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Introduction

Deliberative governance of South Asia’s transboundary waters is an eminently good idea – in theory. Deliberative (or discursive) governance is the beguiling notion that decisions about socio-political issues such as river management can and should be made by consensus reached through inclusive, honest, thorough round-table discussions. It is a theory of democracy that emphasizes active civic participation and implies stakeholders and end-users must be consulted and involved in any decisions that may affect them.

In the case of managing South Asia’s transboundary rivers, there are strong arguments for using deliberative governance. For a start, it is a region culturally predisposed to public debate and with a strong commitment to pluralistic democracy. At the same time, it is a region with few institutional mechanisms for multi-lateral governance of shared issues such as natural resource management or climate change adaptation. The South Asian Association for Regional Cooperation (SAARC), for example, is widely considered to be weak and ineffective. In this institutional vacuum, deliberative governance could flourish as a means of semi-formal political decision-making that involves non-state actors and stakeholders who are directly relevant to the issue at hand, rather than only those who are represented in the existing institutions.

Moreover, transboundary waters are not limited to political boundaries and states are not the only stakeholders in river governance. Involving those who use water in plans about how it is to be managed and developed is sensible. After all, there are likely to be unforeseen and unintended consequences of policies undertaken with only one set of interests in mind. When a hydropower dam is to be built, for example, it is not only those who receive electricity that will be affected, but also those who must be displaced, or those whose fishing livelihoods are undermined by altered river flow patterns. Or if new anti-pollution regulation closes tanneries and mines, there will be a loss of jobs and investment. There are always trade-offs and linkages to be considered, but these may not always be immediately obvious and can only be uncovered through discourse.

Taking a deliberative governance approach would bring such concerns to light before projects are begun. Discussions with stakeholders could lead to the development of more equitable, mutually beneficial solutions to water management problems. And of course any decisions that are made with the participation of end-users are likely to have more support and ‘ownership’ of the solution being implemented.

What, then, is the problem with deliberative governance of transboundary waters in South Asia? There seems to be little political will to tackle the region’s growing water crises, and even less political will for taking deliberative governance as a serious approach for managing South Asia’s
rivers. And where deliberative governance does exist, it does not address the power asymmetry between actors. With India as the largely un-challenged hydro-hegemon, there is much distrust and resentment between riparians that get in the way of open discussion and equitable resolution of shared problems. Until that is rectified, attempts at deliberative governance of transboundary rivers will not succeed in increasing cooperation or positive-sum outcomes of the region’s water problems.

The most popular manifestation of deliberative governance in South Asia is through ‘Track II dialogue’. This is the bringing together of government and non-government entities to discuss socio-political problems, usually through workshops or round-table meetings. The main proponent and facilitator of Track II dialogues on transboundary water issues is the World Bank-funded South Asia Water Initiative (SAWI).

Although having an outside, international organisation to provide a neutral, independent facilitation of politically sensitive issues is often necessary, such meetings are unlikely to institute change without domestic political will for it. In other words, SAWI’s support for Track II dialogue only provides a space in which issues can be discussed, but does little to encourage decision makers to take serious action on increasing cooperation over the management of transboundary waters in South Asia. It seems unlikely that these efforts at Track II dialogue will have much effect at all without the political will of decision makers. The first task of deliberative governance, therefore, is to create this political will – which is, of course, easier said than done.

Further, bringing together government and non-government actors does not necessarily even out the power asymmetry between them or provide tangible options for increasing the ‘issue power’ of weaker actors (i.e. the negotiating strength the overall weaker party has in a particular dispute). Multilateralism and the political atmosphere conducive to negotiating positive-sum outcomes cannot be achieved without addressing systemic power inequalities between actors. Yet, this is an aspect of transboundary water interactions not often considered by or incorporated into the initiatives of non-state actors working in South Asia.

Initiatives for improving transboundary water interactions must first and foremost address the power asymmetry between actors, and acknowledge that power is fluid and asymmetries exist at every level and may differ across domains. That means an actor with low overall power but high issue power may be able to negotiate equitable outcomes; it is not a foregone conclusion that the hegemon’s will always prevails. Creating opportunities for leverage (such as through issue linking) and facilitating negotiations is one way of deliberative governance providing tangible mechanisms for addressing power asymmetry.

The region is dominated by the hydro-hegemon, India, which not only has the most political, economic, military, and soft power in the region, but also occupies a central geographic location – Pakistan, Nepal, Bhutan, and Bangladesh all share borders with India, but not with each other. This does not mean that India is a regional bully, but it does mean that deliberative governance of transboundary waters requires India’s participation and consent.
It seems a lost opportunity that current efforts at Track II dialogue do not focus on making India (that is to say, Indian government and non-government actors) take a greater leadership role in the management of the region’s rivers. After all, the original Greek meaning of hegemony is ‘leadership buttressed by authority’ (as opposed to dominance, which is ‘leadership buttressed by coercion.’)  

Is deliberative governance worth pursuing in the management of South Asia’s transboundary waters, if it has no political will behind it and if it does not address power asymmetry between actors? Of course.

Deliberative governance may not be currently very effective at increasing multilateralism and benefit sharing, but it is not doing any harm. And although the Track II dialogue in the region is not much more than a repetitive talk shop, it is through talk that paradigms shift. The process of shifting the dominant paradigm of water governance is a long and slow one, made up of an incremental and uncontrollable series of minor positive changes that ultimately add up to large-scale progress.

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