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Comment for *Environmental Politics*

THE MEANINGS OF LIFE FOR NON-STATE ACTORS IN CLIMATE POLITICS

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The Changing Climate Governance Context

The trajectory of global climate governance leading into and out of the landmark 2015 Paris Agreement reveals substantial change in the kinds of mechanisms in play. In their Introduction to this collection, Bäckstrand, Kuyper, Linnér, and Lövbrand capture these developments under the rubric of 'hybrid multilateralism', defined by emerging linkage between the established multilateral negotiations and the plethora of self-organizing governance initiatives involving varieties of non-state actors cooperating with each other (and sometimes with states). These two governance options were long seen as if not exactly mutually exclusive, at least as involving very different and rival agendas. Proponents of decentralization took as their starting point the failure of multilateralism. This recognition of failure led (for example) Matthew Hoffman (2011) to celebrate the multiplicity of what he called (somewhat inaccurately, Abbott points out in his contribution to this collection) experimental governance as an alternative to 'mega-multilateralism.' Experimental governance for Hoffman involves numerous cooperative, market-oriented voluntary initiatives (which he neglects to demonstrate will collectively do enough good). Buoyed by her Nobel Prize, Elinor Ostrom (2009) advocated a polycentric approach involving numerous overlapping programs at multiple levels of government, though again she was short on evidence of effectiveness from climate governance itself. David Victor (2011) for his part stressed the formation of clubs of relatively high-ambition countries to enable movement beyond impasse in the multilateral negotiations. Frank Biermann (2014) in contrast believes the solution to any failure of multilateralism is to try much harder, to move toward stronger and reinvigorated multilateralism. He laments at the same time fragmentation in global governance, which Hoffman and Ostrom would surely applaud. Now it seems the world has moved on. The 2015 Paris Conference of the Parties to the United Nations Framework Convention on Climate Change did produce a multilateral agreement. But all the critics of multilateralism and advocates of decentralization could at least console themselves that the multilateral process now embraced multiple transnational governance initiatives.

Orchestration

Within hybrid multilateralism, the dominant theme among the articles in this special issue is orchestration. Orchestration is what an authority does when it realizes the limits on its own power while recognizing the existence of 'intermediaries' who share its goals, and who might be able to pressure states or other target actors to do the right thing in terms of those goals, and then monitor and evaluate the degree to which goals are being achieved. The intermediaries in question are mostly non-state actors. The orchestrator does not have to be an international organization, though in the present context that is the cleanest case. Johnson and Gordon suggest that an orchestrator might also be a network, a corporation, a

foundation, or a non-governmental organization, though if that is the case then the distinction between orchestrator and intermediaries becomes a bit unclear.

The two global climate governance orchestration initiatives that receive close attention in three articles in this special issue (by Lövbrand et al, Bäckstrand and Kuyper, and Widerberg) are the Lima-Paris Action Agenda (LPAA) and Non-state Actor Zone for Climate Action (NAZCA). The LPAA seems to embody orchestration in its purest form, with a clear distinction between the orchestrator (treated by Widerberg, also Bäckstrand and Kuyper, as a quartet of the Peruvian and French COP presidencies, the UNFCCC Secretariat, and UN Secretary General's office), the intermediaries (non-state actors) and the targets (states). NAZCA is slightly murkier in that non-state actors such as corporations and cities seem to be both intermediaries and targets, for they sign up and promise to behave better themselves, especially when it comes to emissions (rather than just influence someone else to behave better).

Orchestration serves in the first instance as an explanatory concept or interpretive frame to capture how global governance now works in some contexts. There may be limits to the explanatory reach of the concept. Though they do not show any explicit interest in orchestration, when it comes to hybrid governance more generally Zelli, Möller and van Asselt remind us that we should not necessarily over-generalize to climate governance in its entirety. They show that REDD+, short-lived climate pollutants, and climate engineering (geo-engineering) actually present quite different sorts of governance problems, which in turn leads to very different sorts of institutional response. What they (following Underdal's terminology) classify as malign problems (REDD+ as it once was, solar radiation management) and benign problems (REDD+ more recently, short-lived climate pollutants, and carbon dioxide removal from the atmosphere) presumably provide quite different opportunities for, and constraints upon, orchestration. However, as I have already noted, Zelli, Möller and van Asselt show no apparent interest in orchestration per se, being more concerned with the degree to which the three problem areas feature private or hybrid governance rather than just a central multilateral institution. Benign problems are characterized by a commonality of values across actors that ought to facilitate orchestration – but on the other hand, there is less need for orchestration, as effective multilateral action should be straightforward. Malign problems in contrast feature conflicting values and competition among actors, and as such are more challenging because even achieving consensus in the body that would act as an orchestrator may be difficult. Perhaps the 'malign' category needs disaggregating here: if values conflict in a serious way then orchestration is difficult if not impossible, if malignancy is simply a matter of competition among actors over for example who should be responsible for financing an initiative (but not conflicting values), then orchestration could work. At any rate, once we look at contextual variation in the type of governance challenge, the story here becomes quite complicated.

Orchestration also has normative appeal, in that it offers a way out of ineffectual multilateralism, and a means to harness the disparate activities of multiple actors toward common ends. As such, orchestration also offers a way out of ineffectual polycentrism. Abbott's article is explicitly normative in that it calls for more truly experimental orchestration that would use variation across governance initiatives to enable systematic

learning about what works and what doesn't – in terms of goals set by the orchestrator. In this light, even malign problems as characterized by Zelli, Möller and van Asselt provide opportunities for learning precisely because they are more likely to generate a multiplicity of private and/or hybrid institutions (though of course the kind of multiplicity operating here is a long way from controlled experimentation of the sort Abbott proposes).

Orchestration, Governmentality, and Democracy

Bäckstrand and Kuyper remind us that global governance can be evaluated in terms of its democratic legitimacy – not just its effectiveness (though these two are surely linked, not just because output legitimacy is a direct function of performance, but because there are good reasons to suppose that perceived legitimacy facilitates compliance with collective agreements, and that democratic processes in general do better than their alternatives when it comes to ecological problems). Their own evaluation of orchestration proceeds in terms of some standard democratic criteria: participation, deliberation, accountability, and transparency, which they proceed to apply to specific features of the two sorts of orchestration exemplified by LPAA and NAZCA. They find some democratic deficiencies, for example in the fact that NAZCA proves to be dominated by non-state actors from the global North – though given that participation is in order to make commitments for action on climate change, it is not clear that this translates into reinforcing inequalities. However, there is a slightly different way of looking at the democratic qualities of orchestration, which can begin with the kind of role it specifies for non-state actors – that of the intermediary. Because the role of intermediary is restricted, any whole-hearted embrace by non-state actors could restrict their other contributions to the democratic qualities of global governance, and even render the system as a whole less democratic than it might be otherwise.

Intermediaries are essentially servants. They may be willing servants because they share the goals of the orchestrator, but they are servants nevertheless. Their function is, then, to help render an unruly world governable in the interests of values they share with the orchestrator. This role resonates with an old critique of global civil society that deploys Michel Foucault's notion of governmentality, under which the dominant political discourse subtly shapes compliant subjects. In this critique, global civil society is seen as reinforcing an unjust global order, irrespective of what civil society actors and organizations think they are doing in pursuing specific goals, and irrespective of whether or not these substantive goals are achieved. For their very commitment to civility can convert discontent into actions and activities that bolster rather than undermine the status quo (see for example Amoore and Langley 2004). Now, other things being equal, a world that is governable may be preferable to a world that is ungovernable. However, the governmentality critique argues that governability, and any substantive goals of civil society actors, are always achieved at some democratic cost, in ways that advance some interests and marginalize others, normally in a fashion that reinforces established power inequalities and precludes radical change. None of the articles in this special issue explicitly addresses this question when it comes to the specific cases of LPAA, NAZCA, or urban climate governance as analyzed by Johnson and Gordon.

The resources of non-state actors are finite; this observation applies especially to activist NGOs. So if these actors are enlisted to play the intermediary role in orchestration (the articles in this special issue that address orchestration are surprisingly unclear on the identity of any specific NGOs that have actually been enlisted), that means they may not be able to play other roles so effectively. Such roles may include criticism of the political and institutional status quo and the practices it embodies, holding power holders to account, influencing collective decision making, and representing alternative interests, views, and discourses. These roles are all conducive to the degree of democracy prevailing in global governance, so attenuating them can come with democratic costs.

Roles for Reflexivity

These alternative roles do make an appearance in this special issue. So Fisher, Galli and Yagatich discuss participation in climate protests (though not the role that protests play in larger processes of governance). Lövbrand et al look at the variety of activities that attendees at UNFCCC gatherings actually undertake (beyond trying to influence collective decisions). Kuchler argues that environmental NGOs such as the Climate Action Network, Center for International Environmental Law, and Carbon Market Watch have actually become more radical with time as they have adopted human rights and climate justice frames, at the expense of older, more moderate and market-friendly frames. One question worth exploring would be whether or not this kind of radicalism could be endangered to the degree such ENGOs take on the role of intermediary in orchestration, which could conceivably come with moderating strings attached, because radical intermediaries may not be taken seriously by their targets – especially states. Hadden and Allen show that these emerging radical frames have actually become consequential in the recognition of Loss and Damage in an article in the 2015 Paris Agreement, for the first time in the history of the UNFCCC. While some interesting questions concerning the connection between these various roles and hybrid multilateralism in general and orchestration in particular could be raised (as I indicated in the previous section), as things stand these analyses of alternative roles are somewhat disconnected from the articles that address orchestration and hybrid multilateralism. Now, it may be too much to ask for that all these roles and the analyses of them be integrated under some overarching framework – this is after all a collection of articles in a journal, not a book. As it stands, it looks as though hybrid multilateralism as an overarching framework can only integrate these various roles to the degree it remains vague and expansive in the activities it encompasses. As soon as hybrid multilateralism is rendered more specific – in the form of orchestration – some questions arise as to whether these alternative roles can in fact be accommodated. Orchestration does it seems focus exclusively on the output side of governance – getting things done in terms of shared goals – to the exclusion of what happens on the input side, especially when it comes to the formulation of those goals in the first place. So for example Schroeder and González stress the need for indigenous peoples' conceptions of territoriality (and its particular refusal to separate nature and culture) to inform and infuse governance in REDD+ in its entirety, from global to local levels. These conceptions can challenge rather than simply reinforce shared global goals and the discourses and interests underpinning these goals.

The relative importance we ascribe to the different roles that non-state actors can play in climate governance depends crucially on what can be considered the most desirable quality

of governance. Getting things done in terms of shared values (notably, in terms of reducing global emissions) is one desirable governance quality, which presumably explains current enthusiasm for orchestration. But getting things done in this way is not necessarily the most important governance quality.

I would argue that in an ecological context, the first virtue of political institutions is now reflexivity, understood as the capacity of institutions, structures, practices, or sets of ideas to remake themselves in response to reflection on their own performance. In the Anthropocene (of which climate change is of course but one harbinger), reflexivity needs to be ecological or ecosystemic, in recognizing the active influence of the Earth system itself, in an ability to anticipate and respond to potentially catastrophic state shifts in that system, and in being able to craft more productive co-evolutionary relationships in social-ecological systems (Dryzek 2016). Reflexivity is the opposite to and antidote for problematic path dependency of the sort we see in dominant institutions established in Holocene conditions, notably states, capitalist markets, and international organizations such as the United Nations and World Trade Organization. Such institutions are very good at generating feedback that reinforces their own necessity, but very bad at recognizing their ecological embeddedness and their complicity in human-induced instability in the Earth system.

Reflexivity is the capacity to *be* something different, rather than just *do* something different. This distinction is illustrated nicely by the recent history of the UNFCCC as revealed in contributions to this special issue. The turn of the UNFCCC away from the idea that its function is to produce a treaty that binds states directly to specified greenhouse gas emissions reductions and toward an approach for which orchestration becomes central is actually an attempt to be something different. Indeed, it is an attempt that should have surprised all those observers (myself included) who lamented the degree to which the UNFCCC was very set in its ways, even as those ways produced inadequate results. The turn to more systematic institutional experimentation advocated by Abbott would also involve a measure of reflexivity (though of course nit hasn't happened yet). In contrast, the taking on board of Loss and Damage commitments for the first time in the 2015 Paris Agreement, however laudable, does not involve reflexivity – because it involves the UNFCCC just doing something different, not being something different.

What are the sources of reflexivity? There are different views on this question, and in the literature one can find advocates of both participatory democracy and an enhanced role for scientific and technical expertise in policy making; of both the need for a diversity of views, and for consensus to be sought as a principle for governance; of both polycentrism and centralization; and of both flexibility and stability in core institutional arrangements. Recently Pickering and I have argued that whatever one thinks about the drivers of reflexivity – participation or expertise, diversity or consensus, polycentricity or centralization, flexibility or stability – we cannot do without the kind of inclusive justification of positions, reflection on preferences, judgments, and values, and critique of established practices that help define deliberation (Dryzek and Pickering 2017). Within deliberative processes, civil society actors can play creative roles precisely because they are not states and not corporations. Civil society actors are not constrained by the economic and security imperatives that go along with being a state; states simply must as their first concerns try to ensure the conditions for economic growth, and secure themselves in a potentially hostile

world. Nor are civil society actors hard-wired for the pursuit of profit in the way that corporations are; that hard-wiring constrains what corporations can do or say, as well as providing incentives for hypocrisy and greenwashing. In light of their special capacity to contribute to deliberative processes in the public sphere, the worry here is that burdening civil society non-state actors with intermediary roles in orchestrated governance may detract from the arguably more vital critical role they can pursue in promoting reflexivity.

There is, then, a paradox here. The turn to orchestration is a sign of reflexivity in the UNFCCC. But at the same time, orchestration if it absorbs the critical energies of civil society actors risks impeding reflexivity in the larger governance system.

The Real Lives of Non-state Actors

An orchestration frame means interpreting the activities of non-state actors in a particular way, highlighting some aspects of what they do (in particular, pressurizing target actors such as states) while ignoring others. A deliberative systems frame highlights the role of non-state actors in holding authority to account, in addition to their role in constituting a global public sphere as an essential component of the system. A representation frame would see non-state actors as representing particular kinds of interests, discourses, or values that are otherwise not adequately advanced in governance. Other frames may conceivably cast non-state actors in very different roles. Yet it is important to look at what non-state actors actually do – rather than what theorists or observers think they do, or think they should do. Several of the articles in this special issue do indeed examine empirically exactly what non-state actors do, and why they do it. The answers may shed light on different theoretical frames (though they do not have to).

Lövbrand et al ask attendees at UNFCCC meetings (including state representatives, not just non-state actors) why they are there, and conclude that attendees serve a 'facilitative practice' that helps hold the regime complex together. This practice includes reinforcing or contesting dominant discourses, networking, the sharing of information, and exchanging of views.

As Donald Trump put it in a different context, with a bit more skepticism:
@realDonaldTrump
The United Nations has such great potential but right now it is just a club for people to get together, talk and have a good time. So sad!
8:41 AM - 27 Dec 2016

Though Lovbrand et al do not explicitly appeal to the concept, what they are describing sounds a lot like a global public sphere. And though one of their findings is that for the most part attendees do not expect to exert influence, surely the kind of discursive glue – or normative integration – that this public sphere generates is highly consequential in conditioning what happens in formal as well as informal settings in the UNFCCC meetings and in global climate governance more generally.

Asking people what they do and why, as well as looking at what they say about it on (for example) their web sites, may give some information about the significance of their actions

and influence – but it may not be the whole story. This is especially true when it comes to large corporations. As Lindblom (1977) reminded us long ago, business has a privileged role in policy making, to the degree that particular businesses may not even need to lobby explicitly for what they want in order to get their way. Nasiritousi rightly stresses that it is important to look at what large fossil fuel corporations really do in their governance activities – rather than simply assume that they act as obstructers of effective action and deniers of the reality of dangerous anthropogenic climate change. The public face of these corporations proves to look quite different, taking climate change as a business risk seriously, and even ExxonMobil in 2011 announced it had stopped funding climate change deniers. At the same time, one should be wary of the verbal gymnastics and dissembling that these companies have every incentive to adopt. Did BP really move 'Beyond petroleum' as its slogan once had it? Of course not.

Still, the rhetoric adopted by actors matters, even when it is designed to obscure real interests and motives. Though interests and motives are perhaps more transparent when it comes to environmental NGOS, it is just as important to attend to their rhetoric. Kuchler shows how environmental NGOs use rhetoric to try to shape meanings and discourses, and so exercise influence. Again, this kind of activity is consistent with the idea of a consequential global public sphere. Given multiple influences, and the absence of direct links, it is hard to find a decisive moment in terms of a particular kind of rhetoric or argument being reflected precisely in the content of an international agreement, and Kuchler does not really address the extent to which changes in the content of messages propagated by environmental NGOs – in the direction of human rights and environmental justice – have achieved any impact. But simple and direct impact is not the way the discursive world works, in climate governance or anywhere else. Impacts are typically more diffuse and complex. However, Hadden and Allen do show that the adoption and propagation of a justice frame by NGOs did seem to make a difference in the case of the adoption of the Loss and Damage article in the 2015 Paris Agreement – partly because NGOs could build alliances with some vulnerable countries. In this light, it is not just rhetoric per se that matters, but how that rhetoric can affect possibilities for aligning interests. Loss and Damage is a hard case for discursive influence because of the intensity of entrenched economic interests resisting the idea, so if this influence can be found there, it ought to be possible in more straightforward cases.

Fossil fuel corporations produce complex public messages which should not necessarily be taken at face value. Environmental NGOs and the indigenous peoples' organizations described by Schroeder and González produce rhetoric and argument which is generally more transparent in its motivation. More simple and perhaps more transparent still are the activities of protestors – though as Fisher, Galli and Yagatich point out, protestors may themselves have other involvements with NGOs. Protests do also serve to bring a larger number of people with no prior organizational involvements into political action. Any impact that protests per se make in the public sphere can be very hard to discern. It is still harder to trace their influence on the content of global agreements or the policies of states or networks. It may be possible to see protestors as intermediaries in orchestration processes, at least when they target their own governments, rather than global negotiations; though it is doubtful that this is how protestors would see themselves.

Conclusion

The world of global climate governance is changing, and with it the role of non-state actors in governance. The widely-observed rapprochement between top-down multilateral governance and more diffuse, bottom-up, voluntary and networked approaches captured under the hybrid multilateralism heading opens opportunities for new roles, especially when it comes to that of intermediary in processes of orchestration. These opportunities do not mean the more established roles have disappeared, nor it is obvious that non-state actors should enthusiastically take on intermediation and set the other roles aside. The case for the effectiveness of orchestration in comparison to its alternatives remains unproven. Meanwhile other governance agendas have not gone away. Where, for example, does the unremitting strong multilateralism of the Earth System Governance manifesto once endorsed by (among many others) Bäckstrand, Schroeder, and Abbott as co-authors of Biermann et al (2012) now stand? Have the prospects for a deliberative system in global climate governance been advanced or impeded in this new era of hybrid multilateralism, and if so how? Is this new era more conducive to reflexivity, or less conducive? Has the regime complex for climate change now been rolled up into a regime? How will all of these agendas survive renewed challenges to effective climate governance emanating from the United States? Somebody (for example, the editors of this special issue) needs to write a book that integrates more effectively the varieties of governance now apparent in the climate governance landscape. In an ever-changing world it can of course be hard to keep up, but it is important to keep trying – and in so doing contribute to the evolving conversation that helps constitute climate governance.

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