

# 25. Planning as Performance: The Murray–Darling Basin Plan

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## The Emerging Performance

The performance that is emerging following the release of the *Guide to the proposed Basin Plan* at 4 pm on Friday, 9 October 2010 has been scripted since the creation and passage of the *Water Act 2007* (Cwlth) and the associated creation of the Murray–Darling Basin Authority (MDBA).<sup>1</sup> What is unfolding is a tableau that is the product of the structural determinism of its design.<sup>2</sup> In this chapter, we first characterise certain features of the emerging performance following the release of the planning Guide. These features are then set within some of the structural determinants of the current policy/planning design. We then take a step back and address the question of relevance of framing planning as a ‘performance’. Arguments are then mounted for utilising this framing in a climate-change world—that world in which the enactment of the Basin Plan has to proceed and in which future cycles of planning will happen. We conclude with some suggested policy and practice initiatives that, from our choice of framing, seem warranted right now.<sup>3</sup>

Even by Australian standards, the media has been in a mild frenzy since the release of the Guide. It is not our purpose to draw out the significant threads of all that has been said already—nor do we wish to fully recapitulate the main features of the Guide. We leave that to others. Instead, we employ the metaphor of planning as performance as an analytical device to make sense of what is happening. Our organising image of a performance (Morgan 1986) is that of an orchestra or jazz band, though other forms of performance might offer equally relevant insights. We also employ a metaphor analysis—albeit selective—to drill down into the musical score to gauge some of the underlying notes that give rise to the melody. As all metaphors reveal and conceal, so the metaphors we employ have the same caveat (McClintock et al. 2003, 2004).

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1 The current scene from the performance actually started days earlier with leaks to the media and other bodies.

2 A tableau is a striking scene or picture; structural determinism refers to the understanding that whatever happens to a system is a result of its present structure and is determined by it.

3 Frames are used to negotiate the complexity of the world by determining what requires attention and what can be ignored. A frame is the context through which a person interprets the world.

The most significant feature of the new performance is that the music has been reset to favour one set of players over others—those who have historically played the tune. The new arrangement privileges those who play for the environment over those who have historically played for agriculture, the economy or other human needs. Importantly, though, the environment is generally anthropomorphised and, in language at least, seen as a player in its own right (a form of ecological determinism?). Of course, the preferences and values of public servants, members of both parties in the Federal Parliament, interest groups, scientists and so on have composed the new arrangement and put it into play. In addition, just because a new arrangement has been created does not guarantee it will ever be performed, let alone performed well. To mix metaphors, there is still a lot of water to go under the bridge.

The performance that has emerged in the weeks following the release of the Guide is characterised by hyperbole, extravagant rhetoric, genuine fears, contestation, incipient conflict and poor listening. The public forums are characterised more by debate (literally, to put down) than dialogue (when meaning runs through) (Kersten and Ison 1998). Jamie Pittock (2010), on one side of the argument, claims that the Basin Plan does not go far enough in returning water to the environment. He suggests that ‘if the basin plan does not faithfully implement Australia’s obligations under the [Ramsar] convention, wetland conservation activists could seek redress in the High Court’, thus hinting at conflict to come. Images of nooses around irrigators’ necks were a feature of the first public meeting at Shepparton (Ker 2010), as was the burning of the Guide outside a packed public meeting in Deniliquin. The Australian Conservation Foundation (ACF 2010) argues that ‘a healthy river needs more water, but the same rule doesn’t always apply for agriculture. Between 2001 and 2007 dry conditions meant irrigation industries used about 70 per cent less water, and the economic value of irrigation production fell by only 0.12 per cent’.<sup>4</sup>

The other main feature of this phase of the performance is the extent to which ‘consultation’ is being pursued as the main—perhaps only—form of stakeholder engagement.<sup>5</sup> This has been largely structured into the act—though more creative engagement processes might legitimately have been pursued. The theoretical implications and limitations of consultation are discussed by, amongst others, Collins and Ison (2009).

Some performance metaphors can be gauged from an article by Ross Gittins (2010) in the Fairfax press. Recognising that a metaphor takes the form *X as Y* or *X is Y* then some of the main metaphors in this article can be deduced

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4 The point has been made that these average data mask trends and local variations and ignore the impacts of debt loads.

5 Reports about the framing of community engagements vary—it is described in some reports as consultation but in others as ‘information provision sessions’; this could reflect a lack of clarity about purpose.

(Table 25.1). All metaphors have theoretical entailments that can be understood as taken-for-granted assumptions that are held within a metaphor-in-use. Some of these are described in Table 25.1. Entailments can be enabling or disabling but it is only by making them explicit that we can discern the role they play and how this differs with context.

**Table 25.1 Some of the main metaphors employed by Gittins in his article entitled: ‘Don’t think you can keep on neglecting me, Darling’**

Key concept	Metaphors	Entailments
Sustainability as	Dangerous	Threatens assumptions
	Irresistibly attractive	?
	Having a wonderful ring to it	?
	Dripping with virtue	?
Environment as	Able to fail	Something static
	Sustainable	Something static?
	Natural	Humans are not natural
	Abusable/saveable	A product of human design
Ecosystems as	Healthy	Sickness and health knowable
	Having tipping points	Behave as complex adaptive systems
	Like flogging a horse	Can be killed
Politics as	Heads in the sand	Not open and adaptive
	Exaggerating claims	Rhetorical practice
Country towns as	Declinable	Viability knowable

By unpacking our performance metaphor further, it makes sense to ask: what are the elements that, together, give rise to a performance? Well, the instruments could be classed as: i) governance mechanisms (for example, regulations, legislation, market mechanisms, consultation, education, information provision); ii) institutions/social technologies (see Ison 2010b) (examples include the Basin Plan, the Guide, the *Water Act*, the minister); iii) organisations, such as the Murray–Darling Basin Authority (MDBA), the Council of Australian Governments (COAG), themselves made up of networks of institutions; and iv) theories used knowingly, or not—sometimes taking the form of ideologies. The performers include public servants, water professionals, scientists, economists, researchers, modellers, MDBA board members, politicians (though, as seen later, some deny this at present), interest groups and, depending on your perspective, the consulted.<sup>6</sup> Citizens participate vicariously, mediated by a plethora of theatre critics who write the reviews or offer their perspective on the media.

<sup>6</sup> Richard Price points out that the media—that is, journalists—could also be considered a major player.

Who might be regarded as the audience? To be effective, most performances require audiences who continue to be satisfied. Those affected but not involved could be seen as part of the audience—the voting public perhaps—differentiated into rural citizens and city citizens perhaps, as well as international observers.

## Structural Determinants of the Current Performance

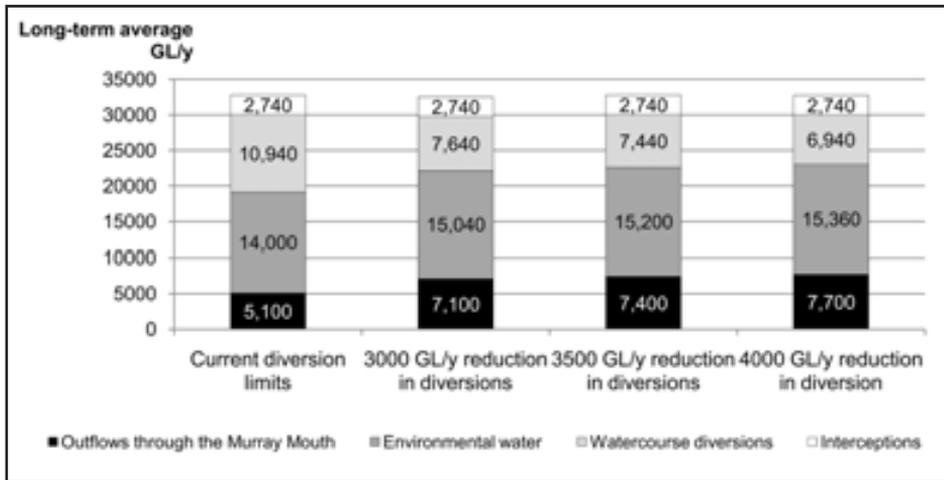
Asking who the conductor is, or might be, reveals some of the main structural determinants of the current performance. One observation is that there is clearly a lot of deflection of responsibility between the Government and the MDBA over the Basin Plan. In the Guide, the MDBA (2010: iii) repeatedly asserts how it perceives its role:

While the Murray–Darling Basin Authority (the Authority) is charged with developing a Basin Plan for the Minister’s consideration, this occurs within the framework of the Water Act 2007 (C’wlth). The Commonwealth Parliament in 2007 and 2008 clearly laid out the general objectives of the Water Act, and prescribed how the Basin Plan was to be developed.

The MDBA then further spells out that the Government has twice decided to develop a plan for the Murray–Darling Basin (MDB), with support from both sides of Parliament and the Basin States. It also repeatedly points out the prescriptive nature of the *Water Act 2007* (Cwlth). This is especially important in setting the sustainable diversion limit (SDL) options, as they consider less than 3000 gigalitres or more than 4000 GL back to the environment ‘will not meet the requirements of the Water Act’ (MDBA 2010:xxi). Any less than 3000 GL would not serve environmental needs, while any more than 4000 GL would not optimise economic and social outcomes. In this case, the ‘scientific’ range is 3000–7600 GL. The proposal in the Guide is summarised in gross terms in Figure 25.1.

Meanwhile, the Water Minister, Tony Burke, chose to highlight the independence of the MDBA (*Lateline*, ABC TV, Friday, 8 October 2010):

[T]he decision on the release is made by an independent authority. No minister tells them what to do. No minister should tell them what to do. It’s their role to conduct an independent consultation and what they’ve brought out today is not ‘the Basin Plan’. What they’ve brought out today is a guide to a draft of the Basin Plan.



**Figure 25.1 Murray–Darling Basin Guide proposals for whole-of-basin adjustments**

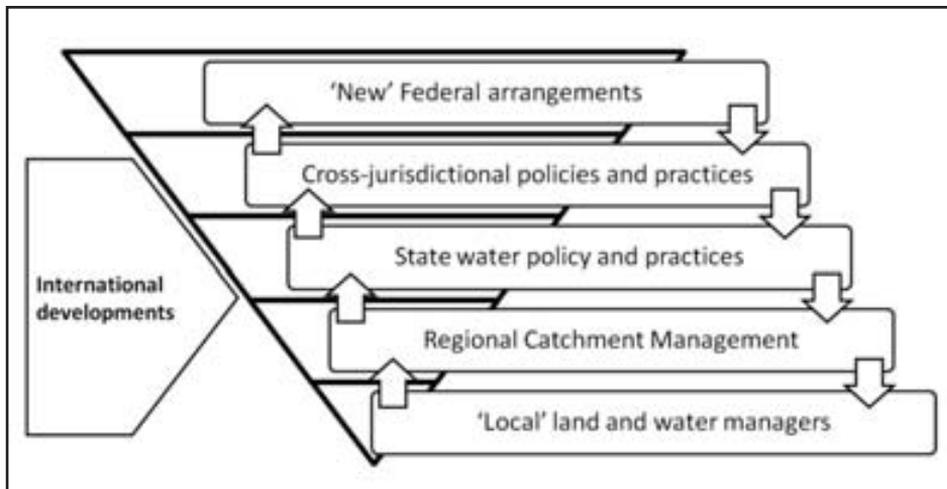
Source: Adapted from *The Weekly Times*, 13 October 2010

This position, it can be argued, shows a lack of clear leadership (and responsibility) from the Government. And the MDBA is hardly being the frank and fearless public service that former National Water Commission head Ken Matthews argued for upon his retirement (Keane 2010; Mathews 2010). At the time of the Guide’s release, the media gave a lot of oxygen to ‘angry farmers’, as controversy sells papers. We argue that these are more than superficial issues. They are structural issues connected with the original *Water Act* and thus the MDBA design.

And in the wings await the various State interests. Victorian Water Minister, Tim Holding, has called ‘for an end to simply stripping basin communities of their most valuable asset... We have concerns with what has been proposed by the MDBA and the impact this would have’ (*The Weekly Times*, Wednesday, 12 October 2010:1). SA Premier, Mike Rann, has been reported welcoming the Plan, saying that it will ‘overturn a century of greed’ (Jones and AAP 2010).

The portrayal of what is at stake in Figure 25.1 masks the performance element of the ongoing governance of the MDB even under existing arrangements—the implementation of the Plan if you like. In performance terms, water is clearly not divisible into different forms of water—for example, a particular release could contain both irrigation and environmental water. And presumably, environmental water will become subject to the same regimes as other forms of water in terms of efficiency, monitoring, and so on. The institutional complexity that could arise might be enough to undermine the whole performance.

There are also valid questions that can be asked about the nature and boundaries of the theatre: is it a biophysical boundary, an economic boundary, a sustainable-population boundary, a rural-livelihoods boundary, or some combination of these? In the Australian context, the 'performance space' is made complex by the historical as well as contemporary aspects of federalism and the need to coordinate multiple performances across horizontal and vertical spatial dimensions, not to mention temporal dimensions for which current organisations and institutions are poorly designed (Figure 25.2).



**Figure 25.2** A model of the 'performance space' in which the Murray-Darling Basin Plan has to be enacted

Drawing on Ison et al.'s (2007) analysis of typical environmental-governance arrangements, it is apparent that the *Water Act 2007* (Cwlth) is framed on an assumption that there is a known or knowable problem that will remain relatively static over time. Further, it is assumed that such problems are best addressed by regulation (usually understood as command and control), fiscal or market mechanisms and the provision of information in attempts to educate stakeholders through largely one-way consultation processes. Historically, 'stationarity'—the idea that natural systems fluctuate within an unchanging envelope of variability—is a foundational concept that permeates training and practice in water-resource engineering, but as Milly et al. (2008) argue, 'stationarity is dead and should no longer serve as a central, default assumption in water-resource risk assessment and planning. Finding a suitable successor is crucial for human adaptation to changing climate.' They further argue that 'climate change undermines a basic assumption that historically has facilitated management of water supplies, demands, and risks' (Milly et al. 2008:573–574). Climate-change adaptation—if framed as a 'wicked problem' (APSC 2007)—also undermines a position that assumes that water governance and management are

problems of the known or knowable type and thus raises questions about the ongoing utility of traditional governance mechanisms (Godden and Ison 2010; Ison et al. 2007).

Performances built on stationarity and fixed knowledge forms give rise to systematic (that is, linear, step-by-step) practice rather than systemic practice that is relational, recursive and circular, and characterised by learning and adaptation (Ison 2010b).

## Why Focus on Performance?

Performances, if they are effective, are intrinsically systemic because they give rise to a relational, in contrast with a linear, dynamic—for example, performer with audience, with other performers, with conductor, and so on. Performances also necessitate the building of relational capital, which results from the interactions between the other forms of capital, including natural, social, artificial and human—all of which are systemically connected.

Relational capital is precious; it is hard to build but easy to destroy. The practices of the Australian Public Service (APS) traditionally run counter to the cultivation and conservation of relational capital. Examples are legion within the public sector of the undermining of joined-up practice by the intentional and unintentional undermining of relational capital of the sort that creates ongoing effective performances and that is central to social learning (Ison and Wallis 2009; Ison et al. 2007).

There is also the question of performance in the APS. In July 2009, Lynelle Briggs, the then APS Commissioner, argued the need for<sup>7</sup>

- removing unnecessary obstacles to innovation, to improve the quality of outcomes in complex and uncertain policy areas
- developing more variegated accountability and performance management arrangements, better suited to new modes of policy implementation

She also made the case for developing more horizontal accountability mechanisms (a form of horizontal governance) and the need for skills and capabilities for APS staff in

1. problem framing and boundary setting
2. generating fresh thinking on intractable problems
3. working across organisational and disciplinary boundaries
4. making effective decisions in situations with high levels of uncertainty

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<sup>7</sup> See <<http://www.apsc.gov.au/media/briggs150709.htm>>

5. being able to tolerate rapid change in the way problems are defined
6. engaging stakeholders as joint decision makers (not just providers or recipients of services).

These capabilities seem in short supply at the moment and the institutional arrangements far from conducive to their enactment (Ison and Wallis 2009). Westminster-style governance performance leaves a lot to be desired. For example, Ringen (2009) reported on a major study looking at what the UK New Labour Party achieved in terms of its own social-policy objectives over the period 1997–2007.<sup>8</sup> He studied the flagship policies of child poverty, education, social justice and health and found that they had achieved ‘absolutely nothing’. His study provides strong evidence for the systemic failure of UK governance by highlighting the problems that emerge when governments adopt a command-and-control approach and fail to mobilise citizens or stakeholders in policy development and implementation. His sobering conclusion is that no UK Government, of any political persuasion, can currently get done what it is elected to do.

Ringen’s findings illustrate a situation that can be understood as a ‘structure-determined system’. Not only governments are constrained by the system in which they operate. Take, for example, utility companies that deliver social goods, such as water or energy. Most now have as a main measure of performance the profit derived from sales of water or energy. The system is not structured to recognise that in today’s world the main social benefit from water and energy comes from how little water or energy is used and the efficiency of its use. We create measures of performance that conserve particular structural relations that give rise to certain forms of organisation. Only by inventing new organisations, comprising different structural relations, can we break out of the constraints of particular structural determinisms.

Performance begins at the interpersonal level; it entails choreography of the emotions (Russell and Ison 2005). For example, research into group functioning and effectiveness has shown that informal contracting prior to starting group processes enhances performance and sets a more positive emotional dynamic. The following type of informal contract has been effectively used in participatory research (Ison et al. 2009) and has the potential to be applied more broadly to public participation in the MDB.

- Provide others with the experience of being listened to.
- Adopt behaviour that checks out your own understandings and assumptions first.
- Appreciate the diversity of experiences and perspectives.

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<sup>8</sup> See <[http://www.youtube.com/watch?v=AHcfNy1\\_zqA&feature=related](http://www.youtube.com/watch?v=AHcfNy1_zqA&feature=related)>

- Feel comfortable asking questions or saying you do not know.
- Agree that who says what stays here.
- All participants take responsibility for monitoring this contract.

This process needs to be adapted to context and this particular set of agreements will not be valid in all settings. An analysis of Barack Obama's approach to political practice suggests some other design considerations for more effective interpersonal performances (see Ison 2010b, based on Freedland 2008)

- encountering of the other as a legitimate other
- predisposition to learning (which in itself is a way of abandoning certainty)
- capacity for listening—such that he creates for those in the conversation the experience of being actively listened to
- capacity and technique of 'mirroring back' his understanding of the position of others
- understanding and valuing multiple perspectives in respect to a situation or issue of concern
- ability to move between different levels of abstraction and to synthesise different strands of an argument
- awareness that change comes through relationships
- ability—knowingly or not—to be both systemic and systematic
- use of diagrams as a 'mediating object' in his practice.

Better performances need to be designed and sustained for living and governing in a climate-change world.

## Recasting the Current Performance: Some options

What should we turn to if there is a systemic failure of this public-policy process? We suggest the following.

- Reframe the problematique, as a central part of inventing systemic and adaptive governance for managing a co-evolutionary dynamic, as a purposefully designed 'learning system' organised as an ongoing systemic inquiry (Ison 2010ab). To do this involves framing the Murray–Darling Basin and its future as a coupled socio-ecological system.
- Reorganise future water governance as a contribution to innovation in 'horizontal governance' (see Ison 2010a).

- Invest in social learning (Collins and Ison 2009) as a means to generate ongoing (real-time) effective performances.

Following Giddens (2009:8), who argues that ‘to develop a politics of climate change, new concepts are needed’, Ison (2010b) puts forward *systemic inquiry* as both a practice and a potential institution better able to be employed in situations of complexity and uncertainty. Systemic inquiry is designed for the governance and management of uncertainty. One might equally add that, to develop a praxis of water governance as part of climate-change adaptation, other new, conducive institutional arrangements are also needed.

In the face of the uncertainties, complexities, interdependencies and multiple stakeholdings in the MDB, an approach to its governance and management is needed that is adaptive and contingent. In such situations, a national, systemic inquiry could have been chosen as an alternative governance mechanism instead of a traditional regulatory, legislative and planning approach. An effectively constituted systemic inquiry—after all, the issues are unlikely to go away in the short to medium term, if ever—could become a vehicle for the deployment of social-learning approaches and the adoption of systems practices.

As noted earlier, current forms of governance in most Western democracies—despite their many strengths—are not well suited for managing long-term, complex issues (Ison 2010a). Helen Ingram (2008), who has long experience of water governance, argues:

Attempts to design improved water resources management and institutions must attend to context. Standardised reforms have failed time after time...In general, clumsy solutions that embrace multiple perspectives and appeal to different kinds of logic are preferable... mixed strategies that appeal to different ways of knowing are likely to be more effective (p. 17).

Given the governance we have at the moment what would we recommend starting from current circumstances? What next?

- Create a cabinet-level, interdepartmental ‘water committee’—make water everyone’s business—that is better able to deal with the complexities of continuing water-governance reform (and remain cognisant that water is and will remain a key strategic issue on the Australian continent).
- Institutionalise a national, *systemic inquiry* into water and energy governance in a climate-changing world. Such an innovation would address the limitations of the three-year electoral cycle, which is too short for long-term natural-resource and climate-change issues. Such an innovation is warranted in what is now a period new to human history (Ison 2010a). Features of the

UK Climate Committee and the UK Royal Commission on Pollution could help in designing such an institution.

- Use the current political refocus on regional Australia to address the policy vacuum that has developed in Australia around rural and regional futures. This needs to be understood as a process of exploring systemic opportunities framed as ‘livelihoods’ and not industries, sectors, farms, and so on.
- Invent a range of new ecosystem services that adds to the livelihood mix of current and future rural inhabitants.
- Reform—on a coherent, national basis—catchment management authorities (CMAs) as institutions able to manage a coupled ‘socio-ecological system’. Managing catchments as coupled socio-ecological systems requires recognition of the systemic interconnection of humans to their environment if an ongoing effective performance is to be created. In this context, planning is a form of social technology that mediates these connections.

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