

ORIGINAL ARTICLE

When “symbolic” policy is anything but: Policy design and feedbacks from California's human right to water law

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Abstract

Despite the reality that advocates frequently expend significant resources to pass symbolic policies, this policy design has often been neglected by policy studies scholarship. We combine policy design and policy feedback theory to examine this oft overlooked policy design in practice using the case of California's human right to water law (Assembly Bill 685, or AB 685). Through semi-structured interviews, archival research, and document analysis, we reveal how grassroots advocates deliberately and effectively pursued AB 685 to build power across the water justice movement and catalyze narrative change about drinking water access, while also building state responsiveness on the topic. These interpretive policy feedback effects then accelerated the policy's resource effects through formal policy changes in funding allocations, administrative structures, and regulatory systems. Collectively, feedbacks from AB 685 have transformed the sociopolitics of drinking water access. Contrary to prevailing wisdom, the policy's ambiguity proved key to building the broad coalition necessary to accomplish these changes, and it facilitated work across policy venues and governance scales through time, which is critical to enacting transformational change. Based on these findings, we argue that symbolic policies merit attention as a potentially advantageous policy design for social movements seeking social change and transformation.

KEYWORDS

environmental justice, policy design, policy feedback theory, social movements, symbolic policy

Jenny Linder Rempel and Kristin Babson Dobbin contributed equally, listed reverse alphabetically.

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If your expectation is that because there's a human right to water, all these problems are going to suddenly get tons of money dumped at it and the problems have to be solved immediately, then, of course, it's going to be treated as somehow having come up short or a failure. But if you're realistic about what the purpose and the objectives were, then maybe it can be judged fairly by history.

Interviewee 11

INTRODUCTION

Since its emergence in the 1960s, the field of policy studies has classified policies as either symbolic or material, even though the line between them is often blurred. In this dichotomy, the latter are considered to tangibly provide resources or benefit target groups (Anderson, 2006), whereas the former are characterized as “most meaningless in [their] effects upon resource allocation” (Edelman, 1960, p. 697). Based on this widely cited distinction, policy scholars have typically neglected the study of highly symbolic policies in favor of so-called material policies with more clear and immediate impacts. Thus, while many policy process theories acknowledge the existence of symbolic policies, none have been used to explain the existence of such a policy design, let alone its pervasiveness.

In this paper, we draw on the growing scholarship on policy feedback theory to improve our understanding of this oft overlooked design. Emerging evidence demonstrates that symbolic policies can have diverse uses and effects, including framing, image bolstering, and appeasement (Box-Steffensmeier et al., 2003; Cook, 2015; Faucher & Boussaguet, 2017; Krause, 2011), and can lay important groundwork for future policy gains (Arnold & Long, 2019). What is less clear, however, is how and why these policies are pursued (Boussaguet & Faucher, 2020). The ubiquity of symbolic policies alludes to proponents' clear aspirations, yet symbolic policies are overwhelmingly characterized as failures when they do not immediately solve the complex problems of our day. Assessing symbolic policy impacts alongside their proponents' motivating intent is key to ensuring a more comprehensive theoretical accounting of symbolic policies and to reducing the troubling gulf between policy design theory and its real-world practice (Cairney, 2021).

Here, we seek to advance a “new policy design” approach (Howlett, 2014) by combining policy design with policy feedback theory. Specifically, we use California's human right to water law (AB 685, 2012), passed in 2012, as an extreme case to investigate the intentions behind, and impacts of, symbolic policies. AB 685 is only 167 words long, and the law's strongest language is that all state agencies “consider” the new human right to water policy when conducting their work. A large portion of the already very short text expounds what the new law does not do (e.g., “does not expand”, “shall not apply”, “shall not infringe”). Despite the bill's apparent lack of immediate effects on resource allocations, advocates invested significant resources over more than 4 years to secure the bill's passage. Ten years later, many advocates say the investment was well worth it, as the bill has met, and in some cases even surpassed, their expectations. Our results demonstrate the importance of understanding policy designs in context (Howlett et al., 2015) or “policy as politics” (Wildavsky, 1979), particularly for understanding the potential for transformational change via policy (Berglund et al., 2022). Our findings also speak to critical gaps in policy feedback theory by demonstrating how feedbacks can be intentionally pursued and leveraged by advocates and how they can promote collective action through social movement organizing (Mettler & SoRelle, 2023).

THEORETICAL BACKGROUND

Symbolic policy and policy design

Despite early recognition that language and rhetoric are an integral part of public policy (Edelman, 1985), many policy scientists have sidelined the symbolic in their research (Boussaguet & Faucher, 2020).

When highly symbolic policies do appear in the literature, it is often either as caricatures of policy failure (Hirschauer, 2021) or to theorize the conditions under which symbolic policies pass instead of supposedly more desirable material policy alternatives. For example, social construction theory posits that symbolic policies are most likely in cases where the target population has no power but is viewed favorably (Schneider et al., 2014). Policies that do not directly impact resource allocations or target populations have thus been largely overlooked (Boussaguet & Faucher, 2020), and in most cases “symbolic” continues to be used as a synonym of ineffectual and/or performative (Böhringer & Vogt, 2004; Gustafsson, 1983; Hopper & Swift, 2021; Lubell, 2004).

The largely cynical treatment that symbolic policies have received in the public policy literature complicates efforts to define them beyond these negative characterizations, but symbolic policies have typically been understood as a policy design that is not intended to affect material change (e.g., DeCaro et al., 2017; Edelman, 1985; Gustafsson, 1983; Hopper & Swift, 2021; Newig, 2007). Here, we define highly symbolic policies as policies that mobilize symbols and contain minimal or no specific material implementation guidelines (cf. Edelman, 1985). Legislative statutes are more likely than regulatory policies to be symbolic, by nature of the legislative process; however, highly symbolic policies that lack even general implementation contours are still notably distinct from statutes that contain vague implementation details.

That said, policies are never entirely symbolic nor entirely material; rather, individual policy designs can fall anywhere on this spectrum (Biesbroek & Lesnikowski, 2023; Schneider et al., 2014). Similarly, the impact of a policy may change as it moves through implementation: policies may start out as largely symbolic and later be implemented or enforced in ways that generate more material impacts, just as supposedly material policies may be rendered ineffectual via implementation, intentionally or otherwise (Anderson, 2006). Some have argued that policymaking itself can be viewed as the manipulation of symbols (Lasswell, 1950). In this light, policies often have both symbolic and material effects (Boussaguet & Faucher, 2020; Givel, 2008; Krause, 2011; Schneider et al., 2014).

Such ambiguities make understanding symbolic policies all the more important from a policy design perspective. Policy design relates to both the development of policy aims and the means to accomplish those aims (Howlett, 2014). While broadly defined, the field has roots in the policy sciences with a particular focus on the instruments governments can use to achieve specific outcomes across diverse contexts (Howlett, 2014); however, policy design theory has not typically connected those functional requirements with policy-making dynamics (Cairney, 2021). As Cairney (2021) notes, there is often a wide gulf between policy theory and the practice of policy design, which has contributed to declines in policy design studies in recent decades. To address these shortcomings, scholars have recently called for a “new policy design”, in which policy design is valued but also understood in its policymaking context (Howlett, 2014; Howlett et al., 2015).

Highly symbolic policies offer unique opportunities to advance the aims of new policy design scholarship because these policies' lack of direct material impacts contradicts traditional policy design theory, which typically posits that symbolic policies are failures. As Cairney (2021, p. 7) points out, there is often a “strong rationale” for policy processes that seem to undermine policy design theory; understanding policy instruments in the context of the policy process is key to uncovering these motives. Doing so, in turn, requires attention to the extensive policy feedbacks that fundamentally shape and reshape the policy process.

Symbolic policy and policy feedback theory

Policy feedback theory is concerned with how policies, once created, shape politics, which in turn affects future policymaking (Mettler & SoRelle, 2023; Skocpol, 1992). In taking such an approach, questions of politics become central to understanding policy; thus, policies become a driving force in our understanding of governance, rather than being understood as an outcome or subject. Institutionalists have long considered the formative nature of policy feedbacks, and policy

feedback studies have proliferated since the formalization of the theory in the late 1980s (Mettler & SoRelle, 2023).

Across contexts and methodological approaches, many types of interrelated policy feedbacks have been documented and explored. Generally, these feedbacks are divided based on their underlying mechanism into two categories: interpretative effects and resource effects (Pierson, 1993). Interpretive effects encompass how policies convey information and meaning among different publics (e.g., elites, interest groups), and they can influence: the framing of policy problems and political agendas; governance (e.g., institutional capacity, behavior/roles of electeds); the power of groups and associations; and individual behavior (Mettler & SoRelle, 2023). In contrast, resource effects, also known as resource and incentive effects, address how the resources and incentives allocated by policies shape the behavior and actions of these different groups, with similarly wide-reaching implications (Pierson, 1993). Much policy feedback theory addresses individual feedbacks, leaving a critical gap in our understanding of how policies influence social movement organizing (Mettler & SoRelle, 2023).

Limited evidence of almost all of these feedbacks can be found in the small body of policy process literature featuring symbolic policies. For example, in their study of environmental policy expansion in local government, Arnold and Long (2019, p. 474) argue that public officials and other actors must and do “expect politics to be a long game and play accordingly”, writing that:

Policy choices can establish policy trajectories by increasing issue visibility and legitimacy, building institutional capacity, creating and empowering constituencies (including public administrators themselves), and activating stakeholders. An initial policy “win” can make subsequent wins more likely, both in the same jurisdiction and in neighbors. That initial win need not be an apogee; symbolic or temporary policy actions can create opportunities for additional policy making even more powerfully than comprehensive or permanent measures.

Similarly, in analyzing federal human rights policies, Molineu (1980) argues that symbolic policies may function to legitimate further policies and reorganize bureaucracies. These administrative transformations could easily be overlooked by scholars because they do not translate into immediate changes in resource allocations. Symbolic policies can also be used for obstruction and manipulation (Goodin, 1980). They can play a role in crisis management by reassuring constituencies (Boussaguet & Faucher, 2018), and they can be leveraged for placation by using minor changes to undercut momentum for larger ones (Cook, 2015). Relatedly, Krause (2011) identifies how symbolic policies can be leveraged for image bolstering, sometimes without the intent of implementation. In some cases, symbolic policies “seek to convey the image that the legislator is hard at work for the interests of the constituency; regardless of the substantive significance of those activities” (Box-Steffensmeier et al., 2003). Early on, Edelman (1985) argued that symbolic policies enable organized political elites to exploit the public by obscuring inequitable conditions. Thus, while symbolic policies may lack immediate material impacts on resource allocations, they are by no means without impact.

Only by tracing the feedbacks of symbolic policies can we understand the diverse implications of this policy design for the policy process. A key gap in the policy feedback literature is the extent to which such feedbacks are intentionally sought by proponents (Mettler & SoRelle, 2023). Should this be the case, then feedbacks could represent an explanation for the pursuit of highly symbolic policies. We explore this possibility by combining policy design and policy feedback theory.

METHODS

In this inductive case study, we use semi-structured interviews, archival research, and document analysis (Table S1) to examine how and why advocates pursue this common but largely overlooked policy design, and with what effects. AB 685 establishes as state policy “that every human being has the right

to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes” (Figure 1; AB-685 State Water Policy, 2012). As a short bill whose strongest implementation requirement is that state agencies “consider” the policy, AB 685 is a highly symbolic policy. Legal scholars have criticized AB 685 because it does not require agencies to prefer policies that prioritize the human right to water (Slater, 2021). Advocates, who invested 4 years of work to secure the bill’s passage, also readily admitted that the bill, as written, had limited direct effects on resource allocations (Francis, 2012). Reflecting legislative skepticism that the bill was “a glorified resolution” (Interview 13), a California Senate committee consultant wrote: “This bill appears to want to have its cake and eat it too. On the one hand, it wants to ensure that all Californians have access to safe, clean and affordable water – a laudable goal. On the other hand, as drafted, the language doesn’t appear to compel anyone to actually do anything” (O’Connor, 2011).

AB 685 is a case of a highly symbolic policy becoming substantive. Here, substantive encompasses not only material policies but also tangible feedbacks to individuals, collectives, and society more broadly. To examine why symbolic policies are pursued, and to what ends, we selected a symbolic policy with the perception of impact. AB 685 is widely considered to have been influential among those involved in California water policy, both by those who supported the original campaign and by those who opposed it, as well as by policymakers working on related topics. To this day, water justice, environmental, and public health groups continue to regularly leverage AB 685 in their organizing and advocacy, and the human right to water is frequently referenced by state agencies; thus, we treat AB 685 as an extreme case in that it “is prototypical or paradigmatic of a phenomenon”—namely, of a symbolic policy made substantive (Gerring, 2016, p. 69). We do not argue that a highly symbolic policy would always have similar impacts under different circumstances (e.g., without such a strong history of social movement organizing; see e.g., Pastor, 2019; Perkins, 2022); rather, we use this case to identify and understand the potential and strategy behind this policy design, with generalizability to symbolic policies that are intentionally wielded by social movement actors.

To select interviewees who have been heavily involved in AB 685 passage or implementation, we identified key informants based on our nearly two decades of combined experience working in the California water justice movement and the document analysis work described below. After the first round of interviews, we used snowball sampling to increase coverage and depth across different constituencies. We ended interviews at the point when we began obtaining little additional data through additional interviews. Most interviewees were advocates (i.e., nonprofit organization employees, organizers, and community residents) involved in supporting AB 685 passage and/or implementation; other interviewees included policymakers, technical assistance providers, and in one case, a key opponent of AB 685 (Table S2).

From July to September 2022, we conducted 23 semi-structured interviews in English and Spanish with 24 individuals from across California by phone and zoom. All interviews were recorded and

SECTION 1. Section 106.3 is added to the Water Code, to read:

106.3. (a) It is hereby declared to be the established policy of the state that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes.

(b) All relevant state agencies, including the department, the state board, and the State Department of Public Health, shall consider this state policy when revising, adopting, or establishing policies, regulations, and grant criteria when those policies, regulations, and criteria are pertinent to the uses of water described in this section.

(c) This section does not expand any obligation of the state to provide water or to require the expenditure of additional resources to develop water infrastructure beyond the obligations that may exist pursuant to subdivision (b).

(d) This section shall not apply to water supplies for new development.

(e) The implementation of this section shall not infringe on the rights or responsibilities of any public water system.

FIGURE 1 Assembly Bill 685 final chaptered bill text.

transcribed and lasted between 19 and 87 min. The interview guide included a series of 16 open-ended questions about the development and passage of AB 685 and the impact of the legislation on water access, policy, and organizing in the subsequent decade (Table S3). These procedures were approved by the Office of the Human Research Protection Program at the University of California, Los Angeles, in reliance agreement with the University of California, Berkeley, protocol # 22-000245.

To identify key interview themes and patterns, we used post-interview memos following the constant comparative technique (Glaser, 1965). The memos formed the basis for initial codebook development using a combination of inductive and deductive approaches, including structural codes derived from the research questions, theory-driven codes derived from the literature, and data-driven codes that emerged from our interviews (Coffey & Atkinson, 1996; DeCuir-Gunby et al., 2011). We iteratively piloted the codebook on a small number of transcripts before refining and finalizing (see Table S4 for codebook). We then coded all interview transcripts in the qualitative analysis software Dedoose.

We triangulated interview findings through (1) archival research, to better understand the creation and passage of AB 685 and (2) public document analysis, to better understand the implications of the policy. Specifically, we reviewed all documents archived in the Governor's chaptered bill files and the four legislative committees' files for both bills associated with the human right to water (i.e., the earlier Assembly Bill 1242 and AB 685, as described below), as well as the bill authors' files for AB 1242 (a similar archive was not available from the AB 685 bill author). Additionally, we reviewed more than 40 state documents including legal cases, legislative and administrative policies, and administrative agency documents such as annual performance reports, budgets, and planning documents related to the human right to water. Documents were selected for their authenticity, credibility, comprehensibility, and representativeness, following established qualitative document analysis methods (Bryman, 2012; Scott, 1990).

RESULTS

We present our results in two parts. First, we examine the policy design of California's human right to water across two bills, paying particular attention to advocates' intentions for the policy. Second, we analyze policy feedbacks resulting from AB 685, elucidating a range of interpretive effects as well as indirect resource effects.

Policy design: The making of California's human right to water law

A dedicated, diverse coalition led AB 685 to passage in 2012. The origins of the coalition began in the early 2000s, when rural farmworker advocates, urban environmental justice communities, Indigenous tribes, unhoused communities, and environmental organizations joined efforts as the Environmental Justice Coalition for Water (EJCW). Collaboration with additional faith-based and environmental organizations led EJCW members to begin seriously considering human right to water legislation. While working on a variety of water issues, EJCW members realized “that we needed both a narrative and campaign that could knit together the really disparate experiences that our coalition members were having in urban Black communities and rural communities in the Central Valley, in Native communities in Northern California” (Interview 15). The human right to water bill was seen as strategic precisely because its symbolism enabled resonance and connection for a variety of coalition members.

The drinking water challenges facing Californians motivated the coalition to pursue human right to water legislation. Early support letters from the coalition pointed out that millions of Californians were subjected to violations of the drinking water standards for contaminants like nitrates, pesticides, and other chemicals (e.g., Ramsden, 2009). Coalition members emphasized the health impacts felt in communities with contaminated water, as well as the economic impacts of coping strategies such as purchasing bottled water. Advocates also highlighted water affordability gaps, such as the lack of a statewide lifeline water rate for low-income users, which exists for other utilities but not for water.

Passing human right to water legislation took sustained organizing and advocacy across more than 4 years, two bills, and two legislative sessions. In 2009, advocates worked with Assemblymember Ruskin to introduce Assembly Bill 1242 (AB 1242), which would have established the human right to clean, affordable, and accessible water, but ultimately absolved the state of any obligation to expend resources toward this goal (AB-1242 State Water Policy, 2009). The California Assembly and Senate passed AB 1242 with amendments, but the bill was vetoed by Republican Governor Arnold Schwarzenegger in October 2009, who wrote that AB 1242 would “undoubtedly lead to potentially costly and constant litigation” (Schwarzenegger, 2009). Before the 2011–2012 legislative session, environmental justice, faith-based, and environmental organizations regrouped as the Safe Water Alliance (SWA), as several original EJCW advocates joined the administration of the newly elected governor, Democrat Jerry Brown. The SWA found a legislative partner in Assemblymember Eng, who introduced AB 685 in February 2011. This bill faced more engaged opposition than did AB 1242, because the Brown administration was perceived as more sympathetic to the issue given its Democratic and pro-environmental politics.

Critiques from legislators, water agencies, irrigation districts, and agricultural interests averred that the bill would supplant existing water rights and create an unfunded mandate. An organized and staunch opposition emerged (see e.g., Walukiewicz & Leahy, 2011). In a state where senior water rights confer significant power and financial benefits to those that hold them, any hint of changes to the water rights system is extremely contentious (Hundley, 2001). Water agencies sent dozens of letters to the legislature opposing human right to water legislation (e.g., Henderson et al., 2011), emphasizing their concerns about whether individuals would be guaranteed domestic water even if they did not pay. The SWA worked with Assemblymember Eng to modify the original bill language from the affirmative requirement for relevant state agencies to “employ all reasonable means to implement” the human right to water, to the weaker obligation that state agencies “consider this state policy when revising, adopting, or establishing” pertinent policies (California Legislative Information, 2012). Despite these amendments and continued community advocacy, the bill was placed in the “suspense file” by the powerful Senate Appropriations Committee for more than a year. Once a bill is held there, “it’s usually dead” (Interview 13). But the advocates were not dead, they were “playing possum”³¹ (Interview 16).

During this time, advocates leveraged international solidarity, policy savvy, and grassroots organizing to develop a campaign strategy to pass the bill. To increase international scrutiny of California’s water conditions and place pressure on state decision-makers to act, the SWA facilitated a 2011 visit by the United Nations Special Rapporteur on the Human Right to Safe Drinking Water and Sanitation (United Nations, 2011). Additionally, the Unitarian Universalist Service Committee connected SWA members with the Water and Sanitation workers of Peru who were also trying to pass human right to water legislation. The Peruvian union sent SWA “La Gotita” (“the little water droplet” in Spanish), a mascot who often joined California residents in the Capitol as they shared their experiences of water injustices with legislators and their staff (Figure 2).

To ensure that the bill reached Governor Brown’s desk, advocates took steps to narrow the bill’s potential for material impact. In addition to the AB 685 amendments described above, advocates for AB 1242 agreed to exempt new developments from the bill’s purview and to focus the bill on state agencies (e.g., Department of Public Health, Department of Water Resources, State Water Resources Control Board) rather than require local agency accountability for the human right to water (e.g., local municipal water providers). Although the bill was always highly symbolic, these compromise amendments completely eclipsed the bill’s potential for short-term direct material effects. Still, these amendments did not dampen enthusiasm for the policy.

Then, in August 2012, near the end of the 2-year legislative session, advocates worked with Assemblymember Eng to amend AB 685 from requiring that “all state agencies... shall advance the implementation of this policy” to the weaker requirement that agencies “shall consider this state policy.” Through a series of actions outside the state capitol and creative political engagement, including sharing a political cartoon about drinking water with every legislator’s office, advocates generated attention and quickly passed the bill through both houses of the legislature. Bill passage was facilitated by close coordination between grassroots activists, Sacramento-based advocates, and even federal



FIGURE 2 “La Gotita” (“the little water droplet” in Spanish) joined members of the Safe Water Alliance to advocate for the human right to water. Photo credit: Community Water Center.

and international strategists, who held regular calls to organize campaign efforts leading up to the final push. The bill was contested until the end. “It barely got signed, and I mean, it could’ve been a different day, a different time of day, the Governor could have been hungry, it could have easily been vetoed” (Interview 4). But the Governor signed the bill, and AB 685 is now in statute as California Water Code § 106.3.

For many inside and out of Sacramento, the campaign was a successful example of the grassroots driving policy change. “It did not feel like one of those things that happened behind closed doors. I really felt like it was, if not open, as open as those things can go and really responsive to community opportunities and needs and demands” (Interview 2). One interviewee remembered seeing the Unitarian Universalist Service Committee arrive at the capitol with a wheelbarrow full of support letters collected from congregations across the state. The grassroots AGUA (Asociación de Gente Unida por el Agua, or Association of People United for Water) coalition similarly collected support letters from community-based organizations and San Joaquin Valley residents impacted by unsafe and unaffordable water (e.g., Figure 3), who also showed up in droves week after week in Sacramento, creating an undeniably “human appeal” that many interviewees credited with the victory. “What led to [the Governor] signing the bill? I think it was the pressure from these impacted people, bearing testimonies that they were affected by that situation” (translation of Interview 22).

The significant investment of time and resources into the campaign reflects advocates’ strongly held belief that the bill could strategically advance social movement goals, namely increasing access to safe, affordable drinking water in California. This is not to say advocates believed that AB 685 would directly influence drinking water access; rather, they saw the human right to water as a strategic steppingstone toward long-term solutions. Reflecting on their aspirations for the bill, one interviewee shared, “We never, I never, frankly, was under any misconception that state agencies were going to transform how they wrote their guidelines, or did any of the mechanics of their work... What I did hope was that having it in statute would become a cultural shift” (Interview 10).

VECINOS UNIDOS

Working to improve the quality of community services in the Cutler, Orosi and East-Orosi area

March 28, 2011

The Honorable Jared Huffman
Chair, Water Parks and Wildlife
State Capital Building
Sacramento, CA 95814
Fax: 916-319-2196

RE: Support AB 685 (Eng) Human Right to Water

Dear Assemblymember Huffman:

I am writing on behalf of the committee Vecinos Unidos (Neighbors United) to express our support for AB 685 (Eng) the Human Right to Water bill. Vecinos Unidos is a grassroots organization, whose mission is to work to improve the quality of community services in the Cutler, Orosi and East-Orosi area.

Access to clean, safe and affordable water is a fundamental human right essential to our health, the environment and the economy. California is one of the largest economies in the world, but from 1997 through 2001, nitrates were detected above regulatory standards in the drinking water supplies of more than 11.2 million Californians; the drinking water of 8.5 million Californians was subjected to five or more violations of the standard. Unfortunately, groundwater pollution means that these Californians in some of the poorest communities around the state, in the best case, pay more for their water to fund expensive treatment, and at worst, end up without safe drinking water because they cannot afford treatment and have no alternative water supply.

Nitrates, however, are not the only threat to community access to potable water. Pesticides, industrial chemicals, and some naturally occurring chemicals in high concentrations are also responsible for putting families at risk and forcing them to purchase bottled water. Bottled water is a poor substitute for safe, affordable, potable water. First, it is not economical. Families are paying up to 1,000 times more for bottled water and sometimes forgoing other necessities. Even with bottled water these families are forced to bathe and wash dishes with contaminated water.

More families who cannot pay their water bills, particularly in these hard economic times, risk losing their water service altogether. Unlike energy and phone service, there is no statewide lifeline water rate. If a family cannot pay their water bill they are at the mercy of their water service provider. Without basic water service families run the risk of being evicted from their homes because they are not living in sanitary conditions.

FIGURE 3 Page one of a 2011 support letter for AB 685 from Vecinos Unidos, which is a community-based organization and member of the grassroots AGUA (Asociación de Gente Unida por el Agua, or Association of People United for Water) coalition.

The aspiration to change the sociopolitics of drinking water access is exactly why environmental justice advocates and their allies chose the human right to water as their frame. The human right to water resonated with a wide range of actors and connected residents' local struggles with an international

social movement. This particular frame also enabled conversations about structural racism and water access inequities by appealing to universal human rights, reflecting a distinct strategy from that used by other environmental justice organizations and formations in California at the time (Méndez, 2020; Perkins, 2022). Organizers involved in both passage and implementation frequently averred that AB 685 provided “soft entry into a really complicated issue” (Interview 10), as well as a “building block,” “framework,” “tool,” “platform,” or “foundation” for future advocacy work. In short, advocates strategically pursued this highly symbolic policy because they understood that human right to water legislation had the potential to change water politics in the state.

Policy feedbacks: Making the symbolic substantive

Across interviews, we found evidence of direct and indirect feedbacks resulting from AB 685 (Table 1). The direct feedbacks identified are primarily interpretive effects. Several of these are well aligned with advocates' aspirations for AB 685 as described above, namely narrative change and movement building (however, some advocates have been surprised by the extent to which these goals have been achieved). AB 685 also heralded changes to state institutional responsiveness, which was less expected by interviewees. These interpretive effects facilitated resource effects via additional policy changes, creating further indirect feedbacks that were also widely mentioned by interviewees. Our document analysis confirms both direct and indirect feedbacks, which we review in turn in this section.

Narrative change

Historically, state agency publications in California minimized, normalized, and ignored household water insecurity. For example, the 1993 Safe Drinking Water Plan produced by the California Department of Public Health characterizes California drinking water regulations as successful, “as demonstrated by the lack of documented illnesses caused by drinking water” (SWRCB, 2015b, p. 189), even though activists and epidemiologists had by that time already begun to point to morbidities and mortalities associated with drinking water contamination in California, especially in farmworker communities (Chavez, 1989). As in many places in the global North, household water had been depicted as universally accessible, clean, affordable, and trustworthy for several decades prior to the human right to water campaign (Linton, 2010; Meehan et al., 2020). While California's drinking water is clean and affordable for most residents, however, this cannot be said for all.

Shifting the narrative regarding the existence and scope of California's water challenges was one of the outcomes most commonly discussed by interviewees (Table 1). Reflecting on how critical the legislation has been in this regard, one interviewee stated “we forget how important these things are actually, because it's really important to have these really basic statements of values when we are not aligned in our values” (Interview 4). Interviewees indicated that establishing the human right to water as state policy enabled them to move beyond debating whether a problem exists and transition to discussing solutions: “It's easier to talk about the lack of safe drinking water and the need for the state to do something when you have that policy, that recognition and that goal. It's like one battle... one thing you can move beyond and then focus on the next thing” (Interview 5).

That narrative change has been a significant outcome of AB 685 is also reflected in state documents such as the most recent California Safe Drinking Water Plan produced by the State Water Resources Control Board (SWRCB), which explicitly recognizes the scope of the state's drinking water challenges. The report's Executive Summary states that “[t]hroughout the 2020 Plan there is an emphasis on equity and the human right to water... and actions that water systems and the State Water Resources Control Board (State Water Board) can take to help provide safe drinking water” (SWRCB, 2021, p. i). AB 685 humanized drinking water challenges in the state, establishing a vision of universal household water access to which the state could be held accountable and against which progress could be assessed. As

TABLE 1 Policy feedbacks identified by interviewees and the frequency with which associated codes were referenced by code application and interview.

Policy feedback	Feedback type	Primary corresponding analysis code(s)	Total number of code applications	Number of interviews where code was applied (of 23)
Narrative change	Interpretive (direct)	Impacts—primarily symbolic/discursive	72	17
Movement building	Interpretive (direct)	Empowerment	24	13
		Power-Building	18	11
		Tactical/strategic use	35	12
Increased state responsibility and responsiveness	Interpretive (direct)	Impacts—worthwhile policy	22	19
		Impacts—primarily material	79	19
Policy and regulatory changes	Resource (indirect)	Impacts—primarily material	79	19
		Tactical/strategic use	35	12

one interviewee shared, “[now] we say 1 million Californians don’t have safe drinking water. But before [AB 685], with the Department of Public Health, they always said 98% of Californians have access to safe drinking water” (Interview 12). This shift from percentages to numbers reshaped understandings of the scope of the problem and changed the metrics by which the state could be evaluated.

Movement building

As the human rights framing shifted understandings of the status quo, it contributed to a sense of personal empowerment for many residents impacted by unsafe and unaffordable water, and it built collective power for the drinking water movement. Campaign organizers pursued AB 685 as an intentional power building strategy, and nearly every interviewee spoke to how AB 685 advocacy fostered opportunities for communities to engage with policymakers, both at individual and social movement levels. One advocate shared, “I grew up in communities that did not have safe drinking water. And so I grew up with this perception that’s just the way things are supposed to be” (Interview 5). For this advocate and others, the policy design shifted perceptions of the status quo. By centering water as a human right, the campaign emphasized residents’ dignity and empowered individuals to call for the human right to water as a basic act of respect.

Grassroots power and momentum persisted after the bill was signed into law. Interviewees spoke repeatedly to the sense of confidence instilled by the AB 685 campaign and the importance of having legislative wins to celebrate. One interviewee told us “It just was so affirming and joyous to feel like we were able to accomplish that. And there’s just created huge hope, I think. And again, momentum and belief that we really could have major impacts and... feeling like we had a movement of allies throughout the state. That was huge, huge at the local level” (Interview 3). The successful campaign deepened advocates’ belief that water injustices can and will be addressed and, relatedly, that policy change can be driven by the grassroots. Another interviewee shared that AB 685 “was the first really major victory and it empowered us moving forward... It takes so long to solve all the endemic problems and address the racist institutions, that having these victories that you can look back on really helps you continue and move forward” (Interview 12). One resident involved in the campaign agreed, sharing that following AB 685, “more communities were more comfortable in going to Sacramento and saying what they needed, because it was hard at the very beginning for communities to open up and ask the state to help” (Interview 9). Many interviewees credited AB 685’s success in part to the power of first-hand testimonials and community members’ presence in the capitol; since the campaign, the state’s water justice organizations have continued creating opportunities for residents directly impacted by drinking water challenges to speak at community lobby days and capitol rallies, which have become a central community organizing and advocacy strategy for these grassroots organizations.

Relatedly, the AB 685 campaign enabled drinking water advocates to significantly increase their credibility, reputation, and power in the Capitol, which surprised some interviewees. For example, one interviewee recounted that within weeks of the passage of AB 685, drinking water advocates were receiving calls from different state agencies and being invited to new decision-making venues. “For the very first time, [communities] were in a way really at the table” (Interview 16). With time, this position of power has led to relationships with new political allies, such as large metropolitan water providers in the state, several of whom have recently split from the state’s dominant water agency association to support the development of a low-income rate assistance program. It has also changed relationships with the coalition’s opposition. Several interviewees noted that some water and agricultural agencies which had opposed AB 685 became increasingly willing to engage in discussion and compromise following the bill’s passage.

Notably, the campaign was also the springboard from which several individual advocates within the drinking water movement eventually moved into official leadership positions in state and federal administrations. This has enabled inside-outside strategies to implement the human right to water: one interviewee shared, “We had the football, and we passed it to ourselves” (Interview 10). While not

intentional in the sense that organizers foresaw these opportunities during the campaign, many interviewees clearly linked the AB 685 campaign, and the power that the water justice movement generated as a result, to enabling this governance feedback.

The success of the AB 685 campaign also had significant implications for the organizations involved. Although the environmental justice organizations behind AB 685 had previously engaged in some statewide legislative advocacy, they had worked primarily at the local and regional levels. The AB 685 campaign expanded their focus to engage more deeply with state legislation, echoing a broader trend in California's environmental justice movement (Perkins, 2022). Witnessing the power of Sacramento-based advocates, one nonprofit organization opened a Sacramento office during the AB 685 campaign, which enabled a year-round presence near the capitol where their expanded participation has only further grown their influence. Notably the movement learning fostered by AB 685 was not limited to drinking water issues or to California advocacy. As one interviewee shared, “the campaign work and the subsequent implementation work that groups have taken up is a really important learning space, both for other states who are looking at water fights, and for other movements just around basic human needs, and how do we shape policy in ways that provides people with the most basic human needs where we're failing them right now. So, that's provided a lot of useful learning, I think, in that sense for other movement fights” (Interview 15).

Increased state responsibility and responsiveness

AB 685 has also changed how some state agencies and policymakers understand their roles and responsibilities with respect to safe and affordable drinking water access. When environmental justice advocates first began working on drinking water prior to the passage of AB 685, they faced challenges with basic data requests from state agency staff. One advocate shared: “[California Department of Public Health folks] literally said, ‘We work for the water districts, not for you.’ I mean, they literally said that. And so we're not going to go compile stuff for you basically” (Interview 3). Interviewees described a shift in state agencies' responsiveness to data and information requests post passage of AB 685, as well as an expansion of the state's purview to include increased responsibility for domestic wells, as described in the next section. Together, these changes indicate a shift in how regulators construe their roles and responsibilities.

While document analysis and interviews confirm that the State Water Resources Control Board has engaged the most with AB 685, over time, other agencies have also begun to engage with the human right to water. For example, the Public Utilities Commission references the policy in administrative decisions, workshops, and plans, and in 2021, the Department of Water Resources (DWR) passed its own human right to water policy. DWR's policy now affirms one aspect of advocates' initial desires for AB 685, uplifting the need to “consistently incorporate” the human right to water, rather than simply “consider” it (DWR, 2021).

Policy and regulatory changes

In addition to the widespread agreement among interviewees that AB 685 has had significant effects on narrative change, movement building, and state responsibilities, many also emphasized how these interpretive effects influenced subsequent policymaking and indirectly produced resource effects, including regulatory changes and increased funding for drinking water (Table 1). In the decade post passage of the human right to water, California substantially increased its investments in safe and affordable drinking water, broadening both who is served and how; interviewees indicated that this occurred in large part due to how AB 685 brought water injustice to the state's political agenda and due to the political power the water justice movement built during the campaign and subsequent policy implementation. The 2014 Proposition One water bond prioritized hundreds of millions of dollars

for low-income communities, including unprecedented funding and an expanded scope for technical assistance (Water Quality, Supply, and Infrastructure Improvement Act of 2014, 2014). In 2019, advocates convinced California to pass Senate Bill 200, which explicitly references California's human right to water as motivation for creation of the country's first statewide Safe and Affordable Funding for Equity and Resilience (SAFER) drinking water program (SB-200 Drinking Water, 2019). This funding specifically serves low-income Californians' needs and provides up to \$1.4 billion for drinking water. SB 200 also addresses previous funding gaps by serving domestic well users and state small water systems and by investing in ongoing utility operation and maintenance expenses, reflecting AB 685's effect of expanding the state's purview and responsibility.

Relatedly, AB 685 has proved to be a helpful tool in responding to, and leveraging, crises. Water justice organizers used the opportunities presented by both the state's historic drought in 2014 and the COVID-19 pandemic to make significant advances on priority issues. First, advocates used AB 685 to push state agencies, and state funding, to address the dewatering of thousands of domestic wells during the drought, which left more than 10,000 people without running water (DWR, 2024). Until then, the challenges facing domestic well users had been almost entirely dismissed as outside the purview of regulators and technical assistance programs. Reflecting the power of the state's public commitment to the human right to water, California now has ongoing emergency response programs for dry wells, as well as increasing opportunities for those with contaminated domestic wells to receive free replacement water. As another example, while household water affordability was already an emerging coalition priority before March 2020, the COVID-19 lockdown and resulting household economic crisis created an opportunity to advance the "affordable" clause in AB 685. Advocates fought for, and won, a moratorium on water shut-offs, followed by a household water debt relief program. "Had we not had the human right to water rhetoric before, the governor would not have done that. The foundation has been laid down. And so then we had over \$1 billion in credit relief" (Interview 7).

Narrative change drives policy change. For these funding changes, as well as the regulatory changes discussed below, interviewees were very clear about the importance of narrative change for future policy changes. For example, Interviewee 2 stated that AB 685 "was a really important way... to elevate an underrepresented issue. ...[For] those of us working in areas with contaminated drinking water, [it] was such an everyday thing and just not really a statewide issue, and I felt that [AB 685] made it a statewide issue... In developing subsequent policies, I think it has really, really helped push things further than they would've gone had it not been for the human right to water" (Interview 2). After all, "people don't want to, I think they don't want to fail. They really don't want to be told that they're failing on the human to water and I think that's important" (Interview 2). This catalyzing effect was seen even prior to AB 685's passage; while AB 685 was stalled in the Senate Appropriations Committee, four other related bills connected as part of a human right to water bill package were signed into law.

Since AB 685's passage in 2012, policy change has only accelerated. Indeed, immediately after the bill was signed by Governor Brown, the SWA pivoted to implementation, including drafting letters to state agency leaders with recommendations for how agencies should respond to the new law. Very quickly, the bill was used to rationalize the need for new legislation, including some sponsored by the SWA and its core members. "You can tell them [government officials], you have the human right to water, why are you not helping?" (Interview 1). Many advocates described referencing the human right to water in meetings with local and state agencies regarding groundwater policies and agricultural regulations, among other topics, and leveraging AB 685 as an accountability tool to track and make progress toward the state vision of universal safe water access; document analysis confirms widespread reference to the human right to water in promoting subsequent policy changes.

As a result, although the law has been but rarely and ineffectually referenced in litigation (e.g., *Johnson v. City of Atwater*, 2019), AB 685 has meaningfully shaped water regulations. The human right to water provided key leverage in passage of California's historic 2014 Sustainable Groundwater Management Act (SGMA), which environmental justice advocates view simultaneously as a policy that builds on AB 685 and as a tool to implement the human right to water (e.g., Interview 7). The human right to water has also been referenced in development and implementation of regulatory programs at the Regional Water

Boards, in enforcement actions against polluting industries, and in the state's integrated water resources management efforts. In 2015, water justice organizations successfully advocated for the state to be able to mandate local water system consolidations in cases where a water system was consistently failing to provide safe and affordable drinking water to a low-income population (SB-88, 2015). Furthermore, although AB 685 explicitly did not alter California's water rights system, it has been used to shift water allocation priorities under conditions of extreme water scarcity (SWRCB, 2014a, 2014b).

Some of these regulatory changes have, in turn, further grown the role and responsiveness of state agencies on drinking water access issues. After the passage of AB 685, advocates successfully lobbied for the Division of Drinking Water (DDW) to be moved from the Department of Public Health to the State Water Resources Control Board (SWRCB). While the human right to water was not mentioned in the 2014 legislation authorizing this DDW transfer (SB-861 Public Resources: Trailer Bill, 2014), it has been referenced multiple times retrospectively as a motivation for this significant bureaucratic realignment (HHS & CalEPA, 2014; SWRCB, 2015a). Multiple interviewees who advocated for the DDW transfer agreed with the sentiment that “moving the drinking water program to the Water Board really helped us focus what we wanted to do, in one place, with a willing partner” (Interview 12). That the SWRCB was indeed a willing partner is illustrated by its subsequent passage of an agency-specific human right to water policy, which calls for “meaningful engagement of impacted communities” (SWRCB, 2016, p. 6). This addition is in keeping with advocates' calls to understand the human right to water as encompassing procedural justice.

Cumulatively, these policies and funding have also corresponded with increased data collection as multiple state agencies have developed new tracking tools to monitor progress toward the human right to water. In 2021, the Office of Environmental Health Hazard Assessment released a Human Right to Water Framework and Data Tool to guide and track progress on the implementation of the law, and the SWRCB has released Drinking Water Needs Assessments annually since 2021, which are used to inform state SAFER investments. Each state tracking tool documents widespread violations of the human right to water, but their existence reflects a novel state interest in accountability to the goals set forth in AB 685. These data also provide fodder for further organizing efforts and have been heavily leveraged for ongoing communication about California's “drinking water crisis”, further developing the state narrative around the importance of drinking water access and equity and continuing to grow the state's role.

DISCUSSION

California is still far from the full vision articulated in AB 685, but that reality is unsurprising to most people involved in its passage, given the structural challenges underlying the state's drinking water inequities. One advocate summarized this sentiment, saying: “this problem wasn't going to be fixed overnight or by one action or one state agency or one program. This is something that has taken, I don't know, maybe has always been a challenge, but taken decades to create” (Interview 3). Nonetheless, many interviewees characterized the policy feedbacks described above as meaningful and important progress toward improving state accountability for safe and affordable drinking water access. Our findings elucidate the intentionality and strategy behind advocates' pursuit of California's highly symbolic human right to water law, both during the 4-year campaign to secure the legislation and throughout advocates' tireless efforts to implement the vision of the human right to water in the decade since.

We highlight two implications that merit future attention in the policy design and feedbacks literatures (Figure 4). First, our findings remind us that policy can be a means rather than an end, or in the words of Wildavsky (1979), “policy is politics”. It is in this realm that highly symbolic policies may most contribute to transformative change, defined by Berglund et al. (2022, p. 3) as “societal outcomes or impacts (broadly construed) which may be caused by policy change directly or indirectly”. Second, highly symbolic policies may have unique advantages for such efforts, at least for social movement actors. We elaborate on each of these two contributions below.

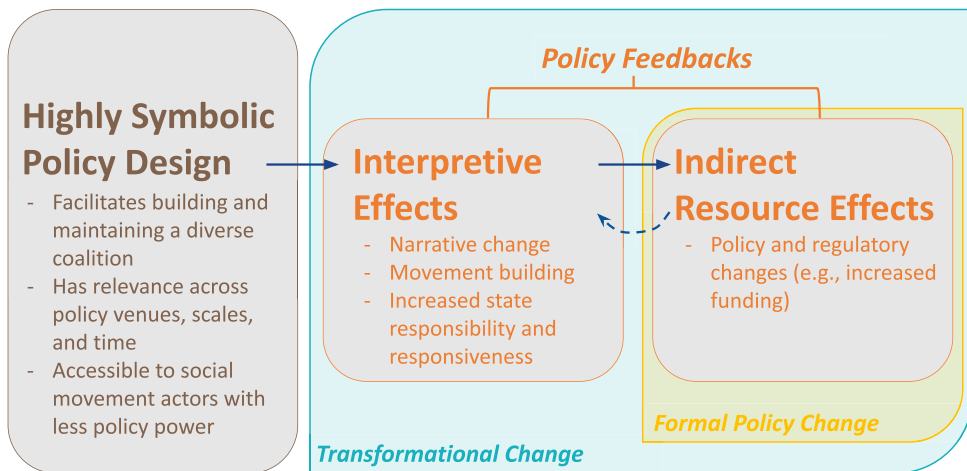


FIGURE 4 AB 685 demonstrates that highly symbolic policy designs can have interpretive effects, which can in turn result in indirect resource effects; thus, symbolic policies can affect not only formal policy change but also broader transformational change. Indeed, interview results indicate that transformational change was advocates' motivating goal.

When transformative change is the goal

Advocates strategically designed and leveraged AB 685 to increase access to safe, affordable drinking water, with notable, although far from absolute, success. Through narrative change and empowerment, the water justice movement has not only shepherded significant policy and funding changes but also transformed the social and political landscape by reconceptualizing problems and possibilities. These interpretive effects have accelerated resource effects, and they have broader relevance to enacting transformational change. As defined by Berglund et al. (2022), transformational policy change emerges from policy change over time, involves social movements, and requires policy change across scales. California water justice organizers' motivations in passing AB 685 reflect these realities. Ongoing policy advocacy demonstrates the need for extensive and ongoing formal policy change to address drinking water challenges. Advocates had no misconceptions that the human right to water would avoid that need; rather, they sought to build a strong platform from which they could do that work. While feedbacks from AB 685 resulted in formal policy change (i.e., new or revised changes in law, regulations, executive orders, etc.; Berglund et al., 2022, p. 2), the central motivation for this policy was to effect transformational change. The indirect resource effects emerging from AB 685 were pursued and welcomed by organizers, but these effects were not their core goal. Rather, the coalition sought narrative change and social movement power building when they introduced the human right to water, and they made compromise amendments to weaken the policy's implementation language because their goals for the bill expanded beyond traditional policy design considerations.

Advocates' vision for AB 685 anticipated interpretive effects, which they have then continued to leverage for ongoing formal policy change; thus, our findings provide evidence of the use of policy feedbacks as an intentional tool, which has largely been missing from policy feedback theory (Mettler & SoRelle, 2023). To our knowledge, this case is the first to empirically document how interpretive effects are wielded by social movements rather than political elites (cf., Hackett, 2020). The literature on symbolic policies likewise calls for more investigation of non-elite actors' use of symbolism in policymaking (Boussaguet & Faucher, 2020), making this case a novel contribution to our understanding of this policy design.

In addition to identifying how policy feedbacks advance social movement goals, we also reveal that these feedbacks bolster the social movement itself, fostering collective action through individual and collective empowerment. These findings align with Skocpol's (1992) original work on

the potential for feedbacks to shape collective identities, as well as more recent work within policy feedback theory (SoRelle, 2023; Thurston, 2018). Based on our findings, we argue that this is a promising line of inquiry to continue and a place where highly symbolic policy designs may be particularly relevant.

Symbolic policy as an advantageous social movement policy design

That AB 685 was specifically intended to promote transformational change—including but not limited to formal policy change—is only interpretable when we understand the policy's design in context with attention to advocates' intentions. This finding, in turn, puts the highly symbolic design of AB 685 in a new light as a design that can be strategic as well as intentional. We identify three key features of this symbolic policy design that uniquely supported organizers' goals for social transformation, which facilitated wide-reaching interpretative effects and ongoing formal policy change.

First, the ambiguous nature of the human right to water, without defining criteria or implementation actions, enabled advocates to build and maintain a large and diverse coalition. The simplicity of the message facilitates broad communication; the human right to water is easy to use and salient to a wide array of audiences who can imbue the concept with their unique perspectives. Importantly, however, the human right to water is not so vague as to be meaningless. There is enough commonality across understandings of the concept to create the necessary “glue” to maintain an advocacy coalition long term (Mintrom, 2019). For all those we spoke with, safe and affordable household water access is the foundation of the human right to water; however, for some interviewees, the human right entails additional political commitments, including for example, anti-privatization and anti-capitalist sentiments, environmental stewardship, and a focus on procedural justice and participation in decision-making. The bill's brevity leaves space for these multiple interpretations.

Cognizant of the need for a broad coalition to pass the legislation in the first place, early organizers were intentional about coalition-building across sectors and interest groups, including faith-based, Indigenous, public health, environmental, and environmental justice groups, among others. Despite differences in focus, scale, and strategy, coalition members united on the human rights messaging in a way that has facilitated and sustained collective action (Mintrom, 2019). While the coalition does not exist in its original formation, a core group of environmental justice organizations has continued to vocally champion the law across many different spaces through close collaboration, often via weekly strategy calls. As one interviewee put it: “The movement created the bill... and we ran with it. It is owned by the movement” (Interview 7). For some actors, the human right to water and the California water justice movement are essentially one and the same. For many advocates, AB 685 has become something they mention in every presentation, every comment letter, and every meeting. It has quite literally “become an anthem of the movement” (Interview 12).

Second, the bill's highly symbolic design enables AB 685 to be relevant across policy venues, scales, and time. This feature directly facilitates the ongoing formal policy change that is a necessary component to transformational change (Berglund et al., 2022). Precisely because of its ambiguity, the human right to water can be applied in diverse settings and adapted to new challenges such as severe drought and water shortages.

Finally, AB 685 was possible for social movement actors to pursue because it was highly symbolic. At the outset of the human right to water campaign, most of the bill's proponents had relatively limited political influence in the state capitol, having primarily worked at local and regional scales. Only recently have large-scale regulatory changes to groundwater management and water governance become policy changes the groups could envision gaining traction, let alone achieve. Indeed, to ensure the viability of the bill, organizers worked with the opposition to further increase the policy's symbolism and decrease its potential for direct material impacts. Highly symbolic policies may be a uniquely accessible pathway to policy actors with limited initial political power, including social movement organizations.

CONCLUSION

In contrast to Edelman's (1960) fear that symbolic policies breed social quiescence, California's human right to water legislation galvanized continued grassroots advocacy that has facilitated sustained, substantive state action in the decade since the law's passage. AB 685 demonstrates the potentially catalytic and legitimizing effects of symbolic policies, whose interpretive feedbacks have resulted in indirect resource effects ranging from resource allocation to regulatory changes. Thus, we echo others in emphasizing the power that symbolic policies can wield in formal policy change (e.g., Arnold & Long, 2019; Boussaguet & Faucher, 2020; Molineu, 1980; Schneider et al., 2014).

The impacts of California's 167-word human right to water law also transcend the formal policy realm. AB 685 accelerated narrative change and individual and collective empowerment, which were crucial to ensuring the bill's resource effects and have import unto themselves. The increasing prominence of rural drinking water advocates within California policymaking, as well as social movement advocates' appointment to key state and federal agency leadership roles, reflect broader social changes which many interviewees connected back to the AB 685 campaign and subsequent advocacy. Rather than emerging organically from a narrowly defined policy agenda, these societal transformations were central to advocates' initial goals in passing the bill. Some interviewees were surprised by the degree to which they have been able to leverage AB 685 for material policy change, but interviewees largely saw power building for the water justice movement and narrative change to explicitly address drinking water injustices as central to the original vision of AB 1242 and AB 685—and as key successes. Thus, these results illustrate not only the potential for formal policy change from symbolic policies but also their potential role in facilitating transformational change (Berglund et al., 2022).

Advocates' intentionality and demonstrated success in pursuit of these broader changes is an excellent example of the strong rationale for policymaking approaches which may, at face value, contradict prevailing logic with respect to policy design (Cairney, 2021). It is exactly for this reason that we need to understand policy design and process in combination, and in context (Howlett et al., 2015). As is clear in this case, advocates strategically leveraged the human right to water policy as a tool capable of reshaping the social and political landscape (Wildavsky, 1979) based on the opportunities available to them. The more we understand policy as politics, the more potential there is to use public policy to facilitate social transformations toward a more just world (Berglund et al., 2022).

Our findings, while limited by the single case, offer insights into how symbolic policies may facilitate transformational change. By nature of its ambiguity, AB 685 provided a platform for coalition building that expressly facilitated ongoing opportunities for change through time, a necessary component of social transformation (Berglund et al., 2022). At the same time the flexible, yet resonant, message helped to create, grow, and maintain a strong coalition to do this work over the long term. These opportunities require future investigation to understand their applicability to other cases, such as other highly symbolic human rights, climate change, and social justice policies. Nonetheless, we argue that there is clear indication that symbolic policies may be an overlooked strategic avenue not only for policy change but also for advancing social movements.

This is not to say that transformational change is an expected outcome of symbolic policies—nor that such transformation is inherently good; rather, we argue for renewed attention to the potential of diverse policy designs including symbolic policies to be leveraged as political tools to effect broader social change. By nature of our research question, our focus herein lies with the strengths and successes of AB 685, especially as perceived by those actors who worked to pass and implement the bill. Given symbolic policies' ambiguity, however, the human right to water may also be leveraged by actors pursuing interests counter to some of its proponents' initial goals (e.g., procedural justice, anti-privatization); future research should examine the possibility for symbolic policies pursued by coalitions to be coopted by outside interests. In emphasizing how policy instruments can be wielded to change politics (Wildavsky, 1979), we also urge increased attention to the limits and barriers to transformational change via policy.

These findings emphasize connections with the social transformation literature, which has typically existed apart from policy studies, and they highlight new opportunities for research at the intersection

of policy and social movements. Our results also offer important new questions for comparative learning across the spectrum of policy designs. For example, what are the limits of social transformation emerging from highly symbolic policies, and how do they compare to those emerging from more traditionally material policies? Do coalition intentions and/or indirect outcomes systematically differ based on policy design? Could a more traditionally material policy present similar opportunities to those described here? If so, under what conditions? The potential for transformational change, and the intentionality with which this social change is pursued, can be easily seen in so-called symbolic policies, although it is likely not unique to them. In taking symbolic policies seriously, in theory and in practice, we can grow our understanding of not just why and how certain policies accomplish certain ends, but also the unique roles of policy in societal change.

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ENDNOTE

ⁱ A possum (or opossum) is an animal that pretends to be dead when threatened. The phrase “playing possum” in English describes when an entity pretends to be asleep, unconscious, or dead when under duress (akin to a possum’s behavior).

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SUPPORTING INFORMATION

Additional supporting information can be found online in the Supporting Information section at the end of this article.

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