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Water as Dispute and Conflict

Book Review by:

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**Interstate Disputes over Krishna
Waters: Law, Science and
Imperialism**

by Radha D'Souza

2006

(Hyderabad: Orient Longman)

And

**Conflict and Collective Action: The
Sardar Sarovar Project in India**

by Ranjit Dwivedi

2006

(London & New York: Routledge)

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Throughout the 1990s in India, innumerable vibrant and popular agitations and movements around water helped mature a crop of critiques against the then prevailing orthodoxies on hydraulic development. Following this great watery churning, a number of scholars, activists and researchers sought to fundamentally rework the field of water studies itself. While part of the effort was about asking new questions, the cutting edge of the exercise lay in striving to understand how the flows of water are deeply implicated in varied political and social relationships. In other words, it was emphasised that water management needed to be analysed beyond the simple frameworks of neoclassical economic calculation, which, in large measure, continues to inform and shape most bureaucratic and technoscientific hydraulic practices. Several recent publications on the subject have, in fact, only further intensified this ongoing ideological challenge to post-independent India's conflict-ridden embrace of "supplieside hydrology".

The monographs by Radha D'Souza and Ranjit Dwivedi, the books under review, emphatically address the abovementioned conceptual turn. Consequently, their arguments, in timbre and spirit, are polemical and provide many a refreshing critical insight and attempt nothing less than insistently arguing that new ways of thinking about India's existing water strategy are imperative and eminently possible. What does, however, make these monographs particularly striking is that both the authors adopt a certain encyclopaedic style; not only in the manner with which they supplement their arguments with scrupulous detail and fact but choose to exhaustively review a number of frameworks on the water question in India. Thus, these monographs make for wholesome reading. Though, on the reverse, given such an overflow of claims to be dealt with, a comprehensive treatment on a point by point factual engagement cannot be attempted here. I will, therefore, choose to concentrate on what I consider to be some of the flashy currents that seem to animate their central arguments.

Interstate Disputes over Krishna Waters meticulously discusses the now almost insoluble conundrum of regional water conflicts in India. Most, if not all, such water-related conflagrations have become inevitable hunting grounds for the play of chauvinist politics, arbitration gymnastics, the chaos of statistics and followed with a circus of claims and counter claims by so-called experts. Most significantly, however, from the rough and tumble of this water drama the popular opinion that is always sought to be conveyed is that a "just" and "equitable" middle ground can somehow be reached, to the satisfaction of all sides. In a nutshell, D'Souza's book attempts to evaporate this simple belief. Not by suggesting that "solutions" are not possible but arguing instead that new pathways for dialogue can only be revealed by first dissecting the very epistemological foundations upon which such arbitration awards are often made to rest.

Towards this, D'Souza, as the case example for the study, scrutinises the Krishna Water Disputes Tribunal (KWDT) award that was finalised in 1974 and published in 1976 (in five volumes). Upon throwing a piercing beam of analytical light on the KWDT, the author suggests that the attrition over the Krishna river, between the states of Andhra Pradesh, Maharashtra and Karnataka, is a product of particular framings of law, science and technology; that comprise, in turn, as interlocked elements determined substantially by the region's colonial encounter and the momentum brought on by postwar imperialism. That is, on rigorous inquiry, the ostensibly untroubled building blocks for the "solution" are squarely implicated as part of the problem.

Identifying this twist in the Krishna tale was made possible by the author shifting the methodological ground to aspects of history and political economy. It is, thereby, pointed out that the KWDT award chose to draw upon a narrow legacy of positive law, formal rules, simple quantification and most significantly a "onedimensional" engineering world view of the river – conceived only as a carrier of cubic feet of water. What subsequently got effaced and elided from such a limited action by the KWDT was the entire complexity of the region's ecology, its web of relations with the Krishna River and the historical embeddedness of a mosaic of social, institutional and political dynamics through tanks and anicuts systems. Thus, when the recondite pretensions of the legal expert and the cryptic formulae of the water technocracy are unpacked as historically shaped entities and as being assembled by specific economic and political calculations, the search by the Tribunal for the terrain of "objectivity" and "precision" in its ruling easily gives way instead to "...the foundations for the *internal schism* that was to become a structural feature of water use in Indian society in the post-independence era" (p 161) (emphasis mine).

Put differently, D'Souza is arguing that the KWDT, by operating principally as a legal process, rather than settling the Krishna dispute through notions such as "equitable apportionment", ended up reproducing and entrenching a series of social, political and economic contradictions in its ruling. Hence, for the author, this internalised schism explains the recurrent instability of the award itself.

While this is an innovative and thoughtful book, D'Souza does tend to saddle the main text with one too many repetitions of the argument and often prefers to burden the reader with long quotes rather than keeping to the simple elegance of weighing a claim. Nevertheless, two remarkable chapters stand out in the monograph. In my opinion, Chapter 8 (pp 215-37) and Chapter 15 (pp 433-62) offer a lucid and convincing discussion on the various inadequacies and pitfalls that eclipse the empirical data and quantifiable detail in much of the so-called scientific and technical decisions for river valley development. Hence, many hydraulic projects can often, it seems, be made to rest on very suspect data: such as the river's "dependable flow", "catchments run-off", "streamflow", etc. Thus,

the author appears to indicate that many sorts and types of fictions make for the fragile and feeble conceptual foundations of the KWDT award and, by implication, perhaps, the case may not be very different with other such tribunal decisions on water disputes.

Dwivedi's monograph titled *Conflict and Collective Action* dilates on some of the above concerns by examining the question of the validity of several types of truth statements made by a range of actors on the Sardar Sarovar Project (SSP), one of India's most controversial large dams. The voluminous and loud debate and critique of the SSP, as is now well documented and known, comprises a massive collection of claims and counter-claims over almost every single inch of "objective fact" that has been produced on the dam's cost-benefit ratios, environmental impacts, rehabilitation and displacement. In other words, the project is hotly contested from every conceivable social, political and economic angle. Furthermore, this noisy and often confusing back and forth tossing of empirical detail, figures, values, assessments and truth claims emerge from a spectrum of groupings, institutions and organisations, who span the level from government, semi-official, NGOs, experts and social and political movements.

Given the manner in which such truth statements have proliferated and a reposed, a sort of Mexican stand-off in the debate on the SSP was, perhaps inevitable. Put differently, from such an enormous pot of facts whose version can be accepted as the correct claim? If one were to thus move beyond this stalemate, according to Dwivedi, the verifiability and credibility of the truth claims need to be unravelled and situated in complex grids of experience, interest, knowledge and power relationships and processes. The purpose being to not simply juxtapose critiques to the official SSP version but instead to rigorously and meaningfully establish "how claims emerged, how experiences and interests fuelled them, and how actors mobilised power and resources to sustain them" (p 4).

Whilst, perhaps, this does not appear to be a novel insight, Dwivedi's forceful emphasis enables him to provide a deep searching, exhaustive and cogent review of the voluminous literature on the SSP. And the purpose for this even-handed, meticulous and scrupulously carried out enumeration of the many sides of the SSP conflict was intended to argue that the understanding of the latter needed to be shifted from the hitherto dominant "critical analyses" stance towards instead a pronouncedly "crisis analyses" mode. That is, in the opinion of Dwivedi, crisis analyses bring to the fore the fact that not only is there a "breakdown in the legitimacy of established ways of viewing and doing development action", it has done so without making "any acceptable and alternative ways [of knowing] available" (p 354).

Thus, if the SSP conflict is to be rescued from the confusion of entrenched ideological positions in which "criticisms or contradictory claims can no longer

be accommodated or assimilated” (p 354), a strategy of “crisis resolution” could be adopted. In this, the main thrust, according to the author (advocated in a somewhat feeble tone), lies in the “provisioning of institutional avenues for dialogue for negotiating conflicting interests, norms and values ingrained in the different persuasions of the actors involved” (p 356). In other words, one can and needs to build bridges between otherwise irreconcilable ideological positions in order to move the debate on the SSP forward.

Dwivedi thereby is suggesting that some sort of middle ground is possible between those advocating a “no-dam” position and those committed to the completion of the SSP as planned. This negotiated possibility, however, does not appear to sit well with the general run of the book. More so, when Dwivedi has used up most of the chapters to carefully and insightfully reveal the power of how the industrial elite and interests of capital have pursued the SSP project and primed themselves as the dam’s main beneficiaries. Why then would these beneficiaries “negotiate” to their loss? And at what point of the negotiation can it ever be a win-win situation? This somewhat inexplicable explanatory posture of Dwivedi is further complicated, as rightly pointed out by Amita Baviskar in the foreword, by his insistence on being neither pro nor anti-dam.

To an otherwise great survey and analysis of a very complex and conflicted subject such as the SSP, one wishes that the author’s concluding perspectives could have been more rewarding. Sadly, Ranjit Dwivedi’s untimely passing away will mean that others will have to pick up and work through the many challenges thrown up by this excellent book.

To conclude, both these monographs, to their credit, help us decisively move away from the fatal innocence of old, which tended to treat water projects as politically neutral artefacts that simply involved benefits for all, across India’s class and caste divide. Clearly, studying and exploring water as an important site of dispute and conflict has acquired new urgency.

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However, water conflicts arise for several reasons, including territorial disputes, a fight for resources, and strategic advantage.[6] A comprehensive online database of water-related conflicts—the Water Conflict Chronology—has been developed by the Pacific Institute.[7] This database lists violence over water going back nearly 6,000 years. Conflict Over Aquatic Resources. Freshwater scarcity in relation to climate change and conflict risks. Sandy Ruckstuhl - Teaching Water, Conflict, and Cooperation. Transcription. Contents. 1. Dispute over water in the Nile Basin The Nile basin features significant conflict over access to and rights over the Nile water resources among its eleven riparian countries. The Nile Basin Initiative (NBI), founded by 9 out of 10 riparian countries in 1999 with backing from major donor institutions, has achieved some successes in its attempts to strengthen cooperation. In 2015, trilateral negotiations between these countries over a major dam under construction in Ethiopia led to a framework agreement that may, in time, prepare the ground for a broader agreement. Read more and watch our explanatory video. 2. Water shortages and public discontent in Yemen As a consequence of severe mismanagement, Yemen's water availability is declining dramatically. Conflict is a phenomenon that is as old as the history of mankind, as a result of the interaction, the instinctive impulses are exposed. The conflict is manifested in cases of disagreement focusing on limited time, space and resource use between at least two individuals. All these differences are caused by various conflicts in organizations, such as personal differences, differences in ... Transboundary Water Disputes: State Conflict and the Assessment of their Adjudication. February 2019. Itzchak E. Kornfeld. Cambridge Core - Arbitration, Dispute Resolution and Mediation - Transboundary Water Disputes - by Itzchak E. Kornfeld. Read more. Article. Water and Power: The Conflict over Los Angeles' Water Supply in the Owens Valley William L. Kahrl. January 1983 - The Public Historian. Development disputes. No Code of Hammurabi for the State of Sumer - Hammurabi lists Hatami and several laws pertaining to irrigation that address negligence of Gleick 1994 irrigation systems and water theft. 1720-1684 Abi-Eshuh, Iluma-Illum Military tool BC. Data from the Pacific Institute for Studies in Development, Environment, and Security database on Water and Conflict (Water Brief). 11/10/08. Date. DW: What is a water conflict and what does it look like? Charles Iceland: In many places throughout the world, there's just more and more demand for water with respect to what's available. Sometimes the conflicts are nonviolent — like in Australia or California where people go through the legal system or they work their issues out without violence. Read more: Egypt, Ethiopia, and Sudan commit to resolving Nile dam dispute. Will we see a future of water wars and water as the new oil? Both, like a lot of metaphors, are not really accurate. Wars are rarely fought over water as a single issue. Rather, we see the problem as a threat multiplier. So it's one issue in the background.