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## POWER, ALLIANCES, AND PATHWAYS TOWARDS DELIBERATIVE AND JUST WATER GOVERNANCE

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### Introduction

Water as a common pool resource is managed and governed by myriad actors, working either in parallel or in connection with each other through different sets of rules and institutional arrangements. The chapters in this book have highlighted the complex nature of water governance and featured the commons as a terrain for contestation, while unpacking the role of power and politics in shaping water governance and collective action across scales. Embedded in the wider power structure and power relationship, institutional arrangements governing the commons are highly dynamic and constantly evolving.

Forces of globalization embodied in a strong tendency towards regional economic integration and national governments' strategies to promote economic development have linked local-level, community-based natural resource management with global capital flows, often manifested in land and water grabs, marginalization of local communities, and massive environmental degradation. Global responses to the commodification of nature have also placed local communities' role in governing the commons within the context of transnational environmental and rights movements (Boelens et al., 2010; Borrás, 2010), centring on communities' resistance to large-scale land acquisition, mining concessions, and hydro-power dam development. While such movements could act as alternative means to promote more inclusive, deliberative, and just decision-making processes in water governance in particular, and in natural resource governance in general, concerted multi-scale collective action is needed to move from ad hoc approaches to a more systematic way to tackle a wide range of governance challenges.

Through illustrative case studies from various countries in Asia, Africa, and Latin America, the book has brought to light various forms of collective action. It has shown how collective action has occurred as part of institutional emergence in various

agro-ecological spheres, ranging from irrigation, fisheries, mining, and hydropower to large commercial agriculture, while also shedding light on cases where collective action has been hindered by political deadlock, as in the Indus River Basin, or limited by hegemonic power relationships, as in the Orange–Sengu River Basin.

With the aim of furthering the current debates on water governance and collective action, the chapters in this book highlight three key themes:

1. the role of power structure and power relationships in shaping the commons;
2. the shaping of collective action through strategic alliances; and
3. alternative pathways towards more deliberative and just water governance.

### **Power structures and power relationships shaping the commons**

Collective action emerges hand in hand with the processes of socio-political construction of nature, contextualized in various forms of contestation, occurring at the interface of water, land, energy, and the environment. As management of common pool resources at the local level has become closely entangled with development and investment decisions made at global, regional, and national levels, analysis of the commons cannot be done in isolation from the wider power structure and power relationships in which they are embedded. As illustrated in the case of goldmining in Mexico and hydropower dam development in Cambodia, decisions about land concessions for mining and dam construction are made by powerful actors, including government officials, politicians, private developers, and international agencies, following different rationales and objectives, and not always incorporating local communities' livelihood options and development aspirations. Relying on national policy and legal frameworks as entry points of political leverage, development decisions are often presented under the auspices of a government's overall strategy to promote rapid economic growth, increase government revenue, support industrialization, and so on. Such decisions affect the commons and local communities' ability to govern their surrounding natural resources sustainably and create potential governance traps. They also predetermine processes of inclusion and exclusion, and how development benefits and risks are distributed and shared.

Understanding the highly complex institutional landscape and the interlinkages within it is crucial to link commons study with political economy analysis across scales. This includes better understanding of the role of foreign direct investment as governments' economic engine and how this shapes resource governance agreements pertaining to land concession and hydropower development. As Contreras (2007: 234) states: "The power to control not only territories and spaces but also states of mind and the production of knowledge rests on a complex terrain of institutions." Understanding how development decisions are made, based on what rationale and representing whose interests, and the implications for natural resource governance is crucial in the identification of potential entry points for policy and institutional change.

While powerful actors are making decisions on how the commons should (not) be managed, less powerful actors, including local communities, NGOs, government agencies, and civil society groups are making their cases and ensuring their voices are heard through power struggles manifested in various forms of collective action. The way in which local communities have resisted the pressure for commercial agriculture in the Upper Pampas watershed, Peru, shows how collective action is linked to the overall shaping of scalar politics, linking grassroots forces with transnational environmental and rights movements. At the community level, resistance was initiated and driven by community members' ability to set aside their differences in order to deal with external threats from the proposed development plan. Here, community cohesion embedded in inter- and intra-community collaboration forms the foundation for widespread community resistance. Local power structures and power relationships also shape local communities' perceptions of risks and benefits, and to a certain extent their identities, as illustrated in how local communities view the Cheay Areng and Lower Sesan 2 dam developments and how such views manifest in the communities' strategies to resist the dam development and sustain their livelihoods.

The way in which local communities formed alliances with government agencies, national NGOs, and water justice and environmental movement networks across the different case studies illustrates how collective action can be linked to transnational movements. Local communities' ability to hold public gatherings to mobilize support to defend their livelihoods, and later legally contest and halt development plans, cannot be viewed in isolation from their political connections with wider networks of NGOs and government actors who form part of their political support networks. While community resistance has become one of the key factors driving transnational movements, the linkages also ensure that such movements are grounded in everyday reality and the challenges faced by local actors. This highlights the close connection between the positioning of the commons as an alternative means to counterbalance neoliberal development processes and the need to better understand the overall process of social movements and how they can support the struggles of the commons.

Moving from "local" water governance spheres to transboundary waters, the importance of power structures and relationships in shaping water governance decisions is embedded in riparian states' political and development agendas, inter-state relationships, and the roles of intergovernmental bodies, international agencies, and non-state actors, including international NGOs and the media. We observe that the scale perspective also matters in defining the forms of collective action that emerge. For example, in the context of the Mekong region, collective action is shaped and reshaped as part of interactions between state and non-state actors, as these unfold within and beyond the institutional set-up of the Mekong River Commission as an intergovernmental body responsible for sustainable development of the river (Suhardiman et al., 2015). The importance of a formal, legal institutional set-up as a possible entry point for collective action is also apparent from the water-energy swap agreement between South Africa and Lesotho. While this

highlights potential entry points to promote policy and institutional change, it also reveals the need to link transboundary water governance analysis with political responses from below (Borras and Franco, 2013) and how these responses are shaped and reshaped by various actors' development views, strategies, and access to resources across scales. Most importantly, it brings to light the issue of representativeness in transboundary water governance, and raises the question as to whether decisions made by riparian state governments need to be justified in terms of the rights of local communities.

Power structures and power relationships shape and reshape water governance and collective action through various means and manifestations, ranging from how development and investment decisions are made politically to how such decisions are legitimized by existing government policies and legal frameworks, how they are mirrored in institutional interlinkages, and how they shape the institutional dynamics and the overall process of institutional emergence across scales. Deriving from the Foucauldian notion of power that is everywhere, the chapters in this book illustrate how powerful and less powerful actors can act as agents for policy and institutional change. This is most apparent in the different power struggles across scales, centring on local communities' determination to tackle any form of external threat and exert political pressure on large infrastructure development plans that would harm their livelihoods.

### **Collective action and the shaping of strategic alliances**

Powerful and less powerful actors shape the actual management of the commons by various means, ranging from community mobilization and community empowerment (as in the case of community health impact assessments in Thailand), to policy negotiation across scales to strengthen community fisheries in Cambodia, to creating spaces for dialogue through media collectives in the Indus River Basin. They shape the management outcomes of the commons, as revealed in the various forms of collective action, whether it is grassroots driven, state- and non-state-based, or part of transnational environmental and rights movements, while relying on their strategic alliances. Understanding the different types of strategic alliance, how they emerge as a result of power struggles and the contestation of the commons, and how they evolve and change over time is central to increasing our understanding of the processes of institutional emergence and collective action. The chapters in this book illustrate three types of strategic alliance and their importance in motivating actors for collective action:

1. alliances based on grassroots scalar politics;
2. inter-class alliances; and
3. alliances derived from agents' formal and informal networks.

Alliances based on grassroots scalar politics are most apparent when local communities resist large infrastructure development plans through local mobilization,

while also relying on their political connections to resist across scales and ensure they receive relevant information for policy negotiation. Through their connections with local and national NGOs, regional and national environmental and rights movements, and certain segments of the government bureaucracy, local communities can extend the scope and coverage of their resistance and increase their overall profile in national and international policy negotiation processes and discussion forums. Understanding the overall institutional landscape and institutional interlinkages across scales is crucial to linking local communities' resistance with wider institutional networks, both formal and informal. Linking power analysis with institutional analysis increases understanding of how institutional decisions are often driven by power relationships, and how power relationships can be created, sustained, and reproduced institutionally, through both formal and informal networks. While grassroots scalar politics occurs across a variety of agro-ecological systems, institutional emergence for collective action is also linked to systems' characteristics and the degree of collective action needed to ensure their functioning. This is most apparent in the way farmers in the Andean highlands have ensured their irrigation water supply through the collective, as mountainous irrigation systems predetermine not only the overall water distribution rules but also the way local farmers have to work together and rely on one another with regard to their water-taking activities.

While inter-class alliances occur in response to the wider processes of agrarian transformation, they also serve as important driving forces for collective action. The way local farmers and fisheries communities in Tonle Sap, Cambodia, have formed community fish refuges as a means to cope with entrenched power disparities within the community shows how collective action can occur when powerful and less powerful actors tackle the problem of resource competition together through deliberative processes. Understanding key decisive factors driving various actors' strategies to form inter-class alliances is important in the identification of potential entry points for policy and institutional change and position collective action as a means to promote more open decision-making processes at the grassroots level. Linking study of the commons with the wider processes of agrarian transformation not only contributes to better understanding of how collective action is shaped and reshaped by everyday class politics (Suhardiman, 2017), but also highlights how inter-class alliances can be positioned as entry points for more equal and just water governance.

The third type of alliance is illustrated by the way the Mekong River Commission Secretariat (MRCS) carried out a strategic environmental assessment (SEA) for the planned twelve hydropower dams on the Mekong River and positioned this as an institutional means to open up discussions about the dams, while also relying on its informal networks with international donors, international NGOs, civil society groups, academics, and environmental ministries (Suhardiman et al., 2015). The way the MRCS commissioned the SEA gave the assessment a certain amount of political weight. While the formal institutional structure played an important role in establishing the assessment's scientific and political merit, the

SEA's ability to shift the decision-making process surrounding the planned main-stream dams from top-down, formal, statutory, sectoral-ministry-focused decision-making authority to a "soft space" with fuzzier governance boundaries was rooted in the MRCS SEA team's alliances with prominent NGOs and wider civil society groups who were campaigning for sustainable development on the Mekong.

Decisive factors for the shaping of strategic alliances include:

1. identification of common risks, challenges, and goals;
2. mutual dependency and the need to join forces; and
3. the presence of formal and informal networks for collective action.

As we have seen throughout this book's chapters, local communities set aside their differences when they identify common risks and challenges, either in the form of external threats, as in the case of goldmining or hydropower, or within the wider context of agrarian transformation, as in the case of groundwater markets or local community fish refuges. Mutual dependency relationships also play an important role in the overall shaping of inter-class alliances, and their positioning as entry points for collective action, while formal and informal networks influence actors' strategies to promote collective action with respect to transboundary waters. The ways in which strategic alliances form and evolve over time shape collective action, or the lack thereof.

### **Pathways towards deliberative and just water governance**

The ways in which local communities and the commons have been affected by processes of commodification of nature highlight the need to introduce a new system of values in economic development and globalization discourse pertaining to justice, diversity, and equity (Fraser, 1998; Sen, 2009). For example, in the context of hydropower development, this would mean incorporating local communities' and local authorities' development needs and aspirations into the overall process of decision-making to achieve more equitable benefit sharing. Discussions on benefit-sharing mechanisms should not revolve solely around how revenue from hydropower development is redistributed; they should also position hydropower as a means to generate equitable access to electricity for local communities, beyond the current focus on electricity production for export. Similarly, while current debates on economic development and regional economic integration tend to position large infrastructure projects as developing countries' means to promote economic growth and reduce poverty, this needs to be tied to local communities' livelihood strategies and options.

Drawing on Young's critique of distributive models of justice (Young, 1990), and focusing on the connection between water governance and collective action as political responses from below, the chapters in this book illustrate how economic development can be used to justify powerful actors' domination and to a certain extent oppression of the poor and other marginalized groups. Powerful actors

attempt to legitimize their domination by presenting large-scale infrastructure projects as integral aspects of economic development, without taking into account the views of the poor and marginalized (Sen, 1999). Such domination can be challenged only by collective action that demands structural change across scales.

Placing the commons as a counter-force against the neoliberalization of nature, the chapters in this book discuss alternative pathways and possible approaches towards deliberative and just water governance. Identification of common grounds in the context of risks, challenges, and alternative ways forward can serve as a first step to supporting the emergence of collective action, not only in terms of ad hoc and pragmatic on-site solutions but towards the shaping of concerted efforts to tackle multi-scale challenges in natural resource governance in general and water governance in particular. While it seems easier to identify and combat shared problems at the local level, various cases of transboundary water governance have shown that collective action can also occur through the merging of common perspectives and worldviews which support the need to strive for more informed, inclusive, and accountable water governance.

The shaping of collective action as a form of institutional emergence can be derived from crafting a common identity and belief system (Sabatier and Hunter, 1988) at the local, national, regional, and global levels. While actors and institutions can define and exercise their influence over others through various forms of instrumental power (such as bureaucratic position, financial means, or decision-making authority) embedded in wider power structures and relationships, other decisive factors that shape actors' ability to take, motivation for, and decisions about collective action relate to the positioning of ideas, norms, values, and identities (Lukes, 2005). The formation of a media collective as a potential means to resolve the current political deadlock in transboundary water governance in the Indus River Basin shows how ideas and norms have the power to influence discussions with regard to transboundary water governance rules and procedures. Understanding multi-scale institutional interlinkages is crucial for the shaping of collective action in water governance.

## References

- Boelens, R., Bustamante, R., Perreault, T. (2010). Networking strategies and struggles for water control: From water wars to mobilizations for day-to-day water rights defense. In R. Boelens, D. Getches, A. Guevara-Gil (eds) *Out of the Mainstream: Water Rights, Politics and Identity*. London: Earthscan
- Borras, S.M. Jr. (2010). The politics of transnational agrarian movements. *Development and Change* 41(5): 771–803
- Borras, S.M. Jr., Franco, J. (2013). Global land grabbing and political reactions from below. *Third World Quarterly* 34(9): 1723–1747
- Contreras, A.P. (2007). Synthesis: Discourse, power and knowledge. In L. Lebel, J. Dore, R. Daniel, Y.S. Koma (eds) *Democratizing Water Governance in the Mekong Region*. Chiang Mai: Mekong Press
- Fraser, N. (1998). Social justice in the age of identity politics: Redistribution, recognition, participation. WZB Discussion Paper No. FS/98–108.

- Lukes, S. (2005). *Power: A Radical View*. Basingstoke: Palgrave Macmillan
- Sabatier, P., Hunter, S. (1988). The incorporation of causal perceptions into models of elite belief systems. *Western Political Quarterly* 42(9): 229–261
- Sen, A. (1999). *Development as a Freedom*. Oxford: Oxford University Press
- Sen, A. (2009). *The Idea of Justice*. Cambridge, MA: Harvard University Press
- Suhardiman, D. (2017). Linking irrigation development with the wider agrarian context: Everyday class politics in water distribution practices in rural Java. *Journal of Development Studies*. doi:10.1080/00220388.2016.1228878
- Suhardiman, D., Giordano, M., Molle, F. (2015). Between interests and worldviews: The narrow path of the Mekong River Commission. *Environmental Planning C: Government and Policy* 33(1): 199–217
- Young, I.M. (1990). *Justice and the Politics of Difference*. Princeton: Princeton University Press