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In Maui's Short-Term Rental Policy Debate: A Dialogue inside the Meeting Room

Introduction and Literature Review

Public hearings and testimonies are critical components in the concept of democratic planning. These meetings involve intensive communications, circulating “*ideas, actions, and pronouncements*” (Brown et al., 2017, p. 13). While the goal is to test policy proposals, ensure procedural justice, and build consensus through engagement, emotions from the participants often run high when policy content and instruments unevenly impact stakeholders both within and beyond the room. Conflicts and debates among locals, business stakeholders, and municipal staff manifest tourism destinations as a complex system (Ma & Hassink, 2013). This system remains dynamic, with constant shifting of players, resources, and risks (Hartman, 2021). Conventional destination policy and governance research addresses phenomena and associated casualties through linear models. Baggio et al. (2010) argued that the complexity that occurs in the risks and recovery-induced planning conversation requires novel approaches to understand the planning meetings where they reflect broader and interactive socio-environmental and economic tensions. Qualitative research to unravel the intense debates and emotional narrations in the planning meeting room, therefore, can help us understand the participants and their networks.

The production of conflict scenes offers rich empirical details to examine meeting participants' positioning, experiences, and responses to the subject. During a budget meeting in Douglas County, Nevada, in 2019, a heated debate over a redevelopment funding proposal near South Lake Tahoe escalated into a physical brawl between two commissioners (Hildebrand, 2019). Following Maui's devastating Lahaina fire, a housing planning testimony focused on prohibiting short-term rentals (STR) from lasting over 13 hours in June 2024 without reaching a resolution due to the overwhelming number of testimonials and fierce debates among them (Pactol, 2024).

There has been a plethora of destination planning research on resident and tourist conflict (Postma & Schmuecker, 2017), stakeholders' power and dynamics (Tuohino & Konu, 2014), collective co-production (Vogt et al., 2016), evolving roles of destination management organizations (DMO) in the destination management (Gelter et al., 2021; Sheehan et al., 2016). A great body of tourism scholarship has addressed participatory processes primarily from DMO perspectives, where their limitations in resource allocation, policy making and governance are constantly overlooked (Marx et al., 2023; Feyers et al., 2020; Byrd, 2007). In short-term rental policy, scholarships are predominantly at the macro, destination scale (Nieuwland & van Melik, 2020; Lee, 2016). Nonetheless, little has explored the procedural aspects of planning where stakeholders' dynamics are unfolded through a localized lens to observe confrontation, negotiation, and collaboration. Furthermore, there has been a substantial lack of scholarly investigation on the “matter” a planning meeting produces (Brown et al., 2017). The gaps have raised critical questions: Have destination policymakers effectively incorporated feedback from stakeholders inclusively, or a puzzle to fulfill the legal requirement? Do DMOs possess decision-making power during the planning process?

Maui, one of Hawaii's primary tourism destinations, suffered a destructive brush fire in August 2023. The redevelopment of Lahaina has sparked fierce debates over the affordable housing shortage and the continuation of STR permits in the residential areas. The Lahaina fire displaced over three thousand residents to temporary housing (Dobbyn, 2024), and contrasting to the loss is the growing number of existing condos being converted to STRs to accommodate rapidly increasing tourism demand post-pandemic. Additionally, the growing tourism businesses have greatly driven up Maui's housing prices, where families who lost their homes in the fire found it impossible to afford permanent properties for recovery.

Most planning meetings are open to the general public, with agendas and minutes as open data sources (Schensul & LeCompete, 2013). Additionally, the meeting room provides an ideal opportunity for researchers to engage stakeholders (Gelman, 2017). This study, therefore, will conduct ethnographic observations with local stakeholders in Maui to collect emotional and sentimental data through verbal narratives and body expressions during testimonials. Downey (2020) pointed out that research in planning meetings can provide valuable insights into meeting schedules, settings, emotional undercurrents, and dynamics among participants.

More importantly, the study aims to uncover communication beneath seemingly one-directional testimony. Extracting non-written details, such as facial expressions or pauses, can supplement narrative content that often overlooks non-cognitive information during meetings (Hoch, 2006). Valverde (2011) described the observational approach as one that can increase our knowledge of conflicts and negotiation strategies at play. Osborne and Grant-Smith (2015) highlighted that participants' emotional responses are influential to decision-making during disaster recovery planning; however, in tourism studies, stakeholders' emotional constructs and impact on destination policy and governance are awkwardly missing. While traditional policy document reviews may only capture recorded contents, this ethnographic approach expands the source of narrative information that fits the complex nature of planning and policy-making meetings.

There are many societal and cultural pressures that may prevent stakeholders from conveying their true positions on destination policy. Consequently, the destination planning democracy that promotes participatory efforts may ultimately benefit a portion of the stakeholders. Lee (2007) addressed the power of informal conversation as a channel to distill inclusive perspectives from participants who may be reluctant to share in public. An interview approach can thus collect additional qualitative narrations that the ethnographic observations won't capture during the testimonial session. Specifically, the study will adopt an emerging approach from political science to experimentally collect both participants' own opinions and their perspectives on other participants within their familiar networks (Glynn, 1989). Through a synthesis of ethnographic observation and 'neighboring' interviews, this study aims to address three questions pivoting around Maui's STR ban policy-making process, as follows:

RQ1. During the testimony sessions, how did planning commissioners exert control? And how did stakeholders' express approval or dissent in response to the proposed policy? When conflicts arose in conversations, how did stakeholders exercise emotions to represent their positioning, power, and identity?

RQ2. What discrepancies exist between the documented meeting records, ethnographic observations, and stakeholders' reflections? Are there conversational details that are consistently omitted or highlighted in the official records?

RQ3. How do stakeholders' narratives help us understand their policy positions that are deeply connected to their societal and cultural backgrounds?

Methodology

Destination Stakeholders identify individuals or groups who "*can affect or are affected by*" through the activities to value creation and trade (Freeman, 1984; Freeman et al., 2010; Horisch et al., 2014). They play a crucial role in destination stewardship. Their behavior and perceptions of others' behavior provide strong indicators of a destination system's efficacy, revealing whether stakeholders are moving towards a shared goal, engaging in full debates, experiencing resentment, or falling somewhere in between. Byrd (2007) addresses the importance of identifying stakeholders and their roles in sustainable tourism development. Traditional arguments for adopting a participatory approach emphasize that policy and strategic planning decisions do not fully represent community interests if they rely solely on expert opinions. Numerous scholars (Nicholls et al., 2021; Eyisi et al., 2021; Khazaei et al., 2015) have also argued that stakeholder involvement should begin with identifying a diverse group of people within the community and informing them about the relevant issues. Destination employees, for instance, are directly impacted by destination policies but often ignored. Byrd (2007, p. 9) notes that "*an increasing number of researchers and professionals are advocating for the inclusion of stakeholders in the planning process.*" Yet, it remains unclear: (1) in balancing the policy-making efficiency and effectiveness, who should be included or excluded and, (2) whether we fully understand the power and approach towards materialized influence by management groups beyond DMOs, and by those less apparent stakeholders (Choi & Murray, 2010).

Ethnographic Fieldwork provides first-person observations to narrate the settings, conversations, gestures and emotions that occurred in the meeting room. Attending public testimony sessions to observe and collect conversations – such as debates, negotiations, and collaborations, serves as an important source of ethnographic knowledge. The interpretation of the observed meeting records is critical since the forms of debate, facial expression, eye contact, and other sentiments expressed during the meeting often imply deeper social and behavioral conditions. While the meeting minutes and the final policy decision provide mostly a “result,” this production of ethnographic knowledge contributes to filling a gap in tourism studies (Lew, 2019), shedding light on the complex processes that form destination development policy. The ethnographic approach on meeting with debates can trace what and how conflicts collide and dissolve, a nuance often failed to be included in the meeting records.

Testimony Session at tourism destinations like Maui enables full observation of what is happening inside the meeting room. While participatory approach has been extensively applied in planning and public health research, few tourism destination scholars have examined the conflicts and negotiations through author's experience by sitting among other meeting participants. The planning commission at the County of Maui make the testimonial session schedule public with both in-person and virtual attendance options. Besides, the level of data

availability on government websites enables the study to access planning meeting agenda, records, and venue-related information fully.

'Neighboring' Interview are described as collecting qualitative content about the interviewee's self and their interpretation of other's opinions. This approach helps in understanding stakeholder relationships to the destination, policy, and between each other (Reed et al., 2009). The selection of interview participants typically involves sampling knowledgeable or important individuals (i.e., board of directors), known as the reputational approach (Grimble & Chan, 1995). However, this method has been criticized for failing to cover the full range of stakeholders with significant relationships with the destination. The interviews, therefore, may also not reflect a full range of stakeholders' experience. Waligo et al. (2013, p. 345) summarized eight stakeholder prototypes: "*Businesses, residents, government, special interest groups, employees, board of directors, educational institutions, and visitors.*" Fully engaging with all stakeholders resembles a public testimony process, which often lasts for months, becomes less efficient, and is saturated with repetitive content.

To balance these constraints, a 'neighboring' approach is applied during the interview process. In addition to collecting participants' insights about their own positions, the 'neighboring' interview solicits their perceptions of others' positions, providing a unique angle for understanding the subject. This approach offers a more comprehensive view of the stakeholder landscape, capturing both direct and indirect perspectives on the policy debate. The core concept is to use 'others' as a proxy to reveal or counter-reveal opinions on a subject when participants might be unwilling to express their own insights during conflicts or concerns about their position (Glynn, 1989).

Visual Ethnography serves as a method to distill and represent qualitative research through the multi-modal media (Pink, 2008). Exemplified precedents such as De Leon, J., & Wells's photography on migrants (2015) and Cipriani's religious films, have offered channels for audiences to observe and interpret subjects. While visual methods have been applied to marketing strategies and promotions in tourism studies (Scarles, 2010), none have been adopted to academically exhibit protests and conflicts during the destination planning process. Bishara and Schiller (2017, p. 200) described how the visual approach enables "alternative facts" and similarly, Cipriani & Del Re (2015, p. 5) criticized the issue of audiences taking received information "for granted," and called a shift from conventional ethnographic method to minimize researchers' expression in the production. Spickard (2021) addressed reflexivity as an important concept - when subjects like Maui's STR ban debates are socially and culturally situated, knowledge creation unavoidably carries colonial thoughts based on the author's own background, such as education and culture.

This research, therefore, takes multi-modal ethnography as an experiment to present an objective story to audiences. The visuals include a collection of testimonial clips stitched together into a short video. Additionally, the author has spatially mapped out participants' demographics and policy positions to present underlying connections between their backgrounds and the testimony narratives.

Synthesis The study has attended three (3) Maui STR policy planning meetings over the duration of six (6) months. Additionally, the study recruits fifteen interview participants from three

stakeholder groups: residents, condo business owners, and government staff, with five participants from each group. Comparatively reviewed with the meeting minutes, the research hypothesizes that there are discrepancies between observed testimony contents, the interviews, and what is officially documented, with negative aspects and unresolved conversations being hidden. Additionally, the study depicts network mapping as how different powers act and help shape the policy instruments and directions among stakeholders.

Results and Contribution

The research findings connect the topic of tourism destination conflict in the planning meeting room to a broader environment. The STR policy challenges serve as a manifestation of many longstanding issues at tourism destinations like Maui. These socio-economic and policy challenges include resentment toward new settlers and tourists, the impact of capitalism on indigeneity, resource deprivation, and human displacement. The study highlights numerous sustainable tourism phenomena embodied within policy debates for further studies. From a systematic perspective, scholars have argued that the tourism system works as an embedded system that requires a scalar approach to understand conflicts and collective production at and across from localized to the entire socio-ecological and economic levels (Day, forthcoming; Meadows, 2008). The managerial implications will help researchers and destination policymakers to understand the different levels of power held by each stakeholder group, how environmental risks are perceived, and how decisions are negotiated among stakeholders with varying degrees of influence. Additionally, the study explores how certain groups resist losing benefits and, mainly, how those with less power defend their positions.

Methodologically, this study introduces a novel approach in the tourism realm by integrating ethnographic observation inside the planning meeting room with ‘neighboring’ interview techniques. This approach allows the research to extend qualitative data, planning meeting settings, and participants’ backgrounds into a networked context. While the extant tourism research lacks insights through community involvement (Gelter et al., 2021), this study facilitates a localized understanding of stakeholders’ mutual perspectives, emotions, and interactions on the subject. Additionally, the study explores the use of multi-modal visuals to enhance sensory information for audiences. The visual ethnographic production shifts the power of interpretation to the audience for alternative constructs of the research findings based on their own diverse positions.

Finally, there is an increasing urgency to identify emerging DMO roles within the sustainable destination framework. While empirical studies have highlighted DMOs’ management activities and visions in future development directions, there is a general lack of knowledge regarding DMOs’ power in policymaking and management that implement these policies. In Maui’s STR policymaking case, the study found little evidence of DMO involvement, yet the policy outcome could significantly limit the destination’s tourism visitation and revenue. Who can DMO represent, and how their activities ensure their own interests and the community stakeholders? Besides, sixteen hours of testimony, the Maui Planning Commission voted unanimously to pass the STR ban policy on the same day (Perry, 2024). This observation prompts further investigation into procedural justice at the destination (Noonan, 2008). Was public feedback from the community genuinely considered in the decision-making regarding the STR ban policy? Or was the entire

session a mechanical process to fulfill legal requirements? These concerns call for future planning democracy studies on procedural approach, trust, and fairness of destination policymaking.

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