

The Deafening Silence of Public Hearings

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ABSTRACT

The Deafening Silence of Public Hearings invites participants to embody civic engagement through simulation, disruption, and rehearsal. Congregating in a space designed to heighten the uneven power dynamics of a typical New York City public hearing, participants will have the opportunity to play with communicating powerfully in this environment. This is a prototype for future use as part of an ongoing project of engaged anthropology with a community of canners (waste pickers) in Brooklyn, NY, and builds on the goals of an emergent “Canner Advocacy Task Force.” This piece suggests that participatory approaches to strengthening civic engagement can benefit from a phenomenological perspective that addresses the operations and felt immediacies of bodies entangled in structural power dynamics.

Author Keywords

Civic engagement; democratic decision-making; public space; situated action; role-playing; waste pickers; engaged anthropology.

CSS Concepts

• **Human-centered computing~Human computer interaction (HCI)**→ Interaction Design→ Interaction design process and methods→ Participatory design

INTRODUCTION

Public hearings are a form of local direct decision-making in the contemporary U.S. that emerged

in colonial era New England. The majority of local governments across the country require open hearings for municipal commissions, boards, and other bodies wishing to propose new local laws, and participation in small towns is typically robust [9]. However, in urban areas such as New York City, hearings are part of a vast bureaucratic infrastructure and public participation is negligible except in cases of well-publicized issues. City records show, for instance, that a public hearing held by the NYC Environmental Control Board in 2013 to propose a new local law (56) that would penalize certain forms of waste picking was attended by only one member of the public. It is estimated that at least eight thousand residents of NYC are entirely or partially dependent on earnings from waste picking, and specifically from canning - retrieving deposit-based containers from the trash for cash redemption - for whom this proposed local law was a direct livelihood threat. Due to a lack of civic participation in this hearing, the law passed without revision. This illustrates how the hearing as potentially vital forum of “pure democracy” has evolved to exclude through insufficient public notification processes, the use of legalese that is difficult for most non-lawyers to understand, and procedural formality that is alienating. Those who are already socially marginalized like canners, many of whom are immigrants experiencing poverty, are even more likely to feel excluded from decision-making; in the political climate of the contemporary U.S., they are increasingly considered “‘excessive’ and ‘redundant’” populations that cannot be recognized, a product of the order-building of modernization [1]. The uncontested passage of Local Law 56 created a temporal rupture experienced at the subjective level [4] by those who do this work. This same scenario repeats itself regularly across the city: local laws are instantiated that create

new forms of vulnerability without input or evaluation by those who will be impacted.

This situated action addresses the conference theme of “Participation(s) otherwise” by taking up questions around the ontology of participation and potential uses of design to support political participation. It is informed by Desjarlais’ assertion that phenomenological perspectives allow us to consider “the ways in which political, social, economic, and discursive formations intersect with the operations and felt immediacies of bodies” [3]. *The Deafening Silence of Public Hearings* invites participants to embody civic engagement through simulation, disruption, and rehearsal. Congregating in a space designed to heighten the uneven power dynamics of a typical New York City public hearing, participants will have the opportunity to experiment with communicating powerfully in this environment. It invites participants to rehearse speaking aloud their lived experience in this forum for “direct democracy.”

BACKGROUND

Hegel has studied canner livelihoods since 2018 and is involved with the non-profit Sure We Can as an engaged anthropologist. Sure We Can builds community and serves as a hub for canner advocacy by operating a redemption center and providing space for art, gardening, composting, upcycling, and sustainability education. The organization is part of the Global Alliance of Waste Pickers, and has received support for projects aimed at empowering canners from WIEGO (Women in Informal Employment: Globalizing and Organizing). Following a 2019 workshop, co-facilitated by Hegel, more than a dozen canners formed a new task force, the Canner Advocacy Task Force (CATF), to develop strategies for public advocacy.

This situated action builds on the goals of the emergent CATF. Public hearings are one important forum through which task force members and other canners can voice their concerns and needs to municipal representatives. This situated action is a prototype for testing how this installation could be used to prepare canners to testify at hearings. In collaboration with WIEGO, a version of this installation will continue to be developed as a training medium for the Canner Advocacy Task Force in the fall of 2020, and subsequently with other groups of canners and residents.

The Deafening Silence brings participants into the setting of a public hearing to rehearse and improvise forms of context- and issue-specific civic engagement.

In so doing, it seeks to create a space and process for “involving, inspiring and assisting participant-collaborators in the development of their capacity for sharing and critically communicating their experience...[and to] performatively tell the truth of their lived experience” [8]. It provokes and stages an encounter [2] for rehearsing new ways of being in the future [5]. Rather than proposing a form of “institutioning” [6], this situated action seeks to explore the existing potential of the public hearing by inviting civic actors to prepare for and recalibrate power dynamics through modes of presencing and voicing.

METHODOLOGY

The Deafening Silence creates an environment and processes that allow spatially-reinforced power differentials to be more visible, and reckons with the embodied aspects of civic engagement in order to open up conversations about participation in this forum. At the PDC2020, this installation will be contextualized as a self-advocacy tool for canners in NYC through an exhibit of video segments from a recent documentary about canners, footage of members of the CATF talking about the importance of their work, and a fact-sheet about waste pickers in NYC and around the world.

The NYC case, in which canners are just beginning to gain recognition and support from non-governmental organizations, will also be placed in conversation with the struggles and successes of Colombian waste pickers. In 1986, Colombian waste pickers were still referred to as *desechables* (disposables) and routinely attacked and even murdered by the police. Today, they have legal recognition as workers and are well-integrated into the waste management systems of many cities across Colombia. As of 2015, there were over 13,000 registered *recicladores* (recyclers, their preferred designation) in Bogota alone [7]. The exhibit will illustrate the achievements of the Colombian *recicladores* through an abbreviated timeline using photographs and text, intended to serve as inspiration to NYC canners at the start of their journey for formal recognition and integration.

The interactive session will be staged in a small room meant to represent the public space of a NYC hearing room, arranged with a table and chairs for the executive board and a microphone and six seats for the “public.” The setting will exaggerate uneven power dynamics between the executive board and members of the public through spatial reorganization; the board

table will be outsized and positioned above seating for the public, which will be low stools and pillows on the floor.

The topics of hearings will be slightly absurd – for instance, a new local law proposing requirements to prevent the crying of babies in public spaces as a measure to reduce noise pollution in New York City, and enumerating penalties for failure to comply. Up to six participants will enter the space, receive the Notice of Public Hearing as well as cards with suggestions for talking points and strategies to guide them in preparing testimony, including the suggestion to break from expected procedure. They will be prepared to make arguments against the rule and in support of the vulnerable population it will impact. The hearing will begin with a call to order by the “Executive Board” (played by two of the facilitators) and instructions about the (typical) procedure for presenting testimony. Participants will be called to testify in turn and the board has the opportunity to ask additional questions of participants, who will improvise responses. Throughout the hearing, participants will be free to situate themselves physically in whatever ways they feel comfortable, to speak sincerely or use absurd arguments, and will have amplification and voice-altering devices at their disposal to be “heard” in the way they desire.

The situated action will replicate some aspects of an NYC public hearing while also disrupting and exaggerating other elements. In so doing it will use humor to defy the alienating affect of legal procedure, and role-playing to normalize a practice of speaking up for those most vulnerable (including oneself) and to reflect on how speaking up is an embodied act. When the hearing is concluded, participants will be invited to discuss the experience of giving testimony and the challenges they anticipate in testifying on a topic of greater personal import. Importantly, *The Deafening Silence* is designed to provoke canner-participants in NYC to imagine a possible future in which they participate in this forum for direct democracy rather than remain excluded from it. Interactive sessions will last 30 minutes.

ACKNOWLEDGMENTS

We would like to thank Ryan Castalia, Ana Martinez de Luco, Taylor Cass Talbott, and Federico Parra for support of this project and the Canner Advocacy Task Force at Sure We Can for their willingness to lead the way.

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Supporting materials for installation



Figure 1. A canner searching for redeemable cans and bottles.



Figure 2. Public hearing room at City Hall in New York City

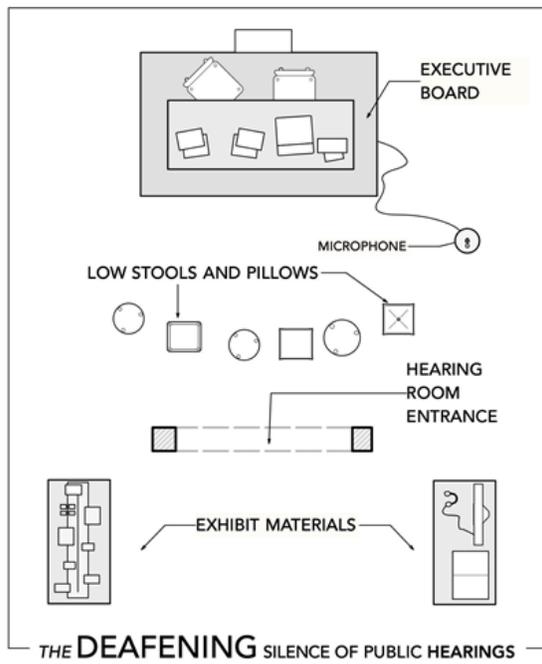


Figure 3: Site plan for the exhibit and interactive session.