

Freedom Matters

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The Fraud of Citizen Input in Planning

by Bob Bowman

One reason Rep. Albers (Republican) crossed party lines to help enact "comprehensive planning" in the 1999 state budget bill, was to enact citizen input into land use regulation, a goal she had tried unsuccessfully to achieve over several years of effort in the Wisconsin Assembly. Unfortunately, the kind of citizen input that Rep. Albers had worked for, and that made sense, is not what got enacted into comprehensive planning.

Example: Albers had a bill that would have required direct mail notice to a landowner anytime a zoning change was proposed for their property. Lobbyists for local municipalities and their associations fought this tooth and nail. They argued it would be too difficult and expensive to find the mailing addresses. Gee. They have no such trouble when it comes time each year to mail out property tax notices. Result? Her bill stalled and was never enacted.

Until comprehensive planning was enacted into state law, in 1999, the only statutory requirement for public input regarding a zoning ordinance was for one public hearing by the zoning agency just before the ordinance was enacted. In comprehensive planning, the local governmental entity is required first of all to adopt a resolution defining and permitting citizen input **at each step** of planning. In Dane County, the planning process thus enacted requires a huge number of public meetings, each open to citizen input, plus a "survey" of public opinion. Sadly, the statutes do not set standards for either. Few persons can afford the time for a large number of public meetings, often at inconvenient hours, or at hours conflicting with other planning groups, meetings, jobs, etc. Planners planning for lots of meetings know this. They also know that survey questions give wrong answers unless carefully chosen. Thus, unvalidated surveys are often a fraud. Why do planners act in ways that they know **prevent** sensible public input by the citizens?

Scheduling a huge number of meetings acts to **disenfranchise** most citizens, but not busybodies, and not unelected busybodies. It results in each busybody getting to "vote" over and over and over. It thus results in a most perverse violation of the "one person, one vote" rule that the law otherwise insists on. Thereby, unelected persons have an undue influence on what is often confiscatory legislation. That is in direct and notably corrupt conflict with the concept of republican (representative) government and of democracy (one person, one vote). It violates them both.

Another fraudulent device to look for in the citizen-input gambit is the "**consensus**" process. Rather than taking and recording votes, a "facilitator" asks for a vague expression of agreement. Meanwhile, hidden in the group may be a shill called a "vibes detector" who watches for persons not in tune with the consensus process, so their influence can be negated.

The consensus process is thus notorious as a way to eliminate dissent and dissenters. Hence, its use is specifically prohibited in a 2004 executive order by President George W. Bush, which requires federal land use agencies to respond to landowner concerns. Likewise, its use in citizen-input to legislation ought to be banned by our state statutes. Meanwhile, anyone engaged in comprehensive planning meetings should **oppose** use of the consensus process, and if overruled, should put their **protest** to it on the official record.

It seems that all forms of government inherently tend to corruption. Raw democracy succumbs to it, when the majority discover they can use the vote to plunder the minority via taxation or regulation. Citizen input, as used to plunder property rights, allows the unlanded with impunity to visit the most confiscatory of laws on the landed. By the same tendency, those who do not have to pay taxes vote with impunity to increase taxes without limit. Demagogues rule by mobilizing the untaxed and the unlanded, til they kill the goose that lays the golden eggs. The use of fraudulent citizen-inputs has become one of their tools.

Property rights web sites: < <http://www.fairnessinlaw.org/> >
< <http://www.takebackwisconsin.com/> >
<<http://www.PropertyRightsResearch.org>>

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