

China, Responsibility, and the Politics of Regional Water Governance: the Case of the Lancang-Mekong River

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ABSTRACT

The transnational nature of environmental challenges facing states today has undoubtedly become a distinctive feature of our globalising world. The fact that domestic environmental problems can – and do – easily spill into the international realm attests to how vital environmental governance has become not only to global and regional stability, but equally to national security. The case of water governance in the Mekong River basin, in particular, constitutes an important example, epitomizing the host of problems that can arise from the sharing of transboundary resources between developing states in the midst of modernization. The dam-building and navigation projects that China is currently undertaking on the river further adds to the issue's complexity, having provoked much heated debates on the potentially negative ramifications of its activities. But to simply characterize China as either responsible or irresponsible risks overlooking the nuances of Chinese foreign policy, as well as bigger, unresolved issues to do with 'shared responsibility'. Ultimately, what this article seeks to demonstrate is how China's role in the Lancang-Mekong River's management is driven by a complex interplay between interests, (hydro)power and responsibility.

Keywords: *China; Mekong; responsibility; hydropower; water governance*

INTRODUCTION

With the 'normative turn' in foreign policy discourses toward a stronger language of responsibility and the emergence of common threats much like those posed by environmental governance challenges, this has consequently provoked important debates in both policy and academic circles on how 'responsible governance' can be best attained at the national and global levels, as well as related debates on what

governance itself means. As evinced from the ‘yellow dust’ phenomenon in Northeast Asia or the haze pollution in Southeast Asia, which started from illegal forest fires in Indonesia and subsequently led to serious air pollution problems for neighbouring Singapore and Malaysia, these transnational environmental challenges represent the slate of non-traditional security threats facing global actors today. International scrutiny has, in particular, been increasingly directed to those rising powers, most notably China, who have recently emerged as vital players in global governance with the potential to contribute to the effectiveness of existing institutional arrangements. Recently called upon by former Secretary of State Robert Zoellick to become a ‘responsible stakeholder’ (Zoellick 2010), one need only think to the case of China’s key negotiating role in determining the course of the United Nations climate change talks at Copenhagen and Cancun, or the simpler fact that it serves as a permanent member on the UN Security Council, for instances exemplifying the necessity of Chinese constructive involvement to the maintenance of security and order within the evolving global order.

At the regional level, China’s presence has proven equally – if not more – prominent. Especially in the Greater Mekong sub-region, which is characterised by a wealth of unexploited natural resources, the PRC’s influence has grown remarkably over the years, as a result of deepening socio-economic ties between the region’s governments and the PRC’s soft power offensive in the region, aimed at assuaging fears among its neighbours of an impending ‘China Threat’. In fact, ever since the inauguration of the PRC’s ‘Going Out’ (*zouchuqu zhanlue*) strategy in the 1990s, not only has Chinese outward foreign direct investments surged considerably in the region as the country works to build up a formidable investment portfolio, but mounting attention has also been directed to investing in the resource and energy sectors, with the acquisition of natural resources overseas viewed as integral to safeguarding the country’s energy security.

Crucially, this trend serves as a reflection of China’s modernization drive at home, where local governments (with the approval of the central government) have come to prioritize natural resource and energy development as a means to fuel the country’s rapid economic growth. Hydropower has, in particular, proven to be a favored area of infrastructural development, having been extensively promoted as a ‘renewable energy’ alternative to fossil fuels. With regard to China’s own hydro-development, this has resulted in a flurry of dam-building especially in its southwestern province of Yunnan. In fact, of the world’s 40,000 large dams built in the latter half of the twentieth century, half of these are located within Chinese territory. The People’s Republic has, in effect, become the world’s biggest producer of hydropower today. But whilst hydroelectricity might constitute a greener and more profitable energy source, a number of concerns also invariably arise. Not only do dams pose as significant threats to the surrounding environment and local communities who are, more often than not,

forced into resettlement, but they can also have (unintended) transnational implications. As seen from the case of China's proposed dam cascade on the Nu-Salween River, or the cascade on the Lancang-Mekong River presently in construction (the focus of this article), even though these large dams are physically located within Chinese territory, they are still anticipated to have serious consequences on the river's overall hydrology, which in turn can have adverse effects on local communities whose livelihoods depend on the complex ecosystems sustained by the river. And according to the claims advanced by anti-dam activists, damming on the upper reaches of the Lancang-Mekong has already had a substantial impact on the lower stretches of the river. Drastic fluctuations in water levels, together with a noticeable decrease in fish stocks, are among the oft-heard complaints leveled against Chinese dam-building and navigation activities on the Lancang-Mekong. Not surprisingly, this has led many, especially those situated downstream, to fundamentally question the 'responsibility' of China's actions.

A major complicating factor here is the fact that China has the unique position of being an upstream power, which means that it has the strategic leverage vis-à-vis its downstream neighbours. Here, questions over rightful ownership and legitimate exploitation of water resources, together with the problems of strengthening institutional compliance among stakeholders, invariably surface as the PRC lays claim to what it sees as its fundamental 'right to develop' its own natural resources, and ostensibly sidesteps extant governing mechanisms in place within the region to regulate water use between riparian states. In essence, what the case of the Lancang-Mekong River exemplifies is the host of problems that arises from the sharing of 'regional commons' between developing, resource-intensive states.

As such, the purpose of this article is to unravel the extent to which conceptions of responsibility motivate China's behaviour as a major regional actor, specifically in relation to the governance of the Mekong River. Driving this inquiry are key questions relating to how has China politically framed the broader issue of water governance, and how it has acted -- or rather, not acted -- upon notions of responsibility vis-à-vis the issue of managing the Mekong River's water resources. What these questions clearly hark back to more broadly the ongoing challenges surrounding the governance of the environment as a shared resource. Certainly, the ongoing challenge of governing the Mekong does not merely constitute a regional or local issue, but is also one with global linkages and security implications. It reflects the complexities inherent in the transboundary challenges currently bedeviling the world, whilst highlighting how easily domestic environmental problems, when left unresolved, can spill into the international realm.

The article is divided into four main parts. The first section explores the challenges in imbuing relevant stakeholders with a sense of collective responsibility for the governance of water as a shared resource. The second section then provides a

background to China's worsening state of water scarcity at home, along with its modern obsession with water control and hydropower. The third section then unpacks the ongoing debates surrounding Chinese hydro-development projects on the Lancang-Mekong River. The fourth section goes on to analyze how contending paradigms of water management have fed into competing assertions of responsibility made by different actors involved in this issue. By way of conclusion, I reconsider claims of Chinese 'irresponsibility' in light of a continuum of responsible and irresponsible behaviours. I contend that to simply label China as being either responsible or irresponsible is to overlook the nuances of Chinese actions within the region, as well as the bigger, unresolved issues to do with implementing responsible governance. As a consequence, reconsideration of the issue through the lens of the varied and contending responsibility claims advanced by the different actors involved in the issue is thus warranted for a better appreciation of its political contours. Ultimately, China's role in the Mekong River's management is better conceived as being driven by a complex interplay between interests, power and responsibility.

Before proceeding further, however, one caveat needs to be noted. The objective of this article is not so much to provide normative prescriptions as to what China *should* do, nor is it to pass absolute moral judgments on what China is currently doing. Rather, it is to interrogate the underlying politics that have contributed to the processes of defining China's obligation and right to act in this issue, and designating for whose benefit and for what purpose these responsibilities are to be conceived.

Governing water as a shared responsibility

A distinguishing trait of water lies in how it is a renewable, yet finite, natural resource, and one which has no substitute. It constitutes a critical element to the sustenance of healthy ecosystems, having become increasingly central to local cultures and livelihoods, and even to national economies as an important market commodity. References to water as 'blue gold' underscore this very realization of its significance. But like other natural resource, the finite nature of water has given rise to an array of socio-political concerns. Exigent issues concerning equitable use and rightful ownership have been central to ongoing discussions over water resources management. This is due to the fact that while, at once, it can be seen as a possession of individual states or, more specifically, certain communities, yet by virtue of its fluid nature, it often gains the added transnational dimension of being a public good, taking the form of shared rivers and watersheds. And although the challenge of governing water has long been identified as a common task necessitating concerted efforts on the part of relevant state and non-state actors, it still remains an area where the development of effective and comprehensive institutional arrangements to manage it remains elusive.

The case of managing international rivers, therefore, proves to be particularly useful for illustrating the contentious dynamics involved in transnational environmental politics. There are 261 international rivers (not to mention an untold number of shared aquifers) which cover almost one half of the total land surface of the globe (Wolf 1998: 251). The complex relationship between upstream and downstream water resources-sharing and usage has frequently been found to be problematic, as the imperatives and interests of upper and lower riparian states tend to diverge. The result is a perceived ‘zero-sum’ situation whereby development upstream comes at the expense of those who lived further downstream. As observed by the 1997 Stockholm Water Symposium, ‘The overriding issue—how to reconcile upstream socio-economic development with downstream protection of ecological services—remains unsolved’ (Stockholm Water Symposium). More than a decade later, this ‘overriding issue’ persists as a key trait of global and regional water politics today, including the case of the Mekong River. Indeed, by no means is it a mere historical coincidence that the modern-day English ‘rival’ is derived from the Latin *rivalis*, meaning a person sharing the same brook or river (Radkau 2008: 88).

The looming prospect of a global water scarcity crisis also does not help to ease already tense socio-political situations. Notably, the uneven distribution of water as a result of a variety of intervening factors like climate variability and the human manipulation of ecosystems, coupled with the exponential increase in per capita demands from growing populations in such countries as China and India, has prompted the United Nations to assert that two-thirds of the world’s population could suffer from ‘water stress’ by 2025 (United Nations 1997; see also Seckler *et al* 1999). And following from this bleak vision are grim predictions of ‘water wars’. Although such claims have been largely dismissed, they nonetheless serve as potent reflections of the growing strategic significance of water to the security and well-being of local communities and nation-states in the twenty-first century. Moreover, whilst the problems associated with emerging water scarcities might not serve as direct catalysts of large-scale wars, but they still have the potential to at least serve as ‘amplifiers’ of localized conflicts and political tensions (see Radkau 2008; Wolf 1998; Weatherbee 1997) .

That said, it does deserve note that even without fully-institutionalized governing mechanisms to regulate transboundary water resources, growing recognition of the need to address this problem does exist at both the regional and international levels. Not only have debates over global environmental governance within an ascendant global public sphere led to greater ‘environmental awareness’ of this pressing issue, but increased emphasis on the transnational dimension of water issues have also spotlighted the need for constructive partnerships between state and non-state actors to help find sustainable solutions for these longstanding problems. Needless to

say, the challenge of water governance cuts to the heart of both ecological and human security concerns.

It is within this context that articulations of responsibility have become progressively pronounced. With globalization and the deepening interconnections between states and peoples through relations of risks and harm, this has ushered in novel reconsiderations of the nature of state responsibilities. There have been calls, for instance, for a reformulation of state responsibilities vis-à-vis sovereign rights, as epitomized in the former British Foreign Secretary David Miliband's notion of 'responsible sovereignty' (see Miliband 2008) that expands the scope of government accountability for their actions. Accordingly, the primary subjects of a state's responsibility are understood to be the peoples living within *and* beyond its borders. But whilst deficits in the implementation of this concept remain, what we are witnessing is a conceptual shift away from an inward-looking understanding of state responsibilities towards one which also encompasses an appreciation of a state's international obligations.

Of importance here is the underlying sentiment of there being a shared responsibility that states necessarily have in relation to one another as well as to the global environment at large. It is a main contention of this article that any effective mechanism for governing international rivers, including the Lancang-Mekong, will have to rest on a community-wide sentiment of responsibility-sharing. The task, in effect, is to transform the dynamics of upstream-downstream water-sharing from being 'zero-sum' to one based on a 'win-win' outlook, where the interests of upstream and downstream riparians are recognized as inextricably linked. But for this to happen, national governments need to first be made susceptible to the differing conceptions of responsibility forwarded by the various stakeholders involved, in the sense that they are compelled to at least react in some way to the normative expectations imposed unto them. Sensitizing the public sphere to socio-political contestation, as such, proves integral to this process.

A 'stagnant' relationship? Unbridled development and China's water woes

Water has long been a *leitmotiv* in Chinese history and politics. It has the power to bring forth both prosperity in terms of agricultural abundance, and destruction in the form of heavy floods and drought. Indeed, the mythical legend on how Emperor Yu the Great managed to 'tame' the floods of the Yellow River, and how his ability in controlling 'nature' later paved the way for his success in founding China's first dynasty -- the Xia -- reflects the close relationship between state power and the natural environment, especially rivers, in Chinese society (see Dodgen 2001). The significance of this relationship has become salient yet again in more recent years, as issues on China's management of water resources have returned as exigent socio-political

concerns amid the backdrop of the country's worsening problem of environmental degradation.

The PRC's rapid rate of economic growth and development over the past several decades has clearly come at a considerable price: that of its pristine natural environment. Of the 20 most seriously polluted cities in the world, 16 are located in China (Gleick 2008: 79). Not only has this looming environmental crisis led to serious questions over the sustainability of China's modernization, given how the country's health has been increasingly plagued by ecological threats ranging from air pollution and desertification in Northern China to water stress in its rural and urban areas. As a report (provocatively titled 'Before We Run Dry') in the *China Daily* observes, 'The pursuit of economic growth has been the priority overshadowing the vital issues of water resources and ecological balance' (*China Daily* 2007). Unbridled development, in other words, has been the PRC's double-edged sword.

In terms of the country's water resources, poor water management has allowed for the rampant over-exploitation of groundwater aquifers, whilst rivers and lakes have been extensively polluted by industrial and human wastes, at times with irrevocable consequences. Significantly, it was reported at one point that annual discharges into the Yangzi River included, among others, 20 billion tons of liquid waste, 1.7 million tons of wastewater, and 300 million tons of oil-contaminated water and sewage (McCormack 2001: 9). Vast stretches of the Yellow River – one of China's historic major rivers – have now been identified as either dead or dying. Yet aside from the adverse ecological ramifications of unsustainable water use, the degradation of water resources, combined with growing instances of water scarcity in different parts of the country, have also had socially destabilizing effects. In 2005 alone, around 50,000 environment-related protests had taken place, with a considerable number having their roots in water quality and contamination concerns (Turner 2006).

China's 'water woes' are undoubtedly exceptional in that the country suffers from both water shortages and excesses as a result of the uneven distribution of this resource. In the north, we find a stark situation of water deficiency as one-third of the Chinese population live in conditions of 'absolute water scarcity' (Seckler *et al* 1999: 37). From October 2010 to early 2011, for example, Shandong Province was reportedly hit by the worst drought in 60 years, which had caused a shortage of drinking water for at least 240,000 people and affected 56 percent of the province's wheat-planting areas. Yet to the south, communities are faced with severe flooding. One of the more devastating examples would be the 2008 South China floods, where torrential rains and landslides, together with flooding that lasted for almost a month, affected fifteen provinces in the southern and eastern parts of the country and led to much destruction and human casualties. This has consequently prompted hydro-policy planners to propose a mega-water diversion project, commonly known as the 'South-to-North

Water Transfer' project (*Nanshui Beidiao*), which involves the construction of complex tunnel and canal networks across the country to permanently transform its natural landscapes and waterscapes.

It is precisely in this sense that efforts at controlling water – and nature, more broadly – have coalesced with state-led discourses prioritizing national development. This is a knowledge paradigm which has, as this article elucidates in greater depth later on, largely influenced how China has come to understand its roles and responsibilities in relation to the governance of the Lancang-Mekong River and its natural assets. From the Chinese perspective, not only are dams deemed as symbols of the modern nation-state, but they are also viewed as being central to the country's development, as they promise to furnish the country with an abundance of cheap electricity to fuel its booming industries and energy-hungry population.

Unraveling the hydropolitics of the Lancang-Mekong

In the latter half of the nineteenth century, the French explorer Francis Garnier made the following remark on the nature of the Mekong River: 'Without doubt, no other river, over such a length, has a more singular or remarkable character' (quoted in Osborne 1975: 241). Known as the Dza Chu ('Water of Stone') in Tibet where it emerges, the Lancang Jiang ('Turbulent River', derived from the historical Dai name of *Lanzang* or 'million elephants') in China, as Maenam Khong or Mae Khong ('Mother of Water') in Thailand and the Cuu Long ('Nine-tailed Dragon') in Vietnam, the river has been central to the society, culture and history of the countries that border it. It has also been known as being one of the least developed river systems. However, this is in the midst of changing. With the push towards modernization among riparian countries, especially in the lower basin, the significance of the Mekong has also gained an economic and political dimension that has proven vital not only to the development of individual states, but also to the region as a whole.

Since the time of Garnier's expedition along the river, the exceptional qualities of the Mekong have now been well-rehearsed by scholars: how it constitutes the twelfth longest river in the world at 4,880 kilometres and often calculated as being the eighth largest in terms of annual discharges into the South China Sea; how more than 70 million people live in the river's basin, with their subsistence being dependent on the river's ebbs and flows, or the fact that it boasts a concentration of biodiversity greater only second to that of the Amazon. The ecological significance of the river can be witnessed from its major watersheds like the Mekong Delta in Vietnam, which produces around 40 percent of the country's crop, or Cambodia's Tonle Sap ('Great Lake'), with its seasonal 'natural reverse flows' that acts as a buffer against floods and a natural nursery for various aquatic life and plants. The river's migratory fish like the freshwater catfish, mud carp or the greater black shark constitute vital components of a complex ecosystem upon which the livelihoods of the local villages and communities

along the river depend. In fact, according to one estimate, 80 percent of the protein consumed in Cambodia is from inland fisheries (Badenoch 2002: 3). Apparently, responsible governance – that is, the sustainable use of the river’s resources and the maintenance of its delicate ecological balance – proves to be of essence to protecting and conserving the rich biodiversity and vitality of this ‘River of Life’.

However, the fact that the Mekong is essentially an international river has led it to become a source of much controversy, especially in more recent years. The 795,000km² Mekong basin, which is roughly the size of the Danube basin in Europe, encompasses five Southeast Asian states – Cambodia, Laos, Thailand, Vietnam, and Myanmar – as well as a portion of China’s Yunnan Province (Cronin 2009: 147). But rather than ‘thick’ cooperation emerging between these stakeholders, what we see is the emergence of divergent and contending interests between these actors that have also been accompanied, at times, by interstate tensions. Here, the site of socio-political contestation has centred primarily on the upstream and downstream rights and responsibilities of riparian states. And nowhere is this contestation more pronounced than in the controversy surrounding the large-scale hydro-development on the Lancang-Mekong.

Economically, the upper and lower stretches of the river are estimated to have a combined hydropower potential of 35,000 megawatts. Through a cascade of dams in China’s Yunnan Province, along with other proposed dams on the lower reaches of the Mekong’s mainstream, the region’s governments, in collaboration with transnational corporations, are planning hydro-development projects aimed at harnessing this massive energy potential. In fact, Chinese national firms have been at the forefront of this dam-building boom, with nearly 40 Chinese companies presently working to dam the Mekong. These include, among others, China National Heavy Machinery Corporation, the China Power Investment Corporation (CPI), the China Gezhouba Group Corporation, the Datang International Power Generating Company, and two of the largest dam developers, China Southern Power Grid (CSG) and Sinohydro. However, the company which holds hydro-development rights on the Lancang River is Hydrolancang, a subsidiary of the China Huaneng Group, and whose majority stake is held by the government

Awareness of the full scope of Chinese dam projects planned for the Lancang River is fairly recent. It was only in the mid-1990s with a conference article presented by EC Chapman and He Daming that the issue was brought to international and public attention (Osborne 2004: 11; see Chapman & He 1996). Up until then, the Chinese government had not explicitly revealed its plans, nor did it seek any external financing source for the projects – a move which would have otherwise revealed its ambitious schemes (Ibid.). By mid-1990s the first of the planned eight-dam cascade – the Manwan Dam – had already been well under construction since 1986, while the construction of

the second dam – the Dachaoshan – subsequently began in 1996, both of which are currently operational. While these two dams are already considered to be very large – each having an active water storage of approximately one billion cubic metres – of greater concern is the 292m-high Xiaowan Dam, which has a reservoir worth fifteen billion cubic metres and is now in the process of being filled (Cronin 2009: 151). Equally worrying is the 254m-high Nuozhadu which will have a storage capacity of more than twenty billion cubic metres of water.

Although proponents of the Lancang cascade have cited the potential benefits of these two particular dams in helping to regulate the river's hydrological flow regime in times of drought, with China planning to put about 40 percent more water into the river during dry seasons and reduce the monsoon flow by 17 percent as circumstances demand (Ibid.), others have voiced apprehension over the potentially perverse impacts that the cascade can have on downstream water levels and quality (i.e. sedimentation), as well as the river's biodiversity (i.e. changes to fish migration patterns) and the ecology of its watersheds. As a downstream country with no access to a stretch of the Mekong mainstream with hydropower potential, Vietnam arguably has the most to lose as upstream development further threatens the Mekong Delta. The scenario here is one where human threats combine with existent stress from climate change and salt-water intrusion (Ibid.).

At the time of writing, the majority of studies assessing the consequences of China's Lancang dams seem to point to the lack of major impact on water levels downstream (see He *et al* 2005; Lu *et al* 2008), contrary to what was believed to be the case during the 2008 Great Mekong floods or the advent of unprecedented low water levels in 2010. Nevertheless, much is left to uncertainty, as natural scientists and hydrological engineers themselves often admit. Even though water levels might not be directly affected by the cascade, there remains the possibility that the river's fisheries, together with water quality and sediment flows, will be. Indeed, fears of dam-induced ecological degradation are very real for rural communities reliant on the Mekong, who have witnessed river bank erosion and declining fish catches. In certain areas of Thailand and Cambodia, for example, fish catch has reportedly fallen by up to 50 percent, which is arguably caused by the lower temperatures of water released by upstream reservoirs, as well as sudden water fluctuations caused by the opening and closing of sluice gates to allow for ship navigation. Environmental advocacy groups have also voiced concern over the impact of Chinese dams on sedimentation patterns. Half of the Mekong's annual sedimentation load is believed to originate from the Lancang watershed. But with the cascade, the dams will likely trap a large proportion of the sediment. Not only would this render the dams less cost-effective – Manwan, for instance, after operating for three years, had its effective storage capacity reduced to levels expected only for fifteen years later – but it also contributes to bank erosion and increased salinity in the delta (contrary to Chinese claims otherwise).

Furthermore, critics of the Lancang cascade have also framed their complaints in light of China's obvious reticence to become a fully-fledged member of the Mekong River Commission (MRC). To many, this merely reflects the lack of transparency in Chinese actions, which is in turn seen to belie self-interested motives and 'less-than-benign' intentions. Without the full participation of a key upstream state, this has considerably weakened the MRC's mandate and continues to limit its capacity to implement an integrated water resources management approach to basin planning. There is, in other words, little the MRC can do to guarantee Chinese compliance. Furthermore, even though an agreement to share hydrological information on the Lancang-Mekong was reached between China and the MRC through the 'Dialogue Meeting' mechanism in 2002, anti-dam activists have pointed to how these data-sets are of limited use for gauging the ramifications of Chinese dams on water levels since they represent data taken from only two of China's upstream monitoring stations and provide hydrological information only for the wet season.

That the PRC has yet to ratify the 1997 UN Convention on the Law of the Non-Navigational Uses of International Watercourses, and was also responsible for making one of the three opposing votes against the convention, has further compounded doubts of Chinese disingenuity. Indeed, for China to cast an opposing vote against the convention, instead of simply abstaining from the voting process (which was what other important states in global river politics like France, Egypt or India did, and a diplomatic method which the Chinese government tends to favour), constitutes a rather unusual occurrence. In so doing, China was opting to 'actively' go against the convention and, by extension, its key principles of prior notification (Article 12), information exchange on 'planned measures' (Article 11), the 'equitable and reasonable use' of international watercourses within respective territories (Article 5), and the obligation to not cause 'significant harm' to other watercourse states (Article 7) – all of which also constitute the major principles highlighted in the 1995 'Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin', which China has apparently not signed.

Given how Yunnan's hydropower development has been the main target for anti-dam criticisms, existing scholarship on the issue to focus more on the regional security implications of China's involvement in developing the Lancang-Mekong River, with most studies being principally concerned with evaluating the ecological implications of Chinese dams. This, in effect, leads them to inevitably engage with normative judgments as to the extent to which China can be held accountable for its actions, as well as definitive characterizations of China as either 'responsible' or 'irresponsible'. While this is understandable, there is now a need to go beyond the mere 'hydropolitics' of the matter. What needs to be interrogated now are more fundamental questions that underlie the political framing of the problem itself. Of interest here are the processes of social and political contestation that lie at the crux of the debates and

discourses framing the issue. Instead of asking whether China is acting responsibly or irresponsibly vis-à-vis the governance of the Lancang-Mekong's water resources, attention needs to be shifted now to problematizing the processes through which such normative judgments are arrived at in the first place.

Contending waterscapes, contested responsibilities?

As explained earlier in the preceding sections, the problem of allocating responsibility and accountability to state actors is not unique to the Lancang-Mekong River issue, but is generally endemic to collective water management arrangements. Problematic upstream-downstream relations frequently serve as politicized sites of struggle between contending actors – whether they be governments, communities, non-governmental organisations (NGOs) or large hydropower companies – and their divergent group interests. Given how there has yet to be a comprehensive and globally-sanctioned regime to deal with the governance of international rivers, the weak institutionalization of operative norms on water rights and sharing has further contributed to exacerbating these tensions. The closest attempt at regulating international rivers was, of course, the UN Watercourses Convention, which was meant to promote negotiations and intra-basin cooperation as well as strengthen the extant accords of specific river basins. But as mentioned previously, it did not succeed in acquiring the required number of ratifying states by the set deadline in 2000 and now exists, more or less, as an unratified framework convention with limited powers to foster state compliance.

In the case of Southeast Asia, this is a region that has not generally been lauded for its environmental track record. Though there are a number of institutional arrangements like the Asian Development Bank's Greater Mekong Subregion (GMS) program for managing economic cooperation and trade ties between the region's governments, there are, as yet, no comparable arrangements for governing the environment. Especially in terms of the Mekong River Basin, institutional mechanisms to manage the river have either suffered from their limited mandates or the continued emphasis on regional economic development. The MRC itself has been quite explicit in pointing out that it is, first and foremost, a *downstream* river basin organization and that its mandate is more concerned with providing objective knowledge on the river and facilitating transparency via information-sharing between members. Its governance capacity, as a result, remains largely circumscribed by its self-imposed focus on working with governments at the technical, rather than policy, level.

According to Ken Conca, 'Governance of water involves enduring, chronic, and sometimes raging controversies about local practices of resource management, conservation, and environmental protection in an increasingly transnational context' (Conca 2006: 8). Within both the regional and local spheres, social and political disagreements over what constitutes 'responsible governance' – commonly defined in

terms of how to best conserve the environment whilst fully exploiting the potential of this shared river – further bring into relief the convoluted interplay between the dynamics of responsibility on the one hand, and those of vested interests on the other. As a ‘paramount power’ (see Osborne 2006) in the region, not only are China’s imperatives often found to diverge from those of its downstream neighbours, but this aspect of ‘power’ has also managed to add even more complexity to an already uneasy relationship. To unravel this underlying contestation, one needs to turn to the discourses framing the Lancang-Mekong’s management, which have been put forward by the various stakeholders involved in this issue.

For the People’s Republic, official discourses have been primarily constructed within a modern development paradigm. Gavin McCormack provides an excellent account of this discourse, explaining how ‘modernity [has] accelerated the shift from adaptation to control’ and how this has, in turn, translated into a ‘frenzy of dam building that involved remolding the course of rivers’ (2001: 6). Clearly, this relates more broadly to the development mentality prevalent in most developing societies, where an obsession over economic and technological progress has given rise to a paradigm of ‘pushing rivers around’ (2003: 80-81). In fact, ever since the founding of the People’s Republic in 1949, dam-building has been a favored method for managing water resources within China, with certain hydropower dams having even been treated as a source of national pride. The Xiaowan dam was, for one, was frequently touted in Chinese official news media as being larger than the U.S.’s Hoover Dam, whilst the Three Gorges Dam has been propagated as one of the largest hydro-engineering projects in modern history. But rather than viewing this as a uniquely modern phenomenon, I would posit that this outlook actually has roots in the Chinese past. Earlier on I mentioned the story of Great Yu who subdued the floods – a narrative undoubtedly extolling the virtues of controlling nature. Significantly, this narrative of subjugating nature for the sake of social progress was one which proved equally potent during the Maoist era (see Shapiro 2001), where humans had been officially encouraged to ‘conquer’ nature (as evinced from the adage of *ren ding sheng tian*). Subsequent Chinese leaderships continue to adopt this line of thought, albeit in a more nuanced fashion. Hu Jintao’s concept of ‘scientific development’ (*kexue fazhan*) is exemplary of this development-centric mentality. Though the idea does include an appreciation of the need for sustainable development and maintaining harmony in the human-nature relationship for building a ‘harmonious society’, practical implementation still lags behind these established ideals, with emphasis arguably remaining more on development than sustainability.

Moreover, it deserves note that Yunnan’s hydropower projects are also derivative of a larger state-led campaign of ‘Opening Up the West’ (*xibu da kaifa*), launched in 1999 as part of the State Council’s Tenth Five-Year Plan (2001-2005), that was meant to address the growing electricity shortages around China. In fact, by

building the Lancang cascade, China is hoping to take advantage of the 700-metre drop in elevation along the middle and lower sections of the Lancang in Yunnan (see diagram below). Once completed, the dams are designed to produce 15,600 MW, which would constitute around 80 percent of the expected output of the Three Gorges Dam (Menniken 2007: 106). Responsibility, in this regard, is explicitly defined in terms of a state imperative to develop socially and economically, with environmental considerations remaining only on the sidelines.

Needless to say, this development discourse stands directly at odds with more recent discourses stressing the importance of ecological responsibility and environmental sustainability. This ‘nature-centric’ paradigm had originally emerged with notable developments in environmental governance marked by the Rio Conference in 1992 and the subsequent establishment of such international bodies like the World Commission on Dams. Here, the sustainable use of environmental resources – as opposed to their ‘control’ – was effectively promoted as vital in both an ecological and security sense, such that state interests were deemed to be inextricably linked to their ecological resilience and the availability of natural resources within their respective territories. More pertinently, following the inauguration of the WCD in 1998, the developmental logic behind the construction of large dams has been gradually debased, as it was seen to be founded upon inherently flawed thinking and technology. Indeed, as a result of the WCD’s groundbreaking report in 2000 and more recent scientific studies, hydropower has since been progressively criticised as failing to be the cost-effective and environmentally-friendly energy alternative it was traditionally heralded to be.

In terms of the Lancang dams, China’s harshest critics are undoubtedly to be found in a thriving ‘Mekong civil society’ (see Hirsch 2001: 249). It is at this societal level, where normative contestation over China’s water rights and its responsibilities as an upstream state in the development of the Lancang-Mekong’s resources has principally taken place, and where China often finds itself being publicly labeled as an ‘irresponsible’ power. For unlike the mainland Southeast Asian governments, these non-state actors have been far from reserved in opposing Chinese hydropower projects. Here, the politics of contestation is defined in relation to both asymmetrical upstream-downstream relations, as well as asymmetrical state-society relations.

Local and international NGOs, most notably Living River Siam, the Save the Mekong coalition and International Rivers Network, have been among the most prominent, actively engaging in the dissemination of information and the raising of local awareness. The prevailing fear is that the Yunnan cascade, coupled with the activities of Chinese commercial dam developers in Laos and Cambodia, will irrevocably turn the Mekong into another Yangzi or Yellow River. Together with affected communities, these social organisations have managed to fundamentally dispute the Lancang cascade and its *raison d’être*: that is, by challenging the traditional

locus of authority centred around the state, and by contesting dominant discourses of development. Certainly, a key trait of the Mekong civil society has been its particularly forceful push for the greater democratization of the local commons and official decision-making processes. Responsible governance and ‘good practices’, it is argued, can only emerge through public participation in the formal channels of governance. Only then can there truly be an accurate representation of the broad spectrum of interests and concerns involved. This clearly resonates with recent calls for the MRC to adopt a more inclusive, multi-stakeholder model vis-à-vis the Mekong’s governance. The problem, nonetheless, rests with how to generate this shift from a well-entrenched, state-dominated model and, at the same time, transcend vested political and economic interests. In this sense, responsibility becomes conceived in terms of maintaining the fragile relationship between humans and the river’s natural flows.

Conclusion

To strike a balance between sustainability and development remains an undeniably difficult task. As one senior Chinese official was quoted as saying, ‘We are sensitive to considerations of the environment and the importance of the conservation of nature, but we much have power; coal is dirty, water clean and abundant, a rich and unused resource, we have no alternatives’ (quoted in McCormack 2001: 8). However, it needs note that China is not the only country facing serious obstacles in doing so, but other developing states in the region are also going through a similar learning curve. One should not forget how mainstream dams are also being proposed on the lower stretches of the Mekong, especially in Laos and Cambodia, in order to satisfy the region’s growing energy hunger and the widespread desire to lessen state reliance on fossil fuels. Certainly, the highly-controversial Xayabouri dam in Laos serves as an instructive example of this.

Indeed, within a particular state, tensions between ecological sustainability and development tend to surface in relation to how socio-economic development is best achieved without jeopardizing scarce natural resources. Of significance is how there appears to be no strong conflict of interests to be found here as the main referents of responsibility – that is, the local communities and the environment – are complementary, in the sense that they both ultimately feed back into the overarching national interest defined in terms of development and progress. However, when this tension is played out in a transnational context, the implications prove to be different as a result of the presence of contending agents and subjects of responsibility. The case of the Mekong’s governance is illustrative of this. What we see in this case is the existence of multiple subjects of responsibility, namely the Chinese people, downstream communities, as well as the river and the complex ecosystems it sustains. How a certain subject of responsibility becomes prioritized principally depends on which paradigm of development is adopted by the agent – in this case, China – and which conceptions of responsibility are consequently applied. Needless to say, for the People’s Republic, the

officially-sanctioned paradigm of prioritising socioeconomic development and modernization continues to inform the national policy agenda, with ‘putting people first’ (*yiren weiben*) consequently emphasised as the government’s foremost imperative. Because Southeast Asian governments have adopted similar developmental paradigms, as reflected in ongoing plans to dam the Mekong mainstream, this has resulted in a situation where the very discourses that arguably lie at the root of the problem have not been fundamentally challenged. At the same time, the lack of a strong, multi-stakeholder institutional framework at the regional level for governing the Lancang-Mekong and its resources has further meant that downstream civil society groups actively contesting proposed hydropower projects on the river are not yet sufficiently empowered to exact responsibility from their respective state governments, let alone from the Chinese government.

That said, the sites of social and political contestation over Chinese dam-building activities continue to be located primarily at the local level, whilst at the interstate level, contestation remains comparatively weak due to the enduring predominance of modern development discourses, not to mention the simpler fact that data on the actual consequences of China’s dam cascade remain fairly inconclusive, making it difficult to definitively attribute sole culpability for severe fluctuations in the Mekong’s water levels to this upstream power. In fact, this is a point which the MRC itself has made constant note of in its attempts to placate popular discontent. It is, therefore, for this reason that any effective contestation of Chinese dams will have to be reconfigured in relation to a logic of appropriateness, which directs attention to such issues as the PRC’s failure to cooperate in sharing information with its downstream neighbours, as opposed to the presently-used logic of consequences which merely focuses on the purported repercussions of Chinese hydropower projects.

However, the question remains: does the issue of the Mekong’s failed governance qualify as an instance of responsibility failure – that is, a situation where conceptions of responsibility have no regulating or constitutive effect on actors’ behaviours? I would argue that this is not entirely the case, and that attempts to characterize China as being either responsible or irresponsible also constitute a gross simplification of an inherently complex matter. It is for this reason that I propose looking at the issue from the perspective of a responsibility continuum, since it is inevitable that actors – especially states – will necessarily have to prioritize their duties and obligations. In this regard, China’s failure to comply with expectations of sustainability and transparency are better deemed as an instance of responsibility derogation. For while Beijing does not deny outright China’s ecological responsibility to protecting the Lancang-Mekong River, it does continue to make recourse to the more ‘exigent’ imperative of national development to justify its actions – a strategic move on the PRC’s part which conveniently allows it to ‘escape’ from its commitments and obligations to the Mekong community. Having said this, it needs to be borne in mind

that the fate of the Lancang-Mekong River ultimately rests not just on Chinese actions, but also on those of the downstream riparian states. Here, if one were to talk of responsibility failure, it is to be understood first and foremost as the failure of collective governance within the region. On this view, of vital importance is the institutionalization of stronger sentiments of shared responsibility, where the river is protected not only for the sake of local communities but equally for its own sake as an invaluable source of life.

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