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Water Governance: A Solution to all Problems

Tom Franks

The objective throughout this seminar series has been to disturb the comfort zone that lies round the concept of water governance. The term is now used very widely and it is generally assumed that others understand and agree with what it implies. In this it follows a historical trajectory of concepts which describe the aims of water development in general terms which appear to need no questioning, most recently the concepts of 'managing water wisely' and 'integrated water resources management'. In this paper I discuss what governance is not, I discuss what it is and I suggest some propositions and issues around the consensus that seems to have emerged from it. In doing this, I appreciate that governance can mean different things to different people, but I suggest that, used in a specific way, it is a concept with particular value and significance in the water sector at the present time.

The context

The general reference points for this paper arise, directly or indirectly, mainly from the outputs of earlier seminars in this series. In the first seminar (October 2004) we laid out some of the basic ideas that seem to underlie the general consensus on water governance. My paper looked at the background to its emergence as a concept, including the work of Rogers and Hall, the World water Development Report and the Millennium Development Report. I reviewed two case studies of land and water management in Africa through the lens of water governance, I discussed the consensus on governance as IWRM or governance as financing mechanisms, and I concluded by identifying what I took to be the two essential components of water governance systems, governance as politics and governance as (shared) knowledge. Other papers in the first seminar looked at the issues from different perspectives, Frances Cleaver through the role of institutions and Tom Slaymaker from the point of view of the policy process. Two somewhat different papers from Laurence Smith and Dave Tickner reviewed the ideas of water as an economic good and managing water at the basin scale, respectively.

Seminar 2 took the theme of access, poverty and social exclusion. After an introductory paper on understanding of chronic poverty arising from the Chronic Poverty Research Centre, the other papers focussed on different aspect fo demand-responsive approaches (Wedgewood) and the impacts that such approaches may have on marginalising or excluding the poor (Joshi, Tukai) or, in the right circumstances, increasing access (Ariyabandu). Seminar 3, at The Hague, was on politics and institutions, with a particular focus on rights. Notable amongst the papers delivered there were those of Moreyra and Wegerich, questioning the watershed as the natural unit of planning, Lobina and Hall on the potential for public water services, Ahlers on the politics of water privatisation in Mexico, Beolens and Zwarteveen on legal pluralism as the basis for alternative approaches to water reforms; Mollinga on the water policy process in India, Hirsch on bringing together top-down and bottom-up approaches, and finally Newborne on different approaches to water rights. In seminar 4 we turned our attention to scarcity, vulnerability and environmental change, with papers from O'Keefe on catchment management in South Africa and Roger Callow on groundwater anarchy in S. Asia. There were also case studies from Tanzania (Rufiji), India (the River Inter-Linking Project) and the Thames, whilst Yvan Biot discussed DFID's priorities in governance, linking this to the building of effective states.

Whilst these are the main reference points from within the seminar series, other outputs and sources also make a contribution. Following on from seminar 1 we obtained a grant to research 'Water Governance and Poverty: What works for the Poor?'. The research was undertaken through a series of reflective case studies, supported by a literature review, and

resulted in a wide range of interesting insights. These were analysed in a research report to DFID, which is available on the web. We presented our main ideas arising from this project first at The Hague and subsequently wrote them up in a research paper 'Water Governance and Poverty: A Framework for Analysis'. This framework looks at water governance through the concept of resources (institutional, social structures, rights and entitlements, financial resources, technology, the natural environment, and human capabilities), mechanisms of access through these resources, and outcomes, both for the poor and for the ecosystem. We hope to return to some of these ideas, during the course of this seminar.

Finally reference should be made to the ERM Report to DFID in April 2005 'Meeting the Water and Sanitation Target Millennium Development Goal' . This report built its arguments around elements of 'governance reform', comprising: good diagnosis of water and poverty linkages; development of national policy frameworks; the need for co-ordination; financing plans and budgeting; implementation through decentralisation; engagement with popular opinion and voice; monitoring and evaluation. The wide range of issues and topics taken up within the concept of governance in this report provides an appropriate context for considering what governance is not, and what it is.

What governance is not – government

We need, first, to disentangle governance from government. Development practitioners share a understanding of government without being too concerned to define it precisely. We see it as an agency that controls territory and raises taxes. We identify it as a political means of creating and enforcing laws, typically via a bureaucratic structure. We are also used to dealing with manifestations of government both at the 'centre' concerned with policy-making and implementation, and at the local level, concerned with service delivery for individual citizens. Whilst all of these definition are of course open to questioning, overall these give us a workable definition, which is quite satisfactory for most of our purposes. We can recognise states with no government (Somalia), states with problematic government (Palestine) and states with weaker or stronger governments. We can also recognise the key role of governments in the water sector, both in the stewardship of water resources (typically a central government function) and in the delivery of water services (normally a local government function). In doing this, most of us would distinguish governance from government.

However, most writing on ' good governance' implicitly equates governance with characteristics of government. For example, Rogers and Hall, after defining water governance, go on to list its characteristics as: open and transparent, inclusive and communicative, coherent and integrative, accountable, efficient, responsive and sustainable, all qualities which are often linked to 'good government', or whose lack reflects bad governance. Grindle, in Good Enough Governance (2002) presents a table of 'Perceptions of Government performance' in which these perceptions are rated against 'governance principles of participation, fairness, decency, accountability, transparency and efficiency'. Grindle indeed defines governance in the following way:
> "I understand governance to consist of the distribution of power among institutions of government; the legitimacy and authority fo state institutions; the rules and norms that determine who holds power and how decisions are made about the exercise of authority; relationships of accountability among state officials/agencies and between those officials/agencies and citizens; the ability of government to make policy, manage the administrative and fiscal affairs of the state, and deliver goods and services; and the impact of institutions and policies of public welfare" (p48).

Ideas similar to Grindle's are represented in the Kaufman indicators, which were discussed by an official from DGIS at the Hague seminar in this series. These indicators (voice and

accountability, political stability and absence of violence, government effectiveness, regulatory quality, the rule fo law and control of corruption) have clear linkages to the principles put forward by Grindle, and Rogers and Hall, and have in turn strongly influenced the position taken by the large multi-laterals (WB, AsDB) towards governance. Thus, although few people would directly equate governance with government, in practice the idea of governance as a set of principles which are particularly relevant and desirable in government has taken firm hold. Indeed, for many, governance is shorthand for absence of corruption, a desirable state in all contexts but particularly in the exercise of power through government.

What governance is not – management

We need, secondly, to distinguish governance from management. Like government, management is an idea which is seldom discussed in detail because we generally assume a common understanding of what it involves. Most commonly we take it to be 'the collective allocation of resources to achieve specific objectives' implying a purposive set of actions involving inputs, costs and benefits distributed amongst a number of actors. Whilst most users would readily distinguish a difference between governance and management, as defined above, nevertheless in this context we can note the increasing use of the word 'governance ' in a business context where only very recently the word 'management' would have been used. For example, we can now find references to 'risk governance' 'IT governance' and 'data governance', all instances where it seems likely that management is the more appropriate and relevant term. We should also note, in this connection, the use of governance in a business context where something more than management is being suggested, for example 'corporate governance' implying a degree of high level oversight designed to ensure that 'things are done right' and indeed 'project governance' with similar connotations.

Specifically we need to distinguish water governance from water management. As noted in the introduction water governance has evolved from ideas of 'managing water wisely and is thus sometimes perceived as being closely linked to water management. Nevertheless, building on our preceding ideas of management, we can define water management as controlling the supply, distribution, use and disposal of water to achieve specific objectives, and can thus be seen as distinctly different from governance. We can indeed distinguish water management at a number of levels, which may give us further insights into its differences and links with governance:

- At the local level, water management comprises the practices and processes of manipulating water flows by means of channels, gates, pumps and other natural, physical and mechanical devices. We can note that the processes of water management at the local level are often defined but not actually practiced, for example, gate settings are not changed throughout a cropping season, or flows and levels are not recorded, thus making it difficult to take purposive action to change outputs in any meaningful way.
- At the basin level, water management has a number of functions (Svendsen, 2005), including to: plan, allocate and distribute water; monitor and enforce water quality; protect against water disasters, conserve natural resources, construct and maintain facilities. Historically the last of these functions has tended to be predominant because it involves the largest amount of capital but priorities are slowly changing as basins close and expectations and living standards rise.
- At the resource level, integrated water resources management (IWRM) brings together the management of land, water and other natural and human resources. IWRM is "the systematic process for the sustainable development, allocation and monitoring of water resource use in the context of social, economic and environmental objectives" (CAPNET,) a concept which is quite often directly equated with water governance.

These levels are sometimes denoted as the operational, organisational and constitutional levels of water management. Of these three, it is undoubtedly the last (the highest) level which has the most obvious links to water governance, though we may still distinguish the input of resources to achieve outputs as the objective of management at the constitutional level, whilst governance, as we shall come on to see in the following section, is about the systems in place to make these actions possible.

What governance is – the way society organises itself

Governance seems to have emerged strongly as a concept in the last ten years or so. In a theoretical senses it seems to have come about in the main as a result of a perceived change in the role and power of the state, and a consequent need to think beyond government into how society organises itself. The state's roles are changing in a number of important ways at different levels. At the global level, the nation state is no longer all-powerful within its own boundaries, as capital and labour crosses borders with increasing ease in a way that it is often unable to control. At the local level also there are issues about the appropriateness or ability of the state to be the main provider and regulator of the lives of individual citizens, and increasing interest in developing fluid networks and partnerships of citizens and community groups who take on some of the functions that were once delivered by the state. These processes happened even in rich countries: in poor and middle income countries they may be even more pronounced because of the vulnerability or fragility of the state itself.

These new forces lead us to the idea of governance as the way society organises itself and orders its affairs. A number of definitions encapsulate this, including those of the UNDP:
> "The exercise of economic, political and administrative authority to manage a country's affairs at all levels. It comprises the mechanisms, processes and institutions through which citizens and groups articulate their interests, exercise their legal rights, meet their obligations and mediate their differences" (UNDP, 2001)

and the Institute of Governance in Canada:
> "Governance is the process by which stakeholders articulate their interests, their input is absorbed, decisions are taken and implemented, and decision-makers are held accountable".

(Others follow the direction of Grindle and think about governance more in terms of government or power relations[1].)

Building on these concepts, the most useful and workable definition of water governance remains that of Rogers and Hall, with which I opened the initial seminar in 2004:
> "water governance refers to the range of political, social, economic and administrative systems that are in place to develop and manage water resources, and the delivery of water services, at different levels of society".

This definition brings together the idea of a range of systems that society puts in place to manage its affairs, and the different levels at which these systems operate. It moves the focus away from government to the more general network of arrangements that impact on citizens' lives. It implicitly recognises the importance of power through its reference to political systems. Specifically, in the water sector, its value lies in the fact that it assists in moving the debate beyond the simplified dichotomy of the public/private sector, and

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[1] "Governance defined as the manner in which power is exercised in the management for a country's economic and social resources for development. " (ADB, 1999).
"Governance is understood to include not only the political and administrative institutions of government (and their organisation and inter-relationships) but also the relationships between Government and civil society" (McCarney, 1996).

encourages us to think of a network of agencies, organisations, stakeholder groups and individuals concerned in the management of water resources and the delivery of water services. Such approaches are necessary if we are to address the magnitude of the task of serving the unserved poor, particular in peri-urban and rural contexts.

Governance is a new concept, and therefore we see some new ideas emerging to replace the mainstream of government and management. These new ideas (Mehta, 200X) relate to the key resources such as institutions, knowledge and power which underpin the way systems of governance work. For example, the mainstream view sees institutions as static, functionalist and formal, while ideas of governance (as opposed to government) suggest that we should see institutions as arising from social interaction and process. This plays out in the water field as a contrast between the formal hierarchical river basin organisation (the mainstream view) and the ideas of diffuse, dynamic and flexible multi-stakeholder platforms (the emerging views), better suited for the articulation of a multiplicity of views. In the same way, knowledge is no longer viewed as a unidirectional resources, transferred from the expert to the end-user, but as a resource to be discussed between stakeholders with different perspectives and perceptions. Power is not a commodity to be transacted between elites but a set of relations for negotiations between different groups through new mechanisms such as alternative dispute resolution. Working through these processes for the complex and intricate relationships of the water sector provides many interesting insights into the issues and challenges of governance more generally.

The consensus on governance, and issues arising

Although governance has a multiplicity of meanings, and is used in a great variety of ways, there is in fact a wide degree of consensus on the propositions of water governance. Many of these are normative propositions, and are therefore subject to debate on the values that underlie them. Several of them derive directly or indirectly from the Dublin principles, and all of them can be seen to relate back in one way or another to the Rogers and Hall definition of water governance. In this concluding section I set out the main propositions that seem to have emerged from this seminar series and from other on-going work, and I identify some of the issues or unanswered questions surrounding them.

Proposition 1: Citizens have rights and entitlements to water
The focus on rights to water that is emerging is part of the general emphasis on right-based approaches to development. The proposition itself seems to be generally accepted. The questions that arise are partly theoretical (on what basis should these rights to be defined?) and partly practical (how are rights to be assigned, monitored and protected?)

Proposition 2: Participation of stakeholders is an essential component of governance
This proposition arises directly from a realisation that government, even with the active involvement of the public and private sectors, is not able to meet all the needs of its citizens and that other sections of society (the third sector, community groups and citizens) all have an important role to play. Participation of stakeholders is therefore required, raising the continuing questions of how authentic participation can be established and supported, how community processes work in practice, to support stakeholder participation, and how well they serve the interests of the poor.

Proposition 3: Women are key users and managers-in-practice of water.
This proposition, which arises directly from the Dublin principles, enjoys a near-universal support in theory. It is also acknowledged that the role and contribution of women to water governance has been underestimated in the past and that this needs to be addressed in the future. The questions that arise are those of practice, how are women to be supported to take their full place within the mainstream of water governance systems.

Proposition 4: There is a need for partnerships to deliver water services.
Partnerships have been considered of particular importance in the water sector, but to a lesser extent in sanitation and in the wider arena of water resources and land and water management. Even here, however, there is a prevalent feeling that the involvement of the private sector, or organisations operating on private or community models, are important for increasing efficiency and sustainability. This focus on partnerships arose partly from the ideas of governance beyond government but also from a lack of confidence in the public sector (the traditional provider) to deliver services and a perceived need to bring private finance into water development. Whilst there have been some successes with public/private partnerships, the overall record has been patchy and ideological resistance means that full-scale privatisation is no longer acceptable. The questions that have now developed relate to the way that partnerships can be established, and the added values that the various members of the partnership bring.

Proposition 5: Water is an economic good and has an economic value in all its competing uses.
This proposition, which also arose directly from the Dublin principles, arouses a considerable degree of opposition and continuing debate. Nevertheless few now would argue that water is a free good, and most would at least agree that there is a need to cover the costs of water services in one way or another. The arguments centre on, firstly, what is meant by water as an economic good (see Laurence Smith's paper from the first seminar), and, secondly, what are the implications of treating water as an economic good, particularly on the poor and disadvantaged.

Proposition 6: Water is becoming scarce.
This proposition is often taken up in the idea that conflict over water is inevitable and that 'the next war will be fought over water'. In most contexts there is agreement that water is becoming scarce but there is often debate over the causes and perceptions of scarcity, and the suggestion tat scarcity is as much a social issue as a physical issue. To the extent that it is a physical issue, the response is to look as much at limiting demand as increasing supply. Questions also relate to the appropriate responses to scarcity as a social issue, how patterns of power and access engender scarcity in particular sections of communities, and the establishment of new and more effective methods for resolving disputes and managing conflicts.

Proposition 7: Water should be managed at the basin level
This proposition arises from the biophysical nature of the hydrological cycle, and is widely accepted by those who work from a biophysical background. It is directly articulated, for example, in the EU's Water Framework Directive. However, a number of issues need to be addressed, both practically and conceptually. At the practical level there are questions of scale to be addressed, what do we mean by basin, and where do the basin boundaries lie (O'Keefe's paper in seminar 4 is a good example of the flexible nature of the basin boundaries). Conceptually there is the need to address the issues which arise when other resources or practices are undertaken on the basis of quite different boundaries, which have no hydrological basis. Should indeed, other resources, such as land, be managed together with water or can they be separated, with separate and distinct rights, leading to dis-integrated water resources management.

Proposition 8: Shared knowledge is an essential basis for good water governance
There is wide acceptance of the continuing need for the generation and sharing of knowledge. Concepts of knowledge and knowledge-sharing are, however, changing as we move beyond government and management to ideas of governance. Under hierarchical systems and processes, knowledge resides in experts, who transfer the knowledge to others who need it to fulfil their roles and responsibilities. In turn, this expert knowledge confers a

degree of power on those who possess it. Governance, by contrast, works through networks and partnerships at a multiplicity of levels. Under systems of governance, knowledge resides in different ways in the different partners and it therefore needs to be continuously shared and negotiated between them. Issues arise in how this process can work out in practice, how knowledge can be shared across a wide range of stakeholders, with a correspondingly wide range of perceptions and interpretations.

Summary

Governance is used in a wide variety of contexts, generally in the vague sense that it is a 'good thing'. My proposition is that its main value in the water sector is to move us beyond ideas of government or management, to a more inclusive concept of the partnerships and networks that society puts in place to manage water resources and deliver water services. These are relevant to meeting the MDGs in water because the scale of the task means that no one sector of society (public, private or third) can take the responsibility on its own. In the final section I suggest some propositions round water governance which have arisen at one time or another during this seminar series. Addressing the questions and issues that arise from these propositions may help us to refine our ideas of water governance and make it a meaningful and valuable concept for water development.