary the rural projects enjoyed a massive 73% of local leaders. The major role of chiefs in urban areas is reported to be coordinating funerals (Cammack et al; 2009).

8.3.1.2 Experts as participants in urban areas

While in rural areas, the majority of those who held positions were traditional leaders, in urban areas the majority participants were technical experts, who constituted slightly over half of the participants (52%). On the other hand, in rural areas, experts were in the minority at only 6%, most of whom were government officials from line ministries, departments and agencies (MDAS), were mostly from the district level.

In urban areas, it was reported by consultants who prepared reports under review that experts were targeted because they were easy to mobilize, since their institutions were already provided by the regulator in the TORs. However, it can be suggested that experts were also selected because most of them, especially those from Government Departments, were interested parties and most projects fell within their implementation mandate. Consequently, these experts would obviously be expected to

support the projects in order to support the Government agenda of developmental initiatives: this concurs with assertions that some experts have a vested interest in the outcome of the consultation meetings (Mohamed et al; 2018), hence caution should be exercised when consulting them. On the other hand, it can also be suggested that it was difficult to mobilise the affected communities because of the heterogeneous characteristics of the urban public, so consultants targeted only groups that were likely to accept their invitation.

Nevertheless, experts are key to the participatory process because they are the conveyors of technical information contained in the ESIA reports to the communities. In particular, they play a key role in Malawi because the majority of the Malawi population, especially in rural areas, are illiterate (Kalinga, 1998; Chimombo and Joseph, 2006). Consequently, due to high levels of illiteracy, the community may not adequately comprehend the complexity of the environmental information contained in the long and technically written ESIA reports; experts therefore provide a buffer to this information vacuum. Irrespective of place of residence, effective public participation requires the capacity for participating in the ESIA process (Nadeem and Fischer, 2011).

In rural projects these experts were not adequately consulted: they formed only 6% of the groups involved in the PP process. The reason for this low level of consultation is that experts tend not to reside in rural areas, but in urban-based communities where there are more economic opportunities. This therefore produces a massive inequality between rural and urban projects in the treatment of the technical issues that might be presented during PP meetings. This suggests that any checks and balances applied during the PP process to the information provided by the proponent to the communities are inadequate. The inclusion of experts in rural projects during PP is therefore beneficial, because of their techno-scientific expertise as well as their knowledge of policy and legislative matters (Cotton & Mahroos-Alsaiari, 2015), all of which improve the quality of the report submitted for the decision-making process.

However, on the other hand, when only experts are consulted, they may not represent the view of local people, since their interests and lifestyles are different, with regard to levels of education, exposure to risk, levels of income and food security and other covariate factors. In addition, the experts lacked first-hand information because they

are usually consulted in their offices which are usually outside the project sites, and this denies them the chance to obtain valid information on the project impacts.

In view of these revelations as to who is consulted in Malawi, it can be argued strongly that PP in the country has been given an insignificant place on the decision-making platform, primarily because it has used representative democratic principles rather than direct ones. This confirms the assertions of CSOs who were key informants interviewed during the study that in Malawi ESIA is conducted purely to fulfil legal requirements so that ESIA certification can be obtained. Consequently, with such motives, consultants would not involve anyone who would block the path to approval.

8.3.1.3 The ordinary affected communities

While in urban projects, the majority of attenders were technocrats with very few affected participants, in rural projects, the traditional leaders were given more prominence at the expense of the affected communities. Members of affected communities without any high social position were underrepresented, as they constituted less than 20% in rural projects and less than 10% in urban projects. This is contrary to the objectives of PP which promote equity for both the affected and interested public in the decision-making process (André et al., 2006) in order to empower marginalised groups who are mostly sidelined in the PP process (Glucker et al., 2013). However, the total affected participants including those with high social positions constituted half of the participants in the rural projects and about a third in the urban areas, as shown in Figure 8-3. Although the principles of PP and the Malawi Policy and Legal framework do not stipulate the percentage of the affected communities that should be present in PP meetings, nevertheless, in all these instruments, there is a general recommendation that affected communities should be consulted. This suggests that no affected community should be left behind, because they direct the impacts emanating from the projects. Participation calls for the affected public to participate prominently in the decision-making process (André et al 2006; Dietz and Stern, 2008).

The unbalanced inclusion of affected participants suggests that their views pertaining the impacts of the ESIA projects are only nominally represented in the ESIA reports. This low representation of ordinary affected members opposes sentiments on the affected which argue that it is better to err on the side of too much inclusiveness than

too little (O’Faircheallaigh 2010). Since the affected communities were not adequately represented, this explains why some obvious impacts were not mitigated. For example, in the rural areas, the major impact felt by the communities was loss of land. Land in Malawi is a paramount issue because customary land, which is owned by the local communities, is their main asset (IFPRI, 2019). Unfortunately, no compensation was provided for some community gardens which were lost as a result of two mining projects in the rural areas. In another rural project, the unskilled labour from the city (about 30 kilometres from the project site) was employed, instead employing unskilled labour from surrounding villages, although numerous projects implemented within the rural areas observe the custom of employing local unskilled labour. Even though the impacts affect everyone, including the chiefs, the chiefs are better off than the ordinary villagers because they are on Government salaries, so do not feel the immediate need for employment as keenly as the non-employed members of the affected community. Additionally, chiefs receive gifts from many partners, which is a tradition in the country (Carson and Seim, 2020). Furthermore, the chiefs are allocators of customary land, and consequently cannot be denied the right to self-allocate land.

8.3.1.4 The destiny of marginalised groups in the PP process

As regards the marginalised groups, as presented in Section 8.2.1, in rural areas were mostly dominated by the elderly and the youth while in urban areas women were reported to be more marginalised than any other sector of participants. From this study, it has emerged that there is an unexpected marginalised group, which appeared as an “other excluded group”. This consist of the Civil Society Organisations (CSOs). In Malawi, CSOs are a broad group of organisations that are nongovernmental and comprise international and local NGOs, community-based organisations, faith-based organisations and community interest groups (CIGs). Whereas CSOs are known to have a proven record of serving the marginalized rural communities (Hasan *et al.*, 2018), apparently, in Malawi, results show that they themselves are a marginalized group in the PP because of they are considered a barrier to progression of developmental projects . This is because they seem to possess “too much knowledge” regarding the projects and they are mostly established to defend the cause of the communities. It is therefore not surprising that none of the NGOs was consulted in any of the 12 ESIA projects, although some NGOs were working in the area of environmental governance in the project impact areas.

The very NGOs who would have helped the rural masses, since they work and live within the impact areas, are denied the opportunity to assist on the very cause they are existing in their respective areas. NGOs, being non-profit organizations, exist to champion the rights of the community, among other things. They are, therefore, the voice of the voiceless. But, unfortunately, they are shunned for the same voice that they are supposed to advance. These findings are consistent with what Chingaipe (2012) observed while he was evaluating PP on the Green Belt Initiative Programme. He noted that CSOs were not utilized by the relevant government officials with reference to the programme.

As for the youth, they are a marginalized group and yet, according to the results on the graph in Appendix 13-1 (Figure 13-1), they comprise a significant population of 12.1% and 19.2% of urban and rural participants respectively. These young people are culturally constrained by being forbidden to speak in the presence of adults and leaders. Additionally, in Malawi, since most young people have been turned into demographic burdens (Retief et al; 2016), it is ironic that they are denied participation, which has direct positive impacts on employment and other related positive impacts. The problem is that although the youth are denied their right to participate in ESIA programmes, the environmental effects arising from the current projects affect every age category. Moreover, these effects are both short term and long-term, implying that while the youth are currently experiencing their effects, their future generation will also suffer from the long-term effects of the same projects. This “intergenerational exclusion and inequity” concurs with and confirms the views of Fischer *et al.* (2019), who argue that, in the interest of intergenerational equity, there is a specific requirement to consult the younger generation, as they would have to live with the long-term consequences of the proposed development. Future generations should therefore be able inherit high quality environmental resources (Retief et al, 2013).

Furthermore, the impacts were aggravated because some groups, such as the CSOs who reside in the community and are usually the community’s mouthpiece, were also excluded, as mentioned in the preceding paragraph. This confirms the assertions of the communities interviewed that PP is conducted purely to fulfil legal requirements so that developers can obtain ESIA certification. Consequently, with such motives, consultants would not involve anyone who would hinder the approval process, such as the potentially affected communities or the CSO.

No eligible participant should be left behind if PP is to yield the expected outcome. The environmental impacts from developmental activities affect everyone's situation and yet the affected public are more vulnerable to these shocks: these, in particular, should therefore not be side-lined (Simpson and Basta, 2018). Consequently, the affected miss out on benefits arising from taking part in PP, such as enabling the environment authority to make informed decisions based on collective information from the public (Nadeem and Fischer, 2011), empower marginalised groups (Glucker *et al.*, 2013), providing information to the affected community meaning from the proposed projects (André *et al.*, 2006) and learning (Fischer *et al.*, 2009).

This development is undesirable and calls for an inclusive approach to all potential participants to participation exercises in the ESIA process, because a democratic point of view will consequently result in better decisions (Beierle & Cayford, 2002). Consultants should therefore have a balanced representation of participants in the PP process including the affected, experts and interested parties (Hasana, *et al.*, 2018). This would make PP more effective, transparent and accountable, which would improve the governance of the ESIA process in the country.

This PhD research has, therefore, revealed contrasting trends on imbalances in the process of selecting participants in the PP process in urban and rural projects. While in urban projects, the majority were technocrats with very few affected participants, in rural projects the traditional leaders were given more prominence at the expense of the affected communities. Nevertheless, irrespective of the place of residence, it is recommended that decision making should be informed by good balance of both local knowledge and technical expertise (Bawole 2013; Glucker, *et al.*, 2013). This combination of varied elements is desirable because the level of concern over the outcomes emanating from the consultations will differ between these different stakeholders (Retief *et al.*, 2013) and therefore a broader range of stakeholders is consequently recommended as it does contribute additional insights into the effectiveness of PP (Getty and Morrison-Saunders, 2020).

Fair inclusiveness would make PP more effective, transparent and accountable, which would improve governance of the ESIA process in the country.

8.3.2 Methods used in Public participation

As presented in the previous results chapter, different methods were used for notification and consultation. The next section discusses notification methods which were utilised both in rural and urban projects.

8.3.2.1 Notification methods

According to the results in the previous Section 8.2.2, participants from urban and rural were notified about the PP meetings by different methods. While participants in rural projects were notified by traditional leaders, in urban projects, notification was mostly conducted through the consultants who prepared the respective ESIA reports.

This conventional notification method by the chiefs in rural Malawi is not widely documented and yet it is the cheapest and most feasible way of notifying participants in the rural setting. It is the most effective method because traditional leaders in Malawi command a lot of respect; therefore, any invitation which has been extended by them is highly honoured. This is because community mobilisation is one of the customary roles enshrined in the traditional norms (Chinsinga, 2006). However, although the rural projects had the most efficient and most convenient notification method, the method's maximum potential for utilizing the chiefs to notify all the affected members within their jurisdiction was not attained, because most of the people they invited to meetings were their fellow chiefs, as discussed previously in Section 8.3.1. Therefore, since the PP process in these areas did not benefit from this traditionally available human notification resource, it was not used in an effective and efficient manner, therefore the method lacked transactive effectiveness, as discussed in Section 10.2.

There is a different situation in urban projects, where chiefs could not play such roles because of their reduced powers, as Eggen (2011) argues. The reduction of the power of town chiefs is a result of the lack of institutional structure in local government prevalent in the urban areas since the Chiefs Act, which does not give power to chiefs to exercise their authority in urban areas. Even if such powers were granted, however, the execution of the chief's traditional role of mobilising the community would be difficult, given that the heterogeneous communities found in the urban areas would obviously not be as loyal as the rural populace to a town chief presiding over their area. Further, in urban areas, as discussed in Section 8.3.1 above, the consultants

preferred experts, who obviously reside in different locations where chiefs cannot have control over them.

On the other hand, in urban areas, the most utilized notification method was the consultant himself. The method was highly efficient since the consultant targeted the audience that he preferred without using intermediaries, such as chiefs. In that way the effectiveness of employing his targeted participants was attained. This was challenging in the rural projects, where a chief could purposively select the participants. After notification, the participants experienced different consultation methods: the section below discusses these.

8.3.2.2 Consultation methods for Public Participation

The results in Figure 8-6 present the methods which were used for PP in the 12 ESIA projects. The methods utilized were mainly community meetings, with 42% and 66% in urban and rural projects respectively, while interviews were mainly conducted in the urban projects, with 49% and 26% respectively. The section below discusses each method used.

i) Community meetings method

In the rural projects, as presented in Section 8.2.2, the community meetings method was most frequently utilized because consultants preferred it for reasons of efficiency. As one interviewed consultant said,

In public meetings you have so many people participating at the same time and therefore it is so easy to expand the list of people consulted when writing down the names (Cons 06).

However, this presentation of the ability to “expand the list” when “writing down names” as the justification for selecting community meetings is a surprising revelation of some consultants and developers attitudes to public participation. This sentiment confirms that some practitioners conduct PP in order to “expand the list”, which becomes an output of the PP process. Hence this procedural requirement is fulfilled merely to tick a box while fulfilling legal obligations (Almer & Koontz, 2004; Retief, 2013). However, it is not only the “long list” that matters in PP practice: what matters most is “who is in the list” (Section 8.2.1) and whether their views have been incorporated in the decision-making process (Section 9.2.4). Just having a full list as an output is not only a superficial exercise in form-filling but also an insincere way of conducting PP.

Most respondents who were consulted through community meetings (75%) in rural areas liked the community meetings method. They liked its transparency, since it allowed everyone to express their views and perspectives openly and in the presence of all participants and officials. However, it should be noted that the majority of those respondents who liked the method are people with high social positions, especially traditional leaders, as discussed in the previous section. Consequently, the method would not be so prohibitive to these traditional leaders as this is supported by the literature, which states that community meetings can be intimidating to people of lower status, and also hijacked by interest groups (Petts, 2002).

However, some of these constraints of community meetings, as depicted in the literature, are the reason why 25% of participants who were interviewed in this study disliked the community meetings method. Participants reported prevalence of prohibitive cultural barriers which discouraged them from speaking in the presence of chiefs. During a male focus group discussion, one member complained that:

We had more concerns but we failed to express them, because it is rebellious to counter or question what our senior chiefs have already agreed to. We have heard and are aware of the dangers of quarry mining, but we were not free to ask any questions or voice out our concerns (FGD -1M).

This consequently leads to community methods inducing the dominance of the most powerful participants, thereby diluting the voices of the marginal groups, such as women and children. Community meetings are, therefore, not conducive to full participation in rural areas where cultural obstacles are prominent, which is why Mareddy (2017), acknowledging the method's failings, proposes the consideration of cultural norms when deciding the method participation. Since the community meetings have a great potential for mobilizing multitudes of citizenry, the very multitudes whose voice is a prerequisite requirement for a meaningful PP, the method should, therefore, be maintained, but the effects of PP maximized by complementing community meetings with other methods with the capacity to solicit hitherto obscured views from the overlooked segments of society.

On the other hand, in urban projects, community meetings were not much utilized. In response to an enquiry on this matter, one interviewed consultant (Cons- 06), who did

not use public meetings in the urban areas, said that public meetings were a challenge to use in urban areas. He cited costs as one of the major prohibiting factors when organizing public meetings in urban areas, because one had to book a hotel as a meeting place. Additionally, consultants were worried that their ESIA report would be critically reviewed by a group of experts working together. Another consultant reported that

By bringing experts together you are inviting problems to your project. Most experts in the urban areas will look more on to the negative side, without giving mitigation measures, is it not suicidal to pool all these experts together? (Cons-03).

In addition, in urban areas, earning a living is quite difficult for many people because everything requires money, so most people are quite busy trying to earning a living through regular jobs, small businesses and unskilled part time employment (ganyu). Therefore, convening a meeting of people from these urban communities would be difficult if there were no cash incentive for attendance (TCE-01).

Despite the consultants' display of such fears of bringing experts together, Yao *et al.*, (2020) remark that experts are strategically vital participants in the PP process because of their strong participation capability, government background and subject matter specialisms. While consultants are afraid of pooling experts together, such meetings would not be detrimental but favourable to the PP process. This is because of the diversity of valuable input from different experts, which would enhance the quality of information that would be utilized in the decision-making processes in the PP element of the urban ESIA projects.

ii) Interview method

The interview method was the second most popular method for consultation in this study. The method was mostly utilized in the urban areas, involving 48% of the participants, compared to 26% for rural areas. In urban areas, interviews were mostly conducted with experts; in rural areas they were conducted with senior chiefs and key informants.

Although the interview method is preferred by consultants in the urban areas, cost and time challenges that are associated with it (Petts, 2002). Such costs include contacting every person who is to be consulted and also visiting every participant in order to

conduct the interviews. It is, therefore, enlightening as to why, according to all 6 urban ESIA reports, a smaller number of people were consulted on these projects. In addition, this can also explain the greater number on the list of illegitimate participants, i.e. those who appeared in the ESIA report but never took part in their consultation meetings on their respective projects, as described in Appendix 13-1(Figure13- 2).

Despite such challenges being associated with the interviews, 72% of the participants who were interviewed liked this method. They liked its convenience, since they were consulted in places of their choice. This agrees with what Petts (2002) outlined as the advantage of an interview: it can reach people who would not attend public meetings. In addition, interview participants liked the confidentiality of the method, as they were able to express themselves without fear of offending other participants in a group meeting. The main problem of this method could be that it might be difficult for one consultant to visit the entire desired list of participants in their individual locations. The need to minimize time and costs explains the trap that urban consultants fell into by adding illegitimate names. For the minority who disliked this method, reasons cited included being denied the chance of sharing information and learning from other experts on the same subject, which the interview could not provide.

However, with the global Covid-19 (Covid) pandemic, virtual meetings were introduced worldwide as a measure to reduce the Covid transmission (Nili and Shaner, 2022). These virtual meetings, in addition to reducing the risk of Covid, also minimised the costs of meetings. It is therefore anticipated that such cost reduction strategies will be highly utilised, even in PP, to consult more people in urban areas and hence reduce the number of illegitimate names. Furthermore, it is anticipated that the virtual meetings will also increase the number of experts consulted in the rural areas, since these experts live in urban areas. However, such methods cannot be applied extensively to the rural areas at present, due to socio-demographic conditions which work against, them such as lack of internet connectivity. Although 66% of the global population are believed to have internet connectivity (Retief et al; 2016), in Malawi only 14% of the population have internet access (Macra, 2021). Further research on the impact of virtual meetings on the enhancement of PP should therefore be conducted in future.

iii) Focus groups discussions (FGD)

Focus groups discussion (FGD) is one of the most popular methods employed when conducting public participation on projects in Africa (Mwenda, *et al.*, 2012; Bawole, 2013 Alemagi *et al.* 2013; Leonard, 2016). But contrary to this proposition, the findings of this study show that the method was the least utilised for PP: and the results showed that only four FDGs were conducted in the 12 studies.

In urban areas, particularly urban city areas, conducting focus groups presented challenges, just as in the case of community meetings within city urban areas as discussed above. There is a direct link between FGDs and community meetings, in that FGDs arise from community meetings since, it is from those community meetings that participants are selected to form FGDs. When the consultant who conducted the only legitimate FGDS was asked why he opted for the FGD method, he responded that although the scheme affected most members the community, but in different ways:

There are certain issues that would affect the youth more than the village head; similarly some issues would affect women more than men. In addition, if the Traditional Authority speaks you don't expect anyone to speak again. So that is why we had these specific groups for the youth, women etc., so this is why we had the focus group discussions because they helped us in getting specific issues for specific groups of that community (Cons-05).

During the study, when women who had participated in this FGD were asked how the method had benefited them, they responded that all discussions were tailored to meet women's needs. For instance, matters related to fuel and energy are a women's issue and therefore topped the agenda during their FGD discussions.

Therefore, the consultant's reasons for conducting FGD and the subsequent comments from the communities reveal a number of interesting things. Firstly, PP is effective if the views of various community interest groups are taken into consideration. Secondly, gender issues are quite important in the public participation process and, finally, the interest and possibly understanding of consultants in respect to inequality issues is critical for the PP process.

The combination of FGDs with other methods was therefore useful in addressing the issues arising from community meetings, which might, for example, be "intimidated and hijacked by interest groups". Nevertheless, despite the strengths outlined above,

FGDs also face challenges which include cost, time and the need to provide the expertise required for facilitation (Rowe and Frewer, 2000; Bisset, 2013). Thus, it can be argued that the most effective method does not necessarily exist, because different methods are suitable for different purposes and are thus not comparable with each other (Vantanen & Marttunen, 2005). Consequently, methods of public engagement should be blended to compensate for each other's shortfalls and also to enhance the validity of the information raised (IAEA 2017 Vantanen & Marttunen (2005).

8.3.3 Venue

The results presented in Table 8-1 show significant differences in venue between urban and rural projects, particularly with reference to holding PP meetings on the project site. The communities who held the meeting within the sites of rural projects lived in the surrounding area.

8.3.3.1 Venue within the project site

Conducting PP within the site made the venue more accessible to the participants. Consequently, the proximity of the venue to the rural communities encouraged higher attendance in the rural areas than in urban areas, where meetings were held at sites far from the affected communities, as evidenced by the 12 ESIA reports reviewed. This finding is consistent with the principles of PP by UNEP (1996), which indicates that a venue which is close to the communities encourages more participants to attend. Similarly, findings in Spain and Portugal, although in a different geographic and economic setting, are also in agreement with these results, indicating that there was a high attendance level during meetings which were held in the villages (Devente *et al.*, 2016).

Venues, therefore, need to be convenient and accessible for maximum attendance (Nadeem and Fischer, 2011; Mwenda *et al.*, 2012). This is particularly important as projects do not refund transport costs for participants who attend such meetings, especially in rural areas (TCE -02).

In addition, congregating near the project site generates direct positive output in terms of the quality of information provided to the consultants. This enhances specialist knowledge about the site which improves evaluation of the significance of the possible impacts and also identification of corresponding mitigation measures (Glasson *et al.*,

2019). Congregating near the project site thus enabled the participants to have a genuine understanding of the impacts, which also corresponds with the view of Petts (1999) that site visits to the project implementation facilitate sharing of local knowledge by the participants, which eventually leads to better informed decisions.

8.3.3.2 Constraints of conducting PP outside the project site

As reported in the results (Section 8.2.3), experts were mostly consulted outside the project site and these experts were professionals in their own right. As a result of this, the experts were denied the “*in situ*” knowledge of the environment which could have been attained through site visits. It can, therefore, be argued that in such instances, where consultations are held in offices, experts would be providing information from mere general technical experience and policy perspectives regarding the project, rather than giving site-specific technical input. This is demonstrated in Chapter 9 (Section 9.2.1), where experts did not provide adequate negative impacts during their PP consultation. This could be the reason why, during consultations on a rural project, one traditional leader, on being asked why he selected a venue close to the project site, threw out a native proverb “*mulandu wa pa munda amakambira pa munda*” (Chief –01), the literal translation is “*disputes arising from a garden can only be settled on the same garden*” and in this context it is implying that when you are discussing on any issue, regarding the project it is encouraged the meetings can be conducted only on the project site where the issue arose, in order to obtain first-hand information.

Furthermore, although meeting at the hotel may be convenient for some members such as experts, it might not be convenient for the affected community, due to social barriers, distance and also cost implications. Consequently, the choice of a hotel venue may reduce the number of affected participants attending such meetings. Muigua (2008), therefore, recommends that the venue of public meetings for the ESIA must be at a place which is accessible to all the people affected by the project.

In rural areas, experts were in the minority, because they did not live near the project sites where rural meetings were commonly taking place. Since it is expected that developers aim to minimize project costs, it would be illogical to expect them to enable the experts attend rural ESIA meetings by paying their expenses (Morgan *et al.*, 2012).

Implication of proximity of venue and affected parties

Even though more participants attended rural ESIA meetings than urban ones, as described in the preceding section, the accessibility of the rural venues did not contribute significantly to the overall effectiveness of public participation because, as presented in Section 8.2.1, the participation of the ordinary affected participants was minimal: this problem was compounded by the availability of illegitimate names within the vicinity of the project venues.

8.3.4 Stages of ESIA

As described in Section 8.1.4, results indicate that in both rural and urban projects, despite specifying the different stages, the public participation was conducted before the implementation of the project and thus before the decision-making process. Therefore PP was not conducted too late in the process, when irreversible decisions had been taken (Diduck and Sinclair, 2002; Palerm, 2000; Palerm and Aceves, 2004). Although scoping was reported by the minority of participants (with 29% and 8% in urban and rural areas respectively), it is, however, considered the best stage by many scholars because this is when major concerns are addressed (Phromlah, 2018; Hasan, Nahiduzzaman and Aldosary, 2018; ELAW, 2015; Morgan, 2012; Ogola, 2007) and project alternatives are discussed (UNEP 2015). Consequently, all information raised during PP at this point could potentially inform the decision-making process.

However, observations by ESIA reviewers that, in some instances, ESIA reports are returned from the ESIA review (a first decision-making step) affirm the extent of improper conduct by some consultants: as has been observed, their disregard of the PP process may even extend to the selection processes for PP participants, as discussed in 8.3.1.

Overall, irrespective of place of residence, there is some significant compliance with respect to the stage of ESIA at which PP is conducted. It has been observed that, although ESIA is conducted at different stages in both urban and rural projects, all consultations are being undertaken prior to the ESIA being approved. This is a good development, because it is assumed that issues raised by the communities are being considered because they are raised before the major decision are made.

8.4 Summary

This chapter has shown mixed levels of the attainment of procedural effectiveness, but with an overall tendency towards ineffectiveness. While notification methods and the stage at which PP was conducted differed between urban and rural areas, both contributed positively to the effectiveness of PP. However, major flaws were observed in the process that gave rise to the provision of adequate opportunities for contribution to people with superior positions in the social hierarchy, at the expense of members of the affected communities, who were heavily impacted by the effects of the projects in both urban and rural areas. The inadequate participation of the ordinary public was aggravated by the use of methods unfavourable to their effective participation, consequently exacerbating the exclusion of the affected from the decision-making process.

Chapter 9 : Evaluation of Substantive Effectiveness Dimension

9.1 Introduction

Chapter 9 presents the evaluation of substantive effectiveness, which is the second evaluation criterion. In this study, substantive effectiveness is defined as the extent of fulfilment of the public participation (PP) objectives in the 12 ESIA projects. As presented in the preceding methodology in Chapter 7, the results on the substantive objectives are the outcome of the assessment of the effectiveness of the three objectives of PP based on Malawi's policy and legal framework. These objectives include assessment of information that was provided to the communities by consultants, the information that was raised by the communities, and how these views were addressed in the ESIA report to inform the decision-making process. The outcome of these objectives is presented in sections 9.2.

9.2 Results

9.2.1 Information provided to the communities by consultants

The type of information provided to the communities during public participation meetings included information regarding the project description, its positive and negative economic impacts, and its social impacts, as well as environmental impacts. However, the depth of information regarding these impacts varied, as presented in Figure 9-1 below:

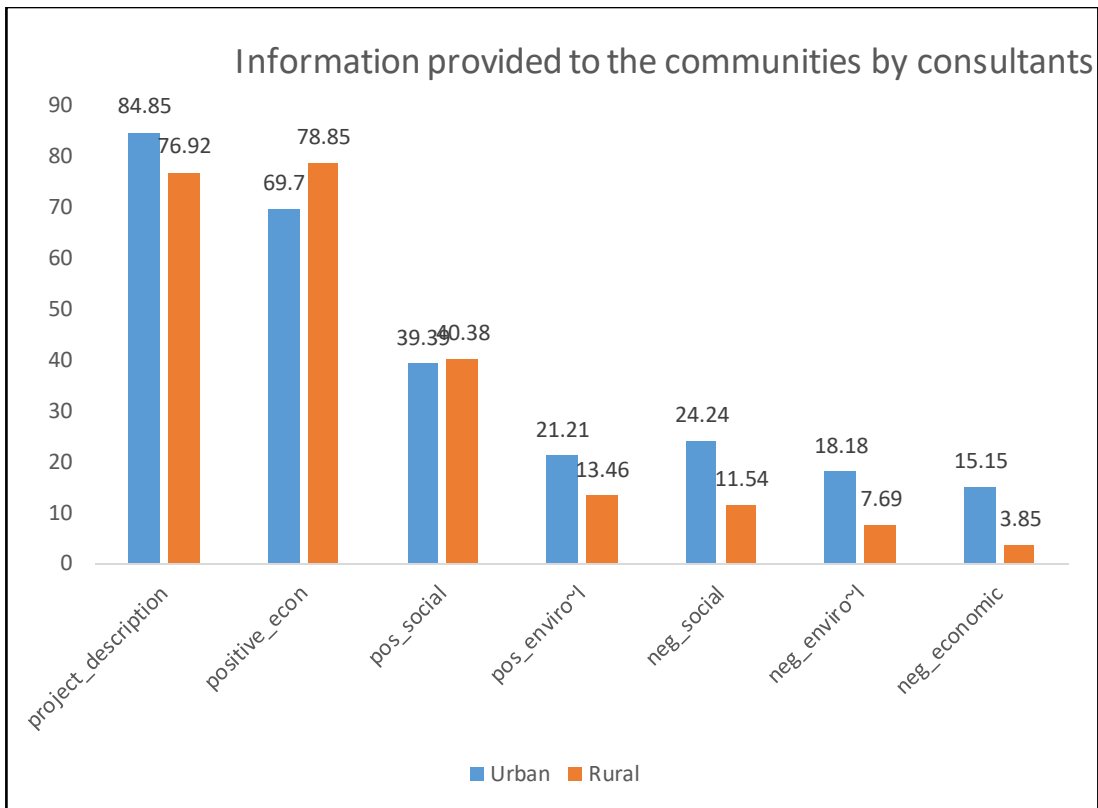


Figure 9-1: Information provided to the communities by consultants

The results in Figure 9-1 show some similarities and differences in the outcome of the information provision to the communities. The disintegrated data by project is presented in the Appendix 13-1(Tables 13-4; 13-5 and 13-6).

Firstly, the results show a striking difference between the levels of positive and negative information provided to the communities. Irrespective of place of residence, there was more information regarding positive impacts than negative impacts. Similar trends also appeared in urban and rural areas, regarding the consultants' provision of all categories of information. Detailed findings are presented in the following section.

9.2.1.1 Project description

Information regarding project description showed little difference between urban and rural projects. In addition, this information category was provided to the majority of participants, and more fully than most of the other information categories, in both urban and rural projects. Information on project description included the general description of the project such as the area of land involved, the project's objectives, the number of people working on it and activities associated with the project.

However, it was observed that the depth of information differed between urban and

rural projects, with more technical information being provided on urban than on rural projects. After being asked about the reasons for such differences, one TCE member (TCE 02) and NGO ESIA expert reported that it was a result of differences in capacity:

Information presented to the urban community is presented in more detail because it is expected that most of them would understand technical jargon and scientific terms, unlike in rural areas where communities are mostly informed about the basic information like the size of the area and activities to be undertaken (NGO-02).

The provision of project description is vital to the community's ability to raise their concerns regarding the project, which should be part of the decision-making process. This relationship is explored in the discussion section (Section 9.3). The following sections present information regarding the positive and negative impacts provided to the communities.

9.1.1.1 Positive impacts

As regards the information pertaining to the impacts that might be generated from the project, far more information on the positive impacts was provided than on the negative impacts of both urban and rural projects. Positive economic impacts were provided to 69.7% and 78.9% of urban and rural communities respectively; fewer communities received information on positive social impacts, and even less on positive environmental impacts with 15.2% of urban and 3.9% of rural projects.

The prospect of economic benefits was the principal message communicated to the communities, irrespective of place of residence. Information on some projects' positive impacts was packaged as if their chief purpose was to provide economic benefits to the communities. One community member even said:

Consultants explained that their aim in bringing the irrigation project to our area was for our village to develop so that our levels of poverty would be reduced so that we can have a better future (FGD-1M).

Yet, in reality, the private projects were developed for the benefit of the developer. In addition, one female focus group member who was informed about employment opportunities said:

They told us that when they employed us, our lives would change economically. They said the future of our children would be improved, as they would not lack school fees and our children would have a chance to have better education. They told us that we would be able to participate in village savings and loans due to the money we would be able to save. Therefore, as women, we were told that the project would bring a big chance of economic empowerment (FGD-F2).

Furthermore, other economic impacts presented to the communities during PP meetings included employment, and elements of Social Responsibility Programmes like schools and hospitals. In addition, in some instances, the value of compensation was highly exaggerated as it was presented as an economic benefit arising from the project and not as a mitigation measure to minimise negative impacts, such as loss of land. When consulted, the consultant (Cons-06) remarked that this was the case because, according to them, communities would be given money to buy another piece of land and use the balance to support their daily livelihood. However, during this study, it emerged that when communities had been compensated with cash they were actually worse off. The consequences of this impact are discussed in Section 9.3.

9.1.1.2 Negative impacts

Information on negative impacts (economic, social and environmental) was provided to a smaller population when compared to positive impacts, which were exaggerated, as explained in the section above. Additionally, results show that the least amount of information presented to the communities concerned economic negative impacts: presented these were mentioned to only 15.2% and 3.9% of the population in urban and rural projects respectively: this is in stark contrast to the presentation of the positive economic impacts, which were more prominent (Figure 9-1). To confirm this assertion, one community member complained that they were not informed about any negative impacts arising from a proposed mining project in their area. He said:

The developer told us that during the operation, there would be no negative impact emanating from blasting or crushing. They said there would be no flying rocks or dust emission to affect houses or gardens because their machines were heavymachines and everything would be contained within their command area (Com- 2103, Male).

In the same vein, one extension worker who was one of the participants in an irrigation project also remarked that,

In general, consultants were not talking about negative impacts but in the event that the community raised the potential negative impacts of the project, consultants would explain to them in passing and were quick to talk about mitigation measures (Com-3405, Male).

Additionally, during this study, one consultant, who was not one of the authors of the ESIA reports under review, was asked why negative information was not provided in detail, he responded:

In rural communities, you don't dare to begin talking about the negatives. Because they will then say no to the project. They are already in fear of the unknown (Cons-06).

In the same vein, there was an irrigation project for which, as the communities reported, the consultants provided all the information including negative environmental, social and economic impacts. Some community members confirmed this by reporting that:

They said if a canal is to be constructed where there is a tree, the tree would have to be cut. So if it is a mango tree, then it means there will be no mango fruit to eat this year (Com-3408). In addition, they also warned us that due to the coming of new people, we should not get carried away with these new men as they would be a chance of disease contraction and disruption of families (Com- 3409).

In agreement with what the communities said on the HIV/Aids pandemic, the consultant of the project also remarked that the issue of the potential spread of HIV/Aids was discussed with the communities in depth because that was the major negative social impact related to projects which bring migrants into the community.

9.2.2 Information provided by the communities

The second substantive dimension in the evaluation framework was assessment of the type of information raised by the communities for decision-making process. The major concerns communicated to the consultants during their respective PP meetings are presented below:

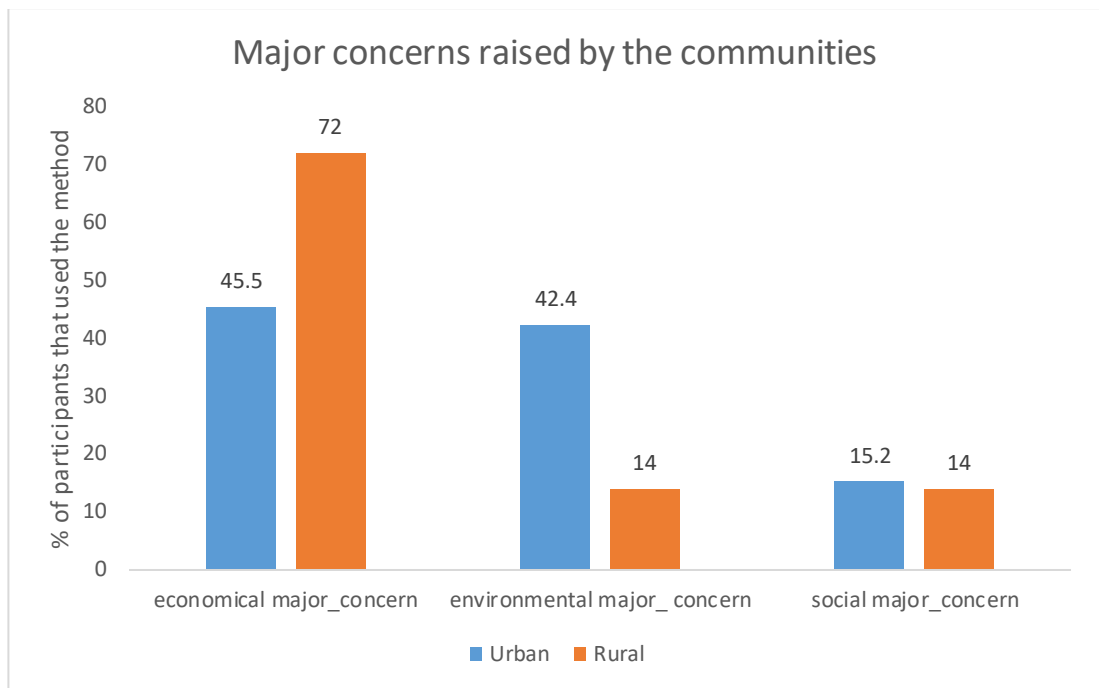


Figure 9-2: Major concerns raised by the communities

In both urban and rural areas, economic issues were the major concerns of the communities presented during their respective PP meetings. But these economic concerns were presented by more people in the rural areas than the urban areas, at 72% and 45.5% respectively. The disintegrated data per project is presented in Appendix 13-1 (Tables 13-7; 13-8; 13-9). Environmental issues came second while social issues were the least prioritized category of impacts in both urban and rural areas.

During the qualitative enquiry, it was learnt that in rural areas, the main economic good mentioned to the developers during meetings was land. Although in some urban areas, land had considerably high priority, these were bordering on rural areas. During the focus group discussions, communities reported that land had a big bearing on their livelihoods. One community testified that:

We told them that our biggest worry is that our land where we cultivate crops will be taken away from us. We used to grow maize and vegetables for food and for sale throughout the season. Yes, they gave us money for compensation but I could not buy another piece of land because land was found very far from where I live. My money got finished before I even purchased land because I have many problems in my family to sort out. Now we are struggling to even

have food in our homes. We have no other means of income because the developer cannot even employ us like they said they would because it's now 2 years the project has not yet started (Com-3205, F).

When an officer in the District Lands Office was consulted, he concurred with the communities that when people lose their land and are consequently compensated, they are advised to use the same money to get an alternative piece of land elsewhere, which becomes a problem because the land they will have to find might be located far away from their homes or it might be too expensive. In the process, their money is eventually utilized for other equally pressing issues and eventually they become landless.

The communities' second priority was the presentation of environmental impacts. In urban areas they were mentioned by almost 42% of the participants, the majority of whom were technocrats. The scope of concern on environmental issues differed between urban dwellers and rural communities. The technocrats were concerned with the environmental issues which did not affect them directly, but would affect the environment in general, including the general public. They mostly drew on their experience and expert judgment when raising issues, which included occupational health and safety, loss of biodiversity, water pollution, dust and noise. This is unlike their rural counterparts, comprising almost 14% of the participants, who also raised environmental concerns and mostly came from communities surrounding mining projects. This rural minority was raising concerns regarding impacts such as quarry dust and flying rocks that could affect their nearby houses and gardens.

Of the three types of concern, social issues were raised least frequently and had almost similar weighting from both urban and rural projects, with 15% and 14% of participants respectively. These social issues were mostly concerned with resettlement dynamics, as the participants were not sure how they would cope with resettlement. Some communities complained that,

We are a family unit here. We are worried that the land we will find may not accommodate all of us. We will, therefore, be split (FGD-1M). Others were concerned with graveyards: *this land is where my forefathers were buried and we have been here so many years. How can we leave behind the spirits of our forefathers? (FGD-1 M).*

Additionally, some chiefs were concerned with losing power because of the potential splitting of the village arising from resettlement. Other issues included the need for mitigation measures: and presented the developers with requests for Corporate Social Responsibility programmes, including schools, water points and hospitals. One community member said they wanted the developer to help them by building a clinic in the area because the mining project to be implemented there would obviously induce many diseases, especially respiratory diseases that would require treatment at the requested clinic.

Nevertheless, there was a project on which consultants briefed the communities in detail, including the negative impacts. When the consultant was asked how he managed to do it when others were shying away, he responded,

If you want to implement a successful project involve the people and tell them the whole truth; they will also in return tell you the things that you can't find in the literature (Cons- 05).

He further said that if it were not for the community's involvement, the irrigation project they were implementing would not have been successful.

We erred in our designs of an abstraction point. They helped identify the reservoir site and water intake where we would abstract the water because they have knowledge that the site always has enough water throughout the year. These people are more updated than the data we have in our offices (Cons- 05).

9.2.3 Communities' ability to contribute

Even though a lot of information was shared between the consultants and the communities, it was noted during the research that not everyone was able to contribute during the PP meetings. While some of the communities were able to contribute to the meetings, others did not. Communities were asked as to whether they had contributed to the meeting and the outcome is shown on the table below:

Table 9-1: Communities' ability to contribute during meetings

Location	Yes	No
Urban	28 (84.9%)	5 (15.2%)
Rural	34 (65.4%)	18 (34.6%)
Total	62 (73.0%)	23 (27.1%)

Pearson $\chi^2(1) = 3.8750$ Pr = 0.049

Table 9-1 shows a significant difference between urban and rural projects with a p value of 0.049 for the ability to contribute to the meetings. More people in urban areas (84.9%) were able to contribute to the meetings than their rural counterparts (65.4%). Reasons cited by those who were unable to contribute included cultural factors, such as inability to speak in the presence of leaders, as a result of the power hierarchy prevalent in the community.

Findings reveal that over half of participants admitted that this hierarchy prohibited participation. One community member observed,

All developments or visitors are supposed to pass through the traditional authorities first. Then after meeting the traditional authority, developers then meet us. So anytime we ask questions or try to voice out our concerns, the developers will say 'but the traditional authority has already agreed, so do you want to oppose what he has already decided on?' This sounds like a threat in a way and then we immediately hold back our views (Com 2108).

In order to mitigate the risk, one consultant admitted that such things occurred, and further remarked,

In fact, that's one reason for segregating these groups during meetings [...]. This is the reason we had these specific groups for the youth, women, men and even Group Village Heads and village heads separately. In that way we were able to minimise occurrences of any potential threat (Cons-05).

Detailed information on the hierarchy is provided in Appendix 13-1 (Section 13.3.5). Additionally, some communities raised concerns that they were not able to speak because developers were not able to provide them with a chance to do so. One community member said,

We were not given a chance to express our concerns since it was only them just talking, talking and talking to us. Then thereafter, they told us that they wanted to see the boundaries of our land (Com-2205).

There were yet others who gave capacity gaps as the primary reason for not contributing. These communities felt that since they were not educated, they could not say anything sensible during the meeting, so decided not to talk.

9.2.4 Information provided by the communities as part of decision making

Although the communities were able to present their views to the developers, as described in section 9.2.4 only a few people, comprising 21% and 8% of participants in the urban and rural projects respectively, were aware that their views had been integrated into the decision-making process. The majority, comprising 73% and 88% in urban and rural areas respectively, did not know whether their views had contributed to the decision making. The graphical presentation of this situation appears Appendix 13-1 (Figure 13-4).

A common reason for uncertainty as to whether communities' concerns about projects, urban or rural, had been included in the decision making, or even taken on board, lay in the organisation of the meetings. Some participants complained that they were given no opportunity to present their views in the first place, since the consultants and developers were the main speakers. One community member reported,

I highly doubt if our views were taken into consideration because the coming of these developers was more like them talking all the time. They hardly gave us a chance to say anything (Com -2109).

In such a situation, it is obvious that decisions regarding these projects arose without taking communities' views into consideration.

Secondly, doubts were casted as to whether communities' views were integrated because no feedback was provided to the communities. Interestingly, however, even though feedback was not provided to most participants, the majority of participants in both urban and rural projects remarked that overall the entire PP process related to their respective projects was transparent. Details are provided in Appendix 13-1 (Section 13.1.3.3).

Nevertheless, there were still other communities who remarked that the project lacked not only transparency but other forms of integrity. For example, in one irrigation project, failure included a broken promise:

“The developers promised issues but did not fulfill: the developer didn’t share any proceeds as promised during the meetings” (Com-3205). This complaint was made by some community members who were promised money raised from the sale of crops. In rural areas, excessive secrecy gave cause for concern: *“only chiefs were invited, they did not involve everyone. It felt like it happened behind closed doors. Only four of us chiefs were suddenly interviewed” (FGD-2M).* Other members complained about corruption: *“A lot of corruption was involved: no receipt was offered for compensation money for our land and we didn’t sign” (Com-2103).*

In light of the type and level of information given above, it is no surprise that the communities reported that it was apparent to them that their concerns were not part of the decision-making process.

The researcher, however, analysed the communities’ views, which were recorded in the respective PPs for the ESIA reports, which were under investigation. The communities’ views were assessed against the level of their integration into the Environmental Management Plan (EMP) of the ESIA report and the following was the outcome.

Table 9-2: Integration of Communities’ issues into the Environmental Management Plans (EMP) of ESIA for decision making

Project	% of Integration into the EMP (for decision making)
Urban -Area 28 Kanengo	33
Urban -Area 46	83
Rural -Sajiwa	11
Rural -Nsense	11
Rural -CPI	22
Rural -Bwabwa Quarry	0
Urban -Mzuzu abattoir	56
Rural -Katunga	78
Urban –Mzuni University	78
Urban -Chikwawa TTC	22
Rural -Ole Ole	33
Rural -Mwalija	83

Results presented on Table 9-2 indicate differences on the level of integration of communities' issues into the Environmental Management Plan (EMP) between urban and rural projects. The results show that there was more integration of communities' issues in urban projects than rural projects with three urban projects where consultants introduced over 75% of the views into their reports and one rural project in Mwalija. The following section, 9.3, discusses the three results objectives of PP.

9.3 Discussion of the three substantive objectives

The discussion of the substantive dimension will be based on the three objectives of PP which are: a) information provision to the communities, b) information raised by the communities and c) the extent to which information was addressed in the report. The proceeding section starts with the discussion of the first substantive objective:

9.3.1 The information provided to communities

As presented in the results section (Section 9.2.1), developers from nearly all projects, irrespective of place of residence, were providing more information on positive benefits and very little on the negative effects of the project; the section below starts with the discussion of the positive impacts communicated to the communities.

9.3.1.1 Provision of positive impacts to the communities

Developers were providing a lot of positive information during consultation because they knew communities in Malawi were easily attracted and persuaded by the prospect of short-term benefits, because of immense poverty prevalent in the country, as evidenced by recorded prevailing poverty levels (NSO, 2020). Malawi was ranked 172 out of 189 countries on the United Nations Development Programme (UNDP) Human Development Index (HDI) in 2019 with an HDI value of 0.485 (UNDP (2019)); according to with national poverty levels³ 56.6% of people from rural areas were poor compared to 19.2 % in urban areas (NSO: 2019, 2020).

Therefore, any developer who comes offering short-term benefits such as employment prospects easily induces communities to support their project. Employment opportunities in both urban and rural areas have therefore been a magnetization tool

³ The Malawi Government set the national poverty line at MK 164,191 per year (.60 cents a day) (IFPRI, 2019)

which has been utilised to persuade communities to support the development initiatives introduced into their areas.

In addition, as presented in Section 9.2.1, other frequently presented economic benefits were Cooperate Social Responsibility (CSR) benefits, especially in association with socially unattractive projects such as mining projects. These CSR were presented to enhance the positive image of the projects so that communities were attracted to the development initiatives. For example, during the study, one Chief even said that “*we were told that we were lucky to have such a development coming in our village as our village was very far from development*”(Chief, 02).

Such remarks from the developer left the communities with the impression that the project to be implemented was specifically intended to benefit the communities, and yet in most cases the developmental projects were implemented for the economic benefit of the developers. But developers keep on promising CSR, knowing that communities are most likely to accept the proposed project as legitimate and developers as trustworthy when CSR are presented (Evuleocha, 2005).

Furthermore, communities (FGD-1M) reported that consultants were even presenting compensation and mitigation measures as positive impacts in Bwabwa and Nsense rural mining projects respectively (see Section 9.2.1). The mitigation measure of “sprinkling water on the road to suppress dust” was reported as a positive impact and yet the impact from “dust generation”, as a result of mining vehicles driving along a road which passes near a school was not mentioned as a negative impact. The communities applauded this mitigation measure as if they were a benefit to the communities and yet it is the developer’s responsibility to minimise dusty as a result of the developer’s actions. The manipulation of communities to obtain a buy-in is improper and unprofessional. This consequently leads to high levels of decision conflict and particular difficulty in dealing with trade-offs (Retief et al, 2013) between maintaining the consultants ‘professionalism and yielding to the wishes of the developer to ensure that communities support the project.

Such unprofessional conduct by practitioners should be minimized in PP engagements, which is why it is necessary to have experts on hand for both urban and rural projects, as discussed in the previous chapter (Section 8.3.1), to provide checks and balances for the information provided to the communities.

When consultants (Cons 3 and 4) were cross-examined on this matter, they acknowledged that they had provided of more positive impacts and attempted to justify it as a strategy for winning communities since they are usually eager to learn how they would benefit from a project. They admitted that if communities were not convinced about the positive impacts then the project would be more likely to fail. Their admission of mistakes nevertheless conflicts with the findings of Retief (2010) that Environmental Assessment practitioners are willing to share their mistakes. Nonetheless, this suggests that ESIA practitioners should be advised to be professional and their professionalism should be reflected in the credibility of the information they pass on to the communities. Measures for regulating consultants should also be in place by the government and relevant environmental authorities to minimise such malpractices. Examples of such measures would be the requirement for consultants to declare their impartiality and lack of vested interest in the proposed developmental projects (Retief et al, 2013).

9.3.1.2 Provision of information on negative impacts

Contrary to the high provision of positive impacts, the results revealed that negative impacts were those least often presented to the communities as shown in Section 9.2.1. The results suggest that consultants provided little negative information because they perceived that full revelation of the negative impacts would jeopardize the chances of the project being approved (Shah, 2013). The practice was non-compliant with principles of PP which require public participation to be informative and proactive (Dietz and Stern, 2006). The practice was therefore insincere to the entire ESIA process because the PP is conducted to provide information to the affected community on the effects of the proposed projects on their biophysical, cultural, social, economic and political environment (Palerm, 2000; Wood, 2003; André et al., 2006; Sainath and Rajan, 2015). Additionally, although the ESIA report presents both positive and negative impacts of the projects, the ESIA is principally conducted to identify the negative impacts in order to address them through mitigation measures (Fischer, 2014). Consequently, the purpose for conducting PP was not achieved since consultants failed to provide information on the proposed project's negative impacts, which would have enhanced the communities' ability to identify the corresponding mitigation measures. Accordingly, communities were denied a better understanding of

the proposed projects that would have facilitated their capability of arriving at an informed opinion (Kapoor, 2001; Weston, 1997).

Interestingly, despite the fact that the negative impacts were not prominent in the consultants' presentations, as mentioned in Section 9.2.1, consultants were ready to dismiss or explain in passing most negative impacts raised by communities. The conduct was not congruent with principles of PP which encourages the affected and interested public to be provided with adequate and timely information before major decisions are made on proposals which may have an impact on them (Dietz and Stern, 2006; IAP2 2006; O'Faircheallaigh, 2010). One example related to a mining project was that communities were informed during the PP meetings that no negative impact would emanate from blasting or crushing in the plant. One community member reported:

They said there would be no flying rocks or dust emission to affect houses or gardens because their machines were heavy machines and everything would be contained within their command area (Com-2103).

But according to our observations, during the research period, the nearest house was less than 5 meters away from the mine. The occupants of the house were bitterly complaining that they could not stay at home during the day for fear that flying rocks would fall on them. This development defied the objective of PP which aim to minimise the adverse potential impacts (Charnley and Engelbert, 2005; Sainath and Rajan, 2015).

Figure 9-3: Showing proximity of a house to mining site being directly affected by the mining activities



Failing to provide negative information and dismissing negative information raised by the communities reveal the ESIA objective from the consultant's perspective, which is to ensure that there is minimal disruption of the approval process. This is contrary to consultants' expectation that they should communicate during stakeholders engagement (Alberts et al; 2022) and yet this development leads to communities being denied the right to information which is provided for in the bill of rights in the constitution of the country (GoM, 1994).

This trend of avoiding the provision of negative impacts has also been observed in other countries within the region, such as in Tanzania, and also in Asia, in countries including such as China and Thailand (Brombal et al 2017; Phromlah, 2018): this eventually produced mistrust in the communities who were severely impacted by the projects' negative effects. Devente *et al.* (2016) recommend that developers should provide participants with sufficient independent background information, regarding both positive and negative components of the project, to enable communities make informed decisions.

In addition, consultants could arguably have been playing down the negative aspects of projects when addressing communities for fear that communities, especially in rural areas, might not understand the impacts, since some information on impacts is scientific and technical. That is why, when rural projects are being discussed, a mixture of local participants with technical experts is recommended (as discussed in section 8.2.1). Although technical experts are consulted individually during PP in urban projects, their participation is also a requirement for PP in rural projects, for backstopping and also providing checks and balances to the information provided by the consultants. Building on this suggestion, it would also make sense if third-party monitoring or implementation of PP were also considered in ESIA, where an independent monitor would be engaged by the regulator to monitor the enforcement of PP provisions. However, in a country like Malawi, where resources are scarce, it would be difficult to implement such measures.

For instance, there was one irrigation project (Mwalija) project which performed extremely well in providing negative impacts to the communities. In this project, experts were available in the meeting to interpret the technical information to the communities. Such arrangements, in addition to providing technical backstopping, also assisted in assuring the accountability of the consultant. Such provision of

information had many implications. Firstly, communities had adequate knowledge of the project and consequently raised considerable issues which were part of the decision making. Although the scope of the study did not include verification of the implementation of the issues raised by the community on the ground, nevertheless, the study team observed that some trees were planted to mitigate deforestation effects which arose as a result of opening up this new Mwalija irrigation project. Secondly, the research team observed that unlike most projects, where communities felt animosity towards the PP processes and their subsequent effects, in this case, the complaints did not concern the project itself but its operational modalities: that the project was taking too long to begin, and so that they could be employed as promised during the PP process.

Mwalija Irrigation Project performed better than other projects because of many factors. Firstly, it was donor funded, hence the financial shortages which cripple many PP processes did not arise. Secondly, multiple consultants were personally engaged in executing the PP process in Mwalija. This is unlike most of the projects, where usually a primary consultant is responsible for preparing the ESIA report, including conducting PP programmes, although additional names of secondary consultants appear in the report, which are usually included for the benefit of the regulator who undertakes the certification process.

Furthermore, scanty provision of information was observed in some projects, because unqualified people were subcontracted, as in one rural quarry-mining project, to conduct consultations. During interviews, a land valuer (Gov -04) who was instructed by one District Council to value people's gardens was also privately subcontracted by the developer to conduct PP. The outcome of his consultation task was just a list of names, as presented in Chapter 8 (Section 8.2.1). The implications for the communities were grave: they were given no opportunity to raise issues and were excluded from the decision-making process; hence none of the communities' concerns was implemented on the ground during the operational phase of the project. Practical consequences reported by the communities affected by this project because of improper consultation included the following:

- a) Community members had received no compensation for gardens where electricity poles were erected;

- b) There was no mitigation measure for houses, some which were only 2 meters from the boundary of the quarry, even though it was now operational;
- c) No mitigation measure was proposed in the ESIA report concerning the main road to the mine site, which passed a primary school about 2 kilometres from the site, yet this road would cause many impacts including accidents and dust during operation; and
- d) Unskilled labourers from the City (about 30 kilometres away) were being employed, instead of unskilled labourers from surrounding villages, which was a custom for numerous projects implemented within the rural areas and also stipulated in the EMP of the ESIA report.

With such a lack of expertise in mining projects, it was therefore inevitable that this land valuation expert should to consult inadequately in a projects like this.

The findings of the research further revealed that, although the negative impacts of all projects were presented with little emphasis, communities were equally severely affected by the consequences of these projects. As presented in Section 9.2.2, in rural projects as well as those located in district urban areas, loss of land was a major negative impact raised, while in city urban areas, issues raised primarily concerning pollution of air and water and as well as noise pollution. In rural and district urban areas, land was the paramount issue because customary land, which is owned by the local communities, is one of their main assets (IFPRI, 2019).

Secondly, in Malawi, loss of land is contentious because 85% of land is customary land (NSO, 2019), which is governed by chiefs. In rural areas customary land takes up nearly all the territory, whereas in urban areas most of the land is either privately or publicly owned. Since developmental projects in the rural areas are mostly implemented on a customary land over which chiefs have customary powers, it is expected that in line with the constitution, where natural justice is stipulated, land owners should be consulted and that consent should be sought prior to any developmental activities taking place, including projects which have undergone ESIA. This is often not the case, as this study shows, which implies that development projects infringe people's constitutional rights.

Chiefs have control over access to and use of customary land, including the right to arbitrate in communal land disputes (Chinsinga, 2006; Silungwe, 2015; Chancellor

College, 2018); this status gives traditional leaders significant powers over land matters in the country. This is the reason why developers were giving supreme inclusion of chiefs (Section 8.2.1.1) in the PP cognizance of their customary role of distributing land. Interestingly, while it is widely believed that chiefs have control over customary land as a result of customary law and that customary land is at the heart of the chiefs' power (Eggen, 2011; Muriaas *et al.*, 2020), Silungwe (2015), however, differs. He argues that "chiefs have only conferred powers to the land and not a natural entitlement." This is a result of legal provision in line with the Chiefs Act which states that customary land is managed by chiefs on behalf of the President (GoM, 1967). This argument therefore underlines the fact that chiefs abuse the powers conferred on them by customary laws.

However, the Government, recognizing this exploitation, has enacted new land laws such as the Land Act (2016) and the Customary Land Act (2016) (Gov, 2016). These laws have reduced customary powers of chiefs from sole right of allocating of customary land to the communities to the establishment of land committees which will be responsible for the allocation of customary land. According to these new laws, communities can now lease customary land as customary estates, which have same entitlement as leased land but will be managed and processed locally. However, these laws are not yet operational in the three study districts during the writing up of this thesis in 2022. The customary estates are operational in the pilot districts of Kasungu, Phalombe, Karonga, Rumphu and Nkhosakota. Communities whose customary land is not leased occupy almost all the land involved in rural projects as well as in district urban projects. These communities were not compensated for ownership of land but for land use, as the compensation law stipulates the observance of customary law. Consequently, the amount of compensation provided was not as high as that paid to those with leased land. Additionally, the findings also revealed some anomalies where communities were given money without signing for it, implying that there was unfair practice regarding compensation.

The most striking setback regarding the loss of land is that after communities were compensated, only a few members were able to buy another piece of land. They reported that they were unable to buy land because of immense poverty, which prompted them to use the money immediately for other equally pressing purposes, such as paying school fees for their children, before buying new land.

Additionally, some other communities reported that land within the proximity of their homes was either unavailable or very expensive. Further consequences of losing land from one irrigation included an increase in reported cases of theft in the village, and also increased charcoal burning as an alternative livelihood (FGD-2F). Charcoal burning is illegal in Malawi and is one of the major causes of deforestation.

9.3.1.3 Provision of negative impacts by consultants in urban projects

Although it was anticipated that consultants would present fewer negative impacts in the rural areas as a result of unfavourable conditions, as has been presented above, it was surprising to find similar trends in urban projects. This was unexpected because, in the urban projects, the majority of consulted participants were experts who were not only literate but also had adequate expertise in the topics of the ESIA discourse. Explanations for unexpected results could be found in the three responses from the consultants.

Firstly, one consultant (Cons-06) reported that he never provided any negative information because he did not want to pre-empt the experts and therefore wanted all impacts to come from the participants. Another (Cons-03) reported that he consulted the experts only to seek their institutional policy and legislative requirements on the project and not to discover its negative impacts. Still another one claimed that:

In the urban areas, you need to be very brief because consultants don't have time; that's why not much information was provided (Cons-01).

Additionally, it can also be argued that technical experts may not have provided the information regarding the negative impacts during PP because, although they themselves had excellent academic credentials, they might not have attended any practical ESIA course to learn what was expected from them as key experts when they were consulted during PPs. This theory is likely to be true because, in Malawi, there is currently no institution that is offering refresher/short term courses on ESIA. The last short term course was taught in 2002 at Chancellor College. Most consultants might have studied ESIA as part of a module in their degrees. This absence of short term courses on ESIA in the country denies an opportunity to widen the ESIA expert pool, which would eventually enhance professional capacity in ESIA in both the short and long term.

Furthermore, as stated in Chapter 8 on venues, most experts held their meetings in their respective offices; consequently, this suggests that the consultants did not share because they knew that the experts did not have first-hand information regarding the projects. This study also showed that consultants were unwilling to share the perceived negative impacts of the project, possibly because they did not want to trigger responses among the participants that would eventually lead to a demand for mitigation measures which might be expensive to implement.

Therefore, since urban experts were also not shared adequate negative information regarding the projects, the development was unfortunate because it led experts to raise issues based on uninformed positions.

9.3.2 Information provided by the communities

Just as information presented to the communities by the consultants was focused on economic issues, similarly, as presented in Section 9.2.2, the information raised by the communities were also focused on economic issues, and the major economic issue raised was also loss of land.

A female focus group lamented the increased poverty arising from loss land:

It looks like we are going to be stricken with more poverty now; we will be dragged down to a state poorer than the way they found us. Our occupation used to be farming but now we do not have that anymore even to have vegetables for relish (FGD-2F).

It can be argued that the justification for such complaints is that Malawi's economy is based on agriculture and nearly everyone (93%) in the rural areas relies on subsistence agriculture for a livelihood, hence land has become a major asset, being a source of livelihood for over 84% of the nation's rural population (NSO, 2020). Additionally, the average land holding size is only 1.3 acres (NSO, 2020).

Secondly, communities' top priorities are usually economic in nature, especially in rural areas, due to high poverty prevalence rates (Sandham, Retief and Alberts 2022), as discussed in Section 9.3.2. Similar findings, where economic issues are primarily raised, are reported in Ghana and South Africa (Bawole, 2013; MacRobert, 2020). Economic issues are thus raised with the object of mitigating poverty. Therefore, it can be suggested that these developmental projects, while enriching the projects' proponents, eventually exacerbate communities' poverty levels. Projects implemented

on customary land impoverish communities who have less land than before the intervention (Kerr, 2005).

Since economic issues were the primary category of issues raised, as presented in Section 9.2.2, comparatively few environmental and social issues were raised by the communities. It is, however, not surprising that social issues were not raised because most of them are linked with culture as most communities disputed the prevalence of prohibitive cultures such as gender issues which are discussed in the following Chapter 10.

With respect to environmental concerns, environmental issues are complex, which requires some capacity to comprehend them. Prevailing literacy levels are low, since about 70% of rural participants had only progressed as far as primary level education (see literacy as described on Chapter 10). This is supported by available literature arguing that environmental issues do not have high priority because the communities lack the capacity to understand them (Chi, Xu, & Xue, 2013; Olsen and Hansen, 2014; MacRobert, 2020). Similar findings have been observed in other countries, such as South Africa and China, where communities were unable to raise environmental issues as a result of their inadequate capacity, and yet environmental issues are inevitable in any developmental project (Gumus, 2017; Olsen & Hansen, 2014; Chi, Xu, & Xue, 2013; MacRobert, 2020).

Surprisingly, findings show that in urban projects, economic issues were equally dominant over environmental issues (see Figure 9-2) and yet the urban environment provides favourable conditions for experts, such as high literacy levels, as shown in Chapter 10 (see Table 10-9), and also for the development of expertise in the other participants consulted. Nevertheless, it is also possible that experts consulted on urban projects were also focusing on economic issues because they were aware of the prevailing economic conditions being faced by many Malawians, as reflected in the poverty levels presented in Section 9.3.1.1 above. Nevertheless, experts from three urban projects (Area 46 hotel, Mzuzu abattoir and Kapani Kanengo abattoir) as shown in the Appendix 1 (Table 13-7) presented some environmental negative impacts.

Although it can be argued that communities did not provide negative information because of the factors as described above, such as illiteracy and high poverty levels, there were, nevertheless, some instances, such as a rural quarry mining project in

Appendix 13-1(Table 13-7), where the communities were already knowledgeable about the potential negative impacts, such as dust and fry rocks, and were thus able to raise them during PP meetings.

Regrettably, however, even though such negative impacts were raised, they were immediately dismissed by the developers during the meeting. Interestingly, the ESIA report included major potential impacts such as dust and noise, along with mitigation measures. Although not within the scope of this study, mitigations mentioned in the report, such as relocation of nearby houses and the employment of unskilled labour from within the community, were not implemented during operation. The observable effect was that communities were very hostile to the project because the negative environmental impacts that were dismissed by the consultant during the PP meeting by the consultant were currently being felt, such as vibrations and dust emissions from the quarry mining. Communities face health hazards associated with impacts like these. Such actions by developers who mislead communities and fail to provide information for decision making are, therefore, not only detrimental but also unethical and undemocratic (Morrison-Saunders and Early, 2008).

Decision-making processes which do not involve the communities can easily backfire. An example of such consequences was given by an interviewee (Com-05) who described one of his experiences during one of Chikwawa irrigation project (which was not part of the ESIA project under discussion) when a borehole was drilled in their village without involving the communities. While their hydrological studies showed the availability of water, the scope of the studies did not include the water's salinity. The local communities were, however, already aware of salty nature of the water surrounding their communities. They also believed that the area surrounding the borehole was their ancestral spirits' resting place. Because of these beliefs, the borehole was never utilized, despite the fact that the area had no source of potable water. Consequently, if the communities had been consulted and their views taken into consideration, the borehole would have been sunk at an alternative point and the resulting availability of clean water would have therefore reduced the water-borne diseases that are very common in Chikwawa district, particularly in the rainy season. This example, although not part of the project under review, illustrates the practical side effects of excluding the public from the decision-making process, since they are

the ones who understand the local context, with regard to relevant environmental and social impacts, that can affect them (Morrison-Saunders and Early, 2008).

9.3.3 Information provided by the communities as part of decision making

It is vital that information obtained from affected communities should be part of the decision making if PP is to be effective. A majority of respondents who participated in the study did not know whether their views were part of the decision making, an indicator that there was no feedback given to the communities after consultation. Figure 13-4 in the Appendix shows that about 73% and 88% were not aware if their information was part of the decision making. As stated in Section 13.1.3.2 in Appendix 13-1, 76% of urban respondents and 92% of rural respondents received no feedback.

Although feedback is not provided for in the Malawi ESIA legal framework, it is a good PP principle. However, given the undesirable results presented in the previous chapters, such as provision of false information like false names and failure to provide adequate information to the communities, little of the information obtained was used in the decision-making process.

In addition, TCE members (TCE-02 and TCE-03) as well as Consultants (Cons 03 and Cons -06) stated that one of the reasons for not providing feedback was that PP was very costly and providing feedback could only compound these costs, which suggests that regulatory authorities need to consider how to finance feedback in order to enhance PP. The finding that providing feedback is expensive is in agreement with Wouters (2011), who also argues that providing feedback is usually constrained by a lack of adequate time and financial resources because the developer is always in a hurry to submit the ESIA reports for approval.

Therefore, with Malawi being one of the poorest countries in the region (IFPRI, 2019), most consultants do not expect to provide feedback. However, as they say, “where there is a will, there is a way”, one would assume that inexpensive ways such as posting the summaries of their views or utilising locally available structures would equally suffice. But since most of the consultants were involved in fraudulent activities regarding PP, their arguments can therefore be regarded with scepticism. The consultants’ attitudes actually supports the concept that providing feedback is highly beneficial, because it provides assurances to the community that their inputs have been addressed in the intended way (Phromlah, 2018).

As for those minorities of participants (Section 13.1.3.2) who had known that their views had been part of the decision-making, they knew because they had witnessed the implementation of their views. This is a positive direction towards communities being part of the decision-making process in line with principles of PP which calls for the public to influence and contribute to decisions on issues that could affect them (IAP2, 2006) in addition to incorporating the results of the public participation process into the design of a project (André et al., 2006; O’Faircheallaigh, 2010b). An example of the usefulness of integrating people’s concerns into project plans was provided by the irrigation project, which is one of the model ESIA projects in Chikwawa district: the consultant who prepared the ESIA report for this project remarked that the communities corrected the abstraction point of the water for irrigation project in question because they had prior knowledge that the site always had enough water throughout the year: *“These communities are more updated than the data we have in our offices.”* These sentiments on the assistance provided in the siting of an abstraction point demonstrate the significance of PP. This ensured that potentially adverse impacts were not overlooked, and the project’s positive impacts were also maximised (Sainath & Rajan, 2015; Charnley, 2000). However, since the most projects were not fully implemented during the study, more studies should be conducted in future to assess the extent to which the community's views are implemented on the ground.

9.3.3.1 Integration of the views into the Environmental Management Plan (EMP)

Results presented on Table 9-2 indicate that there was more integration of communities’ issues into the Environmental Management Plan (EMP) in urban projects than rural projects. This trend is similar with provision of feedback as discussed above, with more projects providing feedback in urban projects than in rural areas.

In rural areas, all mining projects had very minimal integration of issues, with even one project scoring as low as 0%, implying that there was no single integration and yet impacts from mining have adverse effects which are both short and long term than most categories of projects (Van der Plank et; 2016). This total lack of integration into the EMP is belittling the role of PP in decision-making process because it also implies lack of interest and detachment from the proponent’s perspective on the views of the community.

Surprisingly, these reports are approved ESIA reports, which the TCE (then reviewers of ESIA reports) had reviewed and approved. When one of the TCE members interviewed (TCE-03) was asked why such reports with such huge anomalies could be approved, he replied that TCE members do not usually assess the level of integration into the EMP. They just check the presence of a list of views in the reports and the narrative from the consultant on how he had addressed the issues. The response from the TCE member is, however, ironic because the primary reason for soliciting the views of the stakeholders is that they are part of the decision-making process. As a consequence, the practice is in conflict with recommendations that administrators should initially take into consideration all relevant comments, inputs, representations, information and evidence before making a decision (Retief et al; 2020). This development questions assumptions of the reviewers which assumes that the reviewers are rational, impartial, unbiased and objective (Albert et al; 2020).

Interestingly, the TCE members are keen to see the list of views in the narrative form of the report but they are not keen to assess whether views are part of the EMP, the management and monitoring plan that is supposed to take account of these views. This is what Retief *et al.* (2015) call “intentional blindness”.

Such oversight from the reviewers is unfavourable to the ESIA process because it is the final chance in the decision-making process to ensure that communities’ views are addressed. This is not compliant with objectives of PP which enables the environmental authority to make informed decisions on the identified impacts (Nadeem and Fischer, 2011; Sainath and Rajan, 2015). Reviewers should therefore be vigilant during the review process, to ensure that only credible reports are approved.

9.4 Summary

The Chapter has exposed major shortfalls concerning the extent of attainment of substantive objectives in the PP on urban and rural projects. However, more impact was noted in rural than in urban areas. This could be as a result of the information flow, which is highly dependent on other factors such as cultural norms and literacy levels, which create more barriers in rural than urban areas. Such gaps are a catalyst for increasing poverty, the very agenda that the country is primarily fighting against.

Chapter 10 : Transactive, Contextual factors and Learning outcome

10.1 Introduction

This chapter presents results and discussions on the last three objectives of the study. Firstly, differences in transactive effectiveness between urban and rural areas are presented. In connection with this objective, cost and time requirements with respect to PP are discussed. Contextual issues of culture, gender and educational levels and their effect on the PP in ESIA follow. Finally, learning outcomes that have occurred at the individual level due to PP are discussed.

10.2 Transactive effectiveness

As explained in Chapter 1, transactive effectiveness is defined by assessing the effectiveness of time and money spent on the PP element of the ESIA process. The effectiveness and efficiency in terms of costs and time spent on public participation is presented in the proceeding section with respect to the amount of time that was spent on PP in 12 projects. The average cost of PP in relation to the entire project cost is discussed from Section 10.2.2

10.2.1 Findings of Value for time and money

10.2.1.1 Value for time

Communities were asked about the duration of PP meetings during their consultation periods and Table 10-1 shows the responses.

Table 10-1: Time spent on PP meetings in minutes

Type of Location	N ⁴	Mean ⁵	p50 ⁶	sd ⁷	min ⁸	max ⁹
Urban	33	48.18182	45	24.83754	10	120
Rural	51	67.05882	60	49.18512	5	180

⁴ N: Is the number of PP participants

⁵ Mean: Is the average time taken to conduct PP by place of residence

⁶ p50 is the median : the number of minutes appearing at 50% of data set

⁷ Sd is a measure of the amount of variation of minutes from the mean. In urban has lower sd implying that the amount of time per participant are closer to the mean while in rural t the amount of time taken is spread out over a wider range.

⁸ Min: is the minimum duration of time of PP taken per participant

⁹ Max: Maximum duration of time of PP taken per participant

There was a variation in time taken to conduct public participation meetings between urban and rural projects. In urban projects, the mean time was 48.2 minutes while in rural projects the mean time was 67.1 minutes. The time difference between the places of residence arose because of a number of possible factors, including the method of consultation and the quality of information provided and raised from the communities. The average time taken per project also varied as presented in Table 10-2.

Table 10-2: Average time spent on PP per project

Project_Name	Average minutes
Rural- Bwabwa Quarry	48
Rural- CPI Chikangawa	49
Rural- Nsese Quarry	50
Rural- Sajiwa Quarry	53
Rural-Mwalija Irrigation	99
Rural-Ole Ole Energy	85
Urban- Abbator Mzuzu	47
Urban- Area 46 Hotel	40
Urban- Chikwawa TTC	49
Urban- Kapani Kanengo	39
Urban- Katunga Maseya	47
Urban- Mzuni skills	47

The longest average time spent during PP meetings was in rural Mwalija, with 99 minutes on project while the shortest average duration was spent on an urban project in Area 46 hotel with 40 minutes. Having spent such considerable time in meetings, communities were asked if it was worthy spending the time (value for time) and their responses are presented in the proceeding sections.

The value for time was thus the opportunity cost of the time that a PP participant spent on the PP meeting. Figure 10-1 presents the outcome:

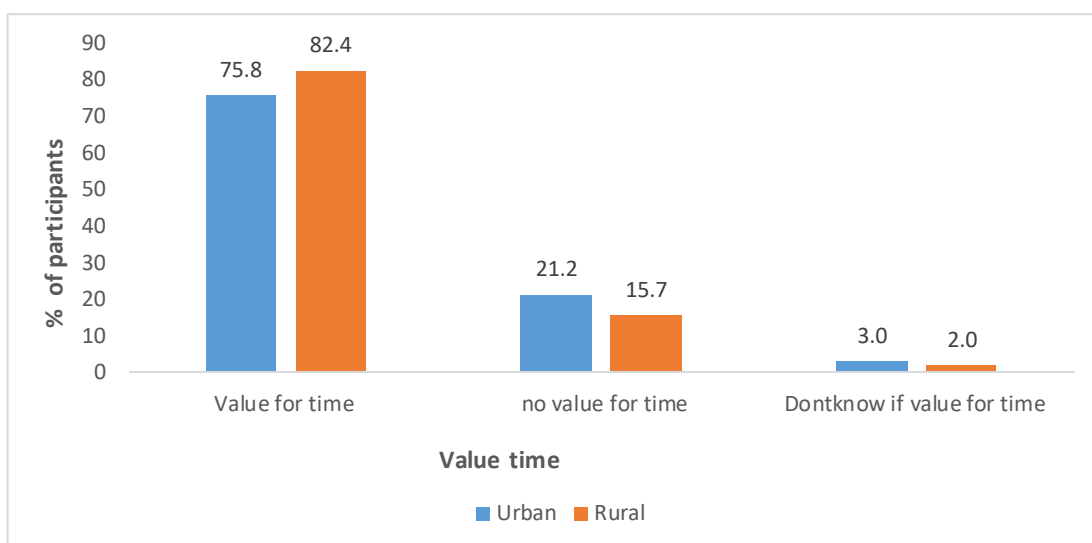


Figure 10-1: Value for time

Figure 10-1 shows that the majority of participants in both urban (75.8%) and rural projects (82.4%) appreciated that it was worth spending time on consultation meetings. When asked why they appreciated the time spent, they gave seven main reasons, as presented in Table 10-3. The main reasons why communities found it worth attending meetings were: 1) Monitoring of Corporate Social Responsibilities (CSR) implementation, 2) compensation, 3) knowledge of the project, 4) need for community inputs and concerns, 5) methodology of consultation was appropriate, 6) risk mitigation and 7) platform for dialogue and sharing of information.

Table 10-3: Reasons raised by the participants for value for time

Urban		Rural	
Reason	Words used by respondent	Reason	Words used by respondent
Need for community inputs and concerns	The PP was worth spending time on because issues that could have arisen during implementation had arisen during the meetings.	Monitoring of CSR implementation	It was worth spending time because of the corporate social responsibility programs that developers promised such as water, electricity and school

			blocks. Some even promised coffins to the communities surrounding the project which they would have not have otherwise.
Need for community inputs and concerns	The consultants had gaps in their ESIA report which were eventually filled with information provided.	Compensation	Compensation was given to the affected community because of the PP meetings that took place.
Risk mitigation measures	The PP meetings reduced risks which could have surfaced later in the project cycle if PP meetings had not been conducted	Knowledge of the project	We have understood the project so that we should accept the project with the knowledge at hand.
Platform for dialogue and sharing of information	There was a lot of exchange of information regarding the project between the consultant and the public.	Need for community inputs and concerns	Meetings were an opportunity for the villagers to raise their concerns and suggest solutions.
Platform for dialogue and sharing of information	It was also worth spending time in order to know how positively or negatively the project would be contributing to the	Methodology of consultation was appropriate.	The meetings included Focus Group discussions which were very helpful because some people who were not able to speak during open

	economy and the environment.		meetings could speak in small groups.
Platform for dialogue and sharing of information	Prevented time being wasted by the developer if people are not consulted because people could have refused the development	Platform for dialogue and sharing of information	Communities provided information which would have not been known without the meetings and in return, the developer also provided information to the communities.

As presented on the above table, urban and rural participants showed more similarities than differences in their attitudes to the value of time spent in PP. The similarities included their belief that the PP created a platform for dialogue and sharing of information and also their recognition of the need for the community to provide inputs and concerns. However, the major difference was that the rural public also appreciated the time spent on PP because of direct benefits such as CSR and compensation, which they felt they would not have gained without PP, while the urban community also viewed the PP as a risk mitigation strategy.

Additionally, some CSOs remarked that PP meetings gave a lot of value in return for time spent on them, because if public participation were to be excluded, it would mean that only the consultants' views mattered and not those of the communities. And yet the PP gives room for unearthing issues the communities may not even be thinking about but which may impose limitations on the project.

A few members of the communities remarked that it was not worth spending time on PP meetings and provided the following reasons:

Table 10-4: Reasons for thinking that time was not worth spending on PP meetings

Urban	Rural
They just came to collect policies and acts from my office which they could have found on the internet.	They did not give an opportunity for land owners to offer their view on the value of their land.
The consultants were just wasting our time to fulfil their obligation to the regulator.	People were not provided with the opportunity to express their views.
	It was only the developers who were talking.
	The meeting was very brief and the community's questions were not answered.

One community member did not know whether it was worthwhile or not because the project had not yet started, so he remarked that it was too soon to comment.

10.2.1.2 Value for money

The execution of every PP programme requires considerable financial resources. An estimate of costs for conducting the PP on 6 projects (3 rural and 3 urban) was sought from the 6 consultants who prepared the ESIA's for these projects. In addition, the total project costs were also obtained from their respective ESIA reports, in order to compute the percentage of resources spent on PP. The cost of the project includes all expenses pertaining to the project, including the ESIA process. Table 10-5 presents the cost of PP, total project cost and computed percentages of PP in relation to the project cost (the US dollar to Malawi Kwacha exchange rate at the period of data collection was 1: 734).

Table 10-5: Percentage of funds spent on PP (in relation to cost of Project)

Location of project	Cost of PP	Cost of PP (USD)	Cost of project (MK)	Cost of project (USD)	% of PP in relation to project cost
Rural CPI	900,000.00	1226	4,015,000,000.00	5470027	0.02%
Rural Mwalija	4,000,000.00	5450	1,861,210,938.00	2535709	0.21%
Rural Sajiwa	400,000.00	545	250,000,000.00	340599	0.16%
Urban Area 46 Hotel	500,000.00	681	2,200,000,000.00	2997275	0.02%
Urban Chikwawa TTC	2,000,000.00	2725	8,250,000,000.00	11239782	0.02%
Urban Kanengo Abattoir	450,000.00	613	400,000,000.00	544959	0.11%

The minimum percentage of PP in relation to total project cost was the same for rural and urban projects at 0.02%. However, the maximum percentage differed, with the highest being from rural projects at 0.21% while for urban projects the highest was 0.11%. Overall, it was more expensive to conduct PP in rural than in urban areas.

Furthermore, there was a correlation between time spent and amount spent on PP. The rural Mwalija project incurred a higher expenditure in both time and money than the rest of the projects. Correspondingly, the least amounts of time and money were spent on an urban Area 46 hotel project, as shown in Table 13-12 in Appendix 13-1.

Communities were then asked if PP gave value for money, considering that a sizeable amount of money was spent on PP meetings, and gave following responses:

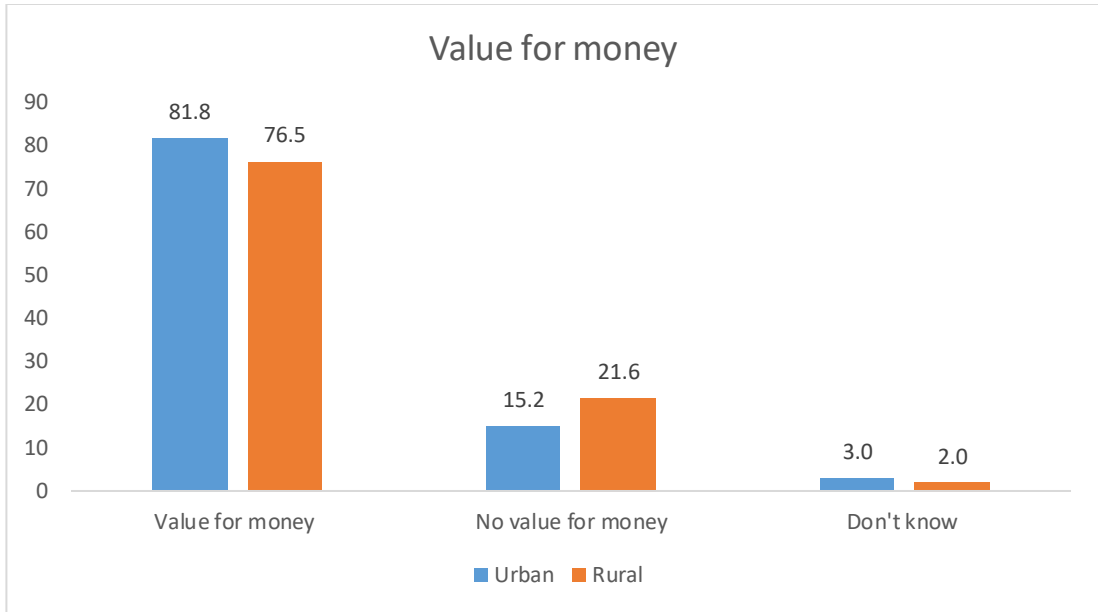


Figure 10-2: Value for money

Just as on value for time, a majority of respondents (81.8% in rural and 76.5% in urban areas) had the opinion that it was really worth spending money on PP meetings. The responses are shown in Table 10-6:

Table 10-6: Reasons for Value for money in PP meetings

Urban		Rural	
Reasons	Words used by respondent	Reasons	Words used by respondent
Platform for dialogue and sharing of information	It enhanced participation of the affected parties.	Platform for dialogue and sharing of information	We are the beneficiaries of the project hence it was just important that we are informed before the project implementation.
		Platform for dialogue and sharing of information	Developers got information on siting of the projects. Communities gave an example of a borehole

			that was drilled in an old grave site without consulting communities which resulted in people not using the borehole.
Legal reasons	It is a legal requirement; therefore, it was just supposed to be fulfilled.	Platform for dialogue and sharing of information	Communities provided information which they could not have gotten if it was not for public participation.
Cost effectiveness	Projects are very expensive; so it is not worth losing a project because of small amount of money which is spent on public participation meetings.	Incentives	Communities benefited in that they were given money as meal allowance for attending the meeting.
Knowledge of the project	Communities knew about the project including its aims and problems before it was implemented.	Knowledge of the project	We are owners of land hence it is not possible to implement a project without our knowledge.
		Platform for dialogue and sharing of information	

There were both similarities and differences between urban and rural areas in the reasons cited for value of money. The similarities bordered around creating a platform for dialogue and sharing of information as well as enhancing knowledge of the project and also promoting participation of the communities, which enabled their views to be heard. The differences were that, unlike their rural counterparts, urban participants raised issues which were technical in nature, such as fulfilling legal requirements and also the cost, in terms of lost opportunities, for failing to conduct PP.

In addition to the communities whose views are presented above, key informants, including the consultants who prepared the ESIA, concurred that PP provided value for money. One expert said:

Good things are not cheap. It is not worth it to risk putting up a project worth millions which will end up not being accepted by the communities; the communities would eventually sabotage the project. TORs stipulate that you have to do public consultations, so if you skip just because of the cost, you will not have fulfilled some of the conditions in the TORs. And you will find that the report is rejected and then you are going to double spend. It is better just to go for it because its part and parcel of passing the report and indeed justifying that the public were consulted (Gov -01).

Additionally, another key informant argued that it was important to invest in PP because some problems cannot be determined until a site is visited. He urged the need for a contextual background to understand why certain things happened.

However, there was a minority of 15.2% in urban and 21.6% in rural areas who observed that it was not worth spending money on PP, and Table 10-7 below provides the reasons for these participants' opinions.

Table 10-7: Reasons for thinking it was not worth spending money on PP meetings

Urban	Rural
Consultants didn't spend any money because they just visited the members they were interested in in their respective	Developers just came to see the land and they did not even inform the communities when work would start.

offices; therefore, there was no cost incurred.	
It was not worth spending money because they just pleased their masters.	The communities were not informed on how they would benefit from the project.
It is not worth spending money when issues which were agreed during the meetings were not implemented.	They did not come to seek consent; instead they came to take land by force.

In this case, too, there were differences between urban and rural responses. The responses showed different attitudes to urban and rural projects. Urban responses were on more general matters, while rural responses were perceptions regarding effects on the personal lives of particular individuals. These differences arose from the fact that urban participants were technical experts while rural participants were community members with varying needs. The relationship between these responses is discussed in Section 10.2.2 of this chapter.

10.2.2 Discussion of Value for Time and Money

10.1.1.1 Time effectiveness

Time is one of the critical resources that should be used effectively and efficiently if PP is to attain its desired outcomes. However, time has been defined by consultants as one of the constraints in the PP process, because of increasing pressure from developers. As shown on Table 10-1, the average time per individual meeting differed significantly between urban and rural projects, with an average of 48 minutes for urban and 67 minutes for rural projects per single meeting. The maximum duration per meeting was longer in rural projects (120 minutes) than in urban areas (80 minutes). However, the total duration of all the meetings held for a single urban project was longer than for a rural project, given that the interview method was the most frequently utilised in urban areas and there were several interviews for each project; for rural projects, the method used was the community meeting, which entails communicating with many people at once. However, the duration of the individual meetings in urban areas was shorter than that of the group meetings in rural areas, because the rural community meetings by nature are conducted with more participants and consequently the increased number of participants in a community meeting demand more time to

discuss issues. Additionally, given the high illiteracy rates in the rural areas, as presented in Table 10-9, a lot of time is naturally required for the participants to understand a project's implications, since environmental issues are complex in nature (Fitzpatrick and Sinclair, 2003). In total, however, since so many individual interviews were conducted in urban areas, more time was spent there than in rural areas. Generally, there are challenges in arranging meetings with all the appropriate stakeholders involved in the project development (Cillier and Retief, 2017) in places such as urban areas. The cumulative demand for time imposed by the interview process can also explain why there were more illegitimate names in urban than in rural areas.

In addition, the minimum time which was spent per meeting also portrays the extent of actual participation. For example, the minimum time per participant was recorded as 5 minutes by the participants (Table 10-1); these were the participants who were just "listed". The mere listing of participants was seemingly in itself an output from the PP meetings is a waste of resources and does not align with principles of PP which promotes optimization of resources, including human, financial and time (André et al., 2006; Cornwall, 2008).

Although, during interviews, some communities reported that only "5 minutes" were spent on obtaining their personal details, but when all the time periods used "just to list the participants" are added together, it can be suggested that public participation consumed a considerable amount of time, which was not used efficiently and effectively for the attainment of the PP objectives. This improper use of time for such malpractice erodes the integrity of the consultants (Enríquez-de-Salamanca, 2018).

Additionally, time was under-utilised by consultants who solicited the names of 39 illegitimate participants who were listed in the ESIA reports. This practice yields short-term rewards to the developer since the long list of participants in the ESIA would make it appear as if the legitimate PP was conducted. There is no minimum number set by the ESIA law in Malawi, but the longer the list, the more people are assumed to have been consulted, which improves the consultant's chance of acquiring the ESIA certification, as the regulator does not verify the authenticity of the participants' names. But the negative consequences of this "5 minutes" just to register the participants and also list inauthentic names are far-reaching for both the developer and the community: when time is not invested in planning, risks arise during the project implementation phase, leading to the project being stopped or its implementation

delayed, hence more time is lost. The project delay would arise because of the interruptions that could result from failure to engage the communities (Sadler, 1996). In addition, more delays can be caused by the use of such short periods if the report is returned because some basic information is missing: the regulator has the power to do this to ESIA reports that fail to meet minimum requirements. This would cause the expenditure of more time on conducting a fresh round of meetings and preparing the report for resubmission.

On the other hand, the maximum duration of the meeting per sitting was 180 minutes (three hours) and this was spent on a rural project (Mwalija). Focus groups were also conducted in this project. In addition, both negative and positive impacts were presented and discussed in detail. Furthermore, it is the project which had a combination of both experts and affected people attending the same meeting. This is also a project where no name was falsely added to the list of participants. The time allocated for this project was therefore long enough to enable the public to become familiar with the proposal since the elements to be assessed in the ESIA are mostly technical in nature (Nadeem and Fischer, 2011). This project can be a gold standard for public participation in terms of procedural, transactive and substantive effectiveness.

Therefore, in line with the model designed in Chapter 2 (Table 2-2), where participation is the highest level as defined by Fischer (2007):

An engagement process, in which external persons (for example, the public) are called to contribute to the decision-making process by exchanging information, predictions, opinions, interests and values.

Mwalija irrigation project is the only project which is very close to the definition, with a) the right blend of participants attending (Table 13-3); b) the provision of information to the communities (Tables 13-4, 5, 6); c) the ability of communities to contribute during deliberation (Table 13-10) and incorporation of their views into the decision-making process (Table 9-2).

Conversely, although in the short term, it could be perceived as an inefficient process because it took a long time to consult the people, but in the long term, the project and the community in general will gain because of minimised future disruptions as the participants were fully consulted and contributed to the decision-making process.

Furthermore, the social licence was optimally attained since meaningful time was invested during PP meetings. A 5-minute period spent on the registration of somebody's name as a participant can never yield any of the trust that is supposed to be acquired during the meeting and will probably be costly in future.

There were also some consultants who spent some considerable time, "not too short and not too long", on their task: for example, those who performed, on average, within the average of one hour, as indicated on Table 10-1. The time spent on these consultations, however, was still without value, because it was spent on "one-way" communication without providing an opportunity for communities to voice their concerns. These consultants were either merely "manipulating the public or just informing the public"(Arnstein, 1969) as shown on Table 2-2. This type of undertaking defeats the purpose of PP, where the information flow is supposed to be two-way with all the project details included (Fischer, 2007).

Much as the value of time is mostly perceived from the developer's viewpoint, as described above, however, communities reported during interviews that it was worthwhile to spend time on PP. Among other reasons, communities involved in projects such as Bwabwa Quarry, CPI Chikangawa, and Ori Ori appreciated the time spent because of the direct benefits such as mitigation and CSR projects which developers promised during the meetings, such as water, electricity and school blocks.

These communities' opinions about the aforementioned projects indicate the rural communities' perception of the superior importance of economic gains compared to other consequence such as environmental impacts (Bawole, 2013). No environmental impact was presented in rural areas as justification for the value for time, as shown in Table 10-3. In addition, even District Development Plans put environmental issues very low in their list of priorities (GoM, 2017). In urban areas, however, environmental impacts were cited among the reasons why it was worth spending time on consultation (Table 10-3). These results are similar to the observations in Figure 9-2, where 72% of urban and 46% of rural projects gave economic benefits higher priority than environmental benefits.

10.1.1.2 Cost efficiency of PP

In order to establish an average estimated cost for PP, consultants from 6 ESIA Projects (3 urban and 3 rural) were asked to provide an estimate. Results in Table 10-

5 show that the minimum cost of PP was 0.02% of the project cost for both rural and urban projects. These similarities in cost, irrespective of place of residence, are expected. As Alberts et al (2021) observed that remoteness of the projects contributes to the high cost of PP; similarly, consultants spent more in rural projects because of long distance covered but was offset by the number of interviews in urban areas. In rural projects consultants were spending more on transportation, but the venues were not costing anything, since meetings were held in public places such as under a tree or on school premises. In urban areas, however, since most consultants live in town, meeting sites are within close proximity, but costs may increase as a result of conducting several interviews. Despite similar minimum costs, it was, however, found that all three projects which had minimum costs also gave a high degree of false information that correlated with the minimum expenditure of time presented in Section 10.2.1.2. There is, however, no value for money in consultants who spend resources in order to provide false names and also to fail to provide enough information.

As for costly PPs, they were reported more in rural projects than in urban projects. As it is said that “money talks” (Fischer, 2022, p118), the projects with the highest PP cost yielded multiple benefits. As expected, the highest cost was incurred by the rural Mwalija project located in the Southern Region (furthest from Lilongwe, where most consultants live). This is also a project where focus groups were conducted and the PP was inclusive in that it involved extension workers and District Assembly Staff in addition to affected communities. It was also the project where both positive and negative information was provided. Although this was a donor-funded project, that was in itself no guarantee of quality, since there was another donor-funded project whose performance regarding inclusiveness of participants was unsatisfactory, as it only included people with positions and no ordinary affected community member participated, as presented in Appendix 13-1 (Table 13-3). Additionally, this project also had illegitimate names in the list of participants included in the ESIA report. Furthermore, the consultant did not provide adequate information regarding negative impacts as provided in Appendix 1 (Tables 13-4, 5, 6). Therefore, it is not inevitable that donor funded public participation meetings are conducted in a more effective and efficient manner. There are, however, other factors to consider, such as the integrity of the consultants and developers (Enríquez-de-Salamanca, 2018), the capacity and

facilitation skills of consultants (Fischer *et al.*, 2009), and the objectives of conducting PP from the developers' perspective (Enríquez-de-Salamanca, 2018).

The second highest cost for PP was spent on a private mining project, which is located in Lilongwe, but which also performed better in terms of people who were included: see Appendix 13-1 (Table 13-3).

While PP is deemed costly by developers, if it is to yield beneficial and lasting outcomes, then some investment is necessary. One key informant likened it to raising a child and realizing benefits later in life:

It is like raising a child; when you invest in a child properly at early childhood level, you enjoy the benefits in his whole life but when you jump the process of investing while he is young, you end up paying heavily at the end (NGO-01).

Similarly, although direct costs are perceived to have been born by the developer but the indirect costs are met by communities both in the current generation and even for the future generations (Albert *et al.*; 2022).

Nevertheless, irrespective of place of residence, the overall cost of PP relative to the project cost was very minor, with the highest percentage being 0.21% of the overall project cost. This implies that the value for money was really high, as the overall costs are low, compared with the benefits derived from PP. Similar findings have been reported in South Africa, where it was observed that the average cost of ESIA, in which PP is obviously included, is relatively low compared to other international systems (Retief, 2013).

Inadequate investment in PP results in project losses (Phromlah, 2018). An example of significant loss as a result of failing to invest in PP is reported in Peru. The developer of a gold mine project did not invest in community involvement, which led the community to oppose the project: the project costs increased by an estimated US\$1.69 billion as a result of delays (Bawole, 2013; Phromlah, 2018).

10.3 Contextual factors affecting Public Participation

Contextual factors in the context of public participation in ESIA are elements that are unique to Malawi but have a significant bearing on PP. This will address the fourth objective of my study. The contextual factors affecting public participation that were examined constituted culture, gender and education/ human capacity levels. The section below presents the outcome of investigation of these factors.

10.3.1 Findings for Culture, Gender and human capacity

10.3.1.1 Culture and Gender

Culture and gender in the Malawi's context are not mutually exclusive. Gender is defined by division of roles, access to resources, power relations, rights and decision making (Anyanwu and Augustine, 2013; Mayer and Barnard 2015) is affected and prescribed by culture. In view of the interlinkage of these two elements, the results will be presented in the same section. Table 10-8 presents the participation of males and females in the study.

Table 10-8: Participation of males and females in the study

Type of Location	Male %	Female %	Total
Urban	30(90.9)	3(9)	33(100)
Rural	45(86.5)	7(13.5)	52(100)
Total	75(88.2)	10(11.8)	85(100)

Pearson chi2 (1) = 0.3715 Pr = 0.542

Table 10-8 and Figure 10-3 show that there was limited participation of women in the projects and there was no significant difference between urban and rural projects, at 11.8% of total representation. Their male counterparts were in the majority in both urban and rural areas at 88.2% representation. Some of the reasons for the limited participation of women were attributed to the prevalence of cultural factors and low education levels, as described in sections 10.3.1 and 10.3.2 respectively.

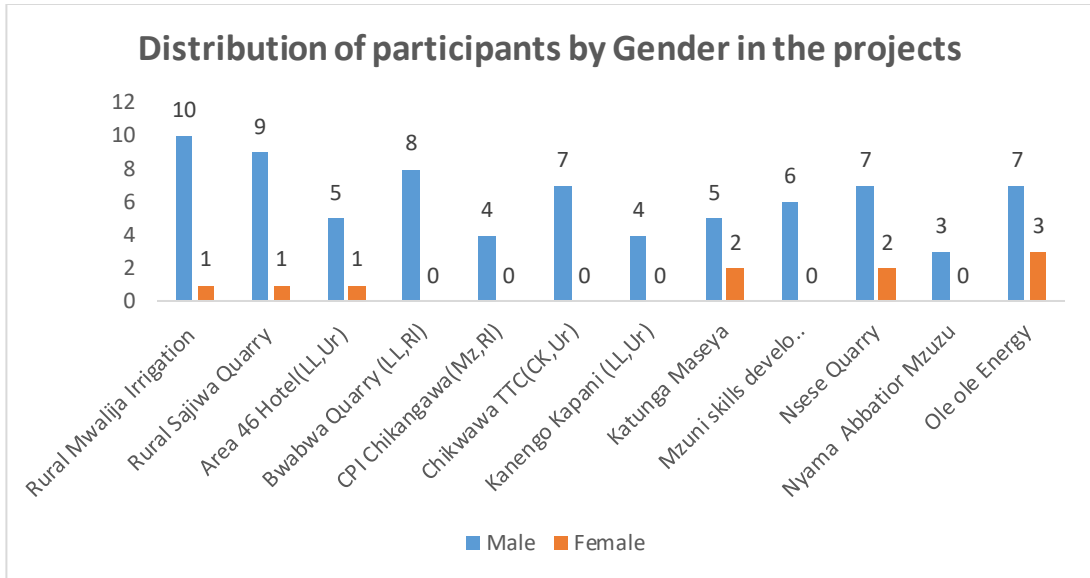


Figure 10-3: Participation of males and females per project

To understand why the participation of women was limited, respondents were asked whether they were any prevalent cultural factors in their respective areas that were prohibitive to public participation. Figure 10-4 shows the results of the question.

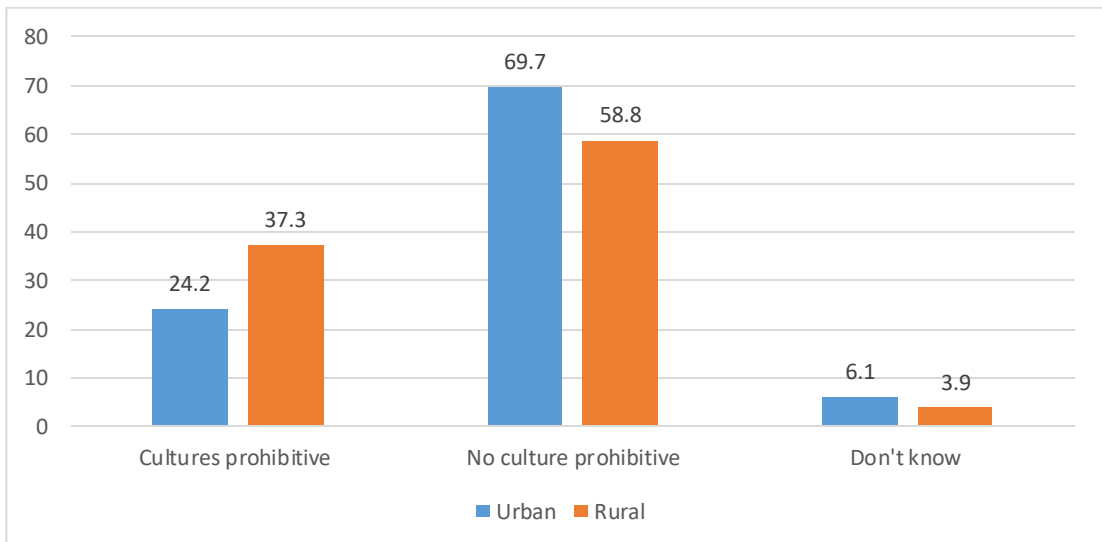


Figure 10-4: Status of existence of cultural prohibitive factors

The results show minor differences between urban and rural areas on the prevalence of cultural factors in their respective projects. In urban areas, 24.2% reported an existence of such factors while rural projects also registered about 37.3% that indicated the presence of cultural barriers. The sections below describe some of the prevalent cultural factors reported:

- a) Participants from the patrilineal system in Chikwawa and Mzimba districts (Sena and Ngoni tribes respectively) reported that one of the major cultural practices is that men are dominant in general decision making, including those decisions made during Public Participation meetings. Three rural projects belonged to patrilineal areas: Bwabwa Quarry, CPI Chikangawa (Mzimba district) and Ole Ole in Chikwawa. Projects in matrilineal territory were Mwalija (Chikwawa), Sajiwa and Nsense (Lilongwe).
- b) It was also observed that in the patrilineal system, while men dominated decision making on high value assets such as land, on the other hand, women took on more responsibility for working in the gardens and domestic care work. After harvesting, however, then again men resurfaced to make decisions on income raised from selling produce, which was produced by women.
- c) Irrespective of the marital system (whether matrilineal or patrilineal), traditionally most women were reported to be shy about speaking in public. This is caused by many reasons including an inferiority complex, which can be attributed to the lower levels of education of women compared to men, as discussed in Section 10.3.2.2.
- d) Additionally, another cultural norm was that the youth were not expected to speak in the presence of adults. Similarly, ordinary men and women were not at liberty to speak against the views of leaders. If traditional leaders have spoken, no one has a right to comment again or present contrary views.

On the contrary, the majority, 69.7% and 58.8% in urban and rural areas respectively, indicated that no cultural barrier to female equality was predominant in their communities. To demonstrate their stand, one key informant, who is in academia but was not involved in the preparation of the ESIA reports under review, reported that the submissiveness of women during the meetings, irrespective of the culture in the rural areas, was a thing of the past. He said he himself was conducting ESIA for projects in the Northern region including Mzimba (the district under review) where there is patrilineal system and remarked that,

I have been involved in the ESIA projects in Mzimba and Karonga and in all these projects I have seen women speaking without anyone hindering them from speaking. I have also been involved in the ESIA projects in Chikwawa,

Chapananga and Muona which is also in Chikwawa and here, too, I have seen women speak. In all these places both women and men get involved (Acad-01).

However, expectedly, in urban areas respondents reported that there is no definite set of cultural factors in the urban areas because the communities there are cosmopolitan.

10.3.1.2 Findings for Human capacity

Human capacity was assessed in terms of participants' level of education. Table 10.9 provides findings for the level of education for registered participants.

Table 10-9: Level of education for registered participants

Highest education	Urban		Rural		Total (n=85)
	Male (n=30)	Female (n=3)	Male (n=47)	Female (n=7)	
Did not attend	6.1%	0.0%	11.5%	3.8%	11.8%
Primary and Adult literacy	12.1%	3.0%	50.0%	5.8%	40.0%
Secondary	15.2%	3.0%	15.4%	1.9%	17.6%
Tertiary	57.6%	3.0%	9.6%	1.9%	30.6%
Total	90.9%	9.1%	86.5%	13.5%	100.0%

Pearson chi2 (3) 25.7176 Pr = 0.000

The Table shows that there was a significant difference between the highest education levels of urban and rural participants with a chi of 0.00. More people in rural areas had never gone to school (15.4%) than in urban areas (6.1%). In urban areas, participants who had never gone to school were located in the district urban areas. As regards highest education, far more participants had attained tertiary education in urban areas (60%) than in rural areas (11.5%). These levels of education were further assessed if they had any bearing on PP, and participants' highest education level was analysed against their ability to contribute to the meeting. Below is the outcome of the results:

Table 10-10: People who contributed during meetings compared with their level of education against type of location

level of education	Never gone to school		Primary		Secondary		Diplo- ma		Degree and above	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Urban	1	1	3	2	4	2	5	0	15	0
	50%	50%	60%	40%	66.7%	33.3%	100%	0%	100%	
Rural	4	4	17	12	7	2	6	0	0	0
	50%	50%	58.6%	41.4%	77.8%	22.2%	100%			

Overall, irrespective of the type of location, results show that the higher the education qualification, the more capable participants were of speaking during the meetings. Likewise, there was a decreasing trend of people who were not able to speak from the people with highest qualifications to people who had never gone to school. In both urban and rural areas, half of the people (50%) who had never gone to school were able to contribute to the meeting and the other half were not able to speak during the meetings. The results differed greatly from those who had attained Diplomas and Degrees in that, in both rural and urban areas, there was 100% contribution to the meetings.

The difference between “never gone to school” and “primary education” in both urban and rural was not as wide as the difference between those with secondary educations and those with Diplomas and Degrees.

10.3.2 Discussion of Contextual factors affecting Public Participation effectiveness

Cultural factors, gender and literacy will be the contextual factors for effective PP examined here.

10.3.2.1 Cultural and gender factors

The results show an unanticipated outcome regarding cultural barriers prevalent in Graph 10-4. Only about a third and a quarter of participants in rural and urban areas respectively reported the existence of cultural practices which inhibited effective PP, while the majority did not report any cultural impacts. These results are unexpected because literature reports on cultural factors such as male dominance and consequently female suppression in decision-making processes in patrilineal districts such Mzimba and part of Nsanje (WLSA, 2000; Mtika & Doctor, 2002; Zeze, 2015; Robinson and Gottlieb 2018). Additionally, the chiefs' continuing exercise of important cultural roles such as representing communities, mobilising communities and land allocation (Chisinga, 2006; Muriaas *et al.*, 2020) has been said to be a cultural hindrance to PP: this will be discussed in the following sections.

However, these responses were provided by the participants, 88% of whom were men, 71% being chiefs. Therefore, since the majority of participants were men and chiefs at the same time, this could explain why they did not raise any gender or cultural related barriers, such as not speaking in the presence of chiefs. These findings resonate with those reported in Cambodia and Ghana where men who were the majority in the agriculture sector could not recognise gender gaps (Martignoni *et al*; 2022). However, during FGDs and key informant's interviews (NGO-01; NGO-02; FGD-1F and FGD-2F), cultural barriers including, those which impinge on women and the young, as presented in 10.3.1.1, were predominantly raised as the primary barrier towards PP in Malawi, including the three study districts.

As regards imbalanced gender participation, in Mzimba and the Sena tribe of Chikwawa district, which are patrilineal societies, men are the decision makers in the household as well as in society at large. Since a man is culturally a decision maker, a woman is not given space to participate even in the PP of the ESIA process. For instance, one of the major impacts that affect women, especially in rural areas, is loss of land (Asmare, 2016; Chigbu, 2019; Martignoni *et al*; 2022). When land is sold to investors as a result of development activities in the village, men get money for compensation and yet the benefits of money raised will hardly trickle down as men will either use money for excessive beer-drinking or marrying another wife (FGD - 2F).

On the other hand, as a result of their inadequate participation in PP decision making, women suffer the aftermath of exclusion emanating from land loss: since women are culturally providers of labour and food for the family (Asmare, 2016; Martignoni et al; 2022), after losing the nearby gardens, women reported during interviews that they consequently walk long distances to cultivate in more remote gardens after the nearby land has been sold; in the evening, women will also be expected to prepare food for the family. These findings confirm the ‘triple burden’ of productive, reproductive and communities, a sign of super-exploitation of women (Federici, 2019). After harvesting the products, the man who was the decision maker (during PP) resurfaces for more decisions on the money raised from selling the produce (Maliro, 2021); money realised is consequently not redistributed to the rest of the family (Hanna & Karlan, 2016). The lack of female participation eventually results in long-lasting poverty with adverse impacts on the health and socio-economic wellbeing of the woman and the entire family.

In the patrilineal system, women are more disadvantaged, especially in the ngoni culture, because they are also treated as “property”. One of the seemingly offensive remark by a Governmental official working in Ngoni district even remarked during an interview that:

A property cannot own another property’ (Gov -06). This remark is similar to the Nigerian proverb that “Married women are the property of their husbands, and it is unwise to empower a property to manage land which is in itself a property (Chigbu, 2019; p130).

This consequently demeans the value of women in a society where their roles are so important and yet much overlooked when it comes to decision making. To underscore the marginalisation of women, in Mzimba, there was no female participant who participated in the PP in any of the 4 ESIA projects which were under review in the district, as shown on Figure 9-3. The limited participation of women in the ESIA process means that the process is not gender-sensitive and therefore fails to provide an appropriate platform for empowering of women to free themselves from social exclusion and other inequalities.

On the other hand, while women are expected to be decision makers in the matrilineal system, specifically in the Mang’anja tribe in Chikwawa and the Chewa tribe in

Lilongwe, on the contrary, PP meetings on the rural projects in the three matrilineal sites (Mwalija, Sajiwa and Nsense) were being equally being dominated by males. In Lilongwe district there were only 3 female participants in 2 rural projects and 1 female participant in 2 urban projects. These few female participants were selected for PP possibly because they were not ordinary people but were chiefs as well. This concurs with opinions that the level of women's engagement is conditional on their role in society (Robinson and Gottlieb, 2021). In addition, there was also one lady participant whose educational qualifications were at Diploma level. This signifies that both educational qualifications and leadership positions played a significant role in participation in PP engagements. The idea that some women were chosen to participate as a result of their education is supported by available literature indicating that, in general, that capacity of the public is very critical to participation in order to influence decision (March, Smyth and Mukhopadhyay, 2005; Yang, 2008; Chigbu, 2019; Maliro, 2021).

Since education is a right to every individual in Malawi as well as most parts of the globe irrespective of culture; education is thus one of the tools that can be employed in the culturally male dominated societies to bridge the gap of low female participation in the EIA process (Joseph, 2012). With respect to this study, since participants are selected by the chiefs who are also custodians and gatekeepers of culture, this phenomena suggests the uncontested evidence that education catalyses participation while maintaining the cultural values of the society.

Secondly, the operation of the chieftaincy is another major inhibitor of PP in the ESIA process. Firstly, the chiefs' status as gate keepers of the communities implies that no consultant or developer can access the communities without their knowledge and permission. This implies that communities will be met only with the approval of the chiefs, since the cultural role of these chiefs is to mobilise the communities. As a result, invitations for communities to participate in the PP meetings lie at the mercy of the chiefs. While public participation took into consideration the principle of PP of abiding by the cultural of social obligation (André et al., 2006) by initially meeting the chiefs as gate keepers and community mobilisers, some chiefs also chose who to invite to the PP meeting. This can lead to the most marginalised members of a community being excluded from meetings, yet they are the most severely affected. An example is when women, or the most vocal members as described on the previous Chapter 8 (section

8.2.1), were side lined, despite being more vulnerable to the effects of developmental activities.

Thirdly, another cultural element forbids communities to say anything that contradicts the chief. In addition, after the chief has spoken, no one can speak again. This practice, whilst being an indicator of respect, prevents the voice of the affected from being raised in order that their concerns can form part of the decision-making process. In order to mitigate such situations, additional methods of PP, such as focus groups, should be employed. Interestingly, even among the chiefs themselves, there were some who experienced hindrances to participation in the PP. While it has been generally urged that leaders were monopolising discussions, it was also observed that some lower-ranking chiefs, such as the village headmen, were equally unable to contradict the views of the senior chiefs.

10.3.2.2 Literacy levels

As presented in Section 10.3.1.2, literacy levels are a significant contextual factor that affect PP in Malawi. For urban areas, the consultants targeted technical experts as participants, whose education levels were higher than those of rural participants.

Regarding the study participants, the urban participant with the highest qualification held a PhD, while the rural equivalent was a Diploma holder; while regarding the lowest qualification (those who have never gone to school), 8 participants came from rural areas and only 2 from urban areas. These differences in education levels obviously had implications for participation in ESIA because the reports are technical in nature and therefore require technical capacity (Anuar, Nasir and Saruwono, 2018). Besides, ESIA reports are not translated into local languages, neither are they presented in simple or visual ways that would enable local illiterate people to understand them (Zuhair and Kurian, 2016).

Correspondingly, the results on Table 10-10 show that people with more education were able to participate more. This could be because education enhances the general understanding of the issues involved, so that when PP issues are tabled, those with higher education are able to comprehend and contribute more. In addition, education enhances confidence (Enríquez-de-Salamanca, 2018), so that when an opportunity is provided to contribute, people with high literacy levels are able to raise and defend their cause. This also explains why NGOs were side lined as they are literate and also

have expertise, hence could jeopardise the social licence of the project. In addition, as mentioned in section 10.3.1.1, in the matrilineal system, where women are expected to dominate, it can also be argued that men were better represented in all participatory activities than their female counterparts because of the higher literacy levels of males. Education breaks the barriers of PP even in the most rigid cultures, as in Mzimba district. Even though “women are merely a property”, those who have gone to school have risen above being a mere “cultural property”. For instance, there are female Members of Parliament from Mzimba district. In addition, the current speaker of Parliament is also a woman and the head of Anti-Corruption Bureaus is also a woman. Education therefore opens up opportunities for women from Public Participation to the highest political level, defying the cultural limits set on a woman.

Levels of literacy also contribute to the type of comments made by the communities during PP meetings. Since illiteracy is significantly associated with poverty in the Malawian context, rural people were mostly raising economic concerns, preoccupied with meeting their short term economic needs, as presented earlier in Chapter 9. But if these women were literate, they could have perceived that beyond the short-term gains, including environmental benefits, there would also be negative consequences that would have a significant bearing on the very economic effects with which they were primarily concerned.

10.4 Learning as an outcome of Public Participation

Participants are expected to gain knowledge of some kind as they participate in any PP. Therefore, learning, being an expected outcome of effective participation, was consequently assessed. In order to obtain information on how they had learnt, research subjects were asked whether they had learnt anything from participating in the PP, what they had learnt and how they had learnt. The proceeding section presents findings from the research subjects on any learning that had occurred.

10.4.1 Results for Learning Potential

In both urban and rural areas, there was considerable learning emanating from PP engagements and Figure 10-5 presents the outcome:

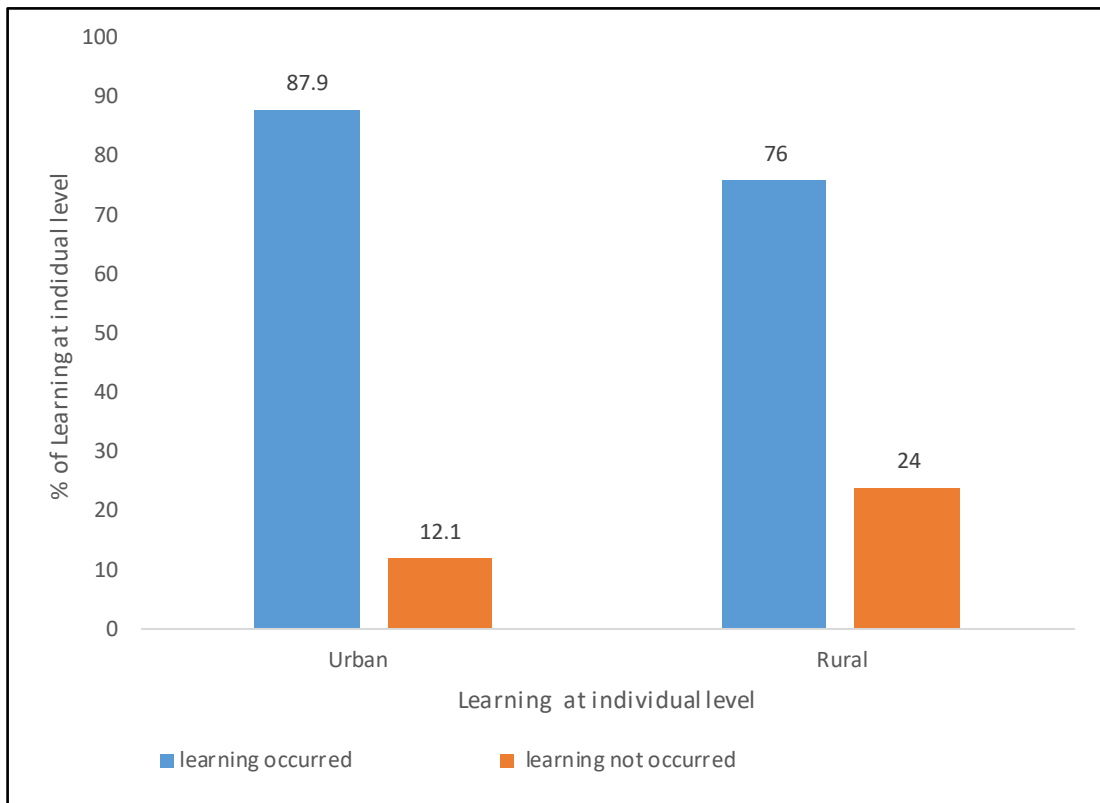


Figure 10-5: Learning from Communities

Figure 10-5 shows that overall there was generally some learning acquired by most participants in both urban and rural projects. More participants from urban areas (87.9%) compared to rural areas (76.0%) reported that they had learnt something from PP, although the difference was not significant. When asked what they had learned, a variety of perspectives was expressed, which included the following:

Table 10-11: Learning that emerged from the community

Urban	Rural
The PP process has taught me to read in depth about every mining project. These consultants always perceive that I knew a lot on mining hence I read a lot on the legal context, policy and implementation of any mining project in the country.	I have learnt to plant more fruit trees this season because the project will remove some trees.
With these consultants we shared information for free while they make money from us. Next time I will charge them.	I have learnt that these projects aggravate poverty by taking land from us.
Any developmental activity that happens in an area will have negative impacts	When they met us they would have already agreed with the TA.
I have learnt that I have the right to be consulted. In future projects I will ensure that am consulted.	In future, when developers come, they should involve the community from the start.
	I have learnt not to give up land in exchange for money. Now I don't have a piece of land.
I have learnt that compensation rates of donors and the private sector are different. With donors, you can choose to have a house built if you have lost one. I chose money because I thought it would help me but it was a wrong choice. I was unable to buy alternative land because land is now very expensive.	They were just bulldozing their way into our thinking. In future no one can do that since we now know our rights after they failed to fulfil their promises. We will never offer land in response to being forced. It will be at our own free will.

The views on learning presented above, irrespective of place of residence, are mostly dissimilar from the conventional learning potential which is documented in the literature generated by an effective PP. Most learning potential presented in the literature is reported from a positive perspective such as acquisition of knowledge

(such as knowledge about planting trees as in the rural responses above) or transformation (such as embracing the reading culture on ESIA as in the urban responses above). On the other hand, some learning that was reported in this study had a negative perspective. The learning arose as a result of interaction with fellow participants, with colleagues who had also undergone a PP process and also with CSO organizations close to projects. Through such interactions, the learning lessons were mainly on the issues that they embraced unknowingly during the PP process but which eventually had long-term effects. These included the right to be consulted and also learning that most projects enhanced poverty by taking up their land.

Learning by consultants

Additionally, consultants who conducted Public Participation for these projects also acquired some considerable knowledge during their engagement. They remarked that each project added something new to their existing knowledge. One consultant learnt the difference between donor-funded projects and local projects when conducting public participation activities. He noted that PP engagements conducted by donor projects such as the World Bank and African Development Bank (ADB) were very comprehensive, because measures were taken to ensure that all parties were involved. In addition, he observed that during compensation processes for affected people, the participants were given a choice between cash or being built a replacement house in the event of relocation.

Furthermore, some consultants learnt how, in some matrilineal societies, some women could be influential during decision-making processes: they learnt that the meeting could not start when these influential women leaders were not around. But, contrary to these findings, representation and participation of women was equally poor in these matrilineal societies, as presented in section 10.3.1 of this chapter.

Yet another consultant learnt how important it was to involve the whole community and not just chiefs when settling land disputes. He observed that,

Previously we used to deal with the chiefs only, not knowing that locations are different. When this time around we started talking to the chief, the whole community came uninvited. Now we will tread very carefully next time we deal with land issues (Cons-04).

Furthermore, some consultants learnt about the importance of timing for PP meetings. They learnt that during the rainy season, people were not responsive to the invitations to the meetings because they spent a lot of time in their gardens. They learnt that next time they would have to take that into consideration when planning their meetings.

Learning by the Technical Committee on Environment (TCE)

Members of the Technical Committee on Environment (TCE), a body that reviewed ESIA's, and the National Council on Environment (NCE), that finally approved them, also reported some learning experiences.

As a result of interaction with fellow TCE members and the public when attending PP meetings which we have commissioned, currently we send back reports to be redone if they are deficient. For example, there was a water project in Diamphwi in Dedza district, which has not been resubmitted 5 years after we recommended that a public hearing should be reconducted. The project would have taken a lot of land and we advised a developer to identify an alternative piece of land for the project (TCE-02).

The NCE member echoed that:

If the project is going to take a lot of people's land, we do commission a public hearing. And because of such lessons, we have even recommended the reduction of the Lifuwu irrigation project in Salima by 50 %, during the NCE meeting (NCE was final decision process then in 2019) (NCE -01).

In confirmation of the fact that reviewers assess the adequacy of PP, one consultant even confessed that his main reason for conducting PP was for TCE to approve the report.

On the matter of how the reports are reviewed, TCE members reported that they used to check the list of names written in the ESIA report as a consultation list, the list of views raised in the ESIA report and also how those views had been addressed in the ESIA report. The researcher, however, observed that was no mechanism put in place to certify the names recorded in the ESIA reports. Neither was there any verification process to certify issues found in the report as a genuine contribution from the communities.

Why some communities were not able to learn

Despite the recorded learning circumstances as presented above, there have been other research participants who claim that they have not learnt anything during the PP activities. The majority of participants in urban areas who reported that they had not learned anything claimed that there was nothing new in the meetings they had with consultants. One expert remarked that,

It has been the same information I have been providing to different consultants. In fact it is consultants who have been learning from me (Gov-05).

In rural areas, those who claimed not to have learned anything said there was nothing to learn because the consultants just came to inform them very briefly without giving the communities any chance to present their case. In addition, the communities reported that meetings were very short. The implications of these results for effective PP have been presented in the following discussion chapter.

10.4.2 Discussion of learning potential

Learning as an outcome of PP

As presented in Section 10.4.1, participants in PP were assessed if they had learnt anything in the PP process because learning is an expected outcome of effective participation. As observed in the previous sections, Figure 10.5 showed that overall learning occurred both in urban and rural areas, with 87.9 % in urban projects and 76% in rural areas. This study mostly observed single-loop type of learning, as discussed in the following paragraph, unlike the other literature on this subject, which mostly reports two types of learning: single-loop and double-loop learning (Fischer *et al.*, 2009; Sánchez & Mitchell, 2017 ; Cruz *et al.*, 2018).

The views on learning presented by Table 10-11, irrespective of place of residence, differ markedly from the conventional learning potential which is documented in the literature on effective PP. The difference arises because, while most of the learning potential presented in the literature is reported from a positive perspective ranging from acquisition of knowledge to transformation, in this study, both positive and negative viewpoints were reported. Positive single-loop learning ranges from acquisition of knowledge, such as the importance of planting trees, to the transformative attitudes of experts, such as embracing a reading culture on ESIA, as reported on Table 10-11. On the other hand, the perceived negative learning attributes

were the “unexpected” outcomes emanating from the PP meetings not conforming to the principles of Public participation which contribute to the enhanced understanding of all stakeholders with respect to their values, interests, rights and obligations (André et al., 2006).

The learning included the information that most projects increased poverty by taking up their land. In addition, some communities learned that, in the subsequent projects, they would not be allowed to be represented by chiefs during PP, and consequently learnt that they had the right to be consulted. This learning arose from many sources, such as interactions among themselves, interaction with colleagues who had also undergone the PP process, and also from CSOs involved in nearby projects. Through such interactions, “it was learning in a bitter way”. The lessons were mainly on the issues that they embraced unknowingly during the PP process but which eventually had lasting long-term effects. In line with objectives of PP, there was therefore contribution to the mutual learning of stakeholders and consequently leading to the improvement of future PP programmes in Environmental Assessment practice (Jha-Thakur et al., 2009).

It was, however, interesting to note that the number of participants who felt they had learned something (Figure 10-5) was greater than those who contributed during the meeting (Table 10-10). This implies that some participants learnt something but were not able to contribute anything during the PP meetings. This can be argued as passive learning, where communities were merely receiving external information (Fitzpatrick and Sinclair, 2003) without sharing with fellow participants. This conforms to the “information” ladder according to Arnstein (1969).

Although the PP might have induced double-loop learning in the participants, it was not reported by participants, possibly because of the methodological approach adopted during the study. The study was conducted on projects which had been approved two years prior to the study period; consequently, most of them were still under construction and others had not even begun. Therefore, it would have been premature to assess double-loop learning, which would have been reflected in the transformation of their character during the operational phase of the project, or subsequent PP processes. Therefore, the observation of double-loop learning, which is reflected in people’s norms, values, actions and attitudes (Argyris, 1978), was not possible.

Factors for learning

In this study, although considerable number of participants learnt something, the degree of learning was very shallow, while others did not learn anything significant at all. There were several factors which hindered the expected learning outcome, such as time, cost, methods and type of facilitators, type of information and capacity.

Time was very instrumental for the learning potential to take place. Some projects' PP meetings lasted for as little as 5 minutes, as presented in Table 10-1. This time, as presented in Section 10.2.1.1, was used only to register names of participants. This is in conflict with the suggestion in the literature that ample time is one of the prerequisites for learning during the PP process (Fischer, Kidd, Jha-Thakur, *et al.*, 2009). Ironically, during the study it transpired that some communities felt that their non-participation (merely being registered) had taught them to be vigilant with regard to oncoming future projects because of the adverse effects, such as loss of land, which had impacted on them significantly.

Secondly, the information flow between consultant/developer and the communities is important. Since most consultants did not provide adequate information on important topics, such as the potential negative impacts which might have arisen from the projects, the discussion on the projects was therefore limited, which eventually limited the participants' learning potential. These findings contravene the recommendations suggested by Sinclair *et al.* (2008) that providing information pertaining to the project in a transparent way is a catalyst for greater learning potential. Denying communities' information denied them an opportunity to apply their learning benefits to subsequent ESIA projects and also future public participation programmes.

Additionally, the methods utilised in this study did not facilitate the communities' learning potential. Most rural projects, as shown in Chapter 8, were using community meetings for their consultations, while the urban projects were utilising interviews. In the community meetings, the cultural and social barriers prevented some participants from participating because the method did not give sufficient encouragement to members of the marginalized communities to let their silent voices be heard, as discussed in section 10.3.2. The participation space was therefore unlocked to fewer people, hence the learning potential that would arise from full deliberations during the meetings was compromised. That is why Sánchez & Mitchell (2017) propose a blend

of methods if the debate yielded by PP methods is to produce the expected results. This also reveals why an irrigation project which had a combination of both community meetings and focus group discussions attained the highest achievement of all the projects, with 10 out of 11 people learning. Similarly, in urban areas, since the method was mostly interviews, participants were denied the opportunities to fulfil their learning potential which arise from deliberations in the meetings.

Furthermore, most consultants who were facilitating the meetings were “hired” merely to conduct the PP. They did not have any facilitation skills and some had neither technical skills relevant to the project at hand nor expertise in ESIA. One such example was an official who came to the project site just to register affected members. This is in agreement with Fischer *et al.* (2009) who stated that poor facilitators with poor facilitation skills and a poor understanding of environmental issues are a barrier to learning.

Furthermore, key to learning potential are resources. Although both rural and urban projects required some level of expenditure as indicated in Section 10.2.1, indicating that some PP really took place, there was a direct relationship between the cost and provision of false information. Where the cost was the least, there was also a high degree of dishonesty; consequently fewer people involved in those projects had access to PP, which in turn did not yield long-term learning outcomes from such projects.

Finally, in this study, literacy levels were also associated with learning. People who were more educated learnt more than participants who were not educated. However, there were some experts who claimed not to have learned anything because they already had such a wide pool of knowledge that there nothing new could be added to it. This corresponds to Sinclair, Diduck and Fitzpatrick (2008) who also argue that people with more capacity are unable to learn from those of little capacity. However, Sánchez & Mitchell (2017) have counter argued that both actors of PP are expected to learn since it is a multi-faceted process, ideally involving both the holders and recipients of knowledge throughout the process. Therefore, a large amount of knowledge should not prevent further learning but be a tool for learning more. However, with respect to my study, those who did not learn anything either already knew everything the consultants told them or were intellectually inhibited by the interview method used in urban areas: it is not interactive in nature, hence not conducive to learning, because it provides no space for listening to others' arguments,

and thus extending one's own knowledge base. This scenario demonstrates that a number of effective factors should interact in order to achieve the learning potential inherent in the PP process.

With regard to consultants, the study showed that they were unable to learn because of inadequate information flow between themselves and communities. Obviously, in cases where consultants were unable to provide information to the communities, the consultants missed an opportunity to learn from the negative impacts and corresponding solutions which could have arisen from the communities if they could have been empowered to share their information.

A variety of contextual factors involving culture, gender and literacy interacted and did not favour the rural majority's opportunities to attain effective PP. Affirmative action should be included in the planning of PP programmes to mitigate these barriers to the effective attainment of PP.

10.5 Summary

The evidence of the study suggests that, although most of the consultants spent a considerable amount of resources on PP, they did not utilise them to achieve the intended output in the public participation process. Additionally, the effects of culture, gender, and literacy levels were inhibiting factors in rural areas but had minimal impact in urban areas.

With respect to learning, although there were some learning outcomes at the individual level irrespective of the location, the learning included both positive and negative viewpoints. The negative content was a result of the interaction of the four dimensions of the evaluation framework, which were highly ineffective.

Chapter 11 : Status of levels of Participation

11.1 Introduction

In this chapter, the levels of participation attained in projects are presented. These levels have been based on the attainment of the five evaluation framework and married with the participation ladder developed in Chapter 2 and represented in Table 11.1. The level of public participation established is ranging from “zero participation” to “participation.”

11.2 The levels of public participation in Malawi

As described in Table 11-1 there are five levels of participation that the 12 ESIA projects have been aligned, to determine the level of overall attainment of PP in the 12 projects. The table describes the participation and their corresponding application to the study.

Table 11-1: The ladder of participation

Participation level	Author	Definition/Concepts	Application to the study
Participation Level 6: Participation	Fischer (2007)	Engagement process, in which external persons (for example, the public) are called to contribute to the decision-making process by exchanging information, predictions, opinions, interests and values (Fischer, 2007).	<ul style="list-style-type: none"> • Both the affected and experts attended the PP meetings. • There was adequate information provision to the communities, both positive and negative. • Communities were able to contribute

			<p>something during deliberation.</p> <ul style="list-style-type: none"> • Communities' views were addressed into the ESIA report.
<p>Participation Level 5: Consultation</p>	<p>Arnstein (1969) (IAP2)</p>	<p>Consultation is a two-way flow of information through meetings, hearings, and surveys. However, the public input gathered throughout this process is rarely taken into account in decision making.</p> <p>What citizens achieve is that they have participated in "participation". And what the power-holders achieve is the evidence that they have gone through the required motions of involving those affected.</p>	<ul style="list-style-type: none"> • Both the affected and experts attended the PP meetings. • There was information provision to the communities, both positive and negative. • Communities able to contribute something during deliberation.
<p>Participation Level 4: Informing</p>	<p>Arnstein (1969) (IAP2)</p>	<p>Information flows from public officials to citizens with "no channel provided for feedback</p>	<ul style="list-style-type: none"> • When communities were briefed regarding the

		and no power for negotiation”.	<p>projects’ scope and impacts (both positive and negative) but were not given any opportunity to provide views.</p> <ul style="list-style-type: none"> • Both the affected and experts attended the PP meetings.
<p>Participation Level 3:</p> <p>Participation Level 2:</p> <p>Manipulation</p>	<p>Arnstein (1969)</p>	<p>People are placed on rubberstamp advisory committees or advisory boards for the express purpose of “educating” them or engineering their support.</p>	<ul style="list-style-type: none"> • When communities attended but there were more positive impacts and no negative impact provided. • If PP is not representative.
<p>Participation Level 1:</p> <p>Zero participation</p>	<p>Author’s construct</p>	<p>Members did not attend or participate but are referred to in the report as if they had participated.</p>	<ul style="list-style-type: none"> • When names were mentioned in the ESIA report as if they participated but were not part of the PP meetings.

In order assign the level of participation to the 12 projects; the projects were subjected to the parameters set in table 11-1. Based on the outcome of the qualitative assessment described on sections from 11.2.1 to 11.2.5; the projects were marked as “yes” or “no”. The outcome of the assessment is presented on Table 11-2.

Table 11- 2: Summary of 12 projects in relation to the Public Participation levels

Name of the project	Zero participation	Manipulation	Informing	Consultation	Participation
Rural Mwalija	No	No	yes	yes	yes
Rural Sajiwa	No	Yes	No	No	No
Urban Area 46	Yes	Yes	No	No	No
Rural (Bwabwa)	Yes	Yes	No	No	No
Rural CPI Chikangawa	Yes	Yes	No	No	No
Urban Chikwawa TTC	Yes	No	partially	Partially	No
Urban Kanengo	Yes	Yes	No	No	No
Urban Katunga Maseya	Yes	No	No	No	No
Urban Mzuni	Yes	Yes	No	No	No
Rural Ole Ole	No	Yes	No	No	No

Rural Nsense	Yes	Yes	No	No	No
Urban Nyama Abbator	Yes	Yes	No	No	No

11.2.1 Zero Participation

Zero participation was determined as a measure of procedural effectiveness, derived from the procedural element establishing “who” was present at the PP in the 12 ESIA projects. In line with the typology developed in Chapter 2 and represented in Table 11-1, “Zero Participation” was applied to participants whose names were found in the ESIA report as if they had taken part in the consultation meetings but who did not attend any meetings. This category consisted of 39 participants (about a third of the total participants) and came from 9 out of 12 ESIA projects. Of these 9 projects more were urban (6 ESIA projects) than rural (3 projects), as presented in Appendix 13-1 (Figure 13-2) and Table 11-2. It is, however, surprising to find that 10 ‘participants’ from the 3 rural projects were non-attenders when they were living in close proximity to the project’s sites. These findings do not correspond with Devente *et al.* (2016) and Mwenda *et al.* (2012) who suggest that the venue’s convenience is one of the determinants for high participation. However, since the lack of participation of these 10 ‘participants’ was determined by the consultant, it can be argued that the consultant did not make efficient use of human resources (10 participants).

Since the consultants’s motive for conducting the PP is reported to be merely fulfillment of the legal requirements (Ebisemiju, 1993; Enríquez-de-Salamanca, 2018), it is not surprising that such incidences of unethical standards are reported, as discussed in Chapters 8-10 .

However, as discussed in Chapter 8 (Section 8.3.1), Zero Participation was more prevalent in urban projects than in rural projects, because of the different consultation methods used in these areas, amongst other reasons. In urban projects, as presented in the results in Chapter 8 (Section 8.2.2), interviews were mostly utilized for PP; while in rural communities, most PP took place in community meetings.

Zero Participation in the context of this report has many implications. Firstly, since the genesis of Zero Participation is linked with the provision of false names in the ESIA reports, there is a suspicion that in other sections of the ESIA report are also

deficient. One such area where there is a likelihood of false information could be the “baseline information” in the ESIA reports, where biophysical and socio-economical information are provided.

Secondly, Zero Participation erodes the integrity of those consultants who are engaged in it. Some consultants merely legitimize the ESIA process but have no intention of safeguarding the rights of communities. The immediate and long-term benefits for communities emanating from taking part in public engagements, as discussed in Chapter 1(Section1.2.1), are denied. The resultant effect of such malpractice is that people become distrustful of the project’s proponent. This consequently leads to consultants and developers losing credibility because the project lacks acceptability (Kontic, 2000); there is also a waste of time as well as financial resources, which would have otherwise benefited the communities, consultants and the developer as well.

The next level of public participation, as outlined above, is Manipulation, which is analysed in the next section.

11.2.2 Manipulation

The “Manipulation Level” of public participation was attained by inability to meet the evaluation framework for some prescribed elements of procedural and substantive effectiveness. Manipulation was the major strategy used by consultants to ensure that the ESIA reports were approved without any obstacles, according to the outcome of findings from Chapters 8, 9 and 10. According to Table 11-2, nine projects were manipulated with only positive impacts being provided during their respective PP, while three projects escaped the manipulation trap.

As regards procedural effectiveness, the manipulation began with the choice of “who” should participate in the PP of ESIA process: as presented in Chapter 8, the study revealed that the consultations were mostly including people with high social positions such as chiefs in rural areas and experts in urban areas: Appendix 13-1 (Table 13-3) shows the distribution of participants without and with positions per district. Results from the Table 13-3 shows that only the 2 projects of Mwalija (Chikwawa rural) and Katunga Maseya (Chikwawa urban) had over 50% of ordinary people participating. In addition, the study revealed that the affected participants, who would potentially not support the development, such as the CSOs discussed in Chapter 8 (Section 8.3.1), were excluded. Consequently, in the rural areas representative participation did not

work in favour of the affected people since, amongst other reasons, the chiefs did not always reflect the will of the affected community. The PP, therefore, was manipulative in relation to 10 projects with respect to representation, by excluding affected people. Similarly, in urban projects, technical experts were mostly consulted. As much as it would be assumed that their educational qualifications and technical expertise would thoroughly qualify them to raise issues which represented the interests of the affected communities, it was, however, found that they were merely experts in theoretical and policy perspectives. An example is their failure to give equal emphasis to positive and negative impacts as shown as in Chapter 9 (Figure 9-1). This is because their status as technical experts does not automatically imply that they are representing the views of the public (Anuar, Nasir and Saruwono, 2018), because the interests and lifestyles of experts differ from those of the affected community members, in terms of levels of literacy, levels of income and food security and other related factors, hence they have different felt needs. In addition, the experts lacked first-hand information because they were holding the meetings outside the project sites, so did not have access to valid information on the project impacts.

Secondly, manipulation was well calculated, with the presentation of substantive objectives of PP being reduced through the compromised level of information on some projects provided to the communities. While professional academic literature advocates for provision of adequate, timely information to enable the communities participate in a meaningful way (O’Faircheallaigh, 2010; Dietz and Stern, 2006; IAP2 2006), in this study, the consultants were mainly providing information on positive impacts and avoiding negative impacts, as was discussed in Chapter 9 (Section, 9.3). As presented in Appendix 13-1 (Tables 13:4- 1), only Mwalija (a rural project) had a detailed presentation of negative impacts. Additionally, Chikwawa TTC provided considerable levels of negative information to the communities. Negative impacts of a few other projects were mildly presented in passing, especially in response to communities’ questions. Further, manipulation was evident, with some consultants presenting mitigation measures for the project impacts as if they were positive impacts, as in the case of the rural Nsese project.

A manipulative attitude was also displayed towards the transactive effectiveness of time and money spent on some of the participants on some projects. There were some instances, as reported in Chapter 10, where members were just registered and the

duration of period for such a “meeting” was merely 5 minutes: this happened in connection with Sajiwa Quarry, Bwabwa quarry and Nsense Quarry in the rural areas, and Mzuni Skills development and Chikwawa TTC in urban areas. On such occasions, it became evident that there was not an efficient use of time as, cumulatively, many minutes were spent fruitlessly. Furthermore, with so little time spent, it is apparent that information was not provided to the communities and consequently outcomes such as learning, which occur after the acquisition of some form of knowledge (Retief, 2013), did not occur.

11.2.3 Informing Level

The “Informing Level”, as presented in Table 11-1, is mainly assigned to communities who were provided with adequate information by consultants but were not accorded the opportunity to reciprocate. These communities who attained this substantive objective were provided with all types of information, including positive and negative impacts, as well as descriptions of the projects, including Mwalija Irrigation Project (Rural) and Chikwawa TTC (Urban) (Table 11-2).

Although this is a basic level which all consultants are required to deliver to all participants, as presented in Table 11-2, participants in only two projects, one urban (Chikwawa TTC) and one rural (Mwalija), achieved the “Informing Level” by being provided with fairly adequate information on both positive and negative impacts: community members consulted on the remaining 10 projects were all provided with unbalanced information with little or no negative information, as presented in the Appendix (Tables 13-4,5,6). In these 10 “manipulated projects”, irrespective of location, communities were generally being provided with detailed “positive impacts” as opposed to “negative impacts”. The advantage of providing adequate information is that it enabled some communities to raise concerns based on an informed position, thus communities making substantial contributions, as discussed in account of the next level of consultation.

In addition, the Informing Level is mostly aligned with the substantive objectives, projects on which the communities were well informed, although, it dependent on the effectiveness of other criteria, such as procedural and transactive effectiveness. The two projects which performed better regarding provision of information were also allocated more time than other projects within the same place of residence.

Furthermore, in the two projects where information was adequately provided, meeting venues were within the project sites, including the urban project, which was located in the district. Furthermore, in both these projects, the notification to come for a meeting was conducted by the chief. This is because, as described in Chapter 6, projects located in the “district urban” have a similar cultural setting to the rural areas, as they are also governed by chiefs.

These findings, therefore, reveal that although the “Information Level is merely the first stage of a Public Participation process (being passive participation, since information flow is unidirectional), even the “starting” itself was not attained in a satisfactory manner, as only two projects attained this minimum standard. This undesirably poor attainment at the lowest levels of participation gives an obviously undesirable outlook to the road leading to the higher PP spectra.

This, therefore, suggests that a project’s inability to attain the “Informing Level” is an obvious indicator of failure to attain the subsequent higher levels of PP. Conversely, the attainment of a higher level also implies the effectiveness of the elements of PP in the communities’ decision-making process.

11.2.4 Consultation level

In this study, “Consultation Level” was attained by projects that provided two substantive elements enabling communities to contribute meaningfully: providing both positive and negative information to the communities and taking active steps to promote community members’ to contribute during deliberations.

With reference to the findings as presented in Chapter 8 and 9, and summarised in table 11-2, only Mwalija legitimately qualified for Consultation Level. Chikwawa TTC partially attained it because of presentation of negative issues to the public, but it failed to convey a sufficient sense of inclusiveness to PP participants.

There are several catalysts, which stimulate communities to provide information in order to attain the desired Consultation Level. The factors include the procedural effectiveness of the consultation method used during PP meetings (Section 8.2.2), information provided by the consultant (Section 9.2.1) and contextual factors involving cultural and literacy levels (Section 10.3.1.1 and Section 10.3.1.2).

With respect to the consultation methods used, as discussed in Chapter 8 (Section 8.2.2), Focus Group discussions enhanced the information flow from the communities.

Chapter 8 reported that FGDs were conducted in connection with two projects, of which one was district urban project while the other one was rural project. The FGD on the urban project (Katunga Maseya) was in a district urban area; its objective was merely to enhance the registration of affected participants and not to discuss views, as would be expected in ordinary FGD meetings. Only Mwalija benefited from the group discussions: this is FGD was formulated to facilitate community contributions.

Additionally, as has been shown in the discussion of the contextual factors affecting PP, FGD relaxed the impact of the cultural barriers that inhibit people's ability to speak in the presence of their social superiors. Such barriers include women being unable to speak in the presence of men and young people being unable to speak in the presence of adults, as discussed in Chapter 10 (Section 10.3.1).

In rural projects, the chosen method of consultation enabled the communities to raise their issues, as discussed above; in urban projects, literacy rates strongly contributed to the public's contribution (Table 13-4). Additionally, as presented in Chapter 10 (Table 10-10), there is a high correlation between literacy levels and the level of contribution by the communities: consequently, those communities with high literacy levels are able to speak more than those with less literacy levels.

Furthermore, the communities provided with adequate information were also able to raise a variety of impacts, implying that the more one is informed, the more one is able to share and speak on the topic at hand. Consequently, the attainment of a Consultation Level is a path leading to an open Participation Level door.

11.2.5 Participation

The "Participation level" is attained when views of the communities which were raised in the "Consultation Level" were also addressed into the ESIA report and formed part of the decision-making process: it is therefore a level above the consultation level.

As discussed in Chapter 9, there were varying levels of inclusion of communities' views in the ESIA reports. According to Table 9-2, there were 4 projects where consultants introduced over 75% of the views into their reports: three urban ESIA projects in Area 46, Katunga Maseya and Mzuni, and one rural project in Mwalija. There are various possible reasons for the much higher proportion of issues integrated in the reports on urban projects; these will be discussed in the following paragraphs.

Firstly, many more issues arose from the rural projects than the urban projects. Obviously, there was a greater likelihood that some issues would be omitted from projects with many concerns than from those with few. Secondly, since the issues from the rural projects were numerous, the concerns they raised were obviously more costly as well. Accordingly, the cost of meeting the issues raised was high, which might have prompted the consultants to exclude them from the ESIA reports. One such example is when the communities which were living in close proximity to a mining project requested a school and a clinic as part of their CSR packages. Thirdly, literacy levels had a considerable impact on integration of views in the reports. Given the high levels of literacy and expertise in the urban areas, consultants might have been conscious of a possible follow-up by the experts, and therefore felt compelled to integrate the issues they raised into their reports. The situation is different in rural areas, where high literacy levels have been reported to be very rare, so communities cannot be expected to follow up by consulting the reports.

Nevertheless, even though the integration of views is reported in 4 projects, as shown in Chapter 9, these projects do not all seem to have attained the “Participation Level”. This is because, in the context of this study, “integration of issues” is merely one of the conditions. In addition, the projects should also meet all the lower levels, since the levels are progressive in nature. This implies that for a project to attain a higher level, there should be a nexus of all perspectives of the evaluation, consisting of procedural, substantive and transactive factors. Additionally, contextual factors should also be considered during PP engagements and, finally, learning should be recognized as an outcome. This concurs with Rowe and Frewer (2000), who remarked that a variety of contextual methods and environmental factors should interact to determine the effectiveness of PP.

With regard to the question of which of the four projects were able to integrate participants’ views in their reports, the three urban ESIA projects (Mzuni, Area 46, Katunga Maseya) were unable to qualify for the Participation Level of the PP spectrum. This is because these three projects failed to attain the lower levels, which is shown in detail below.

Starting with “Zero Participation”, none of the three urban projects that were able to integrate issues in their reports met the stipulated requirement of “Who” participated in the meeting. These projects failed in some respects because the ESIA reports

recorded names of people who never participated in the PP meetings on their respective projects. Secondly, the standards of the “Consultation Level”, which required multiple methods to enhance the flow of information, were not met by two of the urban projects (Area 46 and Mzuni (urban). Although Katunga Maseya also registered a FGD, as discussed in Chapter 8, it was formulated purely to register the names of the communities affected by the proposed project.

The study has, therefore, found out that only Mwalija project located in the rural area, substantially met the Participation Level criteria. This is because it passed all the three lower level requirements as mentioned above, in addition to integrating above 75% of the issues. Following this analysis, the situation where only 1 out of 12 ESIA projects has attained the Participation Level is undesirable and the failure to attain the optimum effectiveness level is regrettable.

This implies that in this study, communities from 11 projects were not fully part of the decision-making process. Public participation in Malawi does not therefore attain the benefits presented in Chapter 2, such as promoting ownership, and improving transparency and accountability (Atieno, Mutui and Wabwire, 2019). The consequences are a high likelihood of communities rejecting the projects (Suwanteep, Murayama and Nishikizawa, 2017). Such rejection results in disputes like those in the Kayelekera mining project and the Mwaulambya projects in the northern region that were not part of this study.

11.3 Summary

This Chapter has fused the overall PP effectiveness of 12 EIA projects by assigning their level of Participation ranging from Zero Participation to Participation. The analysis from the 12 EIA projects indicate that there is a mixed level of participation in these projects observed both within the projects and between the projects.

While both urban and rural projects registered some degree of zero participation on some participants, the majority of non-participation emanated from urban projects (6 projects). The sole project that attained a “participation level” was from rural areas.

Chapter 12 : Conclusion

12.1 Introduction

This final chapter is a summary of the main research findings in alignment with the study objectives presented in Chapter 1. In addition, the chapter presents the recommendations of the study, including the contributions which the study has made to the book of knowledge. Lastly, the chapter explains the limitations of the study, ending with areas for future research.

The study had six objectives, as presented in Chapter 1, and the next sections present the conclusions of each objective of the study.

12.2 Summary of the main research findings

12.2.1 To assess the procedural factors of Public Participation in rural and urban areas

As regards procedural effectiveness, the study has exposed mixed results: while levels of compliance and non-compliance are similar in some places of residence, they are different in other areas. The only similar compliant element in both urban and rural areas was the stage of PP when the ESIA took place. In both projects, the PP took place before the ESIA report was approved. The stages, however, differed: some were at scoping while others at ESIA report writing. Conducting PP at scoping stage complies with the basic principle of public participation which calls for PP to be commenced from the scoping stage (Glasson et al. 2019; Sinclair et al., 2021). However, since the PP was conducted before the ESIA was approved, it implies that the views of the communities that were obtained, were considered in decision making (Phromlah, 2018); because they were provided with timely information before major decisions were made (Dietz and Stern, 2006; IAP2 2006; O’Faircheallaigh, 2010).

Another similarity in urban and rural areas centred on illegitimate lists of names that were presented as participants. The study recorded that a third of the 124 people named as participants were falsely registered in the ESIA report and never participated in the PP meetings. Such deception in the list of participants can give rise to wide speculation. For instance, it also suggests that the other information in the ESIA reports could be deliberately misrepresented in order to navigate the process of gaining ESIA

approval with greater success (Kågström, 2016), which makes the ESIA reports unreliable in the context of PP.

With respect to differences between urban and rural projects, deviations were observed in the other elements affecting procedural effectiveness. One such element is the outcome of the list of the legitimate two thirds (89) of the PP participants in the 12 ESIA Projects. The question that arises is “Who were they?” While in both urban and rural areas the affected communities minimally participated or were involved only to a limited extent, the nature of the participants differed between urban and rural projects. In rural projects, traditional leaders were a majority of those who participated, while in urban projects, the technical experts were prominent. Results deviated from principles of PP which recommends for balanced inclusion of both interested and affected groups (André et al., 2006; Dietz and Stern, 2006) in order to promote justice, equity and cooperation for both the affected and interested public in the decision-making process (André *et al.*, 2006) and yet one of the key objectives of PP is to empower marginalised groups who are mostly side lined in the PP process (Glucker *et al.*, 2013).

This pattern of selection was facilitated by social and economic complexities, including gender and power relations. This participation by the leaders and experts in rural and urban areas was not beneficial to the public because it was not truly representative: the members of each community held a variety of views regarding the respective projects. This implies that directly democratic methods may be the most appropriate form of PP in this context. Consequently, obtaining views only from representatives may hinder the expression of a plurality of opinions (Cape et al 2018).

The effect of such exclusion is both short and long term, ranging food insecurity, loss of ecosystem services, nuisance, and pollution during design and construction phases; while also suffering from medium and long-term costs during operational and decommissioning such as poverty deterioration ecosystem services, quality of life, political instability, and social unrest (Retief et al; 2007; Morrison-Saunders and Early, 2008; O’Faircheallaigh, 2010).

This setting, where the affected communities have limited voice in the participation space of ESIA, contravenes the democratic values of PP, which are enshrined in both the policy and legal framework of PP in Malawi and also in the constitution of Malawi.

Since the developer controls who should participate in the PP process (Retief et al; 2015), it is suggested that policy makers should put in place strategies to ensure that there is a balanced representation of both affected and interested parties to maximise the window for provision of views for decision making.

With regard to the methods of PP, both notification and consultation methods differed significantly between urban and rural projects. While in rural areas, traditional leaders were responsible for notifying communities, in urban areas the public were mostly notified by the consultants themselves. In rural areas, the locally available notification resource by chiefs was not only effective but also efficient since targeted communities were mobilised at least cost and yielded outputs with the patronage being within the expected numbers as invited by leaders. With reference to consultation methods, the public was consulted mostly through community meetings, while in urban areas, interviews predominated. However, the potential to utilise the method to advance the PP agenda was not maximised since the communities who are most vulnerable to the proposed projects were excluded. Nevertheless, this is the only viable method of notification in rural areas, due to its efficiency and effectiveness, but caution should be exercised so that traditional leaders do not abuse their authority to notify communities by excluding the affected. No eligible member should be left behind if PP is to yield the expected outcome (André et al., 2006; Dietz and Stern, 2006).

Similarly, consultation methods differed between urban and rural areas. In rural areas, although the community meeting method was mostly utilised, owing to its simplicity and cost effectiveness, in the context of PP in this study, the consultants were employing the method due to its efficiency in filling the participation list. A situation where the mere number of participants is more significant to consultants than their identity and contribution to the discussion is hugely problematic. This practice aims at merely legalising the ESIA process in order to secure certification for the onset of the project (Machaka, 2017) and therefore undermines the credibility for which the PP is expected to enhance (Folk, 1991; Rowe and Frewer, 2000; Mohammad et al., 2016).

On the other hand, in urban areas the interview method was utilised. Although the method is costly and time consuming, consultants regarded it as the most convenient method, due to the ease with which they could meet experts. The method, however, denied the opportunities that arise as a result of joint meetings, such as sharing ideas, experiences, challenges and learning. Such methods without any spill-over effects are

not transitively efficient and effective (Sandham, Chabalala and Spaling, 2019). In an economy such as Malawi, where resources are scarce, there is a need to select methods which would reap multiple benefits in a short period of time, with limited investments. Such methods include focus group discussions (Phromlah, 2018), but it is difficult to implement them in urban areas due to social and economic complexity arising from the heterogeneous membership of urban society. Even in the more homogeneous rural areas, there was only one project where FGD were conducted systematically. This unanticipated result of failure to utilise effective methods intensifies suspicions of the assumed ulterior motives of consultants when conducting PP. There is therefore a need for greater control of ESIA consultants in order to improve the credibility of the PP process and the ESIA system as a whole (Kågström, 2016). This can be attained by the formation of a regulating body, such as an ESIA Association, that can regulate the conduct of ESIA experts. In addition, it should be ensured that only ESIA consultants accredited by the regulator are allowed to prepare ESIA reports (Morgan et al; 2012; Bond et al, 2017).

The venues for meetings also differed substantially between urban and rural projects. While participants in rural areas were meeting within the project site, in urban areas, meetings were usually held in consultants' offices. This difference also had an impact on the patronage of participants, and the quantity as well as the quality of impacts raised by communities. Due to the proximity of the venue in the rural areas, the attendance of rural communities was higher than in urban areas. There was a similar difference in the number of issues raised by the communities. This outcome therefore provides a guide as to how significant venues should be considered when planning for PP (Nadeem and Fischer, 2011). Venues are both social and economic barriers and enablers for both attendance and contribution of information by the communities.

This study has therefore revealed that PP was essentially ineffective with respect to the nature of the participants, and the methods utilised for consultation, irrespective of place of residence. The choice of venue in the rural areas made a major contribution to the effectiveness of PP, unlike the venues in the urban areas. Nonetheless, although notification methods and the stage at which PP was conducted differed between urban and rural areas, they were favourable catalysts to the effectiveness of PP. Nevertheless, the overall procedural effectiveness, irrespective of place of residence,

was weighed down by a major flaw: inclusiveness in the selection of PP participants was lacking.

12.2.2 To assess the extent to which Public Participation attains the Substantive Effectiveness of the ESIA policy in rural and urban areas

The results pertaining to quality and quantity of information shared between the consultants and the communities shows major gaps in both urban and rural projects when they are considered in the context of the international literature on principles and objectives of PP as well as the Malawian policy and legal framework. Although literature asserts that one of the key objective of EIA is to provide to the affected community on the effects of the proposed projects on their biophysical, cultural, social, economic and political environment (Palerm, 2000; Wood, 2003; André *et al.*, 2006; Sainath and Rajan, 2015; Ojogbo', 2018), findings from this study however found out that instead of providing information on both positive and negative economic, social and environmental impacts, developers were generally providing information regarding positive effects and especially the economic benefits, primarily to obtain the social licence. The scenario could lead to adverse potential impacts being overlooked (Charnley and Engelbert, 2005; Sainath and Rajan, 2015).

The most common positive economic impact communicated to the public was the generation of employment by the projects. In the rural projects, Corporate Social Responsibilities (CSR) were also prominent. A similar pattern appeared in the information coming from the communities; although in both rural and urban areas, economic benefits were topping the agenda, in rural areas, a main economic concern was loss of land.

Consultants use economic benefits such as employment as an inducement, taking advantage of the prevailing poverty of the public in the country. Unfortunately, inhabitants of the rural areas eventually lose their most valuable possession, land; the vulnerable poor communities end up being poorer as they cannot buy equivalent land nearby due to scarcity of land and also the lower compensation rates paid for customary land. Conditions are different in urban areas where land is mostly private and compensation rates are fairly attractive. Consequently, the implementation of developmental projects, especially in rural areas, enriches developers at the expense of the ordinary poor public (Kerr, 2005; Martignoni *et al.*; 2022). It can therefore be

inferred that these projects exacerbate a community's poverty level instead of alleviating it. These development projects are hence poverty inducement strategies for the impoverished communities, a scenario that runs counter to the developmental agenda of both the sustainable development goals and national development goals of poverty reduction.

Overall, substantive effectiveness was not attained, irrespective of place of residence. However, the impact was noted more in rural areas than in urban areas because the information flow is highly dependent on other factors, such as culture and literacy, which put the residents of rural areas at a disadvantage.

12.2.3 To assess the transactive changes to the public as a result of Public Participation in rural and urban areas

More time and financial resources were spent on rural projects than urban projects. Sinclair, Doelle and Gibson (2021) remarked that the basic test of efficiency is how few resources and how little time are used to deliver effective results. The findings of this study unfortunately did not portray any meaningful transactive effectiveness: the improper utilisation of the resources was evidenced by registering illegitimate participants, employing an unbalanced mix of participants, utilising an inadequate combination of methods, and providing unbalanced information to the communities. There was consequently lack of optimization of resources contrary to the principles of PP which recommends for optimisation of resources including human, financial and time for effective PP (André et al., , 2006; Cornwall, 2008).

The evidence of the study therefore suggests that, although most of the consultants spent a considerable amount of resources on PP, they did not utilise them to achieve the intended result in the PP process. Consequently, neither time nor money was used effectively and efficiently.

12.2.4 To assess the contextual issues regarding Public Participation in rural and urban areas of Malawi in rural and urban areas

Cultural, gender and literacy levels had a significant bearing on the outcomes of PP in this study. The most striking finding was the low participation of women from both urban and rural projects opposing the principle of PP which encourages fair representation of women (André et al., 2006; Dietz and Stern, 2006). While in rural projects this could be seen as a result of cultural barriers which suppressed women's

involvement in PP meetings, especially in patrilineal systems, an unexpected finding was the equal inadequate women participation in the matrilineal society, which culturally favours women, and also in urban areas where traditional practices are not prominent. Low education levels of women in matrilineal areas could partially explain the phenomena but it is not clear why female experts in urban areas were equally under-represented. More studies, therefore, need to be conducted to unveil this mystery of low participation of women from in urban technocrats when they are equally in numbers resulting from the “following husband” culture prevalent in most urban Malawian marriages.

Additionally, this study has found a high correlation between literacy levels and levels of participation, irrespective of place of residence. The more educated the public was, the more they were able to contribute during PP meetings. Furthermore, education broke the cultural barrier by enabling the marginalised, such as women, to participate. Education therefore defies the cultural limits imposed on a woman. This is what can be described as the process of empowerment, which involves enabling women to gain access to the corridors of power (Robinson and Gottlieb 2021). Education is therefore a key catalyst in the attainment of PP objectives in Malawi, since public participation favours the educated and wealthy over the poor and illiterate who constitute the majority of the Malawi. However, because of the low literacy levels in Malawi, especially in rural areas, an equal share in public participation depends on the willingness of the consultant to provide enabling ways for the majority of the illiterate community to find a space where they can express their views.

While principles of PP promotes consideration the social, cultural, environmental values, as well as the political institutions (André et al., 2006); in this study an interaction of contextual factors involving culture, gender and literacy interacted and did not favour the rural majority’s attainment of effective PP. Affirmative action should be included in the planning of PP programmes to mitigate these barriers to the effective attainment of PP.

12.2.5 To assess the learning outcome from the PP

Learning as an outcome is achieved through many factors, including interaction between participating members, the method used for consultation and as literacy levels of the participants. In this study, although the urban cases reported high

incidences of learning, there was, however, minimal interaction between members because of the “interview” method used for consultation.

On the other hand, in rural areas, less learning was reported, despite favourable conditions such as the interactions that might have emanated from the “community method” used for consultation. Sinclair, Diduck and Fitzpatrick (2008) however outline several other factors which enhance learning but were not favourable in the study such as conducting PP in a deliberative manner, providing information pertaining to the project transparently to stimulate thinking and empowering the public by the involvement process and education levels (Fitzpatrick, 2006; Sinclair et al., 2008; Jha-Thakur et al., 2009; Fischer, 2010; Verduzco Chávez and Sánchez Bernal, 2012). This suggests that for learning potential to be attained, there is need for the interaction of numerous factors. Nevertheless, in the urban areas, many people reported learning outcome, but the depth of learning might have been compromised as a result of reduced interface because of the “interview method” with other members.

These findings could also explain why only acquisition of knowledge in the single loop type of learning was reported in this study. Although double-loop learning was probably inevitable in the long term, it was however not reported in the short term. Moreover, it could hardly be observed, given the nature of the study design, that only considered reports within two years of approval, as discussed in Chapter 7, on Methodology were considered for the study.

12.2.6 To assess the level of participation based on the outcome of effectiveness attained.

This Chapter has fused the overall PP effectiveness of 12 EIA projects by assigning their level of Participation ranging from Zero Participation to Participation. The analysis from the 12 EIA projects indicate that there is a mixed level of participation in these projects observed both within the projects and between the projects.

While both urban and rural projects registered some degree of zero participation on some participants, the majority of non-participation emanated from urban projects (6 projects). The sole project that attained a “participation level” was from rural areas.

This study has unveiled that these unpleasing results are stemming from the intersection of many factors but not limited to the poor choice as to who to involve in the PP meetings, the methods used in PP, the venue of the meeting, information flow

between the consultant and consultant, the time and financial resources spent, the prevalence of culture and also the literacy levels of the communities. While public participation is advocated worldwide due to its benefits, in Malawi, based on the 12 case studies, such PP benefits, can never materialize as only one project qualified for the “Participation” status. These results are a deterrent to attainment of Malawi Vision 2063 for an inclusive nation when planning and implementing developmental projects (NPC, 2020) as well principles of PP which also advocate for inclusiveness (André et al., 2006). Although this project was a donor funded project, implying that availability of resources could have contributed to its success, equally in this study as described in Chapter 6(6.3.9), there were other 4 donor funded projects as well, some of which had even attained zero participation.

These findings, therefore, suggest that financial resources although a key factor is not the only prerequisite for a successful PP. There are other factors related to social dynamics such as of power relations, language, and cultural differences (Albert et al; 2022). It can, therefore, be deduced that the key for a successful public participation is in the hands of a consultant. For that reason, there is need for intensive training on consultants of EIA in Malawi to build capacity and also mindset when conducting PP in Malawi.

12.3 Study Recommendations

Developing a framework for evaluating public participation leading towards effective Environmental Impact Assessment (ESIA) in Malawi

- Government and Development partners should review ESIA policies and guidelines on PP to ensure that the evaluation framework developed through this study are fully incorporated and applied by developers, consultants and other stakeholders involved in PP;
- Since there are no guidelines worldwide for PP in ESIA that recognise differences between rural and urban areas, academic scholars and practitioners should develop guidelines to guide practitioners when conducting PP on these differing place of location;
- Given the variations in the definitions between urban and rural areas between globally and in Malawi as well; in Malawi, Local Government institutions, the Ministry of Lands and the National Statistics Office, there is a need for

harmonisation of these definitions in Malawi. Additionally, the NSO should, in the forthcoming publications, clarify the definition of the “other towns” or “gazetted planning areas” in their official publications to enhance the clarity and accurate use of the data provided; and

- Given the limited opportunities for training on ESIA and hence PP in ESIA, it is recommended that institutions offering tertiary education should establish and provide training programmes in ESIA, which should also include PP. All consultants intending to conduct ESIA should be certified to have attended such training programmes.

To assess the procedural factors of Public Participation in rural and urban areas

- Policy makers should adopt strategies to ensure a balanced representation of both affected and interested people, to maximise the window for provision of views for decision-making as reflected in the ESIA guidelines;
- ESIA consultants should be regulated to ensure a credible PP process and the ESIA system as a whole. The regulation of EA professionals with a particular body aligns with international thinking (Bond et al., 2017). This can be attained by formation of a regulating body such as an ESIA Association where the conduct of ESIA experts can be regulated. In addition, there is a need to ensure that only ESIA consultants accredited by the regulator are allowed to prepare ESIA reports. These professional associations regulate the standardisation of EIA consultants such as the one formed in South Africa called the Environmental Assessment Practitioners Association of South Africa (Alberts et al; 2021). It is argued that accreditation of EA practitioners facilitate EIA quality, through inter alia process efficiency (Bond et al, 2017).

To assess the extent to which Public Participation attains the substantive objectives of the ESIA policy in rural and urban localities;

- The Government and all developers should ensure that adequate information on both positive and negative impacts of projects is provided for, so that communities can make informed decisions and also prepare and implement their mitigation plans for negative impacts.

To assess the transactive changes to the public as a result of Public Participation in rural and urban areas

- Budgets for ESIA should include costs for PP and the associated expenses. These costs should also be reported on in the ESIA reports to provide evidence that PP indeed took place. The Government should be mandated to conduct verification activities to ensure that PP is really done and the allocated resources are used for that purpose.

To examine the contextual issues regarding Public Participation in Malawi in rural and urban areas

- More studies need to be conducted to unveil the low participation of women in urban projects when female technocracies are equally in substantial numbers as a result of the “husband following” culture in most urban Malawian marriages;
- Given the low literacy levels in Malawi, which is compounded by the language barriers towards effective execution of PP (Kanu et al. 2019); it is recommended that in rural areas more innovative ways, such as the use of visual methods including participatory tools and posters, should be used to disseminate information and solicit views from the public. This will also enhance learning about participation in the ESIA process;
- The ESIA process should be organised along gender-conscious lines to ensure that both men, women, girls and boys take part in PP. Affirmative action should be included in the planning of PP programmes to ensure the most vulnerable groups are effectively engaged and supported through the ESIA process; and
- For rural areas, government should also integrate ESIA processes with the education sector, including adult literacy programmes, where some relevant information can be included in the curriculum.

12.4 Knowledge contribution of the thesis

This research has contributed significantly to the body of knowledge on ESIA and public participation.

The first distinctive contribution is the comparison of effectiveness of public participation between urban and rural projects. To the researcher’s knowledge, this is

the first study worldwide that has assessed this differentiated impact in the context of ESIA. Since globally, policy makers and planners categorize settlement patterns as rural and urban (Bhagat, 2005); urban-rural differences have become a great divider for the purposes of policy planning and implementation (Rachman, 2018). The findings of this study have therefore revealed distinct variations on procedural and contextual dimensions such as participants, venues, methods of consultation, notification, literacy, culture and gender which should be considered by both policy makers and practitioners of ESIA worldwide when regulating, planning and executing PP programmes.

Since urban and rural areas have distinct socio-demographic and social structures (Carlson and James G Gimpel, 2019), this study has unearthed the novel knowledge on the varying information provided by the communities from these differing places.

Furthermore, the contribution of the thesis to literature arises from the development of the comprehensive evaluation framework. The broadness is arising from a combination of five dimensions that constitutes the evaluation framework and also the composition of each dimension. The developed evaluation framework can be adapted within the developing world with similar context, since most of the frameworks are developed from western countries which do not fit the context of developing countries (Aucamp, Retief, and Sandham, 2023). The framework is the first attempt to bring together procedural, substantive, transactional, contextual and learning making the framework to be very robust.

Secondly, the uniqueness is derived from the elements constituting each dimension. With regard to the procedural effectiveness, this is the first study that has examined elements comprising of who participates, methods of notification and consultation, the characteristics of different venues and the stages of ESIA.

Furthermore, the substantive effectiveness inferred in this study as the objectives of PP also brings first-hand literature to the body of PP theory. Given that substantive effectiveness is assessed through sharing of information by democratic principles (Palerm 1998; Wood, 2003; André et al., 2006; Nadeem and Fischer, 2011; Glucker *et al.* 2013; Sainath & Rajan, 2015); in this study, evaluating the substantive effectiveness by assessing the quality and quantity of information flow between the consultant and the public adds new information to the literature body. This new

knowledge has been compounded by the findings of substantive effectiveness interlinked by factors such as who participates, the venue, literacy levels, and cultural factors amongst others.

The empirical assessment of transactive effectiveness also adds the empirical knowledge of how the cost of PP can be estimated alongside the time taken to conduct. No known study has estimated the actual costs of PP as well as the actual time taken for conducting the PP studies. This study therefore brings on board first-hand information on efficient use of resources. Given the limited empirical research on the cost of EA as a result of methodological challenges (Alberts et al; 2021), the methodological approach can therefore be generalised to estimate PP world-wide which would contribute to the estimated costs of ESIA.

Finally, narrowing down to Malawi, this is the first ever evaluation study that has been conducted on the PP of the ESIA process. This study, therefore, acts as a baseline for future PP evaluations. In addition, the findings have already contributed to making modifications to the development ESIA regulations and revised ESIA guidelines which are currently under preparation. The researcher had the privilege of adding some clauses, to the regulatory frameworks based on the findings of the study in order to improve the PP in Malawi.

12.5 Limitations of the study

The study faced a number of limitations in its design and implementation. Firstly, data collection was conducted between May to September 2019 when the country was in a political crisis as a result of disputed elections. Demonstrations and looting were the order of the day, especially in Lilongwe district. This affected the selection of the projects in the rural area of Lilongwe district. The only two rural projects selected in this district were located in the South and South Eastern part of the district. Unfortunately, they all happened to involve mining. For safety reasons, the selection criteria did not extend to the West and North of the district, where there were numerous projects. Had the selection been extended to these other areas, there would have been a diversity of projects to sample from, which could have consequently added some new insights to the body of literature. However, the author does not expect that the quality of the results was significantly affected by the limited selection of the projects in this district, because the cultural setting of Lilongwe is fairly uniform.

Secondly, building on the results of my research project, the information on substantive objectives would have been richer if the scope of the research had been extended to assessing the implementation of the communities' views. However, the scope of this study would not have been feasible because the selection criteria were limited to projects which were approved within two years prior to data collection. Consequently, at the time of data collection, most projects were either under construction or had not yet begun to operate. There was therefore no opportunity to monitor the implementation of the communities' views, most of which are implemented during the project operational phase.

The final limitation was on the data collection methods. During the inception of the study, focus group discussions were proposed for the 6 projects; however, during the data collection period, it was observed that the numbers were not sufficient to combine both FGDs and questionnaires. As a consequence, most communities were assigned only to the questionnaire, since it was the main data collection tool for the research study. The study had only 4 FGDs, of which one was from the district urban project and three were from rural projects.

12.6 Recommendations for future research

Building on this research, a number of areas have been revealed that could be explored in future research studies. Firstly, since false names constituted a significant proportion of the sample, there is also a strong likelihood of deceptiveness in other parts of the ESIA process (Williams and Dupuy, 2017; Enríquez-de-Salamanca, 2018). This could include baseline information on the biophysical and socio-economical information presented in the ESIA reports. Future studies should, therefore, be conducted for auditing the information contained in the ESIA reports, such as baseline information, to enrich the legitimacy of the ESIA reports which meet international standards.

Secondly, future research should also include the assessment for the implementation of communities' views which are included in the ESIA report. This is because the usefulness of the communities' views depends on how they are implemented (Williams and Dupuy, 2017). This research area would complete the cycle of substantive effectiveness because in addition to informing decision-making, which has been reviewed in this study, it goes further to contribute to avoiding and minimising impacts on the environment (Retief, 2013). This research area has been proposed as a

consequence of the unintended results emerging from the study, in light of the numerous ESIA reports raised by communities where developers were unable to fulfil their commitments. A typical example is inability to employ unskilled labour from the affected communities. In one project, the developer was even ferrying casual labour from town, despite the availability of abundant unskilled labour within the village.

Further, literature has projected poverty as a potential threat to urbanisation in Malawi (World Bank, 2017); however, in line with the outcome of this study, poverty is mainly linked to non-participation of the rural participants due to loss of land. More studies should therefore be conducted if non participation of urban dwellers can also lead to poverty.

Drawing from Chapter 8 on potential utilisation of virtual meetings, future research on the PP should be conducted on method of utilising virtual meetings for the enhancement of PP in ESIA. This is in the wake of technological advancement in communication concurring with literature that technology can be a tool to revive shareholder democracy by facilitating retail stakeholder engagement (Nili and Shaner 2022).

Finally, the research has unexplained results on low female participation in urban areas, where traditional gendered cultural impacts are minimal but the academic credentials are equal to those of the men. Since ESIA and Gender is an upcoming research area, further research should be conducted to unearth solutions for this mystery.

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Chapter 13 : Appendices

Appendix13-1: Supplementary results

13.1.1 Introduction

This Appendix provides additional results which have not been provided in the results in Chapters 8 to 10 but have been referred to in the analysis.

13.1.2 Demographic Characteristics

13.1.2.1 Age of participants

Participants who took part in the research were of varying age. In the process of writing up the results they have been categorized as youths, adults and the elderly. The youth group were the participants of up to 35 years, while the adult group comprised participants from above 35 years to less than 65 years. The elderly group was composed of participants above 65 years. Figure 13-1 shows the outcome.

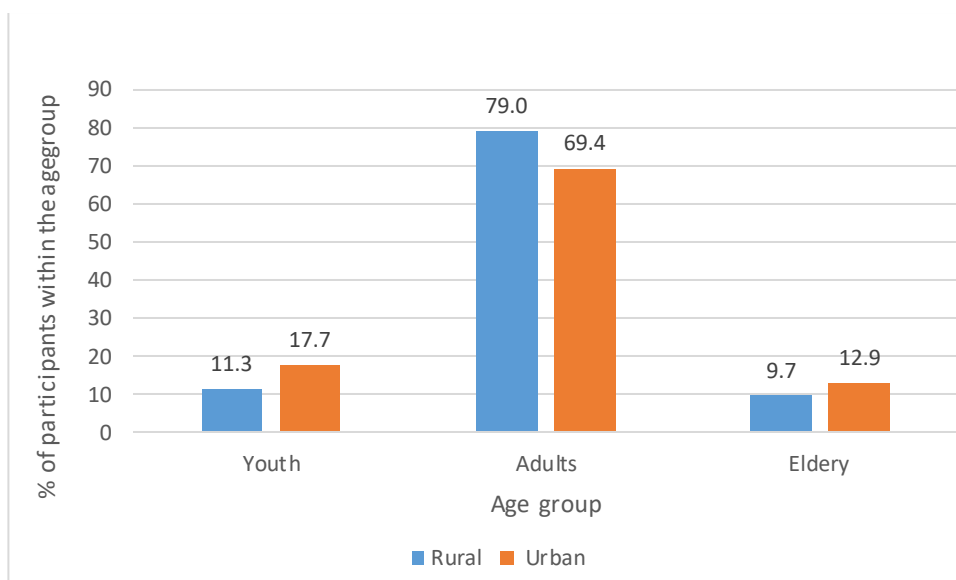


Figure 13-1: Age of group participants

Results on the above graph show that the trend of age of participants was almost the same in both urban and rural areas. In both areas, the youths and the elderly were under-represented while the majority of the participants were adults. The next section presents results on education levels.

13.1.2.2 Education

Education is one of the contextual factors that have been assessed to determine their impact on PP. The table below lays out the education levels of the registered participants

Table 13-1: Education levels of the participants Registered Participants, (Category 1)

Highest education	Urban	Rural
Did not attend	2 (6.1%)	8 (15.4)
Primary and Adult literacy	5 (15.2%)	29 (55.8)
Secondary	6 (18.2%)	9 (17.3)
Tertiary	20 (60.6)	6 (11.5)
Total	33 (100%)	52(100%)

Pearson chi2(3) 25.7176 Pr = 0.000

The levels of education differed significantly between urban and rural areas with a p value of 0.000: people in the urban areas were, on average, better educated than in the rural areas. While primary education was the highest attainment of the majority (55.8%) of the rural participants, only about 15% their urban counterparts had stopped at this level. As for tertiary education, it was attained by the majority (60.6%) of urban participants, while in rural areas the proportions was as low as 11.5%. A few participants from both urban and rural projects (6.1% and 15.4%) respectively had never gone to school.

Additionally, education levels were also obtained for the key informants. Table 13-2 below presents their education levels.

Table 13-2: Education levels of the key informants (Category 2)

Key informants	Lower than Degree	Degree	Msc	PhD
Consultants		1	4	1
Developers		2		
TCE			3	
NCE			1	1
EAD			2	
CSO		1	1	
Academia				1
Chiefs	2			

All the key informants had an extensive education except the chiefs. Four technical key informants had a minimum academic qualification of first degrees, while the majority of the key informants had Masters' Degrees. Three participants possessed PhDs.

13.1.2.3 Participants per district

Following the results presented in Section 8.2 that gives the number of participants (both falsely presented and those who participated), Figure 13-2 below, presents the outcome per project.

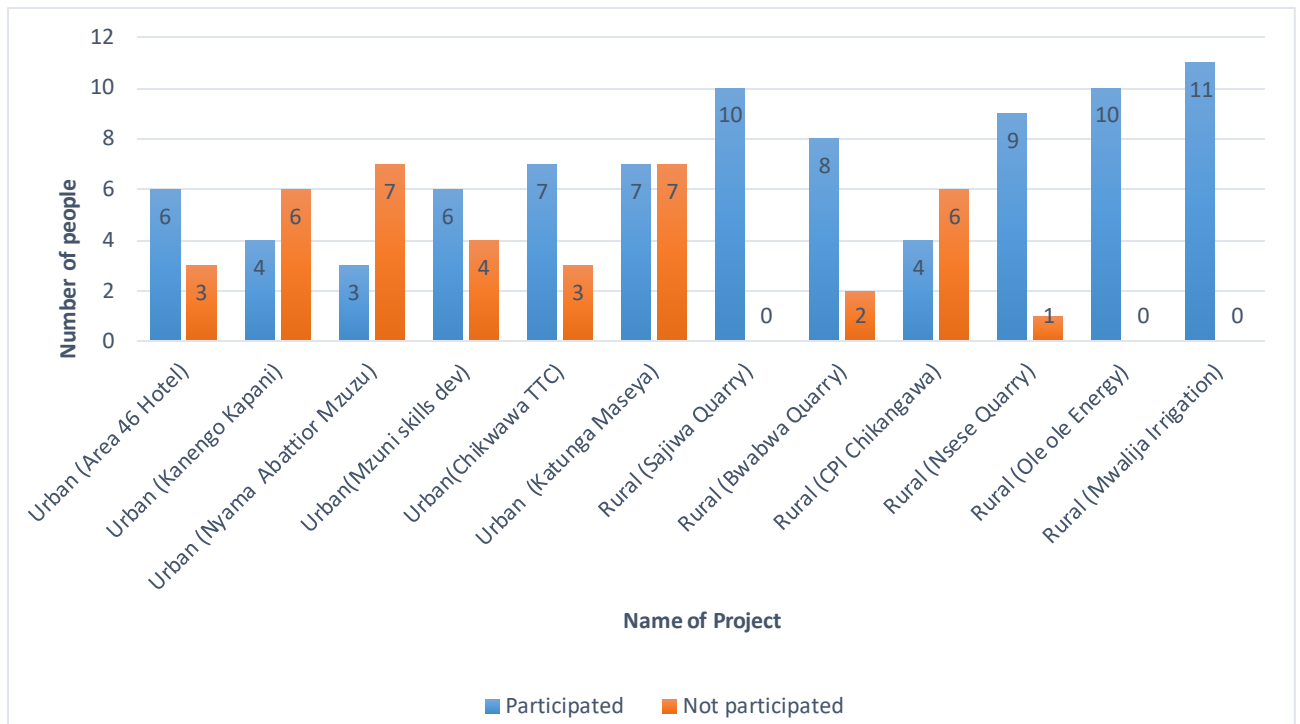


Figure 13-2: Participants per district

As shown on the graph above, out of 12 EIA projects under review, only 3 EIA projects (Mwaliija, Ole ole and Sajiwa) had fullyly valid participation and these projects were all from rural areas. There was no urban project which had complete valid participation.

The remaining 9 EIA reports included false information on the names of people who participated in the EIA consultation meetings. They were the names of people did not participate in the EIA public consultation meetings, though the consultants claimed the did. Out of the 9 compromised reports, 6 were from urban and 3 from rural projects. These reports had varying degrees of deception; with a minimum of 1 false name presented in rural areas (Nsense Quarry EIA report) while in urban areas the minimum was 3 names (Area 46 and Chikwawa TTC).

13.1.2.4 Gender of Participants per district

In all projects, there was poor representation of women, as shown in the graph below.

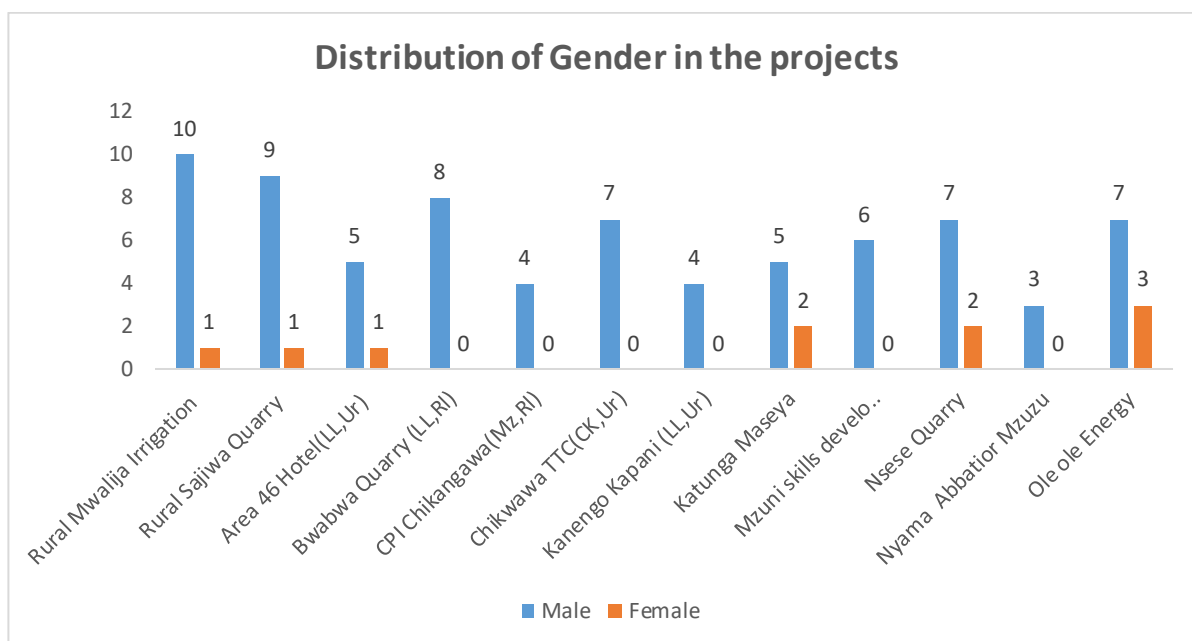


Figure 13-3: Gender of Participant per district

As shown in the graph above, there were 6 projects which had no female representation. The most striking result in this graph is non-representation of women from a matrilineal project where culturally women are expected to have control over decisions. Surprising also is lack of representation of women from three urban city projects where educated women are present.

Who participated in PP

Various participants held some positions as presented in Chapter 8. Table 13-3 shows their distribution in each project. Table 13.3, below, shows their distribution in each project.

Table 13-3: Participants per district who do or do not hold positions

Project name	Hold positions	Do not hold position
Mwaliya Irrigation	5	6
Sajiwa Quarry	6	4
Area 46 Hotel	6	0
Bwabwa Quarry	5	3
CPI Chikangawa	3	1
Chikwawa TTC	5	2
Kapani Abattoir	4	0
Katunga Maseya	2	5
Mzuni Skills	6	0
Nsense Quarry	9	0
Nyama Abattoir	3	0
Ole Ole	6	4

Pearson chi2 (11) =22.3380
PR=.022

13.1.3 Information on Subsistence Objectives

A wide range of information has been reported regarding Subsistence Objectives, including whether information provided by the communities was part of the decision-making process, and also whether the PP process was transparent. Tables 13.6 to 15.12 provide the outcome.

13.1.3.1 Information from the consultants

In line with Chapter 9, information to be provided to the communities must include both social, economic and environmental information and Table 13.4, below, provides the outcome.

Table 13-4:Provision of negative social information to the communities

Project Name	No	Yes
Rural- Bwabwa Quarry	7	1
Rural- CPI Chikangawa	4	0
Rural- Nsese Quarry	8	1
Rural- Sajiwa Quarry	9	1
Rural-Mwaliya Irrig.	7	3

Rural-Ole Ole Energy	9	1
Urban- Abattoir Mzuzu	2	1
Urban- Area 46 Hotel	6	0
Urban- Chikwawa TTC	4	3
Urban- Kapani Kanengo	3	1
Urban- Katunga Maseya	6	1
Urban- Mzuni skills	5	1
Total	70	14

Pearson $\chi^2(11) = 8.5057$ Pr = 0.667

Additionally, Table 13.5 provides negative environmental impacts pertaining to the respective projects.

Table 13-5: Provision of negative environmental information to the communities

Project Name	No	Yes
Rural- Bwabwa Quarry	7	1
Rural- CPI Chikangawa	4	0
Rural- Nsese Quarry	9	0
Rural- Sajiwa Quarry	10	0
Rural-Mwaliija Irrig..	6	5
Rural-Ole Ole Energy	9	1
Urban- Abattoir Mzuzu	2	1
Urban- Area 46 Hotel	6	0
Urban- Chikwawa TTC	6	1
Urban- Kapani Kanengo	4	0
Urban- Katunga Maseya	7	0
Urban- Mzuni skills	5	1
	75	10

Pearson $\chi^2(11) = 18.9210$ Pr = 0.063

Furthermore, information pertaining to negative economic impacts was provided per project, as shown on Table 13.6.

Table 13-6: Provision of negative economic information to the communities

Project Name	No	Yes
Rural- Bwabwa Quarry	8	0
Rural- CPI Chikangawa	4	0
Rural- Nsese Quarry	9	0
Rural- Sajiwa Quarry	10	0
Rural-Mwaliija Irrig..	7	3
Rural-Ole Ole Energy	9	1
Urban- Abattoir Mzuzu	2	1
Urban- Area 46 Hotel	6	0
Urban- Chikwawa TTC	6	1
Urban- Kapani Kanengo	4	0
Urban- Katunga Maseya	7	0
Urban- Mzuni skills	5	1
Total	77	7

Pearson $\chi^2(11) = 13.8701$ Pr = 0.240

While Tables 13.3 to 13.6 show information communicated by the consultants to the communities, the following tables show information communicated by the communities to the consultants. Communities were asked to prioritise issues raised

during respective PP meetings, and Tables 13.7 to 13.9 show how environmental, social and economic issues were rated per project.

13.1.2 Information from the communities

Table 13-7: Ranking of environmental priorities raised by communities

Project_Name	Highest	Medium	Lowest
Rural- Bwabwa Quarry	1	3	4
Rural- CPI Chikangawa	1	1	2
Rural- Nsese Quarry	2	5	2
Rural- Sajiwa Quarry	1	4	5
Rural-Mwalija Irrig..	1	1	9
Rural-Ole Ole Energy	1	3	6
Urban- Abattoir Mzuzu	2	1	0
Urban- Area 46 Hotel	5	0	1
Urban- Chikwawa TTC	1	3	3
Urban- Kapani Kanengo	4	0	0
Urban- Katunga Maseya	1	0	6
Urban- Mzuni skills	1	1	4

Table 13-8: Ranking of social priorities raised by communities

Project_Name	Highest	Medium	Lowest
Rural- Bwabwa Quarry	0	5	3
Rural- CPI Chikangawa	3	1	0
Rural- Nsese Quarry	2	4	3
Rural- Sajiwa Quarry	1	6	3
Rural-Mwalija Irrig..	0	10	1
Rural-Ole Ole Energy	1	7	2
Urban- Abattoir Mzuzu	0	0	3
Urban- Area 46 Hotel	0	5	1
Urban- Chikwawa TTC	2	4	1
Urban- Kapani Kanengo	0	3	1
Urban- Katunga Maseya	2	4	1
Urban- Mzuni skills	1	4	1

Table 13-9: Ranking of economic priorities raised by communities

Project Name	Highest	Medium	Lowest
Rural- Bwabwa Quarry	7	0	1
Rural- CPI Chikangawa	0	2	2
Rural- Nsese Quarry	5	0	4
Rural- Sajiwa Quarry	6	2	2
Rural-Mwalija Irrig..	10	0	1
Rural-Ole Ole Energy	8	0	2
Urban- Abattoir Mzuzu	1	2	0
Urban- Area 46 Hotel	1	2	3
Urban- Chikwawa TTC	4	0	3
Urban- Kapani Kanengo	0	1	3
Urban- Katunga Maseya	5	2	0
Urban- Mzuni skills	4	1	1

In line with substantive effectiveness, an assessment was conducted to discover how many of the communities contributed during the meeting: Table 13-10 (below) presents the outcome.

Table 13-10: Communities who contributed per project

Project name	W Able to contribute	Not able to contribute
Mwalija Irrigation (Rural)	9	2
Sajiwa Quarry (Rural)	7	3
Area 46 Hotel (Urban)	6	0
Bwabwa Quarry (Rural)	5	3
CPI Chikangawa (Rural)	3	1
Chikwawa TTC (Urban)	6	1
Kapani Abattoir (Urban)	4	0
Katunga Maseya (Urban)	3	4
Mzuni Skills (Urban)	6	0
Nsense Quarry (Rural)	5	4
Nyama Abattoir (Urban)	3	0
Ole Ole (Rural)	5	5

Pearson ch2 (11)=158152 Pr=0.148

13.1.3.2 Whether Information provided by the communities was part of the decision-making process

The communities were also asked if they were aware that their information was part of the decision-making process, and the figure below presents the outcome.

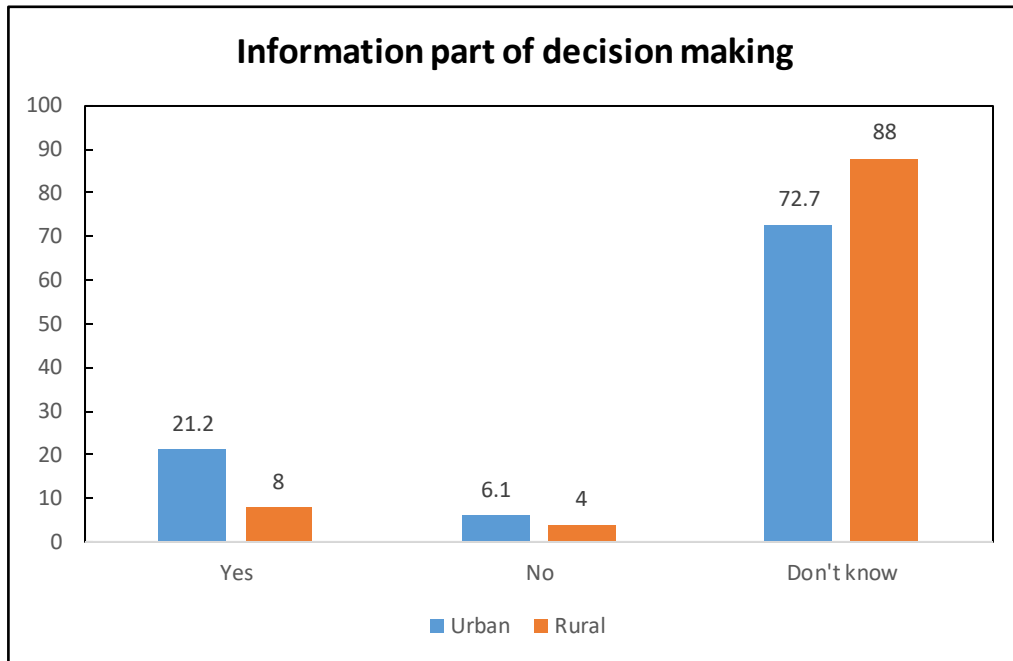


Figure 13-4: Information part of decision making

Communities were not aware that they were part of the decision-making process because a majority of participants, about 75% and 92.2% in urban and rural areas respectively, did not receive feedback from their consultants. When the consultants were asked why, most of them cited cost and time constraints as major reasons for not giving the communities feedback.

13.1.3.3 Communities' views on transparency

Communities were asked to state their views on transparency, and the graph below portrays their opinions on whether the community participation was conducted in a transparent manner.

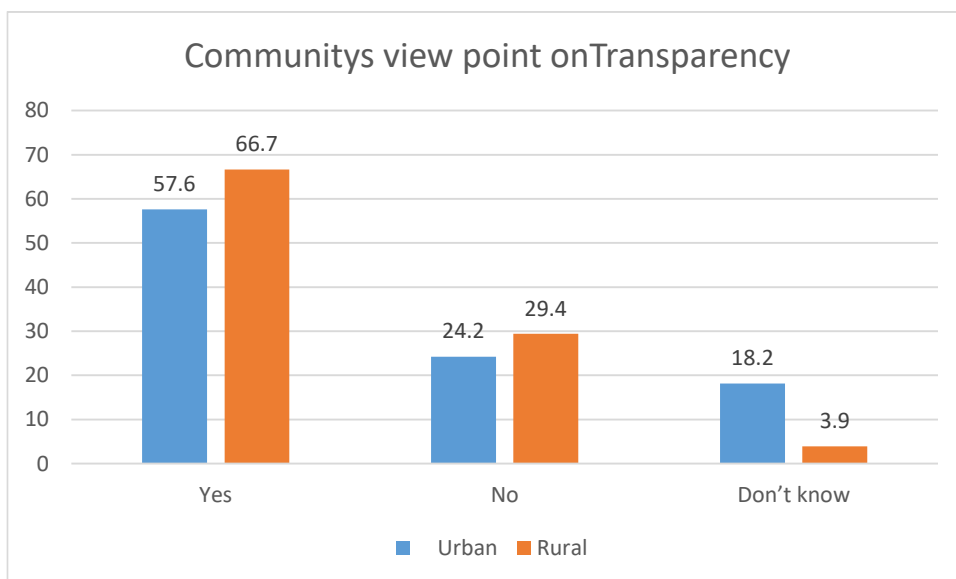


Figure 13-5: Communities’ views on transparency

Figure 13-5 shows that, despite the outcome, presented in Chapter 8 and 9, regarding who participated and what type of information was provided to the communities, and several concerns which were observed during their respective meetings, unexpectedly over half in urban and about two thirds in rural areas indicated that the PP meetings were conducted in a transparent manner. When they were asked how they perceived this transparency, Table 13.11, below, provides the responses:

Table 13-11: Responses showing transparency

a) Responses to show that PP was conducted in a transparent manner

Urban	Rural
<i>The consultant presented all the issues about the project he came to inquire about.</i>	<i>To us with the affected gardens, yes it was transparent, but to the rest, it was not transparent, because they were not informed.</i>
<i>We had an open and honest discussion. The meeting was addressed to us all at once.</i>	<i>Even superiors including the Traditional Authority were consulted, which showed the authenticity of the motives of consultants.</i>
<i>Everyone surrounding the project site was aware of the project prior to implementation.</i>	<i>They disclosed perfectly where they came from, and they didn't hide their identity.</i>

<i>The consultant informed local leaders, conducted meetings, and used local language, and all participated.</i>	<i>It was transparent because we now have a picture of what services the company would bring.</i>
<i>The rightful people to participate were called and provided the necessary advice, expertise and insight.</i>	<i>Both positive and negative impacts were outlined: nothing was hidden during presentations.</i>
<i>There was liberty to ask questions and they were able to respond all questions that were being asked.</i>	<i>We were in one group and could hear all things together with the others. We came together and we all left together. So no one stayed behind to risk any meetings behind closed doors.</i>
<i>The proponent knew what the law said regarding compensation. They agreed to follow without any bribing and corruption</i>	<i>The project has really commenced which leads me to think that they are honest people. They meant what they said about the project.</i>

There were, however, others who perceived that participation was not conducted in a transparent manner; they made the following responses:

a) Responses to show that PP was conducted in a transparent manner

Urban	Rural
<i>The developers cheated us. They got land but now there is no benefit. They have not given us money after 1 year.</i>	<i>Only chiefs were invited; they did not involve everyone. It felt like it happened behind closed doors. Only four of us chiefs were suddenly interviewed.</i>
<i>Feedback wasn't given which makes me think less of their transparency</i>	<i>They took advantage of our illiteracy levels, so of the affected people as such only teachers and village headmen were consulted.</i>
<i>The developers promised to help with issues but promises were not fulfilled; for example, they didn't share any money realized from crops like beans.</i>	<i>A lot of corruption was involved: no receipt was offered for compensation money and we didn't sign anywhere.</i>
<i>We were not updated on anything.</i>	<i>The promises we heard, were not fulfilled.</i>
<i>They did not explain everything about the project because they were in a rush.</i>	

13.1.3.4 Power hierarchy

Communities were asked if there were any power hierarchy in the communities that was affecting public participation. The graph below is depicting the outcome:

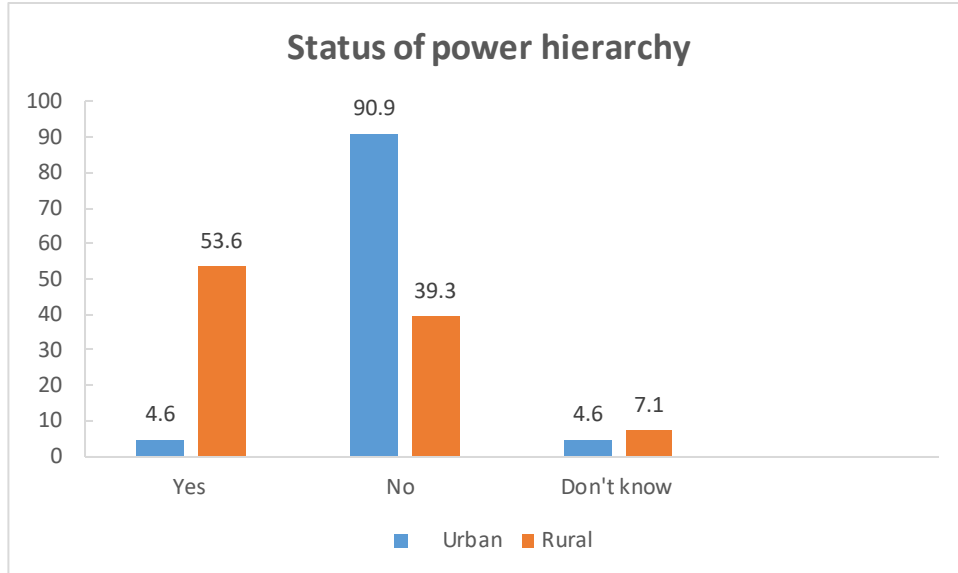


Figure 13-6: Power Hierarchy

Communities' view on the power hierarchy

The majority of participants in urban areas (90.9%) indicated that there was no power hierarchy in their areas. One community member in the urban areas reported that, *“These days there is no power hierarchy which is not very different from oppression. More people have a right to express themselves.”* On the contrary, about half of the rural communities held the view that the power hierarchy was very dominant in the rural communities and was impacting severely on the public participation activities.

13.1.4 Transactive Effectiveness

According to Chapter 10, there is a Correlation between cost of PP and the average time taken: and Table 13-12 shows the outcome.

Table 13-12: Correlation between cost of PP and average time taken for PP

Project Name	% of PP cost	Average minutes
Rural- CPI Chikangawa	.02	49
Rural- Sajiwa Quarry	.16	53
Rural-Mwalija Irrig..	.21	99
Urban- Area 46 Hotel	.02	40
Urban- Chikwawa TTC	.02	49
Urban- Kapani Kanengo	.11	38

Appendix 13-2: Participants' coding

1. Participants' coding - Key Informants

TCE	TCE 01
	TCE 02
	TCE 03
	TCE 04
NGO	NGO 01
	NGO02
NCE	NCE 01
GOV EDO EAD	Gov 01
	Gov 02
	Gov 03
	Gov 04
	Gov 05
	Gov 06
	Gov 07
Consultant	Cons 01
	Cons 02
	Cons 03
	Cons 04
	Cons 05
	Cons 06
Chiefs	Chief 01
	Chief 02
Academia	Acad 01
Focus Groups (Male) Lilongwe	FGD-1 M (First Male FGD)
	FGD -2M(Second Male FGD)

Focus Groups (Female) Chikwawa	FGD -1F(First Female FGD)
	FGD -2F(Second Female FGD)

2. Participants' coding -Questionnaire participants

Project name	Place of residence	identification Code for participants
Rural- Bwabwa	Mzimba Rural	1101-1110
Urban -Mzuni skills	Mzimba Urban	1202-1211
Urban- Abattoir Mzuzu	Mzimba Urban	1301-1310
Rural- CPI Chikangawa	Mzimba rural	1401-1410
Rural- Nsese Quarry	Lilongwe rural	2101-2110
Rural- Sajiwa Quarry	Lilongwe Rural	2201-2210
Urban- Kapani Kanengo	Lilongwe Urban	2301-2310
Urban- Area 46 Hotel	Lilongwe Urban	2401-2409
Urban- Chikwawa TTC	Chikwawa Urban	3101-3110
Urban- Katunga Maseya	Chikwawa Urban	3201-3214
Rural-Ole Ole Energy	Chikwawa Rural	3301-3310
Rural-Mwalija Irrigation	Chikwawa Rural	3401-3411

Appendix 13-3: Participant consent form

Title of the research project: A comparative analysis of the contribution of public participation towards effective Environmental Impact Assessment (EIA) in rural and urban areas of Malawi

Researcher: **Juwo Juwish Lwesya – Sibale (Mrs) – Phd Student**

	✓
I confirm that I have read and have understood the information sheet dated 12 th December 2018 for the above study. I have had the opportunity to consider the information, ask questions and have had these answered satisfactorily.	
I understand that taking part in this study involves participation in an interview.	
I understand that my participation is voluntary and that I am free to withdraw at any time during the interview and up to two weeks after the interview without giving any reason, without my rights being affected. In addition, should I not wish to answer any particular question or questions, I am free to decline.	
I understand that I can ask for access to the information I provide and I can also request the destruction of that information if I wish during the two-week period. I understand that after two weeks, I will no longer be able to request access to or withdrawal of the information I provide.	
I understand and agree that my participation will be audio recorded for the purpose of producing an anonymised interview transcript.	
I understand that the information I provide will be held securely and in line with data protection requirements at the University of Liverpool. I understand that signed consent forms, interview recordings and transcripts will be retained by the researcher and stored securely for up to 5 years, when it will be deleted.	
I understand that my quotes from the interview will be used to write research outputs but that confidentiality and anonymity will be maintained and it will not be possible to identify me in any such outputs.	
I agree to take part in the above study.	

_____	_____	

Participant name	Date	Signature
Juwo Juwish Lwesya – Sibale (Mrs)		
_____	_____	

Name of student	Date	Signature

DISSERTATION SUPERVISOR

Professor Thomas Fischer
 University of Liverpool
 Department of Geography and Planning
 L69 72T
fischer@liverpool.ac.uk
 Contact Number: +44 (0)151 794 3112

Appendix 13-4: Participants Information form

Title of the research project:

A comparative analysis of the contribution of public participation towards effective Environmental Impact Assessment (EIA) in rural and urban areas of Malawi

Researcher:

Juwo Juwish Lwesya- Sibale (Mrs)

1. Invitation Paragraph

You are being invited to participate in a research study being undertaken as part of a PhD research project at the University of Liverpool. Before you decide whether to participate, it is important for you to understand why the research is being done and what it will involve. Please take time to read the following information carefully and feel free to ask us if you would like more information or if there is anything that you do not understand. I would like to stress that you do not have to accept this invitation and should only agree to take part if you want to. Thank you for reading this.

2. What is the purpose of the study?

The purpose of this study is to investigate and compare the contribution of public participation towards effective Environmental Impact Assessment (EIA) in rural and urban areas of Malawi

3. Why have I been chosen to take part?

You have been randomly chosen to be part of the focus groups because you are a community member surrounding the project X. There will be 2 focus group per project, one comprising of male group and another one a female group. A total of 24 groups from 12 projects will be facilitated in the study.

4. Do I have to take part?

Participation in this interview is voluntary.

5. What will happen if I take part?

If you decide to take part, you will be asked to take part in an interview and to sign a consent form. The interview should take approximately 40 minutes to complete and will be conducted in Chichewa/Tumbuka (depending on the district). The interview

will take place depending on the respondent. If it is communities, then it will take place at the project site; while if its key informant it will take place at a site chosen by the respondent. During the interview, you will be asked a series of questions related to your experiences. There are no incorrect answers and you are free to answer each question in as much detail as you like, or simply not at all. I would like to audio record your interview.

6. How will my data be used?

The University processes personal data as part of its research and teaching activities in accordance with the lawful basis of ‘public task’, and in accordance with the University’s purpose of “advancing education, learning and research for the public benefit.

Under UK data protection legislation, the University acts as the Data Controller for personal data collected as part of the University’s research. The Researcher Supervisor acts as the Data Processor for this study, and any queries relating to the handling of your personal data can be sent to the research supervisor via the mechanisms outlined at the end of this information sheet.

Further information on how your data will be used can be found in the table below.

How will my data be collected?	I will record your interview responses using a Dictaphone or an approved mobile telephone.
How will my data be stored?	I will store the recording securely on a password-protected computer or university storage device. I will immediately transfer the recording to secure storage and delete the original file. The recording will be transcribed to a Word document whereupon all identifying information will be removed and the recording deleted. Your consent form will also be stored securely.
How long will my data be stored for?	All transcribed data will be stored electronically and will be kept for up to five years, when it will be disposed of securely. This is in accordance with the University’s data archiving procedures.

What measures are in place to protect the security and confidentiality of my data?	I will store data securely and only I will have access to it.
Will my data be anonymised?	Yes. Pseudonyms or participant numbers will be used to report all data.
How will my data be used?	The results of this study will be used to write a research report and may lead to academic publication.
Who will have access to my data?	Only myself and data collectors who will help to collect data.
Will my data be archived for use in other research projects in the future?	No.
How will my data be destroyed?	Electronic data will be permanently deleted from all computers and institutional servers. Consent forms will be shredded.

7. Will I be offered any financial incentives to take part in the research?

I am not able to offer any payment or expenses for undertaking the interview.

8. Are there any risks in taking part?

There are no anticipated risks to you taking part in this interview. I do not think that there are questions that should make you feel upset or uncomfortable. You are free to decline answer of any questions or to stop the interview at any time, without giving a reason.

9. Are there any benefits in taking part?

There are no direct benefits to you taking part in the research, although you will be helping me to find out information that is important to my research aims. In the long-term, the general population of Malawi will be benefitting because of improved EIA processes resulting from implementing recommendations from the study you have participated in.

10. What will happen to the results of the study?

The results of this study will be used to write a research report and may lead to academic publication.

11. What will happen if I want to stop taking part?

If you begin the interview and do not wish to continue, you can stop at any time without giving a reason. If you wish to remove your data from the research after the interview, you may do so within two weeks of the date of the interview. After this time, the interview will have been transcribed and all identifying information removed and therefore removal will no longer be possible.

12. What if I am unhappy or if there is a problem?

If you are unhappy, or if there is a problem, please feel free to let me know by contacting myself or my research supervisor (details below) and we will try to help. If you remain unhappy or have a complaint which you feel you cannot come to us with then you should contact the Research Ethics and Integrity Office at ethics@liv.ac.uk. When contacting the Research Ethics and Integrity Office, please provide details of the name or description of the study (so that it can be identified), the researcher(s) involved, and the details of the complaint you wish to make.

13. Who can I contact if I have further questions?

Student: Juwo Juwish Lwesya- Sibale

Email: jsibale@liverpool.ac.uk

Contact Office Phone: + 265 177 1111

DISSERTATION SUPERVISOR

Professor Thomas Fischer

University of Liverpool

Department of Geography and Planning

L69 72T

fischer@liverpool.ac.uk

Contact Number: +44 (0)151 794 3112

Appendix 13-5: Ethical Approval Ethical Approval –UK



Central University Research Ethics Committee B

13 March 2019

Dear Prof Fischer

I am pleased to inform you that your application for research ethics approval has been approved. Application details and conditions of approval can be found below. Appendix A contains a list of documents approved by the Committee.

Application Details

Reference:	4629
Project Title:	Comparing public participation in Environmental Impact Assessment (EIA) between rural and urban areas in Malawi
Principal Investigator/Supervisor:	Prof Thomas Fischer
Co-Investigator(s):	Mrs Juwo Lwesya - Sibale
Lead Student Investigator:	-
Department:	Geography and Planning
Approval Date:	13/03/2019
Approval Expiry Date:	Five years from the approval date listed above

The application was **APPROVED** subject to the following conditions:

Conditions of approval

- All serious adverse events must be reported to the Committee (ethics@liverpool.ac.uk) in accordance with the procedure for reporting adverse events.
- If you wish to extend the duration of the study beyond the research ethics approval expiry date listed above, a new application should be submitted.
- If you wish to make an amendment to the study, please create and submit an amendment form using the research ethics system.
- If the named Principal Investigator or Supervisor leaves the employment of the University during the course of this approval, the approval will lapse. Therefore it will be necessary to create and submit an amendment form within the research ethics system.
- It is the responsibility of the Principal Investigator/Supervisor to inform all the investigators of the terms of the approval.

Kind regards,

Central University Research Ethics Committee B

ethics@liverpool.ac.uk

0151 794 8290

Document Type	File Name	Date	Version
Default	Juwo Lwesya-Sibale. Local Ethical Feedback	17/01/2019	1
Interview Schedule	Interview schedule Focus group _ English	23/01/2019	1
Interview Schedule	Interview schedule Focus group _ Chitumbuka	23/01/2019	1
Questionnaire	General public Questionnaire_ English	23/01/2019	1
Questionnaire	General public Questionnaire_ Chichewa	23/01/2019	1
Questionnaire	General public_ Questionnaire - tumbuka	23/01/2019	1
Interview Schedule	Interview schedule Focus group _ Chichewa	23/01/2019	1
Fieldwork Risk Assessment	Ethics Application - Fieldwork Risk Assessment- 23 Jan 2019	23/01/2019	1
Interview Schedule	Key informants_ checklist- 23rd January 2019	23/01/2019	1
Participant Information Sheet	Participant information - English_ Focus Group discussion	08/03/2019	2
Participant Information Sheet	Participant information -English_ Key informants	08/03/2019	2
Participant Information Sheet	Participant information _ Focus group discussion Tumbuka	08/03/2019	2
Participant Information Sheet	Participant information _ Key Informant Tumbuka	08/03/2019	2
Participant Information Sheet	Participant information _Focus Group - Chichewa	08/03/2019	2
Participant Information Sheet	Participant information _Key informant - Chichewa	08/03/2019	2
Participant Consent Form	Participant information _ Focus group discussion Tumbuka	08/03/2019	2
Participant Consent Form	Participant information _ Key Informant Tumbuka	08/03/2019	2
Participant Consent Form	Participant information _Focus Group - Chichewa	08/03/2019	2
Participant Consent Form	Participant information _Key informant - Chichewa	08/03/2019	2
Participant Information Sheet	Participant information - English_ Consultant	08/03/2019	2
Participant Information Sheet	Participant information - English_ Community participant	08/03/2019	2
Participant Information Sheet	Participant information - Consultant Tumbuka	08/03/2019	2
Participant Information Sheet	Participant information - Community member Tumbuka	08/03/2019	2
Participant Information Sheet	Participant information _Consultant - Chichewa	08/03/2019	2
Participant Information Sheet	Participant information _Community Member - Chichewa	08/03/2019	2
Participant Consent Form	Consent form _ English _ Consultant	08/03/2019	2
Participant Consent Form	Consent form _ English _ Community Participant	08/03/2019	2
Participant Consent Form	Consent form = Consultant Chichewa	08/03/2019	2
Participant Consent Form	Consent form =Community participant Chichewa	08/03/2019	2
Participant Consent Form	Consent form = Consultant Chitumbuka	08/03/2019	2
Participant Consent Form	Consent form = Consultant Chitumbuka	08/03/2019	2
Participant Consent Form	Consent form _English_ Key Informant	08/03/2019	2
Participant Consent Form	Consent form _ English _ Focus Group	08/03/2019	2

Ethical Approval – Malawi



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NATIONAL COMMITTEE ON RESEARCH IN THE SOCIAL SCIENCES AND HUMANITIES

Ref No: NCST/RTT/2/6

8th June 2019

Mrs Juwo Lwesya Sibale,
Ministry of Natural Resources and Mining,
Department of Environmental Affairs,
P/Bag 394,
Lilongwe 3.

Email: juwosibale@yahoo.co.uk

Dear Mrs Sibale,

**RESEARCH ETHICS AND REGULATORY APPROVAL AND PERMIT FOR
PROTOCOL NO. P.05/19/378: A COMPARATIVE ANALYSIS OF THE
CONTRIBUTION OF PUBLIC PARTICIPATION TO DECISION MAKING
THROUGH THE ENVIRONMENTAL IMPACT ASSESSMENT (EIA)
PROCESS BETWEEN RURAL AND URBAN AREAS IN MALAWI**

Having satisfied all the relevant ethical and regulatory requirements, I am pleased to inform you that the above referred research protocol has officially been approved. You are now permitted to proceed with its implementation. Should there be any amendments to the approved protocol in the course of implementing it, you shall be required to seek approval of such amendments before implementation of the same.

This approval is valid for one year from the date of issuance of this approval. If the study goes beyond one year, an annual approval for continuation shall be required to be sought from the National Committee on Research in the Social Sciences and Humanities (NCRSH) in a format that is available

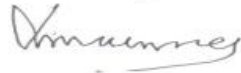
Committee Address:

Secretariat, National Committee on Research in the Social Sciences and Humanities, National Commission for Science and Technology, Lingadzi House, City Centre, P/Bag B303, Capital City, Lilongwe 3, Malawi. Telephone Nos: +265 771 550/774 869: E-mail address: ncrsh@ncst.mw

at the Secretariat. Once the study is finalised, you are required to furnish the Committee and the Commission with a final report of the study. The committee reserves the right to carry out compliance inspection of this approved protocol at any time as may be deemed by it. As such, you are expected to properly maintain all study documents including consent forms.

Wishing you a successful implementation of your study.

Yours Sincerely,



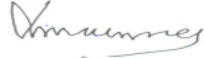
Yalonda .I. Mwanza
NCRSH ADMINISTRATOR
HEALTH, SOCIAL SCIENCES AND HUMANITIES DIVISION

For: CHAIRMAN OF NCRSH

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Yours Sincerely,



Yalonda I. Mwanza
NCRSH ADMINISTRATOR
HEALTH, SOCIAL SCIENCES AND HUMANITIES DIVISION

For: CHAIRMAN OF NCRSH

Appendix 13-6: Study tools

13.6.1 Questionnaire

Section 1: Identification Panel of a Project

<i>QUESTION</i>	<i>RESPONSES</i>										
Project Name											
Type/Sector of project	Mining.....1 Agricultural.....2 Road/transport.....3 Water.....4 Energy.....5 Infrastructure6 Others specify.....										
Project Site											
District											
TA											
GVH											
VILLAGE											
Type of Location	Urban.....1 Rural.....2										
Marital system	Patrilineal.....1 Matrilineal.....2										
Date of interview	<table border="1" style="display: inline-table; vertical-align: middle;"> <tr> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> <td style="width: 20px; height: 20px;"></td> </tr> </table>										

Section 2: Demographic and Socioeconomic Characteristics

QUESTION	RESPONSES
Identification Code	Insert Code.....
Person interviewed	Household head.....1 Spouse of household head.....2 Other relations.....3
Household type	Female headed.....1 Male headed.....2 Child headed.....3
Gender	Male.....1 Female.....2
Age	INSERT COMPLETE YEARS

What is your civil status?	Married monogamous.....1 Married polygamous.....2 Single, never married.....3 Widowed.....4 Divorced/separated.....5 Single, husband is away for more than six months.....6
Are you able to read and write?	Yes.....1 No.....2
What is your religion?	Christianity.....1 Islam.....2 Traditional.....3 No Religion.....4 Others [.....] 5 <i>Specify</i>
What is your highest level of education?	Did not attend.....1 Std 1 to 5.....2 Std 6 to 8.....3 F1 to F2.....4 F3 to F4.....5 Adult literacy.....6 Tertiary.....7
How many people, including yourself, live in your household?	Total..... Males..... Females.....
Do you hold any position in the community?	Yes.....1 No.....2
If yes, where do you hold the position?	At church.....1 Politics.....2 Village.....3 CBO.....4 Workplace.....5 Club.....6 Others [.....] <i>specify</i>

Section 3: General awareness of the Environmental Impact Assessment

QUESTION	RESPONSES
Have you ever heard about Environmental Impact Assessment?	Yes.....1 No.....2
When did you first hear about it?	INSERT YEAR.....
How did you hear about it?	Radio.....1 Newspapers.....2 Extension workers.....3 Local leaders.....4 Religious leaders.....5 Private company.....6 Television.....7 District Officials.....8 Friends.....9

	From my club or group.....10 From community meetings.....11 From training/workshops/conference.....12 Other (<i>specify</i>) _____
Have you ever participated in an EIA PP process?	Yes.....1 No.....2
Are you aware of thisproject in your area?	Yes.....1 No.....2
When did you first hear about the project?	INSERT YEAR
How did you hear/know about it?	Radio.....1 Newspapers.....2 Extension workers.....3 Local leaders.....4 Religious leaders.....5 Private company.....6 Television.....7 District Officials.....8 Friends.....9 From my club or group.....10 From community meetings.....11 From training/workshops/conference.....12 Other (<i>specify</i>) _____

Section 4: Current practices regarding procedural factors of PP including

Who participates?	Did you participate in PP for the project?	Yes.....1 ...1 No.....22
	Why do you think you participated in the PP process?	Affected.....1 Interested.....2 Expert.....3 .3 CSO.....44 Community representative.....5 Other (specify).....
	Did everyone within the vicinity of the project participate in the PP process?	Yes.....1 ...1 No.....22
Notification	How were you informed about the PP meeting?	Village Head.....1 Radio.....2 ...2 Posters.....3 3 Phone.....4 4 Email.....5 .5 Extension worker.....6 Church leaders.....7 TV.....88 Others <i>specify</i>
	In what language was the notification?	English.....1 Chichewa.....2 Tumbuka.....3

		Yao.....4
	Were you satisfied by the way you were informed of the PP?	Yes..... ...1 No.....2
Methods of pp	What methods were used during the PP exercise?	Community meetings.....1 Press conference.....2 Information notices.....3 Brochures/fliers.....4 interviews.....5 Questionnaires.....6 Advisory committees.....7 Public hearings.....8 None.....9 Don't know.....88 Others <i>specify</i>
	Did you like the method?	Yes..... ...1 No.....2
	Why did you like it?	Allowed everyone to participate....1 Used local language.....2 Didn't take long.....3 Message was simple.....4 Others <i>specify</i>
	Why didn't you like it?	Did not allow everyone to participate.....1 Did not use local language.....2 Took too long.....3 Message was difficult to understand.....4 Others <i>specify</i>
Language	What language was used during PP meetings?	English..... 1 Chichewa.....2 Tumbuka.....3 Yao.....4
Venue	Where did the PP meeting take place?	Within the location of the project.....1 Outside the project site.....2
	Who determined the choice of the venue?	Local leaders.....1 Consultant.....2 Politicians.....3 Community members.....4 Local development committees.....5 Don't know.....6 Others <i>specify</i>

Section 5: To what extent does the PP Achieve the Substantive Objectives of the EIA Policy?

Provision of information	What type of EIA information did you get from the developer?	Project description.....1 Positive (environmental).....2 Positive impacts (social).....3 Positive impacts (economic).....4 Negative (environmental).....5 Negative impacts (social).....6 Negative (economic).....7 Both of the above.....8
	Were you able to understand the information presented by the proponent?	Yes.....1 No.....2
	If not, why?	Message was difficult to understand.....1 Did not use local language.....2 Took too long.....3 Others specify.....99
	What are your major concerns (perceived impacts) regarding the project ?	Environmental.....1 Social.....2 Economic.....3
Obtain information	Were you able to contribute something to the meeting?	Yes.....1 No.....2
	If yes what information did you provide?	Project description.....1 Positive (environmental).....2 Positive impacts (social).....3 Positive impacts (economic).....4 Negative (environmental).....5

		Negative impacts (social)6 Negative impacts (economic).....7 Both of the above8
	If no , why didn't you contribute?	Capacity.....1 Cultural reasons.....2 Religious reasons.....3 Had no issue.....4 My issues had been presented.....5
	Were you given an opportunity to submit comments/ issues regarding the project?	Yes.....1 No.....2
	If yes, what form of submission were you advised to use?	Through leaders.....1 Postage2 Others <i>specify</i>
	In your opinion, what do you think are the major barriers to PP?	Capacity.....1 Cultural reasons.....2 Religious reasons.....3 Poverty.....4 Distance.....5 Communication.....6 Information.....7 Others <i>specify</i>
	What factors enhanced your participation?	Affected party.....1 My leadership role.....2 Others <i>specify</i>
Decision making	Do you have any idea as to whether the information you provided was part of the decision making at any level?	Yes.....1 No.....2
	If yes, how?	Our views were addressed in the EIA report.....1 Our views are part of the project design.....2 ur views have been included in on project implementation.....3 Don't know.....4 Others <i>specify</i>
Governance	Was the EIA documentation provided before the meeting?	Yes.....1 No.....2

	Were you given enough time to go through the documentation?	Yes.....1 No.....2
	Was any feedback communicated about the participation that took place?	Yes.....1 No.....2
	How was feedback about participation communicated?	Went back to the site.....1 Press release.....2 Didn't communicate.....3
	Was the PP usually conducted in a transparent manner?	Yes.....1 No.....2
	If yes, how?	
	How has your contribution to the final decision resulting from the Public Participation been affected by the presence of the most powerful members of the social hierarchy?	Only those with high social status could speak.....1 No impact: we were all participating.....2
	If yes, how?	

Section 6: What Learning has occurred as a result of PP

QUESTION	RESPONSES
In your opinion, do you think there is any learning that you gained due to your participation in PP?	Yes.....1 No.....2
If yes, what lessons have been learnt?	
How do you think this learning has occurred?	
If no, why do you think you didn't learn anything?	

Section 7: Contextual factors

ELEMENTS	QUESTIONS	RESPONSES
Cultural	Are there any cultural factors that are prohibitive to public participation?	Yes.....1 No.....2
	How?	Women don't speak in public.....1 Men do not attend meetings.....2 If the elders have spoken no one should comment.....3 Youths are not allowed to attend adult community meetings.....4 Others..specify
Marginal groups	Do you have groups of people in your community who by nature of their status are excluded from participating in public consultations for EIA processes?	Yes.....1 No.....2

	Who are these groups of people?	People with disabilities.....1 Women.....2 Men.....3 The Elderly.....4 Youths.....5 PLHA.....6 Ultra-Poor people.....7
	In X project, during PP, were they involved?	Yes.....1 No.....2
	Which methods were used to involve them?	Community meetings.....1 Press conference.....2 Information notices.....3 Brochures/fliers.....4 Interviews.....5 Questionnaires.....6 Advisory committees.....7 Public hearings.....8 Don't know..... Others specify.....*??
Concluding questions	What are the major challenges communities find in PP ?	
	How do you think these challenges can be mitigated?	

**Section 8: What Transactive attainment in Terms of Costs and Time Has Been Realised
As A Result Of Pp**

ELEMENTS	QUESTIONS	RESPONSES
Time	For how long did the PP exercises take?	INSERT PERIOD IN WEEKS
	In your opinion, do you think it was worth spending the time in both the short term and long term?	Yes.....1 No.....2
	If yes, how?	
Cost	In your opinion, do you think conducting the Public Participation was value for money?	Yes.....1 No.....2

13.6.2 An Interview schedule for Focus group discussion

1. Did PP take place for this X project?
2. At what stage of EIA was it conducted?
3. Which stakeholders participated in the PP process?
4. What methods were used in PP?
5. What type of information and views did you provide to the project proponent?
6. What type of information did the proponent provide you?
7. Was the EIA documentation accessible to you prior to the meeting?
8. In what language is the EIA documentation presented?
9. In your opinion, what impact has participation made on the decision-making process?
10. Do you think conducting PP is worth the time in both the short term and long term?
11. In your opinion, do you think conducting Public Participation is value for money?
12. Are there any cultural factors that are prohibitive to Public Participation? If yes, how?
13. Do you have groups of people in your community who by nature of their status are excluded from participating in public consultations for the EIA processes? Who are these groups of people?
14. What are the major challenges of PP in the rural as compared to the urban areas?
15. How do you think those challenges can be resolved?

13.6.3 An Interview check list for Key informants

16. Do developers conduct PP when conducting EIA? For those who do not conduct it, in your opinion, why do you think that is?
17. At what stage of EIA do they usually conduct PP?
18. Which stakeholders usually participate in the PP process?
19. What methods are usually used in PP? Why?
20. What type of information and views do they usually obtain from the community?
21. Is the EIA documentation accessible by participants prior to the meeting?
22. In what language is the EIA documentation presented?
23. What type of information is raised by the participants consulted in the decision making process?
24. How do you address issues raised by communities that are not technically or financially feasible?
25. In your opinion, what impact has participation had on both the final design of the project and the environment? Specify on which.
26. What is the usual period of the whole PP process?
27. Do you think conducting PP is worth the time in both the short term and long term?
28. In your opinion, do you think conducting Public Participation is value for money?
29. Are there any cultural factors that are prohibitive to Public Participation? If yes, how?
30. Do you have groups of people in your community who by nature of their status are excluded from participating in public consultations for EIA processes? Who are these groups of people?
31. What are the major challenges of PP in the rural as compared to the urban areas?
32. How do you think those challenges can be resolved?