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Environment and Development: Dilemmas of Power and Place
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Transboundary Environmental Governance in the Mekong River Basin: Civil Society Spaces for Transboundary Participation

Introduction

'New regionalism' promoted in mainland Southeast Asia (MSEA) integrates the riparian nations into a coordinated Greater Mekong Subregion (GMS)[1]. The GMS framework establishes the foundation for transboundary environmental governance among bilateral international donors, regional institutions, state apparatuses and local communities. With increasing market neo-liberalization to foster inter-state trading relations and concomitant development projects and natural resource exploitation, environmental concerns begin to take precedence. The Mekong River best represents the inter-relationships among nation-states, and embodies the conflict and connectedness among and within the different geopolitical scales. The geo- and cultural-politics, history and political economy of the different riparian nations must be taken into account when addressing environmental governance mechanisms. With increased regional integration, spaces for local communities become wedged between situated livelihoods and beyond national borders. Development projects in the Mekong River basin create new local and regional boundaries, inventing transnational communities. Thus spaces of maneuverability for local people become blurred and more complex by being affected by transnational environmental degradation but without regional representation to take action. The focus of this paper is on the ability for transboundary environmental governance to create avenues of action for local communities to participate in

transboundary decision-making. Public participation in the regional decision-making process remains problematic as local communities constitute complexity with divergent, dynamic viewpoints. The research variables analyzed include geo-and cultural-politics, regional institutions and environmental governance mechanisms, such as transparency and access to information, accountability and public participation.

Riverine Biodiversity and 'Liquid Livelihoods'

The transnational nature of the Mekong River and its inherent 'ecology without borders' mandates regional coordination, as envisioned by the GMS framework[2]. Transnational rivers go beyond the local context as a unit of analysis because of the river's transboundary nature. Therefore, problems must be addressed at the regional level, which necessarily goes beyond only local solutions. Transboundary environmental governance principles remain a priority for MSEA because of the utmost economic, livelihood and cultural importance of the Mekong River to the riparian states. The Mekong River basin constitutes 'liquid livelihoods' with fishing, wet rice cultivation and riverbed agriculture remaining prevalent forms of livelihoods for the more than 200 million people living in the region. The extreme biodiversity of the river largely determines its ecological and livelihood significance.

Cold War Memories and Geopolitical Shifts

With increasing concern over the management of the Mekong River basin, especially with dam construction in Yunnan, scientists and activists have demanded coordinated management among all riparian states so to maximize protection of river biodiversity and local livelihoods relying on fish biodiversity. However, transboundary

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[1] The GMS countries include from most upstream to most downstream countries: Yunnan Province (China), Burma, Laos, Thailand, Cambodia and Vietnam.

environmental governance must appreciate and work within the confines of geopolitical realities. The relative political and economic power and geographical position of each country must be grounded within transboundary natural resource management. Browder and Ortolano, in describing the evolution of a management regime for the Mekong River basin, provide a synopsis of historical geopolitical shifts of MSEA. The Mekong water resource management mission initially developed during the Cold War conflict in Southeast Asia. Then in 1975 a fundamental shift occurred in the geopolitics of the region with communist forces gaining a stronghold (Browder & Ortoloano 2000:511).

In the early 1990s the geopolitics of the region shifted yet again. The end of the Cold War opened new possibilities for appeasement. According to SarDesai in his historical analysis of Southeast Asia, the end of the 20th century presents peaceful opportunities:

> International relations in Southeast Asia have come full circle. The polarities of the age of the Cold War and containment of Communism that determined the life and politics of the region's people for four decades have given way to a well-founded hope for an enduring peace (1997:361).

Although MSEA maintains relatively good relations at the beginning of the 21st century, past geopolitical conflict and subsequent divisions still linger. Will relative regional peace foster regional dynamics and cooperation, or further aggravate tension between nation-states and regionalism?

Geographical Spatial Scales

The political economy perspective acknowledges the inherently political decision-making process. The institutional context within which the decision-making process is embedded within "helps to determine the extent to which specific social, economic, and

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[2] See Su Yongge 2000. "Ecology Without Borders."

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political interests have greater or lesser control, or influence, over the decisions made" (Mitchell 1998:78). The decision-making process orients along a geopolitical spatial scale. A range of geographical scales underlie the basis within which resource competition, conflict and cooperation reside. From the bottom-up the scale is as follows: myriad local, each riparian nation, regional or basin-wide, and global scales. It is important to analyze transboundary environmental governance in the Mekong River basin according to within and among the different geographical scales. Political-economic issues, distribution of resources from Mekong development, control over the decision-making process, management of Mekong development, and environmental and social impacts must all be analyzed according to how they manifest at the local, national, regional and global scales (Mitchell 1998:78). It is also important to examine the relationships among the scales, such as national interest competing against local interests. Finally, attention to diversity of peoples' interests in the basin must be acknowledged, ensuring pluralism becomes reflected in regional environmental governance.

Blurred Local Boundaries: Sliding Spatial Scales

Defined geographical scales are not always neat categories which abide by their inflicted borders. The boundaries become blurred. It is no longer acceptable to view water resource development as a conflict between 'national' and 'local' interest. 'Local' concerns cannot be viewed as separate and removed from 'global' phenomenon. According to Sivaramakrishnan (1999), state institutions become embedded within the local dynamic social matrix, resulting in a mosaic of expressions of both state and local hegemony which co-determine each others manifestation. Gupta (1995) examines how

boundaries between 'state' and 'society' distort as the state becomes re-imagined at the local level.

Local communities are not monolithic, and instead should be viewed as complex, dynamic 'enunciatory communities' (Fortun 2001). Nor are local communities bound by space, thus combining 'international' with 'domestic,' as in Gupta's term 'intermestic coalitions' (1998:336). According to Robbins, communities embody pluralism, and act as complex and fluid functioning local social systems that manifest multiple expressions of local power. Communities act as "divided political landscapes" with shifting social and political alliances along fault lines and schisms of local power (2000). Just as hybridized communities challenge simplified local scales, national or regional interests are not confined to a single agenda.

Nationalism versus Regionalism

Towards the end of the 20th century, development for the nation-state transformed into neoliberal transnational development (Gupta 1998:336). Problems arise, however, when regulations move beyond the nation-state. With increasing awareness of the transboundary effects of development projects in the basin, the unit of 'nation-state' versus 'region' becomes articulated. A new domain for struggle evolves. Transnationalism, or regionalism, is anchored in and transcends one or more nation-states (Kearney 1995:548 in Basch et al. 1994:5-10). Transnationalism highlights the cultural and political ideology of nation-states in their competition for hegemony in relations with other nation-states, between their citizens and the 'other' (Kearney 1995:548). The cultural-political dimension to regionalism signals its resonance with nationalism. Many statements reported by national governments claim that threats to national sovereignty

inhibit further regional integration to address environmental concerns. (Badenoch 2002:8 in Dillon & Wikramanayake 1997, He et al. 2001). Nationalism and national identity surface as justifications for relaxing transnational environmental governance. Yunnan, China offers a cogent case study. Chinese leaders have referred to the Mekong River as a common thread joining all riparian nations in the GMS. In order to further integrate Yunnan into MSEA to accelerate economic growth, friendly relations among riparian nations must be maintained. But China does not appear to be interested in maintaining good regional relations if it would jeopardize the implementation of development projects which may negatively impact downstream nations. In building a regional framework, national interests often take precedence over both regional and local concerns.

The ADB/UN-funded GMS framework manifests tension between national sovereignty and regionalism. Nation-states claim it is their national right to develop the Mekong River. A new sense of national identity and nationalism arise, triggering national claims to the Mekong River as a valuable asset to national heritage and culture. Thus Benedict Anderson's 'anomaly' of nationalism as an 'imagined community' becomes re-enforced (1991). Do national hegemony and sovereignty become compromised to regional integration?

Porous Boundaries between 'Nation' and 'Region'

Despite claims that national sovereignty becomes threatened by regionalism, it is oversimplified to claim that tension exists between 'nation' and 'region.' There is danger in conflation of terms of 'nation' and 'region.' 'Nation' could be interpreted as the 'government,' or by a few elite leaders. Or 'nation' with reference to natural resources could infer 'public goods.' 'Region' could represent the 'basin-wide interests,' which is

comprised of the people in the Mekong River basin, or just the riparian governments

seemingly representing the people.   'Nations' indeed act on national interests, but often

there is mutual interest in integrating national development agendas into regional

cooperation (Mitchell 1998:77). With further national economic and environmental

integration into a regional context, what constitutes 'nation' becomes blurred with

'region.' Examining literature on the porous boundaries between 'local' and 'global,' or

in this case 'regional,' provides insight into the tri-chotomy among local-national-

regional divides (see Gupta 1998, Agrawal 1998, Bryant 2002, Sivaramakrishnan 1999,

Robbins 2000). New regional economic development initiatives forged transnational

spaces, identities and communities. The politics of space, place and identity which

Sivaramakhrisnan explores at the local level may also interact at the national and regional

level (1999). The principle of 'territoriality based sovereignty' has become unbundled by

global environmental problems (Gupta 1998:22)[3]. Accountability and transparency are

democratic ideals formulated within the nation-state based on governments representing

their citizens; but by moving into the 'unbounded' space beyond the nation-state, no

avenue for people's opposition, representation and accountability exists. The unbounded

space beyond the nation-state must receive attention in order to unravel the hyphen

between 'nation' and 'state.' Citizens of the nation-state must become citizens of the

region or globe ('transnational communities') in order to participate in regional/global

environmental decision-making. Discourse between 'regionalism' and 'nationalism' "is

itself part of the politics of legitimization that reflect dominant power structures"

(Mitchell 1998:87). Instead of focusing on the 'nation' or 'region' as units of analysis, it

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[3] See Winichakul, T. 1994; Vandergeest, P. & N.L. Peluso 1995.

is more appropriate to examine power structures embedded within the processes of decision-making.

Foucauldian Fabric: Thread of Power

A theoretical mechanism to better interpret relationships among and within geographical scales aims at mutual interaction, contestation and reinforcement as a single force of power. The single thread of power cuts through geographical scales, simultaneously uniting and dissolving the different bureaucratic levels. Foucault's 'governmentality' offers an appropriate theoretical apparatus to dissect operations of power through various spatial levels. Foucault writes that "power relations have been progressively governmentalized, that is to say, elaborated, rationalized, and centralized in the form of, or under auspices of, state institutions" (Foucault 1983:224). So what is of most interest is not the action of institutions expanding its reach and distribution to the periphery, but the "specific bureaucratic knots of power which are implanted" (Ferguson 1994:273).

Economic Quadrangle: Economic versus Environmental Regionalism

With peace settling in the valleys of MSEA, new opportunities open for economic growth. New technologies, production systems and imperatives of economic growth harness resource exploitation. In the case of China, there is mutual interest in integrating Yunnan into the 'Economic Quadrangle Joint Development Plan,' but no interest in collaborating on development projects which may affect downstream neighbors. This dichotomy highlights the relationship between *economic* and *environmental* agendas. It is perceived that the 'Economic Quadrangle' offers benefits to individual nations (or at

least elite leaders, both government officials and businessmen). However, integrating nations into a transboundary environmental governance system is perceived as threatening national and regional economic growth. Therefore, it may be more appropriate to examine 'environment' versus 'economic growth' than 'nation' versus 'region.' Andrew Walker in his book *The Legend of the Golden Boat,* which outlines economic integration of the upper Mekong River basin, reminds his readers that "as trading and transport conditions become more liberalized, opportunities and incentives for regulation flourish" (1999:5). However, it remains to be proven whether economic liberalization will lead to enhanced regional environmental regulation. This pervasive and perverse dichotomy between 'economic' and 'environmental' regional cooperation underlies many persistent problems with governance principles.

Mekong River Basin Development: Re-Defining Boundaries

Development projects in the Mekong River basin, such as hydroelectric dams, re-create boundaries of space. A dam creates both a physical-ecological barrier to natural water flow, as well as re-constitutes a socio-political barrier. The local context is re-configured by the state apparatus, re-instating governmentality and altering the co-determination of state-region-local emergence. The immediate local and extra-local natural and social environment become changed by the disruption. The new re-defined boundary, however, creates de-contextualized impacts since effects downstream may reside outside the socio-political local context of the development project. Therefore, development projects often create 'double binds' of contradiction and paradox, further emphasizing 'enunicatory communities' (Fortun 2001).

'Development' as discussed by Ferguson represents a machine for "reinforcing and expanding the exercise of bureaucratic state power" (1994:255). 'Development' becomes constructed as apolitically visible, riding the back of state apparatuses, "performing extremely sensitive political operations involving the entrenchment and expansion of institutional state power almost invisibly, under cover of a neutral, technical mission to which no one can object" (1994:256). Development projects alter the geopolitical space through what Vandergeest and Peluso have termed 'territorialization,' or an "attempt by an individual or group to affect, influence, or control people, phenomenon, and relationships by delimiting and asserting control over a geographic area" (1995:386). In addition, Lefebvre argues that command over space is a fundamental source of power (1991). Do local communities want to legitimate a development project by participating in a process which disrupts and re-configures the local political landscape?

Regional Institutional Pluralism

The Mekong River basin water utilization negotiations involve many actors and institutions. The various levels of institutions include GMS actors, grassroots organizations, NGOs, media, businesses, multilaterals and bilaterals, policy research institutes, universities, and research and/or advocacy networks. However, despite the institutional pluralism, the *inter-governmental* regional cooperation framework monopolizes the decision-making process.

There exists a set of inter-governmental regional institutions which affect the political, economic, social and environmental shape of the GMS. Regional institutions perform a valuable role as they open up more channels for cooperation and collaboration

among riparian nations. However, Mary Douglas cautions institutional hegemony in addressing environmental issues: "Institutions systematically direct individual memory and channel our perceptions into forms compatible with the relations they authorize. They fix processes that are essentially dynamic" (1986:92). Institutionalization occurs across boundaries, time and space, resulting in a generalized, static, decontexualized and homogenous bundled environment. Mandates of the regional institutions are highly varied, but it is very important to note that none of the inter-governmental regional institutions were specifically established to address environmental or social problems. According to Badenoch at WRI, "no single institution in the MSEA region has matched a specific mandate for resolving environmental problems with a broad-based foundation for engaging relevant stakeholders" (2002:10). Successful implementation of an environmental mandate calls for capacity which usually remains weak within development institutions. This poses as a serious problem with the "increasing inter-relationship between economic and non-economic issues (Badenoch 2002:9 in Kao & Kaplan 1999). They often lack the aptitude to implement good governance practices, such as transparency and access to information, accountability and public participation.

Usually national governments engage in the primary level of decision-making for regional environmental governance issues. However, the distribution of authority at various levels both up and down may un-bundle environmental decision-making authority to represent a broader spectrum of stakeholders. Thus, according to Badenoch, "achieving an appropriate level of decision-making often includes shifting responsibilities upward to regional and global bodies, and downward to sub-national governments" (2002:10). However, opportunities should be created to allow authority to

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shift further downward to include civil society in the decision-making process. "A diverse range of institutions with overlapping and complementary mandates and with multiple channels of communication and accountability – will result in the more effective governance of transboundary issues" (Badenoch 2002:9 in Lipschutz 1997). The transnational environmental governance of the Mekong river basin remains complex in scale, interests and management; thus "no one regional organization can deal with all aspects and all levels of the regional environment and development challenges" (Le Quy An et al. 2001:6). Donald Moore suggests multiple leaders, personalities and alliances in order to effectively challenge competing images of communities in environmental struggles (1998). Supporting and encouraging institutional pluralism will pave the way forward to transboundary environmental governance.

Evolution of Regional Institutions

The new ASEAN identity has shed Cold War baggage to engage in strengthening regional stability and cooperation[4]. ASEAN allows for the regions diverse political, economic and social characteristics to unify one regional institution. Many problems persist with ASEAN addressing environmental issues, however. First, ASEAN operates by the "principles of non-interference in domestic matters and consensus-based decision-making" with respect for national sovereignty (Badenoch 2002:6). Unfortunately, this dominant political-cultural characteristic of ASEAN dismisses it from effective change due to the "demonstrated reluctance to apply pressure among members concerning domestic issues" (Badenoch 2002:6). The 'ASEAN Way' does not allow for holding national governments accountable to each other for transnational environmental impacts.

Secondly, ASEAN does not include Yunnan, China as an immediate member, although it is included in ASEAN+3. Thirdly, ASEAN remains committed to a pro-development stance, as inferred by the 'ASEAN Mekong Basin Development Co-operation Initiative.' In fact, ASEAN has been "shifting from a focus on political cooperation per se toward a regional approach to collective economic development" (Badenoch 2002:6). Although ASEAN has implemented some environmental legislation, "the prospects of ASEAN taking a position of leadership in promoting changes in environmental governance at the regional level are small" (Badenoch 2002:6)[5].

MRC: Emerging Environmental and Participation Mandates

The original mandate and geographical focus of the Mekong Committee set the tone for how and what the Mekong River Commission (MRC) would focus on in the future, largely continuing to the present day. The 1995 Mekong Agreement, perhaps the most prominent formal inter-government transborder agreement in the GMS, and which formed the Mekong River Commission (MRC), agreed to promote the "sustainable development in the utilization, management and conservation of the water and related resources of the Mekong river basin, such as navigation, flood control, fisheries, agriculture, hydropower and environmental protection" (Tsering 2002:7 in MRC 2000). The MRC, which excludes Burma and Yunnan, is based on the principles of 'sovereign equality and territorial integrity' (Article 4) and 'reasonable and equitable utilization' (Article 5) of the Mekong River (MRC 1995:5). However, since China and Burma remain only 'dialogue partners,' the agreement remains short of truly regional

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[4] After including Cambodia in 1999, the Association of Southeast Asian Nations (ASEAN) completed its inclusion Southeast Asian nations to include Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), Philippines, Singapore, Thailand and Vietnam.

cooperation and coordination. Multilateral cooperation among upstream nations bypasses existing institutional arrangements for regulating transboundary environmental impacts. The Chinese government remains reluctant to jeopardize its hydropower development plan on the upper Mekong River by subjugating itself to the MRC rules on water utilization. China, as the uppermost riparian and most powerful state in terms of military and economic growth, does not want to compromise their 'territorial sovereignty.' The Yunnan, China case study offers the 'other' – an example which exhibits none of the governance features of transboundary environmental governance. Even with China as a 'dialogue partner' it remains highly unlikely that China will cooperate with the MRC as Thailand has good bilateral economic and diplomatic relations with China and is one of the potential customers of the energy generated by their dam projects (Tsering 2002:11). With China's faster economic growth rate and industrialized economy compared to MSEA, and their incorporation into the Economic Quadrangle, it is necessary for Yunnan to participate in the MRC in order to achieve the mandate of 'sustainable development' on a basin-wide scale.

MRC: *M*aintains *R*egional *C*ooptation

In response to criticisms for "institutionalized neglect of environmental and social issues," the MRC adopted the Environment Program 2001-2005 and Natural Resources & Planning Division (Jacobs 1995:138). However, the MRC is still criticized for being a pro-development organization with little sustainability focus. The MRC is manipulated by pro-economic development Mekong governments, with particular government agencies pulling the MRC in one direction, whereas donors with a stronger sustainability

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[5] Environmental legislation includes such policies as the Regional Haze Action Plan and the ASEAN's Environment Program.

orientation pull in an opposite direction (Dore 2001 32). This tension between pro-economic development governments, pro-sustainable development donors, and pro-participation NGOs operates along the scale framework with tension within and among the different sectors. It is vitally important to remember that the MRC is an *inter-governmental* organization, with the MRC representing the national governments (Dore 2001:33). Thus, the MRC's "decision-making structures and processes remain firmly rooted in the black box of high-level inter-governmental negotiation" (Badenoch 2002:8). Ian Campell, the senior environmental specialist at the MRC, says, "The MRC is controlled by the governments. We don't have the power to tell the governments what to do or what not to do" (Bangkok Post Nov.11, 2002). The MRC 2000 report acknowledges it is "important that decisions on development include a 'bottom-up' process" and is not confined to a 'top-down' approach. The voice of the people directly affected, and of other stakeholders such as community groups or NGOs, must be heard." Moreover, it admits that it "has virtually no experience in this vital field" and that it must "drastically accelerate activities to promote public participation." As can be seen by this quote and by tracing the historical roots of the MRC, an environmental agenda became inserted into their mandate as a secondary focus due to external pressure. This highlights the institutional power struggle to maintain hegemony in governing the GMS. In order to appease public criticism and post-Rio pro-environmental discourse, economic development institutions, such as the ADB and MRC, integrate sustainable development initiatives into their official mandates. By incorporating these green policies, they attempt to continue to legitimize their power.

Transboundary Environmental Governance

Increasing economic development and concomitant competition for natural resources encourages transnational cooperation by a (downstream) national desire to mitigate inflicting regional social and environmental impacts. Environmental governance encompasses the "range of processes and structures that underlie the decision-making processes that affect the environment" (Badenoch 2001:5). It refers to the manner in which the debate is held, decisions are made and authority exercised over the environment (Dore 2001:1 in Ribot 1999, Seymour & Faraday 2000). Transboundary environmental governance involves the interaction of many actors along a vertical axis involving various levels of government administration and inter-governmental cooperation, and a horizontal axis including the range of state-market-community actors (Badenoch 2001:4). However, numerous challenges remain for institutionalizing transboundary environmental governance. Differing degrees of political freedom for the riparian nations in the GMS, such as space for civil society and direct public representation in the national political processes, constrain effective transboundary environmental governance possibilities. The political will of national governments, the most appropriate level of decision-making (subsidiarity principle), the information access, how to achieve meaningful participation, and how to accommodate diverse interests all constrain effective transboundary environmental governance. The gap that exists between the national governments and regional institutions and civil society wanting to take part in the decision-making process needs to be addressed in order to enhance effective and appropriate governance principles.

The global debate on environmental governance was largely articulated by the Rio Declaration. Three of the principles—transparency and access to information,

accountability in environmental issues and participation in decision-making—assert that fundamental changes are needed in the process of decision-making in order to effectively address social and environmental problems.

Transparency and Access to Information for Whom?

Securing rights and access to information about the environment is considered a meaningful step towards public participation. Knowledge is power. Obtaining information on projects to be implemented and their potential negative impacts for communities may empower people to participate in dialogue concerning the environment. In addition, information about the official decision-making process itself would help people to better understand their roles and rights, which would facilitate their ability to articulate their interests in the decision-making process. Personal notification of potential negative environmental impacts to local communities remains vital for people to get involved. Do the people who are able to access the information and act upon it rightfully represent the sectors of the public which are not able to access the information? Another interesting issue is that many national governments refuse to allow public access to data that is considered sensitive to national interests. Furthermore, since China is not a member of the MRC, it is not legally bound to share information about development projects on the Mekong River.

Accountable to People or Governments?

Accountability mechanisms determine the degree to which institutions and governments remain subjected to public involvement. In theory, inter-governmental institutions, which comprise of representatives from national governments, are accountable to those governments, which, in turn, are accountable to its citizens.

However, in practice the government does not always represent its national citizens, especially all of its dynamic, diverse interests. The degree of representation depends on the space of civil society in the country. The MRC is not accountable to people since it represents national governments as an inter-governmental institution. Local communities can not influence the MRC, representing little to no accountability. This is a serious issue when examining MRC's purported environmental governance agenda. How can the MRC, which is inter-governmental and therefore not accountable to people in the Mekong River basin, engage in transboundary environmental governance? Riparian national governments must be committed to providing transnational space for a newly created 'regional civil society,' and for the government to represent the diverse interests inherent in civil society, for accountability measures to work effectively. Given the diverse range of political freedom in the MSEA region, accountability remains constrained.

Transboundary Public Participation: Legitimate or Legitimizing?

Being accountable to civil society by providing access to information does not alone encompass environmental governance. Public participation is the most important principle of governance, but is unfortunately often the most neglected. However, government-sponsored public participation usually involves the public passively agreeing to policies by participating in processes (usually after the decision has been made) under government control which only serves to legitimize whatever the government wants to achieve. Rahnema expresses that civil society participating with institutions and development organizations undermines participation by institutionalizing public

participation (1992). Mosse highlights how institutional needs pervert participation by their own development desires (1997).

People need independent agency in order to stop being subjects of the state or region and start acting as participatory citizens. However, as Bryant points out, "citizens and subjects are not opposites" (2002:273 in Cruikshank 1999:20). Governmentality operates through citizenship by constituting 'political subjects,' where the exercise of freedom and the exercise of power are mutually conditioned by each other (Foucault 1994:12). "Governmentality involves a process whereby the modern state and the modern autonomous individual co-determine each others emergence" (Lemke 2001:191). Participation and empowerment disseminate the ethics of development as a practice of the conduct of conduct, or 'normalization,' through which the subjects are conditioned by modernity (Triantafillou & Nielsen 2001:67,80). Moreover, public participation and empowerment result in "strengthening elites and local power relationships" (Hildyard et al. 2001:70). Therefore, the means to civil society participation in regional institutional governance remains problematic by widening channels for governmentality to political subjects at the local levels. But what is participation? The MRC defines public participation as a "process through which key stakeholders gain influence and take part in decision making in the planning, implementation, monitoring and evaluation" (MRC 1999:3). 'Key stakeholders' becomes a loaded term when imprinted upon 'divided political landscapes' and diverse community interests. Who is being represented? How can diverse interests, or 'enunciatory communities,' come to consensus on regional management plans? Who is being left out in the public participation process? Is local participation necessary or even possible at the regional level?

Transboundary environmental issues require a regional network to address 'ecology without borders.' However, institutionalizing transboundary environmental governance presents new challenges to public participation in regional policy formulations. Under 'new regionalism,' authority becomes centralized to address transnational concerns, thus displacing local authority and management. This centralizing mechanism operates in tension to popular support for decentralization trends. Civil society has called for devolution of power to local level bureaucracy as a mechanism to amplify their alternative voices, often in opposition to state projects. Decentralization enables greater local community participation, as can be seen with community forestry and fisheries policies. So, does regional governance displace decentralization trends, and therefore local community participation? Transboundary issues are marginalized from the attention of the national decision-makers because they are considered 'too local,' whereas local governments feel transnational issues remain national authority responsibility.

What social conditions and particular political configurations are necessary to ensure co-production and co-emergence of civil society spaces for participation in transboundary environmental decision-making? How does transnational environmental governance effect public participation? Can public involvement in local decision-making necessarily translate to the regional level? If not, then what mechanisms can assure transferring local accountability and participation to national and transnational authority? Major challenges persist for incorporating public participation into transnational environmental policies.

The political culture of the different riparian nations must also be considered when addressing public participation. Different GMS nations conceive differently how the modern state will accommodate strategies of public participation, which may in fact challenge the political hegemony of the state. This is because public participation is much more than just the exchange of information, but also the "true sharing of power and responsibility between government authorities, community groups, and the wider community" (Chenoweth et al. 2002:498). The state may view public participation as threatening government authority.

Conclusion

Solutions to increased public participation must balance between broad policies such as 'institutionalizing transboundary environmental governance' and on-the-ground practices embedded within specific historical, socio- and cultural-political contexts, in other words, 'ecology in practice.' As Mekong basin development projects re-create new boundaries by stretching the local to the transnational, geopolitical spatial scales become blurred and complex. Environmental governance mechanisms must become aligned with the new boundaries in order to achieve basin-wide 'sustainable' development. The main goal is for civil society networks to participate in the inter-governmental decision-making process at the regional level. In order for this to occur, a concomitant legislation must be formulated for multilateral donor institutions and regional inter-governmental institutions, and most importantly national governments, to allow civil society to penetrate into the transnational environmental decision-making process.

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