The role of municipal committees in the development of an integrated urban water policy in Belo Horizonte, Brazil
G. M. Costa, H. S. M. Costa, J. B. Dias and M. G. Welter

ABSTRACT
This paper discusses the challenges involved in adopting an integrated approach to urban water policies and management, particularly the problem of urbanization, defined as the lack of adequate and/or universalized access to infrastructure and services, informal housing and conflicts between environmental protection and social housing needs. In the last two decades, strong social movements have influenced urban environmental policies from national to local levels. In Belo Horizonte since 1993, decision-making processes have involved important mechanisms of democratic inclusion, such as the participatory budget, city conferences to review land use legislation and the creation of deliberative and consultative municipal committees. This paper presents the constitutional and institutional role of the five municipal committees dealing with water governance issues as important arenas for civil society participation. The main constraints to achieving integrated urban water governance at the local level and the extent to which such policies are able to reduce social inequalities and promote social-environmental justice in the use and appropriation of urban water, are discussed. This paper is part of the SWITCH—Sustainable Water Management Improves Tomorrow’s Cities’ Health—research network.

Key words | Brazil, democracy, governance, municipal committees, urban water management

INTRODUCTION
The adoption of an integrated approach to urban water policies and management is a constant challenge to local governance. This is due to the constant efforts required in a wide range of policy and management areas which have to be pursued not only among different institutions and stakeholders within the state structure, but also between the state and the civil society, organized around urban water production and appropriation issues. In a developing country such as Brazil, this challenge is particularly intense; on the one hand because of the incomplete nature of urbanization, due to the lack of adequate and/or universalized access to urban infrastructure and services, informal housing processes, and a permanent conflict between environmental protection and social housing needs; on the other, due to the emergence during the last two decades of strong social movements that have gradually become active agents in the formulation of urban and environmental policies from national to local level. Both federal and local legislation and policies have evolved because citizens have recently come to influence policy and decision-making, something which in the past was the exclusive prerogative of the state.

In the municipality of Belo Horizonte—the capital of the State of Minas Gerais in south-eastern Brazil with 2.2 million inhabitants—a reformulation of the local decision-making process since 1993 has involved important mechanisms of democratic inclusion, which have operated in the public sphere and have hopefully contributed to fairer urban policies. Some of these mechanisms are: the participatory budget, city conferences to review land use legislation and the creation of deliberative and consultative municipal committees.
This paper first examines the constitutional and institutional role of the concept of governance in order to introduce the municipal urban policies within which urban drainage and sanitation policies are implemented. It then turns to a comparative analysis of the five committees dealing with water governance issues in Belo Horizonte: the Municipal Committee for Urban Policies (COMPUR), the Municipal Sanitation Committee (COMUSA), the Municipal Environment Committee (COMAM), the Municipal Housing Committee (CMH)—all four of which were established within the institutional environment of the Municipal Secretariat for Urban Policies (SMURBE)—and the Municipal Health Committee (CMS). The focus is on their formal composition and attributes, the degree of representation of different sectors of society and state institutions and the nature of the decision-making process, among other issues. The starting point is the institutional mapping of the urban policy systems of Belo Horizonte, which provides interesting insights into government and civil society representation and highlights the differences between the deliberative and consultative committees (Costa et al. 2007).

On the basis of interviews with selected members of COMUSA, the Municipal Sanitation Committee, this paper will attempt to evaluate some relationships between the committees and how they are articulated as far as the issue of urban water governance is concerned. As committees are important arenas for active civil society participation, this paper seeks to contribute to the discussion on the main constraints and limitations to achieving integrated urban water governance at local level, and on the extent to which such policies are able to contribute to reducing social inequalities in the use and appropriation of urban water and to promoting social environmental justice.

This paper is part of the Governance Work Package of the international research network SWITCH—Sustainable Water Management Improves Tomorrow’s Cities’ Health (European Union 2006). This integrated project, developed in nine cities around the world, including Belo Horizonte in Brazil, states as its main objective “the development, application and demonstration of a range of tested scientific, technological and socio-economic solutions and approaches that contribute to the achievement of sustainable and effective Urban Water Management schemes in ‘The City of the future’. SWITCH aims to discuss urban-environmental problems which involve consumers of urban water and encourage local arrangements and institutions in public administration to implement Learning Alliances, which are realms of participation and social learning. It is intended that these Alliances may contribute to the formulation of fairer public policies, to technological improvements in urban water services and eventually to achieving integrated management of water resources.

**FLIRTING WITH THE CONCEPT OF LOCAL GOVERNANCE**

Following the democratic innovations brought about by the 1988 Brazilian Constitution, the 1990 Belo Horizonte Organic Law—the municipal constitution—provided an opportunity for debate about urban questions, revealing changes in citizens’ political behaviour. It introduced the possibility of people’s initiatives in the legislative process (iniciativa popular) and citizens’ participation in public administration through popular bodies, such as the committees.

Since the 1990’s there has been some reformulation of the decision-making processes in Belo Horizonte, but it was Municipal Law n° 8146 in 2000 that gave more importance to the committees, intensifying people’s participation in local government decisions. The law reinforced the practice whereby each Municipal Secretary had to convene an advisory committee composed of members from the government and from civil society. Participation on the committees had to be voluntary and had to satisfy public interests.

In 2005, municipal law no. 9011 replaced law n° 8146 but maintained the importance of the committees as bodies for the surveillance and supervision of public spending. In fact, the committees represent an important mechanism of participatory democracy, articulating demands in areas such as health, education, transportation, housing, urbanization, environment, sanitation, culture and others. Although not without problems, they have been capable of generating important changes in urban politics.

Our analysis attempts to understand the role of advisory and deliberative municipal committees as part of the Belo...
Horizonte administrative structure. It is important to notice that these committees emerged in Belo Horizonte within the national context of social mobilization that led to the 1988 Brazilian Constitution. “The creation and dissemination of the municipal committees results from the emergence in Brazil of the ideals of a reform of the institutions of local government” (Santos et al. 2004, p. 12). At that time, discussions on more radical urban politics were gradually restored, after the imposition of decades of technical and depoliticized approaches to urban policy making, along with strong emergent environmental concerns, so that some sectors of society were motivated to organize themselves through public debates. At municipal level, popular participation was strengthened as an important form of control over state actions.

In Belo Horizonte, the Municipal Secretariat for Urban Policies, part of the local administration structure, is responsible for housing, urban regulation (land use), slum upgrading and land regularization, public works (including drainage), transport and mobility, refuse collection and the environment. The corresponding participatory committees are: the Municipal Committee of Urban Policies, established in 1997 as a requirement of the 1996 Master Plan; the Municipal Housing Committee, created in 1994; the Municipal Environment Committee, created in 1985; the Health Committee, established in 1991; and the Sanitation Committee. As a preliminary evaluation of this structure, we believe that there is a reasonable degree of formal integration and that the existence of committees to complement the decision-making process can be seen as a “promising embryo of governance for integrated urban water management in Belo Horizonte” (Costa et al. 2007).

Unavoidable challenges arise from this interaction between government and organized civil society, recalling the discussion of the notion of governance due to the pressing need to reconcile conflicting interests, which is essential to increase democracy. The UN concept of governance is a “continuing process through which conflicting or diverse interests may be accommodated and cooperative action can be taken. It includes formal institutions as well as informal arrangements and the social capital of cities” (Green 2007, p. 13). Other concepts and definitions have followed, such as:

Governance as an arrangement of governing-beyond-the-state (but often with the explicit inclusion of parts of the state apparatus) is defined […] in the context of this paper as the socially innovative institutional arrangements of governance that are organized as horizontal associational networks of private (market), civil society (usually NGO) and state actor (Swynge-douw 2005 quoted by Green 2007).

In spite of the globalization ideals embedded in the international governance concept, it has nonetheless been appropriated and adopted by countless public bodies in Brazil to mean a shared way of making policies capable of influencing governments and local politics and actuallydefinitely modifying the basis of governmental institutional arrangements.

Some important aspects of the recent debate on the concept of governance may be highlighted. First, governance concerns are about social relationships and social roles in society. Secondly, people involved in these relationships are stakeholders, who are committed to defending different groups’ interests and therefore have the power to influence decisions. Thirdly, stakeholders have different profiles, for example politicians, experts in certain areas or representatives of a sector of popular society with common knowledge of different subject areas. It is important to stress that stakeholders have power in a decision-making process because they decide which popular demands are to be brought to debate at a political level. “Stakeholder engagement therefore raises major questions of justice: what is an equitable distribution of power? And, what are the forms of power that may be deployed?” (Green 2007, p. 45).

For Green (2007), the adoption of this governance concept leads to reflection on the failures of the past and the possibility of making better decisions in the future, something that will only be possible if there is justice, liberty and equity in relationships and if decisions are made collectively. He also emphasizes that stakeholders’ engagement, as an important element of governance, should not be romanticized. This is to avoid the idea that they are spokespeople helping to find a consensus. First it is necessary to argue “whether the decision reached by consensus is desirable, whether the consensus was reached
by equitable means, as well as why a consensus should be anticipated at all” (Green 2007, p. 50). Second it is important to discover which society group a stakeholder represents, since the nature of the decisions taken tend to reflect the specific interest of that group. The concept of governance necessarily presupposes a discussion about democracy and its values, leading also to a discussion of representation on the committees.

DEMOCRACY AND THE MUNICIPAL COMMITTEES

Democracy is described not merely as a political regime but as a mechanism that is inherent to the operation of society. It is only possible to talk about democracy and other related concepts in societies that accept the existence of inequalities and conflicts of ideas and opinions between different groups. For Chauí (2005), in a legitimate democracy, conflict is necessary instead of acceptance of imposed consensus. Beyond the fact that rights are guaranteed in a democracy, they must also be dynamic, bringing opportunities for new rights to be created through political struggles.

We would say, then, that a society is democratic when it establishes something deeper, which is a condition of the political regime itself; in other words, it is just when this institution establishes rights that it is a social creation, so that democratic social activity constitutes itself as a social struggle and, politically, as a social anti-establishment power that determines, drives, controls, limits and modifies state actions and the power of those who rule (Chauí 2005, p. 25—translation added).

According to Santos (2005), the effectiveness of democratic dynamics depends on the existence of conditions for the exercise of citizenship rights, which presupposes social inclusion and interaction between government and society in the public sphere. He argues that in a real democracy the tools that enable popular participation have to be available to all in order to allow the inclusion of all social movements, regardless of technical knowledge or supposed competences.

Democratic participation is possible, to some extent, through stakeholder membership of municipal committees. But what legitimizes the participation of stakeholders on these committees? What guarantee is there that their decisions actually reflect society’s demands? If we analyse the ways in which municipal committees are conceived and structured, we may perhaps conclude that they are democratic entities, but a deeper analysis might show restrictions in democratic practice. It is a fact that committees are institutional entities which take away the public administration’s exclusive control over policy making. However, to make participation a real process, it is essential that the organized sectors of society be truly represented by the committee members.

Organized society is understood to mean civil associations, composed of people who represent different parts of society and defend different causes. There is no guarantee, however, that a NGO that sits on a municipal committee, for example, is really acting in a way that represents its specific sector of civil society. It is hard to believe that there is enough room on a committee for all kinds of social interests to be represented. But even if committees are not a perfect example of effective democracy, they can be seen as an important embryo for that. According to Santos (2005), democratic changes happen if people are able to organize themselves, by building more representative social organizations with strong alliances within the government.

These democratic changes have become a landmark in administrative, legislative and political decentralization, making the inclusion of local government possible, which in turn has helped to form a solid foundation for Urban Reform in cities. The Urban Reform movement of the 1980’s had strong initial support from progressive sectors of the Catholic Church, and represented the unification of urban struggles in the large urban areas. Some of the common objectives of those struggles were: regularization of urban land ownership; implementation of public social housing programs; improvement of public transportation; and the institution of democratic spaces for city management, such as the committees. (Costa 1988; Maricato 2000; Lago 2004). Although the central aims of the Urban Reform movement have not been fully achieved, many notable advances have been made over the last two decades, mostly in terms of increasing participation by the people as an important instrument for improving urban policies. According to Souza (2005), popular participation does not guarantee
correct decisions, but it is an important initiative to avoid the false idea that only experts should be responsible for decisions in the name of the majority. It allows each citizen to feel responsible for the results of their choices. Besides, participation is an inalienable right, essential for the exercise of citizenship.

The emerging question therefore is: are the municipal committees capable of expanding the means for democratization in urban management and, consequently, in urban water management?

It is important not to be naïve and believe that municipal committees are an innovation present in every municipality in Brazil. To a certain extent they are a requirement of international financial institutions. Since 1992 the World Bank has spread the concept of sustainable cities and made an effort to formulate detailed recommendations on how city management should be carried out. Governance, for instance, is a concept promoted by international financial institutions and is a pre-condition for developing countries to access international resources for local projects. The World Bank defines governance as a democratic form of power, exercised to manage economic resources and to formulate public policies, with responsibility shared between governments and organized civil society.

Such a formulation suggests that governance exercised in cities depends on the efficiency of the public sector in improving ways to manage resources invested in public projects and encouraging the participation of ordinary people in choosing better solutions to urban problems. This idea is reinforced by Santos et al. (2004) when they discuss democratic government and local power.

The municipal reform project is not confined to the national frontiers. It has been spread by international institutions as an integral part of the National State organization’s liberal agenda, in which the ideas of decentralization and urban protagonism, as strategies to deal with the effects of global liberalism agreements, have gained huge importance (Santos et al. 2004, p. 13 translation added).

Although the concept of governance and the ways in which it has been disseminated by international institutions such as the World Bank can be widely criticized, there are advantages in the restructuring of popular participation in local governments, leading to more democratic urban management. The positive aspects of democratic governance should be acknowledged, such as the growing interaction between government institutions, social agents and market agents to promote social inclusion and participation in the implementation of more adequate and socially just urban policies. In this context, municipal committees are a recent form of local governance, where ordinary people have a say alongside public administration staff and technical experts on the challenges in improving public policies at local level.

**APPROACHING URBAN WATER MANAGEMENT IN BELO HORIZONTE THROUGH THE MUNICIPAL COMMITTEES**

The municipal committees in Belo Horizonte, as has been shown, are mixed entities composed of members of the public administration and civil society in equal proportions, with the express aim of sharing responsibility for the formulation, approval and sometimes oversight of public policies. Figure 1 summarizes the main aspects of the five municipal committees that deal with issues directly related to urban water management.

Interviews and other forms of qualitative research have provided information on how and in what circumstances decisions are actually made. Figure 1 presents the attributes of each committee, and a certain degree of interrelation can be seen among the topics they deal with. Apart from the Municipal Health Committee, the other four committees belong to the institutional realm of SMURBE, the Municipal Secretariat for Urban Policy. On the one hand, this is a positive aspect as the contents of the policies relating to each of the four committees are conceived in an integrated manner as urban policies. On the other hand, there is a relative degree of autonomy within each system, which is composed of a secretariat, a committee and, in many cases, a financial fund. Usually, the secretariat proposes a policy or a project, which is discussed within each committee.
<table>
<thead>
<tr>
<th>Committees</th>
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<tr>
<td>Legal nature</td>
<td>Deliberative, normative and advisory body to the environmental secretary</td>
<td>Supervising body for implementation of rules. Deliberative body for the neighbourhood impact assessment, and for appeal-level administrative processes relating to the master plan and land parcelling, occupation and use law.</td>
<td>Deliberative and advisory body.</td>
<td>Deliberative and supervising body.</td>
<td>Deliberative and advisory collegiate body</td>
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<td>Composition and representation of members</td>
<td>5 Municipal administration 7 Organized Civil Society 1 University 1 Municipal legislature</td>
<td>8 Municipal administration 5 Organized Civil Society 1 University 2 Municipal legislature</td>
<td>7 Municipal administration 5 Organized Civil Society 1 University 1 Municipal legislature</td>
<td>9 Municipal administration 8 Organized Civil Society 1 University 2 Municipal legislature</td>
<td>5 Municipal administration 3 Organized Civil Society 5 Medical technical area 1 Municipal legislature</td>
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<td>Objectives</td>
<td>To formulate environmental policy guidelines; To legislate on environmental protection; To evaluate environmental licensing processes.</td>
<td>To supervise the implementation of the master plan and the land parcelling, occupation and use law; To deliberate on appeal-level administrative processes related to the master plan and the land parcelling, occupation and use law; To propose guidelines for municipal urban policy; To implement the Municipal Urban Policy Conference.</td>
<td>To control, supervise and evaluate the execution of the municipal sanitation policy; To approve the Municipal Sanitation Plan and to supervise its implementation.</td>
<td>To analyse, discuss and approve the objectives, guidelines and priorities of the Municipal Housing Policy; To provide guidelines for public and communal interventions in shums.</td>
<td>To control the execution of the Municipal Health Policy; To propose medical assistance standards; To control public and private sector health. To approve the Municipal Health Conference Statute.</td>
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<td>Urban water management</td>
<td>Due to its role in establishing environmental protection rules and standards and its responsibility for issuing environmental licences to projects with a potential environmental impact, all government projects relating to urban water management are analysed and licensed by this committee.</td>
<td>Responsible for the municipal urban policy conference, where urban water management topics are discussed. Responsible for drafting the master plan and increasing living standards for the municipal population, in which improved urban water management is central.</td>
<td>Liaises with the committees whenever sanitation issues arise. Approves and publishes the Municipal Environmental Health Status Report. Responsible for the approval and surveillance of the Municipal Sanitation Plan and Drainage Master Plan.</td>
<td>May consider the implementation of urban water management projects within the priorities of the municipal housing policies.</td>
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**Figure 1** Composition, regulation, representation and objectives of the municipal committees concerned with Urban Water Management in Belo Horizonte.
Committee members may approve, reject or present amendments to the proposals. New proposals may be submitted by civil society representatives, although this is not very common. Several elements are seen to limit full civil society participation in the process: difficulties with technical language, lack of access to information, and lack of time and money to attend meetings are issues frequently pointed out. In spite of that, the structure represents a democratic advance in policy development and also provides an empowering experience.

Public sector representatives—from municipal administration and legislature—make up approximately half of each committee. The other members come from social movements, technical and professional organizations, trade unions, urban and environmental NGOs, and the academic sector, the last usually with one representative. Representation on the committees is always a contentious issue, as it may have a direct influence on the power balance and voting results. Many civil society interviewees, although recognizing that most relevant sectors are represented on the committees, question the dominant weight of municipal administration representatives, particularly when contentious matters are being discussed. On the other hand, when important urban water policy proposals and projects are submitted by the local administration, they usually stand for sound criteria of urban sustainability and social participation. That makes them readily approvable.

Not all committees are deliberative and those that are hold a significant amount of power to influence policies. An interesting example is the Municipal Environmental Committee—COMAM—which is responsible, among other things, for licensing activities which might cause an impact on or risk to the environment, including private productive activities, real estate/property investments and even public programmes and projects such as environmental recovery, slum upgrading, transportation and road systems and public housing. Competition for election as a civil society representative is fierce and political disputes and conflicts may be aired openly. Other committees such as the Urban Policy Committee play a central role in urban and environmental politics during certain special events, such as the Municipal Urban Policy Conference, when urban legislation is discussed and evaluated, and new propositions are voted on to become part of a legislation review project.

The Municipal Sanitation Committee—COMUSA—is the most recently created of the five committees. Its objective is the most directly related to the integrated urban water management pursued by the policies and is a longstanding demand of several institutions and interest groups in the field of environmental sanitation. COMUSA is a central element in the municipal sanitation system, which also includes the Municipal Sanitation Plan and the Municipal Sanitation Fund. Interviews carried out with members of COMUSA have shown that the Committee is still relatively fragile and not yet able to develop its own proposals. Its action is restricted to the discussion of proposals put forward by the municipal administration. The role of the committee as a potential forum for discussion when conflicts arise is reinforced by the interviewed members, although they recognize that consensus situations are much more frequent.

CONCLUDING REMARKS

The over-representation of the public administration mentioned previously is seen as a hindrance to the free emergence of more creative proposals that could be developed by different sectors of society represented on the committee. Two other points were made in the interviews: firstly that organized civil society should be represented by institutions actually involved in environmental sanitation politics, including the sectors of popular society that actually demand sanitation services; and secondly, the balance between representatives of the municipal administration and civil society should be altered to favour the latter. This would require a review of committee rules.

According to the interviewees, COMUSA needs to be improved by more carefully defining its remit, which at the moment is very often mixed up with other subjects, such as housing or urban regulation. It was also said that, apparently, the present composition of COMUSA’s membership does not favour the democratic process in the environmental sanitation sector. There is not enough dialogue with other committees or forums and there is little effort to identify the demands which should be debated within COMUSA. Some of its most important roles are not fulfilled or are neglected, as is the case of supervising the
implementation of the municipal Basic Sanitation Policy. Supervision is seen as important inasmuch as sanitation policy demands are apparently not considered a priority in the municipal budget.

It has also been pointed out that the role of COMUSA in resolving conflicts between, for instance, the population and the sanitation services contractor has been neglected. Most of the decisions that ought to be based on political debate are frequently made by the executive power without consulting COMUSA. Both the formal composition of the committee and the degree to which it represents civil society, as well as the crystallized cultural politics of its members, run counter to the effective internal organization and operation of COMUSA. For this to change COMUSA’s rules must be reviewed, especially as far as its composition and the representativeness of civil society institutions are concerned. Otherwise, there is a risk of losing the democratic purpose of the creation of COMUSA and, consequently, the opportunity to reduce social inequalities in the use and appropriation of urban waters.

In conclusion, it is possible that similar arguments apply to the other participatory committees mentioned previously. However, it is always important to emphasize that the improvement of participatory conditions on the committees constitutes a democratic advance in the construction of urban water governance in Belo Horizonte.

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