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Remunicipalization: The future of water services?

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ABSTRACT

After three decades of privatization, the world is witnessing dramatic reversals in the water sector. Cities around the world are 'remunicipalizing' their water services by taking them back into public control, and the pace appears to be growing. But there are also forces which may slow this trend. Private water companies appear concerned about its impact on profits, austerity has forced some governments to abandon plans for re-municipalization, and legal barriers are multiplying. There are also diverse motivations for remunicipalization, putting into question its status as a coherent political trend. This paper develops a typology of different ideological forms of remunicipalization, identifying key stakeholders and the nature of their support, as well as indicating prevalent formats and regional trends. My hypothesis is that remunicipalization will continue in the medium term due to widespread dissatisfaction with privatization, but that differences within the re-municipalization movement, combined with resistance from powerful multilateral actors, may make it difficult to sustain.

1. Introduction

Remunicipalization[2] is one of the most important changes in water services in a generation. After more than three decades of privatization (including public-private partnerships and outsourcing), cities around the world are taking water services back under public management and ownership, with major implications for how water and sanitation may be owned, financed and operated in the future. Over the past 15 years there have been at least 267 cases of water remunicipalization in 37 countries, affecting more than 100 million people (Kishimoto and Petitjean, 2017). The pace of remunicipalization appears to be growing, and there is an expanding international movement in favour of publicly-managed water.

This trend prompted the Chair of *Eau de Paris* (which re-municipalized in 2010) to claim that "a counter-attack is underway and is spreading throughout the world…giving rise to a new generation of public companies that are beginning to play a stronger role in the water sector" (Blauel, 2015, 2). The majority of remunicipalization has thus far occurred in two countries – France and the US – but it is a truly global phenomenon, wherever privatization has taken place, including cities as diverse as Accra (Ghana), Almaty (Kazakhstan), Antalya (Turkey), Budapest (Hungary), Buenos Aires (Argentina), Conakry (Guinea), Dar es Salaam (Tanzania), Kuala Lumpur (Malaysia) and La Paz (Bolivia). Half of all cases have occurred since 2010, suggesting an acceleration of interest (Lobina, 2015).

Further support for remunicipalization is evidenced by the wide cross-section of actors that are behind it, including governments, labour unions, NGOs and social movements (Beveridge et al., 2014, Hall et al., 2013, Le Strat, 2014; Nickson and Vargas, 2002; Pigeon et al., 2012, Wollmann et al., 2010). A broad-based revival of state-led development and a growing international pro-public movement give further impetus to the remunicipalization trend (Bollier, 2014, Chavez and Torres, 2014, Clifton et al., 2007, Clò et al., 2013, Cuervo-Cazurra et al., 2014, Florio, 2013, Ramesh et al., 2010). There are also regional associations of public water operators that appear "well positioned to play a strategic role in the generation and dissemination of knowledge and advocacy of remunicipalisation", especially in Europe (e.g. France Eau Publique, Allianz der öffentlichen Wasserwirtschaft, and Aqua Publica Europea) (Hall et al., 2013, 208).

Remunicipalization is taking place in other sectors as well, including transportation, waste management, cleaning, housing and electricity (Hall, 2012, Kishimoto and Petitjean, 2017). The electricity

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[2] Different terms have been used to describe this phenomenon, including de-privatization, reclaiming public services, taking services back in public hands, in-sourcing and social re-appropriation, some of which reflect different institutional and ideological characteristics at play. I have opted for the (admittedly inelegant) term 'remunicipalization' because most water services are in fact operated at the municipal level, and because it has become the most widely used expression in the literature on this topic. It should be noted, however, that in some cases water services are being made public at the national or regional level (e.g. Uruguay) while in others they are being made public for the first time, in which case the appropriate term is 'municipalization' (e.g. Missoula, in the United States, which made its water services public for the first time in 2017).

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sector is particularly active, with Germany alone having established more than 60 new local public utilities (*Stadtwerke*) and 190 energy concessions between 2007 and 2012 (Wollmann et al., 2010, 179). Approximately two thirds of all German communes are "considering buying both electricity generators and the distribution networks, including private shareholdings in some of the 850 *Stadtwerke*" (Hall et al., 2013, 203; see also Becker et al., 2015).

And yet, there are important questions to ask about the coherency and sustainability of the remunicipalization trend in the water sector. Although it is likely to continue in the short to medium term due to the widespread failures of, and dissatisfaction with, various forms of privatization, radical differences within the remunicipalization movement, combined with ongoing fiscal restraints and possible resistance from powerful multilateral actors, could make it difficult to sustain as a coherent policy movement. There are also concerns with the kinds of governments that water services are being returned to, and whether remunicipalization necessarily leads to democratic, equity-oriented and accountable public agencies. Rising legal and financial barriers to remunicipalization are also becoming a problem.

Nor has privatization itself disappeared. Despite concerns on the part of private water companies with long-term, risk-bearing contracts – especially in the South – their participation in the water sector continues to expand. As Nellis (2012, 1) notes, "Although powerbrokers now tend to view privatization warily, there is good reason to believe that, due to the impact of the ongoing global economic crisis on government budgets, its day will come again." In fact, 2015 saw the highest level of privatization transactions ever recorded (at over $300b, across a wide range of sectors), "shattering" the previous record set in 2009, prompting Megginson (2015, 2) to claim that "privatization as a core national economic policy appears to be in rude good health."

Private sector participation in the water sector also continues to be supported financially and ideologically by governments, international financial institutions, many UN agencies and professional water associations (Bakker, 2010). Some 14% of the world's population were receiving water services from private corporations in 2012 (up from 5% in 2000), and the cumulative number of private sector contracts in the water sector is still growing (albeit at a slower pace than before) (Owen, 2012, xiii, 8–9). China has witnessed particularly rapid privatization growth, where the population served by private water companies increased from 8% in 1989 to 38% in 2008 (Wu et al., 2016).

Nevertheless, water privatization does appear to be losing traction in many parts of the world and could face widespread reversals in the future. Hundreds of municipalities will be making difficult choices in coming years about whether to renew or cancel private sector contracts, with policy makers and other interest groups seeking reliable insights into how and why remunicipalization decisions have been made and what the potential challenges might be. In Spain alone, concession contracts in some 90 municipalities – home to about 3.5 million people – are set to expire by 2025 (Planas, 2017, 146). The growth of remunicipalization may also prevent privatizations in the future as private companies decline bidding opportunities for fear of contract reversals. It is important therefore to have a sober assessment of the challenges and opportunities that lie ahead for water remunicipalization, as well as a better sense of its varied characteristics.

This paper develops a typology of different forms and rationales of water remunicipalization and discusses their possible trajectories into the future. It draws on a small but growing body of literature on the topic to map out these positions, while at the same time highlighting gaps in our knowledge, calling for more conceptual and empirical research to test and (re)formulate the ideas outlined in this paper, particularly with respect to competing paradigms of remunicipalization, some of which may dampen the prospects for progressive change in the future.

The paper begins with an historical review of water remunicipalization in the *longue durée*. Many water utilities began as private entities in the 1800s and were municipalized for the first time starting in the late 19th century (only to be privatized again from the 1980s). The different rationales for this original municipalization movement share some commonalities with that of *re*-municipalization today, making a brief appraisal of these previous policy swings a necessary starting point for any contemporary analysis.

The paper then lays out a proposed typology of competing remunicipalization frameworks, clustered into five broad categories: autocratic state capitalism, market managerialism, social democracy, anti-capitalism and autonomism. This is followed by a discussion of the challenges that a diverse and sometimes contradictory ideological terrain presents to the future of remunicipalization, with some concluding remarks on the reactions of private water companies and other pro-privatization organizations.

2. Back to the future?

The rapid industrialization of European and North American cities in the early 1800s witnessed a dramatic growth of networked services, provided almost universally by the private sector, with small and large firms springing up to provide water, gas, transportation, waste management, health care and electricity services for growing productive and consumptive needs (Emmons, 1991; Melosi, 2005; Warner, 1987). Where economies of scale and capital intensity mattered there tended to be large players, with some of the most important extant private utility companies in operation today owing their existence to this period (e.g. Suez, United Water, General Electric) (Granovetter and McGuire, 1998; Lorrain, 2005). More localized services such as waste removal and health care were typically managed by small, sometimes informal, private providers, although consolidations quickly became the norm.

This laissez-faire approach to service development began to change in the mid- to late-1800s with a push to *municipalize* facilities, with local state authorities taking ownership and control of private services. This trend spread throughout Europe and North America and carried into the 1940s (Booth, 1985; Kellett, 1978). The overarching rationale for municipalization was that service provision by multiple providers was illogical and wasteful, particularly with natural monopolies such as water, gas and electricity where it made little economic or regulatory sense to have multiple infrastructures. Outbreaks of cholera and other public health concerns added to the pressure. The British Parliament passed a series of public health measures as early as 1848, mandating local authorities to take action, after which the municipalization movement in that country came to encompass an extraordinary range of public services, including slaughterhouses, cemeteries, crematoria, libraries, refuse and sewage disposal services, a printing plant, a sterilized milk depot and a wool conditioning house (Leopold and McDonald, 2012).

This enthusiasm for state ownership nevertheless hid competing and often inconsistent ideological motivations for municipal takeover. On the left, some advocates of "municipal socialism" advanced a strong anti-capitalist sentiment, ridiculing the "robber barons" of the day and tapping into a "widespread anti-monopoly sentiment" that "flowed easily into calls for public production and distribution of basic goods and service" (Radford, 2003, 870). But just how 'socialist' this movement was remains disputed. Many critics saw these initiatives as far too compromised to create real social and economic change, with no less a detractor than Lenin (1907) declaring the municipalization trend to be incapable of bringing about larger socialist transformation. These far-left critics disdained the gradualist municipal politics of the Fabians, rejecting the parliamentary road to socialism that they said gas-and-water enterprises represented.

To the right were pro-market liberals who argued for municipalization on efficiency grounds, in part to combat the municipal socialism movement. Economist Mill (1851, 88) took up the cause of water reform in Britain, criticizing the wastefulness of balkanized private supply. Similar arguments were made in the United States, where the

commitment to municipal services was more a response to the corruption and ineffectiveness of private companies than any ideological strategy (Radford, 2003). These pro-capitalist municipalizers were exemplified by the '*goo goos*' (short for 'good government') of Chicago in the early 1900s, whose "chief interest was to introduce honesty and business-like efficiency into city government" (Morten, 2002, 28). As such, this marketized round of municipalization was as much an attempt to promote private capital accumulation as it was to challenge it, with many policy makers seeing rationalized forms of public ownership of services as an effective way to enhance overall market growth. As MacKillop (2005, 26) notes in the case of early water infrastructure in Los Angeles, "public investments furthered private interests on a grand scale," as land developers pushed for public service extension to open new frontiers of accumulation.

From the 1930s, and escalating rapidly in the 1940s, there was a winding down of the municipalization movement and a scaling up of publicly-owned services to the national and regional level (Millward, 1997). Much of this nationalization took place in sectors where new technologies and modes of governance made large networked services possible, such as with electricity and health care, while water, by contrast, stayed mostly at the municipal level due to transportation costs.

Meanwhile, non-essential services such as municipal cinemas and restaurants disappeared altogether, often vilified for stifling entrepreneurship, leaving the field open to private enterprise. In effect, the emergence of *national* welfare states took the wind out of *municipal* public service sails, advancing capital accumulation on an increasingly national/global scale while squashing the potential for more radical redistributive initiatives locally.

By the 1970s, the pendulum had come full swing, with a movement back towards private sector participation. This shift is well documented and need not detain us here, but it is useful to highlight two important ways in which the current *neo*liberal moment differs from that of the liberal era that originally ushered in private services in the 1800s. First, despite having been 'hollowed out' from four decades of austerity (Peck and Tickell, 2002) neoliberal governments today are far more robust than their *laissez faire* cousins a century ago, with the potential to develop and maintain networked services in ways that were technically and politically inconceivable in the early 1900s, including a new range of governance technologies (e.g. smart meters) and a broader set of financial and informational resources to draw on. Second, the public sector itself has been fundamentally transformed by neoliberal practices and ideologies. As we shall see below, many public agencies are run increasingly like private businesses, employing market-based management techniques, salary structures and performance evaluations, much like the original municipalization period.

3. Contemporary rationales for remunicipalization

What, then, is driving remunicipalization in the water sector today? To begin with, it should be noted that not all remunicipalizations happen by choice. There are many instances where policy makers would prefer to have private service provision but are forced to remunicipalize because of an insufficient number of (credible) private sector bidders for a contract. One example is that of Hamilton, Canada, where, in 2004, efforts to renew a private contract failed because there were no companies willing to bid on what were deemed to be overly restrictive contract conditions, obliging the municipality to bring water services back in-house, against the ideological inclinations of its elected officials (González-Gómez et al., 2014, Ohemeng and Grant, 2008). In other cases private firms are unwilling to bid on what they see to be unprofitable contracts (as occurred in Dar es Salaam (Pigeon, 2012b)). There are also examples of private companies ending contracts early, compelling governments to remunicipalize. Such was the case in Buenos Aires, Argentina, in 2000, when a private consortium headed by French multinational Suez ended its contract with the city prematurely due to macro-economic instability in the country and a frustration with its lack of profits (Azpiazu and Castro, 2012, de Gouvello et al., 2012).

These forced remunicipalizations may become an even bigger reality in the future as political controversy and poverty make privatization untenable for governments, citizens and private companies alike. All the more reason, then, for policy makers and activists to think carefully in advance about the kind of post-privatization water services they want to see, even if remunicipalization does not appear to be on the horizon.

Having said that, the majority of remunicipalizations are planned and deliberate. Many are driven by dissatisfaction with private sector service performance, including concerns with rising costs to consumers, worsening service quality, non-achievement of infrastructure promises, public mistrust of private companies, anti-trust activities on the part of large private utilities, and corruption (Estache and Grifell-Tatjé, 2010, FWW, 2010, Hall et al., 2005, 2010, 2013, Le Strat, 2014, Lobina et al., 2014, Pérard, 2009, Valdovinos, 2012, Ruiz-Villaverde and García-Rubio, 2017, Warner, 2010, Wollmann et al., 2010).

In other cases, municipalities may be satisfied with the quality of private service but choose to remunicipalize because of the high costs of monitoring and regulating private contracts. This is true of large, long-term concessions as well as small, short-term contracts, all of which require sophisticated and expensive regulatory management (if they are to be done well). Far from reducing the costs and complications of service delivery, many municipalities are discovering that contracting out requires costly teams of lawyers and bureaucrats, reducing or even reversing potential efficiency gains (Bel et al., 2010; Le Strat, 2014; Nickson and Vargas, 2002; Wu and Ching, 2013).

But this disappointment with the costs of privatization conceals a much more diverse set of remunicipalization ideologies. Saving money and improving services might be central to most remunicipalization initiatives, but this seemingly common agenda hides a complex set of philosophical starting points, rendering any simplified interpretation of remunicipalization impossible.

The following sections outline a proposed typology of competing remunicipalization frameworks. I draw my conclusions from three sources of information: a small but growing body of detailed case studies (most of which are cited in this paper); a list of case study précises published and regularly updated online by remunicipalisation.org; and an unpublished data set used for identifying new examples of water remunicipalization in Kishimoto and Petitjean (2017). Together these represent the most comprehensive set of data available on water remunicipalization to date, supplemented by my own interpretations of remunicipalization initiatives based on conversations with researchers, activists and policy makers at meetings, conferences and other fora over the past decade. Collectively, this information allows me to identify qualitative characteristics of different remunicipalization categories as well as rough quantitative estimates of the proportion of remunicipalization cases that fall into each grouping.

I also draw on two previous (but less comprehensive) attempts to typologize remunicipalization (Busshardt, 2014, Herzberg, 2013). As with those efforts my categories are informed by an identification of social, economic, political, environmental and institutional objectives of remunicipalization, but are unpacked in more theoretical detail and situated within a broader political economy of water, with a specific focus on how market-friendly (or not) different remunicipalization efforts are intended to be (see Table 1 for a summary).

Some of these remunicipalization characteristics are found in multiple categories, serving to highlight a certain cohesiveness in the water remunicipalization movement (e.g. improving water services, expanding democratic control). But there are also substantive ideological and institutional differences highlighted in Table 1 which distinguish remunicipalization efforts from one another.

My conclusions are necessarily rudimentary, however, largely because of deep gaps in empirical knowledge. Detailed case study research has been energetic and informative but remains limited and

Table 1
A typology of remunicipalizations in the water sector.

Types	Rationales/objectives	Examples/organizations
Autocratic state capitalism	State control of water for socio-political and economic reasons Nationalism Ensure market-friendly practices in water management Restructure for future possible privatizations **Design to fit with broader global market economy**	Kuala Lumpur (Malaysia), Budapest (Hungary), Astana (Kazakhstan), Antalya (Turkey). Most prevalent in Asia, former Soviet bloc
Market managerialism	Improve water service performance and reliability Reduce costs to the state Enhance market productivity through increased water production and consumption Ensure market-friendly practices in water management Restructure for future possible privatizations **Design to fit with broader global market economy**	Atlanta (USA), Dar es Salaam (Tanzania), Hamilton (Canada), Maputo (Mozambique), Gary (USA), Accra (Ghana). Most prevalent in North America and Africa
Social democracy	Improve water service performance and reliability Reduce costs to the state and end users Expand democratic control Improve equity Improve environmental sustainability Improve integration with other public services Reduce the commodification of water Recognize non-market values of water Entrench state ownership **Design to fit with broader social democratic market economy**	Valladolid (Spain), Paris (France), Cochabamba (Bolivia), Berlin (Germany), Turin (Italy), Montevideo (Uruguay), Buenos Aires (Argentina), Ramos Arizpe (Mexico). Most prevalent in Western Europe and Latin America.
Anti-capitalism	Improve water service performance and reliability Expand democratic control Improve equity Improve environmental sustainability Improve integration with other public services De-commodification of water Recognize non-market values of water Entrench state ownership **Design to fit with broader socialist economy**	No actual cases but common part of coalition groups in Europe and Latin America (e.g. some of the organizations associated with Red Vida, Red Agua Pública, European Water Movement).
Autonomism	Improve water service performance and reliability Improve equity Improve environmental sustainability De-commodification of water Celebrate and foreground non-market values of water Entrench citizen ownership of water Reject universal governance principles and apply local solutions **Design to fit with localized community-driven economy**	No actual cases but common part of coalition groups in Europe and Latin America (e.g. some of the organizations associated with Red Vida, Red Agua Pública, European Water Movement).

lacks methodological consistency, making it difficult to comment on nuanced differences in governance characteristics across place and time. To use an example, 'improved democratic accountability' is often cited as a rationale/objective of remunicipalization but it is not always clear what this accountability means, how improvement is measured or whether expectations in accountability differ from place to place. As a result, we can identify broad distinguishing features of re-municipalization but do not yet have sufficient comparative data to comment on subtle variations.

There also tends to be a certain self-selection in case study research, with more progressive forms of remunicipalization attracting the lion's share of attention. There are critical case studies of autocratic and marketized forms of remunicipalization, but these are overshadowed by reports about their more democratic and less commercialized cousins (despite the fact that the country with the second highest number of recorded water remunicipalizations, the United States, has tended to be driven by bureaucrats with very narrow economic agendas (Pérard, 2009, Warner, 2016). The media also tends to focus on more dramatic forms of anti-corporate remunicipalization, with activist groups and public sector unions promoting positive examples of remunicipalization as well. As a result, data collection and public awareness tends to skew in favour of more progressive forms of water remunicipalization, sometimes glossing over less democratic and more commercialized models of change.

With this in mind, the typologies offered here are intended for heuristic purposes, with the expectation that they will be reassessed and refined as additional information – and competing analytical frameworks – are brought to bear. The intent is to propose a conceptual starting point on a hitherto under-theorized topic in an effort to shed light on ideological synergies and fault lines within a growing water remunicipalization movement.

3.1. Autocratic state capitalism

I have labelled the first type of remunicipalization 'autocratic state capitalism' to denote instances where the reversal of privatization is undertaken by relatively undemocratic, but market-oriented, governments as part of a larger shift back towards state control of strategic sectors and enterprises in a capitalist economy. In these cases, the re-municipalization of water is driven as much by political and social

objectives as economic ones, ranging from attempts to enhance national sovereignty to regulating ethnic minorities.

In some respects this is a very old storyline, with the control of water being at the heart of many different forms of "despotic" regimes over the centuries, with "unaccountable, unregulated and, above all, undemocratic" forms of state water governance intended to enhance control by a ruling elite (Strang, 2016, 294). What makes this particular form of water autocracy different is its grounding in market ideology and its use of commercialized management techniques, with publicly-owned water intended to enhance market growth at the same time as it extends socio-political control. As such, this form of remunicipalization is not necessarily anti-private in its orientation. Rather, it can be seen as a strategic reversal of privatization, under certain conditions, with the aim of achieving targeted social goals while expanding market-like operational characteristics such as full cost recovery and financially-driven performance indicators to enhance other market functions in the economy.

One such example is Malaysia (Padfield et al., 2016, Pigeon, 2012a, Teo, 2014). After a period of privatization, Constitutional amendments were made in 2006 which allowed the federal government to seize all assets previously owned by local water operators, be they public or private. The intent was to fast-track public investment where the private sector had failed to do so, while at the same time regaining control over a critical resource for regional development planning. The liberalization of water was seen to have eroded the ability of Malaysia's *de facto* one-party state to engage in pro-Malay (*Bumiputera*) development policies for the country's ethnic Malay majority. State ownership was seen as a way to better manage racialized programmes via a strategic resource, with similar thinking also informing public management of the electricity and health care sectors in the country (Khoon, 2003, 2010, Malaluan, 2012).

Hungary is another example, with the conservative nationalist government of Viktor. Orbán having introduced a top-down form of remunicipalization from 2010 designed to reverse the post-Soviet privatization binge of the 1990s (arguing that private service providers were overcharging citizens) (Horváth, 2016). The Hungarian economy as a whole remains largely market oriented but remunicipalized public services have become "extremely centralized" for the "national interest". Central government plays "a very active role in determining the economic framework for public utility service provision", including a "central tax levied on public utility networks". The motivation for this policy appears to be "determined mainly by economic factors" in the infrastructure sectors (with tariff reductions of up to 25%), whereas changes in education and social care were driven "to a greater extent by ideology" (Horváth, 2016, 193, 198).

There are, no doubt, other examples of autocratic forms of remunicipalization which may offer additional insights (e.g. Almaty (Kazakhstan), Antalya (Turkey), Bamako (Mali), Conakry (Guinea) (Lobina, 2015; World Bank, 2006)), but a lack of empirical data precludes any deeper analysis at this point in time. My estimate would place these forms of remunicipalization at less than 10% of the global totals, but the growth of state capitalisms in general, and the potential for privatization reversals in China in particular, may see these figures rise. Better knowledge of the actors and rationales behind these cases would assist with our understanding of how common these transitions back to autocratic state ownership might be, and the character of their 'publicness'.

3.2. Market managerialism

The second category of remunicipalization is also aimed at promoting markets and advancing capital accumulation, but in these cases the rationale for putting water services back into state hands is more narrowly economistic, intended largely to enhance the efficiency of service provision. Grounded in a neo-Keynesian reading of context-specific market failures (e.g. insufficient competition, lack of regulatory capacity on the part of the state), private-sector service delivery is seen to be less efficacious than state delivery, creating a drag on the economy as a whole (Stiglitz, 1991). In these cases remunicipalization is seen as a necessary (if temporary) measure to reduce operating costs and ensure sufficient investment in services to expand local production and consumption.

But as with the *goos goos* of the 19th century, there is a specific type of government that should provide these remunicipalized services. The objective here is an entrepreneurial state: one with cost recovery, internal competition and marketized forms of managerial incentives guiding their operation. These forms of remunicipalization can be seen as part of a broader shift towards 'new public management' (and its more recent iterations (Osborne, 2006)), resulting in a "broadening and blurring of the 'frontier' between the public and private sectors", combined with a "shift in value priorities away from universalism, equity, security and resilience towards efficiency and individualism" (Pollitt, 2003, 27-28). Remunicipalized water services driven by this logic can be characterized as quasi-commercial entities, focusing on market-based performance indicators, a "preference for more specialized, 'lean', 'flat' and autonomous organizational forms", and a "widespread substitution of contract or contract-like relationships for hierarchical relationships" (Pollitt, 2003, 27). They may be public in name, but these highly marketized forms of remunicipalization can serve to deepen, not weaken, the commercialization of water, while at the same time attacking the perceived failures of Keynesian-era welfarism (Clarke et al., 2007).

Exacerbating this trend has been the growth of corporatization over the past three decades: water utilities owned and operated by the state but functioning at arm's length from government with separate legal status (Herzberg, 2013, Shirley, 1999, Whincop, 2003). Not all corporatized water services are commercial in their orientation, but ring-fencing does make it easier (even necessary) to focus on the financial bottom line, with utility managers frequently remunerated or incentivized according to the surplus/deficit of their 'business unit' (McDonald, 2014). In some cases these public water providers are even more commercial than their private counterparts, aggressively pursuing 'surplus' to satisfy their new operational mandates. Critics see this as the proverbial wolf in sheep's clothing, offering a façade of public ownership while propagating market ideology (Magdahl, 2012; van Rooyen and Hall, 2007).

An example of such a remunicipalization is that of Dar es Salaam in Tanzania. After a brief and disastrous experience with a private concession in 2003, the World Bank reversed its policy recommendations to the Tanzanian government, promoting instead the creation of a new public water operator in 2005. The Dar es Salaam Water and Sewerage Corporation has since managed to extend coverage and improve some aspects of service delivery – "proving that public water services can be managed well by the state, and can outperform the private sector in many ways" – but the newly corporatized entity has become much more market oriented than before, enforcing cost recovery on the poor and "failing to meet its obligations in the lowest income areas of the city" (Pigeon, 2012b, 41).

These forms of remunicipalization are most common in Africa (where the World Bank and other neoliberal donor agencies remain influential) and the United States, in the very "heartland of capitalism" (Warner, 2016). And with the US alone accounting for about 25% of all recorded cases of water remunicipalization (Kishimoto and Petitjean, 2017, 6), market managerialism could constitute as much as a third of the global remunicipalization experience. Additional qualitative case study research is needed to better substantiate this conclusion, but national surveys with US city managers consistently show "cost savings" to be the primary motive for moving back to public ownership (Warner and Hefetz, 2012). Whether this is merely bureaucratic pragmatism – as opposed to an explicit form of neoliberal ideology – is unclear, but the emphasis on marketized forms of remunicipalization in the US is strong, and may continue to grow there and elsewhere as

privatization failures force pro-market governments to seek commercialized in-house alternatives.

3.3. Social democracy

A third type of remunicipalization can be broadly defined as social democratic. This appears to be the most common (and most celebrated) of the categories in this paper, representing the bulk of water remunicipalization in Western Europe and Latin America, which alone account for more than 60% of recorded cases (Kishimoto and Petitjean, 2017, 6). Once again the limited number of in-depth case studies makes it difficult to confirm the extent of its influence, or to compare subtle differences between locations, but there is a common tenor that sets this model of remunicipalization apart and which appears to have shaped the nature of remunicipalization trends in these two regions in particular.

In general these cases of remunicipalization entail more extensive and more robust state intervention than the marketized forms of remunicipalization outlined above, with the explicit aim of promoting social and economic justice. Cost-reflexive pricing and other market-management tools continue to be employed in some aspects of water management, but they are typically combined with a commitment to challenging the hyper-commodification of privatization and advancing values of water beyond its marginal price. There also tends to be a strong commitment to equity via cross-subsidization and ensuring better access to water services across a range of social, spatial and economic divides. Another typical feature is a commitment to better integration of water services with other public agencies, financially and administratively, in contradistinction to the strong ring-fencing of water services in more commercialized forms of corporatized public water. The result can be improved horizontal communication between water providers and other government departments, and a less strident emphasis on unit-based financial performance. There is typically a reference to water as a human right as well.

These broad social democratic principles are captured in the following excerpt from the "Declaration for the Public Management of Water" signed by the Mayors of Madrid, Barcelona and eight other Spanish cities in November 2016 (Cities for Public Water, 2016):

> "1. We believe that water and its associated ecosystems are a common good that cannot be appropriated for the benefit of private interest. All of nature's good and resources form part of the natural patrimony of the planet and are indispensable for the sustainment of life, which obligates us to preserve and protect them. We therefore defend that they be managed with criteria of solidarity, environmental sustainability, mutual cooperation, collective access, equity and democratic control, without contemplating profit.
> 2. We fully assume that the provision of water for human consumption and sanitation is a human right which, in accordance with the doctrinal body of the United Nations, is indispensable for a dignified life and a precondition for the realization of other fundamental rights. As a result, supplies must be provided on a universal basis, guaranteeing a vital minimum for all people and ensuring that any supply cuts for economic or social reasons are prohibited.
> 3. We understand that the management of supply and sanitation services must, in addition to being necessarily public, promote new forms of social control that guarantee transparency, information, accountability and effective citizen participation. As a result we are committed to a management model in which the public entity responsible for these services accounts for their activities and actions, both to public authorities and citizens, and that, both in day-to-day management, in planning and in decision making process, instruments of citizen participation are established in the services, linked to the urban water cycle, promoting the necessary consensus.
> 4. As a result, we reject the privatization of the integral urban water cycle services and we support the re-municipalisation processes that are being carried out in numerous cities and towns to recover the public, democratic and transparent management of water to guarantee a rendering of accounts to the citizens."

Similar sentiments can be found within the remunicipalization movement in France. According to Lime (2015, 63-4) the shift back to public water has rejuvenated a new commitment to publicness throughout the country: "We have found that employees (if not top executives) are generally willing to join remunicipalised operators. They tend to appreciate the fact that their work becomes more focused on public service values and the common good, which are often undermined by private operators' fixation with profitability and market competition." Paris is the best known example, having reverted back to public ownership in 2010 after a (bureaucratic) decision not to renew its contract with the two most iconic private water companies in the world – Suez and Veolia (Sinaï, 2014). Since then, *Eau de Paris* has advanced gender equity in the workplace, improved the protection of upstream water resources through partnerships with farmers, and developed public-public partnerships with service providers in Morocco, Mauritania and Cambodia. The agency has also promoted water conservation (despite its impacts on lowering water revenues), while at the same time creating a water solidarity fund to assist low-income households (with some 44,000 homes receiving benefits worth 500,000 euros in 2011 (Petitjean, 2015, 67, Pigeon, 2012c, 36)).

The Founding Charter of Aqua Publica Europea (APE, 2008, 2), an association of 55 public water and sanitation operators throughout the continent, suggests these sentiments extend elsewhere in the region: "Water is a public good of general interest. It cannot, therefore, be considered a mere commodity, liable to rivalry and private appropriation. The management of water as an essential resource, its production, distribution, sanitation and protection, belongs in the public domain".

Nor are these principles confined to Europe. Uruguay is a notable example, with its national 'remunicipalized' water operator *Obras Sanitarias del Estado* providing high-quality, affordable and nearly universal water services that are considered to be a "national treasure" (Spronk et al., 2014, 107). After a brief flirtation with privatization in the 1990s, successful campaigns led by the water workers' union and environmental and civil society groups saw this reversed, and in 2004 Uruguay became the first country in the world to enshrine the right to water in its Constitution through popular plebiscite (Moshman, 2005). This commitment to public water is vertically integrated at all levels of the state, and is also part of a larger, horizontal commitment to state-owned and state-operated services in other sectors, including electricity, telecommunications, transport and energy, contributing to one of the healthiest and most equitable countries in Latin America (Chavez and Torres, 2014).

But as positive as these changes have been it cannot be forgotten that these social democratic forms of remunicipalization are not explicitly anti-market in their objectives, and continue to operate within a broader capitalist framework. Social democratic remunicipalization efforts can achieve significant improvements in equity and transparency, but they are unable to reverse the broader commodification process and cannot fundamentally alter socio-economic dynamics on their own (Esping-Anderson, 1990). Uruguay, for example, remains captured by corporatist politics, with social movements having been "subsumed under the left government's political project, which prioritizes international trade and continues the corporatist tradition of the Uruguayan state, thus limiting the scope of reform and restricting participation by civil society and the water sector trade union" (Terhorst et al., 2013, 60-1).

Berlin is another example of both the achievements and the limitations of social democratic reform. A coalition of activists in that city forced a referendum on remunicipalization by collecting more than 660,000 signatures from city residents, demanding greater transparency and equity from a public water provider (what Lobina (2017, 152) refers to as a "communitarian paradigm"), but legal wrangling and

pressure from private capital forced the municipality to buy back the private shares of water providers at a cost of 30 billion Euros. This re-acquisition of public assets will be paid for through higher water bills for the next 30 years, "cast[ing] doubt on the sustainability of water operations [and] threatening to undermine the aspirations of the Berlin Water Table for affordable and socially equitable charges" (Lobina, 2015, 155).

Such tensions are not unique to the water sector, of course, but they tend to be under-acknowledged in the remunicipalization movement, with the inherent boundaries of social democratic policy bound to generate rifts in the future (for a broader discussion see Newman and Clarke, 2009).

3.4. Anti-capitalism

There are also remunicipalization movements and organizations that are driven by explicitly anti-capitalist sentiments. These groups tend to share many of the same goals as their social democratic counterparts – such as improved services and enhanced democratic control – but reject the possibility of a reconciliation between water justice and capitalism, pointing to the many ways in which market economies colonize our broader lifeworlds.

These anti-capitalist voices are not uncommon in the water remunicipalization movement but are seldom in the ascendency, with anti-capitalist narratives having yet to realize an actual remunicipalization victory. This lack of success may not be surprising in a world of neoliberal hegemony, but is exacerbated by the fact that anti-capitalist positions on water services tend to be highly fragmented, struggling to find a unified vision of what a 'socialist' water project might look like, driven as much by a rejection of old-style communisms as they are by a denunciation of the market. A growing commitment to grassroots voices, transparent decision making and smaller-scale infrastructure development provides some cohesiveness to this grouping, but as with anti-capitalist political movements more broadly, there is as much that pulls them apart as binds them together when it comes to (re)building public water (Tormey, 2012).

Remunicipalization in Bolivia is a case in point. The Water Wars of the early 2000s brought together an eclectic coalition of organizations in the struggle to oust Bechtel from Cochabamba, some of which were grounded in radical anti-market politics (Olivera and Lewis, 2004). But these anti-capitalist voices struggled to make a difference on the ground when it came to restructuring the new public water operator, despite a national government that claimed to be socialist. As a result, post-privatization water services in Cochabamba remain captured by an assortment of elite politics, neoliberal logic, bureaucratized decision making and social democratic reform, with little in the way of anti-capitalist politics. This outcome is due in part to a strong residue of conservative political and bureaucratic forces in the city, but also to a national government which has "not fully broken with neoliberal policies" despite its socialist rhetoric: "[M]ass mobilizations have been disempowered [and] the relations between movements and governments have been full of tensions and unmet expectations… [P]rogressive discourse on the environment and water has typically been accompanied by unilateral decisions, a lack of debate, and the criminalization and stigmatization of critical voices" (Terhorst et al., 2013, 56, 63; see also Cameron and Hershberg, 2010; Spronk and Webber, 2007).

Just how widespread these anti-capitalist positions are when it comes to remunicipalization debates in the water sector is once again difficult to say given the dearth of detailed case study evidence. Nevertheless, anti-market voices are evident in European and Latin American remunicipalization movements in particular, with networks such as the European Water Movement and Red Vida encompassing a wide range of radical positions (including that of my next typology – autonomism). Former Soviet bloc countries have also witnessed water mobilization from new and old socialist voices (for Bulgaria see Medarov, 2014), and a substantial anti-capitalist academic literature on water services in general continues to grow.

3.5. Autonomism

Finally, there are advocates of remunicipalization that are leery of both capitalist and socialist forms of change. There are overlaps here with other categories (such as improved performance, equity and environmental sustainability), but this grouping distinguishes itself with its emphasis on community-driven water service solutions grounded in a local socio-ecological context with little or no direct state involvement. In fact, these are not remunicipalization movements, per se, because they are generally opposed to centralized and bureaucratized forms of state water delivery (regardless of its ideological orientation) (González-Gómez et al., 2014, Heller et al., 2007, Driessen, 2008, Laurie and Crespo, 2007, Gorostiza et al., 2013, Marston, 2015). But given their commitment to reclaiming and rebuilding publicly-controlled and publicly-managed forms of water services they have been included in this typology.

Nor are there any actual cases of autonomous remunicipalization (although there are, of course, many long-standing examples of community-run water systems which have never been privatized or municipalized and which are fiercely defended as such (Ahlers et al., 2014, Ostrom, 2015, Trawick, 2003)). Instead, autonomist voices are present in a variety of water remunicipalization efforts, fighting to end privatization and (re)claim community control. Typically these groups and individuals work in coalition with other progressive organizations, but, as with anti-capitalist remunicipalization voices, are seldom in the ascendency.

Autonomist voices are most prevalent in remunicipalization networks in Latin America and Europe, where notions of a 'water commons' and 'citizen control' are widespread (Mazzoni and Cicognani, 2013, Spronk et al., 2012, Belanger et al., 2016). Once again, Cochabamba, Bolivia, offers an illustrative example. During the Water Wars of the early 2000s, peri-urban farming communities were a major part of the anti-privatization coalition. These groups wanted to reclaim their usufruct rights to water, a form of collective management based on social agreements negotiated and renegotiated over time known as *usos y costumbres* (uses and customs) (Boelens et al., 2010, Marston, 2015). After water was remunicipalized these groups continued to push for customary rights, actively resisting incorporation into a 'public' (read municipal) water system. As Terhorst et al. (2013, 64) note, "One major lesson learned by the water movements was the impossibility under the existing rules of the Bolivian state of transforming the utility into one run autonomously by the people." Indeed, Cochabamba is something of a microcosm of the ideological tensions outlined in this paper, representing the strengths of coalitions as well as the limits of diversity in developing a coherent pro-public water agenda.

There are other cases of autonomist actors in remunicipalization initiatives but the dearth of systematic comparative research makes it difficult to comment quantitatively on the scope and impact of their role. What is clear is that reclaiming and rebuilding autonomous water provision has proven difficult in practice, made harder by the highly centralized and institutionalized realities of most water service providers. The very nature of modern networked water systems cuts against the horizontal and localized aspirations of autonomous water provision, making these goals perhaps the hardest of all to realize in a state-driven world of water provision.

4. Long live remunicipalization?

What does this diversity mean for remunicipalization in the water sector in the future? Will these profoundly different ideological agendas tear it apart as a coherent policy trend, or will there be sufficient political will to hold it together as a single 'pro-public' movement? My sense is that both will occur. At one extreme, autocratic forms of

remunicipalization are bound to be revealed for their undemocratic character, alienating themselves from the rest of the pack and increasingly being called out for their regressive social and political outcomes. So too are highly marketized forms of remunicipalization being challenged by water activists, as the role of financial institutions such as the World Bank, and their demands for commercial practices such as full cost recovery, become more apparent.

At the other end of the spectrum coalitions of progressive social democratic, anti-market and autonomist organizations are already working collectively to promote inclusive and equity-oriented forms of remunicipalization (largely sector specific, but with growing cross-over between organizations working on water, electricity and other sectors (Kishimoto and Petitjean, 2017)). This alliance is driven by a small but energetic network of NGOs, labour groups and social movements working to exchange information and assist local organizations in their efforts to remunicipalize (see, for example, www.remunicipalisation.org). Significant philosophical differences remain but can be set aside in an effort to build a global voice for reclaiming public water (Balanyá et al., 2005, Kishimoto et al., 2015). These networks and organizations run on the proverbial shoestring, however, particularly when compared to the well-resourced groups that promote privatization and corporatization, bringing into question their sustainability.

The biggest challenge for this progressive movement will be how to deal with market managerialism. Those in favour of decommodifying water (to varying degrees) must ask themselves how far they are willing to go to accommodate commercial demands in the interests of reclaiming public ownership, and should be prepared in advance with concessions they might be willing to make (or not). In the heated transition from private to public water management, trade-offs will be unavoidable, and are often made in the face of well-organized resistance on the part of pro-commercialization advocates (as occurred in the case of Dar es Salaam). Advanced planning is particularly important in situations where the unexpected departure of a private firm might require hasty decision making (as occurred in the case of Buenos Aires). As it stands, the progressive remunicipalization movement is not always prepared for these tricky ideological and institutional decisions, giving the advantage to bureaucrats and politicians schooled in new public management. Without a clearly articulated alternative to marketized forms of public water, remunicipalization advocates may be cornered into exchanging one form of commercialized water service for another.

These challenges will not be resolved easily, or in short order, but they do carry with them a sense of urgency nonetheless, as hundreds of private water contracts around the world are coming up for renewal over the next decade and as private water operators abandon loss-making contracts in tumultuous political contexts. Advocates for more progressive forms of public water must be prepared for the complex and sometimes contradictory demands that will be made within and across remunicipalization movements.

5. The empire strikes back?

Finally, where do private water companies and other privatization supporters stand on remunicipalization? Given its growth and potential threat to the private water industry one might expect a robust counter-response. Surprisingly, private firms have had little to say in public, although anecdotal evidence suggests they are concerned, with Veolia's chief executive admitting in a 2014 newspaper interview that "The Paris remunicipalization decision has done a lot of damage to our profession" (de Clercq, 2014).

Will the empire strike back? With so much at stake it is hard to imagine otherwise. One possibility is that private water companies will negotiate with policy makers behind closed doors, rather than exposing themselves to public scrutiny and the potential embarrassment of revealing bad practices, lobbying hard to prevent remunicipalization before it happens, and re-negotiating contracts with state agencies outside of the public purview. These may in fact be one of the tactics already employed, helping to explaining the dearth of public statements on the topic by private water firms.

And what of the vast array of water-related NGOs and multilateral agencies that are private-sector friendly? Here again we know virtually nothing about what they are thinking. Important international stakeholders such as the World Bank, UN Water, the International Water Association, USAID and Water Aid have made no public comments, and there is not a single reference to 'remunicipalization' on any of their websites (as of November 2017). But here too it is hard to imagine that they will remain silent. Although their positions on privatization have been modified and softened since the 1990s – with the World Bank, as we have seen, even promoting a return to public ownership under certain conditions – private sector participation continues to lie at the heart of the water policy strategies of dominant water service agencies and they continue to invest heavily in promoting it (Bakker, 2013).

There are also complex legal issues at play which may slow, or even stop, remunicipalizations. A new generation of trade and investment agreements are of particular interest – including the Trade in Services Agreement (TISA), the Transatlantic Trade and Investment Partnership (TTIP) and the Trans Pacific Partnership (TPP) – many of which seek to further liberalize and privatize services while offering investor protection clauses to private companies (Gerbasi and Warner, 2007). It is not yet clear the extent to which these international agreements might influence municipal choices about water remunicipalization, but they already appear to be having a chilling effect, contributing to power imbalances in negotiations between local authorities and large multinationals (Kishimoto, 2015, PSI, 2014). Legal costs can also make remunicipalization a daunting, even prohibitive, prospect for municipalities, with long court battles requiring deep pockets. Making matters worse, private firms have often claimed proprietary ownership over critical water management systems (such as accounting technologies), forcing municipalities to develop expensive new arrangements when threatened with lawsuits over intellectual property, such as took place in Paris (Pigeon, 2012c).

On the positive side, there are some legal developments which could make remunicipalization easier and more transparent. In France, a legal amendment was passed imposing a maximum length of 20 years for water and sanitation contracts (arising from a case brought against a 99-year water contract signed in 1933), forcing several long-term concessions to expire earlier than planned. There is also new legislation in Germany which helps to clarify the pricing of public and private assets, making the risks of remunicipalization better understood (although often leading to sticker shock!) (Hall et al., 2013, 200). These and other legislative routes to reclaiming public water may help to balance out the potentially negative legal effects of newly-emerging trade agreements.

6. Conclusion

If, as indicated at the outset of this paper, remunicipalization is set to grow in the coming years due to growing dissatisfaction with private sector water delivery it is important that there be more theoretical clarity and stronger empirical evidence of what is actually taking place. For those working within the progressive remunicipalization movement it is critical to have a better sense of the internal tensions that might create dissent while at the same time collectively dealing with the threat of commercialized forms of public water.

More research is urgently required. Despite hundreds of examples of water remunicipalization over the past 15 years there are only a handful of in depth case studies, most of which have employed different research methodologies, making it difficult to compare across place and time. More consistent and comparable research methods that include interviews with key personnel from a cross-section of local and international organizations are needed, including discussions with senior managers from private water companies, bureaucrats in government departments responsible for water services, elected officials responsible

for developing water policy, representatives from funding or donor agencies engaged in policy making or financing municipal water services, union leaders, and representatives of consumer associations, NGOs and social movements. Questions aimed at establishing the principles of the 'public' services being sought (or resisted) will help test the veracity of the categories proposed in this article, as well as the more nuanced governance characteristics they may produce.

There is also a need for more research on *ongoing* remunicipalizations. Most investigations to date have been done on a *post facto* basis. Studies of locations in the midst of remunicipalization debates could provide a better understanding of the balance of forces at play, some of which are invariably forgotten in the mists of time. So too is there a need to study locations where the struggle for remunicipalization was lost, to better understand the reasons. In all cases, more research is needed in locations outside of Europe.

Better coordination on the part of labour unions, NGOs and community associations would also help. Many of these front-line organizations continue to focus their time and resources on anti-privatization work rather than pro-public alternatives. The same can be said for much of academia, where discussions about the pitfalls of privatization continue to fill bookshelves and conference panels while conversations about innovative public alternatives are often relegated to an obligatory footnote. This impasse is due in part to the fact that an established anti-privatization scholarship exists, grounded in familiar theoretical and methodological frameworks that allow for incremental inputs; it will take time to build similar academic foundations in the pro-public literature.

There is also the unease that many academics and activists feel about imposing their ideas on other people's water systems. Criticizing privatization is one thing. Telling a community what kind of public water they might want to put in its place is quite another. A progressive international remunicipalization movement will need to determine where it stands on particular forms of 'publicness', while at the same time respecting local difference.

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