



LIQUID RELATIONS

Contested Water Rights and Legal Complexity

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**Dik Roth, Rutgerd Boelens, Margreet
Zwarteveen**



Liquid Relations Contested Water Rights And Legal Complexity:

Liquid Relations Dik Roth, Rutgerd Boelens, Margreet Zwarteveen, 2005-11-29 Water management plays an increasingly critical role in national and international policy agendas. Growing scarcity, overuse and pollution combined with burgeoning demand have made socio-political and economic conflicts almost unavoidable. Proposals to address water shortages are usually based on two key assumptions: 1. water is a commodity that can be bought and sold and 2. states or other centralized entities should control access to water. Liquid Relations criticizes these assumptions from a socio-legal perspective. Eleven case studies examine laws, distribution and irrigation in regions around the world including the United States, Nepal, Indonesia, Chile, Ecuador, India and South Africa. In each case, problems are shown to be both ecological and human-made. The essays also consider the ways that gender, ethnicity and class differences influence water rights and control. In the concluding chapter, the editors draw on the essays' findings to offer an alternative approach to water rights and water governance issues. By showing how issues like water scarcity and competition are embedded in specific resource use and management histories, this volume highlights the need for analyses and solutions that are context-specific rather than universal.

Water Security, Justice and the Politics of Water Rights in Peru and Bolivia Miriam Seemann, 2016-04-08 The author scrutinizes the claim of policy makers and experts that legal recognition of local water rights would reduce water conflict and increase water security and equality for peasant and indigenous water users. She analyzes two distinct top-down and bottom-up formalization policies in Peru and Bolivia: neoliberal and the former indigenist socialist. The policies have intended and unintended consequences and impact on marginalized peasants and the complex inter-legal systems for providing water security on the ground. This study seeks to debunk the official myth of the need to create state-centric top-down legal security in complex pluralistic water realities. The engagement between formal and alternative water securities and controversial notions of rightness is interwoven and contested. A complex setting is unveiled that forbids one-size-fits-all solutions. Peru's and Bolivia's case studies demonstrate how formalization policies while aiming to enhance inclusion in practice actually reinforce exclusion of the marginalized. Water rights formalization is certainly no panacea.

Community-based Water Law and Water Resource Management Reform in Developing Countries Mark Giordano, John Butterworth, 2007-01-01 The fifteen chapters of this book analyse the living community-based water laws in Africa, Latin America and Asia and critically examine the interface between community-based water laws, formal water laws and a variety of other key institutional ingredients of on-going water resources management reform.

The Politics of Water Kai Wegerich, Jeroen Warner, 2010-07-20 This authoritative reference work gives timely information on the global politics of water. Readers will find case studies on a variety of complex water situations from the Okavango River that flows through Angola, Namibia and Botswana to the Euphrates, Tigris of the Upper Persian Gulf. With the current threat of climate change and increasing demand on water resources, the book gives valuable insight into an increasingly politicized topic. Politics of Water is a welcome

addition to Routledge's extensive The Politics of reference series Readers will benefit from essays on major topics in water politics from a variety of contributors thirteen in all including Is water politics Towards international water relations and The politics of water and mining in South Africa sensitive debate on gender issues reflecting the fact that in many cultures men are responsible for the supply of water and women as cultivators and house keepers are the major users an A Z glossary of key terms issues organizations etc in water politics information on selected major river basins of the world including maps detailing water consumption and resources The Politics of Water is a useful guide to the politics surrounding the availability and provision of water on a world wide scale It will prove to be a useful reference source for anyone interested in or studying the politics of water and climate change *Water Wind Art and Debate* Gavin Birch, 2007-10-12 The Australian community has become increasingly concerned about environmental issues resulting in the Australian government placing a higher priority on global warming and climate change This unique compilation *Water Wind Art and Debate* highlights current research across a variety of Humanities and Science disciplines **Out of the Mainstream** Rutgerd Boelens, David H. Getches, Jorge Armando Guevara Gil, 2010 Water is not only a source of life and culture It is also a source of power conflicting interests and identity battles Rights to materially access culturally organize and politically control water resources are poorly understood by mainstream scientific approaches and hardly addressed by current normative frameworks These issues become even more challenging when law and policy makers and dominant power groups try to grasp contain and handle them in multicultural societies The struggles over the uses meanings and appropriation of water are especially well illustrated in Andean communities and local water systems of Peru Chile Ecuador and Bolivia as well as in Native American communities in south western USA The problem is that throughout history these nation states have attempted to civilize and bring into the mainstream the different cultures and peoples within their borders instead of understanding context and harnessing the strengths and potentials of diversity This book examines the multi scale struggles for cultural justice and socio economic re distribution that arise as Latin American communities and user federations seek access to water resources and decision making power regarding their control and management It is set in the dynamic context of unequal globalizing power relations politics of scale and identity environmental encroachment and the increasing presence of extractive industries that are creating additional pressures on local livelihoods While much of the focus of the book is on the Andean Region a number of comparative chapters are also included These address issues such as water rights and defence strategies in neighbouring countries and those of Native American people in the southern USA as well as state reform and multi culturalism across Latin and Native America and the use of international standards in struggles for indigenous water rights This book shows that against all odds people are actively contesting neoliberal globalization and water power plays In doing so they construct new hybrid water rights systems livelihoods cultures and hydro political networks and dynamically challenge the mainstream powers and politics Publisher's description [The Oxford Handbook of Law and Anthropology](#)

Marie-Claire Foblets, Mark Goodale, Maria Sapignoli, Olaf Zenker, 2022 Represents a comprehensive and interdisciplinary treatment to the field of law and anthropology Decenters the standard Anglo Euro centric bias that prevails in both law and anthropology Gives unique perspectives on issues of contemporary relevance Provides the historical background but focuses on the future of the field Book jacket *Routledge Handbook of Water Law and Policy* Alistair Rieu-Clarke, Andrew Allan, Sarah Hendry, 2017-02-24 Water plays a key role in addressing the most pressing global challenges of our time including climate change adaptation food and energy security environmental sustainability and the promotion of peace and stability This comprehensive handbook explores the pivotal place of law and policy in efforts to ensure that water enables positive responses to these challenges and provides a basis for sound governance The book reveals that significant progress has been made in recent decades to strengthen the governance of water resource management at different scales including helping to address international and sub national conflicts over transboundary water resources It demonstrates that effective laws and policies are fundamental drivers for the safe equitable and sustainable utilization of water However it is also shown that what might constitute an effective law or policy related to water resources management is still hotly debated As such the handbook provides an important and definitive reference text for all studying water governance and management

Transforming Rural Water Governance Sarah T Romano, 2019-11-05 The most acute water crises occur in everyday contexts in impoverished rural and urban areas across the Global South While they rarely make headlines these crises characterized by inequitable access to sufficient and clean water affect over one billion people globally What is less known though is that millions of these same global citizens are at the forefront of responding to the challenges of water privatization climate change deforestation mega hydraulic projects and other threats to accessing water as a critical resource In *Transforming Rural Water Governance* Sarah T Romano explains the bottom up development and political impact of community based water and sanitation committees CAPS in Nicaragua Romano traces the evolution of CAPS from rural resource management associations into a national political force through grassroots organizing and strategic alliances Resource management and service provision is inherently political charging residents fees for service determining rules for household water shutoffs and reconnections and negotiating access to water sources with local property owners constitute just a few of the highly political endeavors resource management associations like CAPS undertake as part of their day to day work in their communities Yet for decades in Nicaragua this local work did not reflect political activism In the mid 2000s CAPS collective push for social change propelled them onto a national stage and into new roles as they demanded recognition from the government Romano argues that the transformation of Nicaragua s CAPS into political actors is a promising example of the pursuit of sustainable and equitable water governance particularly in Latin America *Transforming Rural Water Governance* demonstrates that when activism informs public policy processes the outcome is more inclusive governance and the potential for greater social and environmental justice Water for Food Security, Nutrition and Social

Justice Lyla Mehta, Theib Oweis, Claudia Ringler, Barbara Schreiner, Shiney Varghese, 2019-09-19 This book is the first comprehensive effort to bring together Water Food Security and Nutrition FSN in a way that goes beyond the traditional focus on irrigated agriculture Apart from looking at the role of water and sanitation for human well being it proposes alternative and more locally appropriate ways to address complex water management and governance challenges from the local to global levels against a backdrop of growing uncertainties The authors challenge mainstream supply oriented and neo Malthusian visions that argue for the need to increase the land area under irrigation in order to feed the world s growing population Instead they argue for a reframing of the debate concerning production processes waste food consumption and dietary patterns whilst proposing alternative strategies to improve water and land productivity putting the interests of marginalized and disenfranchized groups upfront The book highlights how accessing water for FSN can be challenging for small holders vulnerable and marginalized women and men and how water allocation systems and reform processes can negatively affect local people s informal rights The book argues for the need to improve policy coherence across water land and food and is original in making a case for strengthening the relationship between the human rights to water and food especially for marginalized women and men It will be of great interest to practitioners students and researchers working on water and food issues

The Water-Food-Energy Nexus Jeremy Allouche, Carl Middleton, Dipak Gyawali, 2019-04-09 The world of development thinkers and practitioners is abuzz with a new lexicon the idea of the nexus between water food and energy which is intuitively compelling It promises better integration of multiple sectoral elements a better transition to greener economies and sustainable development However there appears to be little agreement on its precise meaning whether it only complements existing environmental governance approaches or how it can be enhanced in national contexts One current approach to the nexus treats it as a risk and security matter while another treats it within economic rationality addressing externalities across sector A third perspective acknowledges it as a fundamentally political process requiring negotiation amongst different actors with distinct perceptions interests and practices This perspective highlights the fact that technical solutions for improving coherence within the nexus may have unintended and negative impacts in other policy areas such as poverty alleviation and education The Water Food Energy Nexus Power Politics and Justice lays out the managerial technical definitions of the nexus and challenges these conceptions by bringing to the forefront the politics of the nexus around two key dimensions a dynamic understanding of water food energy systems and a normative positioning around nexus debates in particular around social justice The authors argue that a shift in nexus governance is required towards approaches where limits to control are acknowledged and more reflexive plural strategies adopted This book will be of interest to academic researchers policy makers and practitioners in the fields of international development studies environmental politics and science and technology studies as well as international relations

Water, Power and Identity Rutgerd Boelens, 2015-04-10 This book addresses two major issues in natural resource management and political ecology the

complex conflicting relationship between communities managing water on the ground and national global policy making institutions and elites and how grassroots defend against encroachment question the self evidence of State market based water governance and confront coercive and participatory boundary policing normal vs abnormal The book examines grassroots building of multi layered water rights territories and State market and expert networks vigorous efforts to reshape these water societies in their own image seizing resources and or aligning users identities and rights systems within dominant frameworks Distributive and cultural politics entwine It is shown that attempts to modernize and normalize users through universalized water culture rational water use and de politicized interventions deepen water security problems rather than alleviating them However social struggles negotiate and enforce water rights User collectives challenge imposed water rights and identities constructing new ones to strategically acquire water control autonomy and re moralize their waterscapes The author shows that battles for material control include the right to culturally define and politically organize water rights and territories Andean illustrations from Peru Ecuador Bolivia and Chile from peasant indigenous life stories to international policy making highlight open and subsurface hydro social networks They reveal how water justice struggles are political projects against indifference and that engaging in re distributive policies and defying truth politics extends context particular water rights definitions and governance forms

Indigenous Water Rights in Law and Regulation Elizabeth Jane Macpherson, 2019-08-08 A detailed study of the engagement of state law with indigenous rights to water in comparative legal and policy contexts

The Solidarity Approach in Geography Kavita Arora, Rashmi Rani Anand, 2025-07-08 This contributed volume explains the concept of solidarity and illustrates how perspectives informed by a solidarity approach can be utilized in geographic research Geography offers a set of concepts and tools including space place scale landscape and mobility that makes it a particularly useful lens through which to view issues of solidarity It is distinct from other sciences in its subject matter and methodology but at the same time offers a multidisciplinary approach and transcends its disciplinary boundary The concept of solidarity in geography is illustrated here through nearly thirty five case chapters all from the Indian subcontinent Topics covered here include but are not limited to geographical approaches to solidarity in economic issues indigenous knowledge international relations global geopolitics climate change crisis management human health and more

Water Governance: Retheorizing Politics Nicole J. Wilson, Joanne Nelson, Sameer H. Shah, Leila M. Harris, 2019-10-11 This republished Special Issue highlights recent and emergent concepts and approaches to water governance that re centers the political in relation to water related decision making use and management To do so at once is to focus on diverse ontologies meanings and values of water and related contestations regarding its use or its importance for livelihoods identity or place making Building on insights from science and technology studies feminist and postcolonial approaches we engage broadly with the ways that water related decision making is often depoliticized and evacuated of political content or meaning and to what effect Key themes that emerged from the contributions include the politics of water

infrastructure and insecurity participatory politics and multi scalar governance dynamics politics related to emergent technologies of water bottled or packaged water and water desalination and Indigenous water governance **Social Participation in Water Governance and Management** Kate A. Berry, Eric Mollard, 2010 Social participation in water management and governance recently became a reality in many economies and societies Yet the dimensions in which power regulation social equity and democracy building are connected with participation have been only tangentially analyzed for the water sector Understanding the growing interest in social participation involves appreciating the specificity of the contemporary period within its historic and geographic contexts as well as uncovering larger political economic and cultural trends of recent decades which frame participatory actions Within a wide variety of cases presented from around the world the reader will find critical analyses of participation and an array of political ecological processes that influence water governance Sixteen chapters from a diverse group of scholars and practitioners examine water rights definition hydropower dam construction urban river renewal irrigation organizations water development NGOs river basin management water policy implementation and judicial decision making in water conflicts Yet there are commonalities in participatory experiences across this spectrum of water issues The book s five sections highlight key dimensions of contemporary water management that influence and in turn are influenced by social participation These sections are participation and indigenous water governance participation and the dynamics of gender in water management participation and river basin governance participation and implementation of water management and participation and the politics of water governance Back cover

Water Security Bruce Lankford, Karen Bakker, Mark Zeitoun, Declan Conway, 2013-10-15 The purpose of this book is to present an overview of the latest research policy practitioner academic and international thinking on water security an issue that like water governance a few years ago has developed much policy awareness and momentum with a wide range of stakeholders As a concept it is open to multiple interpretations and the authors here set out the various approaches to the topic from different perspectives Key themes addressed include Water security as a foreign policy issue The interconnected variables of water food and human security Dimensions other than military and international relations concerns around water security Water security theory and methods tools and audits The book is loosely based on a masters level degree plus a short professional course on water security both given at the University of East Anglia delivered by international authorities on their subjects It should serve as an introductory textbook as well as be of value to professionals NGOs and policy makers

Water Justice and Groundwater Subsidies in India Gayathri D. Naik, 2024-07-23 This book examines the impact of water related subsidies on social and distributive equity and environmental sustainability in groundwater access and regulation in India This book argues that adopting a water justice framework is essential to ensure equitable and sustainable access to and regulation of groundwater by balancing anthropogenic and ecological water needs The inherent inequity resulting from property rights controlled groundwater access gets widened by the social political and economic factors determining the

subsidy beneficiaries Adopting a socio legal approach this book draws on two contrasting case studies in India Kerala a water secure state and Rajasthan an arid state Arguing for a shift to a new paradigm in water governance it critically examines the feasibility of the public trust doctrine and rights of nature discourse to analyse the best suitable regulatory framework that can balance the human right to water and ecological sustainability in groundwater resources It demonstrates the feasibility of adopting various environmental law principles that balance human rights to water and nature It argues that the hitherto highlighted public trust doctrine cannot address these inequities due to its anthropogenic bias and property rights link This book examines the applicability of the rights of nature discourse instead of these property rights based regulations to incorporate and mainstream the concerns of aquifer protection in water governance This book shall be of great interest to students scholars and practitioners of water law and policy environmental law water and social justice development studies and political ecology *Unsettled Waters* Eric P. Perramond, 2018-10-23 In the American West water adjudication lawsuits are adversarial expensive and lengthy *Unsettled Waters* is the first detailed study of water adjudications in New Mexico The state envisioned adjudication as a straightforward accounting of water rights as private property However adjudication resurfaced tensions and created conflicts among water sovereigns at multiple scales Based on more than ten years of fieldwork this book tells a fascinating story of resistance involving communal water cultures Native rights and cleaved identities clashing experts and unintended outcomes Whether the state can alter adjudications to meet the water demands in the twenty first century will have serious consequences *Managing Water for Australia* Karen Hussey, Stephen Dovers, 2007-07-12 Australian water policy and management are undergoing rapid and immense change in response to drought technological advances climate change and demographic and economic shifts The National Water Initiative and the 2007 Australian Government water policy statements propose a fundamental shift in how Australians will use and manage water in the future The implementation of the national water policy presents many challenges the creation of water rights and markets comprehensive water planning new legislative settings community participation in water management linking urban and rural water management and more *Managing Water for Australia* brings together leading social sciences researchers and practitioners to identify the major challenges in achieving sustainable water management to consolidate current knowledge and to explore knowledge gaps in and opportunities for furthering water reform

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