

WAT-E2080

Politics & power in water governance



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Outline and *learning objectives* of the lecture

PART I: Politics and governance

- Politics as a dimension of governance
 - *Politics is inseparable part of governance and policy*

PART II: Power in governance

- Forms of power: different perspectives
 - *Many ways to understand and study power*

PART III: Examples

- Politics of scale
- Enforcement power vs interpretation, argumentation and societal acceptability
 - *An understanding on the ways in which politics and power can shape water governance in practice*

Politics and governance

Water & Governance

"Governance is a social function centered on steering human groups **toward desired outcomes**" (*Young, 2013*), e.g., to

- achieve and sustain good ecological status (EU WFD), to manage flood risks (EU FD) or ensure availability and sustainable management of water and sanitation for all (UN SDGs)

Three strongly interlinked dimensions of (water) governance

Institutional framework, which defines and sets rules for the game in a given context

- Mode of governance

Polity

How policies are made?

Set of plans and actions that have been agreed upon by the actors participating in policy-making

- Political steering

Policy

How different interests and preferences are translated into (effective) policies?

Politics

Actors involved in (water) governance and power relations between them: e.g., political action of actors using their **power** to set (define), interpret and implement policies

Politics as an integral part of policy....

- This implies that scientific knowledge and expert advice are not simply transferred into effective policies
- Instead, policy formulation and implementation are affected by
 - different (often conflicting) beliefs, values and interests of those involved in the process and
 - by the surrounding societal (historical, economic and social) conditions and context

*“Politics in a democratic society, (...), is a **struggle for power** played out in significant part through **arguments** about the ‘best story’” (Fischer, 2003)*

What politics?

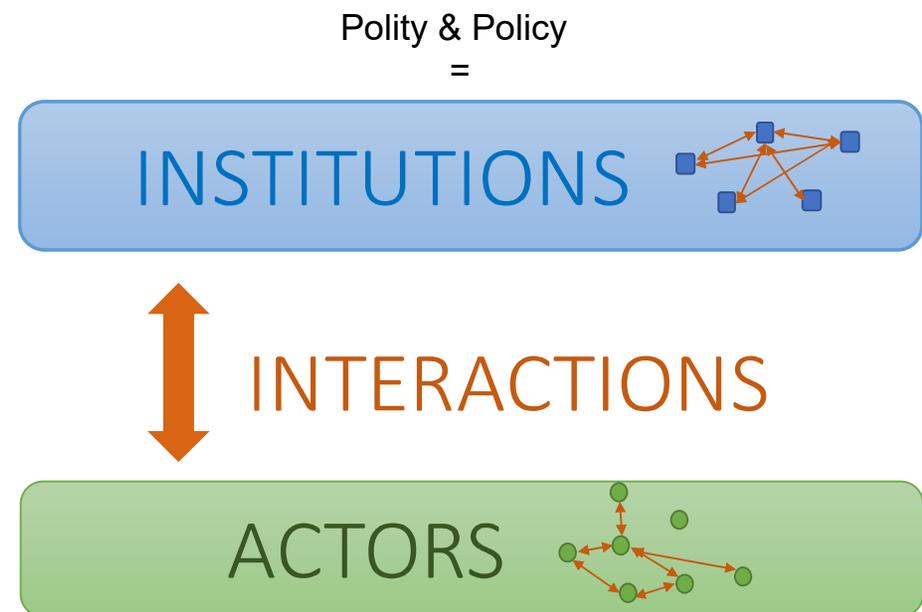
“Politics about power relationships and the presence of conflicts and antagonisms in society” (Death, 2014)

Relevant questions:

- Who gets what, how and why?
- Who or what are the most important actors, institutions, groups, movements, ideas and practices in a given situation or issue?
- What are the rules of the game, and who sets them and why (as well as who are winners and losers in the game)?
- Who is being silenced, excluded, marginalized, or harmed?
- What values or principles should guide our action and thought?
- Where can we identify resistance?

Where is politics in our governance framework?

- **Politics is about the political actions of actors**
 - Thus, it is embedded in the interactions between actors and between actors and institutions
- **Such interactions relate to e.g., policy formation & implementation**



Power in governance

What is power?

- **Many different theories/definitions of power (rooted in different scientific fields and traditions)**
 - Key similarity between them:
power is unevenly distributed and socially contested, which affects the creation and distribution of resources, opportunities and well-being

(Morrison et al., 2017)

Power in international relations

In international politics (e.g., transboundary water governance) power is about the ability to influence another to act in ways in which they would not have acted otherwise

“**Hard power**” = capacity to **coerce** through economic or military force

“**Soft power**” = capacity to **persuade** other to act in certain way

“**Smart power**” = capacity to **combine** elements of hard and soft power to advance one’s interests

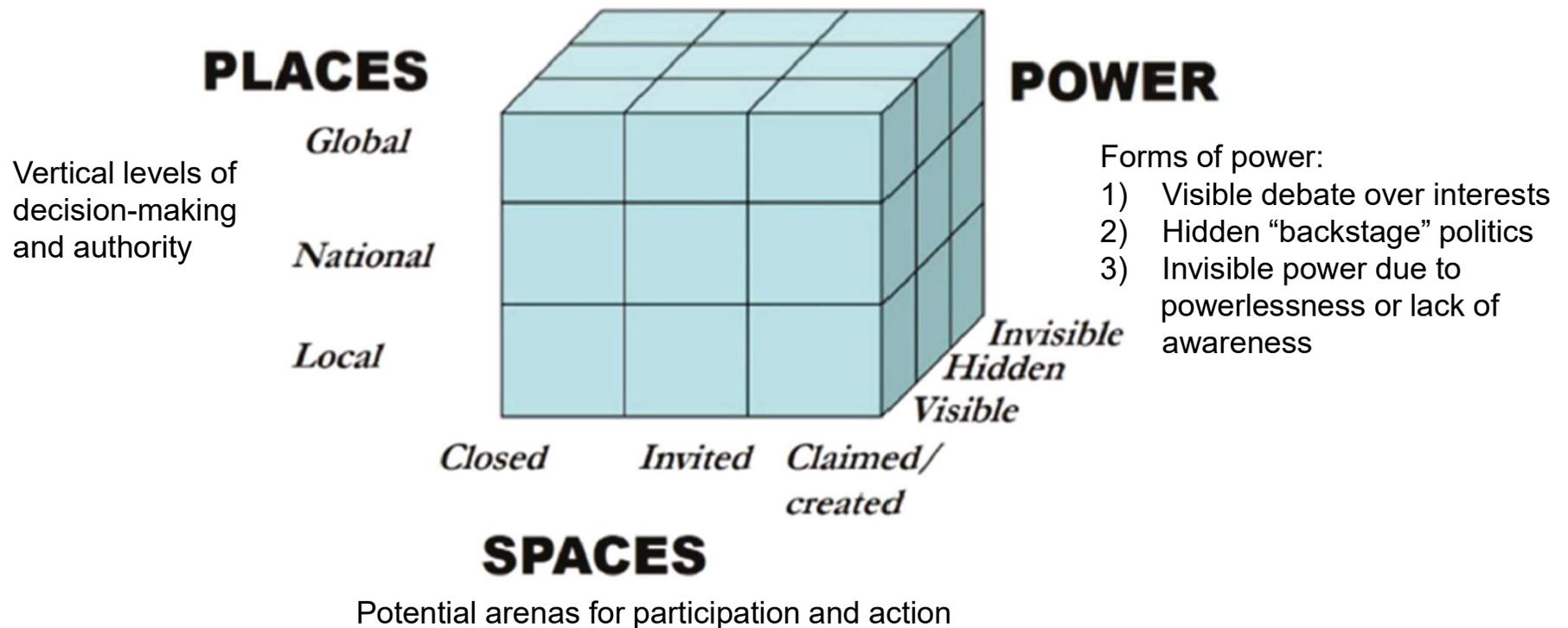
These used *mainly* in respect to power relations between countries, but may also be applicable in other contexts as well

Power in governance systems

- 1. Power by Design:** capacity to make rules, design incentives, redesign markets and administrative structures, to tax, and regulate resource use
 - *Includes: legal, political, administrative, and institutional power*
- 2. Pragmatic Power:** capacity to interpret, certify and monitor rules, influence other actors, control information, implement governance mechanisms
 - *Includes: practical, social, reputational and mediating power*
- 3. Framing Power:** capacity to develop rules and knowledge, to frame problems, construct issues and set norms
 - *Includes: discursive and epistemic power*

“The powercube”:

A framework for analyzing the levels, spaces and forms of power, and their interrelationships



**Poll: which perspective of
power most interesting/suitable
for your case study?**

Examples on:

- 1) politics of scale,
- 2) the role of enforcement power vs interpretation, argumentation and societal acceptability

Example 1: Allocation of power in the EU & politics of scale

- Traditionally, a country holds the main **authority** over decisions on environmental and resource policies within their jurisdictional borders
- In the EU, the MS' have granted the **authority** to the EU
 - Unification of policies (e.g., EU Urban Waste Water Treatment Directive)
 - BUT one size does not fit all: too strict to some and too lax for another
→ **politics of scale!**
- In the 2000s, move towards regionalization and policy specification
 - EU Floods Directive & Flood Risk Management Plans
 - Water Framework Directive & River Basin Management Plans
→ ***Part of the authority reallocated to sub-national levels***

Example 2: EU Urban Waste Water Treatment Directive (UWWTD), (1991)

- **Aims to protect the environment from the adverse effects of urban waste water discharges**
 - Identification of areas sensitive to eutrophication caused by nitrogen (N) and phosphorus (P) input
 - Requires 70% of N and 80% of P removal from wastewater collected in towns of > 10,000 people
- **EU has enforcement power:** failure to comply with the Directive may lead to sanctions
- However, the implementation of a directive can be disputed!
 - interpretation and argumentation – who has the best argument?

Baltic Sea classified as highly sensitive area

- The whole sea suffers from eutrophication
 - Caused by anthropogenic nutrient input from large catchment area
- Sweden and Finland the “front-runners” of water protection
 - Both remove more P than required by the UWWTD, but



Brussels, 12 December 2006

Environment: Commission takes Finland, Sweden and Portugal to Court over waste water treatment

The European Commission is taking Finland, Sweden and Portugal to the European Court of Justice (ECJ) for failing to ensure proper treatment of urban waste water in a significant number of towns and cities. The failure of Finland and Sweden to systematically remove nitrogen when treating the waste water of their inland cities and towns is contributing to the environmental problems of the Baltic Sea. Portugal has failed to respect a special decision on urban waste water discharges from Estoril, near Lisbon, and the surrounding area.

News 6.10.2009 20:33 | updated 28.5.2012 16:32

Finland Beats EU Commission in Waste Water Dispute

The European Court of Justice on Tuesday dismissed the EU Commission's waste water treatment case against Finland.

WHY DID FINLAND WIN?

- 1) FI argued that nitrogen from inland wastewater discharges does not accelerate eutrophication
 - 2) The Court ruled that the Commission was not able to prove that the N coming from those UWWTPs in question contributed significantly to the eutrophication of the Baltic Sea
- Thus, FI and the Commission interpreted the Directive differently, and the FI's interpretation prevailed

Waste water: Commission refers Sweden to the Court for its failure to treat urban waste water

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Today, the European Commission decided to refer Sweden to the Court of Justice of the EU over its failure to ensure that urban waste water from a number of agglomerations receives adequate treatment, as required under EU rules ([Council Directive 91/271/EEC](#)). Untreated

Sweden has failed to ensure that urban waste water is subject to appropriate treatment before it is discharged back into the environment. Although there has been progress towards compliance, Sweden is still failing to meet its obligations under EU law. Four agglomerations that discharge into sensitive areas (*Borås, Habo, Skoghall and Töreboda*) should have been in compliance since December 1998, and 6 more agglomerations (*Lycksele, Malå, Mockfjärd, Pajala, Robertsfors and Tänndalen*) should have achieved compliance by December 2005.

What explains the reluctance of FI & SE to remove N from UWWTPs?

1. Scientists have not agreed on the role of N in Baltic Sea eutrophication

- Some (nowadays the majority) say both nutrients (P & N) should be reduced
- Others say that only P should be reduced
- Who will the authorities listen?
- May relate to their own background, but also:

2. Biological removal of N is expensive

- While chemical removal of P is by far cheaper

Example 3: enforcement power vs acceptability of policy

Finland's Environmental Protection Act (86/2000): wastewater in areas not connected to any centralized sewerage system must be treated

Onsite Wastewater System Decree (542/2003) sets minimum standards for wastewater treatment and planning, construction, use, and maintenance of treatment systems → to be implemented by 2014

- Up to 250 000 households and 140 000 summer cabins affected, but by 2009 only 10-15% had acted upon it

A topic for **heated public and political debate:**

- Criticized for introducing compulsory actions to all areas regardless of their location with respect to the water system
- Requiring substantial financial contributions from single households, regardless of their socio-economic situation

Poor acceptability prevails

In 2011, the degree was amended:

- nutrient reduction targets were lowered and an exemption possibility based on age or certain socio-economic justifications included

But, the degree was still considered unreasonable at parts, and the degree was amended again in 2015:

- requirement only for certain areas and new buildings

→ In democratic societies the effectiveness of water related policies is not only about enforcement power, but also about their societal acceptability

Summary

- **Politics is about the beliefs, values, interests and actions of governance actors, and the division of power between them**
 - Politics are an integral part of governance (in democratic society)
- **Many different perspectives on power**
 - Hard, soft, and smart power
 - Power by design, pragmatic, and framing power
- Policy formation and implementation affected by politics!
 - Effectiveness of governance can be as much about enforcement power as it is about societal acceptability

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Thank you for your attention!
Questions?

Additional slides

Politicization and politics of water

Politicization = “demand for/act of transporting an issue or an institution into the sphere of politics”

- *Thus, a previously unpolitical **issue becomes political***

*Politicization moves a water issue into **the realm of public choice**, which indicates **a possibility to make a collective decision about it***

- *A collective choice on an issue entails putting the issue on the agenda, some deliberation about the right decision, and the interaction of different positions regarding the choice*

Multi-level governance

- **Allocation of power** at different governance different levels
 - Focuses on vertical and horizontal relationships and interactions between different governance levels (supranational, national and sub-national) and actors
- The nation states seen as the central authority that reallocates authority upwards to international and macro-regional institutions (e.g., the EU), downwards to regional and local authorities (river basins), and sideways to other actors, e.g, civil society and business
- Places emphasis on the role of different actors

Polycentric governance

- Coexistence of many centres of decision-making which are formally independent of each other
 - In such governance systems also **citizens** can organise centres of decision-making at different scales
 - As a governance framework, also interested in **(re)allocation of power!**
- Focus on decentralised bottom-up approaches (self-organisation and – coordination)
 - Pros: ability to incorporate local knowledge and conditions to policy-making and the flexibility of such governance systems to learn from experimentation
 - Cons: not all relevant actors are willing to participate in and commit to the self-organised governance, and there is **no authority to enforce them**

Three views on the policy process

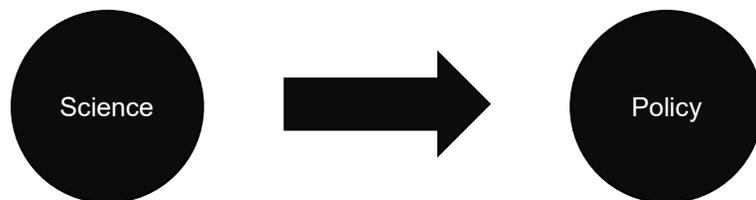
1. Technical Rationality

- Linear & unidirectional linkage
- Science and experts inform rational and ordered policy-making
- Free from values and conflicting interests

But:

- this rarely seems to be the case
- such policies have often failed, e.g., because of their narrow knowledge base or lack of public acceptability

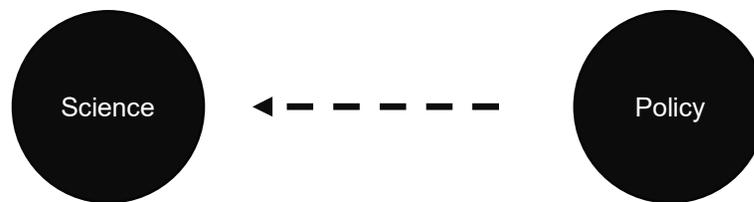
Linear-rational model



Three views on the policy process (continues..)

2. Political Rationality

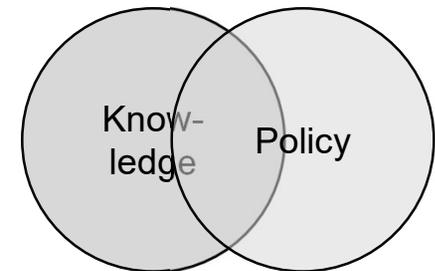
- Science used as an instrument of political rationality (if at all)
- Used selectively and strategically in the interplay of interests, institutions, and power



Three views on the policy process (continues..)

3. Co-productionist view

- Policy-making is social activity affected by the surrounding societal (historical, social, political and economic) conditions and conflicting interests and values
- **Knowledge:**
 - Scientific and expert knowledge?
 - Tacit and experiential knowledge?
 - Knowledge related to our belief systems and ideas?
- A messy, non-linear connection, involves mutual learning



Advocacy Coalition Framework

- ASC is an approach to study policies, policy development and policy change
- The main focus is to explain policy change over time by studying **interactions of competing advocacy coalitions** within a policy subsystem
 - An advocacy coalition includes actors who share a set of beliefs and who collaborate over time
- ACF focuses on studying **beliefs** and **behaviour**
 - Assumes that the core beliefs are persistent

Powercube:

Places

- Power operates at many levels
- Power cube focuses on power at different levels and the interactions between them
- Related closely to the concept of multi-level governance
 - How countries allocate authority to different levels and actors

Spaces

- **Closed:** bureaucrats, experts, elected representatives make decisions with little broad consultation or involvement
- **Invited:** authorities invite stakeholders/public to participate
- **Claimed/Created spaces:** formed outside institutionalized arenas by e.g., social movements, people

Powercube: forms of power

Visible = visible contests over interested in formal decision-making bodies

- by analysing who participates, who wins/loses, you can tell who has power

Hidden = more powerful actors maintain power and privilege by creating barriers to participation, by excluding key issues from the public arena, or by controlling politics 'backstage'

- alternative choices limited, less powerful people and their concerns excluded, and the rules of the game are set to favour the powerful ones

Invisible = more powerful actors exercise power over less powerful ones by influencing, shaping or determining their very wants

- status quo power relations are reinforced by the fact that most of us experience powerlessness

The powercube in sum

- A framework for analysing the levels, spaces and forms of power, and their interrelationships
- Focuses on exploring various aspects of power and how they interact with each other
- The different dimensions of power, i.e. levels, spaces and forms, are constantly interrelating with the other ones
 - E.g., what happens at the global decision-making levels can affect both, the spaces available for participation, which in turn affects the forms of power within them