

## **Regulatory vs Participatory Governance and Environmental Sustainability in Asia** *Mizan R. Khan and Alamgir Hossain, North South University, Bangladesh*

Sustainable development (SD) as an integrative concept, that combines all the previous development strategies with the new concern of environmental sustainability, was meant for achieving a balance between economic growth and environmental resources. For achieving SD at all levels, environmental management, with a project/program-based approach, has given way to environmental governance in recent years, nationally and globally. In the developing countries, there is significant economic and people's livelihood dependence directly on environmental resources, and with economic growth and poverty reduction, the pressure on these resources is increasing rapidly. There is consensus that achieving SD would not be possible without giving due attention to its social dimension, i.e., the question of how these resources are managed and exploited, and who benefit how much from these processes. So, the elements of good, participatory governance, such as accountability and transparency, rule of law, civil and political liberties, peoples' participation in decision-making at all levels, effectiveness and efficiency, etc. largely coincide with the attributes of social dimension of SD. The relationship between the states, environmental movements and governance systems has been explored from different perspectives, including empirical studies in several countries. Some scholars argue that countries with greater civil and political freedoms and participatory decision process supply higher levels of environmental quality on a sustainable basis. This suggests that democratic institutions with an active role of civil society/NGOs/CBOs may be more important for ensuring the provision of public environmental goods. However, even democratic states vary in their relationship to environmental groups and governments are either inclusive or exclusive in the degree of access to decision-making they provide such groups. On the other hand, there are others, who argue that centrally regulated, even coercive, instruments are more appropriate for ensuring environmental sustainability in developing countries facing heavy biotic pressure on their limited natural resources. The experiences in different countries of Asia vary, because of the different political, socio-economic and environmental conditions. In some countries, centralized, regulatory environmental governance tends to dominate, while in some others, civil society/NGO participation is quite strong. Do the prevailing environmental parameters in these countries suggest any correlation with specific governance processes? What are the experiences in the ASEAN and SAARC regions? How do they compare with their industrial counterparts? These are the issues this paper looks into. The analysis is based on the published literature and global indicator databases, such as UNCSO, ESI, World Bank, EIU, etc. on different elements and areas of governance including social and institutional capacity, as they relate to and impact on environmental systems and their sustainability. The framing of regulatory and participatory governance systems is also based on relevant indicators of these databases. A survey and analysis of the databases indicates a mixed result. The governmental systems in the countries under this study vary from democratic practices to authoritarian regimes (based on vaguely-specified 'Asian values') to monarchical systems. In the ASEAN, the experience of civil society in environmental governance signifies their capability in forming broad coalitions, international networks and umbrella groups. Poverty alleviation and ensuring environmental justice appear to be the main concerns of

NGOs in the region. Environmental movements in the Philippines and Thailand in particular tend to focus on what has been called the environmental problems of poverty: the lack of access by the poor to resources or their suffering from the direct impact of increasing pollution. However, the private sector, together with the NGOs/CBOs, seems to be taking the lead in persuading the governments to set the rules of the game. In the SAARC region, the degree of civil and political liberties enjoyed in some countries does not often correlate with the desired level of environmental performance. But some countries show better performance in specific areas of sustainability with centralized, regulatory governance. The fact remains that democratic practices in some South Asian countries are still hostage to vested interests of big business, money and political power. So the private sector or NGOs are yet to realize their potential as a partner in participatory democratic decision-making. Against these trends in Asia, the EC White Paper on Governance calls for renewal of the 'Community Method' by advocating less of a 'top-down approach' and an expansion of their policy tools with non-legislative instruments. The CSOs in the EU are perceived as a major contributor towards participatory environmental governance. The US tends to be falling in between these experiences. Obviously, there are increasing development pressures on environmental resources in some countries than others in Asia. So, it seems that the so-called Environmental Kuznet's curve still cannot be avoided in Asia. This might perhaps be explained by several factors: 1) rapidly growing pressures of population and economic growth on limited natural resources; 2) environmental governance is not yet an agenda in some regimes, which remain beholden to vested interests for mutual benefit; 3) significant dependence of the citizen activities both on donor funds and governmental favor, which inhibit their autonomy to take independent postures; 4) NGOs in South Asia are not yet giving enough attention to the private sector to explain the immediate and long-term benefits of environmental governance; 5) problems of transfer of clean technology; 6) lack of appropriate policy and institutional capacities; and finally, 7) NGO/CSO activities and their leaderships themselves have to undergo the test of good governance through transparency and accountability to their membership for commanding larger public acceptance and credibility. The latter is vital for bringing in pressures both on the governments and other stakeholders to set the stage towards participatory environmental governance. Once these factors are addressed, it can be expected that the Asian countries can bend the Kuznet's curve at a quicker pace than experienced by their western counterparts.