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# Participation

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# Overview

1. Institutionalization of participation
2. Rationales and benefits of participation
3. Possible drawbacks and caveats
4. Types and methods of participation
5. The importance of context
6. Assessing the outcomes
7. Guidelines for conducting participation

# 1. Institutionalization of participation

# Institutionalization of participation

- 1990 US Negotiated Rulemaking Act
- 1992 UN Rio Declaration, Principle 10
- 1992 Dublin Statement
- 1996 US EPA Model Plan for Public Participation
- 1998 UNECE Århus Convention on access to information, public participation in decision-making and access to justice in environmental matters
- 2000 EU Water Framework Directive
- 2000 The Hague Declaration
- 2003 EU Public Participation Directive



# The Hague Declaration

- Seven challenges for achieving water security
- The final challenge: “Governing water wisely: to ensure good governance, so that the involvement of the public and the interests of all stakeholders are included in the management of water resources.”

## **Dublin Statement: IWRM principles Global Water Partnership IWRM Handbook (2004)**

1. Fresh water is a finite and vulnerable resource ...
2. Water development and management should be based on a participatory approach, involving users, planners and policy-makers at all levels – The participatory approach involves raising awareness of the importance of water among policy-makers and the general public. It means that decisions are taken at the lowest appropriate level, with full public consultation and involvement of users in the planning and implementation of water projects.
3. Women play a central part ...
4. Water has an economic value ...

## 2. Rationales for and benefits of participation

# Multiple rationales of participation

Emancipation

Questioning of  
authorities

Empowerment

Self-  
determination



# Multiple rationales of participation

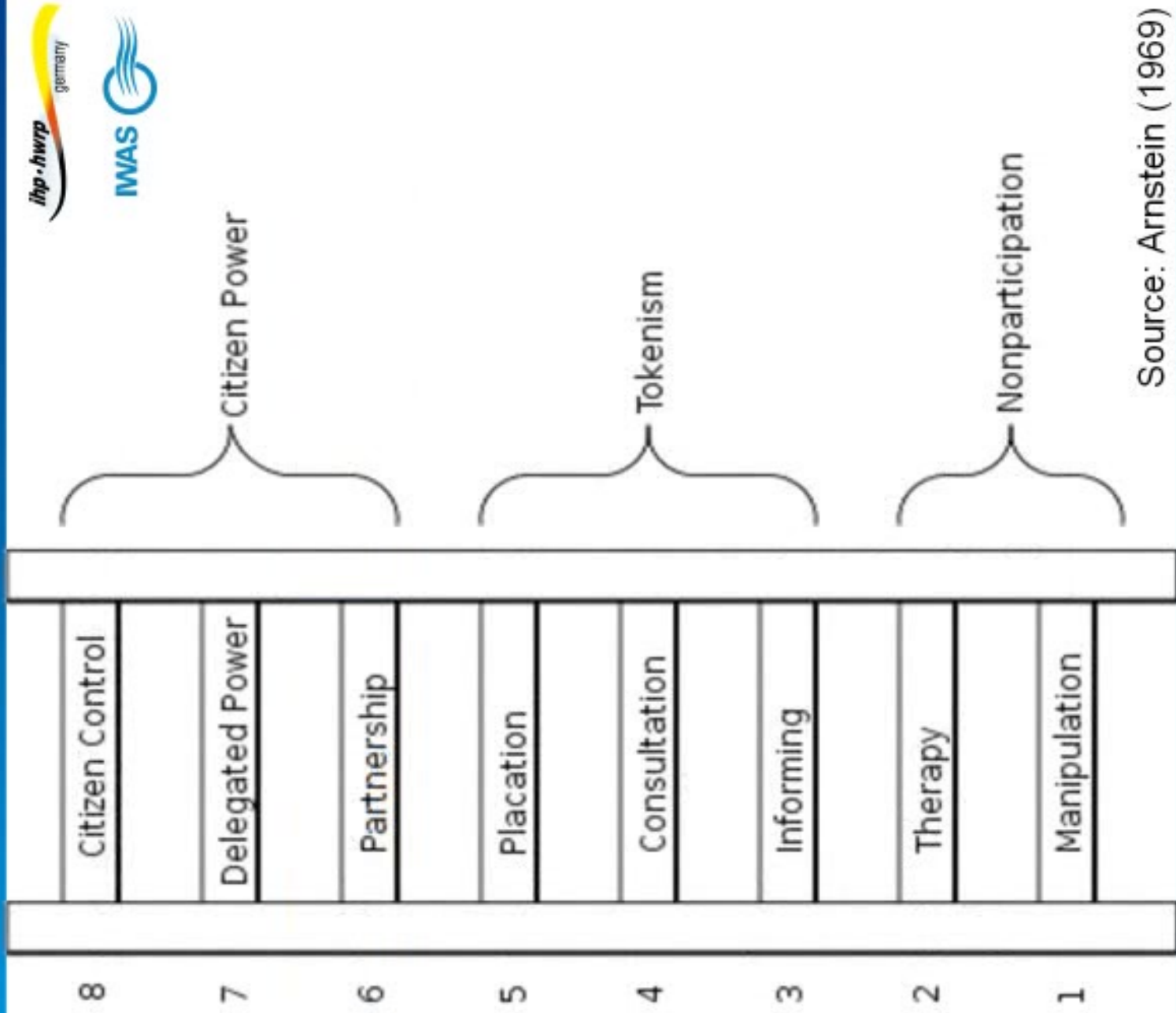
Emancipation	Legitimacy
Questioning of authorities	Transparency
Empowerment	Democratic values
Self-determination	Preemptive legal protection

# Multiple rationales of participation

Emancipation	Legitimacy	Effectiveness
Questioning of authorities	Transparency	Better informed decisions
Empowerment	Democratic values	Acceptance and identification
Self-determination	Preemptive legal protection	More effective water governance

# Ladder of citizen participation

Arnstein (1969)  
Power-based typology



concept problem	Crafting rules		Providing vision		Learning approaches		Negotiation in networks		Reflexive governance	
	Command & control	Economic instruments	Management by objectives	Envisioning	Adaptive management	Disjointed incrementalism	Network governance: Arguing	Network governance: Bargaining	Transition management	Decentralised context steering
<b>Ambivalence of sustainability goals</b>			●	●		○	○	○	●	●
<b>Uncertainty of knowledge about system dynamics</b>		○			●	○	●	○	●	●
<b>Distribution of power to shape development</b>		○				○	●	●	●	●

RBM / EU-WFDD

○ approach recognises the problem dimension

● approach concentrates on problem dimension and proposes strategies

# Participation and environmental goals: The ‘Instrumental Claim’

“Participation leads to a higher degree of sustainable and innovative outcomes.”  
(Heinelt 2002, p. 17 - EU project )

“Public participation is not an end in itself but a tool to achieve the environmental objectives of the Water Framework Directive.”  
(European Commission 2003, p. 6)



## **Assumed relations between participation and effective water governance**

**Participation produces *outputs* with higher environmental standards**

- Opening up decision-making networks
- Broader information base
- Deliberation
- Negotiation
- Innovation

**Participation improves *outcomes* by increasing the acceptance of the outputs**

- Affected interests involved
- Procedural justice
- Informed policy addressees
- Partnerships for better implementation

# The 'Instrumental Claim'

'Better' decisions through participation

- More informed decisions through local knowledge
- More 'ecological' decisions due to involvement of citizens and environmental groups
- More creative decisions through deliberation and exploration of win-win potentials

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Enhanced implementation

- Better information/education of target groups
- Better acceptance and identification with decision
- Improved compliance
- Less litigation, swifter implementation

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Improved water management

- ▶ More complete and swift implementation of measures

# Conflicts about water

## A few examples

- Agriculture in dry regions - groundwater depletion
- Agriculture / intensive livestock - nutrients in groundwater
- Recreational uses versus conservation
- Hydropower in natural waters
- ...



# 3. Possible drawbacks and caveats

# Challenging the ‘instrumental claim’

## Rational choice / collective action theory

- Interests and power positions

## Implementation theory

- Prohibitively high number of clearance points and veto players  
(Pressman & Wildavsky 1973, Tsebelis 1995)

## Social psychology

- Risky shift, group think, manipulation (Cooke 2001: 102)

# Participation: Panacea or Tyranny?

## Pros:

- Emancipatory potential
- Increased input legitimacy of decision
- Social learning
- Better informed decisions
- Higher acceptance and implementation
- ...

## Cons:

- Illegitimate influence of powerful interests
- Decisions at lowest common denominator
- Replacing expertise by opinion
- Costly
- “Democratic dilemma”
- ...

▶ Theoretically contested - conflicting empirical evidence

# The Tragedy of the Commons

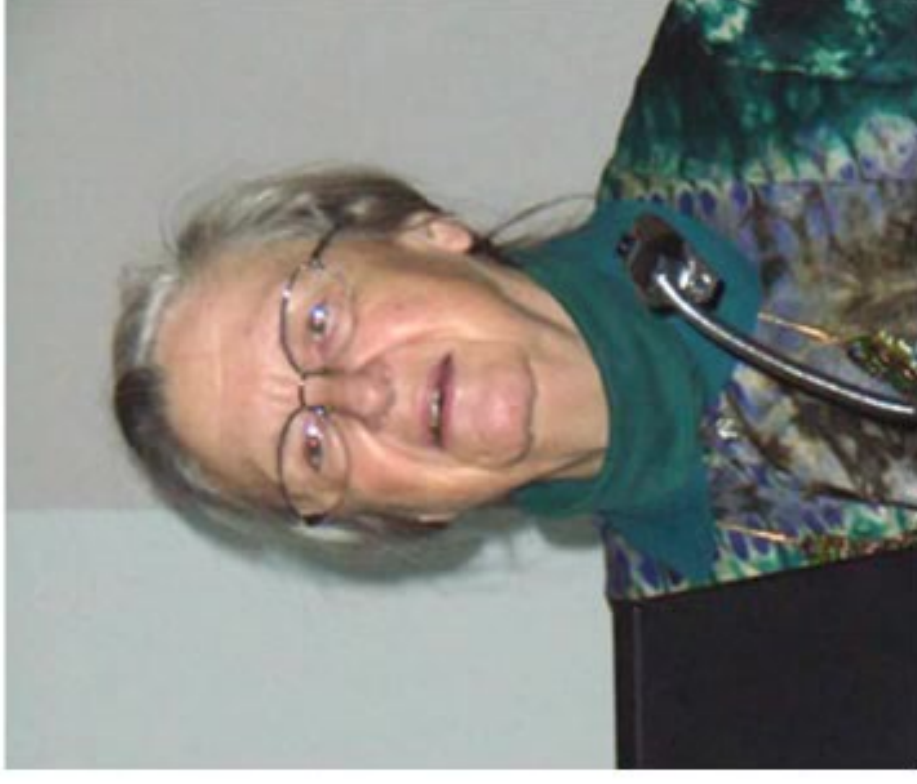
- Garrett Hardin (1968): The tragedy of the commons, *Science* 162, 1243-1248.
- Many actors collectively manage a scarce resource: Tendency to over-use (assumption of rational actors!)
- In game-theoretic terms: prisoners dilemma
- Result: Regulation (state) or privatization (market)





# From Tragedy to Governance

- Elinor Ostrom (1990): Governing the Commons. The Evolution of Institutions for Collective Action
- Nobel prize for Economics in 2009
- Neither Leviathan nor Privatization:
- Involvement of all affected parties in the development of institutions (collective rules and norms) in the use of natural resources





## Example: Fisheries in Alanya (Turkey)

- Local fishery cooperative (approx. 100 fishers) develop own rules for managing their fishing sites
- Fishers are allocated by chance to certain fishing locations (May-Sept.)
- Rotating system because of fish migration: Equal chances for each fisher to fish at the best sites; no over-fishing, no resources for conflict resolution needed
- Monitoring and enforcement through the fishers themselves: hardly any violations of rules

## Hypotheses on local vs. higher-level decision-making

- Citizens living in close spatial proximity to a natural resource tend to favour its economic exploitation, whereas those living farther away tend to favour its conservation (Koontz 1999)
- Where decision competences regarding environmental issues are at lower levels of governance, a stronger and more influential participation of citizens with economic interests can be expected (Koontz 1999)

# 4. Types and methods of participation

# Definition of 'public participation'

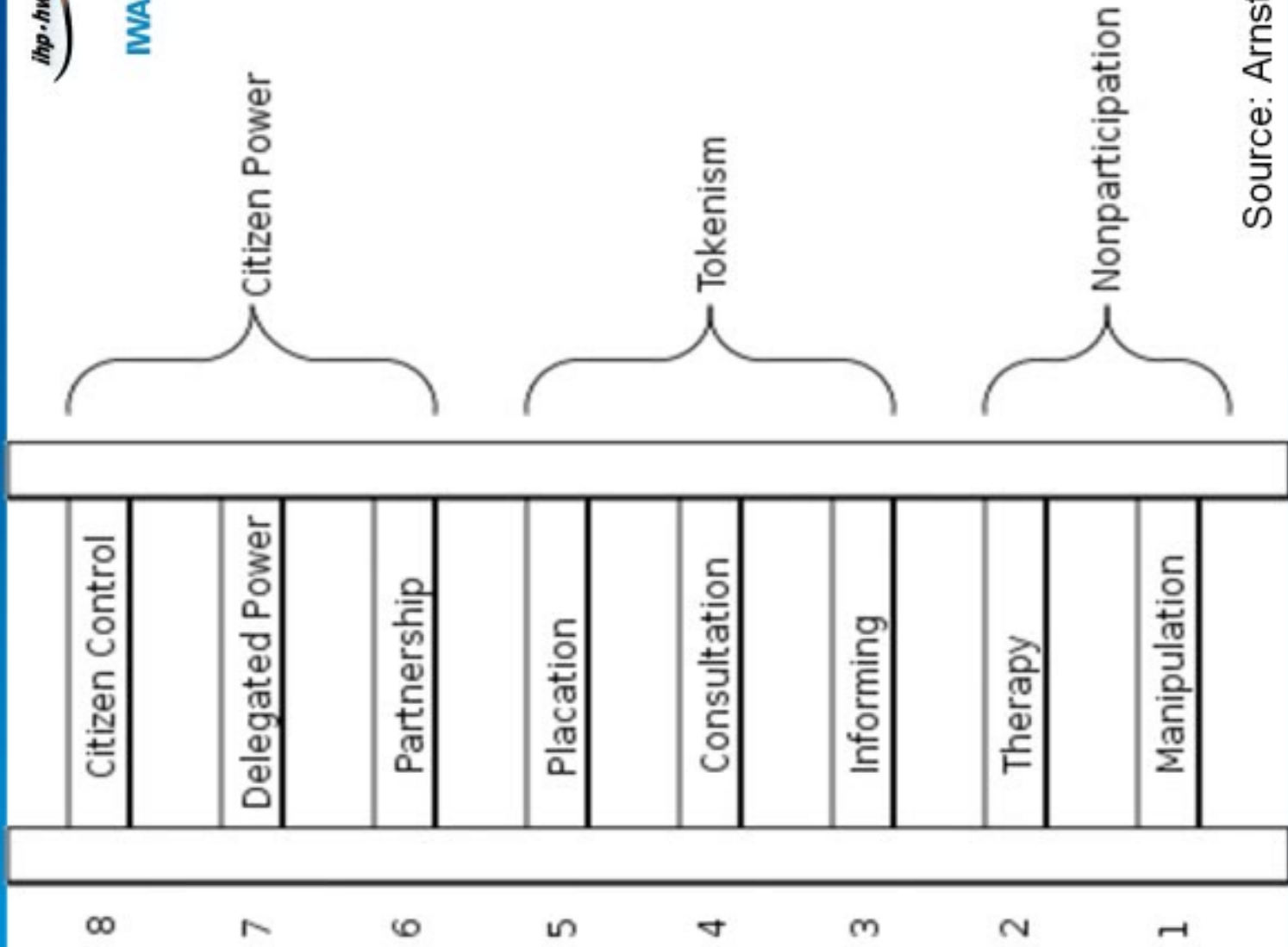
Drawing on concepts by Renn (2005) and Rowe/Frewer (2005)

- Working definition: Public participation comprises all forms of public decision-making in which non-state actors (individual or collective), who are not routinely engaged in this decision-making and who broadly represent those who are affected by the decision or the problem it seeks to address, have a substantial influence on a collectively binding decision through a minimum of open input
- Process component: how are decisions being taken?
- Actor-related component: who participates in decisions?

→ Difference to concepts of 'elections' or 'engagement'

# Ladder of citizen participation

Arnstein (1969)  
Power-based typology





# Participation: a multi-dimensional concept

## Drawing on ideas by Fung (2006)

Three dimensions of participation:

- Scope of participants (citizens, NGOs, industry, geographical scale...)
- Direction and intensity of information flow (information, consultation, face-to-face deliberation...)
- Influence participants are given and the influence they actually exert on the decision at stake

# Established methods

- Hearings
- Internet consultation
- Citizens' juries / planning cells
- Public deliberative forums
- Citizen advisory committees
- Stakeholder dialogues
- Consensus workshops
- Watershed partnerships
- ...

# Example case: policy-setting

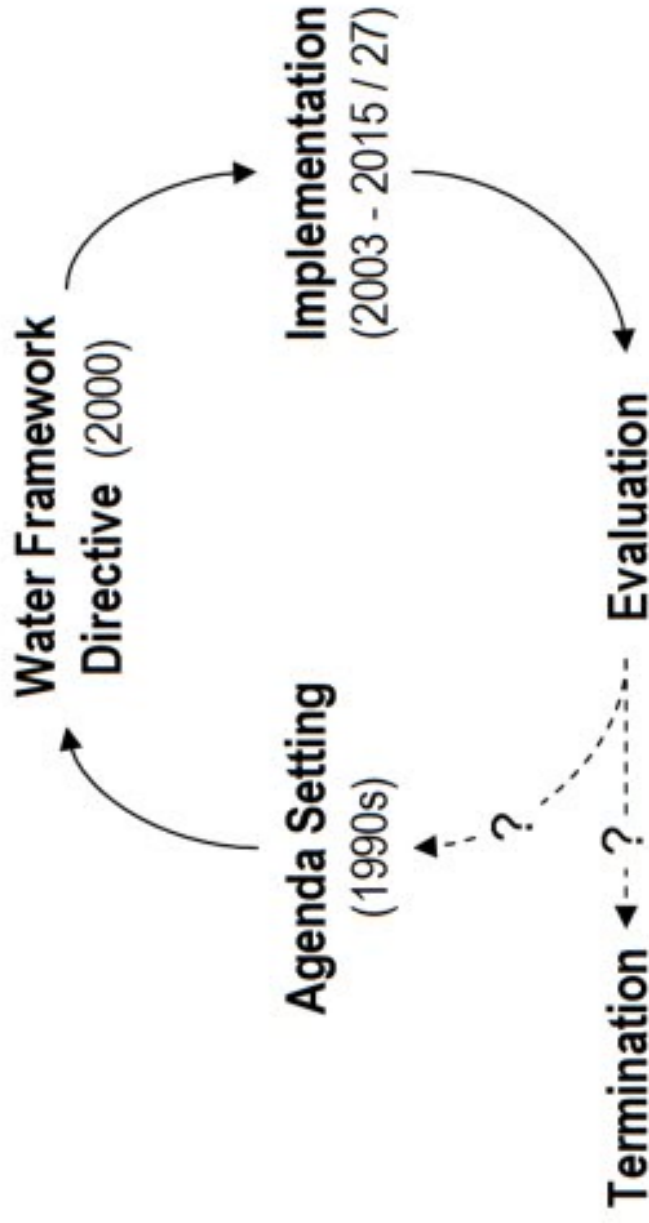
## Albemarle-Pamlico Estuarine System

Source: Koontz et al. (2004)

- North Carolina, mid-1980s
  - Estuarine system (second largest in the US) is ecologically endangered by continuing growth and development
  - Concerned citizens and scientists initiate process to include area in the National Environmental Program
  - Citizens Advisory Committees with strong representation of environmental groups
  - Output: plan with far-reaching measures to protect estuary
  - Implementation: to a large extent
- ▶ **Temporary ‘bottom up’ participation**

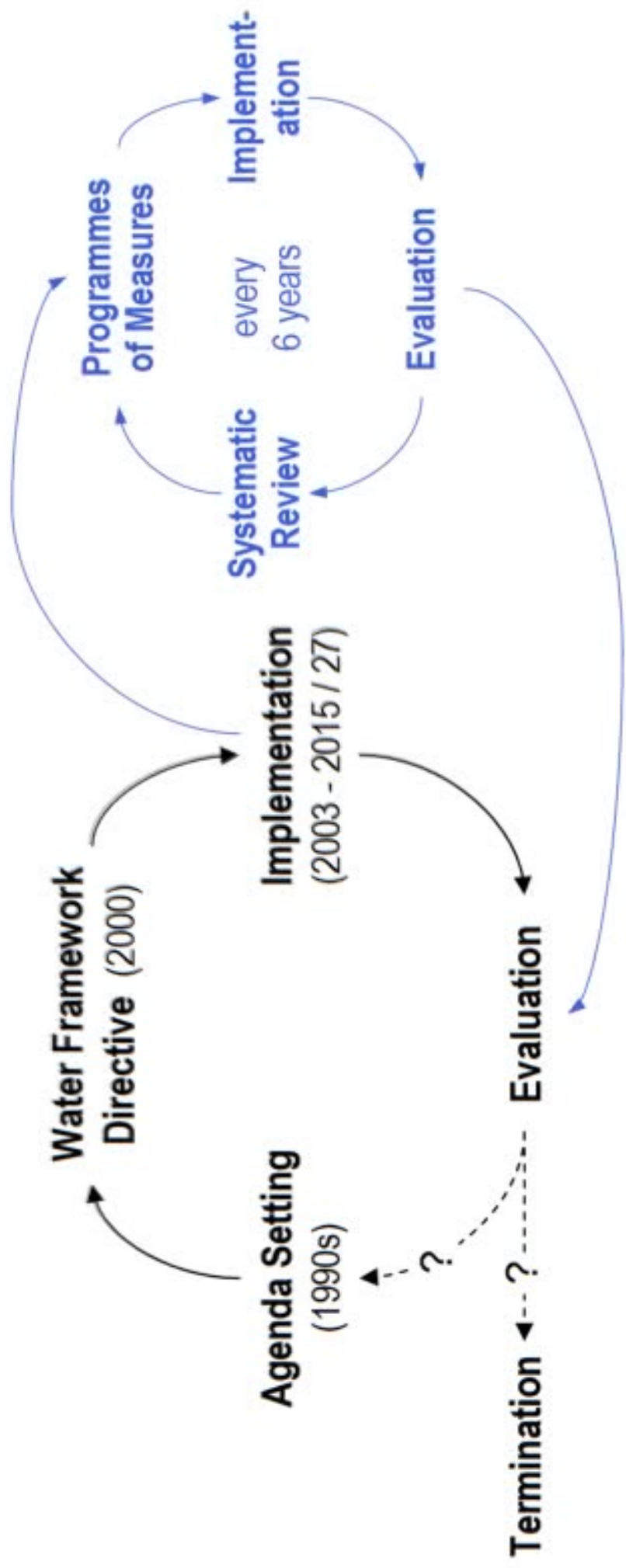
# 5. The importance of context

# Water Framework Directive - nested policy cycle

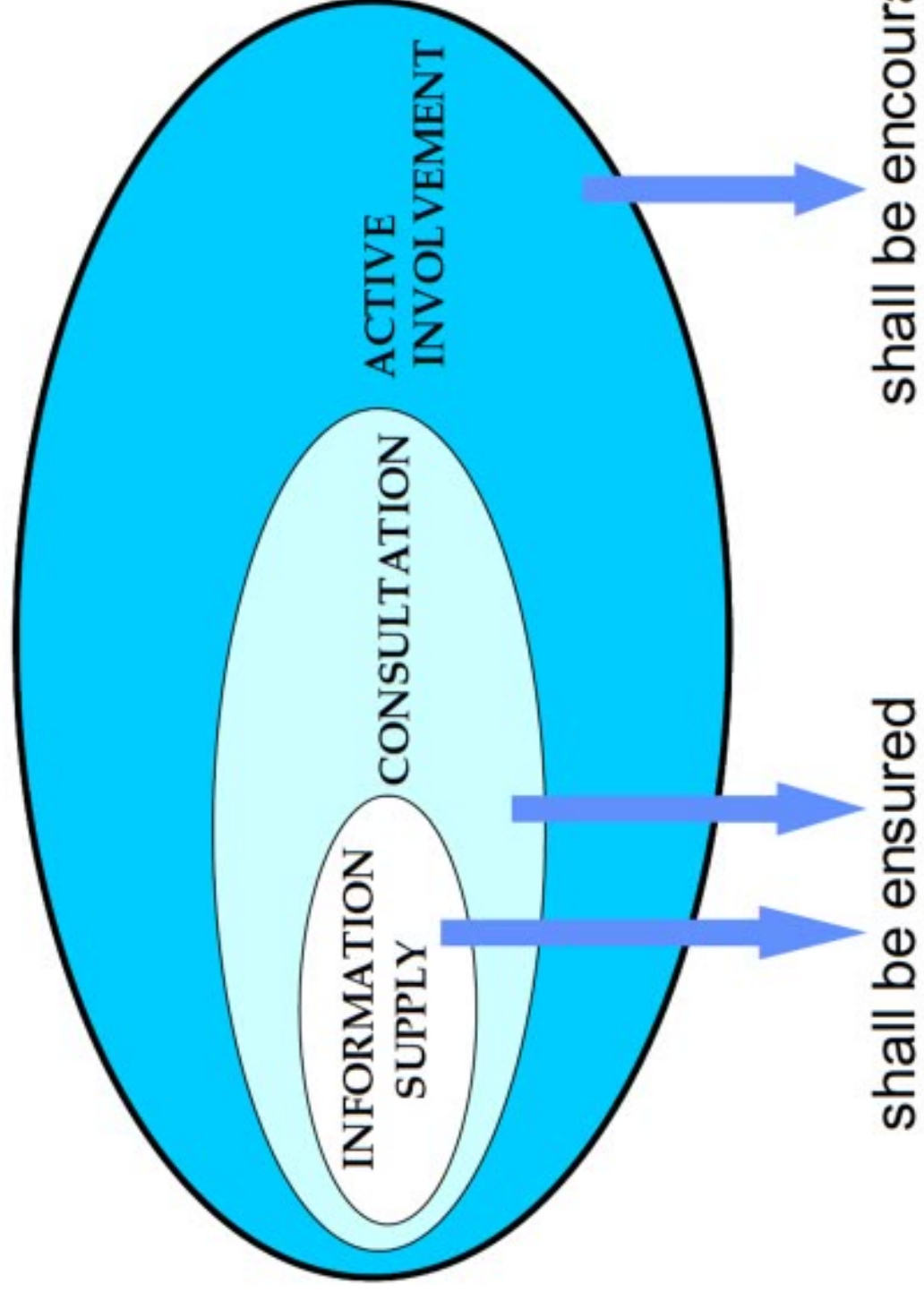


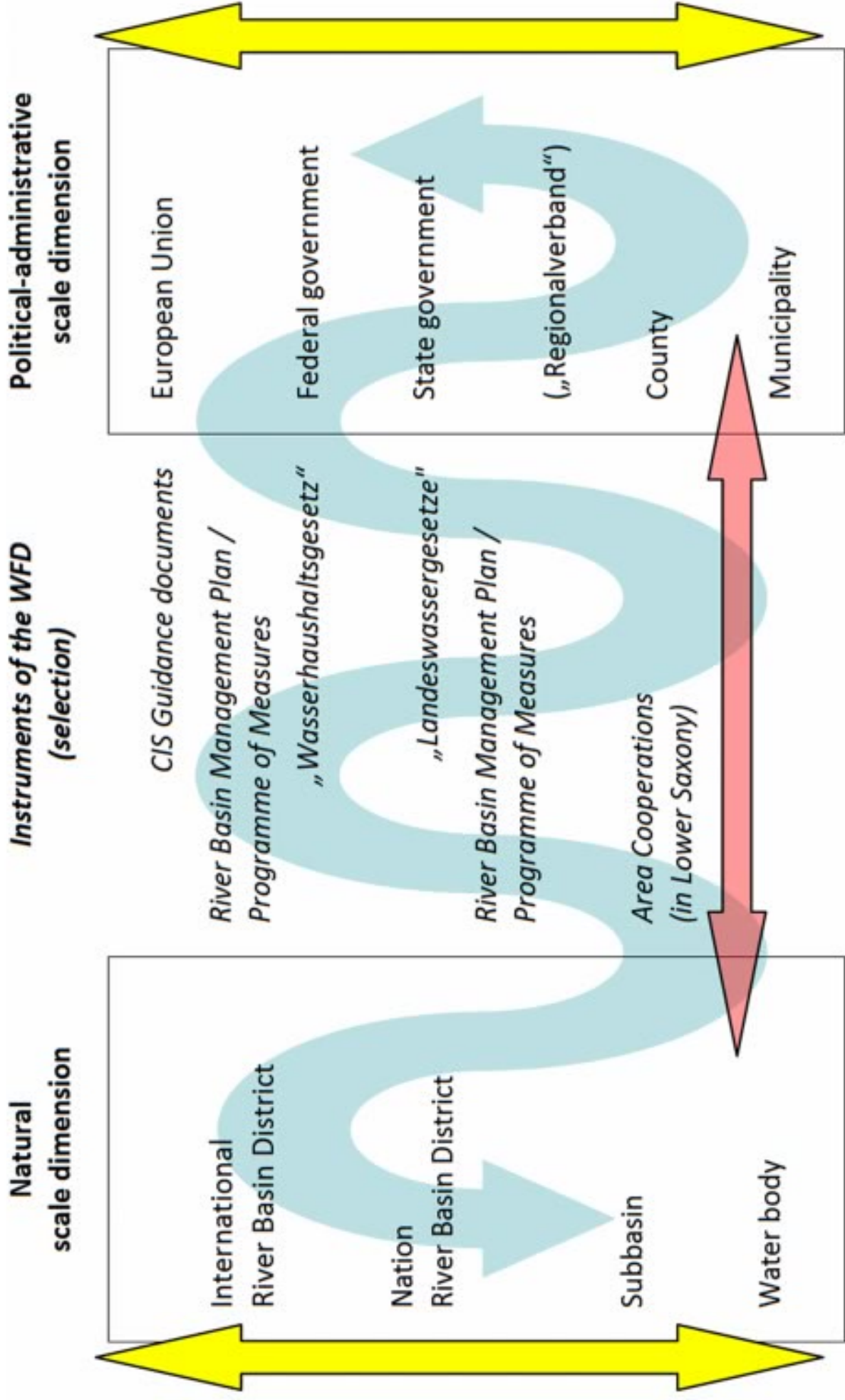


# Water Framework Directive - nested policy cycle



# Participation requirements Article 14 Water Framework Directive





[Moss, Newig, et al. in prep.]

## Participation in Germany pre-WFD

“Member states, such as Germany or Spain, which rely heavily on interventionist, command-and-control regulatory instruments imposing material standards, face significant problems in incorporating new, procedural and communicative instruments into their legal and administrative structures.

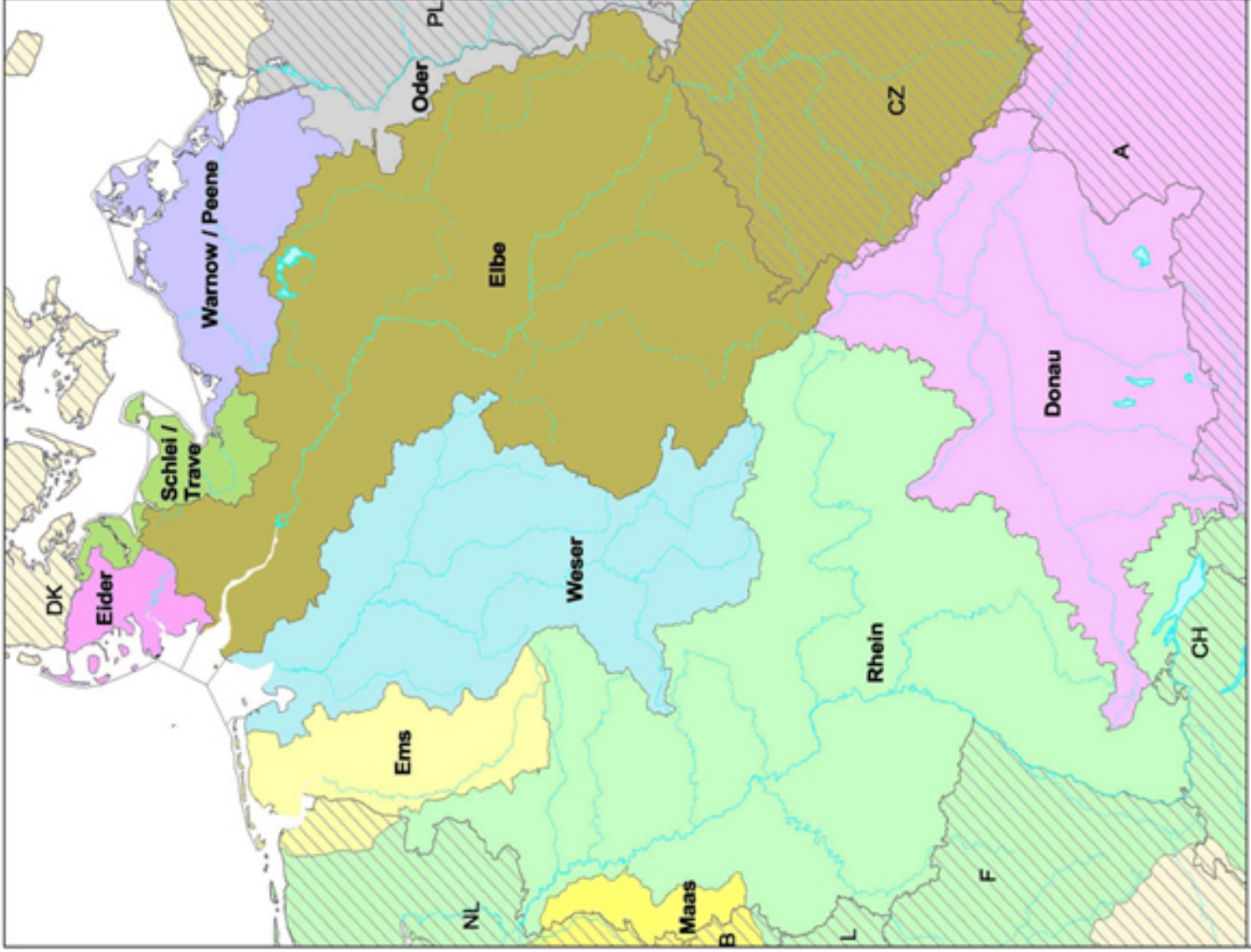
This misfit between European and domestic policy instruments is likely to provoke the resistance of public administration in implementation. Rather than facilitating implementation, [these new governance forms] become an implementation problem themselves” (Börzel 2000: 228)



# Participation in Germany: general comments

- Very different across states
- Common platform: [www.wasserblick.net](http://www.wasserblick.net)
- Co-ordinating role of the LAWA





## River Basin Districts in Germany

Source: Umweltbundesamt

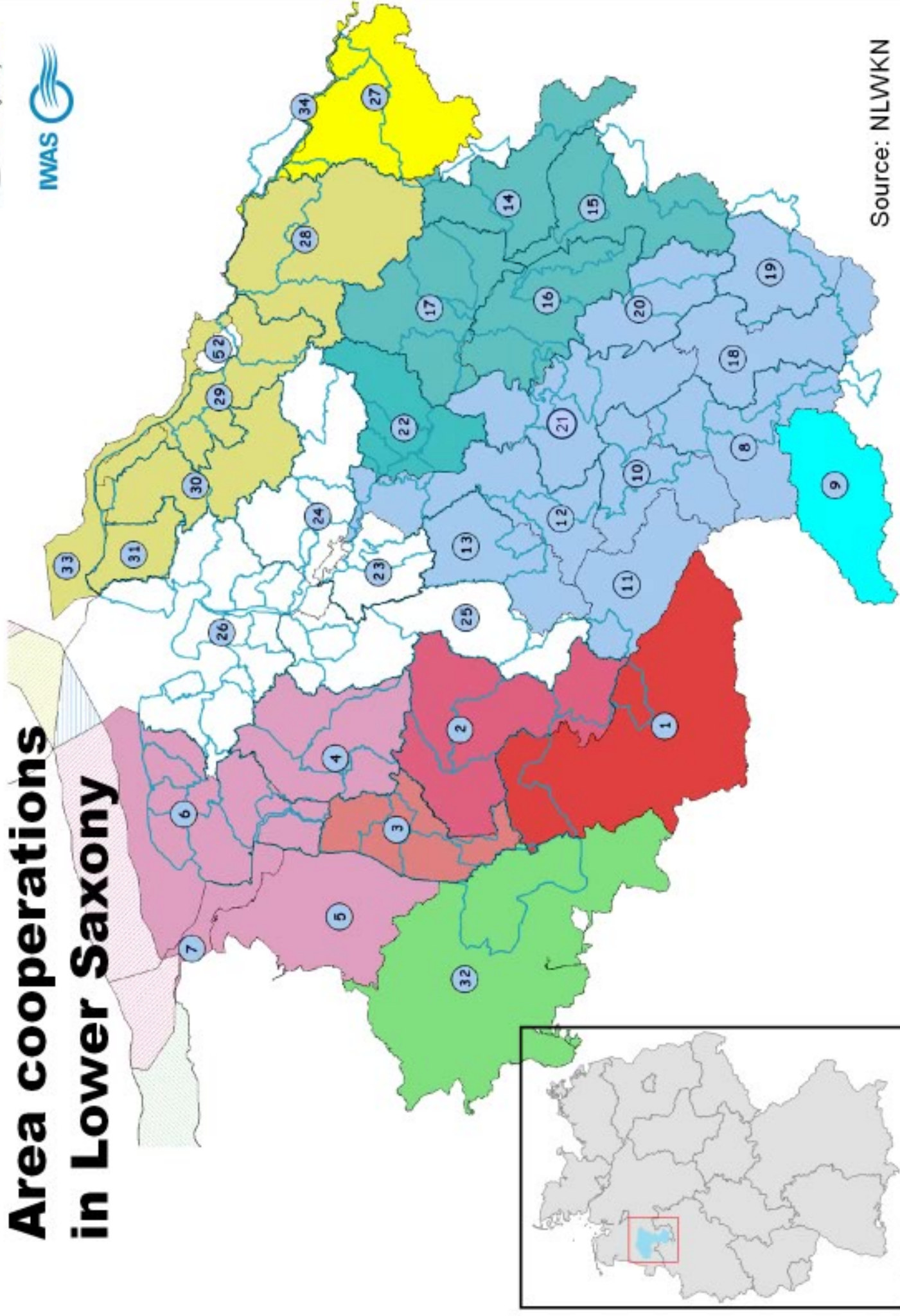
# “Active participation” in German federal states



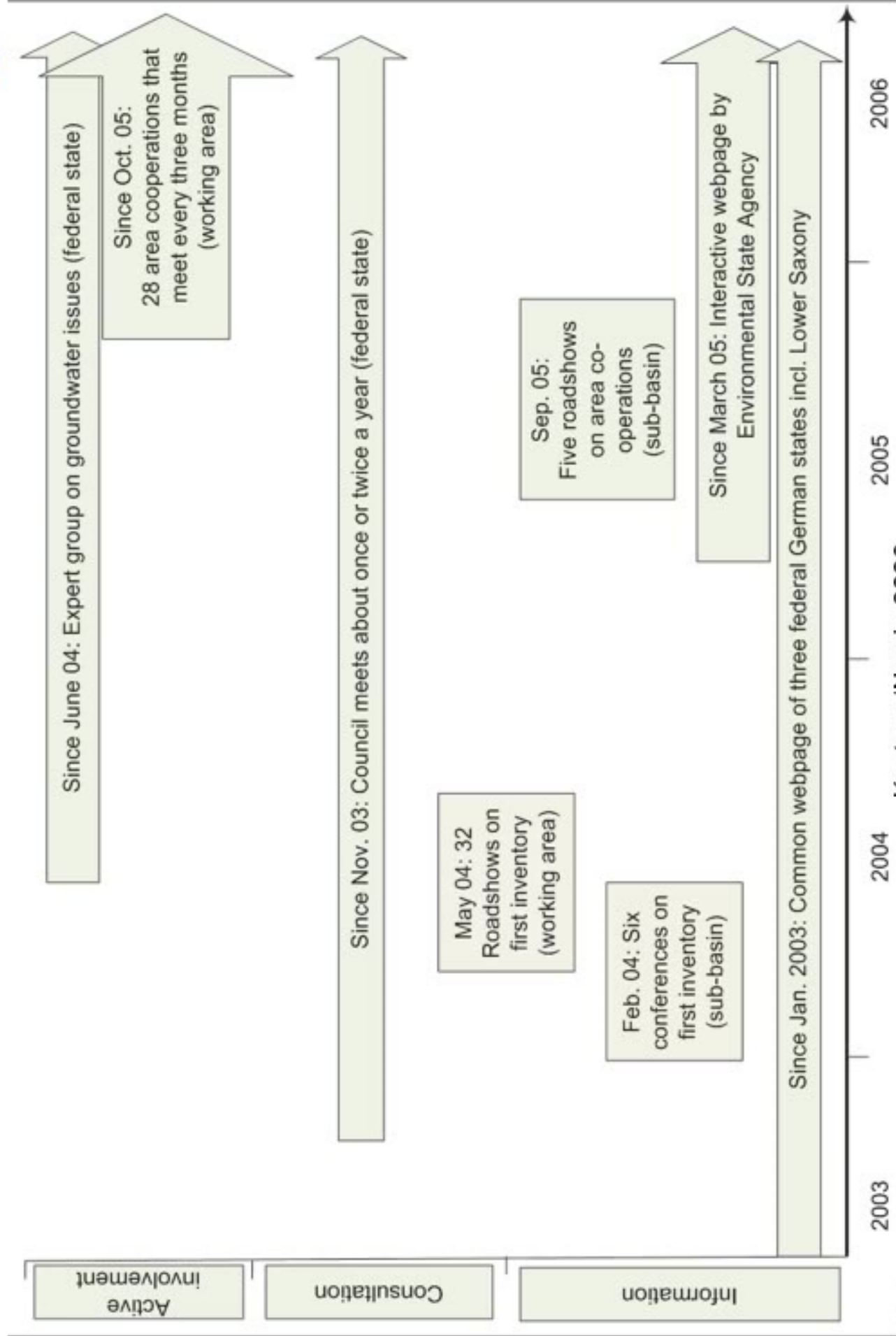
Adapted from Newig (2005)



# Area cooperations in Lower Saxony



# Forms of participation in Lower Saxony



# Active participation: Area co-operations in Germany / Lower Saxony

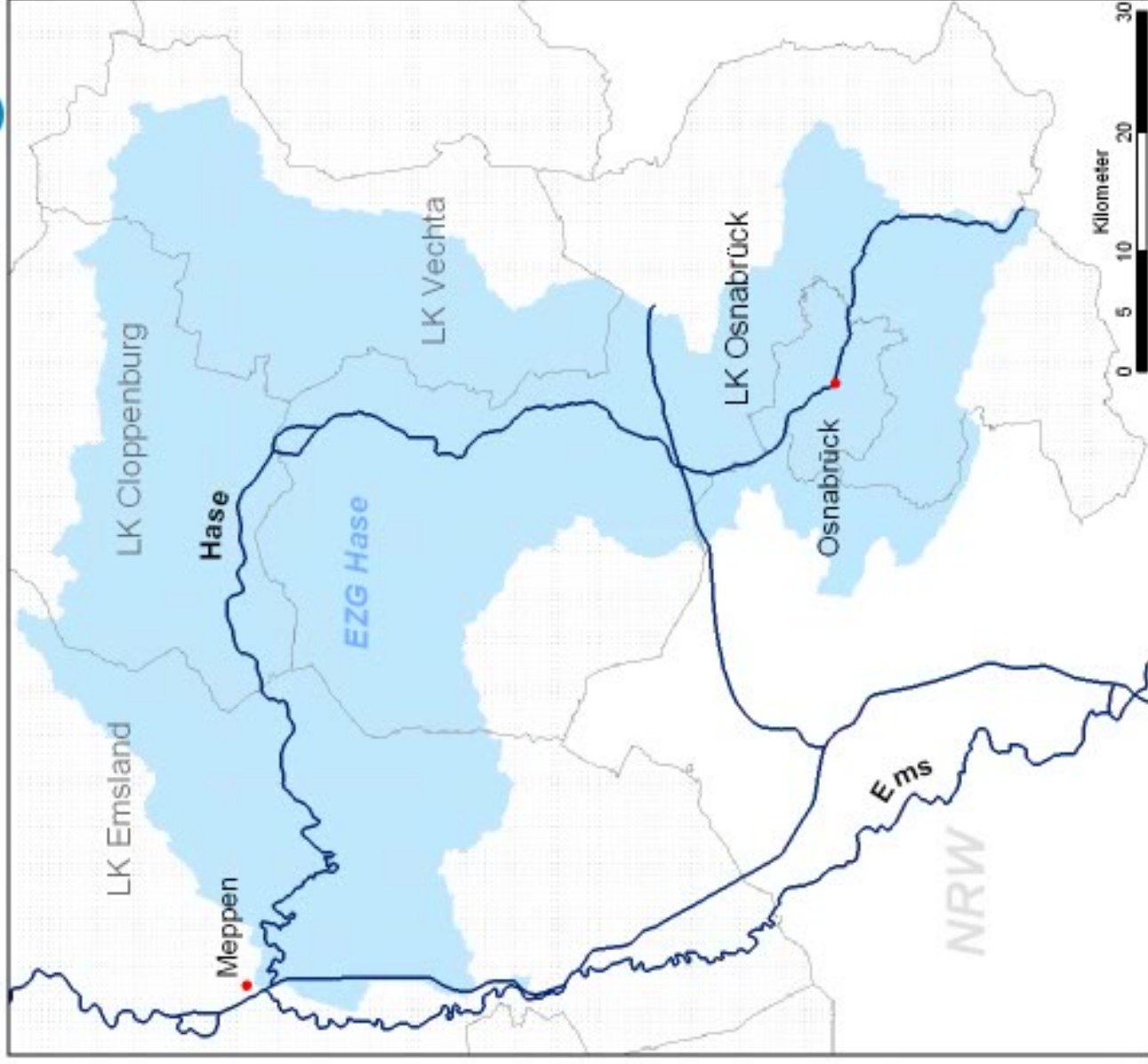
## Area Cooperations in Lower Saxony

Source: Kastens & Newig (2008).

- Context: EU Water Framework Directive
- Initiated by Ministerial decree in 2005
- Goal: innovative solutions to implement the directive, drawing on regional knowledge and creative discussions
- 28 groups with 10 - 20 representatives each (water management, agriculture, industry, environmental groups, etc.)
- Much delegation of power to non-state actors
- Outputs yet to be determined
- ▶ Institutionalised, long-term 'top down' participation



## Example Hase River catchment



Darstellung: Karin Berkhoff,  
2005, [www.partizipa.net](http://www.partizipa.net)

# 6. Assessing the outcomes



# **Spreewald Riparian Land Project**

**Photo: RaBoe/Wikimedia Commons**  
[http://commons.wikimedia.org/wiki/File:Spreewald\\_kanal\\_01.jpg](http://commons.wikimedia.org/wiki/File:Spreewald_kanal_01.jpg)

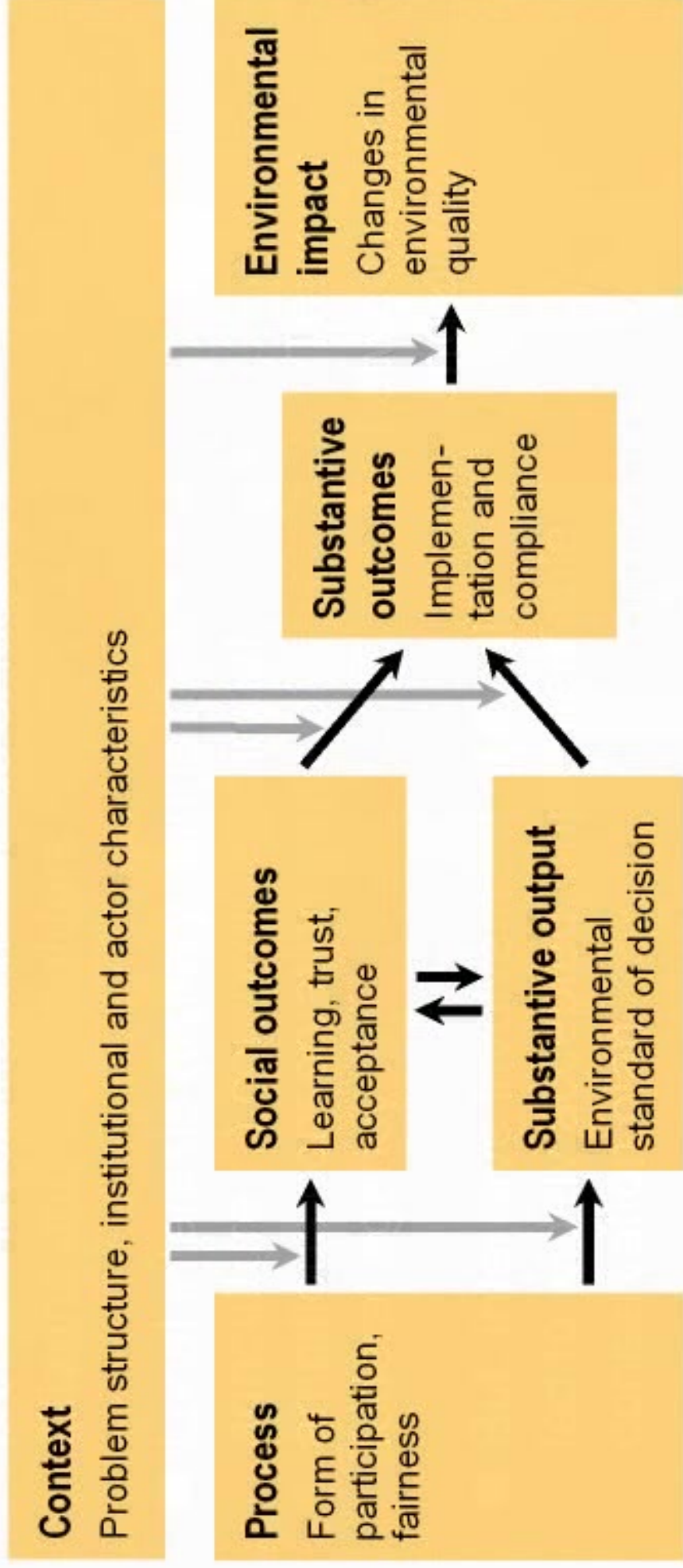




# Spreewald Riparian Land Project

- Multi-year, mediated participatory process involving a multitude of local citizens and stakeholders
- Local interests (fishery, tourism, agriculture...) compromised initial, ambitious conservation goals of federal agency
- But: Intensive involvement of locals led to widely accepted, implementable conservation plan

# Assessing outputs, outcomes and impacts of participation





# **Empirical insights from a meta-analysis of local water governance case studies**

# 19 case studies of participatory water governance

Case	Country	Year	Reference
301h Water Regulation Case	USA	1977	Burgess et al. 1983
Albemarle Pamlico Estuarine Study	USA	1990	Koontz et al. 2004
Animas River Stakeholder Group	USA	1998	Koontz et al. 2004
Colorado Grand Canyon River Management Plan	USA	2001	Orton 2005
Foothills Water Management Case	USA	1976	Burgess 1983
Holston River Chemical Plant Mediation	USA	1974	Jaegerman 1983
Hudson River Power Station Settlement	USA	1980	Talbot 1984
Jackson Sewage Treatment Plant	USA	1978	Hill 1983
Pig's Eye Mississippi River and Wetlands Case	USA	1980	Nelson 1990
Sandspit Harbour Mediation	CA	1992	Sigurdson 1998
Snoqualmie River Flood Protection Mediation	USA	1974	Dembart and Kwartler 1980
Spreewald Riparian Land Project	D	2002	Baranek and Günther 2005
Sugarbush Water Withdrawal Mediation	USA	1992	Fitzhugh and Dozier 1996
Swan Lake Hydroelectric Powerplant Conflict	USA	1979	Talbot 1984
Three Rivers Watershed	USA	1972	Mazmanian 1979
Umatilla Basin Mediation	USA	1992	Neuman 1996
Upper Narragansett Bay Waste Water Treatment	USA	1996	Burroughs 1999
Wildcat and San Pablo Creek Flood Management	USA	1972	Mazmanian 1979
Wisconsin Groundwater Commission	USA	1982	Edgar 1990

# Meta analysis of case studies in local participatory water governance: Differences in effectiveness as opposed to counterfactual top-down alternative

	Improvement	Deterioration	No difference	Insufficient data
Output	3	9	7	0
Outcome	7	3	7	2

- Strong correlation between actor interests and water governance outcomes
- High relevance of context variables

# 7. Guidelines for conducting participation

# Issues to consider

- Reflect on the goals: Is participation desirable? Why?
  - Seeking expertise? Legitimacy? Better implementation?
  - Consider possible trade-offs and alternatives
- When to conduct participation?
- Who to include? Conduct a stakeholder analysis
  - Experts? Interest groups? Citizens?
- Plan for the necessary resources
  - Staff time, expenses of participants, external facilitator?
- Careful choice of participation method(s)
- Clarify scope of process / roles and responsibilities
  - "Expectation management"
- Learn from the process: Monitor and evaluate approach and results!



# Typical key state stakeholders

- Government Ministries involved in national development planning and policy making
- Government Ministries involved in key water-related sectors, including domestic water supply and sanitation, irrigation, agriculture, energy, health, industry, transport, fisheries and tourism
- Water utilities, agencies and related bodies (e.g. Water Boards)

## Typical key non-state stakeholders

- Local communities and community-based organizations (e.g. mayors and religious leaders)
- The private sector, including but not limited to water supply and sanitation service providers
- Financial agencies (e.g. donor agencies, international banks, micro-credit institutions)
- Sectoral interest groups such as farmers and fishermen
- Women's groups and associations
- Representatives of indigenous communities
- Non-government organizations
- Media representatives
- Research and training institutions, including universities

# ‘Success factors’ for ‘effective’ participation

- Capacity on the part of the participants
  - Awareness
  - Knowledge
  - Willingness to engage
  
- Choice of participation method tailored to context
  - Level of governance (local ... global)
  - Phase in the policy cycle (agenda setting - policy formulation - implementation)
  - Spatial fit

**Participation in IWRM:  
No panacea, but can be most helpful !**

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