Regulatory Regionalism and the Dynamics of Territorial Politics: The Case of the Asia-Pacific Region

Shahar Hameiri  Kanishka Jayasuriya

Murdoch University  University of Adelaide

This article examines the emergence and politics of new modes of regional governance understood as a form of regulatory regionalism. Regulatory regionalism is defined in terms of the institutional spaces of regional regulation functioning within ostensibly national policy and political institutions. The central insight of this essay is that the politics of this regulatory regionalism can be conceptualised as a system of territorial politics fought out and accommodated across the institutional space of the state. The emphasis on territorial politics highlights the fact that strategic moves within institutional space are shaped by the political context in which the regional and ‘regionalising’ actors operate. From our perspective regulatory regionalism is a distinctive method of boundary control over overlapping political arenas, which brings into play a system of territorial politics within the state. We test this argument through an examination of regional governance in the Asia-Pacific region which is often thought of as being inhospitable to such governance innovation.

It has been suggested that regionalism is the new architecture of world politics: ‘While globalization has been the buzzword of international relations scholars in describing the emerging world order, at most it coexists with “regionalization” ’ (Acharya, 2007, p. 629; Katzenstein, 2005). We agree. But in this article we suggest that regionalism also changes the landscape of the national state by transforming the ostensibly ‘national’ political and policy-making institutions. The concept of regulatory regionalism we propose focuses on regionalism as a process of internal transformation of the state (Hameiri, 2009a; Jayasuriya, 2008; 2009). The state’s internal transformation occurs through the constitution of new modes of governance within the national/sub-national policy-making apparatus, or in functionally specific policy regimes that traverse several governance scales. In this article we outline a framework that explains the politics of regulatory regionalism. Our central insight is that the politics of regulatory regionalism can be conceptualised as a system of territorial politics fought out and accommodated across the institutional space of the state. An emphasis on territorial politics highlights the fact that strategic moves within institutional space to, in our case, shift the governance of particular issues into regional modes of governance are shaped by the political context in which the ‘regional’ and ‘regionalising’ actors operate.

Methodologically, our approach to regionalism is distinctive in that it shifts attention away from the usual emphasis on the consolidation and sustainability of supranational institutions or norms towards the emergence of a politics of regionalism that is simultaneously regional and national. The literature on regionalism and regional integration is strongly shaped by
a methodological nationalism which takes ‘national discourses, agendas, loyalties, and
histories for granted without problematising them, or making them an object of an analysis
in its own right. Instead, nationally bounded societies are taken to be naturally given entities
to study’ (Wimmer and Schiller, 2002, p. 304). In the field of regional integration this
methodological nationalism manifests itself in an analytical dualism between regional
institutions and the national state. In turn, this dualism results in two primary contrasting
perspectives on regional governance: one sees regional institutions supplanting some state
functions – sometimes given the generic label of liberal institutionalism; the other, a more
realist perspective, views national states as highly resilient. The latter perspective sees
national political elites and state institutions as entrenched and resistant to the encroach-
ment of regional institutions into sovereign functions. Constructivist approaches, which
have become more visible in recent years, essentially fit into these intellectual traditions, but
emphasise the constructed nature of regional identities as an important manifestation of
regionalism in practice (Acharya and Stubbs, 2006; Fawn, 2009, p. 31; Sutherland, 2009).

In contrast, we do not view the relationship between state and region as a ‘zero-sum game’
where one is strengthened as the other weakens. Nor do we essentialise the distinction
between state and region. Indeed, much of the international relations literature on regional
governance takes for granted the territorial boundaries of the state; yet these national
frontiers and boundaries ‘do not exist prior to the unification of that which they structure’
(Poulantzas, 1978, p. 105). In this view regional governance is not simply an agglomeration
of national territorial units at a higher regional level. Rather, it represents a more funda-
mental transformation of the state. Increasingly this regulatory regional governance is
concerned with more than the usual menu of financial and trade liberalisation and defence
cooperation. It encompasses the regulation of a broad area of social and economic life with
issues ranging from infectious diseases to environmental governance. Hence the implication
of this argument is that emerging forms of regional regulation rely more on the active
participation of national agencies in the practices of regulation than on formal international
treaties or international organisations for their enforcement (Phillips, 2001).

More specifically, we argue that the politics of regulatory regionalism is manifested in
clashes over the control of the state’s spatial organisation between regional and state-centric
governance regimes – political projects ideologically represented as such and the interests
associated with these. Such conflicts, which principally take place inside the domestic
institutions and spaces of the state, lead to the emergence of novel forms of political rule
within the state. Regulatory regionalism, then, is a contested process that creates and
restructures territorial spaces within the state, which involves the development of mecha-
isms for the imposition of regional disciplines within national policy and political insti-
tutions. It is associated with the emergence of a territorial politics shaped by the tensions,
conflicts and accommodation between ‘regional’ and ‘national’ regimes within the state.
What regulatory regionalism represents is not the emergence of supranational authority but
the rescaling of governance and policy making to regional spaces located within the state
or alongside the established institutions of domestic rule (Hameiri, 2009a).

The ‘regionalisation’ of the state has not entirely escaped the attention of political scientists.
Certainly there is now a substantial literature on the European Union that charts the
‘Europeanisation’ of public policy through the complex interaction of EU policy and directives and national political and policy institutions (Dyson and Goetz, 2003; Knill and Lehmkuhl, 2002; Wallace, 2002). However, even within this well-developed literature on European integration, Europeanisation has a range of different conceptual meanings that reflect the interests and concerns of sub-fields such as public administration and international relations (Mair, 2004). More importantly, Europeanisation is conceived in a ‘top-down’ fashion as a relationship between EU institutions and the state, rather than identifying the political relationship between regional governance and domestic institutions within the institutional space of the state. In short, even this complex and sophisticated literature lacks an analytical model that is able to track the transformation of the ‘national’ state within the context of the expansion of the EU.¹

Notwithstanding these caveats, the study of Europeanisation remains the exception rather than the rule in studies of the politics of regional governance. In order to move beyond the Eurocentric accounts of new modes of regional governance we demonstrate our argument by drawing on examples of regulatory regionalism in the Asia-Pacific region. Conventional wisdom would have it that the Asia-Pacific region is inhospitable to governance innovation, because of the persistence of strong states that guard their sovereignty jealously (see Ravenhill, 2009). Claire Sutherland (2009), for example, has argued that the ‘ASEAN way’ with its emphasis on consensual decision making and non-intervention has been highly compatible with the Vietnamese government’s ongoing nation-building project (also Narine, 2004). Yet to a surprising degree the Asia-Pacific region has witnessed the emergence of a variety of new modes of regional governance. These include new forms of financial surveillance, functional policy networks such as the Executives’ Meeting of East Asian and Pacific Central Banks (EMEAP) and the growing role of the Asian Development Bank (ADB) in the implementation of governance frameworks in diverse areas such as energy and water management (Hameiri, 2009a; Jayasuriya, 2009; Rosser, 2009). We posit that by examining our framework using the supposedly hard test case of the Asia-Pacific region we can generate insights into the dynamics of regionalism in other parts of the world.

The article proceeds as follows. In the first section we examine the relationship between new modes of regulatory regionalism and territorial politics. In the second section we look at regulatory regionalism in practice by examining the mechanisms employed to advance regional governance agendas within the state – meta-governance, functional specialisation and the role of risk representations and risk management.

Regulatory Regionalism and Territorial Politics

It has long been the established norm in the international relations literature to view the nation state as the building block of regions. Scholars of regionalism, whether realists, liberal institutionalists or constructivists have for the most part shared the assumption that regions exist beyond the territorial and institutional boundaries of the state in a range of international institutions and agreements. This assumption has led to an overwhelming scholarly preoccupation with evaluating the breadth and depth of regional arrangements and the degree to which these are binding on national governments. The underlying and often
unstated supposition therein is that the state is a self-understood and unchanging entity, representing a completed historical project. Hence regional processes are seen either as a way of protecting the national interest or as leading to the eventual replacement of nation states by functionally superior supranational institutions (e.g. Haas, 1964; Haseler, 2005; Lake, 2009; Milward, 2000; Mitrany, 1975). The limits of such perspectives are apparent when one examines a recent special issue of *Review of International Studies* which, according to the guest editor, aims to present the state of the art in contemporary research on regionalism in international relations (Fawn, 2009). With a few partial exceptions (Capling and Nossal, 2009), the case study articles in the compilation focus on regional institutions, their effectiveness and their relative muscle *vis-à-vis* national governments (e.g. Kubicek, 2009; Ravenhill, 2009). Even Ann Capling and Kim Nossal’s (2009) interesting article on regionalism in North America, which affords considerable attention to the diffusion of bottom-up ‘regionalisation’, driven by business activity and the private sector, essentially attempts to answer whether this regionalisation is likely to lead to a more formalised ‘regionalism’ in the shape of an international agreement.

The crux of our argument against the prevailing methodological nationalism in studies of regionalism is that by presupposing the state, such analyses remain unable to identify and explain the politics of regional governance. Indeed, commonly held ideas of modern statehood, the nature of the international system and associated norms of sovereignty are themselves products of historically specific developments, influenced by transnational forces and interests (Berger, 2006). Therefore, rather than viewing the politics of regionalism as played out in an international arena populated by states and regional institutions, we argue that regional governance is a process that is constantly contested and accommodated within the institutional spaces of the state. In turn, the politics of the new modes of regional governance we identify are shaped by conflicts between regional and national or other regimes within the state. By regimes we are referring to constellations of social and political coalitions, institutions and ideologies, driving a particular governance agenda (Jayasuriya and Rosser, 2006; Pempel, 1998). Along these lines our focus is on the transformation of the internal spaces of the state through these conflicts. By ‘space of the state’ we refer to the way that state strategies constitute and delimit the boundaries and the representation of the space through which political rule is secured. The implication of this argument is that regional processes should not be seen as undermining the state in an absolute sense, nor are these processes necessarily undermining or marginalising sovereignty. In fact, the notion of protecting national sovereignty is itself an attribute of territorial conflict and could be used both to expand and to limit the spaces of the state in different circumstances (Milward, 2000; Stevenson and Cooper, 2009).

Because we refuse to reify the link between the spaces of the state and the formal territorial boundaries of the state, we find the work on the politics of scale useful in conceptualling the relationship between the organisation of political rule and space. Political geographers have been arguing for some time that space and society are mutually constituted, so that power relationships run through the construction of space and, in turn, the spatial organisation of political governance helps produce and reproduce particular power relations in society (Cox, 1998; Harvey, 1985; Massey, 1992). Most notably, David Harvey (2006 [1982])
has endeavoured to incorporate the concept of space into the broader political economy concern with understanding the relationship between capitalist development and class relations. Harvey’s main contribution is in highlighting the contradiction between the mobility and immobility of actors and wealth as standing at the core of the politics of space. Drawing on these insights, Jamie Gough (2004) has argued that shifting scales of governance strategies, from the sub-national to the national, for example, ‘can be understood as mediations of fundamental contradictions of spatial accumulation. Shifts in the scale of governance then appear as means for shifting the balance within these tensions by using scaled institutions and economic processes’ (Gough, 2004, p. 206). While much of this analysis is too narrowly confined to urban and sub-national scales of governance, new modes of regional governance provide excellent illustration of how economic and political actors actively seek to constitute, shape and modify regional scales of governance located within the territorial boundaries of the state, but beyond the usual scope of ‘national’ governance.

But how is the politics of scale played out? We argue that regulatory regionalism is best understood as a kind of territorial politics in the sense that it is a politics fought across territorial arenas and through various forms of re-territorialisation (see Craig and Porter, 2006, pp. 24–5). It is ‘the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area’ (Sack, 1986, p. 19). In this way, constructing, restructuring and rescaling territorial arenas for making policy and organising politics are themselves manifestations of social and political conflicts. Along these lines, regulatory regionalism is characterised by the emergence of strategies and mechanisms of territorial politics to manage the complex and overlapping linkages between territorial levels, because in ‘any large-scale system of territorial governance political institutions are entangled across space. Strategies of political control are thus never limited to any single arena’ (Gibson, 2005, p. 106).

From this vantage point, the politics of regulatory regionalism is a distinctive method of political control over overlapping political scales, creating novel forms of political conflict between contending regulatory regimes over the relationship between territory and governance. For example, Hameiri (2009b, p. 569) argues that the Australian government’s Enhanced Cooperation Package (ECP) in Papua New Guinea (PNG), which was designed to ‘regionalise’ the scope of Australian administrative power into PNG, created overlapping jurisdictional regimes that were not easily accommodated within the national boundaries of the PNG state, thereby setting the stage for political conflict that in the event was played out in the PNG Supreme Court. Morobe province Governor Luther Wenge issued a constitutional challenge to the legal immunity provisions granted by PNG parliamentary legislation to the ECP’s sizeable police contingent, which the Court upheld, leading to the police’s quick withdrawal in May 2005 (Dinnen et al., 2006). This seemingly ‘international’ conflict, in which the position advanced by Wenge and others was framed in terms of protecting PNG’s sovereignty, in fact reflected a more fundamental conflict over the relationship between territory and legality, as well as over the nature of controls on the use of executive power, which was fought by coalitions that sought to frame the territorial scope of conflict.
In analysing the nature of these territorial conflicts the notion of ‘boundary control’ is useful. Edward Gibson (2005) argues that in sub-national politics, opponents of local governing incumbents will have incentives to ‘nationalise’ their conflict by searching out for allies and resources at the national level. Conversely, local incumbents will have incentives to employ strategies of ‘boundary control’ to keep conflicts local and deprive opponents of access to the national level. This argument is established on Elmer Schattschneider’s (1960) maxim that to control the scope of conflict is to control politics. Gibson’s conception of territorial politics as boundary control also has some resonance with Kevin Cox’s (1998) notion of ‘spaces of dependence’ and ‘spaces of engagement’, which is established more explicitly on Harvey’s (2006 [1982]) mobility/immobility dichotomy. Cox defines spaces of dependence as shaped by actors operating within fixed territorial boundaries, while spaces of engagement pertain to the spatial relations created by the complex networks space-dependent actors construct and engage with in order to exercise power over their spaces of dependence. In the PNG case above the local governor sought to control his local space by engaging the Supreme Court to frame the conflict in terms of national sovereignty in opposition to Australian strategies to regionalise the conflict in terms of a struggle against maladministration and good governance.

While Gibson and Cox mainly refer to the relationship between the national and sub-national levels of governance it is clear that the notion of ‘boundary control’ could be extended to include the analysis of regulatory regionalism. But boundary control takes on a more complex meaning in our analysis, since in our case hierarchical relations between the various scales are not a given, nor could the very existence of these scales or their territorial boundaries be presupposed either. Therefore, it is not only controlling the territorial boundaries of conflict that matters, but the opening up of regional spaces within the state that becomes one of the main objectives for regionalising actors. This argument explains the ebb and flow of regional boundaries in East Asia and elsewhere. The shifting nature of the representation of regional boundaries, from ASEAN to ASEAN Plus Three or to the East Asian Summit, is the product of contested processes of state transformation. For example, Toby Carroll and Benjamin Sovacool (2008) argue that the particular governance arrangements that have emerged to manage the trans-ASEAN gas pipeline (TAGP), including the very constitution of the TAGP as a ‘regional’ project, have been developed through ongoing conflicts between coalitions of state-linked and private capital across and within national borders, resulting in a variety of territorialised accommodations that diverge from ASEAN’s grand vision for the pipeline as laid out in official documentation.2

Regionalising Conflict and the Mechanisms of Boundary Control

Boundary control is a way of referring to attempts to regulate and shape the territorial scope of conflict and its governance. This occurs not simply via the assertion of political control over the content of the conflict itself but by shifting it to new ‘regional’ institutional arenas and through its ideological framing/reframing as a regional matter that requires a broader regulatory scope than the national level permits. Hence it is not just the nature of conflict per se that is important for our understanding of regulatory regionalism but its terms of engagement – the institutional context and the ideological representation through
which conflict is re-territorialised to a regional scale and governed either through regional governance arrangements or through the adoption of regional standards and norms by national or sub-national agencies.

In principle, the regionalisation of conflict can take one of two forms. These can be broadly understood in relation to Liesbet Hooghe and Gary Marks’ (2003) two multi-level governance ideal types. Hooghe and Marks identify Type I multi-level governance as a system of hierarchical, territorially defined and generalised jurisdictions, akin to federalism, a Russian doll or, in Peter Katzenstein’s (2005, p. 41) words, ‘a neat layer cake’. Type II multi-level governance in Hooghe and Marks’ conception refers to flexible, problem-solving and task-specific jurisdictions that emerge to manage a particular issue. Such jurisdictions may coexist, intersect and compete, as well as change or completely disappear over time. In the context of Type I multi-level governance, boundary control refers to attempts to scale up or scale down – that is, sub-nationalise, nationalise or regionalise – social and political conflict. This version of regionalisation bears considerable similarities to Gibson’s (2005) observations on boundary control in the relationship between the sub-national and national scales. Hence, for example, a national central bank may participate in a regional policy network to free itself from the constraints of the national political arena or bring to bear regional pressures on national decision-making processes.

The other form of regionalisation, which is more common in contemporary manifestations of regulatory regionalism, is associated with Type II multi-level governance arrangements and refers to a situation where territorial spaces are entangled within functional jurisdictions. For example, the Mekong Project of the Asian Development Bank envisages the creation of a new, functionally specific jurisdiction that links local-level organisations with transnational agencies and authorities (Hirsch, 2006). The project is managed by a complex system of governance that includes ministerial councils of the relevant countries, a secretariat to manage its affairs and a parallel system of national-level committees that serves as a conduit between trans-boundary water management and internal national management structures. Philip Hirsch (2006) describes a complex arena of boundary conflicts over who governs what, and at what level. This complexity and the multitude of interests involved, he argues, render the question of the project’s ‘effectiveness’ highly problematic.

In Type II multi-level governance arrangements, such as the Mekong Project, the notion of regionalism refers to both the complexity of the project as a whole and to the agency of regional organisations like the ADB in guiding the scheme’s development and governance. Furthermore, as the Mekong Project example demonstrates, within Type II regionalisations there are no clear hierarchies of scale and therefore boundary control in these cases involves the very establishing of boundaries, as well as their hierarchical ordering – an often dynamic process of conflict and accommodation. This throws up several important questions, such as what determines whether regionalisation assumes a Type I or Type II form, or even whether regionalisation takes place at all. What shapes the spatial organisation of governance scales and their relative ordering? By examining contemporary examples of regional governance it is possible to discern at least three important mechanisms through which rescaling and boundary control occur in practice – meta-governance, functional policy
making and the notion of ‘de-bounded’ risk. These mechanisms, which we examine below, are analytically distinct but commonly intersect in particular cases of regionalisation.

**Meta-governance**

One primary mechanism through which overlapping political arenas are managed is through systems of meta-governance. Meta-governance in this context refers to the ‘governance of governance’ by putting in place procedures for the regulation of governance arrangements that incorporate non-governmental actors, as well as providing the rules guiding the establishment of complex networked and multi-level governance arrangements (see Jayasuriya, 2004; Jessop, 1998). Meta-governance is particularly important for the study of regionalism since regional governance rarely involves direct forms of rule but often relies on the participation of national and sub-national agencies, as well as non-governmental actors, in the practices of regulation.

The increasing importance of meta-governance in contemporary governance processes has been associated with a realignment of power within bureaucracies, with meta-governance actors gaining power at the expense of other parts of the state apparatus. Indeed, meta-governance functions tend to be located in the core executive of states and international organisations, while actual governance is increasingly dispersed to a great variety of governmental and non-governmental actors, so that as governance is becoming increasingly diffuse meta-governance is increasingly concentrated (Jayasuriya, 2004). For example, Hameiri (2009b) discusses the role of the office of the Prime Minister and the Department of the Prime Minister and Cabinet in guiding the ‘regionalisation’ of Australian governance through the ‘whole-of-government’ process. As part of this transformation, new powers for making foreign policy on matters relating to peacekeeping and capacity-building interventions in the South-West Pacific and South-East Asia have been devolved to the Australian Federal Police, hitherto a domestic law-enforcement force, while the role of the Australian government’s traditional foreign policy specialists – the Department of Foreign Affairs and Trade – has been reduced.

In this respect, B. Guy Peters (2007) has argued that although a great deal of the actual work of governing in contemporary societies is performed by actors outside the formal state apparatus in new governance networks, these non-governmental actors or specialist quasi-public agencies almost inevitably approach their roles from a narrow perspective that does not necessarily take into sufficient consideration the broader goals of government and society as a whole. This coherence deficit, he says, ‘makes the need for meta-governance all the more apparent’ (Peters, 2007, p. 1). This functional approach to meta-governance’s emergence and the role it plays in making independently constituted governance spaces work together also pervades the literature on international law that has emerged to contend with the new reality of disaggregated statehood (see Slaughter, 1997). However, in a study of the ADB’s role in governing state fragility in the Asia-Pacific, Andrew Rosser (2009) demonstrates that such rules and standards are inherently political and premised on particular ideological convictions (see also Bell and Park, 2006). Rosser also highlights the way in which key organisations, like the ADB, bring such forces to bear on so-called fragile states, in effect governing, regulating and auditing the way their governments govern.
Worldwide, the most notable example for the role of meta-governance in regulatory regionalism is presented by the European Union’s open method of coordination (OMC). The OMC works through the setting of broad policy goals and benchmarks for various policy domains. It also lays out procedural conditions and mechanisms for consultation and participation with non-governmental actors and private actors (Cammack, 2007; Tucker, 2003). The OMC essentially organises the rules and procedures constituting the relationship between national-level and European institutions, for example through the European employment programme or the Bologna Process. Paul Cammack (2007, p. 3) argues that such rules are fundamentally concerned with enshrining the supremacy of capital within EU member states through a focus on fostering productivity and competitiveness in the global economy. The OMC is not an ‘open-ended’ process, he argues, but a ‘means to coordinate the policies of governments which have internalised the underlying project to varying extents, and to bring other policies into line with the hard core of the politics of global competitiveness’ (Cammack, 2007, p. 4).

While particularly developed in the European setting, the OMC is an example of a broader genre of meta-governance mechanisms that can be identified in other regional settings. For example, subregionalism in the Mercosur has come to rest on a principle of policy coordination which implies, in the long term, the articulation of a new form of market governance. This form of market governance rests in the first instance on a significant regionalisation of governance mechanisms. While this process does not imply the wholesale elimination of more ‘national’ forms of economic governance, progressively the trend is towards convergence upon regionally coordinated policy norms and objectives and the location of market governance at the sub-regional level (Phillips, 2001, p. 580).

Similarly, in Africa, an African Peer Review Mechanism (APRM) has been implemented as part of the New Partnership for Africa’s Development (NEPAD), which involves periodic reviews of progress towards achieving common objectives in policy areas such as good governance (Taylor, 2005). While APRM is a weak and imperfect mechanism it does underscore the broader point that like the OMC these regional processes depend on local and national ownership of regional programmes.

As mentioned above, in the Asia-Pacific region the ADB has played a key meta-governance role in the establishing of the Mekong Project, as well as in the governance of fragile states (Rosser, 2009). Furthermore, Mely Caballero-Anthony (2009) draws pointed attention to the central role of ASEAN in the emerging project of regional governance. ASEAN is at the hub of a developing form of multi-level governance that has shaped the dialogue and cooperation not only between the ASEAN Plus Three (APT) countries, but also between these East Asian countries and others outside the region. No doubt this multi-level governance is different from the more formalised system within the EU. Nevertheless Caballero-Anthony’s analysis indicates a putative process based around new policy networks operating at the regional level and involving national regulators. She argues that, particularly in response to the Asian financial crisis of 1997, the environmental haze problem, the rising incidence of terrorism after September 11th and the SARS scare, ASEAN has been
transformed from a loosely structured ‘security community’ of states to a framework for coordinating and monitoring regional initiatives and cooperation between member states on transnational issues (Caballero-Anthony, 2009, pp. 39–40). In another example, Helen Nesadurai (2009) has identified the pivotal role of the Executives’ Meeting of East Asian and Pacific Central Banks in shaping financial governance processes within participating states. While the EMEAP is an informal peer-to-peer consultation process for central bankers, and the regional financial surveillance mechanism it coordinates with the APT finance ministers’ network is not binding on governments, Nesadurai shows that both have had a considerable effect on central bankers’ perceptions of systemic risk and ‘best practice’ approaches to risk management which have fed into national policy making.

In the Asia-Pacific, meta-governance has also involved the enrolment of non-state actors in regional governance projects that configure new ‘local’ sites of governance. For instance, in her examination of political participation by the urban poor in metropolitan Manila, Jane Hutchison (2007, p. 867) mentions the ADB’s role in opening administrative channels through which the urban poor can advance land tenure claims vis-à-vis local and national governments. In particular, the ADB has sought to promote the institutionalisation of various forms of ‘self-help’ housing arrangements already practised by the urban poor, as well as to pressure governments to release more land for low-income housing. Hutchison argues that since these efforts are conducted separately from the urban poor political movement they do not improve the urban poor’s capacity to organise independently. In this case, the ADB employed strategies of meta-governance to incorporate local actors within its ‘space of engagement’ to shift the institutional site of conflict from the national policy-making and political institutions’ arena.

**Functional Specialisation**

Another important mechanism for regionalising conflict is through functional specialisation and policy making, which creates new scalar arrangements within task-specific jurisdictions. We have already noted Hooghe and Marks’ (2003) two multi-level governance ideal types. Increasingly, regional governance takes the form of what these authors define as Type II multi-level governance, whereby functionally specific jurisdictions are created to manage particular issues by bringing together the relevant experts and stakeholders. Such jurisdictions typically traverse established political boundaries and require the active participation of sub-national and national-level agencies in the processes of governing. They also, however, tend to shift decision making from centres of political authority established upon a territorialisated notion of rule to those that seek to legitimise their authority through claims to expertise on particular issues. This, in turn, points to a more substantive transformation of state–society relations, since the capacity of individuals and groups to organise and mobilise politically to affect the decisions and processes of functional jurisdictions is very limited in most cases, and even more so in those instances where governance is rescaled to a regional or global level (Perez, 1995/6). Ultimately, functional specialisation denotes attempts to exercise control over boundaries through the use of the highly politically and ideologically conditioned distinction between ‘political’ and ‘technical’. By seeking to limit
the scope of the ‘political’ – which is associated with territorialised forms of rule – functional specialisation constitutes a particularly insidious form of territorial politics.

Functional specialisation has been a prominent feature of the transformation of the state in the past three decades and it has certainly not gone unnoticed. Anne-Marie Slaughter, for example, identifies the emergence of what she describes as ‘disaggregated sovereignty’ (Slaughter, 2004). Disaggregated sovereignty, in Slaughter’s conception, refers to the emergence of functional intergovernmental networks that link public officials from different countries, mostly specialists in particular fields – ‘police investigators, financial regulators, even judges and legislators’ (Slaughter, 2004, p. 159). These officials, she argues, are now operating quasi-autonomously, with the aim of developing more effective solutions to global and transnational problems. Importantly, disaggregated sovereignty is defined as a positive form of sovereignty – ‘the capacity to enter into international regulatory regimes of various types’ (Slaughter, 2004, pp. 163–4; also Chayes and Handler Chayes, 1995). According to this logic, domestic agencies must demonstrate a capacity to govern that matches global norms and standards or risk exclusion and loss of status.

While Slaughter and others focus on global networks, similar processes have occurred at the regional level. Regional professional networks are often embedded within larger global ones, thus supporting Katzenstein’s (2005) argument regarding the mutually reinforcing relationship between globalisation and regionalisation mentioned above. For example, the Asian Organisation of Supreme Audit Institutions (ASOSAI) was established in 1979 as a regional working group for Asian auditors, but it also forms part of the International Organisation of Supreme Audit Institutions (INTOSAI). Similar networks exist in other areas, bringing together central bankers, health experts and more.

But more than simply another layer of governance, we have seen the emergence of boundary-spanning jurisdictions such as the Mekong Project that are organised around the governance of a particular policy domain. Another notable example in East Asia is the Chiang Mai Initiative (CMI) – a regional liquidity fund established in 2000 after the Asian financial crisis that aims to provide emergency assistance to countries experiencing rapid currency devaluation (Hamilton-Hart, 2002, p. 174). The CMI is a particularly useful example of regulatory regionalism in that participating states are required to agree to share information with a regional financial surveillance framework, which employs analytical tools developed by ADB economists and International Monetary Fund data (Nesadurai, 2005). Natasha Hamilton-Hart (2002, p. 174) mentions that despite some resistance CMI funds were made contingent on the adoption by governments in the region of International Monetary Fund conditionalities, though Andrew Walter (2008) notes elsewhere that the adoption of so-called ‘international standards’ for financial governance in East Asia was partial at best and hotly contested within and across national borders.

‘De-bounded’ Risk and Regional Risk Management

The final mechanism for regionalising conflict examined here is the use of depictions of ‘de-bounded’ security risk as an ideological driver for regional governance projects. The
concept of de-bounded risk is particularly associated with the work of sociologists Ulrich Beck (1992; 1999; 2002; 2009) and Anthony Giddens (1990; 1991). It refers to risks that are not bounded by political borders or calculable time frames, are low probability but potentially cataclysmic and therefore defy conventional forms of private and social insurance that are based on scientific expertise and statistical calculations (Arnoldi, 2009). For Beck and Giddens de-bounded risks are unintended consequences of industrialisation. But it is not only the actual existence of risks that matters to their thesis. They argue that the increasing awareness of these risks has transformed late-modern societies, leading to the emergence of reflexive modes of thinking that involve ceaseless efforts to assess the potential consequences of action or inaction with the aim of intervening to avert disastrous outcomes (Giddens, 1998). It is this reflexivity that defines Beck’s (1992) famous ‘risk society’. It is further argued that we can never know the full extent of such risks and may often not even be aware of their existence. From this perspective, risks cannot be fully eradicated, only managed (Heng, 2006, p. 72).

The perception that we are now facing new kinds of de-bounded and potentially catastrophic risks has found expression in a changing international security agenda, particularly after the September 11th terrorist attacks, with governments and multilateral organisations increasingly shifting their attention from traditional threats to ‘non-traditional’ security risks (see EU, 2003; United Nations, 2004; White House, 2002). Keith Spence (2005) has gone as far as describing the ‘war on terror’ as the first war that is distinctively part of the ‘second modernity’, which constitutes Beck’s ‘risk society’. Conceptually, Yee-Kuang Heng (2006, p. 72) distinguishes between ‘threats’ – comprising intentions and capabilities – and ‘risks’ – comprising probabilities and consequences. In this respect, Giddens (1991) has argued that although the end of the Cold War may have removed the overarching threat of the Soviet Union to Western security, Western societies now lack ‘ontological security’ – the knowledge of what to expect.

But it is not only Western governments and societies that have shifted their attention to non-traditional, de-bounded and potentially catastrophic security risks. In South-East Asia, concerns with the trans-boundary spread of infectious diseases, such as SARS and avian flu, ‘have had profound implications on the nature of regional security cooperation among states in the region’ (Caballero-Anthony, 2008, p. 508), while other types of so-called ‘non-traditional’ security challenges, such as environmental degradation, transnational crime, illegal migration and terrorism have also been attracting policy makers’ attention (see Caballero-Anthony et al., 2006). Furthermore, the development of monetary regionalism in East Asia has also been given impetus by the perception that individual governments could not unilaterally tackle the systemic risk associated with large-scale financial crises, such as the Asian crisis of the 1990s or the global financial crisis of our time (Dieter, 2008, p. 492).

It seems obvious to link the emergence of de-bounded risks with the emergence of de-bounded forms of governance – regional or global. Yet rather than reifying risk depictions it is more useful to understand these representations as inherently ideologically and politically conditioned. We argue that risks cannot be seen as ‘objective’ since the very framing of particular issues as ‘risks’ is linked to forms of governance in which experts operating outside the official national governing apparatus play a key role in defining,
assessing and managing such phenomena. Hence risk management denotes not so much the governing of risk, but the governing of social problems through risk (Aradau and Van Munster, 2007; Dean, 1999; Ewald, 1993; Mythen and Walklate, 2008). Yet rather than fully accept the conception of risk, advanced by scholars from the Foucauldian governmentality perspective, as a kind of rationality with associated governmental technologies (see O’Malley, 2004), we contend that it should be understood as part of a project of establishing a particular kind of political rule that frames the boundaries of risk management. Therefore, risk depictions are a kind of territorial politics designed to rescale social and political conflict to arenas where these can be managed. This framing of conflict is invariably driven by interests and coalitions and, in turn, these come up against other political projects with their own rationalities that contest the re-territorialisations associated with risk depictions.

With this in mind we can make sense of the struggles that have taken place in recent years over the governance of security in the Asia-Pacific region. Caballero-Anthony (2008) advocates the securitisation of non-traditional security challenges, like epidemiological diseases, in the East Asian context, since she argues that the dominant tendency in the region to associate security with military or ‘hard’ security issues is making effective solutions to transnational problems more difficult. Yet the issue of whether particular issues are to be approached as de-bounded risks is not simply a matter of effectiveness as this framing has the effect of transnationalising their governance and prioritising technocratic solutions. For example, Adam Simpson (2007) describes a conflict between governance projects in South-East Asia with competing securitisations – energy or environmental. In the event, the more powerful ‘energy security’ project, which is driven by the Thai, Burmese and Laotian governments as well as several private interests, has overwhelmed the ‘environmental security’ project, which is promoted mainly by a loose coalition of international non-governmental organisations and some local communities (Hirsch, 2002, p. 162; Simpson, 2007, p. 548). The proponents of environmental security have attempted to regionalise energy governance by depicting contemporary practices as environmentally risky. However, this strategy was stymied by the creative usage of national borders as a kind of boundary control strategy: although energy production is in ‘absolute’ spatial terms cross-border, Thailand has been ‘exporting’ many of the problems generated by these operations to its more authoritarian neighbours, while ‘importing’ the energy they produce (Simpson, 2007, p. 539).

Conclusion

This article is a first cut at conceptualising the relationship between regional governance projects and the institutional space of the state. This regulatory regionalism approach moves us beyond the implicit ‘methodological nationalism’ of much of the literature on regional integration. Instead of regionalism being understood as ‘outside’ the state, our approach suggests that regional projects and processes are located within the institutional spaces of the state. Hence, we are able to move beyond the unproductive debates over the relative importance of regional institutions vis-à-vis national institutions. In so doing, the approach adopted in this article extends some of the insights of the critical literature on the spaces of
the state. Whereas this literature employs a limited understanding of regionalism as a sub-national process we develop these arguments in the context of regional governance beyond national territorial boundaries.

The dynamics of this regulatory regionalism is akin to what Harvey (2006 [1982]) calls a ‘territorial fix’, that is the creation of a new regional space to resolve the tensions and contradictions of capital accumulation. We argue that the political governance of this regional space is located within the institutional space of the state. Crucially for our argument, this regional governance is layered on, or alongside, previous national territorial fixes. At the heart of our thesis is that regulatory regionalism is a system of territorial politics generated by this tension between the national and regional territorial fixes. From this vantage point our central claim is not that regional political projects displace national ones, but that conflicts between the two are played out within the state. Our understanding of the politics of regulatory regionalism pertains to the accommodation, tension and contradiction between regional and national governance projects.

Borrowing the idea of ‘boundary control’ from Gibson’s (2005) work on territorial conflict between sub-national and national units, which argues that politics is fought between territorial levels through a set of strategies either to nationalise or localise political conflict, we find the notion of territorial conflict especially valuable in teasing out the nature and form of regulatory regionalism. In the case of regionalism we argue that territorial conflicts are organised around strategies either to nationalise or regionalise conflict through mechanisms of institutional shifting and ideological reframing of conflict, as well as through control over the content of conflict. We have identified three primary mechanisms for regionalising conflict – meta-governance, functional specialisation and risk management.

Our article tests these mechanisms in the context of the Asia-Pacific region. The Asia-Pacific could be considered a hard test case in that much of the international relations literature tends to see the region as dominated by a strong form of ‘Westphalian’ statehood that is viewed to be inimical to the emergence of regional governance. Yet as our examples demonstrate, new modes of governance have emerged within the Asia-Pacific region and these are in tension with ‘national’ forms of governance. Future work on this framework will need to test its insights in a comparative regional context. The strength of our approach for studies of comparative regionalism is that it goes beyond descriptive case studies of regional governance and provides a way of identifying the mechanisms of territorial conflict between the regional and national arenas that can be robustly compared across different regions. As such the approach outlined in this article has the potential to open a new research agenda on comparative regionalism.

(Accepted: 20 October 2009)

About the Authors

Shahar Hameiri is a research fellow at the Asia Research Centre, School of Social Science and Humanities, Murdoch University in Western Australia. He has written several articles on state building and regional governance for journals such as Millennium: Journal of International Studies and Third World Quarterly. He is the author of Regulating Statehood: State Building and the Transformation of the Global Order (Palgrave Macmillan, 2010).
Notes

The authors would like to thank the editors and three anonymous reviewers for their comments on an earlier draft. Responsibility for the published version remains solely with the authors. The article was submitted while Kanishka Jayasuriya was Principal Senior Research Fellow at the Asia Research Centre, Murdoch University and is part of the Asia Research Centre’s flagship ‘New Modes of Governance in the Asia-Pacific’ project.

1 There are notable exceptions to the prevailing top-down lens, such as Robertson’s (2009) paper on the governance of higher education in the EU.

2 This emphasis on the production of new spaces of regional governance resonates with Beeson’s (2009) work on the production of space. Peter Katzenstein has also echoed the view of regionalism as the production of space: ‘the fusion of globalisation and internationalisation and the vertical links between regions, the American imperium, core regional states, and other actors resembles a swirlly marble cake rather than a neat layer cake’ (Katzenstein, 2005, p. 41).

References


© 2010 The Authors. Journal compilation © 2010 Political Studies Association

POLITICAL STUDIES: 2011, 59(1)


