

Chapter 12

Issues of governance and citizenship in water services: a reflection on Latin American experiences¹

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12.1 INTRODUCTION

Recent debates have highlighted the need for democratic, not merely “good” governance (Mokre & Riekmann, 2007). This is highly relevant for public policy in general in relation to the management of public services and particularly for water and sanitation services (WSS). In this regard, meaningful, not just formal citizen participation is at the centre of democratic governance, and it is unsurprising that “participation” has become part of the standard vocabulary in the field of public services management. There are different reasons and drivers behind this increasing interest in participation, which include from pressures exercised by social actors that seek to improve their living conditions and demand higher levels of transparency and accountability from authorities and service providers to the opportunistic manipulation of governments, businesses, and other power holders who see in “participation” an ideal mechanism for co-opting and disciplining grassroots organizations and common citizens to curb dissent and weaken opposition to unpopular and often illegitimate policy decisions. This chapter explores the concept of participation, as a component of democratic governance in the management of public services, and examines its implications for the field of WSS drawing on lessons emerging from recent experiences in Latin America.

12.2 GOVERNANCE, CITIZENSHIP AND PARTICIPATION

“Social participation” is constitutive of the central concepts of the modern Western democratic traditions such as “citizenship”, “public sphere”, and “civil society”. However, in different cultures and contexts both the content and extension of the concept of participation, as well as its practical meaning, are wide ranging, often contradictory and even incompatible. One of the fundamental contradictions determining such variations can be traced back to the existence of rival concepts of liberty, which in turn determines

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the conceptualization of different rights associated with the democratic process and particularly with citizenship rights and duties, such as the right and duty to participate in public life. For instance, while the political tradition of individualistic liberalism places the emphasis on the negative character of liberty, understood as the absence of limits or barriers to individual pursuits, in the traditions associated with radical democracy the emphasis is placed rather on the positive character of liberty. For the latter, positive liberty relates to the structural conditions that may hinder or enhance the chances of individual human beings to fully develop their potentialities, which by definition requires the existence of rules and boundaries that prevent the control or monopolization of such conditions by powerful individuals or groups of them. Between these two polar understandings of liberty there is a range of possibilities that can be identified in the field, and have a powerful influence on the development of institutional arrangements and public policy, including those involved in the management of essential public services. In particular, these diverse and often contradictory conceptions of liberty inform very different and even incompatible understandings of social participation as a citizenship right and duty.

In this connection, the concept of participation as a citizenship right is closely linked with the notion of “public sphere”, which takes a diversity of forms in different territories and historical periods (Ferree *et al.* 2002). Thus, in the prevailing Western political traditions grounded on the principles of liberal representative democracy there is a tendency to reserve participation in the management of public affairs to professional politicians and experts. Contrastingly, the traditions that foster the deepening and expansion of the democratic process oppose elitist monopoly control of policy decision making and public management and demand a wider participation of the general public in the process. The deep-rooted contradictions between the elitist, restricted conception of social participation and the conceptions that understand that widening social participation is a crucial mechanism in the process of consolidation of substantive democracy, continue to strongly influence the management of public affairs, including essential public services like WSS.

The historical evidence suggests that public service management –at least in urban areas–, with few exceptions has been characteristically technocratic and hierarchical, grounded on the notion that such activities are a preserve of techno-scientific experts and professional politicians. Paraphrasing John Dryzek, in traditional management approaches the common understanding has been that these activities must be left “to the experts” (Dryzek, 1997). Somewhat paradoxically, this hierarchical model, non participatory, often paternalistic and normally closed to the scrutiny of citizens, their representatives, direct users, and the population in general has been highly successful, at least in the developed world. This is the model of public management, with different national variations, that led to the universalization of WSS and consequently to substantial improvements of living standards for large majorities over the twentieth century. There are some caveats to this argument for sure, as I am here referring to the dominant trends in Europe and the United States, but there exist many examples where the management of basic public services has taken other forms, being subject to democratic citizen scrutiny, such as in the countries of Nordic Europe characterized by strong traditions of local democracy (Pietilä *et al.* 2009). Also, it is important to recognize that the success of technocratic and non-participatory management of essential services has a relatively short history, even in the most developed countries, as the universalization of access in general took place after World War II, and in many cases since the 1960s, while in the Global South the promise of universalization was never materialized.

An uncomfortable question arises from this historical snapshot: if the dominant trends suggest that the great advances in the universalization of basic public services took place within the framework of a management model characterized by elitism, lack of participation, paternalism, and often authoritarianism, why should anyone insist in the need for participatory, more democratic management

of such services? This question is connected with a much broader problem: the democratization of public services management through enhanced social participation is part and parcel of the process of democratization of society as a whole, at different levels and in different spheres of activity and responsibility. In the last analysis, the decision to support the advancement of democratization processes at the societal level, including the democratization of public services management, is a normative preference primarily grounded on the principles of equality and solidarity.

In this regard, the dominant forms of technocratic, hierarchical management, that tend to limit if not altogether exclude citizen participation in the monitoring and democratic control of how public services are run, have been criticized and confronted historically from a diversity of fronts. The experience of Latin America is exemplary in this respect, as in the last two decades the confrontation between rival conceptions of participation has been exacerbated by the far-reaching reforms introduced to promote free-market models of management in public services, often with the argument of fostering wider social participation.

12.3 TRENDS IN THE MANAGEMENT OF WSS IN LATIN AMERICA

As stated earlier, “participation” takes a diversity of forms in different contexts. It is possible to identify certain trends in the forms of participation, which are not necessarily mutually exclusive but are rather closely related and often even overlap:

- 1) Forms of technocratic management that exclude the participation of the population, whether in their character of citizens or as users-clients-consumers of public services;
- 2) Forms of technocratic management that allow (or induce) highly restricted spaces for participation, normally limited to activities such as self-help, contributions in kind, or the exercise of consumer rights;
- 3) Bottom-up social participation, promoted by a diversity of social organizations (workers unions, users committees, community groups, NGOs, etc.).

These are broad dominant patterns that can be identified, although in practice these trends often appear in different combinations that evolve over time as a result of the dynamics of socio-economic, cultural and policy-institutional processes. For instance, the technocratic forms of management that tend to induce restricted, controlled spaces for participation sometimes trigger unforeseen social processes that may fuel the emergence of genuinely autonomous participatory practices and institutions. Contrariwise, sometimes participatory processes that first emerge as autonomous grassroots experiences end up being co-opted and eventually demobilized or neutralized by the authorities and other power holders.

12.3.1 Technocratic, non-participatory management

As discussed earlier, technocratic, non-participatory forms of management of essential public services have been dominant. During the twentieth century, in most Latin American countries the management of WSS was fundamentally a state monopoly or, at least an activity heavily controlled by the state at different levels. In the case of Brazil, for instance, the National Sanitation Plan (PLANASA) introduced by the military dictatorship that ruled since 1964 to 1985 played a central role and continues to determine many aspects of the management of WSS in the country (Heller, 2009). Thus, although in recent years Brazil has nurtured the emergence of participatory mechanisms in the management of essential public services, the hierarchical, non-participatory model remains highly influential. As an example, in the Basin

Committees (Comités de Bacia) created in the late 1990s, which formally are composed by all water users in each basin, domestic users do not have direct participation. Rather, they are represented by the water and sanitation operators that according to the law are the “users” with the right to participate in the Committees. As a result, millions of domestic urban users are represented by the provincial water utilities created by the military dictatorship in the 1970s, which are not characterized for allowing their users participation in monitoring how WSS are managed and run. This is just an example, as in fact the situation regarding basin committees is not very different in the rest of Latin America (e.g. Castro *et al.* 2004 for the case of Mexico).

In different ways, the introduction of aggressive privatization policies in the field of essential public services since the 1990s, often justified as a form to promote greater citizen participation in monitoring the running of public services, has tended to consolidate or even aggravate the non-participatory, even authoritarian character of the technocratic model of management. The case of Argentina is an excellent example, as in the 1990s the country became an experimental field for the implementation of the policies of liberalization, deregulation, and privatization of public services, including WSS. Between 1993 and 1999 Argentina implemented a massive transfer of public WSS to the private sector mainly by granting long-term concessions (25–30 years) to multinational consortia, in most cases avoiding public debate not only with common citizens but even with their representatives in Congress.

Most concessions were granted by means of Presidential Decrees of Necessity and Urgency, as it was the case with the concession of WSS in Buenos Aires to the consortium Aguas Argentinas in 1993. Not only this concession was granted without public consultation but common citizens had no mechanisms available to monitor the management of the company, particularly its compliance with the concession contract. Even the regulatory body ETOSS (Tripartite Entity of Sanitary Works and Services) lacked independent access to the information needed to audit the company, as that information had become the private property of the concessionaire (Azpiazu *et al.* 2003). Eventually, the mounting discontent of the population owing to the failure of the private company to meet contractual arrangements led to the reform of the system and the cancellation of the contract in 2006 (Azpiazu & Castro, 2012).

Beyond the specificities of the Brazilian and Argentinean experiences discussed above, these are not isolated or extreme cases. Rather, the technocratic, hierarchical, non-participatory model of management remains very powerful in most of Latin America, even in those countries that have made significant progress in democratizing some aspects of the management of WSS in recent years (Castro, 2005). Nevertheless, in most countries of Latin America it is possible to identify a flexibilization of the conventionally rigid, strictly non-participatory or even authoritarian forms of management, whereby a limited degree of “participation”, highly restricted and controlled and often induced from above, is being allowed. As a working hypothesis it can be argued that this model of management with some degree of restricted participation is now probably the most recurrent form to be identified in the region.

12.3.2 Technocratic management with restricted participation

For diverse reasons and under certain circumstances the technocratic model of management introduces elements of restricted participation, often induced and directed from above either by governments or other relevant power holders, including public or private service providers. In some cases, the process can be paternalistic, clientelistic, relatively “benign”, whereby induced participation becomes a function for the political inclusion of the population, while in others it may take the form of openly manipulative mechanisms of co-optation and control of social actors. Often too, the opening of restricted channels of participation is merely a concession, may be even temporary, resulting from social pressures for a greater democratization of public management. For instance, in the case of Buenos Aires commented earlier, the

growing discontent of the users in the late 1990s led to the opening of additional participation mechanisms. However, these mechanisms were limited to the involvement of users as providers of materials and labour for the expansion of networks in poor areas, a programme developed by the private operator and a group of local and international NGOs (Azpiazu *et al.* 2003). Although clearly this extension of citizen “participation” represented a degree of progress with respect to the previous situation, users and citizens continued to be excluded from crucial issues such as the democratic control and monitoring of the services.

Another illustrative case comes from Mexico. In the 1981 National Water Plan, the Mexican authorities already announced the need for “wider user participation in solving common problems” (SARH, 1981). In the early 1990s the government introduced a series of reforms to create a “new water culture” grounded on citizen involvement, user responsibility, and greater private sector participation. As a result, user participation became institutionalized, for instance by creating a Coordination of Participation within the National Water Commission (CNA), a Sub-Coordination of Social Participation at the Mexican Institute of Water Technology (IMTA), and even fostering a Citizens Water Movement at the national level. However, these top-down attempts to induce and formalize user participation in water management produced neither greater or more effective participation nor the development of a “new water culture”.

Despite that successive governments have insisted in the implementation of similar institutional transformations, the notion of “participation” that prevails tends to reduce the process to its technical and administrative dimensions, playing down the socio-political aspects of participation. In fact, in these government-led reforms participation tends to be understood as expected obedience from the users to decisions taken by authorities and technical experts (Torregrosa *et al.* 2003; Castro, 2006). In this model, participation does not include public debate or consultation about the principles that should guide the management of essential public services or about the type of management (public, private, community, etc.) that should be chosen, among other issues that are not open to democratic debate or scrutiny. Even more, the government decides who can participate in the newly created spaces for participation, which severely restricts the possibility of genuinely autonomous participation of users and citizens (Jiménez & Torregrosa, 2009). Too often, the participation promoted by this model of management is limited to increasing the responsibility of domestic users, particularly in accepting tariff increases (willingness to pay) but also in relation to the requirement of direct investments from the users to get connected to the services, whether through monetary contributions or through the provision of materials and voluntary labour.

A third case to exemplify the workings of the technocratic model comes from research carried out in Bolivia (Crespo Flores *et al.* 2004). The country passed a new Law of Popular Participation in 1994 to promote citizen involvement in local government affairs and the simultaneous creation of a new regulatory framework for public services included some participatory mechanisms such as public consultations. However, “participation” in these reforms was restricted to the provision of administrative channels for user complaints and appeals: when the WSS of Cochabamba were privatized in 1999 the decision was not subject to citizen scrutiny. The system was marred by lack of legitimacy and very low public trust: a public consultation called in December 1999 to discuss a tariff increase to be applied by the private operator attracted only 14 people, as a majority of the population perceived the regulator as a representative of the interests of the private company. It is well known that the privatization of WSS in Cochabamba had a violent end with the so-called “Water War”, a popular mobilization that led to the cancellation of the contract and the partial collapse of the national government in March 2000.

The tense interrelation between the two models of technocratic management, non-participatory and with limited participation, was clearly manifest in the political confrontations played out in Brazil since the year 2003 around the project for a National Law of Environmental Sanitation proposed by President Luiz Inácio Lula da Silva (2003–2010). The law project was conceived in the context of a widespread

popular mobilization seeking to democratize the management of public services. The mobilization was oriented by the principles of direct democracy, demanding a greater role for social organizations and citizen movements in decision making and monitoring of policy and implementation of essential public services. The initiative was led by grassroots movements such as the National Front of Environmental Sanitation (FNSEA) and organizations like the National Association of Municipal WSS (ASSEMAE) some of whose members came to occupy positions in the national government, particularly in the National Secretariat of Environmental Sanitation of the Ministry of the Cities. The law project faced powerful resistance from the political opposition and business and corporate lobbies with strong interests in WSS. Eventually, the mechanisms of direct democracy originally envisaged by the grassroots movements that contributed to elaborate the project were severely restricted or even excluded in the final National Law of Basic Sanitation that was passed in 2007. This outcome illustrates the enduring prevalence of technocratic, hierarchical and non-participatory management approaches. It is also an example of the political dimension of management activities, which are often understood as merely technical-administrative affairs but that in practice constitute an arena of confrontation between rival, often incompatible understandings of democracy, citizenship, and participation.

12.3.3 Bottom-up social participation

In recent decades there has been a widespread social mobilization oriented at advancing the process of democratization of the management and access to essential public services, notably WSS and the collection and recycling of solid waste in most Latin American countries (Grosse *et al.* 2004; Cárdenas *et al.* 2005; Medina, 2005; Grosse *et al.* 2006; Bell *et al.* 2009; Castro, 2008; CEDA, 2009; Red Latinoamericana de Recicladores, 2010). This mobilization has taken different forms, from denunciations and pacific demonstrations to violent confrontations, many times resulting in the loss of human life. Very often, in the face of the inaction of the state, grassroots actors participating in these mobilizations have decided to take responsibility for the organization of essential services in their communities, for instance through self-organized community systems or local or regional cooperatives. In some cases grassroots movements have showed great capacity for action and political articulation, which has allowed them to mobilize significant political and other resources and strengthen their capabilities for direct intervention in the management of these services, as it has happened among other examples in Argentina, Bolivia, Brasil, Ecuador, Mexico, Nicaragua, Uruguay and Venezuela. The cases discussed below represent highly successful forms of bottom-up social participation, though some were often later co-opted or demobilized, sometimes as a result of their success, for instance because the leading social actors involved were part of wider political movements that eventually came to control regional or national governments.

The first case is again related to the Bolivian experience already discussed. The Water Wars, first in Cochabamba (1999–2000) and later in La Paz-El Alto (2005–2006), became a global emblem of popular struggles against the privatization of essential public services. In particular the case of Cochabamba had wide repercussions both at the national level when the entire government resigned in March 2000, with exception of the President Hugo Banzer Suárez (1997–2002), and at the international level, where it came to symbolize the movements of popular participation for the democratization of the management of essential public services (see among others: Crespo Flores *et al.* 2004; Laurie & Crespo, 2007; Spronk & Webber, 2007; Pérez Barriga, 2010). In Bolivia, many of the organizations that led the mobilization against privatization were a fundamental component of the social base that eventually brought President Juan Evo Morales Ayma to power in 2006 and would later have a significant role in the attempt to reorganize the management of public services in the country.

The second case covers several less well-known examples from Argentina. One example concerns citizen struggles against the privatization of WSS in the province of Tucumán during the 1990s. In 1995 the provincial government granted a long-term concession to run WSS to a multinational private operator. The project was affected from the start by allegations of corruption, lack of transparency, and absence of public consultation and debate, which triggered strong resistance. This was aggravated when the first decision of the privatized company was to raise the tariff by 105% (including a tax to fund the regulator). These events prompted massive citizen protests that included among the participants municipal authorities, provincial legislators, workers that had been laid off by the privatized company, and representatives of local businesses. Around 86 percent of users participated in a campaign of civil disobedience consisting in the nonpayment of the water bills, public demonstrations, and a “Popular Congress” to denounce the alleged corruption of the privatization process. Eventually the privatization contract was canceled in 1997 (Crenzel, 2004).

Another example is from the province of Chaco. In 1994, in compliance with the provincial Constitution, the government called a Public Consultation about plans to privatize public services promoted by the national authorities. The most important political parties in the province were in favour of privatization but the political establishment was shocked when a majority of voters rejected the privatization plans. The Public Consultation was legally binding, but regrettably the sovereign decision of Chaco’s citizens was severely penalized by the national government, which excluded the province from the investment programme in public services infrastructure. The funding for this programme was provided by the Inter American Development Bank (IDB) and the privatization of public companies was a condition to receive the funding (Roze, 2002).

Other important examples of grassroots participation took place in Buenos Aires, where the population switched from apathy in the early 1990s to the very active participation that put pressure on the authorities and the privatized companies and eventually led to the cancellation of the concession contracts for WSS (Azpiazu *et al.* 2003). Similarly, in the provinces of Santa Fe and Córdoba environmental groups, workers unions, and community organizations, with the support of academics and local politicians implemented very effective campaigns demanding the cancellation of the concession contracts to provide WSS in both provinces. In Santa Fe the popular mobilization, helped by the ascension to power of a center-left alliance, succeeded and in 2006 the privatization contract was cancelled, the services were placed back in public hands, and the provincial government implemented a number of policies to foster citizen participation in monitoring the management and performance of the water utility (Rovere, 2010). In Córdoba at the time of writing this chapter grassroots movements continue a long-term struggle demanding the cancellation of the privatization contract, the devolution of WSS to the public sector, and the search for practical solutions to existing problems of access and quality through self-organization in the poorer areas of the capital city (Spedale, 2009; Berger, 2010). In addition to the cases of WSS briefly described here, there exist significant examples of successful forms of bottom-up social participation in the self-organization of other basic services, notably the collection and recycling of solid waste (see, for instance: Paiva, 2004; Angélico & Maldovan, 2008; Los Caminantes, 2010).

The third case is from Brazil, which is perhaps one of the internationally best known and celebrated examples of bottom-up social participation, connected with the development of innovative mechanisms of direct democracy. Among other bottom-up initiatives introduced is worth noting the well-known experience of Participatory Budgeting, initiated in the city of Porto Alegre, an experience that came to constitute a paradigmatic example of participatory policy (Dutra & Benevides, 2001). Figure 12.1 shows one of these meetings where around 2000 people from a poor neighbourhood in the city of Recife, Pernambuco, gathered to discuss local needs with the municipal authorities and set the investment priorities for their local area.



Figure 12.1 Neighbourhood meeting of the municipal Participatory Budgeting, Recife, Brazil, July 2009. Author's collection.

Another example are the participatory activities promoted by the Councils and Conferences of the Cities organized by the government to foster public debate and setting policy priorities for local services. International institutions like the World Bank have recognized the value of such initiatives to mobilize the population and generate legitimacy in decision making processes (World Bank, 2003:42). In the particular case of WSS Brazil has numerous experiences of successful public management, often at the local level, with a substantial degree of social participation (Miranda Neto, 2005; Costa *et al.* 2006). Similar examples of highly successful bottom-up participatory and politically inclusive processes can be found in relation to the movements of “garbage collectors” (catadores de lixo) and “environmental agents” (Pimenta Velloso, 2005; MNCR, 2010).

I will refer here to two additional examples that illustrate the emergence of bottom-up, autonomous participatory forms of management of essential public services in Latin America. One case is from Nicaragua (Barrios Jackman & Wheelock Díaz, 2005; Kreimann Zambrana, 2009), where since the 1990s government policies sought to decentralize WSS by transferring them to local governments. In some places these policies were actually a response to popular mobilizations demanding greater local control over essential services. The government also promoted formal mechanisms of social participation such as Open Councils, Consumer Associations and Committees of Municipal Development. However, recent research suggests that the most effective forms of social participation are related mainly to two different bottom-up experiences: (a) the management of essential services in areas not served by the state, especially in rural and peri-urban areas, and (b) the struggle against the privatization of public companies.

These participatory experiences are connected with a long-standing tradition of popular organization in the country that can be traced back to the 1960s with the creation of “water committees” to solve the problem of access in peripheral urban settlements. Today Nicaragua has around 6000 Potable Water and Sanitation Committees (CAPS) working in rural and peripheral urban areas, serving around one quarter of the country’s population. Many of these CAPS have reportedly developed effective mechanisms for social participation and democratic control, are composed by members elected by the local communities and have responsibility for the collection of water fees and the maintenance of services. CAPS members are elected in Community Assemblies, which also serve to consult the population

on issues such as tariff increases, investment priorities, regulation of water uses, and so on. However, the relative autonomy of operation enjoyed by the CAPS in relation to the government and other actors is also the object of significant tensions as local self-organization often clashes with processes commanded from the central government. Like in many other countries of the region bottom-up participatory processes were boosted by widespread popular rejection of privatization policies, in this case particularly since 2001. A crucial moment was the creation of the Alliance Against Privatization and for the Access to Water in 2003, which brought together existing movements organized by the Churches Network for Joint Action and NGOs representing consumer rights. These movements are highly heterogeneous, but they have found a common ground in the defense of water as common good and essential WSS as a public good and a human right.

The second and final example is from Venezuela (see: Arconada Rodríguez, 2005, 2006; Lacabana & Cariola, 2005; López Maya, 2008). Like in other Latin American countries participatory processes around the management of basic services in Venezuela can be traced back at least to the 1960s. In recent times, one of the foundational experiences took place in the 1990s in the peripheral areas of the capital Caracas, where local parishes started the organization of bottom-up processes of direct democracy connected with the management of WSS. These processes led to the creation of Technical Water Boards (MTAs) and Parish Governments, self-organized bodies to facilitate popular participation, in the municipalities of Antimano and El Valle. These developments would later become a blueprint for national policies implemented after the arrival of President Hugo Chávez Frías in 1999. The experiences of these two municipalities was used as a trigger for a public debate that eventually led to the elevation of MTAs to national policy within the framework of the new country's constitution.

Also inspired by the bottom-up experiences, the national government created Community Water Councils, and later Community Self-Managed Organizations (since 2004) to promote effective social participation in issues of local interest such as the state of river basins and essential public services. Among other concrete participatory mechanisms, the MTAs bring together local members of the community, local politicians and technical experts from the public water utilities to jointly map the local situation, which includes the elaboration of graphical representations of the infrastructure networks called "sketches" (croquis). The participatory sketches reflect situations entirely unknown to the authorities and service providers, including elements of the WSS infrastructure such as local networks, master valves and other elements that had been lost from the official records. In addition, the MTAs develop diagnoses and intervention projects, monitor the implementation of the infrastructure works and service quality, co-manage funding jointly with local authorities, and help with the collection of service fees. Also, the MTAs represent their regions in regular meetings of the Community Water Councils, which serve to coordinate the activities of the MTAs in whole districts. It is estimated that there are currently around 2700 MTAs operating in the country.

12.4 OBSTACLES AND POSSIBILITIES FOR THE SUBSTANTIVE DEMOCRATIZATION OF WSS MANAGEMENT

The above examples not only illustrate some of the most important trends in participatory management of WSS in Latin America, but also contribute to identify some of the obstacles and opportunities facing the democratization of management systems. The social struggles oriented at widening democratic spaces that can be identified in Latin America have opened opportunities for transformation and allowed important achievements in several dimensions, from the introduction of direct democracy in the management of WSS in large cities to the consolidation of autonomous management systems in rural and periurban areas. These experiences suggest that there is great potential for the expansion of social participation as a

mechanism to democratize management systems that have been historically organized as hierarchical, elitist, and even authoritarian structures. However, there are no panaceas and bottom-up participatory processes, even when they genuinely emerge from the grassroots, are exposed to all manners of distortions and threats, from corruption and internal degradation of the democratization process when the main actors come to occupy political positions to co-optation and manipulation of social movements by governments, international cooperation and financial agencies, or multinational corporations (Cooke & Kothari, 2001). Often too, governments have promoted forms of social participation to cover up their reluctance to take responsibility for ensuring the universal access to essential public services. They do this sometimes by transferring the financial burden of providing basic infrastructure to the population, normally to unserved sectors that also tend to be the poorest and most marginalized.

From a general perspective, the prevalence of forms of representative democracy based on the principle that the management of public affairs is a matter for professional politicians and technical experts constitutes a central obstacle for the advancement of democratization processes. These forms of representative democracy continue to occupy a prominent place in Latin America, even in the countries that have experienced significant transformations fuelled by the widespread mobilization of grassroots actors such as Argentina, Bolivia, Brazil, Ecuador, Uruguay or Venezuela. This situation was aggravated by regressive tendencies experienced since the late 1980s, which further exacerbated the conditions of exclusion affecting a large proportion of the population. However, in Latin America there are deep-rooted traditions of social struggle whereby grassroots movements have historically confronted the state and other power holders in the search for more dignified living conditions and the advancement of substantive, not merely formal or rhetorical democracy. The persistence of these traditions and the emergence of new forms of bottom-up social participation in recent years help to explain some of the progressive transformations experienced in the region since the beginning of the Twentieth-first Century. This is particularly true about the opening of channels for social participation in public affairs, although these tend to be limited, circumscribed to specific spheres of activity and well-defined territories, time bound, and normally closely monitored or controlled by the state. In the case of essential public services, governments frequently respond to social pressures by promoting forms of social participation restricted to activities of self-help and co-responsibility involving the provision of financial resources, materials, or labour in order to extend infrastructure networks into unserved areas. However, with few exceptions, more substantive questions such as decisions about whose material interests should receive priority or what values and principles should inform the management of WSS are consistently excluded from public debate and are closed to the participation of common citizens.

This kind of social participation, limited, restricted, closely surveilled, bound to specific issues, spaces and timespans and that leaves out the issues that are politically substantive is also promoted by international cooperation agencies and financial institutions, which consider “participation” as a key prerequisite for the granting of investment funding for the infrastructure of essential public services. Regrettably, too often the understanding of “participation” that prevails among these actors could be translated as “expected anticipated obedience” to the decisions taken by professional politicians and technical experts on behalf of the beneficiary population. Substantive citizen participation in decision making and democratic control and scrutiny of the management of public services is out of the question, with rare exceptions. In recent years the influence of this prevailing, top-down, understanding of participation has become clearly manifest, for instance in relation to the commodification of essential public services, and there is a clear trend towards the abandonment of the notion that essential public services constitute a public good or a citizenship right, not to say a human right. Although the most aggressive initiatives informed by this instrumental notion of participation in the field of WSS have been related to privatization policies, the process of commodification of essential services is taking place

regardless of the public or private character of the service providers. Public companies are increasingly pressured to adopt market criteria for their operation, and therefore the social objectives that should inform the provision of essential services are increasingly subordinated to the logic of the market: making “profit” is increasingly higher than providing a safe and universal service in the hierarchy of priorities set for public operators, which are required to perform as private enterprises. There has been an erosion of the ethics of the public space, which despite all its shortcomings had informed the development of essential public services since the late nineteenth century that led to the universalization of access in the most advanced countries.

This erosion of the ethics of the public good, that was at the base of the notion that access to goods and services essential for a dignified life must be independent from the capacity to pay of individuals and families, and its replacement for a mercantilist ethics that prioritizes profit over rights is one of the major obstacles facing the substantive democratization of the management of essential public services. Defending and claiming back the ethics of the public good and expanding and deepening its meaning to incorporate the principle that access to services essential for human life constitute a common good whose management must be excluded from the logic of the market constitutes a fundamental challenge facing human civilization in the Twentieth-first Century.

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