5

Transnational actors and global environmental governance

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Introduction

The study of environmental global governance has stimulated increasing interest in the ways in which non-state actors contribute to governance through agenda-setting and rule development, monitoring, and enforcement. The interest spans a range of scholarly fields, including law, economics, political science, and business studies, as demonstrated in various chapters throughout this volume. Our theories of international cooperation and global governance are only just beginning to uncover the complexity of transnational politics beyond the state, even as the demand for governance rises (Rosenau 2000; O'Neill, Balsiger, and VanDeveer 2004). Magali Delmas and Oran Young, in the Introduction to this volume, point out that this increased demand comes at a time when confidence in traditional governing institutions is waning. Given this paradoxical situation, it is not surprising to find people pressing for action by non-state actors to supplement or replace action by governments – or for those non-state actors to step in independently to supply the public goods that traditional governments are unable or unwilling to supply.

Governance is a "social function centered on efforts to steer societies or human groups away from collectively undesirable outcomes (e.g., the tragedy of the commons) and toward socially desirable outcomes (e.g., the maintenance of a benign climate system)" (Young 1999a, Preface). We can view governance as an outcome of strategic bargaining among significant actors over particular issue areas or problems, in a process that is iterated over time, and that occurs within an institutional context (O'Neill, Balsiger, and VanDeveer 2004; Young, Chapter 1, this volume). In order to understand their interactions, we need good models of the actors, their strategies, their preferences, their identities – and their relative power. Existing scholarship provides us with strong models of cooperation

among *state* actors, which is the basis for traditional environmental governance at the international level. But once we expand the view of governance to include participation by a range of public and private actors, we have much less understanding of the factors that facilitate or deter collective action among them. The hybrid forms of governance that are increasingly prominent in environmental governance at the global level include a range of actors in a multitude of combinations – from traditional inter-state organizations, to partnerships between myriad public and private actors, to purely private non-state forms of governance (see Auld et al., Chapter 7, this volume).

This chapter reviews different perspectives on the two most significant transnational non-state actors: business and nongovernmental organizations (NGOs). Recent research, particularly in political science, focuses on the preferences and strategies of non-state actors, how their internal organization affects their decision-making, and their relations with other actors.[1] The integration of non-state actors into studies of governance systems requires a more interdisciplinary perspective in which the work of political scientists, sociologists, and legal and business scholars is drawn together in fruitful collaboration. For-profit and nonprofit organizations are typically treated as very different entities, and in many ways they are. But organizationally they face many of the same challenges, are often motivated in similar ways, and select strategies that can lead them to cooperate in international environmental initiatives. Their long-standing contention, standing on opposite sides of environmental issues for decades, has led to both conflict and collaboration, in which each side contributes different functions to global environmental governance, given their different power, capabilities, and identities. Nevertheless, these two actors stand in different relation to the global political system, and their resources are very different. This leads them to play different roles in global environmental governance systems.

The following sections examine first the distinctions between state and non-state actors, public and private authority. The next two sections discuss corporations and then nonprofit actors, examining the ways in which their incentives and organizational structure can lead them to participate in global environmental governance, albeit in sometimes different ways. The two concluding sections address issues of power, role, and

[1] This brief overview does not capture the full range of the emerging literature on non-state actors in global governance. It is primarily intended to provide an introduction, from the perspective of a political scientist, particularly for those who are unfamiliar with recent research in this area.

identity and the way in which they influence the character of non-state participation in governance activities.

The actors in global environmental governance

In international relations scholarship, there is a long theoretical tradition of structural analysis, from the structural realism of Waltz to the sociological constructivism of Wendt (Waltz 1979; Wendt 1999). While these approaches provide us with an understanding of the context of world politics, my purpose here is to explore the ways in which global environmental governance is shaped by the interactions among agents. In this chapter, I take an explicitly actor-centered perspective, focusing on the types of actors, their character, and their strategies.

An actor-centered perspective on world politics could examine a wide array of potential contributors to global environmental governance beyond the state – firms, industry associations, civil society organizations, social movements, epistemic communities, intergovernmental organizations (IGOs), and subcategories of each. The main division we repeatedly see in discussions of new forms of governance is a bright clear line between state and non-state actors. Furthermore, in order to firmly place our discussion in the realm of global – not local – politics, we need to focus attention on actors with international reach. Finally, in order to understand the basic characteristics of these actors, we need to consider whether or not they can be treated theoretically as coherent wholes, or whether we need to take organizational structure into account. We need to answer three questions about the actors under study: (1) Are they public actors, or are they private? (2) Are they local or transnational in their reach? (3) Can they be treated as unitary actors or not? Each of these questions runs into practical and theoretical problems that create barriers to theory-building and empirical testing. The actors we are interested in do not always fit into our neat categories.

Which non-state actors are public, which are private, and why does it matter? In ordinary discussion, it is clear where the line between public and private actors lies: governments and government agencies are public actors, and corporations and interest groups are private actors. Closer examination, however, reveals an array of actors that are difficult to define in these simple terms. Intergovernmental organizations, such as the United Nations Environment Programme (UNEP), are creatures of states, and thus are in some sense public; but, at the same time, they are not direct agencies of any particular state and can develop their own bureaucratic interests

over time, so they could be viewed instead as autonomous non-state actors (Barnett and Finnemore 2004). Corporations are clearly private for-profit entities – except when they are not, as when they are owned by states and managed as public enterprises. The NGOs that are service organizations, contracting with governments, may become in some sense public actors, as they implement the policies of states (Townsend and Townsend 2004). Most people consider public actors to be authoritative, and accountable through some political process to large numbers of people subject to their authority. But nongovernmental actors may be able to attain some authority and become accountable to a constituency, although the particular lines of accountability may be contested (Cutler, Haufler, and Porter 1999). In general, we need to realize that the distinction between public and private actors is not always clear or useful, but it does provide a rough demarcation between types of actors.

Whether the distinction between public and private actors matters, however, is the subject of some debate (Cutler, Haufler, and Porter 1999; Hall and Biersteker 2002). We can describe both public and private actors similarly by establishing their norms, preferences, roles, and strategies. The traditional perspective on non-state or private actors, however, is that they are not really part of global governance. Only states have authority, and they only have authority over their own domestic affairs. Issues that cross borders can be governed, in this view, only by an exchange of cooperative commitments between states. Private actors can participate at the margins, but they are not central actors in governance. The central contention of recent scholarship, including this volume, challenges this perspective. Private actors do influence the negotiations between public actors but, more importantly, they directly govern in some areas. A treaty determining the allocation of rights and responsibilities among states regarding, for instance, emissions into a particular river is the paradigm for a traditional approach to global governance. The study of private authority allows us to see that an agreement among industry actors regarding rights and responsibilities with respect to carbon emissions is equally a form of governance.

Integrating private non-state actors into our models of global environmental governance introduces enormous complexities at multiple levels. You cannot simply "add actors and stir," as if this is a recipe in a cookbook. For one thing, these actors, unlike states, operate in more than one level or space; they are not territorially defined. Through partnerships, coalitions, and modern communications technology, even the smallest and most local organization can attain global reach today. A multinational

corporation can be both local and transnational at the same time; an activist group can be rooted in a particular community while lobbying in international fora. Analyses of governance drawn from international relations scholarship, particularly regime theory, are bounded by a territorial conception of issues and actors, as Conca argues (Conca 2006). Global environmental governance may need to include the governance of local issues, and local efforts to supply governance may have global repercussions. Our mental map of where the different actors "belong" needs to be revised to take account of the increasingly de-territorialized forms that are a central element in globalization (Scholte 2000).

From an analytical perspective, we also face the problem that these actors cannot always be treated as if they are unitary in terms of motivation and policy. They are collective agents, with organizational dynamics that influence how they respond to their environment. In the field of international relations, scholars have begun to erase the artificial line separating domestic from international politics, opening up the "black box" of the state to explore how different aspects of domestic politics influence international outcomes (Rosenau 1997). The model of a "two-level game" in which states bargain with each other and, at the same time, bargain with domestic constituencies in an effort to create a winning set of options has become well accepted (Putnam 1988; Milner 1997; Milner and Keohane 1997). These models typically explore domestic political interests and institutions, and their influence on inter-state bargaining. For instance, individual state and local governments in the United States have negotiated pacts among themselves to address carbon emissions, taking action in a policy area where the federal government has not acted. This has implications for wider efforts to develop regional and global climate policies (VanDeveer and Selin 2009). To understand "the state," in other words, we need to include local and regional politics in our framework. To understand "the firm," or "the NGO," we must disaggregate in similar fashion.

This increasingly sophisticated perspective on the disaggregated state is only beginning to be adopted in the treatment of the other actors in world politics. Barnett and Finnemore (2004) took a step forward in developing an organizational perspective on IGOs, drawing on sociological literature. They argue that IGOs are not simply the outcome of inter-state bargaining. They have interests of their own, drawn from bureaucratic imperatives and internal norms such as rationality (Barnett and Finnemore 2004). Drawing on a principal–agent framework, Nielson and Tierney (2003) explored the ways in which the interests of IGOs may diverge systematically from those of the states that created them, due

to the different incentives of the states (principals) and the staff of the IGO (agent) (Nielson and Tierney 2003; Gutner 2005; Hawkins 2006). For instance, within IGOs, different bureaus compete for resources, and individuals strive to pursue their own careers, which can undermine the achievement of the mission of the IGO as set out by the principals.

We need to examine the internal organizational dynamics and incentives of other non-state actors similarly. For instance, the principal–agent framework of analysis originated in the study of industrial organization to explore the differing incentives facing individuals in different positions within the firm (Tirole 1988). More recent research within business studies examines, for instance, the different political motivations and policies of subsidiaries and home offices (Blumentritt and Nigh 2002). We rarely see similarly disaggregated analyses of NGOs, although Cooley and Ron (2002) recently applied a principal–agent analytical approach to the study of humanitarian organizations. What these approaches tell us is that the motivations we ascribe to these organizations are more complex than we often take them to be.

The next two sections take a closer look at recent literature on firms and NGOs in global governance. In recent years, non-state actors have taken on governance tasks on their own or in partnership with others. In a surprising number of cases, particular issues have been addressed through collaboration between the private sector and advocacy organizations, despite long-standing conflicts between them. The emergence of these two sets of actors in the arena of global environmental governance has been particularly significant because it forces us to reconceptualize our understanding of global environmental governance. Some have referred to this in critical terms as the "new corporatism," referencing the cozy and institutionalized relationships among unions leaders, owners, and the state in many European countries. The rise of such alliances and partnerships may or may not be a positive step forward in environmental governance, as discussed in the concluding section.

Corporations and global environmental governance

The nature of the firm has been a subject of intense interest and debate across a range of disciplines and approaches for decades.[2] Here,

[2] Anti-corporate sentiment is a common part of the popular discourse, and many people automatically condemn big companies. While this aversion has many different roots, it is part of a larger antipathy to globalization and all its negative effects, which is seen to be benefiting corporate interests disproportionately.

I concentrate primarily on the firm as it relates to issues of global governance. Traditional business scholarship has only recently come to address this more political role for business. In international relations, particularly the subfield of international political economy, the private sector has often been treated as something that has no agency – it is "capital" and "capital flows" that structure the choices of states and other actors. The private sector has at times been analyzed as an instrument of foreign policy, as in the work of realists such as Krasner and Gilpin, or as an instrument of capitalists, as in the work of critical theorists exploring issues of dependency and development (Gilpin 1975; Krasner 1978; Cardoso and Faletto 1979). More recent scholarship explores sectoral- and firm-level interests and how they influence foreign economic policy choice, but without going inside the firm itself to explore the sources of its preferences, interests, and strategic calculations (Milner and Yoffie 1989; Rogowski 1989; Hiscox 2001).

Political scientists, like economists, generally assume that firms are rational actors, responding to narrowly defined profit motivations. Recent research, however, points to the complexity of interests and motivations behind firm-level decisions, and highlights the degree to which "profit" is a very flexible and variable goal (Fort and Schipani 2004). One cannot draw a direct line between "profit" and any one particular market strategy. One of the mostly widely adopted perspectives on the decision by firms to invest abroad is the "eclectic" model developed by Dunning. This incorporates three broad categories of considerations that go into the decision to move from international trade to international investment: organizational, locational, and internalization drivers. While all of these have something to do with profit-seeking, they interact in different ways for different firms (Dunning 1993). More recently, Crystal (2000) argues that the policy preferences of producers cannot be reduced to an analysis of economic returns. Policy preferences are, at least in part, a function of calculations about the costs and benefits of different policies, and the *political* likelihood of obtaining them (Crystal 2000). Furthermore, some scholars argue that both interests *and* ideas are drivers of corporate strategies. Many decisions involve value judgments, and not just expectations of profit (Sell and Prakash 2004).

The definition of the interests of the firm has been complicated in recent years by the extensive transnationalization and disaggregation of the global production process. The boundaries of the firm have become blurred through the widespread adoption of joint ventures, extensive transnational supply chains, and outsourcing. Much of the criticism of the corporation

that we see in the popular press focuses on the inability of the company to govern its relationships with multiple suppliers in globally extended supply chains (Gereffi and Korzeniewicz 1994). This goes beyond traditional discussions of the degree to which headquarters or central management can monitor and control lower-level employees, since joint venture partners and subcontractors are not within the hierarchical authoritative control of one single entity. From a governance standpoint, it is becoming more difficult to determine how to govern corporate networks on a global basis. It is difficult to determine where accountability and responsibility lie within networks of production. Dunning refers to this as the rise of "alliance capitalism," in which firms are involved in complex relations of ownership, alliance, and competition, and the boundaries of the firm are no longer coincident with ownership (Dunning 1993). If the boundaries of the firm are determined by the reach of its direct governance, then we can say those boundaries become indeterminate under alliance capitalism. This characteristic of global capitalism is central to many debates about environmental governance today. Within these networks, key firms can set the standards that all other suppliers and partners must follow in order to maintain their place in the network.

This complexity is seen in contemporary debates over corporate governance. Different political systems have established different legal structures defining the relationships and responsibilities of shareholder-owners, management, and employees (Gourevitch and Shinn 2005). Some view the Anglo-American shareholder-dominant model of corporate governance as threatening to the more expansive stakeholder approach that typically characterizes European corporate governance relations. At the same time, even within the USA and the UK, the traditional model of corporate governance is coming under attack. This is in part due to the ethical failings notoriously seen in the collapse of Enron and in other corporate scandals. Some within the business community, both participants and academics, promote a "stakeholder" perspective in which actors outside the firm but affected by it – suppliers, local communities, the environment – have a stake in a firm's decision-making process (Donaldson and Preston 1995). All of this makes it increasingly difficult to argue, as Friedman famously did decades ago, that the interest of the firm is ensuring a return to its owners, i.e., profits (Friedman 1970).[3]

[3] Although most people remember the main headline about profits, Friedman was careful to say that the firm must operate within the laws and social mores of society. His central point was that the firm should not itself be making decisions about social goods, and that these choices must be made through a democratic political system.

The activities of firms bring them into contact with a wide range of actors, both through market interactions and increasingly through social and political contacts. Large multinational firms, in particular, are in constant interaction with a wide range of organizations and individuals, engaging in a kind of modern corporate diplomacy on a global scale (Haufler 2003; Hocking 2004). This is where we see the emergence of hybrid forms of global environmental governance, and voluntary action by companies that are responding to public demands for improved environmental performance (Khanna and Brouhle, Chapter 6, this volume; Auld et al., Chapter 7, this volume). The interactions that have produced these activities are often reflected and shaped by the discourse on corporate social responsibility. Corporate social responsibility involves voluntary action by firms that goes beyond complying with existing law, and seeks to adhere to higher standards and global norms. It is typically a response to threats by activists that may harm the corporation's reputation and affect a company's ability to sell its goods and services to consumers or attract investors to buy its shares. The adoption of corporate social responsibility strategies in the environmental field can be an effective political strategy in response to anti-corporate activism and the threat of government regulation (Haufler 2001; Vogel 2005). Voluntary action by corporations on environmental issues may reflect dominant ideas about the mechanisms needed to support further globalization at a time of significant backlash (Newell and Levy 2005).

In response to pressure from transnational campaigns, corporations respond both strategically and based on learning and values (Haufler 2003). Initially, when confronted by demands for a change in behavior – to clean up pollution or reduce carbon emissions – most companies stonewall and actively work against a change in behavior. This is the strategy most prevalent until recently on issues of climate change. But this strategy has, over time, become less and less effective. Many (though not all) companies have learned to be more proactive on environmental issues, gaining goodwill from the wider public consisting of both consumers and citizens. We see this demonstrated in the slow disintegration of the Global Climate Coalition, a business association which opposed early action to prevent climate change, and which lobbied against the Kyoto Protocol (Newell and Levy 2005). The environmental arena is one where companies have had to learn over time that some kinds of environmental action, such as waste reduction, can contribute directly to the bottom line. But the larger issues of environmental governance often do not have such an obvious "payback" for adoption. The incentives for action in these arenas

cannot be based on the search for profit, but instead must be built up as a political strategy.

Companies sometimes respond to political pressure not through avoidance and stonewalling, but through forum-shopping strategies. Typically, on any particular issue, they will have a preference for operating in a domestic political arena, where they have more familiarity with and influence on the political process. This can lead to divergence in regulatory systems across multiple jurisdictions, which can increase the costs to global business. Instead, some companies may prefer to support international strategies of harmonization of regulation across national systems. In doing so, however, they seek out the most congenial international forum. When environmental management systems were first proposed, there was some fear among American companies that emerging European standards would become internationalized, which would disadvantage them. They sought instead to ensure that the ISO would be the preferred forum for negotiating what would become ISO 14000 standards (Haufler 1999; Prakash 2000). There is, as yet, relatively little scholarship on forum-shopping by corporations in international environmental governance, but this is an area ripe for more research.[4]

Voluntary self-regulation by companies, often under the label of corporate social responsibility, has provided a stimulus to the emergence of new forms of global environmental governance. Corporate social responsibility policies are a form of self-regulatory behavior, responding to concerns about reputation, the threat of government regulation, the costs of anti-corporate activism, and value commitments. It is, above all, a political response to contemporary pressures. Corporate social responsibility strategies can be undertaken by individual firms or through industry or business associations, and in partnership with NGOs, governments, and IGOs. This strategy involves the private sector directly in governance activities. They participate in establishing or negotiating standards of behavior, implement those standards, monitor and report on compliance, and in some cases undertake enforcement. Examples of self-regulation include everything from the commitment by BP to reduce carbon emissions at all its facilities worldwide, to the global "Equator Principles," in which hundreds of project finance banks voluntarily agree to common social and environmental standards for financing major projects.

[4] There is some emerging research on forum-shopping by states, particularly in the trade arena. Analyses of forum-shopping by corporate interests, however, remain rare and are often confined to European studies (Cowles 1998).

Corporate actors partner with NGOs and IGOs in a variety of environmental initiatives in a new governance "space" (Ruggie 2004).[5]

In an ambitious overview of how corporations are regulated internationally, Braithwaite and Drahos (2000) point to the variations that exist across time, sectors, and types of regulation. In general, there is little comprehensive global regulation of international companies that is backed by public authority and strict enforcement mechanisms. Instead, they conclude there is a variety of mixes of regulation and self-regulation, extensive learning of new norms over time, and the dominance of "soft" or voluntary forms of regulation in many issue areas. Any attempt to extend regulation internationally has been contested vociferously by states fearing challenges to their sovereignty and by firms opposing restrictions on their activities. Braithwaite and Drahos also highlight the role played by a number of international organizations in the global governance of business affairs. As Murphy (1994) has argued, international organizations from the beginning have served to further the interests of industrialization and globalization instead of countering or regulating them. However, Braithwaite and Drahos (2000) also point to the success of other actors – citizens, consumers, and activists – in restraining business. Their examination of the varieties of global business regulation lead them to conclude that the multitude of actors and mechanisms at play hamper any ability to model this effectively through a rational choice approach. Indeed, they incorporate Gramscian and constructivist notions about the role of ideas and norms into their assessment of the sources of global governance.

Research and theorizing about the role of the private sector in global governance has advanced significantly in the past ten years. We now know much more about the regulation of business, the emergence of private authority, and the business role in governance than we did in the past. At the same time, much of this research has not been pursued consistently, and no common models have emerged upon which to build a common research program. The most important lesson from this research, I believe, is that we need to move away from approaches that model businesses as purely economic actors pursuing a narrow form of profit. The policies and actions adopted by business – including

[5] There is a growing literature on public–private partnerships, with some, such as Reinicke and Ruggie, seeing great potential for them in providing a new form of governance outside the boundaries of territorial states, and others, such as Zammit, raising concerns about their legitimacy, effectiveness, and impact on other authoritative actors (Reinicke 1998; Reinicke, Benner, and Witte 2003; Zammit 2003; Ruggie 2004).

the decision to participate in partnerships and hybrid forms of governance – respond to a complex array of pressures: political, economic, and normative.

Civil society actors in global environmental governance

There is widespread acknowledgment that nonprofit NGOs have flourished in recent years. This has been particularly true in North America and Europe, where the majority are based. Most NGOs are active in local contexts, but there has been an explosion in the number of organizations that stretch across national borders (Anheier and Themudo 2004). Consumers, interest groups, activists, and their coalitions at local, national, and transnational levels have become important voices in different aspects of governance. Increasingly, NGOs – particularly the international ones (INGOs) – have participated in a variety of governance initiatives, particularly in the environmental field (Betsill and Bulkeley 2004). In response, scholars have begun to integrate INGOs into their models of world politics and global governance (Wapner 1996; Boli and Thomas 1997; Finnemore and Sikkink 1998; Keck and Sikkink 1998; O'Neill, Balsiger, and VanDeveer 2004).

The category "NGO" covers a wide range of actors: think tanks, religious organizations, media, activists, humanitarian organizations, etc. The major ones involved in global environmental governance are operational (or service-delivery), advocacy, and scientific NGOs (Princen and Finger 1994).[6] Operational or service-delivery NGOs are those that are directly involved in program or policy implementation. For instance, development or humanitarian NGOs are directly involved in supplying services to needy populations by, for instance, providing the resources for clean water or technical assistance for improved agricultural practices. They may also work on capacity-building within a country.[7] These operational NGOs work directly with governments and IGOs, and often operate under contract to public agencies. One of the most notable shifts in the delivery of foreign and humanitarian aid and technical assistance to developing countries in recent years has been outsourcing

[6] This discussion focuses on nongovernmental actors that are truly *nongovernmental*. In many countries, what appear to be NGOs are actually founded, funded, and formed by governments (Naim 2007).

[7] Brown distinguishes between service-delivery and capacity-building NGOs, but both are forms of program implementation and for my purposes are combined here (see Brown and Moore 2001).

by governments to nonprofit organizations as part of the "new public management" that has become popular. The delivery of public services through these private nonprofits may have many benefits, but this shift has not occurred without some controversy. Some observers note that the influence of these organizations goes beyond their immediate project-oriented mission and extends to influencing local politics in unintended ways (Brown, Brown, and Desposato 2007). The competition for contracts from governments and international organizations can often set up perverse incentives, as NGOs compete for attention and resources to the detriment of their mission (Cooley and Ron 2002).

Advocacy NGOs are engaged in policy influence, and do not generally get involved in implementing programs. These are the organizations most commonly referred to in discussions of international NGO influence. They are "groups of persons or of societies, freely created by private initiatives, that pursue an interest in matters that cross national or transcend national borders and are not profit seeking" (Charnovitz 2006). They are the modern agenda-setters, as they identify pressing public concerns and publicize them. They engage in negotiations with other public and private actors in order to shape the rules, norms, and regulations concerning the environment. When we discuss NGOs as organizations with preferences and strategic interests, we often think first of advocacy NGOs. They generally try to establish a more arms-length relationship with states and IGOs than other nonprofit organizations that contract for services. Advocacy NGOs represent a wide range of political interests and values, from extremely radical leftist organizations to those on the far right, despite the overwhelming tendency in the academic literature to concentrate only on the progressive ones. In recent years, more conservative NGOs have begun to participate in international debates and negotiations, gaining accreditation at the United Nations and engaging more directly with their opponents (Bob 2007).

Environmental issue areas are unique in the degree to which science and policy are brought together. The result is the high profile of scientists and scientific organizations in debates over environmental policy. Scientific NGOs present themselves as providing information in a different manner than advocacy organizations do – they produce rational, unbiased information based on scientific empirical investigation.[8] There is a rich

[8] All advocacy organizations also provide information, though they clearly do so in order to make a particular point. The value of the information they provide can vary greatly in terms of how biased and substantive it can be. Few analyses have been done of the quality

tradition exploring the intersection of science and policymaking, which I cannot do justice to here. What I am particularly interested in, however, is not science in itself but scientific organizations as organizations that participate in governance. What Litfin describes as "scientific culture" increasingly drives the policymaking process in global environmental affairs (Litfin 1994). Peter Haas, followed by others, has explored the role of scientific organizations in the foundation of "epistemic communities" of scientists and policymakers – groups that share basic understandings about causal processes in an issue area (Haas 1999; Gough and Shackley 2001). The influence of scientific organizations has generated a backlash in some quarters. Backstrand (2003), for instance, discusses the emerging debate over a "civic science," in which various citizen-stakeholders seek to increase participation in the production and use of scientific knowledge beyond the traditional scientific community.

The analysis of the strategies and tactics of advocacy NGOs has generated some of the most exciting work on international cooperation and global governance. NGOs have an array of mechanisms with which to pursue their goals. Broadly speaking, they can pursue individual campaigns to highlight an issue that is of particular concern to their organization; they can pursue coalition-building among civil society actors; and they can seek even broader cooperative arrangements that include working with companies, governments, and IGOs in multi-stakeholder partnerships. These choices about political strategy derive in part from their selection of whom to target or influence. They can also campaign *against* particular actors, exemplified best by anti-corporate campaigns that "name and shame" abuses by high-profile companies. Shell, for instance, will always be the poster child for abuses in Nigeria linked to the government decision to execute Ken Saro-Wiwa and other opponents of the regime. NGOs primarily target public actors, however, in an effort to influence policymaking. Effective campaigning targeted at the international financial institutions has led to increased integration of environmental concerns in decision-making in the World Bank, although with mixed results (Fox 1998; Gutner 2005). International NGOs lobby at multiple levels of government, and increasingly haunt the corridors of international organizations such as the United Nations and the World Bank, particularly regarding environmental issues (Nelson 1997; Raustiala 1997).

of NGO reports on important issues, though see Pegg (2003) for a recent overview of NGO reports on resource conflicts in Africa.

Some of the most important works on NGO strategies examine the creation of transnational activist networks (TANs), such as the now-classic work by Keck and Sikkink (1998). They propose a "boomerang" model in which local political blockages lead local groups to make connections with international NGOs, which then bring pressure to bear on the local government from outside the country. This boomerang model has been further developed and modified, incorporating variations on the boomerang that characterize a range of different issues (Khagram, Riker, and Sikkink 2002). Recent work on environmental issue areas examines the way in which the boomerang can lead to a backlash against Western NGOs. This is the case regarding efforts to protect the Amazon Basin, which have generated heated opposition from governments and local communities seeking to preserve their sovereignty and promote their own policy preferences (Kolk 1998).

The literature on transnational activist networks has been joined by work in comparative politics on transnational social movements. Environmental scholars began to explore the utility of the social movement literature in sociology some time before the latest phase of development in this literature in political science. Princen and Finger (1994), for instance, compared political bargaining and social movement models, and concluded that neither provides a clear picture of NGOs in environmental governance. But there has been a recent elaboration of social movement models using the idea of political opportunity structures, drawn from the field of comparative politics and now applied to transnational activities (McAdam, Tarrow, and Tilly 2001; Tarrow 2002, 2005; Massimiliano et al. 2006). Tarrow has developed an extensive model of social movement activism, and connected it to the political opportunity structure at the domestic and transnational levels. He argues that the institutional make-up of the contemporary world can provide openings for local actors to connect with international actors in ways that promote their strategic interests. They take advantage of these openings through a number of mechanisms: global framing, internalization, diffusion, scale shift, externalization, and coalition-forming (Tarrow 2005). Framing an issue in terms that resonate with global norms and values can provide links to international NGOs while at the same time, through internalization, may appeal to a domestic audience too (Stanbridge 2005).

Other scholars have begun to build upon these ideas to explore more thoroughly the agenda-setting role of NGOs. Most of the agenda-setting literature in political science has been developed for the domestic context, in which the institutional openings for establishing new agenda items

are fairly well known. Only recently have attempts been made to model such agenda-setting at the international level. These analyses look at what issues become the subject of negotiation and debate at the international level, and which issues do not. Issues are strategically constructed, as Finnemore and Sikkink (1998) argue, based on techniques of framing and appeals to values and emotions. Agenda-setting models typically examine the character of the problem as one aspect of their adoption; for instance, issues of bodily harm, rights violations, and issues with short causal chains and someone to blame tend to generate mobilization and attention (Keck and Sikkink 1998). Problems are more likely to be adopted into the international agenda when they are congruent with existing moral standards, and when there are political entrepreneurs to champion them. Yet, certain issues do not emerge on to the international agenda, and do not become the subject of international NGO campaigns, despite their meeting these criteria. Carpenter argues that our existing models of agenda-setting do not adequately account for instances when an issue is ignored (Carpenter 2005).

In many cases, the focus is not simply on setting an agenda for policymakers, but an even broader analysis of the emergence and adoption of new norms. The values at issue in policy debates reflect the underlying norms of different actors and sectors of society. Different NGOs compete for norm influence with other actors (Charnovitz 2006). Finnemore and Sikkink (1998) have proposed a norms life-cycle approach. Norms are promoted by entrepreneurs, who engage in strategic social construction in order to persuade others to adopt the same norms. Once adopted by sufficient numbers of people (or organizations), this stimulates a norms cascade, until that particular norm becomes widely socialized into society.

Some of the most interesting recent work on NGOs explores the self-interested strategies of NGOs, and moves away from treating them as somehow "good." Clifford Bob has furthered our understanding of civil society strategies by exploring the ways in which a campaign based on local issues "markets" itself to the world community (Bob 2005). In his book, he examines insurgents and secessionist movements and their efforts to manipulate NGOs and the media. He argues against the view of NGOs as entirely values-based, and instead reveals their need to engage in hardball politics in order to survive. Just as we can say there is now a "market for virtue" among corporations seeking to gain favor in the commercial market, we can also say there is a parallel market for virtue among NGOs competing for support (Vogel 2005). This raises issues not just of strategy, but of character and preferences. In a somewhat similar vein, Sell

and Prakash (2004) argue that NGOs and corporations are similar, and that both types of organization pursue values-based and self-interested strategies. In order to probe more deeply, we may need to consider cognitive factors too in our exploration of NGO (and corporate) behavior.

The internal organization of NGOs has also become a subject of recent scholarly analysis. NGOs display a wide range of organizational forms, from highly bureaucratic transnational organizations to more amorphous forms, at the far end perhaps encompassing mass protests and spontaneous action. Just as a corporation faces internal organizational imperatives that shape its choice of strategies, so too do NGOs, particularly those with a highly bureaucratic structure. Cooley and Ron (2002) argue, in a piece on humanitarian NGOs, that they can be analyzed through a principal–agent model. This model has been applied to both political bureaucracies and commercial ones, but has not been applied to NGOs. They argue that the NGOs they examined suffer from conflicts between their need to pursue a particular mission, maintain fiscal stability, and respond to competition with other NGOs, including contracts for work, donor money, members, media attention, reputation, and value attainment. They conclude, in part, that the attempt to reconcile conflicting material and normative goals can produce a failure in terms of attaining their stated goals (Cooley and Ron 2002). The incentives of the agents of the NGO differ from the principals, in this case, due to the competitive environment in which they operate. This type of analysis of the organizational dynamics of NGOs, particularly of the larger and more bureaucratic ones, could be usefully applied to prominent environmental NGOs..

The study of NGOs has come a long way toward understanding these actors as politically motivated, and not just as moral or values-based organizations. We have a greater understanding today of the wide range of NGO actors, and the fundamental differences between, say, a contractual service organization and an advocacy movement. There are many points at which our analysis of both NGOs and firms looks very similar. And yet we cannot treat them as equivalent. They come to the table with fundamentally different resources and capacities, leading to different functions and roles in environmental governance. These differences are discussed in the next section.

Power and influence in global environmental governance

What is the relative power of firms and NGOs? This question forces us to think of the bargaining power between the two actors when they engage

in negotiations that may establish the hybrid forms of governance that have become common in the environmental arena. We can expect that the distinctive qualities of firms and NGOs produce the variation we see in environmental governance forms today. Furthermore, even among firms or among NGOs, we can expect to see variation in the willingness and capacity of actors to contribute resources to the governance of specific environmental issue areas.

Power is, of course, a contested concept, and one that cannot be addressed in detail in this short chapter. We typically view firms as having material power resources that are unavailable to NGOs. They have assets that produce returns on their business operations, and they have access to capital markets to supplement their finances. They have organizational capacity that often outstrips that of most other international actors, combining the expertise and capabilities of a well-trained workforce. In some weak states today, a major foreign corporation – even a controversial one such as Shell in Nigeria – may be viewed as the only truly effective organization in society. Of course, this is only a general statement about corporate resources, and not one that is true of all corporations, no matter how large. Not all companies are profitable, and some cannot take advantage of financial markets. All large organizations can suffer from dysfunction, and a surprising number of firms manage to operate continuously despite flaws that should have eliminated them from the market long ago. The very employees that are a source of strength for some companies can become a liability if they pursue their own personal interests at the expense of the firm (as analyzed via the principal–agent framework), or more directly if they engage in work actions such as strikes and work slowdowns to protest against working conditions or other issues.

Firms also have another type of power that is simply unavailable to NGOs: structural power. As Charles E. Lindblom noted in his analysis of the "privileged position of business" in the USA (in *Politics and Markets: The World's Political-Economic Systems*, published in 1977), the owners of capital can shape policy outcomes even without direct lobbying or other actions, simply through their decisions about where and when to invest their resources. On a global scale, it is the modern multinational corporation that decides where in the world to establish new plants and thus stimulate economic activity. Because the multinationals have this structural power, governments may find themselves competing to attract foreign investors, and may be willing to make compromises on environmental issues in order to provide incentives. There is an ongoing debate today, not yet resolved, over whether we are witnessing a "race to the

bottom" among government regulatory agencies, which would undermine the prospects for international cooperation (Vogel 1995).

One final corporate resource is both a source of power and of weakness: it is, after all, the corporations that are most directly involved in producing environmental externalities. Chemical companies pollute the land and water; agribusiness strips the soil of nutrients; power generation companies belch carbon dioxide into the air; and on and on. It is the behavior of corporations that must be changed if we are to have any ability to promote sustainable development policies in the future. Corporations are central organs in the modern production system that causes environmental harm. Their choices have direct influence on environmental outcomes. When thousands of companies adopt ISO14001 Environmental Management Systems standards, they can have a significant impact on environmental outcomes (Prakash and Potoski 2006).[9] When it comes to environmental governance, it is generally the firms that are the targets of NGO activism and government policymaking – and they are often perceived as being more susceptible to pressure than governments are (Spar and La Mure 2003). But it is also firms that have the expertise and information that could potentially resolve some of the problems we face. This gives them a certain degree of authority in setting international standards or designing and implementing environmental programs (Cutler, Haufler, and Porter 1999). In the eyes of some people, it is natural and inevitable that firms are both the "governors" and the "governed" in environmental issue areas.

The influence of NGOs on world politics, and environmental governance in particular, is undeniable – though often not measurable. Finger and Princen (1994) went so far as to argue that NGOs are now the key actors in environmental policy. The resources that NGOs bring to politics and environmental governance include information and expertise, the ability to raise the costs for other actors through their activism, and most of all their perceived legitimacy. They may not have much in the way of material resources, but their reputation is one of their most valued assets.

Although it may seem like a very weak resource, the research and information that NGOs provide to policymakers and the public have a significant impact on how an issue is framed and whether action is taken to address it. Nonprofit organizations conduct much of the

[9] ISO 14001 does not actually establish standards for environmental outcomes, and is instead a management standard. However, the widespread adoption of these standards indicates the degree to which firms take seriously the need to include environmental considerations in their decision-making.

research into environmental science, both within traditional educational establishments, and through think tanks and other organizations. Their work is viewed as more impartial than research done in the private sector, and therefore is often taken more seriously. NGOs are often a source of new and innovative policy ideas, or they may promote innovations developed by others that may later be taken up by governments and IGOs. For instance, carbon trading is a creative innovation in how governments approach the need to reduce carbon emissions; it was taken up by influential NGOs, and eventually by firms that saw it as an effective way to combine profit-making with sustainable production.

One of the critical points of leverage for NGOs is their ability to change the costs and benefits of action and inaction for other actors. In a positive vein, NGOs may facilitate the ability of states or IGOs to design and implement desired policies. For instance, Raustiala (1997) argues that NGOs can provide the following benefits to states in international environmental negotiations: policy research, monitoring compliance, serving notice when delegations are deviating from their charge, providing information to policymakers and the public about negotiations, helping state policymakers signal to constituents about the negotiations, and facilitating domestic ratification of an agreement due to their domestic influence (Raustiala 1997, pp. 727–31). Activist NGOs can also significantly raise the costs to businesses of "business-as-usual" through boycotts, shareholder activism, litigation, and protests. They have become increasingly expert in pursuing a range of campaign strategies against companies. Many of these efforts have been successful in provoking changes in corporate behavior. Some NGOs and firms have partnered in specific governance initiatives, ranging from the program between the Worldwide Fund for Nature (WWF) and McDonald's to switch to more sustainable packaging for food, to broader initiatives such as the Forest Stewardship Council.

NGOs are generally viewed as values-based organizations, which gives them a degree of legitimacy that corporations cannot hope to match. Charnovitz argues that the voluntary nature of most NGOs brings them moral authority, while others argue that their status and influence come primarily from formal or informal delegation by states (Cooley and Ron 2002; Charnovitz 2006). Some observers view NGOs as representatives of an emerging global society that brings to the forefront the voices of those who are unheard (Clark 1995; Boli and Thomas 1997; Charnovitz 2006). Still others, such as Braithwaite (2006), view NGOs as partners of government in enhancing the regulatory capacity of developing countries

in ways that bypass the regulatory state, promoting a "regulatory society" model instead, in which NGOs and civil society help achieve the objectives of regulation in weakly governed states. However, their legitimacy can at times be tenuous. As noted by Cooley and Ron in their analysis of humanitarian aid organizations, the need to obtain financial resources can cause them to compromise their values in the competition for funding (Cooley and Ron 2002). In recent years, their rising influence has brought increasing criticism and demands for accountability (Brown and Moore 2001).[10] Streeten (1997) has argued that NGOs are not even very good at what they claim to be good at – they are not participatory, often depend on government support, and do not reach the disadvantaged people they often claim to represent. Others view them as unrepresentative and undemocratic (Anderson 2000). Nevertheless, in general, we can say that one of the main resources of NGOs is their legitimacy and moral authority.

The material and structural power of business organizations would seem to put them in a dominant position vis-à-vis NGOs. They have the resources to ignore the demands of activists, and have been the driving force behind globalization and the extension of capitalism internationally. Nevertheless, we can see the influence of NGOs in the very existence of hybrid forms of global governance, as discussed elsewhere in this volume. Corporations have adopted environmental policies and standards that they probably would have rejected a few decades ago. Both for-profit and nonprofit organizations participate in partnerships to address environmental issues. More significantly, the discourse of sustainable development – and not just environmental protection – has come to dominate policy discussions, as noted in the Introduction to this volume. Sustainable development entails a much broader set of interconnected issues that cannot be addressed by any one actor on its own.

The significance of non-state actors in global environmental governance

Global environmental governance today goes well beyond traditional inter-state agreements, treaties, and organizations. One of the most striking changes that we see is the degree to which non-state actors participate

[10] Brown and Moore (2001) argue that who NGOs are accountable to, and for what, varies depending on the character of the organization; e.g., service-delivery organizations are accountable to donors and regulators.

in every stage of the development of new governance initiatives. From a functionalist standpoint, we can say that NGOs are prominent in agenda-setting, norm development, and monitoring of compliance; while the private sector is more likely to be involved in rule generation and implementation. These hybrid forms include everything from major global initiatives such as the World Commission on Dams, to many variations of partnerships among different actors from the global to the local levels (Tully 2004). In Chapter 7 of this volume, Auld et al. bring our attention to the emergence of non-state market-driven initiatives as a distinctive form of global environmental governance. King and Toffel (Chapter 4, this volume) point to the importance of understanding self-regulatory programs undertaken by the private sector as a form of governance. Clearly, global environmental governance is not undertaken only by governments and IGOs, but by the efforts of a variety of non-state actors forming new networks of governance activities.

Different approaches to the rise of non-state actors take very different positions on the evolution and significance of their growing influence in world politics. They can be categorized as approaches that take a top-down approach, those that look at them from the bottom up, and an emerging organizational approach. The top-down approach derives from traditional international relations perspectives that view the state as the central force in global affairs. From this perspective, the rise of non-state actors is due to the permissive environment constructed by state actors. Some argue that non-state actors do not pose any fundamental challenge to states, while others argue that states derive benefits from the participation of non-state actors. Raustiala argues that it is states that stand at the juncture of domestic and international politics, and it is states that have the power to achieve the goals desired by NGOs. He detects a pattern in environmental negotiations in which states have played with only a subset of environmental NGOs and have established the terms of their participation (Raustiala 1997). We could say the same about the relationship between states and firms: it is states that establish the framework within which corporations operate domestically and internationally. In this perspective, non-state actors provide benefits to states that make them valuable partners in hybrid forms of global environmental governance. Some have looked upon them as a form of international corporatism, or a means for corporations to undermine the legitimacy of international organizations (Gereffi, Garcia-Johnson, and Sasser 2001; Zammit 2003). Others argue instead that they are an innovative means of addressing gaps in governance, and may even

enhance state capacity. In fact, in Chapter 2 of this volume, Lyon emphasizes "governance failures" as a counterpart to "market failures." Nevertheless, alternative forms of governance suffer from a lack of genuine legitimacy and participation (Raustiala 1997; Ruggie 2004; Stern and Seligmann 2004).

A different perspective, prominent in sociological analyses of NGOs, looks at them as an expression of civil society that balances against both state and firm in setting the direction of the world polity. NGOs can form coalitions, networks, or larger social movements that influence the direction of policy either directly or through fundamentally altering our conceptions of appropriate action. In Chapter 3 of this volume, Lemos and Agrawal highlight the degree to which the interactions of various global actors are complex and embedded in civil society; in order to understand contemporary governance, we must integrate our understanding of all relevant actors instead of the common practice of emphasizing one or the other. Both business and NGOs are involved in adopting and spreading particular norms. Recently, there has been a spate of analyses of ideas diffusion, but most of this has examined purely economic ideas and has not been applied to environmental issues (Simmons, Dobbin, and Garret 2006). Although Boli and Thomas (1997) portray some business ideas as central to an emerging global society, these ideas are highly contested. Environmental values are held in opposition to business ideas, although there is an increasing attempt to find some way to make them more compatible, such as through the entire concept of sustainable development. O'Neill, Balsiger, and VanDeveer (2004) propose an "agency diffusion hypothesis," arguing that agency in world affairs is shifting away from states to the international polity. This is combined with a "transformative cooperation hypothesis," that through cooperation, domestic and international agents and structures may be changed in fundamental ways.

Finally, one important strand that has recently developed is to analyze both firms and NGOs within the framework of organizational theory. In other words, both actors can be analyzed with similar tools, since they engage in similar behaviors and may be driven by comparable motivations. While these actors are distinctive in many ways, they both must answer to organizational imperatives that may operate in a similar fashion.[11] The organizational approach does not make any large claims

[11] Interestingly, business scholars have begun to consider ways to integrate the study of NGOs into models of global governance (see, e.g., Teegen, Doh, and Vachani 2004).

about non-state actors and world politics, but it does highlight the need for us to disaggregate firms and NGOs, and look inside to see how their internal dynamics drive their choices of both strategies and norms.

The research surveyed here points to a number of areas where we need to continue to work on developing models and gathering empirical data. For the private sector, we need to continue the development of a more complex model of "rational" business behavior (Fort and Schipani 2004). Profit alone is not the main motivator of business activity at the global level, but is influenced by contention and contact with other actors. We still lack a common model based on an interdisciplinary understanding of corporate motivation. Coupled with this is a need to further research the political implications of the networked transnational enterprise of today, where responsibility and accountability for actions at the farthest reaches of the supply chain are indeterminate. Finally, we need to comprehend better the changing character and identity of the corporation itself. "Identity" goes beyond brand-name reputation to consider the ways in which corporations are embedded within society at national and global levels.

Despite the explosion of research on NGOs in recent years, there are still many gaps in our knowledge. We are only at the early stages of understanding the internal organizational dynamics of these groups. Furthermore, we need to have a better understanding of the inter-organizational dynamics of coalition-building and contestation among different advocacy groups. This has become more important as we see the emergence on the international stage of groups with a message that counters the norms of the groups that dominate Western media coverage.[12] In addition, given the emergence of multi-stakeholder partnerships among business, international organizations, and NGOs, there is still a dearth of theoretical analyses that go beyond the mere recounting of examples. We have no systematic understanding of the range and character of these new forms of governance, their functions and effectiveness.

The study of global environmental governance requires us to adopt an interdisciplinary and multi-method approach to explore and understand the transformations taking place today. At this stage, it is probably counter-productive to argue in favor of establishing a single common

[12] Clifford Bob's most recent research explores the international debate over the small-arms trade, focusing attention on the emergence of the National Rifle Association and pro-gun ownership groups in international fora, countering the overwhelmingly liberal bias in the study of NGOs (Bob 2007).

model or framework. The transformations in governance are not just tied to the changing role of the state, but to the accompanying changes in the roles and institutional structures of other political actors too. Just because there is no central governor does not imply that there is no governance, but the type of governance and who is involved in it is shifting terrain. Each issue may be governed by a variety of different mechanisms involving different groups at different times. The idea of governance as a process and not as an endpoint is central to the evolution of governance activity at the global level. This process involves heated debate over central values, including sovereignty, democracy, and accountability (Grant and Keohane 2005).

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