State roles and motivations in collaborative approaches to water governance: A power theory-based analysis

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ABSTRACT

Contentious water problems are increasingly being addressed using collaborative approaches to governance. Despite trends toward more inclusive governance, governments continue to play important roles in the initiation of collaboration, provision of institutional and financial support, and approval and implementation of policies and decisions. This study used power theory to structure an analysis of the actions and motivations of the state at various stages in the policy making and decision making cycle. Research assessed the potential of collaboration to generate better social and environmental outcomes. Empirical cases in Ontario and Alberta, Canada, both characterized by the participation of powerful natural resource industries, were used to generate insights. Results reveal that the provincial governments exerted power from agenda setting through to implementation in response to socioeconomic, political and cultural stimuli at multiple scales in ways that reproduced existing power structures. The position and activities of the state, in these cases, challenged the potential of collaboration to achieve desired social and environmental outcomes.

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1. Introduction

Many water problems currently facing society are defined by complex causes, limited state resources, and seemingly intractable actor positions (Clancy, 2014; Sabatier et al., 2005). These situations are increasingly addressed using collaborative approaches to environmental governance (Holley et al., 2012; Koontz and Newig, 2014). Collaborative governance makes use of inclusive deliberation and debate amongst autonomous state, private, and civil society actors to make or inform decision-making. It encourages face-to-face interaction in order to share knowledge, foster relationships and new understanding of problems, and combine resources in the pursuit of better, more enforceable solutions (Ansell and Gash, 2007; Holley et al., 2012). Consensus is usually sought, if not always achieved, and there is an expectation that collaborators will reconsider initial assumptions and attitudes (Ansell and Gash, 2007; Kallis et al., 2009). Proponents argue that collaboration provides an opportunity to address problems that cannot be tackled by any actor on their own. However, its promise is balanced by limited evidence that collaboration is able to produce the better, more implementable, environmental solutions that

have justified its use to date (Dutterer and Margerum, 2015; Gunningham, 2009; Koontz and Thomas, 2006).

Collaborative approaches are grounded, to varying degrees, in the assumption that all actors will be able to contribute to ultimate outcomes in non-trivial ways (Innes and Booher, 2010). In cases where actors are relatively equal, this assumption may operate successfully. However, in the context of governance for water, the kinds of actors that come together in collaborative processes are rarely equal. These can include governments that initiate collaboration to serve their own needs; private sector firms that may view processes as a way to maintain their social license to operate; environmental non-government organizations that seek sustainability objectives; and, citizens seeking to address local concerns.

Understanding the motivations of the state – itself a fragmented and divided actor (Cerny, 2010) – is particularly important. Despite trends toward more inclusive governance, states persist as the dominant decision-making authority with respect to environmental policy (Hardy, 2010). Government regulation and enforcement remain the largest motivators of meaningful change for private and civil actors (Holley et al., 2012). With respect to water governance, states frequently make and enforce regulations, and negotiate responsibilities and agreements with private actors and other jurisdictions (Koontz et al., 2004). Governments also play important roles in the initiation of collaboration, the provision of

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institutional and financial support, and implementation of developed policies (Gunningham, 2009; Koontz et al., 2004). When collaboration addresses issues of public policy, governments also face the challenge of integrating collaborative processes and outcomes into existing hierarchical governing systems (Emerson et al., 2012). This challenge is particularly complex in cases where the interests of the state intersect closely with those of industry (Steurer, 2013).

This study uses power theory, primarily based on Lukes (2005), to examine the actions and motivations of the state on collaborative approaches to water governance in situations where industry is a prominent actor. A number of scholars have specifically examined the roles of the state relative to collaborative environmental governance (e.g., Hardy, 2010; Koontz et al., 2004). This study builds on their work through an analytical approach rooted in theory on power. This provides insight into the factors that shape the actions and motivations of the state with respect to collaborative governance.

The study responds to two distinct calls in the literature. The first is for deeper investigation into the complexities of state structures, actions and motivations relative to collaborative water governance (e.g., Hardy, 2010). A second call addresses the fact that, despite being recognized as central to discussions of water conflict (Clancy, 2014), power represents a topic that has yet to be fully explored with respect to collaboration for water governance (Brisbois and de Loë, 2016; Watson, 2014). In literature on collaborative environmental governance, power is often acknowledged as important, and significant attention has been given to power dynamics within processes (e.g., Ansell and Gash, 2007; Innes and Booher, 2010). However, power operating across broad institutional settings that transcend the watershed level is still an area to be addressed (Brisbois and de Loë, 2016). In addition, power is rarely examined from a theoretical perspective in the context of collaborative environmental governance (exceptions include May, 2013; Parkins, 2010). A power lens can reveal causal factors and relationships that often remain hidden (Lukes, 2005). Hence, a power theory-based approach provides insight into another emerging area of exploration in literature on collaborative environmental governance: that collaborative processes and outcomes are a product of the broader socioeconomic ideas and institutional settings within which they are nested (Ananda and Proctor, 2013; Emerson et al., 2012; Lubell, 2015).

Using water as a focus for studying power in collaboration is productive because water policy decisions take place at multiple sites and scales. These decisions are also subject to often contested overlapping legal, institutional and social structures (Zeitoun and Allan, 2008). Existing research into collaborative water governance provides a strong theoretical foundation upon which to build (e.g., Innes and Booher, 2010; Sabatier et al., 2005). In governance for water, collaboration can be used for a host of purposes including joint fact-finding, planning, conflict resolution, and decision-making (Margerum, 2011). We are particularly concerned with collaborative processes that integrate with the policy and decision-making processes of governments. It is therefore helpful to organize analysis of the sites and scales of political decision-making around a policy cycle model (Howlett and Ramesh, 1995). Policy cycles provide a useful heuristic for structuring the analysis of power at discrete policy stages and enable examination of the visible and invisible forces that define policy-making contexts (MacDonald, 2007). Collaborative governance processes can be characterized as secondary policy cycles nested with larger, state-level primary policy cycles (Newig and Koontz, 2014). This distinction is utilized here.

The next section examines collaboration in the context of governance. It establishes a conceptual framework for examining the roles and motivations of the state relative to collaboration that is grounded in theory on policy-making, power, and business involvement in environmental policy making. This framework is then applied to two Canadian empirical cases defined by exacerbated power imbalances and chosen to clearly illustrate the explanatory value of a power theory-based approach. For the purposes of this study, imbalanced conditions are represented by situations where major natural resource industry firms are present as actors in watershed-scale collaborative processes. Results are organized around the ways that power is present and expressed throughout policy cycles, and then discussed in the context of the current use and practice of collaborative water governance. The paper concludes with thoughts on the implications of state roles in collaborative processes, and recommendations for future study.

2. Collaboration, policy-making and power

"Collaboration" can be distinguished from other participatory approaches (e.g., adaptive co-management, stakeholder participation) based on a number of characteristics common across fields where the term is used. As outlined in the introduction, these characteristics include broad inclusion, face-to-face deliberation, knowledge and resource sharing, equitable participation, and consensus-focus. All of these characteristics are shaped by power as exercised throughout the various stages of the policy cycle.

Economic actors are able to operate from a privileged position with respect to environmental policy making (Cerny, 2010). This privilege, while by no means absolute (MacDonald, 2007), is a function of interdependence between business and government (Hessing et al., 2005). While democratic governments have historically depended on industry for economic benefits such as jobs and growth, they are increasingly looking to the private sector for information production, environmental monitoring, and mobilization of finances (Falkner, 2008; Hessing et al., 2005). Regulatory relationships between government and industry enable elite-level access to decision-makers and effective lobbying (Clapp and Meckling, 2013). Significant financial resources facilitate lobbying, funding of scientific or policy research, and threats of legal action (Falkner, 2008). Influential firms can forestall or subvert government regulation through private rule setting, certification schemes or corporate social responsibility initiatives (Clapp and Meckling, 2013). For global economic interests, including the kinds of multi-national natural resource firms featured in this study, this privilege includes the ability to operate across borders and exert substantial influence on government, private, and civil actors at scales from the local to the global (Cerny, 2010). For modern democratic societies, capitalist socioeconomic structures and trends toward decentralization shape the degree to which governments are willing and able to engage in restrictive environmental policy making (Hessing et al., 2005).

Howlett and Ramesh's (1995) five stage policy cycle model provides a straightforward framework for organizing analysis of the actions and motivations of the state relative to collaboration through a power lens. This framework is useful in studying complex policy contexts because it allows disaggregation of the policy process into discrete analytical stages (Hessing et al., 2005). The model has been criticized for requiring a relatively transparent decision-making arena for analysis. However, the specific focus on both visible and hidden power in this study mitigates this limitation. Effective use of policy cycles must also explicitly account for the ideas and institutions defining the policy context, in this case characterized by business privilege, in order to provide a complete analysis of empirical policy making. The use of this model by other studies addressing business and environmental policy making provides a basis for the generation of both insights and comparisons (e.g., Hessing et al., 2005; MacDonald, 2007).

In the first stage of the policy cycle model, the problem is defined and the agenda is set. In the process, the range of solutions