Title: The Great Lake: New Approaches to Governance

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Topic: How would new approaches to the existing governance of fishery management at the Great Lake provide the solution to the decreasing fish habitats and populations?

Tonle Sap otherwise known as the Great Lake, a massive water body spanning across six provinces in northwestern Cambodia, is measured at 250 kilometers long and 100 kilometers wide covering about 6 per cent of the country (Degen, van Acker, Zalinge, Nao, & Ly, 2000). A quick historical overview of the Cambodia's freshwater capture fisheries is rather impressive because fish production from the Lake generally ranked third or fourth in the world with an annual production of 300,000-400,000 tons (Degen et al., 2000). However, the recent estimation, based on the Ministry of Agriculture Forestry and Fisheries (2008) report, issued an alarming warning that the annual inland capture fisheries production has drastically dropped by more than 50 per cent per year, with the downward spiral trend predicted to continue. For example, the total fisheries production from the Lake in 2002 was 360,300 tons in comparison to the 344,800 tons in 2003, and 250,000 tons in 2004 respectively (Ministry of Agriculture Forestry and Fisheries, 2008). The root cause of this decline is rather contradictory. On the one hand the Chinese dam constructions in the upstream Mekong River was to blame for blocking the migratory fish from going to the Lake, on the other the state governance system which mainly includes the regulations that commercialized the fishing grounds at the Lake is believed to set the stage for decline (Ahmed, Touch, & Nao, 1996). Either because of the upper-stream dam constructions or the poor operation of the state-system environmental governance, the main discussion in this essay is centered on the current governance of the resource.

Therefore, this essay attempts to examine the different environmental governance models that the Cambodian government should take into consideration in order to tackle the decline in fishery production. The paper proceeds in four steps. It starts by providing a brief overview of the three different theoretical roles that state can pursue in managing natural resources, followed by the current role that the Cambodian state is adopting in terms of their fisheries production arrangement at the Lake. The second part of the essay reviews both the anti- and pro-state environmental governance model. It also includes some of the suggestions, should this is to be implemented by the

Cambodian state. The next segment of the essay is divided into two parts. First, it analyzes both the strengths and weaknesses of the supra-statist approach to environmental governance where the issue is made to be a regional concern for the other five countries that are also geographically connected to the Mekong River. Second, it looks at the potentials of institutional decentralization as the answer to this problem based on the assumption that the state bureaucratic setups to deal with this issue are inefficient. Based on the current socio-political situation in Cambodia, the essay concludes by proposing civic environmentalism as the new governance approach for the state to adopt in order to address this problem based on its promising advantages and amendable weaknesses.

Theoretically, Young (1981) stated that there are three strategies regarding the use of natural resources namely devolution, operation, and regulation. Whereas the essential idea behind devolution and operation is that it occurs either when the states leave the control over the resources exclusively to the private sectors or it completely controls the resources, regulation involves the intervention from both the state and the private sectors (Young, 1981). The fishing arrangement at the Lake currently takes place at three levels ranging from a large scale or fishing lot fishery, a middle scale or licensed fishery, to a small scale or family fishery (Degen et al., 2000). This style of management fits into one of the three roles that Young described, which is regulation, because although the use rights to the fishing grounds are distributed through a formal market mechanism, the state is still able to retain its exclusive control over the use of the resource by being the main authoritative figure responsible for allocating sites for family fishery, granting license to middle scale fishermen, and signing the two-year contract with the fishing lot owners (Degen et al., 2000). Despite the advantages that Young (1981) proposed for this role of the state for fishery management such as effectiveness, equity and efficiency, a quick overview of scholastic literatures indicated that rather than sustaining the fish habitat and population, it has lead to their destruction. That is because by adopting this role, the state overlooked the balance between the competing interests of large-scale commercial producers who are only interested in maximizing the profit and expanding the markets through intensive fishing and illegal fishing practices by the small-scale subsistence producers who had been alienated by the authorities because of their traditional fishing methods (Ahmed et al., 1996).

In general, although it is acknowledged that the state-system in both developed and developing worlds had increased their commitment to address environmental degradation through the establishment of institutions such as the national environmental agencies or Ministry of Environments, Schubert (Schubert, 1993) claimed that the constitutions, the fundamental laws, and the enforcement are not sufficient due to government incompetence, corruption, and state commitments to high rates of economic growth rather than the protection of the environment. Moreover, other drawback such as the state's failure, especially in the developing countries, to ensure the private sectors compliance to the signed agreements was pointed out to justify the state's inability to respond to the protection of the environment (Asubel & Victor, 1992; French, 1992). In response to these critiques, it is believed that instead of abandoning the privatization under the state-system, appropriate adjustments in the national development plan, major economic and sectoral policies should be made to ensure and strengthen relevant institutional and legal arrangements to enforce compliance from the private and other related stakeholders (Atchia, Dabholkar, Drammeh, & Pyhala, 1995). Besides, Gray and Hatchard (Gray & Hatchard, 2007) proposed that for developing countries under the state environmental stewardship, sustainable development with the involvement from private sectors is more achievable than total privatization or complete state control. Therefore, according to the Cambodian current socio-economic and political situation, the current arrangement of fishery resources at the Lake under the control of state-system with suggested recommendations such as adjusting the power imbalance amongst the stakeholders, mitigating corruption and enforcing the existing environmental protection laws, is believed to generate a far better result than leaving the matter exclusively to either the private or public sectors (Rounsefell, 1975).

Geographically, the Great Lake's fisheries are extremely vulnerable to both upstream and downstream water management structures because the fish populations at the Lake are mutually connected to the migratory fish from as far upstream as Yunnan province in China and many tributary rivers along the way (Dennis & Woodsworth, 1992). Thus, efforts to protect or sustain this commons might require an approach that involves the participation from other five countries in the region that are also by and large connected to the Mekong River. Wapner (1995) called this a supra-statist

approach as it is based on the assumption that the individual state-system, for example the Cambodian state-system, is too small a political unit to address regional issues like that at the Lake. Their point is that individual state-system is fragmentary and anarchic in that there is no legal authority to govern relations at a level higher than the state itself, thus the only way out is through authoritarian rule with the greatest degree of centralization possible (Heilbroner, 1991). Therefore, it is argued that the fisheries at the Lake could only be saved by strengthening the cooperation among other five countries in their legal frameworks governing the utilization of the natural resources in the Mekong River (Mingsan & Natural Resources and Environment Program, 1995).

While this supra-statist approach to the depleting fisheries at the Lake seems appealing, its criticisms revolve around the hypotheses that besides its infeasibility, the proposal for regional governance of this affair does not reflect a transcendence of the state-system but simply an extension of it (Wapner, 1995). Instead, the critics claimed that individual national governments are not too small but in fact too large to address their ecological threats, thus solutions lie in the breaking up of those institutional setups, which is in other word in decentralizing political authority (Cullen, WWF Australia, & Wentworth Group, 2002). That is according to Cullen et al. (2002) centralization is the major culprit of the current ecological problems because such concentrations of capabilities prevent the suitable measures to be taken to deal with ecological problems that are specific to the region. In fact, it is suggested that bioregionalism should be the appropriate response to any ecological threat because through this practice environmental problems are addressed differently mainly based on the region that the problems initially occurred (Schumacher, 1973). In addition, Thom (Thom, 2004) argued that the decentralization of the state-system is essential as it helps reducing the technocratic and bureaucratic red tape and supporting the regional communities. It is interesting to mention that in extreme situations, advocates for decentralization or bioregionalism suggest the complete abolishment of any authoritarian or private control and leave the matter to voluntary commitment of individual users of the resources (Tomer & Sadler, 2007).

Framing the decreasing fisheries at the Lake along this decentralization or bioregionalism line of argument, it seems to suggest that fundamentally the problem

stems from local instances of environmental abuse and that by confronting them at the local level they will eventually disappear. For example, Degen et al. (2000) argued that the decline in fisheries habitats and populations in the Lake was mainly the result of the illegal use of fishing technology such as electrocutions, mosquito nets or poisoning by the fishermen. Based on this statement, it makes sense that bioregionalism could work because by preventing those practices at the sites, the problems could be solved. The predicament with this assumption is that it neglects the fact that human activity has become more global in scope than local, and thus to really solve this problem the fishing practices in the other five countries also need to be monitored or controlled. This is something that Kohr (Kohr, 1957) believed would never happen in both developed and developing countries because it is unimaginable for the other five countries to relinquish their authorities over their territories and follow what was set up in Cambodia. Finally, in response to the promising advantages of decentralization proposed by (Thom, 2004), Lane, McDonald and Morrison (Lane, McDonald, & Morrison, 2004) identified several problems with its implementation such as defining the region, developing mechanisms for accountability, and tension between democracy and technocracy. Evidences could be easily found to support Lane et al. arguments against decentralization at the Lake. For instance, not only that the Lake is connected to other five countries in Southeast Asia who shared some past political problems, six provinces that are connected to the Lake are also vastly different in terms of their geographical and socio-economic dependence on the Lake (Degen et al., 2000).

So far, the paper has examined three different strategies suggested to deal with the exhaustion of fish habitats and populations in the Great Lake. Where the first tactic studied the advantages and drawbacks of state-private governance, the second and third looked at centralization of the issue and decentralization of the current state institutional arrangements respectively. On the other hand, the next approach, averred rigorously by Meadowcraft (2004), stated that only through the concept of deliberative democracy otherwise known as participatory approach or civic environmentalism where collaborative and deliberative interactions draw together stakeholders from not just the government and business, but also the civil society that this puzzle could be solved. Some of the techniques that had been utilized in participatory approach to

environmental governance include public inquiry, referendum, citizen advisory panel, negotiated regulation, and citizen jury (Meadowcraft, 2004). Although Meadowcraft (2004) acknowledged that the greatest obstacle for the deliberative democracy approach to realize its utmost potential lies in the government's attitude, for this approach requires political authorities committed both to substantive environmental policy goals and to the encouragement of group-based deliberative mechanisms, this new route would ensure the society the direction they consider more desirable than the previously discussed methods.

Despite its optimistic achievements, John (2004) cautioned that civic environmentalism or participatory approach has its limits and thus shall not be implemented exclusively as a replacement for the other forms of environmental governance because it does not work everywhere. As a consequence, John (2004) argued that this new environmental governance method should be put into practice alongside other three conventional environmental governance models which are interest-group environmentalism, rational environmentalism, and populist environmentalism which function as the backbone, the eyes, and conscience of environmental policy respectively. John's primary argument to support this claim lies in the fact that for civic environmentalism to work it depends on whose version of civic environmentalism is used to define the concept, on which version prevails politically, and on how well proponents of each version can confront and resolve internal contradictions in its vision of civic environmentalism (Durant, 2004). For the diminishing fisheries scenario at the Lake, applying civic environmentalism means bringing together a wide spectrum of stakeholders to sit down and negotiate a new agreement or consensus that would result in a better governance of the fish resources. The participants for this negotiation would range from community, regional and provincial representatives, private fishing lot owners, authoritative figures, and national policy makers. A quick glimpse at this proposal would seem impossible to achieve; however, there have already been instances that could be used to illustrate the government's commitment to the sustainable development of the commons. For example, a number of meetings between fishers, villagers, high level authorities such as ministers and secretaries of state and environmental Non Governmental Organizations

were held in various provinces to solve the problem (Degen et al., 2000). One of the significant results was the introduction of the 1999 proclamation in fisheries, which addresses the need for collaboration among authorities to eliminate illegal fishing practices, intimidating that soldiers are heavily involved in detrimental fishing practices (Royal Government of Cambodia, 1999). Although it is debatable about the effectiveness of this manifesto in eliminating the illegal fishing practices, it more or less represents a positive sign that civic environmentalism could be achievable in Cambodian settings.

To sum up, this essay had analyzed the degradation of fish habitats and populations at the Cambodian Great Lake utilizing four different angles of environmental governance approaches such as decentralization, supra-statism, state-private model, and civic environmentalism. Although these four approaches embedded in themselves various strengths and weaknesses, with a careful analysis of the problem either because of the Chinese dam constructions or the state's inability to control illegal fishing practices at the Lake, it would be logical to put forth that according to the current political and socio-economic situation, civic environmentalism would be the most suitable solution in the mean time. That is because the existing state-private governance was believed to have caused this depletion in the first place, thus should be modified. And with the above analyses, it seems that supra-statism and decentralization approach to this issue would just bring about more repercussions. Therefore, civic environmentalism or participatory approach should be the preferred option because not only could it bring together various actors involved in the business including the state to work together to solve this problem, but also there might be a possibility that through this approach could the other four countries be joined together to oppose the Chinese dam constructions to save the Mekong River.

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