

# Civil Society and NGOs as Drivers of Change in Environmental Governance

Written by Emilie Dupuits

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On 21 September 2014, around 300,000 people in New York City participated in the largest climate change demonstration in history, calling for climate justice and action (Foderaro, 2014). This event reflects the increasing mobilisation of civil society and non-governmental organisations (NGOs) in global environmental processes. It also raises questions about democratic decision-making and participation processes facing the deficit of governments' action, especially in climate change international negotiations. This involvement suggests the following question: To what extent are civil society and NGOs drivers of change in global environmental governance?

This chapter does not pretend to provide a detailed analysis of all the aspects related to civil society and NGOs' international involvement in global environmental governance but rather to give an overview on some major issues for future research on the topic, in a transdisciplinary perspective. In addition, the author intends to provide some responses to the interrogation, through four main sections. First, it is necessary to understand the context of global environmental governance in which civil society actors emerge. Indeed, global environmental governance can be defined as a multi-level (i.e. global nature of environmental problems and local impacts), multi-actor (i.e. states, experts, environmental NGOs, and individuals) and multi-sector (i.e. energy, water and trade) approach that represents both an opportunity and a constraint for civil society actors. Second, the concept of transnational civil society is carefully defined to grasp the particularities of the multiple actors constituting this category. In fact, rather than a unified category, transnational civil society is composed of a plurality of actors, ranging from environmental NGOs, epistemic communities and social movements to civil society organisations. The latter receives special attention jointly with new processes of change in global environmental governance. Third, a literature review presents authors from different theoretical traditions who have studied the involvement of civil society actors in international environmental governance. These authors have provided different interpretations of actors' roles – from marginal to central – and impacts – from external impacts on states to internal impacts on own actors – around key issues such as legitimacy and democracy.

Finally, two main processes of change related to civil society involvement in global environmental governance are analysed: internationalisation and autonomisation. On one hand, the international involvement of civil society actors questions the strategies employed to reframe existing global norms and rights, the instrumentalisation of overlaps or missing links between international regimes and sectors, and the legitimisation of international representativeness. On the other hand, the civil society's internationalisation produces effects back on their level of autonomy, through processes of professionalisation and expertise-building.

Analysing the actors involved in multi-scalar environmental governance implicates a dialogue between various theoretical disciplines, including international relations, political science, sociology and geography. This chapter aims principally to centre the analysis not on institutions and formal processes of environmental regulation but on actors, their interactions and scalars politics, influencing the construction of environmental issues and their modes of resolution.

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## The rising power of civil society in global environmental governance

In the 1970s, environmental issues began to be included in global governance architectures, especially with the first United Nations (UN) Conference on the Human Environment in Stockholm in 1972. These environmental issues are of different natures, ranging from global commons, such as ozone layer, climate change or biodiversity conservation, to local commons, such as water depletion or deforestation (Young et al., 2006; Ostrom, 2010). In the field of international relations, the environment has been progressively analysed as an important driver of change in multilateral negotiations through the participation of multiple actors, such as nation-states, international organisations and NGOs (O'Neill, 2009).

However, the difficulties in setting up a global agreement on climate change and the limits to establishing global regimes on natural resources regulation – as in the cases of water and forests – demonstrate the high fragmentation of global environmental governance that currently exists (Gupta and Pahl-Wostl, 2013; Biermann et al., 2009; Giessen, 2013). This represents, on one hand, an opportunity for civil society and NGOs to enter global arenas relatively opened to non-state actors' participation. The World Summit on Sustainable Development of Johannesburg in 2002 provided insight into the increased participation of actors from civil society through innovative processes of multi-stakeholder deliberation and public-private partnerships (Bernstein, 2012). On the other hand, this high fragmentation also represents a constraint, as the efforts to dominate norm-building processes by the multiplication of civil society actors involved in international processes can generate power relations and competition (Andonova and Mitchell, 2010). Disagreements among these actors upsets the appropriate scale at which to govern natural resources and causes diverging representations on the nature of resources (from public to economic goods, or territorial to universal rights).

Moreover, global norms and paradigms are the object of increasing transnational protests, mainly directed against the lack of civil society organisations' (CSOs) inclusion in decision-making processes (Conca, 2005; Visseren-Hamakers et al., 2012). Indeed, CSOs are often represented in global arenas through intermediaries such as international NGOs (McMichael, 2004; Vielajus, 2009; Siméant, 2010). The implementation of 'commodity consensus' on natural resources by international technical experts is also a major point of contestation from CSOs (Svampa, 2015). As an example, Conca (2005) stresses the paradox of global water governance, characterised by intents from experts' networks and international NGOs to create institutionalised norms and blueprints, in parallel with the rising contentions from less visible civil society actors.

Some authors prefer to discuss multi-scalar governance in terms of the shift from a hierarchical international system towards a horizontal network system (Cash et al., 2006). Network governance is characterised by the multiplication of interrelations between actors at different scales (Diani and McAdam, 2003; Bulkeley, 2005). While the concept of multi-scales governance acknowledges the key importance of nation-states in norm-building and decision-making processes, it also attributes an important role to non-state actors like NGOs, expert networks and CSOs. Andonova and Mitchell (2010: 256) differentiate two main processes of rescaled governance: 'global governance has been rescaled away from the nation-state in multiple directions: vertically down toward provincial and municipal governments, vertically up toward supranational regimes, and horizontally across regional and sectoral organisations and networks'.

In a vertical perspective, civil society actors can mobilise the international scale to build environmental problems as global (i.e. deforestation and environmental migrations), or conversely, to increase their international visibility so as to respond to some local environmental issues (i.e. extractive conflicts and drinking water access). In a horizontal perspective, marginalised civil society actors can gain more power through the creation of transnational networks or multi-stakeholders partnerships (i.e. transnational indigenous and peasant networks). The concept of multi-scales governance is useful for revealing how actors mobilise simultaneously in different jurisdictional (i.e. national, regional and local), territorial (i.e. village and hydrographic basin) and sectorial (i.e. energy and trade) scales (Compagnon, 2010). It is also useful for understanding the strategies employed to influence this multi-layered decision-making structure. As developed further in this chapter, the analysis of norms and discourses is of particular importance for understanding power relations happening within the transnational civil society. Particular attention is given to actors playing the role of intermediaries or brokers between scales. In the next part, different types of actors within

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transnational civil society are shown to highlight the pluralism of actors and definitions.

## Searching for a transnational civil society

The transnational approach inside international relations theory highlights the dynamics of actors intervening not only around nation-states but at multiple scales (Keohane and Nye, 1972; Rosenau, 2002). Transnational relations can be defined as 'regular interactions across national boundaries where at least one actor is a non-state agent or does not operate on behalf of a national government or an intergovernmental organisation' (Risse-Kappen, 1995: 3). The transnational perspective provides a more dynamic view on civil society actors, considered both as agents and subjects of change (Khagram et al., 2002). It also breaks with the idea that decisions taken at the international scale would apply automatically at inferior scales with a cascade effect. Instead of a truly global or local scale, it is more suitable to speak of a continuum of interactions with an intrinsic dynamic structure.

Various authors have provided definitions of transnational, global and international civil society, with the objective of building a unified category of analysis. Some authors analysed civil society and NGOs as agents of coordination and pacified collaboration at the international scale (Kaldor, 2003; Keane, 2003). Others point out the difficulty of delimiting actors' boundaries in one single category, illustrated by the question of whether or not to include private businesses as civil society actors (Gemmill and Bamidele-Izu, 2002). In the following paragraphs, the key characteristics and differences of four main types of actors are described. These actors do not comprise an exhaustive list but provide an interesting overview of civil society involvement in global environmental governance.

With the multiplication of global environmental conferences in the 1970s and treaty negotiations in the 1990s, various NGOs increased their international involvement. The first major international NGOs (INGOs) emerged in the field of biodiversity and forest conservation, such as the World Wildlife Fund (WWF), Greenpeace and the International Union for the Conservation of Nature (IUCN). These INGOs started to defend the environmental value of forests at international level, justifying the creation of protected areas. In turn, these actors became part of a wider global context focusing on awareness promotion around environmental damages, such as large deforestation in the Amazon and species massive extinction (Epstein, 2008). They have also played the role of the primary intermediaries and representatives of marginalised actors, like indigenous peoples and local communities (Dumoulin, 2003; Aubertin, 2005).

Within international relations, another interesting category of actors are the transnational advocacy networks (TANs). A TAN refers to 'those actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services' (Keck and Sikkink, 1999: 89). This type of network plays an important role in the regulation of globalisation, seeking primarily to influence states and international organisations. In this sense, INGOs have participated in the process of global norms redefinition, highlighting their intermediary role between local actors and their global claims. Some examples of TANs emerging in the environmental field are linked to claims of global environmental justice, such as in the cases of the Yasuni ITT campaign to keep oil in the Ecuadorian Amazon (Martin, 2011), or the anti-Narmada dam movement in India (Conca, 2005).

Third, other groups of actors are emerging to fill the gap of scientific uncertainty and complexity related to global environmental problems. These epistemic communities are defined as 'a network of professionals with recognised expertise and competence in a particular domain and an authoritative claim to policy-relevant knowledge within that domain or issue-area' (Haas, 1992: 3). Technical experts are characterised by their professionalisation and authority in one domain, scientific knowledge and neutrality (Conca, 2005). An emblematic example of an epistemic community is the Intergovernmental Panel on Climate Change (IPCC), created in 1988 to respond to the high uncertainty and complexity of climate change phenomenon and its consequences.

Finally, actors from civil society organisations (CSO) are progressively integrated into global environmental processes through the creation of transnational grassroots networks (Smith and Guarnizo, 1998; Escobar, 2008). The particularity of these networks lies in their self-management and membership, as they are exclusively composed of grassroots organisations – defined as 'those who are most severely affected in terms of the material condition of

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their daily lives' (Batliwala, 2002: 396) – both providers and recipients of collective service, and therefore directly concerned by the issue they are defending. This concept echoes the idea of cosmopolitan localism (McMichael, 2004), referring to the active role local communities play to regain ownership of global issues that affects them directly. This can happen through the increased awareness of shared interests and values with other local actors previously isolated from each other (Caouette, 2010). An example of a transnational grassroots network is the Coordinator of the Indigenous Organisations of the Amazon Basin (COICA), created in 1984 to defend territorial rights and local autonomy.

## Looking inside civil society: legitimacy and democracy

The multiplication of civil society actors and their interactions in global environmental governance raises questions about legitimacy and representativeness between local and international scales. Various authors have analysed legitimacy as the lack of institutions' authority in the field of environmental governance. They have argued for the creation of a World Environmental Organisation (Biermann and Bauer, 2005). In a critical sociological perspective, Bernstein (2012) analyses the multiplication of potentially competitive initiatives to fill the lack of authority and gain power in global environmental governance. He defines political legitimacy as 'acceptance and justification of shared rule by a community' (p. 148), emphasising the role of perceptions around the most legitimate actors and scales of action.

Actors' pluralism, and the differences in terms of power, invites us to deconstruct the unified category of transnational civil society. Indeed, most research has focused on the interactions between NGOs and governments, or between TANs and international organisations. However, internal interactions, strategies and conflicts among civil society actors and networks also matter in an analysis of changes to global environmental governance. Various studies point to the limits of ideal democratic character attributed to civil society actors in global environmental governance (Bäckstrand, 2012; Bernauer and Betzold, 2012). An interesting empirical example to demonstrate the existence of legitimacy issues among civil society actors is the demand from indigenous people networks of more autonomy and self-representation in relation to conservationist NGOs, with the aim of defending a more integrated vision of forest management (Aubertin, 2005).

Dumoulin and Pepis-Lehalleur (2012) define the network not as a structure but as a social object on behalf of instrumentalisation and representations. An interesting example is the recognition of the norm of food sovereignty from CSOs and its multiple interpretations. When indigenous people networks employ arguments about conservation; transnational peasant movements – such as Via Campesina – are more linked to sustainable exploitation and innovation perspective (Brenni, 2015). Regarding the category of epistemic communities, Haas (2015) recently acknowledged the need to redefine the concept so as to include the analysis of internal issues in the construction of a shared scientific knowledge.

Both international relations (IR) and social movement theory have focused on the analysis of transnational civil society's external impacts on states and decision-making processes (Tarrow and McAdam, 2004; Chabanet and Giugni, 2010). From a sociological perspective, transnational collective action has been defined as 'the coordinated international campaigns on the part of networks of activists against international actors, other states, or international institutions' (Della Porta and Tarrow, 2005: 7). For example, Smith (2008) provided an analysis of the democratic globalisation network, highlighting its failure to challenge the dominant neoliberal globalisation paradigm because of its lack of coherence and articulation. IR studies have also attributed a reduced role to civil society actors in the norm life-cycle model (Finnemore and Sikkink, 1998). In this sense, civil society actors participate in the early stages of norm emergence, through advocacy strategies, but not in the diffusion and internalisation phases.

Most of these approaches emphasise the contentious or reactive character of transnational social movements (Tarrow and McAdam, 2004; Della Porta and Tarrow, 2005). The focus of their action remains unconnected to the object of study, measuring effectiveness in terms of impacts on states and other international actors (Dufour and Goyer, 2009). To respond to these limits, other authors ask for the study of more sustainable networks implementing strategies other than protest (Vielajus, 2009; Siméant, 2010; Caouette, 2010). Saunders (2013) considers environmental networks as the outcome variable to be explained and not the factor to explain political impacts and

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changes. The analysis of transnational grassroots networks requires a deeper understanding of the diversity among – and within – members at the local scale and the degree of autonomy between scales of representativeness. The next section focuses particularly on these particular actors and issues.

## New spaces of internationalisation and autonomisation

This part aims to analyse civil society's international involvement as a driver of change regarding global environmental politics. Some authors talk about the geographical turn in the study of social movements, focusing on the links between scale politics and transnational collective action. The concept of scale has been defined in the field of critical geography as the interactional process underlying power relations between actors (Swyngedouw, 1997; Masson, 2009). On one hand, participation of civil society actors at the international level questions the strategies employed to reframe existing global norms and rights, the instrumentalisation of overlaps or missing links between international regimes and sectors and the legitimisation of an international representativeness (Cash et al., 2006). On the other hand, civil society's internationalisation produces effects back on their level of autonomy, through processes of professionalisation and expertise-building (Staggenborg, 2010).

Siméant (2010) defines three main axes of social movements' internationalisation: global framing, new repertoires of strategies, and new forms of international representativeness. The first one is linked to framing strategies, defined as the 'strategic efforts by groups of people to fashion shared understandings of the world and of themselves that legitimate and motivate collective action' (Khagram et al., 2002: 12). Siméant (2009), in a general comment, and Martin (2011), in relation to Yasuni ITT, raise the interesting point that if civil society actors often rely on existing global norms, such as universal human rights, to defend their cause, they are also contributing to reframing it through alternative representations. An example is the reframing of human right to water into community-based right to water, to acknowledge the crucial role of communities in providing drinking water in rural areas (Bakker, 2007; Dupuits, 2014). Alternatively, local norms can be reframed as global, for example to build a common identity or gain more influence in higher decision-making arenas. An example is the fight of transnational indigenous and forest communities' networks for recognition of territorial rights, challenging the dominant paradigm of market-based environmental norms (Dupuits, 2015). Reframing strategies are particularly important in a context where 'discourses of expertise that are setting the rules for global transactions, even in the progressive parts of the international system, have left ordinary people outside and behind' (Appadurai, 2000: 2).

A second implication of internationalisation is the mobilisation of innovative strategies beyond protest. One major action strategy used by transnational civil society networks is their integration into fragmented international environmental regimes and sectors. Fragmentation refers to the notion of regime complex defined as 'a network of three or more international regimes that relate to a common subject matter; exhibit overlapping membership; and generate substantive, normative, or operative interactions recognised as potentially problematic whether or not they are managed effectively' (Orsini et al., 2013). Orsini (2013) developed the concept of 'multi-forum shopping' to define the capacity of civil society actors to shift participation and advocacy from one arena to another according to their receptiveness and to serve particular interests. On one hand, actors can contribute to integrating previously disconnected regimes and arenas. On the other hand, actors can intend to exacerbate existing overlaps between regimes and sectors to strengthen their claims. One illustrative example is the influence of transnational indigenous networks in identifying overlaps between the climate regime and the biodiversity regime (prioritisation of carbon over biodiverse forests, increase of local social inequalities) (Harrison and Paoli, 2012) to serve their interest of regaining control over climate global funds and territorial rights.

Global environmental arenas are increasingly challenged by new forms of representativeness, emerging mainly from the local level and more direct forms of collective action. However, participation of grassroots organisations at the international level does not resolve the legitimacy gap mentioned in the previous section. On the contrary, some transnational grassroots networks tend to reproduce practices of depoliticisation. Wilson and Swyngedouw (2014: 56) define this process as a 'global, borderless regime where rules are formulated by panels of technocrats and framed in neutralised terms of standards settings and harmonization.' Depoliticisation is used to justify the possibility of representing really diverse local actors by unifying them in a common category and claiming new expertise.

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Finally, the rising inclusion of CSOs in international decision-making arenas implies new spaces of autonomisation, including processes of professionalisation and alternative forms of expertise. Staggenborg (2010) differentiates 'classical movement organisations, which rely on the mass mobilization of "beneficiary" constituents as active participants, [and] "professional" social movement organisations (SMOs) relying primarily on paid leaders and "conscience" constituents who contribute money and are paper members rather than active participants' (599). Siméant (2010) also talks about a rising trend towards the NGO-isation of grassroots movements. An illustrative example is the increasing inclusion of civil society actors as key stakeholders in global climate decision-making arenas. Indeed, under the international climate change regime was launched in 2008 the UN-REDD (Reducing Emissions from Deforestation and forest Degradation) programme. UN-REDD, as an emerging powerful technical expert, aims to fight deforestation by creating a financial value for carbon stored in forests through market mechanisms (McDermott et al., 2012). The rising demand for articulated, formalised and representative CSOs in UN-REDD decision-making processes is an example of new dynamics of professionalisation (Wallbott, 2014). As a product of this professionalisation dynamic, a new type of local and grassroots expertise is emerging in global environmental arenas, crossing both expert and militant logics (Foyer, 2012). Grassroots expertise refers to 'a wide range of practical skills and accumulated experience, though without any formal qualifications' (Jenkins, 2009: 880). Studying changes to global environmental governance through the lenses of transnational civil society networks reveals a variety of innovations that need further research.

## Conclusion

This chapter has shown the importance of considering the context and plurality of actors and theoretical approaches to analysing civil society and NGOs' international involvement in global environmental governance. Indeed, this involvement occurs in the context of complex multi-scales environmental governance in terms of decision-making levels, actors and sectors. The short presentation of actors constituting transnational civil society demonstrates the great plurality of actors and the impossibility of defining a unified category. This raises theoretical concerns related to issues of legitimacy, democracy and internal conflicts. Finally, the last section aimed to analyse some modalities of change in global environmental governance brought by civil society actors, beyond the analysis of effectiveness and external democracy. Grassroots organisations have been given a particular focus in order not to reproduce the over-analysis on NGOs and other international powerful actors.

Five major changes have been identified: the reframing of global norms with alternative interpretations and concrete modalities of implementation, the connection of fragmented international environmental regimes as a tool of integration or pressure, the definition of new forms of international grassroots representativeness beyond protest strategies and linked to processes of depoliticisation, the professionalisation of civil society through the inclusion to complex international decision-making arenas, and the construction of new grassroots expertise. These changes demonstrate the existence of a twofold impact: of civil society's international involvement on global environmental governance, and of internationalisation processes on civil society forms of autonomy and expertise.

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