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Water Parliaments : some examples

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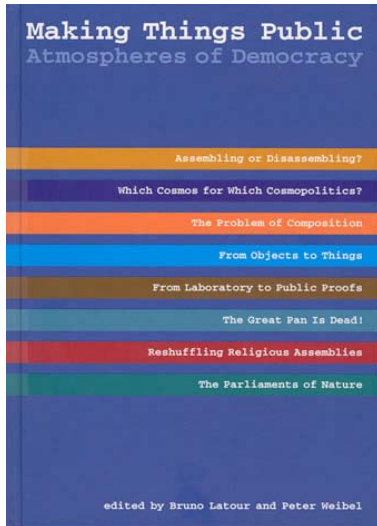
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Jean-Pierre Le Bourhis, **“Water Parliaments : Some Examples”**, pages 482-485

In the arid places where one could only obtain water from wells, men had to come together to dig them, or at least to reach agreement on their use. This must have been the origin of societies and languages in warm countries.[...] There the first ties were formed among families; there were the first rendezvous of the two sexes.[...] There, finally, was the true cradle of nations: from the pure crystal of the fountains flowed the first fires of love.

Jean-Jacques Rousseau

It might seem a little curious to forge links between water, love, the development of societies and language. But what the Rousseauian fable recalls in a lyrical mode is, actually, both obvious and useful: water is so closely related to the development of human groups that it becomes entangled in their social world, for which it constitutes a central link. However, the ‘socialization’ of water is an extremely complicated process—something the fable does not acknowledge—and is, moreover, one that has hardly been explored.

It also develops more slowly and in a more hazardous way than is supposed by the philosopher, in his rather hasty attempt to reconstitute these socio-hydraulic links. Institutions for water are built up by means of the gradual accumulation of equipment and technical, social, and political tools. This institutional machinery is particularly visible when the survival of the group is dependant upon the water supply; access, allocation, and circulation must be strictly controlled and therefore, corresponding collective (social, cultural and religious) frameworks must be constructed.¹ When water is abundant, the intervention of these institutions is more discrete, but they are still present. What is more, if water-management demands a kind of cooperation, equality between users is not immediately essential. Many “water parliaments” do, in fact, operate as sites of collective decision but, for the most part, their functioning still remains non-democratic. In this domain, as in that of the environment in general, the political debate is still taking shape.²

¹ For an illustration of this point in a work of fiction, cf. Frank Herbert, *Dune*. Gollancz, London, 1966.

² Bruno Latour, *Politics of Nature: How to bring the sciences into democracy*. Harvard University Press, Cambridge, 2004.

The main obstacle to this process of democratization lies in how difficult it is to incorporate elements of democracy into preexisting technical and administrative infrastructures. Institutions for water have existed for a long time now, but they remain in the hands of a few bodies that retain exclusive control over them: states, local authorities or private interests, or various forms of alliance between these. To control water at the level of rivers is a costly undertaking and requires the involvement of organizations that can centralize the resources needed for intervention. Thus, massive hydraulic operations have historically been accompanied by a very heavy bureaucratization, due both to the technicality of the questions that are raised and to how essential it is to be able to mobilize huge resources for such large projects. This hydro-political regime is exemplified by the cases of Ancient Egypt or China,³ but it also applies to the contemporary epoch: to the United States where, throughout the course of the 20th century, the Federal government joined forces with private investors to transform the Californian desert into a fertile plain by means of a massive intervention.⁴ As well, from 1815 on, as the Rhine in Europe was being navigated, it was continually regulated and subject to changes by means of an accord between riverside-states.⁵ Moreover, central and local powers often come together to develop and manage the waters: this was the case after the creation of the Tennessee Valley Authority⁶ around the time when the Rhone and the Mediterranean areas were also being outfitted.⁷ Finally, on a more local scale, alliances between local powers and private interests make it possible to implement different management activities, such as the water-management associations of the Ruhr that date from the beginning of the 20th century,⁸ the French system of wateringues, or the Dutch Water Boards.

If, in all these cases, group decisions rest in the hands of a very few, we should take note of a more recent development going in the opposite direction. The growth of economic activities in the environmental sector means, in effect, that the environment is subject to greater and greater control. This, alone, is incentive enough to make water into a public good.⁹ As well, it calls for the greater inclusion of users and citizens within a system of collective control. This development is notably visible in France where, since the 60s and 70s, the governance of water has been opened up in fairly progressive ways to new groups of people. The Water Agencies were created during this period, bringing principle users together with traditional representatives of the public authorities. This assembly (called “the Basin Committee”) decides on the sources of financing for the development of policies on large rivers, but has extended its jurisdiction to include the planning of aquatic milieus. This political model is mostly applied to simple rivers, ones that have at their disposal representative assemblies of users who are given the power to intervene.

Other more recent activities were developed in the 90s and are moving in a similar direction. In 1992, an experimental form of public hearing was adopted for one of France’s major rivers, the Dordogne. During the course of a “summit” held at a round table, seventeen groups of users met to establish how to manage the river according to a unanimously-voted “Charter” (see [illustrations 1 and 2](#)). In another example, a series of public debates was organized in 2004 about a development project that involved the construction of a dam and the management of the river

³ Carl August Wittfogel, *Oriental Despotism: A comparative study of total power*. Yale University Press, New Haven, 1957.

⁴ Marc P. Reisner, *Cadillac Desert: The American West and its disappearing water*. Viking, New York, 1986; Donald Worster, *Rivers of empire: water, aridity, and the growth of the American West*, Pantheon Books, New York, 1985.

⁵ Mark Cioc, *The Rhine: an eco-biography, 1815-2000*, University of Washington Press, Seattle, 2003.

⁶ Philip Selznick, *TVA and the Grass Roots. A study in the sociology of formal organization*, University of California Press, Berkeley, 1949.

⁷ Michel Marié (ed.), *Cultures, usages, et stratégies de l'eau en Méditerranée occidentale : tensions, conflits et régularisations*, Harmattan, Paris, 1999.

⁸ Wolfgang Köllmann (ed.), *Sozialgeschichte des Ruhrgebiets im Industriezeitalter*, Essen, Patmos Verlag, 1989.

⁹ Stefano Burchi, “Current Developments and trends in the law and administration of water resources”, in: *Journal of Environmental Law*, Vol. 3(1), 1991, pp. 69-91.

downstream (the Garonne river). During its meetings, a “Special Committee” composed of political representatives, associates, and socio-professionals accompanied by experts, articulated different options and diverse points of view on the issue (illustration 3). The audience could intervene, raise questions and advance propositions (illustration 4).

For many, these attempts at democratization remain incomplete; they reveal the difficulties of articulation between democratic debate and public decision. The Water Agency system has been subject to criticism for its lack of democracy (the appointment of its members, its status as a neo-corporatist system that favors profit-making sectors of activity). Classic questions about representation must be raised, both in this case and in others: who speaks, in the name of which larger group, with what power and which mandate? Institutional solutions vary according to their plans of action and are not sufficient in their entirety to clarify the exchanges. The participants interrogate each other about their respective statutes: “*who do you represent?*”, “*in the name of whom are you speaking?*”, “*who gave you such a mandate?*”, and so on.

The ways we have of representing the environmental issues are equally contested and uncertain. Data relating to the rivers is provided by studies and reports that align analyses, diagrams, graphs and tables; they are projected as images (see the reverse side of illustration 3) or reproduced on paper (documents covering the table, illustration 4). But these techniques of representation do not suffice as the basis for a collective vision of water (from the rate of flow of a river in m³/second, its power of purification and the species that inhabit the area, its degree of pollution,¹⁰ and so on.). There too, a good part of the exchanges are taken up by accusations of manipulation regarding the numbers, or regarding a flawed interpretation or biased selection of the data.

In summary, the institutional framework appears unstable, barely legitimate and easily contestable. Unlike traditional parliaments, the networks of representation here are not well-founded and legitimate, as they could be between a voter and a representative. As well, the waters and rivers are too poorly equipped with the instruments needed to establish their identity, their development and their requirements in such a way that these could be viewed as incontestable.

Thus, these few burgeoning forms of water parliaments are developments worthy of praise – previously hidden away in offices, water is a public issue today¹¹ – and, at the same time, they are construction sites where an environmental democracy is being invented. The majority of its parameters are still undefined: communication between established powers and citizens, the representations of political dynamics and of the environment, the organization of on-site structures.¹² Initiating political debates about water seems to be a slow process because it follows the rhythm of historical processes. The stakes, however, are high: the collective governability of water depends on this configuration whose construction is already underway, especially in the face of other forms of (bureaucratic) regulation or non-regulation (*laissez-faire* economics, or the law of the market).

Translated from the French by Sarah Clift

¹⁰ See Christelle Gramaglia’s contribution to this volume.

¹¹ Jean-Pierre Le Bourhis, *La publicisation des eaux. Rationalité et politique dans la gestion de l’eau en France (1964-2003)*, Doctoral Thesis, University of Paris-I Panthéon Sorbonne, Paris, 2004.

¹² All these questions are currently being raised in connection with the application of the Water Framework Directive (adopted in 2000).

Illustration n°1



Illustration n°2

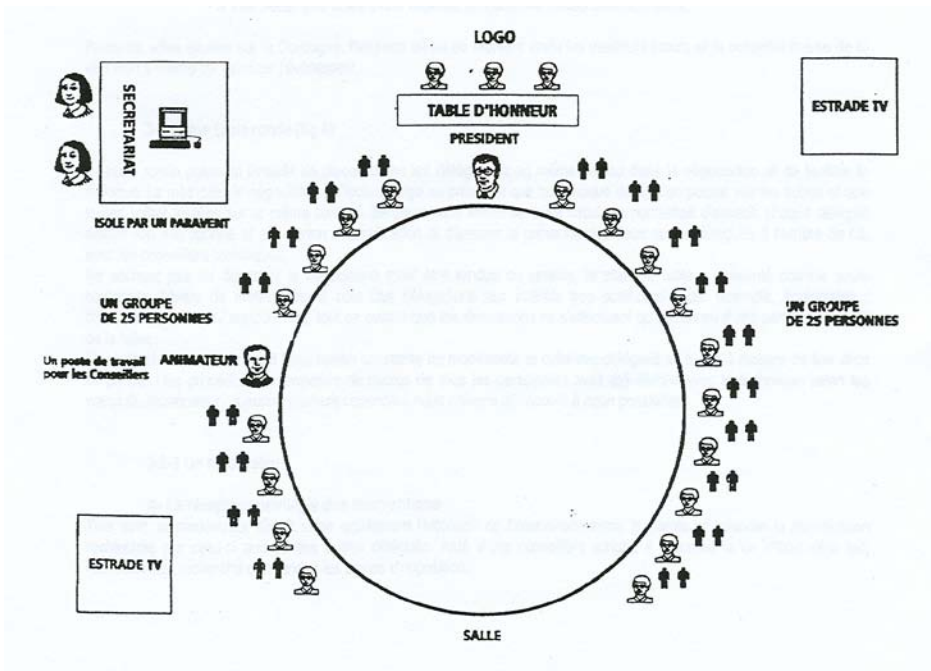


Illustration n°3

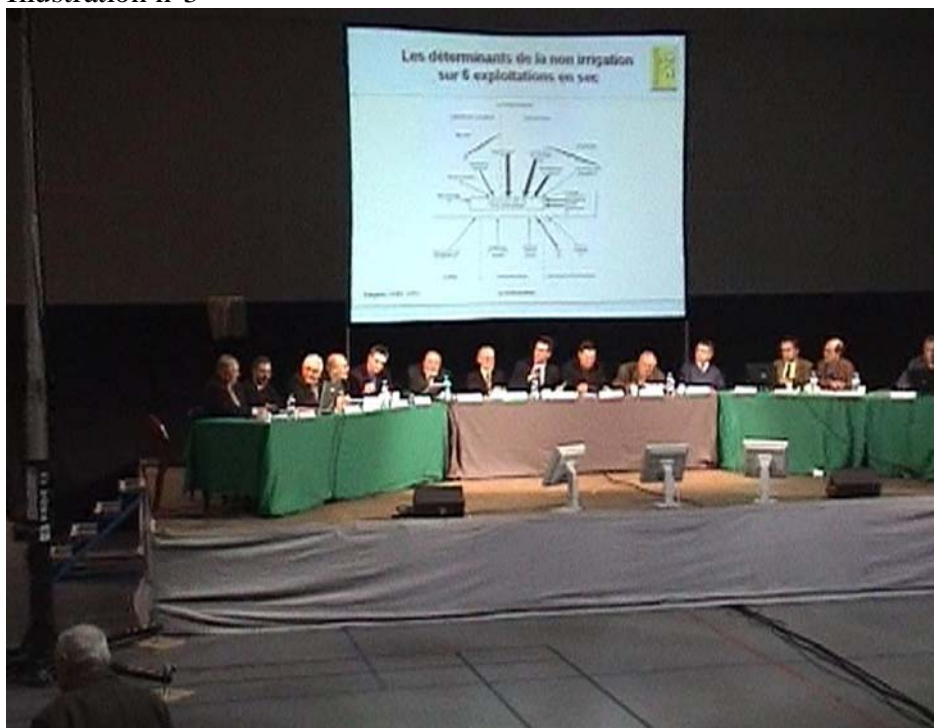


Illustration n°4

