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GLOBAL ENVIRONMENTAL GOVERNANCE

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THE CONDITION OF GLOBAL ENVIRONMENTAL GOVERNANCE

The challenges presented by global environmental problems have yet to receive effective global governance response (for details, see Christoff and Eckersley 2013: 163-89). The 1987 Montreal Protocol for protection of the ozone layer remains the high point of effective multilateral treaty making on any significant global ecological issue. The 20 years that followed the landmark 1992 United Nations Conference on Environment and Development in Rio saw retreat in global ambitions. The sort of stirring language that could find its way into the 1992 Declaration proved too controversial 20 years later at the 2012 United Nations Conference on Sustainable development (Rio+20). Compared to global economic governance, global environmental governance is under-developed and weak. There is no World Environment Organization, while there is a very powerful World Trade Organization. While the institutions of global economic governance (notably the International Monetary Fund, World Bank, and World Trade Organization) do notionally incorporate some degree of environmental concern, that is normally swamped by economic considerations. Meanwhile the national governments that threw trillions of dollars at the global financial crisis after 2008 have been reluctant to throw anything at all comparable in the direction of global environmental crisis. Climate change represents the most obvious failure of global environmental governance, as the multilateral negotiations that began with the establishment of the United Nations Framework Convention on Climate Change (UNFCCC) in 1992 have fallen far short of the aspiration for a comprehensive global treaty to curb greenhouse gas emissions. In climate change and other areas, international relations scholars now speak of regime complexes rather than regimes (Keohane and Victor 2011). A regime complex is a multiplicity of loosely-coupled, non-hierarchical institutional arrangements, which can include efforts sponsored by the UN and other global institutions (including economic ones), more limited initiatives (such as those under the auspices of the G20 group of large economies), regional forums, unilateral actions, and bilateral agreements. While this devolution might provide one route beyond impasse in the peak multilateral negotiations, to date that seems to have done nothing to affect the trajectory of global greenhouse gas emissions.

Aside from its ineffectiveness in generating effective collective solutions to problems like climate change, disruption of nitrogen and phosphorus cycles, biodiversity loss, ocean acidification, and other threats to the planetary life support system, global environmental governance is also problematic from the viewpoint of justice and democracy. Of course justice can be defined in different ways. Yet those who suffer the most from environmental degradation are rarely those primarily responsible for causing it. Those suffering might be future generations, or vulnerable populations in developing countries subject to drought, storms, and floods. Democracy, though a key legitimating principle for any kind of collective action in today's world, is not at home in actually existing global governance. While a problem for global governance in general, this democratic deficit is a particularly acute issue for environmental governance to the degree claims about the environmental efficacy of democracy (eg Lafferty and

Meadowcroft 1996) can be sustained. Though there are plenty of ideas about how to remedy the global democratic deficit, most are currently a long way from realization.

How might environmental political theory speak to this condition? I will argue that environmental political theory can assist in the diagnosis of shortcomings in global environmental governance, provide an important lens for scrutinizing reform proposals, and generate insight into what qualities we should be looking for in global environmental governance (which may also be adopted at other levels). Some of the contributions (notably, concerning legitimacy and justice) travel from political theory via environmental political theory to global environmental governance; some (notably, concerning questions of resilience and reflexivity) start from environmental political theory (with an assist from earth science). Environmental political theory can also help compensate for some of the failings of international relations theory, which has a hard time with concepts like democracy, legitimacy, and justice, let alone ideas such as resilience that are basic to the earth science vocabulary.

A caveat is in order. The contributions of environmental political theory to the analysis of global environmental governance will rarely stand alone. Sometimes they work in conjunction with other sorts of political theory, social theory, and international relations theory. Sometimes they inform, and can be informed by, empirical inquiry. Sometimes they can work with earth science.

CRITIQUE OF GLOBAL GOVERNANCE

Diagnosis of the ills of global environmental governance can (and does) proceed without reference to environmental political theory. But environmental political theory can sharpen the critique in several useful ways.

To begin – and perhaps most fundamentally – existing global governance arrangements do not recognize the earth system itself as a key player. They proceed for the most part as though the environment is simply a medium through which some humans inflict harms or confer benefits on other humans. So long as human impacts on that system did not affect its basic parameters then perhaps little was lost by proceeding in this manner (though environmental ethicists would rightly bemoan the inattention to intrinsic value in the non-human world). But all that changes with the arrival of what earth scientists call the Anthropocene, the epoch in which human influences are decisive in driving the entire earth system (Crutzen and Stoermer 2000). The Anthropocene is the successor to the preceding Holocene, an epoch of around 10,000 years featuring highly unusual climatic stability. Human influences now threaten to re-introduce the kind of instability that was common in the preceding late Pleistocene (Steffen et al 2011: 747). This instability enters most immediately and prominently with climate change resulting from climbing concentrations of greenhouse gases, but loss of biodiversity and disruption of nitrogen and phosphorus cycles are among the other profound anthropogenic effects. The response of earth scientists themselves has been to insist that the guideline for global action should be to respect the ‘planetary boundaries’ that define ‘a safe operating space for humanity’ (Rockström et al 2009). Prominent scientists supported by environmental activists tried and failed to get recognition of planetary boundaries inserted in the declaration of the 2012 UN Summit on Sustainable Development (Rio+20). Yet the planetary boundaries concept tells us only to avoid the Anthropocene and try to maintain Holocene conditions, not what we should do once we are in the Anthropocene. It is

already too late when it comes to climate change, biodiversity, and the nitrogen cycle, for the boundaries associated with these three have already been exceeded. Working with a dynamic and unstable earth system is going to require new kinds of governance arrangements, which thinking geared to the production of treaties that fix obligations for particular actions on particular categories of countries barely begins to comprehend. Later I will try to be more constructive about what the Anthropocene requires of global institutions.

The idea of the Anthropocene drives home the limitations of a system of global governance that prioritizes economic and security concerns above environmental ones. Environmental political theory can criticize this domination – that is straightforward. When it comes to figuring out whether or how economic and security priorities could be reworked in a more defensible direction, environmental political theory does not speak with a single voice. The whole idea of sustainable development (and its successors such as ecological modernization and green growth) is an attempt to render economic growth environmentally friendly. Security for its part can be redefined from national security to human security – and human security can then be shown to require particular environmental attributes, such as security in the face of environmental threats (Barnett 2011) More radical green theorists would resist both the lure of sustainable development and the securitization of environmental concern. But whatever one thinks about the possibility of sustainable development or green growth, it is important to criticize how comprised their real-world uses are when it comes to global governance (and elsewhere). So for example von Frantzius (2004: 469) criticizes the ‘privatization of sustainable development’ that was so evident at the 2002 United Nations Summit on Sustainable Development in Johannesburg in 2002. The more environmental security is seen as an aspect of conventional national security the less defensible it is; the more it is seen in terms of amelioration of the insecurities of vulnerable people, the more defensible it becomes (McDonald 2012). Now, sustainable development and securitization are concepts that can apply at any level, from the local to the global. However, it is at the global level that sustainable development has been so dominant as a discourse in environmental affairs, so that is where critique needs to operate. Environmental security has been far less prominent as a discourse at all levels, but has been making some inroads globally.

Security may be one component of justice, but other aspects of justice prove particularly problematic in global environmental governance. Justice arguments are actually quite prominent in global environmental negotiations in particular. Yet they can do little to make that governance more tractable so long as they are articulated in terms of fairness across nations. Different national governments (and negotiating blocks) deploy different views of what such fairness entails – most of them self-serving. So India will argue that it has little obligation to reduce greenhouse gas emissions in comparison to countries that have built their prosperity on a long history of fossil fuel use – enabling its own substantial population of rich consumers to ‘hide behind the poor’ (Ananthapadmanabhan, Srinivas, and Gopal 2007). The United States sees justice in terms of fair terms of trade, and does not want to be disadvantaged by being held to more stringent emissions standards than its competitors such as China. One logical way through this impasse would be to think of climate justice in more cosmopolitan terms, in which the units of obligation and concern are individuals, irrespective of where they

happen to live (Vanderheiden, 2008); or even which generation they happen to live in. The problem here may be that there is no mechanism or incentive for nation-states to adopt a cosmopolitan view, though Harris (2009) argues that if say China were to admit to global obligations in proportion to the size of its own large and growing number of rich, fossil-fuel using consumers, that would enhance the credibility and moral authority of the Chinese position. One can even imagine in response that the United States might accept that it should embed no more emissions in the goods and services it produces than do similar economies in the European Union.

Global environmental governance suffers from a democratic deficit, and a related legitimacy deficit. While that does not matter to most international relations theorists, it should matter to political theorists who believe that all public authority, at whatever level, needs to be legitimated in democratic terms. It should matter still more to green political theorists who believe that democracy in general and deliberative democracy in particular are especially conducive to the effective resolution of environmental problems and promotion of environmental values, at the global level no less than elsewhere (Baber and Bartlett 2009). Of course there are some particular problems in pursuing any democratic agenda at the global level, but they are not insuperable. Support can be drawn here from the burgeoning literature on global democratic theory (Scholte 2011).

CONTEMPLATING REFORM

Aside from contributing to the critique of actually existing institutions and practices, environmental political theory can both scrutinize and inform the numerous proposals that have been put forward to render global environmental governance more effective.

One of the more coherent and prominent packages for reform has been advanced by Biermann et al (2012), summarizing a vast amount of work done under the auspices of the Earth System Governance project, a 10-year multi-national research project that began in 2009. Biermann et al prescribe strengthening the United Nations Environment Program, creating a powerful United Nations Sustainable Development Council in conjunction with an enhanced role for the G20 large economies forum, global institutions to regulate emerging technologies, integrating global environmental concerns into economic governance, qualified majority voting to replace unanimity requirements in international negotiations, enhanced consultation with civil society organizations, and a mechanism for financial redistribution to poorer countries. The impetus of this summary statement (though not necessarily all the work on which it draws) is in the direction of formalization and coherence in central global institutions. They pin their hopes on a 'constitutional moment' in global affairs that would enable all or at least some of this to happen.

There is plenty of grist in this reform package for environmental political theory analysis. While applauding the intent of bringing environmental concerns to the commanding heights of global governance, the more centralizing aspects might be criticized by those who believe that the lessons of social-ecological systems point to multiple loci for institutional innovation and experimentation. The emphasis on a constitutional moment, might likewise worry those who believe effective innovation in environmental affairs requires continual experimentation and reflexivity, rather than a once-and-for all institutional leap. The role of the G20 might be scrutinized in light of concerns with legitimacy and procedural justice. Critiques of administrative rationalism

might be brought to bear, if nothing else to warn how strengthened global institutions might go wrong, and how they might undermine the simultaneous appeal for enhanced participation for civil society.

Very different reform agendas are advanced by those who believe that peak-level attempts have either failed or reached the limit of their utility or gone downhill irrevocably since their 1987 Montreal high point. So Ostrom (2009) recommends a polycentric approach, building on her work on self-organizing social systems for the management of local common pool resources such as fisheries and irrigation systems. This approach recommends multiple self-organizing governance initiatives at different levels, from the local to the national to the regional to the global, but with a de-emphasis on the global. Critics might wonder what guarantees that multiple initiatives will somehow add up to a globally adequate response. Because of the grounding of her analysis in rational choice theory, Ostrom may miss the insights provided by a more communicative theory of politics and democracy – which might (for example) draw on Habermas's account of communicative action, as well as deliberative democratic theory, to inform thinking about how coordination might be constructed across numerous initiatives at different levels in the absence of formal central control. And at any level, in the absence of the social capital that Ostrom believes is one necessary condition for such initiatives to succeed, this sort of communicative action may be capable of generating joint commitments.

Polycentrism is given additional flesh by Hoffman (2011), who believes multilateral governance failure can be countered by an 'experimental system' of multiple, more limited initiatives. Hoffman argues that promising initiatives are united by their recognition of economic growth and environmental conservation as potentially supportive of each other, their commitment to markets, and their voluntary nature. Hoffman lists 58 experiments, ranging from voluntary carbon trading to transnational networks of cities. In an environmental political theory light, there are some clear problems related to the legitimacy of networks, especially those involving private governance and private-public partnerships. Moreover, as low-visibility, collaborative enterprises, networks are lacking in the moments of contestation required in any vibrant democracy – without which they are likely to institutionalize and reinforce decidedly moderate discourses of environmental concern and correspondingly limited kinds of collective actions (Dryzek, Norgaard, and Schlosberg 2013: 143-4).

Another alternative to apparently failed multilateralism is minilateralism, as advocated by Victor (2006) and others. The idea here is to seek a comprehensive agreement on key global issues such as climate change between 12-20 major players: notably, the United States, China, India, the EU, and a few other large emitters. Eckersley (2012) argues that such proposals fail on both legitimacy and justice grounds. She argues that the remedy is not to dispense with minilateralism, but to make it more inclusive. Inclusion would extend to representatives of the 'most vulnerable' states normally ignored in minilateral proposals: when it comes to climate change, the African Union and Association of Small Island States. Representatives of the most vulnerable would join states that are the most responsible (for past damage) and most capable (of doing something) in a relatively small group. The legitimacy problem can then be overcome by requiring that any minilateral agreement be submitted to the multilateral Conference of

the Parties for ratification. Eckersley's analysis is an exemplary constructive critique grounded in environmental political theory.

For Eckersley, inclusion extends only to different kinds of states. But there are other sorts of actors clamoring for inclusion, often grouped under the heading of global civil society. Numerous organizations are active on global environmental issues. What are we to make of their claims? Critics can and do claim that nobody elected global civil society and so these organizations and activists have no legitimate representation claim (though an electoral test would of course also rule out a fair number of states). A more sophisticated approach to representation would recognize that electoral representation is just one kind: that there are others. Self-appointed and unelected representatives broaden the range of concerns that can be brought to the table; but they should not be accepted without passing some critical tests, concerning for example the freedom of the representative from strategic benefit and the existence of a constituency that could validate the representative's claim (Saward 2009). Especially important in environmental affairs are claims to represent the non-human world, which is not easily done in electoral terms (or indeed in Saward's terms, because it is hard to see the non-human world as a constituency). It is possible to think of global civil society as a pattern of discursive representation (Dryzek 2012: 114-5). Mainstream discourses such as business-friendly sustainable development and environmental marketization (through for example biodiversity offsets and emissions trading) are well-represented. Discourses such as environmental justice (at least to the degree it is something more than the self-serving fairness arguments that pervade multilateral negotiations) and various sorts of green radicalism have a harder time getting heard. At any rate, environmental political theory can help sort out the validity of various representation claims, point to the imbalances across different sorts of claims, and help figure out how the representation of different sorts of discourses might profitably be incorporated in governance arrangements - so for example Eckersley's inclusive unilateralism could be accompanied by an explicitly deliberative role for civil society representatives of particular discourses.

Civil society representatives may however prove to be problematic deliberators, their partisan commitments precluding much in the way of the reflection and openness to changing positions that is one of the defining features of deliberation. We know from experiments with citizen forums that lay citizens are less problematic in these terms - though they are more problematic in terms of their ability to justify the positions they take, which suggests that effective deliberation needs both partisans and lay citizens. No less than at local and national levels, it is possible to think about the insertion of deliberative minipublics composed of lay citizens into global governance. The most ambitious attempts so far have involved the World Wide Views processes carried out in connection with climate change in 2009 (Rask, Worthington, and Lammi 2012) and biodiversity in 2012. In each case, the exercise involved 100 citizens in a large number of countries (38 for climate change, 25 for biodiversity) deliberating on the same day in the same way about a common set of questions, then responding to a questionnaire on the issues. While the results were presented at subsequent Conferences of the Parties (of the UNFCCC in Copenhagen, of the United Nations Convention on Biological Diversity in Hyderabad), they were largely ignored by negotiators. Thinking ahead, it is even possible to imagine global citizens' assemblies that combine participants from different - perhaps all - nations.

GLOBAL GOVERNANCE IN THE ANTHROPOCENE

Beyond contemplation of specific and limited reform practices and proposals of the sort just discussed, some very fundamental questions exist about what global governance should look like in the Anthropocene. Given that existing governance arrangements (at all levels) have enabled the world to stumble into the Anthropocene, governance presumably needs to look very different from what we have now. I have already noted the limitations of the planetary boundaries concept, so simply specifying that global governance should respect planetary boundaries is not enough. Existing dominant global institutions were designed with very different purposes in mind, and there is little likelihood of them changing their ways in order to either respect planetary boundaries or figure out other ways of ‘navigating the Anthropocene’, as Biermann et al (2012) put it. Many of those who contemplate the reform of global governance see the problem in terms of the absence of the kind of authority that states can exercise in their internal affairs, and so the solution in terms of the adoption of state-like structures. But if no state looks remotely capable of meeting the challenge of the Anthropocene, that extrapolation becomes dubious.

The Anthropocene connotes a highly unstable earth system with a concomitant loss of fixed reference points for collective action. Existing institutions – including states – evolved in the late Holocene, and as such could afford to devote minimal attention to the condition of the earth system. The Anthropocene promises to be a highly dynamic era, which means that the analysis of global governance arrangements cannot proceed in static terms. For example, it is common to see global environmental cooperation as mainly a matter of overcoming free rider problems and so securing effective collective action through coordination. But that implies the problem itself is a fixed one: such as excessive emissions of greenhouse gases or ozone-depleting chemicals that need to be curbed, or excessive depletion of ocean fisheries. Correspondingly, solutions are seen in static terms: notably, securing mutual commitments on the part of states through a treaty, or mutual commitments that may encompass corporations as well as states and cities in networked governance arrangements.

Environmental political theory can contribute to the search for more dynamic criteria for global environmental governance. Candidates here might include resilience, advocated very prominently by the global network of scholars in the Resilience Alliance. They define resilience as ‘the ability to absorb disturbances, to be changed and then to re-organise and still have the same identity (retain the same basic structure and ways of functioning)’ (http://www.resalliance.org/index.php/key_concepts). Resilience is a concept with its origins in ecology, and many of the members of the Resilience Alliance are natural scientists, though they have also involved some social scientists in their endeavors. A lot of conceptual work needs to be done in figuring out how to apply resilience to human institutions, while leaving open the possibility that the limitations of the concept as currently defined may require re-thinking. The task here is largely theoretical (though it can be informed by analysis of empirical practice) because there are no good examples of resilient social-ecological systems in industrial or post-industrial societies. There are plenty of examples in long-lived local agro-ecosystems but we cannot extrapolate directly from those to the contemporary global level. An early theoretical task is to figure out the degree to which resilience can accommodate transformation of

systems; Folke et al (2010) insist that it can, but then what happens to the idea of ‘retain the same basic structure’ that appears in the Resilience Alliance definition just quoted? The reaction of those such as Catney and Doyle (2011: 190) who see resilience as essentially conservative and a way of suppressing challenges to the dominant order points to the need to think long and hard about the place of transformation. And such transformation might need to extend to (global) society’s core values, including commitment to economic growth.

There does, then, seem to be a lot of conceptual stretching going on in the vicinity of resilience. Insistently analytical theorists might seek to refine the definition to better defend it against critics; others would be happy treating resilience as a discourse rather than a concept, joining discourses like democracy or sustainable development, which similarly resist precise definition. As a discourse, resilience highlights the importance of thinking in terms of social-ecological systems, and the idea that non-human aspects of these systems can play very active roles in how history (including global history) unfolds – for better or for worse.

In short, at one level resilience seems to be crucial, at another it seems it cannot guide global institutional reconfiguration, for three reasons. The first is that, as I have already noted, empirical examples of social-ecological resilience can only be located locally and are hard to extrapolate to the global level. The second is that as a discourse, resilience cannot give us precise criteria for institutions and governance. The third is that as soon as we incorporate transformability as an aspect of resilience, the search for fixed structures is off; instead, it is much more appropriate to think in terms of open-ended processes of reconstruction, starting from where we are now. My own feeling is that it is more productive to think in terms of reflexivity rather than resilience. Reflexivity is the critical capacity to change structure, ways of thinking, or processes in the light of reflection on success and failure (Beck, Giddens, and Lash 1994). Ecological reflexivity would also need to involve the development in human systems of an enhanced capability to listen to signals coming from ecological systems (Dobson 2010) and a capacity to reconsider what core social values should be in light of an earth system that is active and unstable.

It is very easy to point to the shortcomings of global institutions, structures, and practices in light of their lack of reflexivity (particularly acute given the painstaking way in which multilateral deals in particular have to be negotiated), more difficult to say what more reflexive alternatives would look like. But recognizing ecological reflexivity as the key quality actually eliminates the need to think in terms of institutional architecture. It is more productive to think of global governance as an open-ended experimental system, in which the main task is to search for points of leverage to render the system more (ecologically) reflexive. Deliberative reforms can contribute to this task. So for example Stevenson and Dryzek (2014) interpret the global governance of climate change as a potentially deliberative system, and suggest a number of innovations that would move it in this direction. These include procedures for promoting more effective engagement across different discourses (especially moderate and radical ones) in the global public sphere; inserting citizen mini-publics more effectively into public discussion; more reflective and reciprocal ways to introduce climate science into public debate; attention to the rhetoric that accompanies particular policy proposals (following Litfin’s 1994) identification of the importance of rhetorical moves in enabling the 1987 Montreal

Protocol); conducting multilateral negotiations through standard deliberative principles (with a facilitator, rather than a chair as at present); a deliberative civil society addition to Eckersley's inclusive minilateralism; more systematic discursive representation; attention to the creation of contestatory public space in connection with emerging governance networks; a re-thinking of the role of the UNFCCC as one of overseeing multiple governance arrangements (as opposed to trying to produce a global treaty); and the constructing of deliberative accountability chains linking different institutional locations.

These sorts of proposals would still only go part of the way, for one of the implications of the Anthropocene is the need to think about the system of global governance in its entirety – not just the parts that are conventionally recognized as environmental. As things stand, the institutions of global economic governance have far more environmental implications, for better or (mostly) worse than do the weak institutions of global environmental governance. In the Anthropocene, ecosystemic reflexivity should be the first virtue of global institutions in their entirety. Just how that might be pursued is going to be a task for many hands, not just those of environmental political theorists.

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