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Topic:

POLITICS OF WATER : A DISTORTED DISCOURSE

Speakers:

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The aim of these dialogues is to create a space for open and informed dialogue and debate around key local and global political, social and economic issues facing South Africa.

Tilting at windmills

There is a philosopher named Ranciere who, if you're interested in political theory, you may have encountered. If you haven't, you needn't worry because he doesn't have much to do with my talk tonight.

However, when I was thinking about what I wanted to say about Prof. Muller's paper, and in particular, about the suggestiveness of its title, I thought about Ranciere.

I should say...I like this title very much. The politics of water: a distorted discourse. Amongst other things it's provocative. Taken with the talk tonight, it stands as an indictment against the left: your protestations about neoliberalism, privatization, and commodification in the water sector are a distortion, a ruse, that, whether you see it or not, work against the interests of those you claim an affinity with: that is, they work against the interests of the poor.

This is, of course a very crude summary of Prof. Muller's argument, which is richer in detail, and more thoughtful. Suffice to say I disagree.

So I wanna try to flip things a little...turn them on their head, so to speak, by putting the emphasis on the term 'politics' in the phrase 'the politics of water'. This where I think Ranciere might be of use:

(I am quoting)

We should take [a political] disagreement to mean a determined kind of speech situation: one in which one of the interlocutors at once understands and does not understand what the other is saying. Disagreement is not the conflict between one who says white and another who says black. It is a conflict between the one who says white and another who also says white but does not understand the same thing by it or does not understand that the other is saying the same thing in the name of whiteness. (Ranciere)

If we go along with this then we can say that here, there is politics only because there is a sense of a distortion, that is, a situation in which both subjects see what the other is saying and do not, or even where, for both subjects, it is the others' that is the distorted discourse. In fact this seems to perfectly describe the situation we have here tonight. A disagreement.

Chances of resolution are of course slim, and I do not hope for much tonight, except to show that there is a rational kernel to what goes under the distortion...a politics of water.

Our political disagreement centres on the series: neoliberalism, privatization, commodification. This is in fact true not only in the water sector. These are thus precisely the kinds of terms we at once understand and do not understand, terms that sound like a distortion when spoken with the political accents of the other side. No doubt, an activist in the Anti- Privatisation Forum would offer Prof. Muller a far broader, and yet no less rich understanding of privatization than the one suggested in his work, and yet I suspect the Prof. will be unmoved. So, for the most part I am just going to try to keep it simple, and only say a few things about neoliberalism, while trying to show how I think it relates to some of the issues that have been raised. In this I am perhaps not being a very good respondent, for there are many discussable elements to Prof Muller's paper, many of which can be read as responses to specific critiques made of policy in the water sector. Because I don't have much time, and because these works can speak for themselves, I want to merely make a few general remarks about how I think politics has shaped neoliberal governmental practices.

Firstly, I think it is crucial when we're talking about neoliberalism in the water sector to put the emphasis on the verb form, that is, neoliberalisation. This is important because, although I think we can understand neoliberalism in terms of a set of market centric imperatives

that have informed the restructuring of state and society, and which are strongly associated with forms of privatization and commodification, such restructuring always appears as a product of dynamic processes in which the ideal that inspired it is often transformed or bent to fit a specific context. Some theorists have even suggested we speak of “actually existing neoliberalism” in order to underline this contextually specific character of market centric restructuring processes.

What this means is that how a particular imperative, for example, one that says that the ‘recurrent costs of a service should be born by the consumer’, how this comes to shape actual governmental practice will be determined by a whole range of factors. So in this case, where the imperative is cost recovery, state officials might find themselves facing a whole range of obstacles, from the lack of adequate institutional frameworks to effect such a program, to political resistance from different actors [and it is really the latter that I want to emphasize in this paper]. How the imperative turns out in any context, depends then on how it bends to fit that context.

By way of a concrete example let’s take the case of post-apartheid service delivery options. Way back, at the beginning so to speak, a process was undertaken whose outcome was the Municipal Infrastructure Investment

Framework, which, according to one of its authors, also informed a range of subsequent legislation and policy. In the left's critique it was the source of two important principles. Firstly, that government's central role was to create an enabling environment to ensure the delivery of basic services [rather than government seen as necessarily acting as a direct deliverer of services] and secondly user pays. The first was thought to open the way for the private sector and commercial principles in the delivery of basic services, while the second underlined the imperative of cost recovery. Both these issues, whether as distortions or signs of a political wrong, have come to characterize the politics of water for more than a decade.

This is not however what I think is most interesting about the framework, which, anyway, is less relevant to contemporary policy debates. Far more important is what the actual policy process suggests about neoliberalisation. For instance, this framework was in part a product of a group made up of World Bank staff and a team of South African policy experts led by Richard Tomlinson. In a paper by Tomlinson describing the policy process the picture that emerges is one of a local team at times overwhelmed by Bank staff: (I am quoting) "[t]his was difficult circumstances when a dozen or so global experts sat at one end of the table and at the other sat the four person, novice South African team.

Soon this imbalance was exacerbated by the USAID bringing in municipal finance experts”. In fact, it was a member of the bank team who drafted one of the document’s crucial chapters focused on options for service delivery, which, in the words of Tomlinson ended up “wholeheartedly advocating the privatisation of basic services”. At this point, however, according to Tomlinson, SAMWU’s threats of strike action in opposition to the framework forced him, as leader of the South African team to redraft the offending chapter. The final version of course didn’t rule out privatisation. Instead, a set of options, ranging from continued municipal service delivery, through various forms of partnership, to full privatisation, were presented as “a negotiated decision”.

Here it was in fact not just the men of state that kept policy from suffering the full weight of, what Prof. Muller calls the Washington consensus, but rather the left, and its tilting at windmills. And where the MIIF now shifted the question of service delivery options to the municipal level, it is worth pointing out that it was here that the fiercest battles were fought over neoliberalisation. Consider, for instance, the ferocity of contestation around Johannesburg’s iGoli 2002 plan, in which SAMWU again plays an important role. It is also worth remembering that one of the outcomes of this process of contestation was the formation of

the Anti-Privatisation Forum, whose struggles over the next ten years, along with a range of other institutional and political factors, shaped how iGoli, and subsequent policies, came to look in the concrete.

Prof. Muller hints at the paradoxical agency of resistance as well when he suggests that attempts to expand free basic water have had the effect of shifting municipalities away from a universal allocation towards systems in which life line allocations are specifically targeted at means tested “indigents”. This is true, but it must nevertheless be seen to be true within the context of a longer process that is linked precisely to the ways in which officials have attempted to implement a principle of cost recovery, while negotiating a set of institutional and political challenges. And it is in fact possible to locate free basic water (FBW) within this same process.

The latter might, at first, seem a strange claim, especially given that, in Prof. Muller’s account FBW appears as part of the proof that post apartheid water policy “rejected global conventional wisdom of full cost recovery” and the principle, “the people will pay”. And, to be sure, I agree that the universal form of the FBW policy doesn’t square up easily with the neoliberal ideal of full cost recovery.

Neoliberal policies, we should say also, tend to move in the direction of targeted forms of social security, which also often involve a disciplinary component to combat welfare dependency and ward off free riders. [Can this be said of FBW?]

While the question of sufficiency has hung over the FBW policy from the beginning, I don't think anyone will disagree that this was an important and welcome development [that is, something to build on]. However, as a number of writers have pointed out, the insufficiency (so to speak) of FBW must in a certain sense be thought to be functional to one of the strategies intended outcomes. In this respect, I do not think it is insignificant that the most elegant formulation of the argument that binds FBW to the conventional wisdom of neoliberal cost recovery was in fact not the product of the critical dexterity of any left theorist, but instead, came from the pragmatic technical minded thinking of the men of the state. And here it was said that, rather than contradicting the principle of users pays, FBW actually strengthens it.

To understand why this might be the case, some background is in order.

As we saw policies such as the Municipal Infrastructure Investment Framework (MIIF) committed government to the principle of 'user pays' and neoliberal "best practice" in the delivery of basic services. However,

beyond the many institutional constraints it faced in realising this principle, there was also the politically perilous problem of non-payment. Ascribed to the legacies of the apartheid era, specifically the 1980s rent boycott, at the root of the problem was said to be a ‘culture of non-payment’, a theme, often engaged in veiled racialised tones, or given over to the portrayal of a seemingly pathological disposition amongst the poor. However, in the shadow of the problem of non-payment, stood another, perhaps no less menacing in the eyes of state officials – that is the problem of “managing the expectations of the masses” [you will remember that in the mid 1990s officials were still speaking in these terms].

In addressing these challenges governmental agencies came to draw on a wide pool of resources, from nationalism, through more market centric mechanisms, to punitive action. This is a story well told in the left’s critique of the restructuring of basic services, beginning with early initiatives like Masakhane to today’s highly complex systems of life allocations, indigent management frameworks, and specialised technologies like prepaid meters [I should say that in Johannesburg at least, until Operation Gcina ‘Manzi (OGA) and prepaid meters (PPM) there had not been many cut-offs in the water sector, although I stand to be corrected]. The point I want to underline, however, is that the wide

range of resistance that officials have encountered – from individual acts of refusal to organised political action – emphasised the need for an indigent management strategy, a strategy that would allow the men of the state to be able to separate the deserving poor from the undeserving poor (an opposition that, in one way or another, is becoming increasingly common in government). An early iteration of Johannesburg’s indigent management policy, for instance, gives as one of its objectives:

“to enhance credit control measures by providing a safety net for the poorest of the poor *and identifying those using poverty to not pay for basic services.*”

The fact is, however, that many municipalities lacked the capacity to effectively manage their accounts, let alone administer complex means testing and indigent management frameworks. FBW strengthened the principle of user pays by presenting a solution to this problem, it was what a former a DWAF official called an “innovative approach that will enable us to separate the can’t pays from the won’t pays”.

In a very real sense then the introduction of a universal life-line allocation is related to the challenges presented by the absence of an indigent strategy that could not only identify the “poorest of the poor” but also

“those using poverty not to pay for basic services”, the ‘can’t pays’ as well as the ‘won’t pays’. In the absence of an indigent register, FBW, when combined with a technology like prepaid meters, thus becomes the ground that enables cost recovery measures against the ‘won’t pays’.

What is interesting is that the distinction between the so called ‘can’t pays’ and ‘won’t pays’, in these terms indexing a broader problem of obedience to political authority, comes to be explicitly figured as a relationship between household consumption and payment for services, where what separates a can’t pay from a won’t pay is the former’s willingness to cut consumption to within this very basic allocation. And we can note that in both this case and that of Johannesburg’s indigent strategy, the identification of the indigent is made directly functional to government’s broader cost recovery programme for basic services, where as one trajectory motions to ‘meeting basic needs’, another concerns forms of discipline.

This is of course not all that can or should be said about FBW. And I certainly do not think that this was government’s only motivation for introducing the strategy, or even the most important one. Elsewhere Professor Muller offers a compelling account of how DWAF’s practical politics of FBW comes to mediate between the specific challenges of the

South African context, defined by high levels of poverty, and a hostile international water audience and their insistence that water should be paid for. This is the precariousness of the men of the state, to be standing always in-between, mediating between the demands of society, and the global sovereign of neoliberal international best practice, whose police comprise of supranational institutions, donor agencies, and international consultants. In this context, I do not think critique can be bad thing.

Although I have not spoken about it here, I want to highlight that more recent research around the theme of commodification increasingly focuses not just on the institutional arrangements and policies that impose market imperatives over the delivery of basic services, but also the wider set of strategies to discipline, or rather, to ‘economically rationalise’ the consumption of the poor. The latter is in fact a more important aspect of my own research around water, which focuses on the specific technologies and techniques developed for intervening and changing the way the poor use water. But if folk are interested, we can talk about this in discussion.

Instead I want to turn now to the main point and what is the crux of my argument. It seems clear to me that a set of neoliberal principles has shaped policy in the water sector. And this is not simply in relation to

cost recovery, but also often in the very technical tools through which managers come to identify problems or understand the networks they oversee. But I do not think we have ever seen the indifferent application of the ideal, whether because of institutional limitations, political resistance, or even, the will of the man of the state. To put it in Polanyian terms, the story of neoliberalism in South Africa, as in the water sector, is the story of a double movement, between the forces of the market that would have all of social life operate according to its own logic, and the forces of society, who constantly resist being completely captured by it. But if this is true, it begs the question of where we are heading today with the introduction of complex systems for managing the poor that are taking shape in the shadow of a nationalist project that (for almost everyone) appears increasingly hollow? And when the outcomes of resistance are seldom what was intended. I will leave these questions open. I trust, however, that they can be settled politically, and in relation to a dynamic set of processes characterised by the very struggles we see unfolding today, the local insurrections and protests that enter the public realm under headlines of service delivery protests.

This is the political note I want to end on. For, if water appears to us tonight as a political issue, it is not simply for how it has been taken up by this or that academic, or even its importance to the state, but in the

first place for becoming a subject of the struggle of the poor, of their contestation of the present order and claim on a share of the common.

Thankfully, nobody need speak for the poor, and I won't even try...but maybe we can learn to listen better, so that we're not just responding, but also understanding.