



Different approaches in analyzing water governance: implications to the case of Belo Horizonte, Brazil

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Abstract

Governance is far from reaching a consensual concept both among the scholars involved in theorising the subject and the institutions trying to adopting the concept as a policy orientation, including the multilateral international agencies. The definition of governance as a political concept is controversial, depending on the public policy perspective involved and the social and political organisation of the society under analysis. Based on this lack of consensus and considering the importance of mapping the impact of different theoretical perspective in the outcomes of the water governance analysis, the paper briefly intends to contribute to the discussion on the implications of the several theories on governance to the analysis of water governance. Specifically, the case of Belo Horizonte (BH) is presented, firstly characterising the old and new water governance framework in the city, and secondly discussing the potential effects of different approaches in the analysis. For the last point, three theoretical perspectives are applied to the case of BH water governance: an idealized view of water governance, as a well-balanced structure between the state, the civil society; an analysis that over-emphasizes the dimension of social control; and the analysis concentrated in identifying the relations between the local water governance and the constraints found in other political levels. Finally, the paper tries to identify further research developments resulting from the discussion carried out.

Keywords: governance, water governance, citizenship, social control, environmental sanitation.

1 Introduction

The present paper intends to contribute to the discussion on the implications of the several theories on governance to the analysis of water governance. Specifically, the case of Belo Horizonte (BH) is used to stress the main arguments.

Governance is far from reaching a consensual concept both among the scholars involved in theorising the subject and the institutions trying to adopting the concept as a policy orientation, including the multilateral international agencies. The definition of governance as a political concept is controversial, depending on the public policy perspective involved and the social and political organisation of the

society under analysis. These different approaches also implies in different concepts of water governance, especially in theorising the role of the actors – or stakeholders – in the process.

Through the case of water governance in BH, the paper argues, in a preliminary approach, that different outcomes from the institutional analysis could be attained; depending on the school of thought the study is connected. These potential differences could imply not only in distinct meanings of water governance in the city, but also in the conception of a *learning alliance* and the expected results from its development.

Through this discussion, the paper aims at highlighting the non-neutrality of the theoretical perspectives mobilised for the analysis of water governance, proposing that these perspectives should be explicitly recognized for a clearer and more consistent approach to this issue in the project, also looking at the best strategies to shape the learning alliance framework in the city.

2 Conceptual perspectives

The lack of consensus on the theme of water governance – or “good water governance” - has been rooted in more broad debates that characterises different school of thoughts in the field of human sciences. The theoretical divide is on line with different theoretical perspectives on the concepts of governance in a broad sense (Kjær, 2004; Swyngedouw, 2005), policy process (Hill, 2005; John, 2002) or public management (Hill, 2005; Ferlie et al., 2005), among other controversial issues.

The theoretical formulations on the theme have been looked at different dimensions and relations of what could be called governance. “Old” vs. “new” governance, governance-beyond-the state, governance and institutionalism, governance and new public management (NPM) reforms, governance and the state, governance and democratization, are some of the approaches found in the literature. A relatively clear divide can be found between those formulations that value the participatory dimension as a way to control the free predominance of elite interests and to strength democracy, and the identification of governance with state reforms, reinforcing private sector participation and weakening of the state role. Inspiring the late position, the role of agencies, like the World Bank and IMF, in “developing countries”¹ should be emphasized, mainly their policies of loan conditionalities.

In this debate, some authors alert to the risk imposed by certain models of governance of displacing the power from the state to other social segments, sometimes with legitimacy deficit: “the newly emerging models of action result from the concerted combination of social actors coming from diverse milieus (private, public, civic) with the objective to influence systems of action in the direction of their interests” (Paquet 2001, cited by Swyngedouw, 2005). On the other hand, that arrangements of governance-beyond-the-state “is associated with [...] profound restructuring of the parameters of political democracy [...], leading to a substantial democratic deficit”, resulting in an arrangement “fundamentally Janus-faced, particularly under conditions in which the democratic character of the political sphere is increasingly eroded by the encroaching imposition of market forces that set the ‘rules of the game’.”

Among the several definitions of governance, one could be “the exercise of political, economic and administrative authority in the management of a country’s affairs at all levels. Governance comprises the complex mechanisms, processes, and institutions through which citizens and groups articulate their interests, mediate their differences, and exercise their legal rights and obligations.”(UNDP 1997). Or. “the notion of governance is creating more ‘action space’ between government and civil society where

¹ In the paper, the expression “developing countries” has been used, despite the emerging controversies on the appropriateness of the concept, regarding the discussion on development models adopted by the rich countries.

the issues of transparent processes, accountability and community participation are taken more seriously.” (Harpham & Boateng, 1991).

Based on these and other definitions, some questions could arise:

- How different arrangements of mechanisms, processes, and institutions could enable different levels of citizen participation?
- What kinds of interests could be benefited depending on each “governance model”?
- What are the associations between forms of “differences mediation” and prevailing interests?
- How the “action space” can be manipulated in favour of different interests?
- Depending on the formulation of “action space between government and civil society”, in what degree, can the outcome of the process be the downsizing of the State and the “market control” of the decisions?

This discussion has also obvious connections with the meaning of the concept to different political regimes, following the formulations of Janoski (1998) on balancing rights and obligations in liberal, traditional, and social democratic regimes, looking at North countries. Three theoretical traditions of citizenship are identified by the author: Thomas Marshall’s theory of citizenship; Durkheimian theory of civic virtue/civic culture, addressing the citizenship in the public sphere by volunteerism; and the Gramsci/Marxist tradition, emphasizing the role of civil society and social movements. It is worth of mention that this formulation could take different shape when the focus is on the developing world, which would need deeper development, due to the specific historical nature of these countries.

Regarding this last issue, some authors point out the necessity of a particular approach applied to the “developing countries”, “given that notions such as ‘governance’, ‘civil society’, and ‘citizenship’ emerged from the specific historical experience of developed countries and their empirical reference may be completely absent in other societies.” In this discussion the models of “partnership” emerges and “this ‘partnership’ that is often presented as the hallmark of good governance, is usually very weak or simply missing in most LDCs², which are characterized by a frail public sector with low capacity for regulation and law enforcement, and civil society is often limited to a small social elite while the bulk of society cannot afford to participate meaningfully in the social and political life, for instance to monitor decision-making.” (Castro, 2004). In the Brazilian case, and similarly in most Latin American countries, democratic governments are quite a new reality (22 years in Brazil), and the internalisation of democratic practices to the water supply and sanitation (WSS) sector arrived later and is certainly still incomplete.

Specifically related to *water governance*, UNESCO (2006) stated, “sound water governance should be open and transparent, inclusive and communicative, coherent and integrative, and equitable and ethical.” It could be argued that this and other similar applications of the governance theory to water issues embody the same level of controversies identified. The ends of water governance, the meaning of participation in this field, the role of the state and of the stakeholders, the particularisation of the concept to different political regimes and to the developing world, its integration to the practice of democracy are some questions arisen by the theme.

² Less Developed Countries.

3 Water governance in Belo Horizonte

As expressed in other studies (Nascimento et al., 2007; Costa and Costa, 2007), water governance in BH combines a set of municipal, state, and national governmental structures; specific and general legislation; the role of the municipal legislative; strategic plans (Municipal Sanitation Master Plan, Storm Water Management Master Plan, DRENURBS); committees for popular participation; and participatory budget procedures, among other instruments. Thus, this governance scheme constitutes a complex of institutions and their mutual relationships, resulting in different possible strategies of analyzing its nature, the representation of powers and interests, and mainly the outcomes that can be predicted from it in short, medium and long terms.

Looking specifically at state organization and participatory mechanisms for the urban water in the city, three situations could be identified, as stated in Figure 1.

The first situation (“authoritarian” model) prevailed in the city from the 1970’s to the 2000’s, according to the management model implemented by the PLANASA (National Water Supply and Sanitation Plan). This plan was formulated by the Federal Government in 1971, during the military dictatorship, conceiving a centralized model, which transferred to the state companies (COPASA in Minas Gerais, the state whose capital is Belo Horizonte) the provision of WSS services. In this model, the municipality has a weak participation and control over these services and the community participation is absent. There are also a very weak integration between WSS policy and other urban water policy (e.g. stormwater management) and other related urban policies, as environmental, health, and urban planning. There are no integrative mechanisms the provision or the management/control of urban water services, since the municipality is the direct responsible for stormwater management, flooding control, slum urbanisation, and other related actions.

The second model was presented just intending to establish a comparison with the first model. It tries to represent the traditional relationship between the institutional agents when a concession of WSS services exists. In this case, a well-defined contractual link between the municipality and the concessionaire is expected, clearly establishing rights and obligations of both parts, and especially defining responsibilities for the concessionaire in expanding the coverage, and improving the quality of the services, with effective accountability to the municipality and the users. Ideally, but generally absent in the Brazilian’s concessions, the model may include explicit mechanisms for community participation and social control. Some of these idealized roles of the involved actors are clearly absent in the first model.

Finally, the third model represents the current situation established in the city after the end of the concession, in the year 2000. A more complex relationship between the several actors can be identified in this model. In one hand, the municipality starts to own part (~10%) of the actions of COPASA, who has sold another part (~30%) to the private sector and individuals, by the selling of actions in the open market. This new situation changed the economic and financial logic of the company, which, for instance, will start to produce and distribute bottled water after 2007. On the other hand, the new WSS management in the city is defined as a “shared management” model, due to the shared participation of the state and the municipality in the ownership of COPASA and the sharing of decision in COMUSA, the municipal council of WSS, with the responsibilities of decision-making and consultation to the environmental sanitation policy in the city. The model intends and has the potential for a better integration, internally to the urban water services and externally with other urban services. Additionally, it has an explicit mechanism for community participation, through COMUSA.

4 Implications of the different conceptual perspectives for Belo Horizonte water governance

The argument adopted in this paper results in different analytical possibilities of the processes involved in water governance in BH. Application of different views could deliver different outcomes, for instance on the analysis of why and how the changing process (Model 1 to Model 3, without experiencing Model 2) took place, identifying losers and winners, the prevailing interests, and specially predicting the future nature of urban water provision in the city.

Regarding the current situation, the strengths and weaknesses of the model could assume different shapes depending on the concept of *good governance* adopted. In order to exemplify the argument, three applications are briefly presented below.

Firstly, an idealized view of water governance, as a balanced structure between the state, the civil society, and the market, with relative equal weight, could be used in the analysis. This approach could be identified, for instance, in some World Bank documents. Analyses based on this view would try to find if the three “partners” are equitably represented in the governance structure. In this sense, together with the effectiveness of the state structure and the available channels for the civil society participation, the “analyst” would try to identify – and to value – the institutional spaces organised to enhance private sector participation in the water governance process.

In the case of BH, the state, through the municipality, is responsible for the provision of part of the urban water complex, co-ordinate COMUSA, owns part of COPASA, and, through the state government, owns the majority of COPASA’s actions. The private sector is present in the ownership of COPASA and is represented in the COMUSA, by the association of building companies. The society has seats in COMUSA, although the representation legitimacy and accountability could be questioned. Therefore, based on this first approach the “analyst” could conclude, apart from some necessary improvements, that the model is well balanced between the three parts. In this analysis, issues such as the extent of social control, the degree in which the users are well served by the services, the existence of channels for direct participation, or policies integration, are neglected.

Secondly, an analysis that over-emphasizes the dimension of social control would concentrate in the structure, mandate, and functioning of the COMUSA and other formal - health, urban policy, and environment councils, as well as the participatory budget policy - and informal participatory mechanisms³. Particularly in this case, the analysis could identify an eventual weak capacity of the users in influencing decisions in COMUSA, due to its composition⁴. Besides, if the agenda of COMUSA’s meetings is analysed, few moments of effective decision-making could eventually be identified, weakening the character of controlling the free decision process of the municipal government. Obviously, this approach would identify great advances in social control when an historical comparative perspective is employed, due to the new mechanisms implemented after the 2000’s.

Thirdly, other possible approach could concentrate on a broader political perspective, identifying the determinants of other external factors (*systemic conditions*, as stated by Heller and Castro, 2006), including for instance external political factors, the role of social movements, the national macro-economic policy, and also the sector constraints found in other political levels, above the municipal. The influences to be evaluated could include the assessment of the state level and the recent changes in COPASA’s institutional profile; the federal level and the new legislation on the national policy for

³ See Costa and Costa (2007) for a more comprehensive description of these mechanisms.

⁴ COMUSA has 16 members, eight of them are municipal servants and eight councillors theoretically represent civil society. In this last half of the councillors, COPASA and the association of builders, for instance, are included.

environmental sanitation; the global level and the policy of the international multilateral agencies, as well as the international commitments such as the MDGs. In this analysis, some opportunities and constraints in reaching “good water governance” could be eventually identified. The lack of independent roles of the municipality and the state government – sharing the ownership of COPASA and participating together in COMUSA - could be seen as a barrier to an effective governance practice, due to the elimination of an effective concession relationship. On the other hand, the recent approval (December 2006), by the federal legislative, of a federal legislation for environmental sanitation could point out new opportunities for improving local governance but also incoherencies between the new idealised model and the BH scheme, in the political, financial, participatory, and legal fields. Finally, the influences in the local water governance of international commitments by the Brazilian government (e.g. MDGs) and the national relations with international agencies, although not so likely, could be assessed.

It is important to remark that this last analysis does not exclude the formers, and could be integrated to each of them.

5 Final remarks

The paper, briefly, tried to develop a discussion on the non-neutrality of the analysis of local water governance. At least to the reality of BH, the three approaches described here shows that the choice of the theoretical framework to be adopted in the analysis could influence its outcomes. Thus, a very careful theoretical development should be developed to the referred analysis, in order to map adequately the current situations and the desired changes in reaching a *sustainable water management* to the *tomorrow's cities' health*. Even if a scenario building were intended, working with more than one theoretical perspective, the definition of the starting points would need attention.

Connected to this argument, but also inspired in the case of BH, some further research developments can be identified in continuation:

- In reviewing the governance literature, identification of the different schools of thought applied to water governance, including their respective potential implications in the outcomes of the analysis, as well as establishing the connections with these concepts and the notion of social control.
- Balance of roles, power, interests and influences of the state, civil society and private sector in the BH water governance structure.
- Empirical analyses of the nature of participation in the current water governance structure, assessing dimensions like entitlement, accountability, and legitimacy of the representation.
- Analysis of how the participation deals with “less tangible” issues that characterizes urban water, such as drinking-water quality, risks (see Nascimento et al, 2007), environmental impacts, intermittent water supply, and preventive maintenance.
- Empirical analyses of the degree of integration, internally to the urban water sector and externally between urban water issues and other urban policies, as argued by Costa and Costa (2007).
- Analysis of the influence of the new governance of COPASA, with more explicit private sector participation, on the BH water governance.
- Analysis of the influence of the new national legal framework on the BH water governance, looking at necessary and desirable changes in the future.

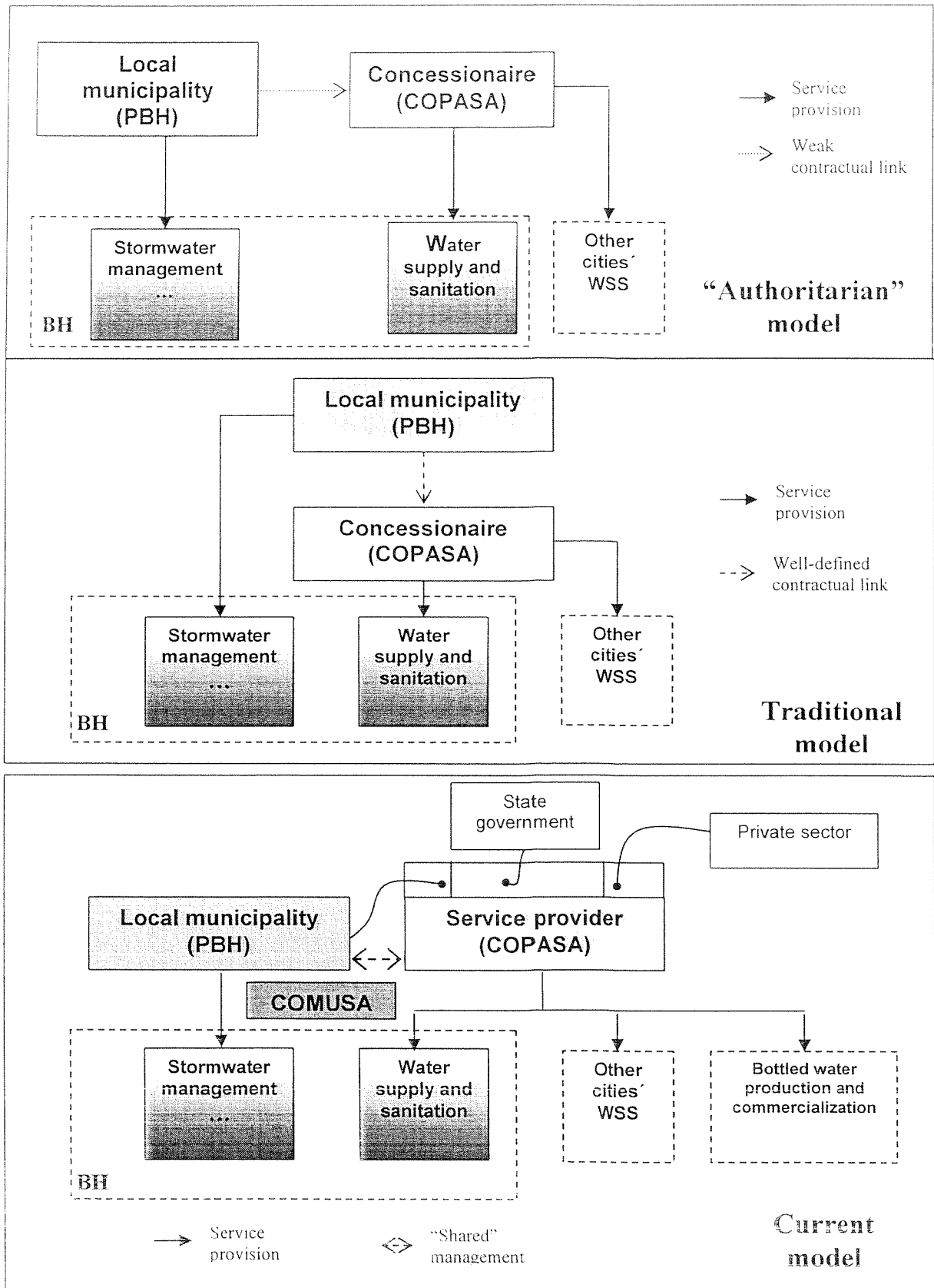


Figure 1. Different water governance models in Belo Horizonte.

References

- Castro, J.E., 2004. Governance, citizenship, and environmental health in developing countries: challenges facing the implementation of integrated water resources management. [Project proposal submitted].
- Costa, G.M., Costa, H.S.M., 2007. Urban policy and institutional change in Belo Horizonte. First SWITCH Scientific Meeting. University of Birmingham, UK. 9-10 Jan 2007.
- Nascimento, N.O.; Heller, L.; Ellis, B.; Revitt, M.; Scholes, L.; Champs, J.R.B. Towards a paradigm SWITCH: Integrating urban water management in Belo Horizonte. Brazil. Novatech 2007. IWA. (submitted).
- Ferlie, E., Lynn Jr., L.E., Pollitt, C., 2005 *The Oxford handbook of public management*. Oxford: Oxford University Press. 789 p.
- Harpham, T.; Boateng, K.A., 1991. Urban governance in relation to the operation of urban services in developing countries. *Habitat Intl.*, 21, 65-77.
- Heller, L., Castro, J.E., 2006. Política pública de saneamento: apontamentos teórico-conceituais. *Cadernos de Saúde Pública*. (submitted).
- Hill, M., 2004. *The public policy process*. 4ed. London: Longman. 308p.
- Janoski, T., 1998. *Citizenship and civil society: a framework of rights & obligations in liberal, traditional, and social democratic regimes*. New York: Cambridge University Press. 316p.
- John, P., 2002. *Analysing public policy*. London: Continuum. 227p.
- Kjær, A.M., 2005. *Governance*. Bodmin: Polity. 240p.
- Nascimento, N.O.; Knauer, S.; Heller, L.; Baptista, M.; Heller, P.; Chernicharo, C.; Champs, J.R., 2007. Long-term uncertainties and potential risks to urban waters in Belo Horizonte. First SWITCH Scientific Meeting. University of Birmingham, UK. 9-10 Jan 2007.
- Swyngedouw, E., 2005. Governance innovation and the citizen: the Janus face of governance-beyond-the-state. *Urban Studies*, 42, 1991-2006.
- UNDP (United Nations Development Programme), 1997. *Governance for sustainable human development*. New York: UNDP.
- UNESCO (United Nations Educational, Scientific and Cultural Organization), 2006. *Water: a shared responsibility*. The United Nations World Water Development Report 2. Barcelona: UNESCO & Berghahn Books.